



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: November 1, 2005

RE: Enbridge Energy, Limited Partnership-Hartsdale/Griffith / 089-21442-00497

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 13-17-3-4 and 326 IAC 2, this permit modification 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 13-15-7-3 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 Environmental Adjudication, 100 North Senate Avenue, Government Center North, Room 1049, Indianapolis, IN 46204, **within eighteen (18) 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.

Pursuant to 326 IAC 2-7-18(d), any person may petition the U.S. EPA to object to the issuance of a Title V operating permit 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.



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

Mitchell E. Daniels, Jr.
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(800) 451-6027
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Mr. Scott Lounsbury
Enbridge Energy, Limited Partnership – Hartsdale/Griffith
119 North 25th Street East
Superior, Wisconsin 54880

November 1, 2005

Re: 089-21442-00497
First Minor Permit Modification to
Part 70 No.: T 089-11137-00081 &
Part 70 No.: T089-7802-00059

Dear Mr. Lounsbury:

Enbridge Energy, Limited Partnership – Hartsdale/Griffith was issued a Part 70 permit on May 1, 2001 for the Hartsdale Terminal and was issued a Part 70 permit on September 24, 1998 for the Griffith Terminal for a stationary bulk petroleum storage sources. A letter requesting changes to this permit was received on June 24, 2005. Pursuant to the provisions of 326 IAC 2-7-12 a minor permit modification to this permit is hereby approved as described in the attached Technical Support Document.

The modification consists of incorporating the applicable requirements for the installation of an external floating roof tank, identified as Tank 79 and Spearhead project.

All conditions of the two Part 70 permits will be superseded by the conditions in this modification. Please attach a copy of this modification and the following revised permit pages to the front of the original permits.

This decision is subject to the Indiana Administrative Orders and Procedures Act - IC 4-21.5-3-5. If you have any questions on this matter, please contact Aida De Guzman OAQ, 100 North Senate Avenue, P.O. Box 6015, Indianapolis, Indiana, 46206-6015, or call at (800) 451-6027, press 0 and ask for extension (3-4972), or dial (317) 233-4972.

Sincerely,

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

Attachments

APD

cc: File - Lake County
U.S. EPA, Region V
Lake County Health Department
Northwest Regional Office
Air Compliance Section Inspector – Rick Massoels/Ramesh Tejuja
Compliance Data Section
Administrative and Development
Tom W. Fridel – Enbridge Energy, Limited Partnership
1500 West Main Street, Griffith, IN 46319
Ron Reding – Barr Engineering Co.
4700 West 77th St., Minneapolis, MN 55435



Mitchell E. Daniels, Jr.
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Thomas W. Easterly
 Commissioner

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**PART 70 OPERATING PERMIT
 OFFICE OF AIR QUALITY**

**Enbridge Energy, Limited Partnership - Hartsdale/Griffith
 1500 West Main Street
 Griffith, Indiana 46319**

(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.

The Permittee must comply with all conditions of this permit. Noncompliance with any provisions of this permit is grounds for enforcement action; permit termination, revocation and reissuance, or modification; or denial of a permit renewal application. Noncompliance with any provision of this permit, except any provision specifically designated as not federally enforceable, constitutes a violation of the Clean Air Act. 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. An emergency does constitute an affirmative defense in an enforcement action provided the Permittee complies with the applicable requirements set forth in Section B, Emergency Provisions.

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.: T 089-7802-00059	
Original Signed by: Felicia R. George, Assistant Commissioner Office of Air Management	Issuance Date: September 24, 1998
Operation Permit No.: T089-11137-00081	
Original Signed by: Janet G. McCabe, Assistant Commissioner Office of Air Management	Issuance Date: May 1, 2001
First Significant Permit Modification No.: 089-14902-00081, issued on November 27, 2001; First Administrative Amendment No.:089-19761-00081, issued on November 15, 2004; and Second Administrative Amendment No.:089-19406-00081, issued on February 15, 2005	
First Minor Permit Modification No.: 089-21442-00497	Pages Affected: All
Issued by: Original signed by Paul Dubenetzky, Assistant Commissioner Office of Air Quality	Issuance Date: November 1, 2005

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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 bulk petroleum storage sources, known as Hartsdale Terminal and Griffith Terminal.

Responsible Official: Scott W. Lounsbury
Source Address: 1500 West Main Street, Griffith, Indiana 46319
Mailing Address: 119 N. 25th Street East, Superior, Wisconsin 54880-5247
General Source Phone Number: 219-922-3133
SIC Code: 4612
County Location: Lake
Source Location Status: Nonattainment for 8-hour Ozone, 1-hour Ozone, PM2.5, and Sulfur Dioxide
Source Status: Attainment for all other criteria pollutants
Part 70 Permit Program
Major Source, under Emission Offset Rules;
Minor Source, Section 112 of the Clean Air Act

A.2 Part 70 Source Definition [326 IAC 2-7-1(22)]

This bulk petroleum storage company consists of two (2) plants:

- (a) Hartsdale Terminal with Plant ID 089-00081 is located at Central Avenue and Division Street, Schererville, Indiana 46375; and
- (b) Griffith Terminal with Plant ID 089-00059 is located at West Main Street and Lakehead Road, Griffith, Indiana 46319

IDEM, OAQ has determined that these two (2) terminals are considered one plant and therefore, the two (2) Part 70 permits will be combined into one permit. The permit modification involves modification of the two Part 70 permits and combining them into one permit

A.3 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:

Hartsdale Terminal:

- (a) Nine (9) above ground, vertical, external floating roof, storage tanks, identified as 1601 through 1609, installed in 1958, capacity: 4,200,000 gallons (100,000 barrels) of crude oil each.
- (b) Spearhead project – consists of the installation of three (3) main line booster pumps and associated piping, metering, sampling and maintenance equipment. This project will result in an increase potential terminal throughput of 125,000 barrels per day. No physical modifications to the terminal's tanks will occur as part of the project.

This project will reverse the flow of the existing pipeline from Cushing, Oklahoma which

currently transports crude oil to the Hartsdale and Griffith Terminals will now transport crude oil from Hartsdale and Griffith Terminals to Cushing, Oklahoma.

- (c) Piping component fugitive emission sources in VOC service.

Griffith Terminal:

- (a) Proposed one (1) crude oil storage tank, identified as Tank 79, with an external floating roof, with a maximum capacity of 370,000 barrels (15,543,440 gallons).
- (b) One (1) crude oil storage tank, constructed in 1969, identified as EU70, with an external floating roof, with a maximum capacity of 120,000 barrels.
- (c) One (1) crude oil storage tank, constructed in 1970, identified as EU71, with an external floating roof, with a maximum capacity of 217,000 barrels.
- (d) One (1) crude oil storage tank, constructed in 1971, identified as EU72, with an external floating roof, with a maximum capacity of 217,000 barrels.
- (e) One (1) crude oil storage tank, constructed in 1971, identified as EU73, with an external floating roof, with a maximum capacity of 217,000 barrels.
- (f) One (1) crude oil storage tank, constructed in 1972, identified as EU74, with an external floating roof, with a maximum capacity of 217,000 barrels.
- (g) One (1) crude oil storage tank, constructed in 1972, identified as EU75, with an external floating roof, with a maximum capacity of 217,000 barrels.
- (h) One (1) crude oil storage tank, constructed in 1973, identified as EU76, with an external floating roof, with a maximum capacity of 395,000 barrels.
- (i) One (1) crude oil storage tank, constructed in 1973, identified as EU77, with an external floating roof, with a maximum capacity of 395,000 barrels.
- (j) One (1) crude oil storage tank, constructed in 1979, identified as EU78, with an external floating roof, with a maximum capacity of 217,000 barrels.
- (k) Piping component fugitive emission sources in VOC service.

A.4 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) Emergency diesel generator not exceeding 1,600 horsepower, rated at 175 horsepower.
- (b) Paved and unpaved roads and parking lots with public access.
- (c) Diesel generators not exceeding 1600 horsepower.

- (d) A laboratory as defined in 326 IAC 2-7-1(21)(C).
- (e) Stationary fire pumps.

A.5 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)]

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 17.1. 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.
- (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 April 15 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.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) 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.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, 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, and 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 (Regional Office)

- (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.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) 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.13 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.

Emergencies shall be included in the Quarterly Deviation and Compliance Monitoring Report.

B.14 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.15 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, 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, 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.16 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 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.17 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.18 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 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 (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 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.19 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.20 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.21 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.22 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 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 317-233-0425 (ask for OAQ, Technical Support and Modeling Section), to determine the appropriate permit fee.

B.23 Credible Evidence [326 IAC 2-7-5(3)][62 Federal Register 8313][326 IAC 2-7-6]

Notwithstanding the conditions of this permit that state specific methods that may be used to assess compliance or noncompliance with applicable requirements, other credible evidence may be used to demonstrate compliance with, or a violation of, any term or condition of this permit.

SECTION C

SOURCE OPERATION CONDITIONS

C.1 Major Source

Pursuant to 326 IAC 2-3, (Emission Offset), this source is a major source for Volatile Organic Compounds (VOC) emissions.

C.2 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.3 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 twenty percent (20%) 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.4 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.5 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.6 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.7 Fugitive Dust Emissions [326 IAC 6-1-11.1]

The Permittee shall be in violation of 326 IAC 6-1-11.1 (Lake County Fugitive Particulate Matter Control Requirements), if the opacity of fugitive particulate emissions exceeds ten percent (10%). Compliance with this opacity limit shall be achieved by controlling fugitive particulate matter emissions according to the source's fugitive dust plan.

C.8 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 units vented to the control equipment are in operation.

C.9 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, pursuant to the provisions of 40 CFR 61, Subpart M, is federally enforceable.

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

C.10 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.11 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.12 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.13 Maintenance of Monitoring Equipment [326 IAC 2-7-5(3)(A)(iii)]

- (a) In the event that a breakdown of the 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 than one (1) 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.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.

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

C.15 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.16 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.17 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.18 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.19 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) In accordance with the compliance schedule specified in 326 IAC 2-6-3(b) (1), the Permittee shall submit by July 1 an emission statement covering the previous calendar year as follows:
- (1) starting in 2005 and every three (3) years thereafter, and
 - (2) any year not already required under (1) if the source emits volatile organic compounds or oxides of nitrogen into the ambient air at levels equal to or greater than twenty-five (25) tons during the previous calendar year.
- (b) 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.
- (c) 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
- The emission statement does require the certification by the "responsible official" as defined by 326 IAC 2-7-1(34).
- (d) 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.20 General Record Keeping Requirements [326 IAC 2-7-5(3)] [326 IAC 2-7-6] [326 IAC 2-2] [326 IAC 2-3]

- (a) Records of all required monitoring data, reports and support information required by this permit shall be retained for a period of at least ten (10) 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 seven (7) 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 2-3-1 (ll) 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 2-3-1 (mm)),

the Permittee shall comply with following:

- (1) Prior to commencing the construction of the “project” (as defined in 326 IAC 2-2-1 (qq) and 326 IAC 2-3-1 (ll) 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 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.21 General Reporting Requirements [326 IAC 2-7-5(3)(C)] [326 IAC 2-1.1-11] [326 IAC 2-2] [326 IAC 2-3]

- (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, 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, 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/or 326 IAC 2-3-1 (ll) 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/or 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, P. O. Box 6015
Indianapolis, Indiana 46206-6015

- (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.22 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)]:

Hartsdale Terminal

- (a) Nine (9) above ground, vertical, external floating roof, storage tanks, identified as 1601 through 1609, installed in 1958, capacity: 4,200,000 gallons (100,000 barrels) of crude oil each.
- (b) Spearhead project – consists of the installation of three (3) main line booster pumps and associated piping, metering, sampling and maintenance equipment. This project will result in an increase potential terminal throughput of 125,000 barrels per day. No physical modifications to the terminal's tanks will occur as part of the project.

This project will reverse the flow of the existing pipeline from Cushing, Oklahoma which currently transports crude oil to the Hartsdale and Griffith Terminals will now transport crude oil from Hartsdale and Griffith Terminals to Cushing, Oklahoma.

- (c) Piping component fugitive emission sources in VOC service.

(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 General Provisions Relating to NSPS [326 IAC 12-1] [40 CFR 60, Subpart A]

The provisions of 40 CFR 60 Subpart A - General Provisions, which are incorporated as 326 IAC 12-1, apply to the facilities described in this section except when otherwise specified in 40 CFR 60 Subpart Kb.

D.1.2 Void Air Space Height Limitation [326 IAC 2-3]

The total void space height for the nine (9) storage tanks, identified as 1601 through 1609, shall be limited to less than 97.19 feet per twelve (12) consecutive month period, equivalent to VOC emissions of less than twenty-five (25) tons per year. Therefore the requirements of 326 IAC 2-3 do not apply.

D.1.3 Volatile Organic Liquid Storage Vessels: Standards [326 IAC 8-9-4]

The nine (9) external floating roof storage tanks must comply with the following requirements of 326 IAC 8-9-4.

- (a) The owner or operator of each vessel with a capacity greater than or equal to thirty-nine thousand (39,000) gallons, that stores VOL with a maximum true vapor pressure greater than or equal to seventy-five hundredths (0.75) pound per square inch absolute (psia) but less than eleven and one-tenth (11.1) psia shall do the following:
 - (1) For each vessel having an external floating roof, install one (1) of the following:
 - (A) At the time of the next scheduled cleaning, but not later than ten (10) years after May 1, 1996, an external floating roof meeting the standards in subsection (e) of this rule.
 - (B) On or before May 1, 1996, a closed vent system meeting the standards in subsection (d) of this rule.

- (C) On or before May 1, 1996, an equivalent emissions control system resulting in equivalent emissions reductions to that obtained in clause (A) of this rule.
- (2) For each vessel subject to this subsection, the owner or operator described in the report required in section 6(b) of this rule, install one (1) of the following:
 - (A) Emission control equipment.
 - (B) A schedule for vessel cleaning and installation of emission control equipment.
- (b) On or before May 1, 1996, the owner or operator of each vessel with a capacity greater than or equal to thirty-nine thousand (39,000) gallons, that stores VOL with a maximum true vapor pressure greater than or equal to eleven and one-tenth (11.1) psia shall equip each vessel with a closed vent system with a control device meeting the standards of subsection (d).
- (c) Standards applicable to each closed vent system and control device are as follows:
 - (1) The closed vent system shall be designed to collect all VOC vapors and gases discharged from the vessel and operated with no detectable emission as indicated by an instrument reading of less than five hundred (500) parts per million (ppm) above background and visual inspections as determined by the methods specified in 40 CFR 60, Subpart VV, 60.485(C).
 - (2) The control device shall be designed and operated to reduce inlet VOC emissions by ninety-five percent (95%) or greater. If a flare is used as the control device, it shall meet the specifications described in the general control device requirements in 40 CFR 60.18, General Provisions.
- (d) Standards applicable to each external floating roof are as follows:
 - (1) Each external floating roof shall be equipped with a closure device between the wall of the vessel and the roof edge. The closure device shall consist of two (2) seals, one (1) above the other. The lower seal shall be referred to as the primary seal; the upper seal shall be referred to as the secondary seal.
 - (2) Except as provided in section 5(c)(4) of this rule, the primary seal shall completely cover the annular space between the edge of the floating roof and vessel wall and shall be either a liquid-mounted seal or a shoe seal.
 - (3) The secondary seal shall completely cover the annular space between the external floating roof and the wall of the vessel in a continuous fashion except as allowed in section 5(c)(4) of this rule.
 - (4) Except for automatic bleeder vents and rim space vents, each opening in a non-contact external floating roof shall provide a projection below the liquid surface.
 - (5) Except for automatic bleeder vents, rim space vents, roof drains, and leg sleeves, each opening in the roof shall be equipped with a gasketed cover, seal, or lid that shall be maintained in a closed position at all times, without visible gap, except when the device is in actual use.
 - (6) Automatic bleeder vents shall be closed at all times when the roof is floating

except when the roof is being floated off or is being landed on the roof leg supports.

- (7) Rim vents shall be set to open when the roof is being floated off the roof leg supports or at the manufacturer's recommended setting. Automatic bleeder vents and rim space vents shall be gasketed.
- (8) Each emergency roof drain shall be provided with a slotted membrane fabric cover that covers at least ninety percent (90%) of the area of the opening.

Compliance Determination Requirements

D.1.4 Volatile Organic Liquid Storage Vessels Roofs [326 IAC 8-9-4]

The roof shall be floating on the liquid at all times, for example, off the roof leg supports, except when the vessel is completely emptied and subsequently refilled. The process of filling, emptying, or refilling when the roof is resting on the leg supports shall be continuous and shall be accomplished as rapidly as possible.

D.1.5 Volatile Organic Liquid Storage Vessels: Testing and Procedures [326 IAC 8-9-5]

The nine (9) external floating roof storage tanks must comply with the following requirements of 326 IAC 8-9-5.

- (a) The owner or operator of each vessel subject to section 4(a) of this rule shall meet the requirements of subsection (b), (c), or (d).
- (b) On and after May 1, 1996, except as provided in section 4(a)(3) of this rule, the owner or operator of each vessel equipped with an external floating roof shall meet the following requirements:
 - (1) Determine the gap areas and maximum gap widths between the primary seal and the wall of the vessel and between the secondary seal and the wall of the vessel according to the following frequency:
 - (A) Measurements of gaps between the vessel wall and the primary seal (seal gaps) shall be performed during the hydrostatic testing of the vessel or within sixty (60) days of the initial fill with VOL and at least once every five (5) years thereafter.
 - (B) Measurements of gaps between the vessel wall and the secondary seal shall be performed within sixty (60) days of the initial fill with VOL and at least once per year thereafter.
 - (C) If any source ceases to store VOL for a period of one (1) year or more, subsequent introduction of VOL into the vessel shall be considered an initial fill for purposes of this subdivision.
 - (2) Determine gap widths and areas in the primary and secondary seals individually by the following procedures:
 - (A) Measure seal gaps, if any, at one (1) or more floating roof levels when the roof is floating off the roof leg supports.
 - (B) Measure seal gaps around the entire circumference of the vessel in each place where a one-eighth ($\frac{1}{8}$) inch diameter uniform probe passes freely (without forcing or binding against seal) between the seal and the wall of

the vessel and measure the circumferential distance of each such location.

- (C) The total surface area of each gap described in clause (B) shall be determined by using probes of various widths to measure accurately the actual distance from the vessel wall to the seal and multiplying each such width by its respective circumferential distance.
- (3) Add the gap surface area of each gap location for the primary seal and the secondary seal individually and divide the sum for each by the nominal diameter of the vessel and compare each ratio to the respective standards in subdivision (4).
 - (4) Make necessary repairs or empty the vessel within forty-five (45) days of identification of seals not meeting the requirements listed in clauses (A) and (B) as follows:
 - (A) The accumulated area of gaps between the vessel wall and the mechanical shoe or liquid-mounted primary seal shall not exceed ten (10) square inches per foot of vessel diameter, and the width of any portion of any gap shall not exceed one and five-tenths (1.5) inches. There shall be no holes, tears, or other openings in the shoe, seal fabric, or seal envelope.
 - (B) The secondary seal shall meet the following requirements:
 - (i) The secondary seal shall be installed above the primary seal so that it completely covers the space between the roof edge and the vessel wall except as provided in subdivision (2)(C).
 - (ii) The accumulated area of gaps between the vessel wall and the secondary seal used in combination with a metallic shoe or liquid-mounted primary seal shall not exceed one (1) square inch per foot of vessel diameter, and the width of any portion of any gap shall not exceed five-tenths (0.5) inch. There shall be no gaps between the vessel wall and the secondary seal when used in combination with a vapor-mounted primary seal.
 - (iii) There shall be no holes, tears, or other openings in the seal or seal fabric.
 - (C) If a failure that is detected during inspections required in subdivision (1) cannot be repaired within forty-five (45) days and if the vessel cannot be emptied within forty-five (45) days, a thirty (30) day extension may be requested from the department in the inspection report required in section 6(d)(3) of this rule. Such extension request must include a demonstration of unavailability of alternate storage capacity and a specification of a schedule that will assure that the control equipment will be repaired or the vessel will be emptied as soon as possible.
- (c) The owner or operator of each vessel that is equipped with a closed vent system and control device described in section 4(a)(1)(B), 4(a)(2)(B), or 4(a)(3)(B) of this rule and meeting the requirements of section 4(d) of this rule, other than a flare, shall meet the following requirement:

Operate the closed vent system and control device and monitor the parameters of the closed vent system and control device in accordance with the operating plan submitted to the department in accordance with subdivision (1) unless the plan was modified by the department during the review process. In this case, the modified plan applies.

- (d) The owner or operator of each source that is equipped with a closed vent system and a flare to meet the requirements in section 4(a)(4) or 4(d) of this rule shall meet the requirements specified in the general control device requirements in 40 CFR 60.18(e) and 40 CFR 60.18(f).

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

D.1.6 Crude Oil Level

Whenever the crude oil level in any of the nine (9) storage tanks falls to or below 3.75 feet from the bottom of that storage tank, the Permittee shall record the minimum crude oil level to the nearest 1/8th of an inch reached for each storage tank unloading using a Varec crude oil level gauge.

D.1.7 Visual Inspections [326 IAC 8-9-5]

Visually inspect the external floating roof, the primary seal, secondary seal, and fittings each time the vessel is emptied and degassed. For all visual inspections, the following requirements apply:

- (a) If the external floating roof has defects, the primary seal has holes, tears, or other openings in the seal or the seal fabric, or the secondary seal has holes, tears, or other openings in the seal fabric, the owner or operator shall repair the items as necessary so that none of the conditions specified in this clause exist before filling or refilling the vessel with VOL.
- (b) The owner or operator shall notify the department in writing at least thirty (30) days prior to the filling or refilling of each vessel to afford the department the opportunity to inspect the vessel prior to the filling. If the inspection required by this subdivision is not planned and the owner or operator could not have known about the inspection thirty (30) days in advance of refilling the vessel, the owner or operator shall notify the department at least seven (7) days prior to the refilling of the vessel. Notification shall be made by telephone immediately followed by written documentation demonstrating why the inspection was unplanned. Alternatively, this notification including the written documentation may be made in writing and sent by express mail so that it is received by the department at least seven (7) days prior to the refilling.

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

D.1.8 Standards of Performance for Volatile Organic Liquid Storage Vessels [326 IAC 12] [40 CFR 60.116b]

The nine (9) storage tanks, identified as 1601 - 1609, shall comply with the New Source Performance Standards (NSPS), 326 IAC 12 (40 CFR Part 60.116b, Subpart Kb). 40 CFR Part 60.116b paragraphs (a) and (b) require the Permittee to maintain accessible records showing the dimension of each storage vessel and an analysis showing the capacity of each storage vessel.

D.1.9 Void Air Space Height

In order to comply with Condition D.1.6, the Permittee shall record the crude level void air space height each time the unloading of a storage tank results in void air space by tank number (1601 - 1609).

D.1.10 Volatile Organic Liquid Storage Vessels [326 8-9-6]

The nine (9) external floating roof storage tanks must comply with the following record keeping

requirements of 326 IAC 8-9-6.

- (a) The owner or operator of each vessel subject to this rule shall keep all records required by this section for three (3) years unless specified otherwise. Records required by subsection (b) shall be maintained for the life of the vessel.
- (b) The owner or operator of each vessel to which section 1 of this rule applies shall maintain a record and submit to the department a report containing the following information for each vessel:
 - (1) The vessel identification number.
 - (2) The vessel dimensions.
 - (3) The vessel capacity.
 - (4) A description of the emission control equipment for each vessel described in section 4(a) and 4(b) of this rule, or a schedule for installation of emission control equipment on vessels described in section 4(a) or 4(b) of this rule with a certification that the emission control equipment meets the applicable standards.
- (c) The owner or operator of each vessel equipped with an external floating roof shall comply with the following record keeping and reporting requirements:
 - (1) Keep a record of each gap measurement performed as required by section 5(c) of this rule. Each record shall identify the vessel in which the measurement was made and shall contain the following:
 - (A) The date of measurement.
 - (B) The raw data obtained in the measurement.
 - (C) The calculations described in section 5(c)(2) and 5(c)(3) of this rule.
 - (2) Within sixty (60) days of performing the seal gap measurements required by section 5(c)(1) of this rule, furnish the department with a report that contains the following:
 - (A) The date of measurement.
 - (B) The raw data obtained in the measurement.
 - (C) The calculations described in section 5(c)(2) and 5(c)(3) of this rule.
 - (3) After each seal gap measurement that detects gaps exceeding the limitations specified in section 5(c) of this rule, submit a report to the department within thirty (30) days of the inspection. The report shall identify the vessel and contain the information specified in subdivision (2) and the date the vessel was emptied or the repairs made and date of repair.
- (d) The owner or operator of each vessel equipped with a closed vent system with a control device shall comply with the following record keeping and reporting requirements:
 - (1) Owner or operators that equip the vessel with a control device other than a flare shall do the following:

- (A) On or before January 1, 1996, submit an operating plan as required by section 4(d) of this rule.
- (B) Maintain records of the following:
 - (i) The operating plan.
 - (ii) Measured values of the parameters monitored according to section 5(d)(2) of this rule.
- (2) Owner or operators that equip the vessel with a closed vent system and a flare shall meet the following requirements:
 - (A) Keep records of all periods of operation during which the flare pilot flame is absent.
 - (B) Furnish the department with a report containing the measurements required by 40 CFR 60.18(f)(1) through 40 CFR 60.18(f)(5) as required by 40 CFR 60.8. This report shall be submitted within six (6) months of the initial start-up date.
 - (C) Furnish the department with a semiannual report of all periods recorded under 40 CFR 60.115 in which the pilot flame was absent.
- (e) The owner or operator of each vessel equipped with a closed vent system and control device meeting the standards of section 4 of this rule is exempt from the requirements of subsections (g) and (h).
- (f) Except as provided in subsections (f) and (j), the owner or operator of each vessel either with a design capacity greater than or equal to thirty-nine thousand (39,000) gallons storing a VOL with a maximum true vapor pressure greater than or equal to five-tenths (0.5) pound per square inch absolute (psia) but less than seventy-five hundredths (0.75) psia shall maintain a record of the maximum true vapor pressure of the VOL stored in each vessel. The record for each vessel shall contain the following information:
 - (1) The type of VOL stored.
 - (2) The dates of the VOL storage.
 - (3) For each day of VOL storage, the average stored temperature for VOLs stored above or below the ambient temperature or average ambient temperature for VOLs stored at ambient temperature, and the corresponding maximum true vapor pressure.
- (g) Except as provided in subsection (f), the owner or operator of each vessel with a design capacity greater than or equal to thirty-nine thousand (39,000) gallons storing a liquid with a maximum true vapor pressure that is normally less than seventy-five hundredths (0.75) psia shall maintain a record and notify the department within thirty (30) days when the maximum true vapor pressure of the liquid exceeds seventy-five hundredths (0.75) psia.
- (h) Available data on the storage temperature may be used to determine the maximum true vapor pressure as follows:
 - (1) The maximum true vapor pressure for VOLs stored at temperatures above or

below the ambient temperature shall correspond to the highest calendar-month average storage temperature. The maximum true vapor pressure for VOLs stored at the ambient temperature shall correspond to the local maximum monthly average temperature, as reported by the National Weather Service.

- (2) For local crude oil or refined petroleum products, the maximum vapor pressure may be determined as follows:
 - (A) Available data on the Reid vapor pressure and the maximum expected storage temperature based on the highest expected calendar month average temperature of the stored product may be used to determine the maximum true vapor pressure from nomographs contained in API Bulletin 2517 unless the department specifically requests that the liquid be sampled, the actual storage temperature determined, and the Reid vapor pressure determined from the samples.
 - (B) The maximum true vapor pressure of each type of crude oil with a Reid vapor pressure less than two (2) pounds per square inch or with physical properties that preclude determination by the recommended method shall be determined from available data and recorded if the estimated maximum true vapor pressure is greater than five-tenths (0.5) psia.
- (3) For other liquids, the maximum true vapor pressure may be determined by any of the following methods:
 - (A) Standard reference texts.
 - (B) ASTM Method D2879-92.
 - (C) Calculated or measured by a method approved by the department.
- (i) The owner or operator of each vessel storing a waste mixture of indeterminate or variable composition shall be subject to the following requirements:
 - (1) Prior to the initial filling of the vessel, the highest maximum true vapor pressure for the range of anticipated liquid compositions to be stored will be determined using the methods described in subsection (i).
 - (2) For vessels in which the vapor pressure of the anticipated liquid composition is above the cutoff for monitoring but below the cutoff for controls as defined in section 4(a) of this rule, tests are required as follows:
 - (A) An initial physical test of the vapor pressure is required.
 - (B) A physical test at least once every six (6) months thereafter is required using one (1) of the following methods:
 - (i) ASTM Method D2879-92.
 - (ii) ASTM Method D323-82.
 - (iii) As measured by an appropriate method as approved by the department.
- (j) Notify the department thirty (30) days in advance of any gap measurements required by

Condition D.1.5(b)(1) to afford the department the opportunity to have an observer present.

- (k) The owner or operator of each vessel that is equipped with a closed vent system and control device described in section 4(a)(1)(B), 4(a)(2)(B), or 4(a)(3)(B) of this rule and meeting the requirements of section 4(d) of this rule, other than a flare, shall meet the following requirements:
 - (1) On or before January 1, 1996, submit to the department an operating plan containing the following information:
 - (A) Documentation demonstrating that the control device will achieve the required control efficiency during maximum loading conditions. This documentation shall include a description of the gas stream that enters the control device, including flow and VOC content under varying liquid level conditions (dynamic and static) and manufacturer's design specifications for the control device. If the control device or the closed vent capture system receives vapor gases, or liquid other than fuels from sources that are not subject to this rule, the efficiency demonstration shall include consideration of all vapors, gases, and liquids received by the closed vent capture system and control device. If an enclosed combustion device with a minimum residence time of seventy-five hundredths (0.75) second and a minimum temperature of eight hundred sixteen degrees Centigrade (816^{EC}) is used to meet the ninety-five percent (95%) requirement, documentation that those conditions will exist is sufficient to meet the requirements of this subdivision.
 - (B) A description of the parameter or parameters to be monitored to ensure that the control device will be operated in conformance with its design and an explanation of the criteria used to monitor the parameter or parameters.
 - (l) All records shall be maintained in accordance with Section C - General Record Keeping Requirements, of this permit.

D.1.11 Reporting Requirements

A quarterly summary of the information to document compliance with Condition D.1.2 shall be submitted to the addresses 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).

SECTION D.2

FACILITY OPERATION CONDITIONS

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

Griffith Terminal:

- (a) Proposed one (1) crude oil storage tank, identified as Tank 79, with an external floating roof, with a maximum capacity of 370,000 barrels (15,543,440 gallons).
- (b) One (1) crude oil storage tank, constructed in 1969, identified as EU70, with an external floating roof, with a maximum capacity of 120,000 barrels.
- (c) One (1) crude oil storage tank, constructed in 1970, identified as EU71, with an external floating roof, with a maximum capacity of 217,000 barrels.
- (d) One (1) crude oil storage tank, constructed in 1971, identified as EU72, with an external floating roof, with a maximum capacity of 217,000 barrels.
- (e) One (1) crude oil storage tank, constructed in 1971, identified as EU73, with an external floating roof, with a maximum capacity of 217,000 barrels.
- (f) One (1) crude oil storage tank, constructed in 1972, identified as EU74, with an external floating roof, with a maximum capacity of 217,000 barrels.
- (g) One (1) crude oil storage tank, constructed in 1972, identified as EU75, with an external floating roof, with a maximum capacity of 217,000 barrels.
- (h) One (1) crude oil storage tank, constructed in 1973, identified as EU76, with an external floating roof, with a maximum capacity of 395,000 barrels.
- (i) One (1) crude oil storage tank, constructed in 1973, identified as EU77, with an external floating roof, with a maximum capacity of 395,000 barrels.
- (j) One (1) crude oil storage tank, constructed in 1979, identified as EU78, with an external floating roof, with a maximum capacity of 217,000 barrels.
- (k) Piping component fugitive emission sources in VOC service.

(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.2.1 Volatile Organic Compounds (VOC) [326 IAC 8-4] [326 IAC 8-9]

- (a) Pursuant to 326 IAC 8-4-3, (Petroleum Liquid Storage Facilities), the source shall comply with the requirements for external floating roofs for the following requirements shall be applicable to the nine (9) ten (10) external floating roof storage tanks identified as 70, 71, 72, 73, 74, 75, 76, 77, and 78, and 79.
 - (1) The owner or operator shall not store petroleum liquid in these tanks unless:
 - (A) The facility has been fitted with:
 - (i) A continuous secondary seal extending from the floating roof to the tank wall (rim-mounted secondary seal); or

- (ii) A closure or other device approved by the IDEM, OAQ which is equally effective.
 - (B) All seal closure devices shall meet the following requirements:
 - (i) There are no visible holes, tears, or other openings in the seal(s) or seal fabric;
 - (ii) The seal(s) are intact and uniformly in place around the circumference of the floating roof between the floating roof and the tank wall.
 - (iii) For vapor mounted primary seals, the accumulated gap area around the circumference of the secondary seal where a gap exceeding one-eighth (1/8) inch exists between the secondary seal and the tank wall shall not exceed 1.0 square inch per foot of tank diameter. There shall be no gaps exceeding one-half (1/2) inch between the secondary seal and the tank wall of welded tanks and no gaps exceeding one (1) inch between the secondary seal and the tank wall of riveted tanks.
 - (C) All openings in the external floating roof, except for automatic bleeder vents, rim space vents, and leg sleeves, are:
 - (i) Equipped with covers, seals, or lids in the closed position except when the openings are in actual use; and
 - (ii) Equipped with projections into the tank which remain below the liquid surface at all times.
 - (D) Automatic bleeder vents are closed at all times except when the roof is floated off or landed on the roof leg supports;
 - (E) Rim vents are set to open when the roof is being floated off the leg supports or at the manufacturer's recommended setting; and
 - (F) Emergency roof drains are provided with slotted membrane fabric covers or equivalent covers which cover at least ninety percent (90%) of the area of the opening.
- (b) Pursuant to 326 IAC 8-9-1, the nine (9) ten (10) storage tanks identified as 70, 71, 72, 73, 74, 75, 76, 77 and 78, and 79 shall comply with the requirements of 326 IAC 8-9-4(e). Standards applicable to each external floating roof are as follows shall be the following:
- (1) Each external floating roof shall be equipped with a closure device between the wall of the vessel and the roof edge. The closure device shall consist of two (2) seals, one (1) above the other. The lower seal shall be referred to as the primary seal; the upper seal shall be referred to as the secondary seal.
 - (2) The primary seal shall completely cover the annular space between the edge of the floating roof and vessel wall and shall be either a liquid-mounted seal or a shoe seal.
 - (3) The secondary seal shall completely cover the annular space between the external floating roof and the wall of the vessel in a continuous fashion.
 - (4) Except for automatic bleeder vents and rim space vents, each opening in a noncontact external floating roof shall provide a projection below the liquid surface.

- (5) Except for automatic bleeder vents, rim space vents, roof drains and leg sleeves, each opening in the roof shall be equipped with a gasketed cover, seal or lid that shall be maintained in a closed position at all times, without visible gap, except when the device is in actual use.
- (6) Automatic bleeder vents shall be closed at all times when the roof is floating except when the roof is being floated off or is being landed on the roof leg supports.
- (7) Rim vents shall be set to open when the roof is being floated off the roof leg supports or at the manufacturer's recommended setting. Automatic bleeder vents and rim space vents shall be gasketed.
- (8) Each emergency roof drain shall be provided with a slotted membrane fabric that covers at least ninety percent (90%) of the area of the opening.
- (9) The roof shall be floating on the liquid at all times, for example, off the roof leg supports, except when the vessel is completely emptied and subsequently refilled. The process of filling, emptying or refilling when the roof is resting on the leg supports shall be continuous and shall be accomplished as rapidly as possible.

D.2.2 New Source Performance Standard [326 IAC 12] [40 CFR 60.110a Subpart Ka]

- (a) Pursuant to 326 IAC 12 and 40 CFR 60.110a, Subpart Ka, the external floating roof for tank identified as 78 shall meet the following requirements:
 - (1) An external floating roof, consisting of a pontoon-type or double-deck-type cover that rests on the surface of the liquid contents and is equipped with a closure device between the tank wall and the roof edge. The closure device is to consist of two seals, one above the other. The lower seal is referred to as the primary seal and the upper seal is referred to as the secondary seal. The roof is to be floating on the liquid at all times (i.e., off the roof leg supports) except during initial fill and when the tank is completely emptied and subsequently refilled. The process of emptying and refilling when the roof is resting on the leg supports shall be continuous and shall be accomplished as rapidly as possible.
 - (i) The primary seal is to be either a metallic shoe seal, a liquid mounted seal or a vapor mounted seal. Each seal is to meet the following requirements:
 - (A) The accumulated area of gaps between the tank wall and the metallic shoe seal or the liquid mounted seal shall not exceed 212 cm² per meter of tank diameter (10.0 in² per ft of tank diameter) and the width of any portion of any gap shall not exceed 3.81 cm (1.5 in).
 - (B) The accumulated area of gaps between the tank wall and the vapor-mounted seal shall not exceed 21.2 cm² per meter of tank diameter (1.0 in² per ft of tank diameter) and the width of any portion of any gap shall not exceed 1.27 cm (0.5 in).
 - (C) One end of the metallic shoe is to extend into the stored liquid and the other end is to extend a minimum vertical distance of 61 cm (24 in) above the stored liquid surface.

- (D) There are to be no holes, tears or other openings in the shoe, seal fabric or seal envelope.
- (ii) The secondary seal is to meet the following requirements:
 - (A) The secondary seal is to be installed above the primary seal so that it completely covers the space between the roof edge and the tank wall.
 - (B) The accumulated area of gaps between the tank wall and the secondary seal used in combination with a metallic shoe or liquid-mounted primary seal shall not exceed 21.2 cm² per meter of tank diameter (1.0 in² per ft of tank diameter and the width of any portion of any gap shall not exceed 1.27 cm (0.5 in). There shall be no gaps between the tank wall and the secondary seal used in combination with a vapor-mounted primary seal.
 - (C) There shall be no holes, tears or other openings in the seal or seal fabric.
 - (D) The owner or operator is exempted from the requirements for secondary seals and the secondary seal gap criteria when performing gap measurements of inspections of the primary seal.
- (iii) Each opening in the roof except for automatic bleeder vents and rim space vents is to provide a projection below the liquid surface. Each opening in the roof except for automatic bleeder vents, rim space vents and leg sleeves is to be equipped with a cover, seal or lid which is to be maintained in a closed position at all times (i.e., no visible gap) except when the device is in actual use. Automatic bleeder vents are to be closed at all times when the roof is floating, except when the roof is being floated off or is being landed on the roof leg supports. Rim vents are to be set to open when the roof is being floated off the roof leg supports or at the manufacturer's recommended setting.
- (iv) Each emergency roof drain is to be provided with a slotted membrane fabric that covers at least 90 percent of the area of the opening.

D.2.3 New Source Performance Standard [326 IAC 12] [40 CFR 60.110b Subpart Kb]

Pursuant to 326 IAC 12 and 40 CFR 60.110b, Subpart Kb, the external floating roof for Tank 79 shall meet the following requirements:

- (a) Be equipped with a closure device between the wall of the storage vessel and the roof edge. The closure device is to consist of two seals, the primary seal, and the secondary seal.
 - (1) The primary seal shall be either a mechanical shoe seal or a liquid-mounted seal, and shall completely cover the annular space between the edge of the floating roof and tank wall.
 - (2) The secondary seal shall completely cover the annular space between the external floating roof and the wall of the storage vessel.

- (b) All opening in a noncontact external floating roof except for automatic bleeder vents, rim space vents, and leg sleeve shall:
- (1) Be equipped with a gasketed cover, seal, or lid that is to be maintained in a closed position at all times, except when the device is in actual use;
 - (2) Provide a projection below the liquid surface.
 - (3) Automatic bleeder vents shall be closed at all times when the roof is floating except when the roof is being floated off the roof legs supports;
 - (4) Rim vents shall be set to open when the roof is being floated off the roof legs supports or at the manufacturer's recommended setting;
 - (5) Emergency roof drain shall be provided with slotted membrane fabric cover that covers at least ninety percent (90%) of the area of the opening.
- (c) All seal closure devices shall meet the following requirements:
- (1) The accumulated area of gaps between the tank wall and the mechanical shoe or liquid-mounted primary seal shall not exceed 212 square centimeter (cm^2) per meter of tank diameter, and the width of any portion of any gap shall not exceed 3.81 cm.
 - (i) One end of the mechanical shoe shall extend into the stored liquid, and the other end shall extend a minimum vertical distance of 61 centimeter (cm).
 - (ii) There shall be no holes, tears, or other openings in the shoe, seal fabric, or seal envelope.
 - (2) The secondary seal shall be installed above the primary seal to completely cover the space between the roof edge and the tank wall.
 - (3) The accumulated area of gaps between the tank wall and the secondary seal shall not exceed 21.2 cm^2 per meter of tank diameter, and the width of any portion of any gap shall not exceed 1.27 cm.
 - (i) There shall be no holes, tears, or other openings in the seal or seal fabric.
 - (4) The roof shall be floating on the liquid at all times except during initial fill until the roof is lifted off leg supports and when the tank is completely emptied and subsequently refilled. The process of filling, emptying, or refilling shall be continuous and shall be accomplished as rapidly as possible.

D.2.4 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 Tank 78 and Tank 79 and their control devices.

Compliance Determination Requirements

D.2.5 Volatile Organic Compounds: Testing and Procedures [326 IAC 8-9] [326 IAC 12 and 40 CFR 60.113b, Subpart Kb]

- (a) Pursuant to 326 IAC 8-9, the tanks identified as 70, 71, 72, 73, 74, 75, 76, 77, 78, and 79 shall meet the following requirements:
- (1) The owner or operator of each vessel equipped with an external floating roof shall determine the gap areas and maximum gap widths between the primary seal and the wall of the vessel and between the secondary seal and the wall of the vessel according to the following frequency:
 - (A) Measurement of gaps between the vessel wall and the primary seal (seal gaps) shall be performed during the hydrostatic testing of the vessel or within 60 days of the initial fill with VOL and at least once every 5 years thereafter.
 - (B) Measurements of gaps between the vessel wall and the secondary seal shall be performed within 60 days of the initial fill with VOL and at least once per year thereafter.
 - (C) If any source ceases to store VOL for a period of 1 year or more, subsequent introduction of VOL into the vessel shall be considered an initial fill for purposes of these procedures.
 - (2) Determine gap widths and areas in the primary and secondary seals individually by the following procedures:
 - (A) Measure seal gaps, if any, at one or more floating roof levels when the roof is floating off the roof leg supports.
 - (B) Measure seal gaps around the entire circumference of the vessel in each place where a one-eighth inch diameter uniform probe passes freely (without forcing or binding against seal) between the seal and the wall of the vessel and measure the circumferential distance of each such location.
 - (C) The total surface area of each gap described in Section (2)(B) of this condition shall be determined by using probes of various widths to measure accurately the actual distance from the vessel wall to the seal and multiplying each such width by its respective circumferential distance.
 - (3) Add the gap surface area of each gap location for the primary seal and the secondary seal individually and divide the sum for each by the nominal diameter of the vessel and compare each ratio to the respective standards in the following section (4)(A) and(4)(B).
 - (4) Make necessary repairs or empty the vessel within forty-five days of identification of seals not meeting the requirements listed in (4)(A) and (4)(B) as follows:
 - (A) The accumulated area of gaps between the vessel wall and the mechanical shoe or liquid-mounted primary seal shall not exceed 10

square inches per foot of vessel diameter, and the width of any portion of any gap shall not exceed one and five-tenths inches. There shall be no holes, tears or other openings in the shoe, seal fabric or seal envelope.

- (B) The secondary seal shall meet the following requirements:
 - (i) The secondary seal shall be installed above the primary seal so that it completely covers the space between the roof edge and the vessel wall.
 - (ii) The accumulated area of gaps between the vessel wall and the secondary seal used in combination with a metallic shoe or liquid-mounted primary seal shall not exceed one square inch per foot of vessel diameter, and the width of any portion of any gap shall not exceed five-tenths inch. There shall be no gaps between the vessel wall and the secondary seal when used in combination with a vapor-mounted primary seal.
 - (C) If a failure is detected during inspections and can not be repaired within 45 days and if the vessel cannot be emptied within 45 days, a 30-day extension may be requested from the department. Such a request for an extension must document that alternate storage capacity is unavailable and specify a schedule of actions the company will take that will assure that the control equipment will be repaired or the vessel will be emptied as soon as possible.
- (b) Pursuant to 326 IAC 12 and 40 CFR 60.113b, Subpart Kb, the owner or operator of Tank 79 equipped with an external floating roof shall meet the following requirements:
- (1) Determine the gap areas and gap widths, between the primary seal and the wall of the storage tank and between the secondary seal and the wall of the storage tank as follows:
 - (A) Measure the seal gaps between the tank wall and the primary seal during the hydrostatic testing of the vessel or within 60 days of the initial fill with VOL and at least once every 5 years thereafter;
 - (B) Measure the gaps between the tank wall and the secondary seal within 60 days of the initial fill with VOL and at least once per year thereafter; and
 - (2) If the tank ceases to store VOL for a period of 1 year or more, subsequent introduction of VOL into the vessel shall be considered an initial fill.
 - (3) Determine the gap widths and areas in the primary and secondary seals individually as follows:
 - (A) Measure seal gaps, if any, at one or more floating roof levels when the roof is floating off the roof leg supports.
 - (B) Measure seal gaps around the entire circumference of the tank in each place where a 0.32 cm diameter uniform probe passes freely (without

forcing or binding against seal) between the seal and the wall of the storage vessel and measure the circumferential distance of each such location.

- (C) A failure (where the gap areas do not meet the standard) that is detected during inspections shall be repaired within forty-five (45) days.

If the tank cannot be emptied within 45 days, a thirty (30) day extension may be requested from the EPA and IDEM, OAQ in the inspection report. Such request must include a demonstration of unavailability of alternate storage capacity and a specification of a schedule that will assure that the control will be repaired or the tank will be emptied as soon as possible.

Compliance Monitoring Requirements

D.2.6 Visual Inspections [326 IAC 8-9-5] [326 IAC 12] [40 CFR 60.113b, Subpart Kb]

- (a) Notify the department thirty days in advance of any gap measurements required to afford the department the opportunity to have an observer present.
- (b) Visually inspect the external floating roof, the primary seal, secondary seal and fittings each time the vessel is emptied and degassed. For all visual inspections, the following requirements shall apply:
- (1) If the external floating roof has defects, the primary seal has holes, tears or other openings in the seal or the seal fabric, or the secondary seal has holes, tears or other openings in the seal fabric, the owner or operator shall repair the items as necessary so that none of the conditions specified in this clause exist before filling or refilling the vessel with VOL.
 - (2) The owner or operator shall notify the department in writing at least thirty days prior to the filling or refilling of each vessel to afford the department the opportunity to inspect the vessel prior to the filling. If the inspection is not planned and the owner or operator could not have known about the inspection thirty days in advance of refilling the vessel, the owner or operator shall notify the department at least seven days prior to the refilling of the vessel. Notification shall be made by telephone immediately followed by written documentation demonstrating why the inspection was unplanned. Alternatively, this notification including the written documentation may be made in writing and sent by express mail so that it is received by the department at least 7 days prior to the refilling.

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

D.2.7 Record Keeping Requirements [326 IAC 8-4] [326 IAC 8-9] [Part 60.7 and Part 60.115b, Subpart Kb]

- (a) The Permittee shall maintain a record and submit to the department a report containing the following information for each vessel:
- (1) The vessel identification number.
 - (2) The vessel dimensions.
 - (3) The vessel capacity
 - (4) A description of the emission control equipment for each vessel or a schedule for installation of emission control equipment with a certification that the emission control equipment meets the applicable standards.

- (b) The owner or operator of each vessel equipped with an external floating roof shall comply with the following record keeping and reporting requirements:
- (1) Keep a record of each gap measurement performed as required in Condition D.2.5. Each record shall identify the vessel in which the measurement was made and shall contain the following:
 - (A) The date of measurement.
 - (B) The raw data obtained in the measurement.
 - (C) The calculations described in Condition D.2.5(2) and D.2.5(3).
 - (2) Within sixty (60) days of performing the seal gap measurements required by Condition D.2.5, furnish the department with a report that contains the following:
 - (A) The date of measurement.
 - (B) The raw data obtained in the measurement.
 - (C) The calculations described in Condition D.2.5(2) and D.2.5(3).
 - (3) After each seal gap measurement that detects gaps exceeding the limitations specified in Condition D.2.1 and Condition D.2.3, submit a report to the department within thirty (30) days of the inspection. The report shall identify the vessel and contain the information specified in Section (2) of this condition and the date the vessel was emptied or the repairs made and date of repair.
- (c) All records shall be maintained in accordance with Section C - General Record Keeping Requirements, of this permit.

D.2.8 Reporting Requirements [326 IAC 8-9-6] [Part 60.7 and Part 60.115b, Subpart Kb]

- (a) Pursuant to 326 IAC 8-9-6(d), the source shall:
- (1) Maintain a record and submit to the department a report containing the following information for each vessel:
 - (A) The vessel identification number.
 - (B) The vessel dimensions.
 - (C) The vessel capacity
 - (D) A description of the emission control equipment for each vessel or a schedule for installation of emission control equipment with a certification that the emission control equipment meets the applicable standards.
 - (2) Furnish the department, within 60 days of performing the seal gap measurement, a report that contains the following:
 - (A) The date of measurement.
 - (B) The raw data obtained in the measurement.
 - (C) The calculation described in D.2.5(2) and D.2.5(3).
 - (3) After each seal gap measurement that detects gaps exceeding the limitations, submit a report to the department within 30 days of the inspection. The report shall identify the vessel and contain the information specified in Section (2) of this condition and the date the vessel was emptied or the repairs made and date of

repair.

- (b) Pursuant to Part 60.7 and Part 60.115b, Subpart Kb the source shall:
- (1) Furnish the EPA and IDEM, OAQ written notification of the actual initial start up date of tank 79 within fifteen (15) days after such date.
 - (2) Furnish report to EPA and IDEM, OAQ describing the control equipment for Tank 79 and certifies that the control equipment meets the specifications required in this rule.
 - (3) Within sixty (60) days of performing the seal gap measurements, the owner or operator of storage tank, Tank 79 shall furnish EPA and IDEM, OAQ a report containing:
 - (A) The date of measurement;
 - (B) The raw data obtained in the measurement;
 - (C) The calculations in determining the gap widths and areas in the primary and secondary seals; and the gap surface area of each gap location for the primary and secondary seal.
 - (4) shall submit report within thirty (30) days of the inspection of each seal gap measurement that detects gaps exceeding the limitations in Condition D.2.1 and Condition D.2.3 for Tank 79. The report shall include the date this tank was emptied or the repairs made and the date of repair.

SECTION D.3

FACILITY OPERATION CONDITIONS

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

Emergency diesel generator not exceeding 1,600 horsepower, rated at 175 horsepower.

(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 Emergency Generator

The 175 horsepower emergency generator shall not operate more than five hundred (500) hours per year.

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

D.3.2 Record Keeping Requirements

To document compliance with Condition D.3.1 the Permittee shall maintain records of the number of hours the emergency generator operates per month.

INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT OFFICE OF AIR QUALITY

PART 70 OPERATING PERMIT CERTIFICATION

Source Name: Enbridge Energy, Limited Partnership –Hartsdale/Griffith
Source Address: 1500 West Main Street, Griffith, Indiana 46319
Mailing Address: 119 N. 25th Street East, Superior, Wisconsin 54880-5247
Part 70 Permit No.: T 089-11137-00081 and T 089-7802-00059

**This certification shall be included when submitting monitoring, testing reports/results
or other documents as required by this permit.**

Please check what document is being certified:

- Annual Compliance Certification Letter
- Test Result (specify) _____
- Report (specify) _____
- Notification (specify) _____
- Affidavit (specify) _____
- Other (specify) _____

I certify that, based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate, and complete.

Signature:

Printed Name:

Title/Position:

Phone:

Date:

**INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
OFFICE OF AIR QUALITY
COMPLIANCE BRANCH**

100 North Senate Avenue
P.O. Box 6015
Indianapolis, Indiana 46206-6015
Phone: 317-233-5674
Fax: 317-233-5967

**PART 70 OPERATING PERMIT
EMERGENCY OCCURRENCE REPORT**

Source Name: Enbridge Energy, Limited Partnership –Hartsdale/Griffith
Source Address: 1500 West Main Street, Griffith, Indiana 46319
Mailing Address: 119 N. 25th Street East, Superior, Wisconsin 54880-5247
Part 70 Permit No.: T 089-11137-00081 and T 089-7802-00059

This form consists of 2 pages

Page 1 of 2

- 9** This is an emergency as defined in 326 IAC 2-7-1(12)
- The Permittee must notify the Office of Air Quality (OAQ), within four (4) business hours (1-800-451-6027 or 317-233-5674, ask for Compliance Section); and
 - The Permittee must submit notice in writing or by facsimile within two (2) days (Facsimile Number: 317-233-5967), and follow the other requirements of 326 IAC 2-7-16.

If any of the following are not applicable, mark N/A

Facility/Equipment/Operation:

Control Equipment:

Permit Condition or Operation Limitation in Permit:

Description of the Emergency:

Describe the cause of the Emergency:

If any of the following are not applicable, mark N/A

Page 2 of 2

Date/Time Emergency started:
Date/Time Emergency was corrected:
Was the facility being properly operated at the time of the emergency? Y N Describe:
Type of Pollutants Emitted: TSP, PM-10, SO ₂ , VOC, NO _x , CO, Pb, other:
Estimated amount of pollutant(s) emitted during emergency:
Describe the steps taken to mitigate the problem:
Describe the corrective actions/response steps taken:
Describe the measures taken to minimize emissions:
If applicable, describe the reasons why continued operation of the facilities are 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:

Form Completed by: _____

Title / Position: _____

Date: _____

Phone: _____

A certification is not required for this report.

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

**PART 70 OPERATING PERMIT
QUARTERLY DEVIATION AND COMPLIANCE MONITORING REPORT**

Source Name: Enbridge Energy, Limited Partnership –Hartsdale/Griffith
Source Address: 1500 West Main Street, Griffith, Indiana 46319
Mailing Address: 119 N. 25th Street East, Superior, Wisconsin 54880-5247
Part 70 Permit No.: T 089-11137-00081 and T 089-7802-00059

Months: _____ to _____ Year: _____

Page 1 of 2

<p>This report is an affirmation that the source has met all the requirements stated in this permit. This report shall be submitted quarterly based on a calendar year. Any deviation from the requirements, the date(s) of each deviation, the probable cause of the deviation, and the response steps taken must be reported. 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. Additional pages may be attached if necessary. If no deviations occurred, please specify in the box marked "No deviations occurred this reporting period".</p>	
<p><input type="checkbox"/> NO DEVIATIONS OCCURRED THIS REPORTING PERIOD.</p>	
<p><input type="checkbox"/> THE FOLLOWING DEVIATIONS OCCURRED THIS REPORTING PERIOD</p>	
<p>Permit Requirement (specify permit condition #)</p>	
<p>Date of Deviation:</p>	<p>Duration of Deviation:</p>
<p>Number of Deviations:</p>	
<p>Probable Cause of Deviation:</p>	
<p>Response Steps Taken:</p>	
<p>Permit Requirement (specify permit condition #)</p>	
<p>Date of Deviation:</p>	<p>Duration of Deviation:</p>
<p>Number of Deviations:</p>	
<p>Probable Cause of Deviation:</p>	
<p>Response Steps Taken:</p>	

Permit Requirement (specify permit condition #)	
Date of Deviation:	Duration of Deviation:
Number of Deviations:	
Probable Cause of Deviation:	
Response Steps Taken:	
Permit Requirement (specify permit condition #)	
Date of Deviation:	Duration of Deviation:
Number of Deviations:	
Probable Cause of Deviation:	
Response Steps Taken:	
Permit Requirement (specify permit condition #)	
Date of Deviation:	Duration of Deviation:
Number of Deviations:	
Probable Cause of Deviation:	
Response Steps Taken:	

9 No deviation occurred in this month.

9 Deviation/s occurred in this month.

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: Enbridge Energy, Limited Partnership –Hartsdale/Griffith
Source Address: 1500 West Main Street, Griffith, Indiana 46319
Mailing Address: 119 N. 25th Street East, Superior, Wisconsin 54880-5247
Part 70 Permit No.: T 089-11137-00081 and T 089-7802-00059
Facilities: Storage Tanks, 1601 - 1609
Parameter: Void Air Space Height
Limit: Less than 97.19 feet total per twelve (12) consecutive month period

YEAR:

Month	Void Air Space Height (ft) Storage Tanks 1601 - 1609	Void Air Space Height (ft) Storage Tanks 1601 - 1609	Void Air Space Height (ft) Storage Tanks 1601 - 1609
	This Month	Previous 11 Months	12 Month Total

9 No deviation occurred in this month.

9 Deviation/s occurred in this month.

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**

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

Source Background and Description

Source Name:	Enbridge Energy, Limited Partnership –Hartsdale/Griffith
Source Location:	1500 West Main Street, Griffith, Indiana 46319
County:	Lake
SIC Code:	4612
Operation Permit No. - Hartsdale Terminal:	T 089-11137-00081
Issuance Date:	May 1, 2001
Operation Permit No. - Griffith Terminal:	T 089-7802-00059
Issuance Date:	September 24, 1998
Minor Source Modification No.:	089-21491-00497
Minor Permit Modification No.:	089-21442-00497
Permit Reviewer:	Aida De Guzman

The Office of Air Quality (OAQ) has reviewed a modification application from Enbridge Energy, Limited Partnership –Hartsdale/Griffith relating to the construction of the following emission units and pollution control devices:

Griffith Terminal:

- (a) One (1) crude oil storage tank, identified as Tank 79, with an external floating roof, with a maximum capacity of 370,000 barrels (15,543,440 gallons).

Hartsdale Terminal:

- (a) Spearhead project – consists of the installation of three (3) main line booster pumps and associated piping, metering, sampling and maintenance equipment. This project will result in an increase potential terminal throughput of 125,000 barrels per day. No physical modifications to the terminal's tanks will occur as part of the project.

This project will reverse the flow of the existing pipeline from Cushing, Oklahoma which currently transport crude oil to the Hartsdale and Griffith Terminals, will now transport crude oil from Hartsdale and Griffith Terminals to Cushing, Oklahoma.

History

On June 24, 2005, Enbridge Energy, Limited Partnership, submitted an application to the OAQ requesting to add one storage tank to the Griffith Terminal and Spearhead project for Hartsdale terminal. Enbridge Energy, Limited Partnership's two terminals were each issued separate Part 70 permits, Hartsdale Terminal was issued Part 70 Permit T 089-11137-00081, on May 1, 2001; and Griffith Terminal was issued Part 70 permit T 089-7802-00059 on September 24, 1998.

IDEM, OAQ has determined that these two (2) terminals are considered one plant and therefore, the two (2) Part 70 permits will be combined into one permit. The permit modification involves modification of the two Part 70 permits and combining them into one permit

Recommendation

The staff recommends to the Commissioner that the Part 70 Minor Source Modification and Minor Permit Modification be approved. This recommendation is based on the following facts and conditions:

Unless otherwise stated, information used in this review was derived from the application and additional information submitted by the applicant.

An application for the purposes of this review was received on June 24, 2005, with additional information received on August.16, 2005

Emission Calculations

- (a) Storage Tank 79 (Standing, Withdrawal /Working losses, and Tank Landing Losses)– See Tanks 4.0 Program Spreadsheet, Table 1 & Table 4 for detailed emission calculations.
- (b) Storage Tank 79 piping component fugitive emissions – See Table 2 and Table 4 emission calculations submitted by the applicant. The fugitive emissions calculation was based from Table 2-3 for Light Liquid, Marketing Terminal Emission Factors from Protocol for Equipment Leak Emission Estimates, USEPA Office of Air Quality Planning and Standards, November 1995 (EPA-453/R-95-017).
- (c) Spearhead project piping component fugitive emissions – See Table 3 and Table 4 emission calculations submitted by the applicant. The fugitive emissions calculation was based from Table 2-3 for Light Liquid, Marketing Terminal Emission Factors from Protocol for Equipment Leak Emission Estimates, USEPA Office of Air Quality Planning and Standards, November 1995 (EPA-453/R-95-017).

SUMMARY OF EMISSIONS (TONS/YEAR)					TOTAL EMISSIONS
POLLUTANT	GRIFFITH TERMINAL			HARTSDALE TERMINAL	
	Storage Tank (Tank 79)	Storage Tank (Tank 79) Landing Losses	Tank 79 Component Piping Fugitive Emissions	Spearhead Project	
VOC	10.41	5.5	0.03	0.19	16.13
HAPs	0.16		0.0003	0.002	0.1623

Potential To Emit of Modification

Pursuant to 326 IAC 2-1.1-1(16), Potential to Emit is defined as “the maximum capacity of a stationary source 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.”

This table reflects the PTE before controls. Control equipment is not considered federally

enforceable until it has been required in a federally enforceable permit.

Pollutant	Potential To Emit (tons/year)
PM2.5	0.0
PM10	0.0
SO ₂	0.0
VOC	16.13
CO	0.0
NO _x	0.0

HAP's	Potential To Emit (tons/year)
Benzene	2.4E-02
n-Hexane	1.68E-01
Ethylbenzene	1.36E-03
Toluene	1.12E-02
m-Xylene	4.20E-02
Cumene	1.54E-04
Isooctane/2,2-4 Trimethylpentane	2.06E-03
Single HAP	1.68E-01
Combined HAPs	2.1E-01

Justification for Modification

- (a) The Part 70 source is being modified through a Part 70 Minor Source Modification, pursuant to 326 IAC 2-7-10.5(d)(3), where VOC are emitted at less than 25 tons per year, but equal to or greater than 10 tons per year.
- (b) The Part 70 Operating permit is being modified through a Part 70 Minor Permit Modification, pursuant to 326 IAC 2-7-12, since it is not required to be processed as a significant permit modification or administrative amendment.

County Attainment Status

The source is located in Lake County.

Pollutant	Status
PM-2.5	non-attainment
PM10	attainment
NO ₂	attainment
1-hour Ozone	severe non-attainment
8-hous Ozone	non-attainment
SO ₂	non-attainment
CO	attainment

- (a) U.S. EPA in Federal Register Notice 70 FR 943 dated January 5, 2005 has designated Lake County as non-attainment for PM2.5. On March 7, 2005 the Indiana Attorney General's Office on behalf of IDEM filed a law suit with the Court of Appeals for the District of Columbia Circuit challenging U.S. EPA's designation on non-attainment areas

without sufficient data. However, in order to ensure that sources are not potentially liable for violation of the Clean Air Act, the OAQ is following the U.S. EPA's guidance to regulate PM10 as surrogate for PM2.5 emissions pursuant to non-attainment New Source Review requirements.

- (b) Volatile organic compounds (VOC) and oxides of nitrogen (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.
 - (1) On January 26, 1996 in 40 CFR 52.777(i), the U.S. EPA granted a waiver of the requirements of Section 182(f) of the CAA for Lake and Porter Counties, including the lower NOx threshold for nonattainment new source review. Therefore, VOC emissions alone are considered when evaluating the rule applicability relating to the 1-hour ozone standards. Lake County has been designated as nonattainment in Indiana for the 1-hour ozone standard. Therefore, VOC emissions were reviewed pursuant to the requirements for Emission Offset, 326 IAC 2-3.
 - (2) VOC and NOx emissions are considered when evaluating the rule applicability relating to the 8-hour ozone standard. Lake County has been designated as nonattainment for the 8-hour ozone standard. Therefore, VOC and NOx emissions were reviewed pursuant to the requirements for nonattainment new source review.
- (c) Lake County has been classified as attainment or unclassifiable in Indiana for CO and PM10. Therefore, these emissions were reviewed pursuant to the requirements for Prevention of Significant Deterioration (PSD), 326 IAC 2-2.
- (d) Fugitive Emissions
 This type of operation is one of the 28 listed source categories under 326 IAC 2-3 (Petroleum storage and transfer units with a storage capacity exceeding three hundred thousand (300,000) barrels), therefore, the fugitive volatile organic compound (VOC) emissions are counted toward determination of Emission Offset applicability.

Source Status

Existing Source PSD or Emission Offset Definition (for Hartsdale Terminal – emissions were taken from the most recent source modification SSM: 089-14657-00081, issued on November 8, 2001; for Griffith Terminal - emissions were taken from the TV 089-7802-00059, issued on September 24, 1998):

Pollutant	Hartsdale Terminal Emissions (tons/year)	Griffith Terminal Emissions (tons/year)	Total Emissions (tons/year)
PM	0.096	0.0	0.096
PM-10	0.096	0.0	0.096
SO ₂	0.090	0.0	0.090
VOC	53.8	32.0	85.8
CO	0.292	0.0	0.292
NOx	1.36	0.0	1.38

- (a) This existing source is a major stationary source because VOC a severe nonattainment

regulated pollutant is emitted at a rate of 25 tons per year or more.

Potential to Emit of Modification After Issuance Reflecting Major PSD or NA NSR Applicability

The table below summarizes the potential to emit, reflecting all limits, of the significant emission units after controls. The control equipment is considered federally enforceable only after issuance of this Part 70 source modification.

Process/facility	Potential to Emit (tons/year)						
	PM	PM-10	SO ₂	VOC	CO	NO _x	HAPs
Griffith Terminal - Proposed Storage Tank	0.0	0.0	0.0	15.91	0.0	0.0	0.166
Griffith Terminal - Piping Fugitive Emissions	0.0	0.0	0.0	0.03	0.0	0.0	0.0003
Hartsdale Terminal - Spearhead Project Piping Fugitive Emissions	0.0	0.0	0.0	0.19	0.0	0.0	0.0019
Projected Actual Emissions from Hartsdale Terminal - Tank Withdrawal Emissions from Increased Throughput	0.0	0.0	0.0	28.57	0.0	0.0	0.290
Total Projected Actual Emissions After Modification				44.70			0.457
Portion of Projected Actual Emissions Excluded	0.0	0.0	0.0	11.16	0.0	0.0	0.113
Baseline Actual Emissions	0.0	0.0	0.0	12.95	0.0	0.0	0.132
Net Emission Increase	0.0	0.0	0.0	20.59	0.0	0.0	0.212

- (a) There are no emission increases and decreases that have occurred in the past five (5) years. The landing of storage tank roofs which yielded void air space emissions or had caused an increase in the actual emissions, had occurred in June 2000, which preceded the five year time frame for determining the net emission increase for the proposed project. The landing of the storage tank roofs was issued a permit in November 8, 2001.
- (b) The source is an existing major source under the Nonattainment NSR, since the PTE for VOC is greater than 25 tons per year.
- (c) The Permittee has provided the following information as part of the application for this approval that is based on Actual to Projected Actual test in 326 IAC 2-3-2. According to the applicant's emission estimates, the modification is not subject to major NSR review under 326 IAC 2-3-1 as the net actual emission increase is less than the significant

threshold of 25 tons per year. IDEM, OAQ has not reviewed this information in detail and will not be making any determination in this regard as part of this approval. The applicant will be required to keep records for ten (10) years and report in accordance with source obligation in 326 IAC 2-2-8 and applicability in 326 IAC 2-3-2:

The Spearhead Project at the Hartsdale Terminal will result in increased throughput due to the change, which translates to increase in tanks withdrawal losses. The Spearhead Project withdrawal losses are calculated using the actual-to-projected actual test. The baseline actual submitted are based on previous two (2) calendar years, January 1, 2003 through December 31, 2004 at average throughput of 301,000 barrels per day and 290,000 barrels per day. 12.95 tons VOC per year

Projected Actual VOC Emissions was based on 675,000 barrels per day.

The source has excluded the portion of the projected actual withdrawal loss emissions which could have been accommodated by the emission units and that are unrelated to the project, pursuant to 326 IAC 2-3-1(mm)(2)(A)(iii). 11.16 tons VOC per year

Hartsdale Terminal Spearhead Project:

Projected actual VOC emissions after modification:-	28.57 tons per year
Average baseline actual VOC emissions:-	- 12.95 tons per year
Portion of the projected actual excluded from withdrawal loss due to increase throughput which could have been accommodated:	- 11.16 tons per year

Federal Rule Applicability

- (a) New Source Performance Standards (NSPS) (326 IAC 12 and 40 CFR Part 60):

40 CFR Part 60.110b, Subpart Kb – Standards of Performance for Volatile Organic Liquid Storage Vessels (Including Petroleum Liquid Storage Vessels). This rule applies to storage vessels with capacity greater than or equal to 40 cubic meters (m³) that is used to store volatile organic liquids (VOL's) for which construction, reconstruction commenced after July 23, 1984.

The proposed storage tank, identified as Tank 79 is subject to this rule since it has a capacity greater than 151 m³ (39,890 gallons) and will store VOL with vapor pressure greater than 3.5 kPa (0.51 psi) but less than 76.6 kPa (11.3 psi). This rule requires the tank to be equipped with one of the following:

- (1) A fixed roof in combination with an internal floating roof;
- (2) An external floating roof;
- (3) A closed vent system;
- (4) A system equivalent to (1) through (3).

§ 60.112b Standards for Volatile Organic Compounds (VOC) –
Enbridge Energy, chose to install an external floating roof to comply with this rule.

The storage tank external floating roof must meet the following specifications:

- (1) Be equipped with a closure device between the wall of the storage vessel and the roof edge. The closure device is to consist of two seals, the primary seal, and the secondary seal.

- (A) The primary seal shall be either a mechanical shoe seal or a liquid-mounted seal, and shall completely cover the annular space between the edge of the floating roof and tank wall.
- (B) The secondary seal shall completely cover the annular space between the external floating roof and the wall of the storage vessel.
- (2) All opening in a noncontact external floating roof except for automatic bleeder vents, rim space vents, and leg sleeve must:
 - (A) Be equipped with a gasketed cover, seal, or lid that is to be maintained in a closed position at all times, except when the device is in actual use;
 - (B) Provide a projection below the liquid surface.
 - (C) Automatic bleeder vents are closed at all times when the roof is floating except when the roof is being floated off the roof legs supports;
 - (D) Rim vents are to be set to open when the roof is being floated off the roof legs supports or at the manufacturer's recommended setting;
 - (E) Emergency roof drain is to be provided with slotted membrane fabric cover that covers at least ninety percent (90%) of the area of the opening.
- (3) All seal closure devices shall meet the following requirements:
 - (A) The accumulated area of gaps between the tank wall and the mechanical shoe or liquid-mounted primary seal shall not exceed 212 square centimeter (cm^2) per meter of tank diameter, and the width of any portion of any gap shall not exceed 3.81 cm.
 - (i) One end of the mechanical shoe is to extend into the stored liquid, and the other end is to extend a minimum vertical distance of 61 centimeter (cm).
 - (ii) There are to be no holes, tears, or other openings in the shoe, seal fabric, or seal envelope.
 - (B) The secondary seal shall be installed above the primary seal to completely cover the space between the roof edge and the tank wall.
 - (C) The accumulated area of gaps between the tank wall and the secondary seal shall not exceed 21.2 cm^2 per meter of tank diameter, and the width of any portion of any gap shall not exceed 1.27 cm.
 - (i) There are to be no holes, tears, or other openings in the seal or seal fabric.
- (4) The roof shall be floating on the liquid at all times except during initial fill until the roof is lifted off leg supports and when the tank is completely emptied and subsequently refilled. The process of filling, emptying, or refilling shall be continuous and shall be accomplished as rapidly as possible.

§ 60.113b Testing and Procedure:

- (1) After installation of the external floating roof, the owner or operator must:

- (A) Determine the gap areas and gap widths, between the primary seal and the wall of the storage tank and between the secondary seal and the wall of the storage tank as follows:
 - (i) Measure the seal gaps between the tank wall and the primary seal during the hydrostatic testing of the vessel or within 60 days of the initial fill with VOL and at least once every 5 years thereafter;
 - (ii) Measure the gaps between the tank wall and the secondary seal within 60 days of the initial fill with VOL and at least once per year thereafter; and
 - (iii) If the tank ceases to store VOL for a period of 1 year or more, subsequent introduction of VOL into the vessel shall be considered an initial fill.
- (B) Determine the gap widths and areas in the primary and secondary seals individually as follows:
 - (i) Measure seal gaps, if any, at one or more floating roof levels when the roof is floating off the roof leg supports.
 - (ii) Measure seal gaps around the entire circumference of the tank in each place
- (C) A failure (where the gap areas do not meet the standard) that is detected during inspections shall be repaired within forty-five (45) days.

If the tank cannot be emptied within 45 days, a thirty (3) day extension may be requested from the EPA and IDEM, OAQ in the inspection report. Such request must include a demonstration of unavailability of alternate storage capacity and a specification of a schedule that will assure that the control will be repaired or the tank will be emptied as soon as possible.

- (2) Visually inspect the external floating roof, the primary seal, secondary seal, and fittings each time the tank is emptied and degassed.
- (3) The owner shall notify the EPA and IDEM, OAQ thirty (30) days in advance whenever gap measurements are to be performed.

§ 60.7 and § 60.115b Reporting and Record Keeping

- (1) The owner or operator of the storage tank, Tank 79 shall furnish the EPA and IDEM, OAQ written notification of the actual initial start up date of this tank within fifteen (15) days after such date.
- (2) The owner or operator of the storage tank, Tank 79 shall keep records and furnish report to EPA and IDEM, OAQ describing the control equipment and certifies that the control equipment meets the specifications required in this rule.
- (3) Within sixty (60) days of performing the seal gap measurements, the owner or operator of storage tank, Tank 79 shall furnish EPA and IDEM, OAQ a report containing:
 - (A) The date of measurement;

- (B) The raw data obtained in the measurement;
 - (C) The calculations in determining the gap widths and areas in the primary and secondary seals; and the gap surface area of each gap location for the primary and secondary seal.
- (4) The owner or operator shall keep record of each seal gap measurement performed identifying the storage tank in which measurement was performed and shall contain:
- (A) The date of measurement;
 - (B) The raw data obtained in the measurement;
 - (C) The calculations in determining the gap widths and areas in the primary and secondary seals; and the gap surface area of each gap location for the primary and secondary seal.
- (5) The owner or operator shall submit report within thirty (30) days of the inspection of each seal gap measurement that detects gaps exceeding the limitation for Tank 79. The report shall include the date this tank was emptied or the repairs made and the date of repair.
- (b) There are no other New Source Performance Standards (NSPS) applicable to this proposed modification.
 - (c) There are no National Emission Standards for Hazardous Air Pollutants (NESHAPs)(326 IAC 14 and 40 CFR Part 63) applicable to this proposed modification.

State Rule Applicability - Entire Source

- (a) 326 IAC 2-3 (Emission Offset)
This source is an **existing** major Emission Offset source because the potential VOC emissions are greater than 25 tons per year.

State Rule Applicability - Individual Facilities

- (a) 326 IAC 8-4-3 (Petroleum Source: Petroleum Liquid Storage Facilities)
This rule applies to all petroleum liquid storage vessels with capacities greater than one hundred fifty thousand (150,000) liters (thirty-nine thousand (39,000) gallons) containing volatile organic compounds whose true vapor pressure is greater than 10.5 kPa (1.52 psi).

The proposed external floating roof tank, identified as Tank 79 is subject to this rule since its capacity (15,543,440 gallons) is greater than 39,000 gallons and it will store VOL with true vapor pressure greater than 10.5 kPa (1.52 psi).

The following requirements shall be applicable to external floating roof tank, identified as Tank 79:

- (1) The owner or operator shall not store petroleum liquid in Tank 79 unless:
 - (A) The facility has been fitted with:
 - (i) A continuous secondary seal extending from the floating roof to the tank wall (rim-mounted secondary seal); or
 - (ii) A closure or other device approved by the IDEM, OAQ which is equally effective.

- (B) All seal closure devices meet the following requirements:
 - (i) There are no visible holes, tears, or other openings in the seal(s) or seal fabric;
 - (ii) The seal(s) are intact and uniformly in place around the circumference of the floating roof between the floating roof and the tank wall.
 - (iii) For vapor mounted primary seals, the accumulated gap area around the circumference of the secondary seal where a gap exceeding one-eighth (1/8) inch exists between the secondary seal and the tank wall shall not exceed 1.0 square inch per foot of tank diameter. There shall be no gaps exceeding one-half (1/2) inch between the secondary seal and the tank wall of welded tanks and no gaps exceeding one (1) inch between the secondary seal and the tank wall of riveted tanks.
 - (C) All openings in the external floating roof, except for automatic bleeder vents, rim space vents, and leg sleeves, are:
 - (i) Equipped with covers, seals, or lids in the closed position except when the openings are in actual use; and
 - (ii) Equipped with projections into the tank which remain below the liquid surface at all times.
 - (D) Automatic bleeder vents are closed at all times except when the roof is floated off or landed on the roof leg supports;
 - (E) Rim vents are set to open when the roof is being floated off the leg supports or at the manufacturer's recommended setting; and
 - (F) Emergency roof drains are provided with slotted membrane fabric covers or equivalent covers which cover at least ninety percent (90%) of the area of the opening.
- (2) Record Keeping and Reporting. Owners or operators of petroleum liquid storage vessels shall maintain records of the types of volatile petroleum liquid stored, the maximum true vapor pressure of the liquid as stored, and the results of the inspections performed on the storage vessels. Such records shall be maintained for a period of two (2) years and shall be made available to the IDEM, OAQ upon written request.
- (b) 326 IAC 8-7 (Specific VOC Reduction Requirements for Lake, Porter, Clark, and Floyd Counties)
The proposed storage tank, identified as Tank 79 is exempted from the emission limitation required under Section 3 of 326 IAC 8-7, since it is subject under 326 IAC 8-4-3.
 - (c) 326 IAC 8-9 (Volatile Organic Storage Vessels)
This rule applies to any storage vessels existing on or after October 1, 1995, located in Clark, Floyd, Lake, or Porter County.

This rule applies to the proposed storage tank, identified as Tank 79. Pursuant to this rule, the external floating roof of Tank 79 shall meet the following requirements:

- (1) It shall be equipped with a closure device between the wall of the vessel and the roof edge. The closure device shall consist of two (2) seals, one (1) above the

other. The lower seal shall be referred to as the primary seal; the upper seal shall be referred to as the secondary seal.

- (2) Except during repairs, the primary seal shall completely cover the annular space between the edge of the floating roof and vessel wall and shall be either a liquid-mounted seal or a shoe seal.
- (3) The secondary seal shall completely cover the annular space between the external floating roof and the wall of the vessel in a continuous fashion except when making repairs.
- (4) Except for automatic bleeder vents and rim space vents, each opening in a noncontact external floating roof shall provide a projection below the liquid surface.
- (5) Except for automatic bleeder vents, rim space vents, roof drains, and leg sleeves, each opening in the roof shall be equipped with a gasketed cover, seal, or lid that shall be maintained in a closed position at all times, without visible gap, except when the device is in actual use.
- (6) Automatic bleeder vents shall be closed at all times when the roof is floating except when the roof is being floated off or is being landed on the roof leg supports.
- (7) Rim vents shall be set to open when the roof is being floated off the roof leg supports or at the manufacturer's recommended setting. Automatic bleeder vents and rim space vents shall be gasketed.
- (8) Each emergency roof drain shall be provided with a slotted membrane fabric cover that covers at least ninety percent (90%) of the area of the opening.
- (9) The roof shall be floating on the liquid at all times, for example, off the roof leg supports, except when the vessel is completely emptied and subsequently refilled. The process of filling, emptying, or refilling when the roof is resting on the leg supports shall be continuous and shall be accomplished as rapidly as possible.

(d) 326 IAC 8-9-5 Testing and procedures

The owner or operator of Tank 79 equipped with an external floating roof shall meet the following requirements:

- (1) Determine the gap areas and maximum gap widths between the primary seal and the wall of the vessel and between the secondary seal and the wall of the vessel according to the following frequency:
 - (A) Measurements of gaps between the vessel wall and the primary seal (seal gaps) shall be performed during the hydrostatic testing of the vessel or within sixty (60) days of the initial fill with VOL and at least once every five (5) years thereafter.
 - (B) Measurements of gaps between the vessel wall and the secondary seal shall be performed within sixty (60) days of the initial fill with VOL and at least once per year thereafter.
 - (C) If any source ceases to store VOL for a period of one (1) year or more, subsequent introduction of VOL into the vessel shall be considered an initial fill for purposes of this subdivision.
- (2) Determine gap widths and areas in the primary and secondary seals individually by the following procedures:
 - (A) Measure seal gaps, if any, at one (1) or more floating roof levels when the roof is floating off the roof leg supports.
 - (B) Measure seal gaps around the entire circumference of the vessel in each place where a one-eighth (1/8) inch diameter uniform probe passes freely (without forcing or binding against seal) between the seal and the wall of the vessel and measure the circumferential distance of each such location.

- (C) The total surface area of each gap shall be determined by using probes of various widths to measure accurately the actual distance from the vessel wall to the seal and multiplying each such width by its respective circumferential distance.
- (3) Add the gap surface area of each gap location for the primary seal and the secondary seal individually and divide the sum for each by the nominal diameter of the tank and compare each ratio to the respective standards in subdivision (4).
- (4) Make necessary repairs or empty the vessel within forty-five (45) days of identification of seals not meeting the requirements listed below as follows:
 - (A) The accumulated area of gaps between the vessel wall and the mechanical shoe or liquid-mounted primary seal shall not exceed ten (10) square inches per foot of vessel diameter, and the width of any portion of any gap shall not exceed one and five-tenths (1.5) inches. There shall be no holes, tears, or other openings in the shoe, seal fabric, or seal envelope.
 - (B) The secondary seal shall meet the following requirements:
 - (i) The secondary seal shall be installed above the primary seal so that it completely covers the space between the roof edge and the vessel wall except as provided in subdivision (2)(C) above.
 - (ii) The accumulated area of gaps between the vessel wall and the secondary seal used in combination with a metallic shoe or liquid-mounted primary seal shall not exceed one (1) square inch per foot of vessel diameter, and the width of any portion of any gap shall not exceed five-tenths (0.5) inch. There shall be no gaps between the vessel wall and the secondary seal when used in combination with a vapor-mounted primary seal.
 - (iii) There shall be no holes, tears, or other openings in the seal or seal fabric.
 - (C) If a failure that is detected during inspections cannot be repaired within forty-five (45) days and if the vessel cannot be emptied within forty-five (45) days, a thirty (30) day extension may be requested from the IDEM, OAQ in the inspection report. Such extension request must include a demonstration of unavailability of alternate storage capacity and a specification of a schedule that will assure that the control equipment will be repaired or the vessel will be emptied as soon as possible.
- (5) Notify the department thirty (30) days in advance of any gap measurements to afford the IDEM, OAQ the opportunity to have an observer present.
- (6) Visually inspect the external floating roof, the primary seal, secondary seal, and fittings each time the vessel is emptied and degassed. For all visual inspections, the following requirements apply:
 - (A) If the external floating roof has defects, the primary seal has holes, tears, or other openings in the seal or the seal fabric, or the secondary seal has holes, tears, or other openings in the seal fabric, the owner or operator shall repair the items as necessary so that none of the conditions specified in this clause exist before filling or refilling the vessel with VOL.
 - (B) The owner or operator shall notify the IDEM, OAQ in writing at least thirty (30) days prior to the filling or refilling of the tank to afford the IDEM, OAQ the opportunity to inspect the vessel prior to the filling. If the inspection required by this subdivision is not planned and the owner or operator could not have known about the inspection thirty (30) days in advance of refilling the vessel, the owner or operator shall notify the IDEM, OAQ at least seven (7) days prior to the refilling of the vessel. Notification shall be made by telephone immediately followed by written documentation demonstrating why the inspection was unplanned.

Alternatively, this notification including the written documentation may be made in writing and sent by express mail so that it is received by the IDEM, OAQ at least seven (7) days prior to the refilling.

- (e) 326 IAC 8-9-6 Record Keeping and Reporting
The owner or operator of Tank 79 equipped with an external floating roof shall comply with the following record keeping and reporting requirements:
- (1) Keep a record of each gap measurement performed as required by this rule. Each record shall identify the tank in which the measurement was made and shall contain the following:
 - (A) The date of measurement.
 - (B) The raw data obtained in the measurement.
 - (C) The calculations described in section 5(c)(2) and 5(c)(3) of this rule.
 - (2) Within sixty (60) days of performing the seal gap measurements required by this rule, furnish the IDEM, OAQ with a report that contains the following:
 - (A) The date of measurement.
 - (B) The raw data obtained in the measurement.
 - (C) The calculations described in section 5(c)(2) and 5(c)(3) of this rule.
 - (3) After each seal gap measurement that detects gaps exceeding the limitations specified in this rule, submit a report to the department within thirty (30) days of the inspection. The report shall identify the vessel and contain the information specified in subdivisions (1) and (2) and the date the tank was emptied or the repairs made and date of repair.

Changes to the Part 70 Permit

The Part 70 Permits issued to Hartsdale Terminal (089-11137-00081) and Griffith Terminal (089-7802-00059) will be combined through this Minor Permit Modification 089-21442-00497. (Additions will be **bolded** and deletions are ~~struck-through~~ for emphasis);

All Sections A, B, and C from the Hartsdale Terminal Part 70 permit and Griffith Terminal Part 70 Permit will all be combined into one (1) permit. The most current version of Section B and C between these two Part 70 permits will be included in this permit modification. Struck-through conditions in Sections B and C are duplication that will be deleted:

SECTION B

GENERAL CONDITIONS

Hartsdale Terminal

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 17.1. 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 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 provision of this permit is grounds for:~~

~~(1) Enforcement action;~~

~~(2) Permit termination, revocation and reissuance, or modification; or~~

~~(3) Denial of a permit renewal application.~~

~~(b) Noncompliance with any provisions of this permit, except any provision specifically designated as not federally enforceable, constitutes a violation of the Clean Air Act.~~

~~(c) 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.~~

- ~~(d) An emergency does constitute an affirmative defense in an enforcement action provided the Permittee complies with the applicable requirements set forth in Section B, Emergency Provisions.~~

B.9 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.
- (c) A responsible official is defined at 326 IAC 2-7-1(34).

B.40-9 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 April 15 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.44-10 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]

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- (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.42 11 Emergency Provisions [326 IAC 2-7-16]

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- (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, and 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 (Regional Office)

(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.43 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) 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~~ **13** 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.

Emergencies shall be included in the Quarterly Deviation and Compliance Monitoring Report.

B.14 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.15 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, 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, 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.48-16 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 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.49 17 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 18 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 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 (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 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.24 19 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 20 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 21 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.24-22 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 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 317-233-0425 (ask for OAQ, Technical Support and Modeling Section), to determine the appropriate permit fee.

Section B.27, now B.23 was moved from Griffith Part 70 Permit.

B.27 23 Credible Evidence [326 IAC 2-7-5(3)][62 Federal Register 8313][326 IAC 2-7-6]

Notwithstanding the conditions of this permit that state specific methods that may be used to assess compliance or noncompliance with applicable requirements, other credible evidence may be used to demonstrate compliance with, or a violation of, any term or condition of this permit.

Griffith Terminal

B.1 Permit No Defense [326 IAC 2-1-10] [IC 13]

- (a) ~~Indiana statutes from IC 13 and rules from 326 IAC, quoted 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.~~
- (b) ~~This prohibition shall not apply to alleged violations of applicable requirements for which the Commissioner has granted a permit shield in accordance with 326 IAC 2-1-3.2 or 326 IAC 2-7-15, as set out in this permit in the Section B condition entitled "Permit Shield."~~

B.2 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, any applicable definitions found in IC 13-11, 326 IAC 1-2 and 326 IAC 2-7 shall prevail.~~

B.3 Permit Term [326 IAC 2-7-5(2)]

~~This permit is issued for a fixed term of five (5) years from the effective date, as determined in accordance with IC 4-21.5-3-5(f) and IC 13-15-5-3.~~

~~B.4 — Enforceability [326 IAC 2-7-7(a)]~~

- ~~(a) — All terms and conditions in this permit, including any provisions designed to limit the source's potential to emit, are enforceable by IDEM.~~
- ~~(b) — Unless otherwise stated, terms and conditions of this permit, including any provisions to limit the source's potential to emit, are enforceable by the United States Environmental Protection Agency (U.S. EPA) and citizens under the Clean Air Act.~~

~~B.5 — 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.6 — 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.7 — 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.8 — Duty to Supplement and Provide Information [326 IAC 2-7-4(b)] [326 IAC 2-7-5(6)(E)]~~

- ~~(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 Management
100 North Senate Avenue, P. O. Box 6015
Indianapolis, Indiana 46206-6015~~

- ~~(b) — The Permittee shall furnish to IDEM, OAM, within a reasonable time, any information that IDEM, OAM, 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.~~
- ~~(c) — Upon request, the Permittee shall also furnish to IDEM, OAM copies of records required to be kept by this permit. If the Permittee wishes to assert a claim of confidentiality over any of the furnished records, the Permittee must furnish such records to IDEM, OAM along with a claim of confidentiality under 326 IAC 17. If requested by IDEM, OAM, or the U.S. EPA, to furnish copies of requested records directly to U. S. EPA, and if the Permittee is making a claim of confidentiality regarding the furnished records, then the Permittee must furnish such confidential records directly to the U.S. EPA along with a claim of confidentiality under 40 CFR 2, Subpart B.~~

~~B.9 — 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 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.~~

~~B.10 Certification [326 IAC 2-7-4(f)] [326 IAC 2-7-6(1)]~~

- (a) ~~Any application form, report, or compliance certification submitted under this permit shall contain certification by a responsible official of truth, accuracy, and completeness. This certification, and any other certification required under this permit, 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, on the attached Certification Form, with each submittal.~~
- (c) ~~A responsible official is defined at 326 IAC 2-7-1(34).~~

~~B.11 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 certification 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 April 15 of each year to:~~

~~Indiana Department of Environmental Management
Compliance Data Section, Office of Air Management
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, OAM, on or before the date it is due.~~
- (c) ~~The annual compliance certification report shall include the following:~~
- ~~(1) The identification of each term or condition of this permit that is the basis of the certification;~~
 - ~~(2) The compliance status;~~
 - ~~(3) Whether compliance was based on continuous or intermittent data;~~
 - ~~(4) The methods used for determining compliance of the source, currently and over the reporting period consistent with 326 IAC 2-7-5(3);~~
 - ~~(5) Any insignificant activity that has been added without a permit revision; and~~

~~(6) — Such other facts, as specified in Sections D of this permit, as IDEM, OAM, 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.12 — 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 (PMP) 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;~~
- ~~(3) — Identification and quantification of the replacement parts that will be maintained in inventory for quick replacement.~~

~~If due to circumstances beyond its control, the PMP 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 Management
100 North Senate Avenue, P. O. Box 6015
Indianapolis, Indiana 46206-6015~~

- ~~(b) — The Permittee shall implement the Preventive Maintenance Plans as necessary to ensure that lack of proper maintenance does not cause or contribute to a violation of any limitation on emissions or potential to emit.~~
- ~~(c) — PMP's shall be submitted to IDEM, OAM, upon request and shall be subject to review and approval by IDEM, OAM.~~

~~B.13 — 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, OAM, 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 Management, 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 notice, either in writing or facsimile, of the emergency to:~~

~~Indiana Department of Environmental Management
Compliance Branch, Office of Air Management
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) for sources subject to this rule after the effective date of this rule. This permit condition is in addition to any emergency or upset provision contained in any applicable requirement.~~

- ~~(e) IDEM, OAM, 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, OAM, by telephone or facsimile of an emergency lasting more than one (1) hour in compliance 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.14 Permit Shield [326 IAC 2-7-15]~~

- ~~(a) This condition provides a permit shield as addressed in 326 IAC 2-7-15.~~
- ~~(b) This permit shall be used as the primary document for determining compliance with applicable requirements established by previously issued permits. 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 of the following:~~
- ~~(1) The applicable requirements are included and specifically identified in this permit; or~~
- ~~(2) The permit contains an explicit determination or concise summary of a determination that other specifically identified requirements are not applicable.~~
- ~~(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, including any term or condition from a previously issued construction or operation permit, IDEM, OAM 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.~~
- ~~(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, OAM, 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, OAM, has issued the modification. [326 IAC 2-7-12(b)(8)]~~

~~B.15 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.16 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 Branch, Office of Air Management
100 North Senate Avenue, P.O. Box 6015
Indianapolis, Indiana 46206-6015~~
- ~~within ten (10) calendar days from the date of the discovery of the deviation.~~
- (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) ~~An emergency as defined in 326 IAC 2-7-1(12); or~~
- (3) ~~Failure to implement elements of the Preventive Maintenance Plan unless lack of maintenance has caused or contributed to a deviation.~~
- (4) ~~Failure to make or record information required by the compliance monitoring provisions of Section D unless such failure exceeds 5% of the required data in any calendar quarter.~~
- ~~A Permittee's failure to take the appropriate response step when an excursion of a compliance monitoring parameter has occurred is a deviation.~~
- (c) ~~Written notification shall be submitted on the attached Emergency/Deviation Occurrence Reporting Form or its substantial equivalent. The notification does not need to be certified by the "responsible official" as defined by 326 IAC 2-7-1(34).~~
- (d) ~~Proper notice submittal under 326 IAC 2-7-16 satisfies the requirement of this subsection.~~

~~B.17 — 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)]~~
- ~~(b) — This permit shall be reopened and revised under any of the circumstances listed in IC 13-15-7-2 or if IDEM, OAM, 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, OAM, 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, OAM, at least thirty (30) days in advance of the date this permit is to be reopened, except that IDEM, OAM, may provide a shorter time period in the case of an emergency. [326 IAC 2-7-9(c)]~~

~~B.18 — Permit Renewal [326 IAC 2-7-4]~~

- ~~(a) — The application for renewal shall be submitted using the application form or forms prescribed by IDEM, OAM, 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).~~

~~Request for renewal shall be submitted to:~~

~~Indiana Department of Environmental Management
Permits Branch, Office of Air Management
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, OAM, on or before the date it is due. [326 IAC 2-5-3]~~

(2) ~~If IDEM, OAM, 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, OAM, 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, OAM, 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, OAM, 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.19 ~~Permit Amendment or Modification [326 IAC 2-7-11] [326 IAC 2-7-12]~~

~~(a) The Permittee must comply with 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 Management
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) only if a certification is required by the terms of the applicable rule.~~

~~(c) The Permittee may implement the 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.20 ~~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.21 ~~Changes Under Section 502(b)(10) of the Clean Air Act [326 IAC 2-7-20(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) and the following additional conditions:~~

- (a) ~~For each such change, the required written notification shall include a brief description of the change within the source, the date on which the change will occur, any change in emissions, and any permit term or condition that is no longer applicable as a result of the change.~~
- (b) ~~The permit shield, described in 326 IAC 2-7-15, shall not apply to any change made under 326 IAC 2-7-20(b).~~

~~B.22 Operational Flexibility [326 IAC 2-7-20]~~

- (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 approval required by 326 IAC 2-1 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 Management
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, OAM, in the notices specified in 326 IAC 2-7-20(b), (c)(1), and (e)(2).~~

- (b) ~~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, OAM, 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.23 — Construction Permit Requirement [326 IAC 2]~~

~~Except as allowed by Indiana P.L. 130-1996 Section 12, as amended by P.L. 244-1997, modification, construction, or reconstruction shall be approved as required by and in accordance with 326 IAC 2.~~

~~B.24 — Inspection and Entry [326 IAC 2-7-6(2)]~~

~~Upon presentation of proper identification cards, credentials, and other documents as may be required by law, the Permittee shall allow IDEM, OAM, 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, at reasonable times, any records that must be kept under the conditions of this permit;~~
 - ~~(c) — Inspect, at reasonable times, any facilities, equipment (including monitoring and air pollution control equipment), practices, or operations regulated or required under this permit;~~
 - ~~(d) — Sample or monitor, at reasonable times, 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.
[326 IAC 2-7-6(6)]~~
- ~~(1) — The Permittee may assert a claim that, in the opinion of the Permittee, information removed or about to be removed from the source by IDEM, OAM, or an authorized representative, contains information that is confidential under IC 5-14-3-4(a). The claim shall be made in writing before or at the time the information is removed from the source. In the event that a claim of confidentiality is so asserted, neither IDEM, OAM, nor an authorized representative, may disclose the information unless and until IDEM, OAM, makes a determination under 326 IAC~~

~~17-1-7 through 326 IAC 17-1-9 that the information is not entitled to confidential treatment and that determination becomes final. [IC 5-14-3-4; IC 13-14-11-3; 326 IAC 17-1-7 through 326 IAC 17-1-9]~~

- (2) ~~The Permittee, and IDEM, OAM, acknowledge that the federal law applies to claims of confidentiality made by the Permittee with regard to information removed or about to be removed from the source by U.S. EPA. [40 CFR Part 2, Subpart B]~~

~~B.25 Transfer of Ownership or Operation [326 IAC 2-1-6] [326 IAC 2-7-11]~~

~~Pursuant to 326 IAC 2-1-6 and 326 IAC 2-7-11:~~

- (a) ~~In the event that ownership of this source is changed, the Permittee shall notify IDEM, OAM, Permits Branch, within thirty (30) days of the change. Notification shall include a written agreement containing a specific date for transfer of permit responsibility, coverage, and liability between the Permittee and the new owner.~~
- (b) ~~The written notification shall be sufficient to transfer the permit to the new owner by an administrative amendment pursuant to 326 IAC 2-7-11. 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) ~~IDEM, OAM, shall reserve the right to issue a new permit.~~

~~B.26 Annual Fee Payment [326 IAC 2-7-19] [326 IAC 2-7-5(7)]~~

- (a) ~~The Permittee shall pay annual fees to IDEM, OAM, within thirty (30) calendar days of receipt of a billing. If the Permittee does not receive a bill from IDEM, OAM the applicable fee is due April 1 of each year.~~
- (b) ~~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 OAM, Technical Support and Modeling Section), to determine the appropriate permit fee.~~

~~B.27 Credible Evidence [326 IAC 2-7-5(3)][62 Federal Register 8313][326 IAC 2-7-6]~~

~~Notwithstanding the conditions of this permit that state specific methods that may be used to assess compliance or noncompliance with applicable requirements, other credible evidence may be used to demonstrate compliance or n~~

SECTION C SOURCE OPERATION CONDITIONS

Hartsdale Terminal

C.1 was added from Griffith's Part 70

C.1 Major Source

Pursuant to 326 IAC 2-3, (Emission Offset), this source is a major source for **Volatile Organic Compounds (VOC) emissions.**

C.4 2 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 3 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 twenty percent (20%) 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 4 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 5 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 6 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.7 was added from Griffith's Part 70

C.7 Fugitive Dust Emissions [326 IAC 6-1-11.1]

The Permittee shall be in violation of 326 IAC 6-1-11.1 (Lake County Fugitive Particulate Matter Control Requirements), if the opacity of fugitive particulate emissions exceeds ten percent (10%). Compliance with this opacity limit shall be achieved by controlling fugitive particulate matter emissions according to the source's fugitive dust plan.

C.6 8 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 units vented to the control equipment are in operation.

C.7 9 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, pursuant to the provisions of 40 CFR 61, Subpart M, is federally enforceable.

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

C.8-10 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.9 11 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.40 12 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.13 was added from Griffith's Part 70

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

- (a) In the event that a breakdown of the 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 than one (1) 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.44 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.

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

C.42 15 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.43 16 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.44 17 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” para-

meters 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.15 18 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.16 19 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) In accordance with the compliance schedule specified in 326 IAC 2-6-3(b) (1), the Permittee shall submit by July 1 an emission statement covering the previous calendar year as follows:
 - (1) starting in 2005 and every three (3) years thereafter, and
 - (2) any year not already required under (1) if the source emits volatile organic compounds or oxides of nitrogen into the ambient air at levels equal to or greater than twenty-five (25) tons during the previous calendar year.
- (b) 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.

- (c) 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

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

- (d) 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.

The General Record Keeping and Reporting Requirements will be revised to address the record keeping requirements under the New Source Review, 326 IAC 2-3 (Emission Offset)

~~C.17 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.~~

C.47-20 General Record Keeping Requirements [326 IAC 2-7-5(3)] [326 IAC 2-7-6] [326 IAC 2-2] [326 IAC 2-3]

- (a) Records of all required monitoring data, reports and support information required by this permit shall be retained for a period of at least ten (10) 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 seven (7) 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 2-3-1 (ll) 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 2-3-1 (mm), the Permittee shall comply with following:**

- (1) Prior to commencing the construction of the “project” (as defined in 326 IAC 2-2-1 (qq) and 326 IAC 2-3-1 (ll) 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 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.18-21 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, 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.~~

C.48-21 General Reporting Requirements [326 IAC 2-7-5(3)(C)] [326 IAC 2-1.1-11] [326 IAC 2-2] [326 IAC 2-3]

- (a) ~~The source~~ 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, 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, 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/or 326 IAC 2-3-1 (ll) 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/or 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, P. O. Box 6015
Indianapolis, Indiana 46206-6015**

- (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.19-22~~ 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.

Griffith Terminal

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

~~C.1 Major Source~~

~~Pursuant to 326 IAC 2-3, (Emission Offset), this source is a major source.~~

~~C.2 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.3 Opacity [326 IAC 5-1]~~

~~Pursuant to 326 IAC 5-1-2 (Visible Emissions Limitations), except as provided in 326 IAC 5-1-3 (Temporary Exemptions), visible emissions shall meet the following, unless otherwise stated in this permit:~~

- ~~(a) Visible emissions shall not exceed an average of twenty percent (20%) opacity in twenty-four (24) consecutive readings, as determined in 326 IAC 5-1-4.~~
- ~~(b) Visible emissions shall not exceed sixty percent (60%) opacity for more than a cumulative total of fifteen (15) minutes (sixty (60) readings) in a six (6) hour period.~~

~~C.4 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.5 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.~~

~~C.6 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.7 Fugitive Dust Emissions [326 IAC 6-1-11.1]~~

~~The Permittee shall be in violation of 326 IAC 6-1-11.1 (Lake County Fugitive Particulate Matter Control Requirements), if the opacity of fugitive particulate emissions exceeds ten percent (10%). Compliance with this opacity limit shall be achieved by controlling fugitive particulate matter emissions according to the source's fugitive dust plan.~~

~~C.8 Operation of Equipment [326 IAC 2-7-6(6)]~~

~~All air pollution control equipment listed in this permit and used to comply with applicable requirements shall be operated at all times that the emission units vented to the control equipment are in operation.~~

~~C.9 Asbestos Abatement Projects [326 IAC 14-10] [326 IAC 18] [40 CFR 61.140]~~

- ~~(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 Management
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 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 mandatory 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.10 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 methods approved by IDEM, OAM.~~

~~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 Management
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 Permittee shall submit a notice of the actual test date to the above address so that it is received at least two weeks prior to the test date.~~

- ~~(b) All test reports must be received by IDEM, OAM within forty-five (45) days after the completion of the testing. An extension may be granted by the Commissioner, if the source submits to IDEM, OAM, a reasonable written explanation within five (5) days prior to the end of the initial forty five (45) day period.~~

~~The documentation submitted by the Permittee does not require certification by the "responsible official" as defined by 326 IAC 2-7-1(34).~~

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

~~C.11 Compliance Schedule [326 IAC 2-7-6(3)]~~

~~The Permittee:~~

- ~~(a) Has certified that all facilities at this source are in compliance with all applicable requirements; and~~
- ~~(b) Has submitted a statement that the Permittee will continue to comply with such requirements; and~~
- ~~(c) Will comply with such applicable requirements that become effective during the term of this permit.~~

~~C.12 Compliance Monitoring [326 IAC 2-7-5(3)] [326 IAC 2-7-6(1)]~~

~~Compliance with applicable requirements shall be documented as required by this permit. The Permittee shall be responsible for installing any necessary equipment and initiating any required monitoring related to that equipment, no more than ninety (90) days after receipt of this permit. If due to circumstances beyond its control, this schedule cannot be met, the Permittee may extend compliance schedule an additional ninety (90) days provided the Permittee notifies:~~

~~Indiana Department of Environmental Management
Compliance Branch, Office of Air Management
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).~~

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

- ~~(a) In the event that a breakdown of the 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 than one (1) 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.14 — Monitoring Methods [326 IAC 3]~~

~~Any monitoring or testing performed to meet the applicable requirements of this permit shall be performed according to the provisions of 326 IAC 3, 40 CFR 60, Appendix A, or other approved methods as specified in this permit.~~

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

~~C.15 — 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 Management
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 not require the certification by the “responsible official” as defined by 326 IAC 2-7-1(34).~~

~~(c) — If the ERP is disapproved by IDEM, OAM, 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, OAM, 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.16 — Risk Management Plan [326 IAC 2-7-5(12)] [40 CFR 68.215]~~

~~If a regulated substance, subject to 40 CFR 68, is present in a process in more than the threshold quantity, 40 CFR 68 is an applicable requirement and the Permittee shall:~~

~~(a) — Submit:~~

~~(1) — A compliance schedule for meeting the requirements of 40 CFR 68 by the date provided in 40 CFR 68.10(a); or~~

~~(2) — As a part of the 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); and~~

~~(3) — A verification to IDEM, OAM, that a RMP or a revised plan was prepared and submitted as required by 40 CFR 68.~~

- ~~(b) Provide annual certification to IDEM, OAM, that the Risk Management Plan is being properly implemented.~~

~~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.17 Compliance Monitoring Plan Failure to Take Response Steps [326 IAC 2-7-5][326 IAC 2-7-6]
[326 IAC 1-6]~~

- ~~(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. This compliance monitoring plan is comprised of:~~

- ~~(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 (Monitoring Data Availability, 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, OAM upon request and shall be subject to review and approval by IDEM, OAM. 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) Response steps that will 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 such 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, appropriate response steps shall be taken when indicated by the provisions of that compliance monitoring condition. Failure to perform the actions detailed in the compliance monitoring conditions or failure to take the response steps within the time prescribed in the Compliance Response Plan, shall constitute a violation of the permit unless taking the response steps set forth in the Compliance Response Plan would be unreasonable.~~

- ~~(c) After investigating the reason for the excursion, the Permittee is excused from taking further response steps for any of the following reasons:~~

- ~~(1) The monitoring equipment malfunctioned, giving a false reading. 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 or;~~

- ~~(3) — An automatic measurement was taken when the process was not operating; or~~
- ~~(4) — The process has already returned 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.~~

~~C.18 — 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 corrective actions. The Permittee shall submit a description of these corrective actions to IDEM, OAM, within thirty (30) days of receipt of the test results. The Permittee shall take appropriate action to minimize emissions from the affected facility while the corrective actions are being implemented. IDEM, OAM shall notify the Permittee within thirty (30) days, if the corrective actions taken are deficient. The Permittee shall submit a description of additional corrective actions taken to IDEM, OAM within thirty (30) days of receipt of the notice of deficiency. IDEM, OAM reserves the authority to use enforcement activities to resolve noncompliant stack tests.~~
- ~~(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, OAM that retesting in one hundred and twenty (120) days is not practicable, IDEM, OAM may extend the retesting deadline. Failure of the second test to demonstrate compliance with the appropriate permit conditions may be grounds for immediate revocation of the permit to operate the affected facility.~~

~~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.19 — 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 April 15 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 actual emissions of criteria pollutants from the source, in compliance with 326 IAC 2-6 (Emission Reporting);~~
- ~~(2) — Indicate actual emissions of other regulated pollutants from the source, for purposes of Part 70 fee assessment.~~
- ~~(b) — The annual emission statement covers the twelve (12) consecutive month time period starting December 1 and ending November 30. The annual emission statement must be submitted to:~~

~~— Indiana Department of Environmental Management
Technical Support and Modeling Section, Office of Air Management
100 North Senate Avenue, P. O. Box 6015~~

Indianapolis, Indiana 46206-6015

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

~~C.20 Monitoring Data Availability [326 IAC 2-7-6(1)] [326 IAC 2-7-5(3)]~~

- (a) ~~With the exception of performance tests conducted in accordance with Section C- Performance Testing, all observations, sampling, maintenance procedures, and record keeping, required as a condition of this permit shall be performed at all times the equipment is operating at normal representative conditions.~~
- (b) ~~As an alternative to the observations, sampling, maintenance procedures, and record keeping of subsection (a) above, when the equipment listed in Section D of this permit is not operating, the Permittee shall either record the fact that the equipment is shut down or perform the observations, sampling, maintenance procedures, and record keeping that would otherwise be required by this permit.~~
- (c) ~~If the equipment is operating but abnormal conditions prevail, additional observations and sampling should be taken with a record made of the nature of the abnormality.~~
- (d) ~~If for reasons beyond its control, the operator fails to make required observations, sampling, maintenance procedures, or record keeping, reasons for this must be recorded.~~
- (e) ~~At its discretion, IDEM may excuse such failure providing adequate justification is documented and such failures do not exceed five percent (5%) of the operating time in any quarter.~~
- (f) ~~Temporary, unscheduled unavailability of staff qualified to perform the required observations, sampling, maintenance procedures, or record keeping shall be considered a valid reason for failure to perform the requirements stated in (a) above.~~

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

- (a) ~~Records of all required monitoring data 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 and available upon the request of an IDEM, OAM, representative. 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 written request for records to the Permittee, the Permittee shall furnish the records to the Commissioner within a reasonable time.~~
- (b) ~~Records of required monitoring information shall include, where applicable:~~
- (1) ~~The date, place, and time of sampling or measurements;~~
 - (2) ~~The dates analyses were performed;~~
 - (3) ~~The company or entity performing the analyses;~~
 - (4) ~~The analytic techniques or methods used;~~
 - (5) ~~The results of such analyses; and~~

- ~~(6) The operating conditions existing at the time of sampling or measurement.~~
- ~~(c) Support information shall include, where applicable:~~
- ~~(1) Copies of all reports required by this permit;~~
 - ~~(2) All original strip chart recordings for continuous monitoring instrumentation;~~
 - ~~(3) All calibration and maintenance records;~~
 - ~~(4) Records of preventive maintenance shall be sufficient to demonstrate that improper maintenance did not cause or contribute to a violation of any limitation on emissions or potential to emit. To be relied upon subsequent to any such violation, these records may include, but are not limited to: work orders, parts inventories, and operator's standard operating procedures. Records of response steps taken shall indicate whether the response steps were performed in accordance with the Compliance Response Plan required by Section C – Compliance Monitoring Plan – Failure to take Response Steps, of this permit, and whether a deviation from a permit condition was reported. All records shall briefly describe what maintenance and response steps were taken and indicate who performed the tasks.~~
- ~~(d) All record keeping requirements not already legally required shall be implemented within ninety (90) days of permit issuance.~~

~~C.22 General Reporting Requirements [326 IAC 2-7-5(3)(C)]~~

- ~~(a) To affirm that the source has met all the compliance monitoring requirements stated in this permit the source shall submit a Semi-annual Compliance Monitoring Report. Any deviation from the requirements and the date(s) of each deviation must be reported.~~
- ~~(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 Management
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, OAM, on or before the date it is due.~~
- ~~(d) Unless otherwise specified in this permit, any semi-annual report shall be submitted within thirty (30) days of the end of the reporting period.~~
- ~~(e) All instances of deviations as described in Section B – Deviations from Permit Requirements Conditions must be clearly identified in such reports.~~
- ~~(f) Any corrective actions or response steps taken as a result of each deviation must be clearly identified in such reports.~~
- ~~(g) 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.~~

~~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).~~

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.~~

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 bulk petroleum storage sources, **known as Hartsdale Terminal and Griffith Terminal.**

Responsible Official:	Scott W. Lounsbury
Source Address:	1500 West Main Street, Griffith, Indiana 46319
Mailing Address:	119 N. 25 th Street East, Superior, Wisconsin 54880-5247
General Source Phone Number:	219-922-3133
SIC Code:	4612
County Location:	Lake
Source Location Status:	Nonattainment for 8-hour Ozone, 1-hour Ozone, PM2.5, and Sulfur Dioxide
Source Status:	Attainment for all other criteria pollutants Part 70 Permit Program Major Source, under Emission Offset Rules; Minor Source, Section 112 of the Clean Air Act

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:

Hartsdale Terminal:

- (a)** Nine (9) above ground, vertical, external floating roof, storage tanks, identified as 1601 through 1609, installed in 1958, capacity: 4,200,000 gallons (100,000 barrels) of crude oil each.

- (b) **Spearhead project – consists of the installation of three (3) main line booster pumps and associated piping, metering, sampling and maintenance equipment. This project will result in an increase potential terminal throughput of 125,000 barrels per day. No physical modifications to the terminal’s tanks will occur as part of the project.**

This project will reverse the flow of the existing pipeline from Cushing, Oklahoma which currently transports crude oil to the Hartsdale and Griffith Terminals will now transport crude oil from Hartsdale and Griffith Terminals to Cushing, Oklahoma.

- (c) Piping component fugitive emission sources in VOC service.

Griffith Terminal:

- (a) **Proposed one (1) crude oil storage tank, identified as Tank 79, with an external floating roof, with a maximum capacity of 370,000 barrels (15,543,440 gallons).**
- (b) One (1) crude oil storage tank, constructed in 1969, identified as EU70, with an external floating roof, with a maximum capacity of 120,000 barrels.
- (c) One (1) crude oil storage tank, constructed in 1970, identified as EU71, with an external floating roof, with a maximum capacity of 217,000 barrels.
- (d) One (1) crude oil storage tank, constructed in 1971, identified as EU72, with an external floating roof, with a maximum capacity of 217,000 barrels.
- (e) One (1) crude oil storage tank, constructed in 1971, identified as EU73, with an external floating roof, with a maximum capacity of 217,000 barrels.
- (f) One (1) crude oil storage tank, constructed in 1972, identified as EU74, with an external floating roof, with a maximum capacity of 217,000 barrels.
- (g) One (1) crude oil storage tank, constructed in 1972, identified as EU75, with an external floating roof, with a maximum capacity of 217,000 barrels.
- (h) One (1) crude oil storage tank, constructed in 1973, identified as EU76, with an external floating roof, with a maximum capacity of 395,000 barrels.
- (i) One (1) crude oil storage tank, constructed in 1973, identified as EU77, with an external floating roof, with a maximum capacity of 395,000 barrels.
- (j) One (1) crude oil storage tank, constructed in 1979, identified as EU78, with an external floating roof, with a maximum capacity of 217,000 barrels.
- (k) Piping component fugitive emission sources in VOC service.

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) Emergency diesel generator not exceeding 1,600 horsepower, rated at 175 horsepower.
- (b) **Paved and unpaved roads and parking lots with public access.**
- (c) **Diesel generators not exceeding 1600 horsepower.**

- (d) **A laboratory as defined in 326 IAC 2-7-1(21)(D).**
- (e) **Stationary fire pumps.**

SECTION D.1 FACILITY OPERATION CONDITIONS

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

Hartsdale Terminal

- (a) Nine (9) above ground, vertical, external floating roof, storage tanks, identified as 1601 through 1609, installed in 1958, capacity: 4,200,000 gallons (100,000 barrels) of crude oil each.
- (b) **Spearhead project – consists of the installation of three (3) main line booster pumps and associated piping, metering, sampling and maintenance equipment. This project will result in an increase potential terminal throughput of 125,000 barrels per day. No physical modifications to the terminal’s tanks will occur as part of the project.**

This project will reverse the flow of the existing pipeline from Cushing, Oklahoma which currently transports crude oil to the Hartsdale and Griffith Terminals will now transport crude oil from Hartsdale and Griffith Terminals to Cushing, Oklahoma.
- (c) Piping component fugitive emission sources in VOC service.

(The information describing the process contained in this facility description box is descriptive information and does not constitute enforceable conditions.)

D.1. through D.1.11 no changes

SECTION ~~D.1~~ D.2 FACILITY OPERATION CONDITIONS

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

Griffith Terminal:

- (a) **Proposed one (1) crude oil storage tank, identified as Tank 79, with an external floating roof, with a maximum capacity of 370,000 barrels (15,543,440 gallons).**
- (b) One (1) crude oil storage tank, constructed in 1969, identified as EU70, with an external floating roof, with a maximum capacity of 120,000 barrels.
- (c) One (1) crude oil storage tank, constructed in 1970, identified as EU71, with an external floating roof, with a maximum capacity of 217,000 barrels.
- (d) One (1) crude oil storage tank, constructed in 1971, identified as EU72, with an external floating roof, with a maximum capacity of 217,000 barrels.
- (e) One (1) crude oil storage tank, constructed in 1971, identified as EU73, with an external floating roof, with a maximum capacity of 217,000 barrels.
- (f) One (1) crude oil storage tank, constructed in 1972, identified as EU74, with an external floating roof, with a maximum capacity of 217,000 barrels.
- (g) One (1) crude oil storage tank, constructed in 1972, identified as EU75, with an external floating roof, with a maximum capacity of 217,000 barrels.

- (h) One (1) crude oil storage tank, constructed in 1973, identified as EU76, with an external floating roof, with a maximum capacity of 395,000 barrels.
- (i) One (1) crude oil storage tank, constructed in 1973, identified as EU77, with an external floating roof, with a maximum capacity of 395,000 barrels.
- (j) One (1) crude oil storage tank, constructed in 1979, identified as EU78, with an external floating roof, with a maximum capacity of 217,000 barrels.
- (k) Piping component fugitive emission sources in VOC service.

(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)]

Condition D.1.1, now D.2.1 will be revised to include storage tank, Tank 79:

D.4.1 2.1 Volatile Organic Compounds (VOC) [326 IAC 8-4] [326 IAC 8-9]

- (a) Pursuant to 326 IAC 8-4-3, (Petroleum Liquid Storage Facilities), ~~the source shall comply with the requirements for external floating roofs for the~~ **the following requirements shall be applicable to the nine (9) ten (10) external floating roof** storage tanks identified as 70, 71, 72, 73, 74, 75, 76, 77, ~~and 78,~~ **and 79.**
 - (1) The owner or operator shall not store petroleum liquid in these tanks unless:
 - (A) The facility has been fitted with:
 - (i) A continuous secondary seal extending from the floating roof to the tank wall (rim-mounted secondary seal); or
 - (ii) A closure or other device approved by the IDEM, OAQ which is equally effective.
 - (B) All seal closure devices shall meet the following requirements:
 - (i) There are no visible holes, tears, or other openings in the seal(s) or seal fabric;
 - (ii) The seal(s) are intact and uniformly in place around the circumference of the floating roof between the floating roof and the tank wall.
 - (iii) For vapor mounted primary seals, the accumulated gap area around the circumference of the secondary seal where a gap exceeding one-eighth (1/8) inch exists between the secondary seal and the tank wall shall not exceed 1.0 square inch per foot of tank diameter. There shall be no gaps exceeding one-half (1/2) inch between the secondary seal and the tank wall of welded tanks and no gaps exceeding one (1) inch between the secondary seal and the tank wall of riveted tanks.
 - (C) All openings in the external floating roof, except for automatic bleeder vents, rim space vents, and leg sleeves, are:
 - (i) Equipped with covers, seals, or lids in the closed position except when the openings are in actual use; and
 - (ii) Equipped with projections into the tank which remain below the liquid surface at all times.
 - (D) Automatic bleeder vents are closed at all times except when the roof is floated off or landed on the roof leg supports;

- (E) Rim vents are set to open when the roof is being floated off the leg supports or at the manufacturer's recommended setting; and
 - (F) Emergency roof drains are provided with slotted membrane fabric covers or equivalent covers which cover at least ninety percent (90%) of the area of the opening.
- (b) Pursuant to 326 IAC 8-9-1, the ~~nine (9)~~ ten (10) storage tanks identified as 70, 71, 72, 73, 74, 75, 76, 77 and 78, and 79 shall comply with the requirements of 326 IAC 8-9-4(e). Standards applicable to each external floating roof ~~are as follows~~ shall be the following:
- (1) Each external floating roof shall be equipped with a closure device between the wall of the vessel and the roof edge. The closure device shall consist of two (2) seals, one (1) above the other. The lower seal shall be referred to as the primary seal; the upper seal shall be referred to as the secondary seal.
 - (2) The primary seal shall completely cover the annular space between the edge of the floating roof and vessel wall and shall be either a liquid-mounted seal or a shoe seal.
 - (3) The secondary seal shall completely cover the annular space between the external floating roof and the wall of the vessel in a continuous fashion.
 - (4) Except for automatic bleeder vents and rim space vents, each opening in a noncontact external floating roof shall provide a projection below the liquid surface.
 - (5) Except for automatic bleeder vents, rim space vents, roof drains and leg sleeves, each opening in the roof shall be equipped with a gasketed cover, seal or lid that shall be maintained in a closed position at all times, without visible gap, except when the device is in actual use.
 - (6) Automatic bleeder vents shall be closed at all times when the roof is floating except when the roof is being floated off or is being landed on the roof leg supports.
 - (7) Rim vents shall be set to open when the roof is being floated off the roof leg supports or at the manufacturer's recommended setting. Automatic bleeder vents and rim space vents shall be gasketed.
 - (8) Each emergency roof drain shall be provided with a slotted membrane fabric that covers at least ninety percent (90%) of the area of the opening.
 - (9) The roof shall be floating on the liquid at all times, for example, off the roof leg supports, except when the vessel is completely emptied and subsequently refilled. The process of filling, emptying or refilling when the roof is resting on the leg supports shall be continuous and shall be accomplished as rapidly as possible.

Condition (c) will be deleted, as there is no legal basis in requiring it.

- ~~(c) Any change or modification which may increase the potential VOC emissions by 25 tons or more, a single HAP to 10 tons or more or a combinations of HAPs to 25 tons or more per year from the equipment covered in this permit must be approved by the Office of Air Management (OAM) before such change may occur.~~

D.1-2 2.2 New Source Performance Standard [326 IAC 12] [40 CFR 60.110a Subpart Ka]

- (a) Pursuant to 326 IAC 12 and 40 CFR 60.110a, Subpart Ka, the external floating roof for

tank identified as 78 shall meet the following requirements:

- (1) An external floating roof, consisting of a pontoon-type or double-deck-type cover that rests on the surface of the liquid contents and is equipped with a closure device between the tank wall and the roof edge. The closure device is to consist of two seals, one above the other. The lower seal is referred to as the primary seal and the upper seal is referred to as the secondary seal. The roof is to be floating on the liquid at all times (i.e., off the roof leg supports) except during initial fill and when the tank is completely emptied and subsequently refilled. The process of emptying and refilling when the roof is resting on the leg supports shall be continuous and shall be accomplished as rapidly as possible.
 - (i) The primary seal is to be either a metallic shoe seal, a liquid mounted seal or a vapor mounted seal. Each seal is to meet the following requirements:
 - (A) The accumulated area of gaps between the tank wall and the metallic shoe seal or the liquid mounted seal shall not exceed 212 cm² per meter of tank diameter (10.0 in² per ft of tank diameter) and the width of any portion of any gap shall not exceed 3.81 cm (1.5 in).
 - (B) The accumulated area of gaps between the tank wall and the vapor-mounted seal shall not exceed 21.2 cm² per meter of tank diameter (1.0 in² per ft of tank diameter) and the width of any portion of any gap shall not exceed 1.27 cm (0.5 in).
 - (C) One end of the metallic shoe is to extend into the stored liquid and the other end is to extend a minimum vertical distance of 61 cm (24 in) above the stored liquid surface.
 - (D) There are to be no holes, tears or other openings in the shoe, seal fabric or seal envelope.
 - (ii) The secondary seal is to meet the following requirements:
 - (A) The secondary seal is to be installed above the primary seal so that it completely covers the space between the roof edge and the tank wall.
 - (B) The accumulated area of gaps between the tank wall and the secondary seal used in combination with a metallic shoe or liquid-mounted primary seal shall not exceed 21.2 cm² per meter of tank diameter (1.0 in² per ft of tank diameter) and the width of any portion of any gap shall not exceed 1.27 cm (0.5 in). There shall be no gaps between the tank wall and the secondary seal used in combination with a vapor-mounted primary seal.
 - (C) There shall be no holes, tears or other openings in the seal or seal fabric.
 - (D) The owner or operator is exempted from the requirements for secondary seals and the secondary seal gap criteria when performing gap measurements of inspections of the primary seal.
 - (iii) Each opening in the roof except for automatic bleeder vents and rim space vents is to provide a projection below the liquid surface. Each

opening in the roof except for automatic bleeder vents, rim space vents and leg sleeves is to be equipped with a cover, seal or lid which is to be maintained in a closed position at all times (i.e., no visible gap) except when the device is in actual use. Automatic bleeder vents are to be closed at all times when the roof is floating, except when the roof is being floated off or is being landed on the roof leg supports. Rim vents are to be set to open when the roof is being floated off the roof leg supports or at the manufacturer's recommended setting.

- (iv) Each emergency roof drain shall be provided with a slotted membrane fabric that covers at least 90 percent of the area of the opening.

The following NSPS requirements for Tank 79 will be added in the permit and be numbered as D.2.3. Subsequent conditions will be renumbered accordingly:

D.2.3 New Source Performance Standard [326 IAC 12] [40 CFR 60.110b Subpart Kb]

Pursuant to 326 IAC 12 and 40 CFR 60.110b, Subpart Kb, the external floating roof for Tank 79 shall meet the following requirements:

- (a) Be equipped with a closure device between the wall of the storage vessel and the roof edge. The closure device is to consist of two seals, the primary seal, and the secondary seal.**
 - (1) The primary seal shall be either a mechanical shoe seal or a liquid-mounted seal, and shall completely cover the annular space between the edge of the floating roof and tank wall.**
 - (2) The secondary seal shall completely cover the annular space between the external floating roof and the wall of the storage vessel.**
- (b) All opening in a noncontact external floating roof except for automatic bleeder vents, rim space vents, and leg sleeve shall:**
 - (1) Be equipped with a gasketed cover, seal, or lid that is to be maintained in a closed position at all times, except when the device is in actual use;**
 - (2) Provide a projection below the liquid surface.**
 - (3) Automatic bleeder vents shall be closed at all times when the roof is floating except when the roof is being floated off the roof legs supports;**
 - (4) Rim vents shall be set to open when the roof is being floated off the roof legs supports or at the manufacturer's recommended setting;**
 - (5) Emergency roof drain shall be provided with slotted membrane fabric cover that covers at least ninety percent (90%) of the area of the opening.**
- (c) All seal closure devices shall meet the following requirements:**
 - (1) The accumulated area of gaps between the tank wall and the mechanical shoe or liquid-mounted primary seal shall not exceed 212 square centimeter (cm²) per meter of tank diameter, and the width of any portion of any gap shall not exceed 3.81 cm.**
 - (i) One end of the mechanical shoe is to extend into the stored liquid, and the other end is to extend a minimum vertical distance of 61 centimeter (cm).**

- (ii) **There are to be no holes, tears, or other openings in the shoe, seal fabric, or seal envelope.**
- (2) **The secondary seal shall be installed above the primary seal to completely cover the space between the roof edge and the tank wall.**
- (3) **The accumulated area of gaps between the tank wall and the secondary seal shall not exceed 21.2 cm² per meter of tank diameter, and the width of any portion of any gap shall not exceed 1.27 cm.**
- (i) **There are to be no holes, tears, or other openings in the seal or seal fabric.**
- (4) **The roof shall be floating on the liquid at all times except during initial fill until the roof is lifted off leg supports and when the tank is completely emptied and subsequently refilled. The process of filling, emptying, or refilling shall be continuous and shall be accomplished as rapidly as possible.**

D.1.3 2.4 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 Tank 78 and **Tank 79** and ~~any~~ **their** control devices.

Compliance Determination Requirements

The following Condition D.1.4 will be deleted as there is a Testing and Procedures required under 326 IAC 8-9-5 for the existing external floating roofs.

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

~~The Permittee is not required to test this facility by this permit. However, IDEM may require compliance testing at any specific time when necessary to determine if the facility is in compliance. If testing is required by IDEM, compliance with the VOC limit specified in Conditions D.1.1 and D.1.2 shall be determined by a performance test conducted in accordance with Section C - Performance Testing.~~

Compliance Monitoring Requirements

D.1.5 2.5 Monitoring Volatile Organic Compounds: Testing and Procedures [326 IAC 8-9] [326 IAC 12 and 40 CFR 60.113b, Subpart Kb]

- (a) Pursuant to 326 IAC 8-9, the tanks identified as 70, 71, 72, 73, 74, 75, 76, 77 ~~and 78, and 79~~ shall meet the following requirements:
 - (1) The owner or operator of each vessel equipped with an external floating roof shall determine the gap areas and maximum gap widths between the primary seal and the wall of the vessel and between the secondary seal and the wall of the vessel according to the following frequency:
 - (A) Measurement of gaps between the vessel wall and the primary seal (seal gaps) shall be performed during the hydrostatic testing of the vessel or within 60 days of the initial fill with VOL and at least once every 5 years thereafter.
 - (B) Measurements of gaps between the vessel wall and the secondary seal shall be performed within 60 days of the initial fill with VOL and at least once per year thereafter.

- (C) If any source ceases to store VOL for a period of 1 year or more, subsequent introduction of VOL into the vessel shall be considered an initial fill for purposes of these procedures.
- (2) Determine gap widths and areas in the primary and secondary seals individually by the following procedures:
 - (A) Measure seal gaps, if any, at one or more floating roof levels when the roof is floating off the roof leg supports.
 - (B) Measure seal gaps around the entire circumference of the vessel in each place where a one-eighth inch diameter uniform probe passes freely (without forcing or binding against seal) between the seal and the wall of the vessel and measure the circumferential distance of each such location.
 - (C) The total surface area of each gap described in Section (2)(B) of this condition shall be determined by using probes of various widths to measure accurately the actual distance from the vessel wall to the seal and multiplying each such width by its respective circumferential distance.
 - (3) Add the gap surface area of each gap location for the primary seal and the secondary seal individually and divide the sum for each by the nominal diameter of the vessel and compare each ratio to the respective standards in the following sections (4)(A) and(4)(B) of this condition.
 - (4) Make necessary repairs or empty the vessel within forty-five days of identification of seals not meeting the requirements listed in A and B as follows:
 - (A) The accumulated area of gaps between the vessel wall and the mechanical shoe or liquid-mounted primary seal shall not exceed 10 square inches per foot of vessel diameter, and the width of any portion of any gap shall not exceed one and five-tenths inches. There shall be no holes, tears or other openings in the shoe, seal fabric or seal envelope.
 - (B) The secondary seal shall meet the following requirements:
 - (i) The secondary seal shall be installed above the primary seal so that it completely covers the space between the roof edge and the vessel wall.
 - (ii) The accumulated area of gaps between the vessel wall and the secondary seal used in combination with a metallic shoe or liquid-mounted primary seal shall not exceed one square inch per foot of vessel diameter, and the width of any portion of any gap shall not exceed five-tenths inch. There shall be no gaps between the vessel wall and the secondary seal when used in combination with a vapor-mounted primary seal.
 - (C) If a failure is detected during inspections and can not be repaired within 45 days and if the vessel cannot be emptied within 45 days, a 30-day extension may be requested from the department. Such a request for an extension must document that alternate storage capacity is unavailable and specify a schedule of actions the company will take that will assure that the control equipment will be repaired or the vessel will be emptied as soon as possible.

(b) Pursuant to 326 IAC 12 and 40 CFR 60.113b, Subpart Kb, the owner or operator of Tank 79 equipped with an external floating roof shall meet the following requirements:

(1) Determine the gap areas and gap widths, between the primary seal and the wall of the storage tank and between the secondary seal and the wall of the storage tank as follows:

(A) Measure the seal gaps between the tank wall and the primary seal during the hydrostatic testing of the vessel or within 60 days of the initial fill with VOL and at least once every 5 years thereafter;

(B) Measure the gaps between the tank wall and the secondary seal within 60 days of the initial fill with VOL and at least once per year thereafter; and

(2) If the tank ceases to store VOL for a period of 1 year or more, subsequent introduction of VOL into the vessel shall be considered an initial fill.

(3) Determine the gap widths and areas in the primary and secondary seals individually as follows:

(A) Measure seal gaps, if any, at one or more floating roof levels when the roof is floating off the roof leg supports.

(B) Measure seal gaps around the entire circumference of the tank in each place where a 0.32 cm diameter uniform probe passes freely (without forcing or binding against seal) between the seal and the wall of the storage vessel and measure the circumferential distance of each such location.

(C) A failure (where the gap areas do not meet the standard) that is detected during inspections shall be repaired within forty-five (45) days.

If the tank cannot be emptied within 45 days, a thirty (30) day extension may be requested from the EPA and IDEM, OAQ in the inspection report. Such request must include a demonstration of unavailability of alternate storage capacity and a specification of a schedule that will assure that the control will be repaired or the tank will be emptied as soon as possible.

Compliance Monitoring Requirements

D.2.6 Visual Inspections [326 IAC 8-9-5] [326 IAC 12] [40 CFR 60.113b, Subpart Kb]

(a) Notify the department thirty days in advance of any gap measurements required to afford the department the opportunity to have an observer present.

(b) Visually inspect the external floating roof, the primary seal, secondary seal and fittings each time the vessel is emptied and degassed. For all visual inspections, the following requirements shall apply:

(1) If the external floating roof has defects, the primary seal has holes, tears or other openings in the seal or the seal fabric, or the secondary seal has holes, tears or other openings in the seal fabric, the owner or operator shall repair the items as necessary so that none of the conditions specified in this clause exist before filling or refilling the vessel with VOL.

- (2) The owner or operator shall notify the department in writing at least thirty days prior to the filling or refilling of each vessel to afford the department the opportunity to inspect the vessel prior to the filling. If the inspection is not planned and the owner or operator could not have known about the inspection thirty days in advance of refilling the vessel, the owner or operator shall notify the department at least seven days prior to the refilling of the vessel. Notification shall be made by telephone immediately followed by written documentation demonstrating why the inspection was unplanned. Alternatively, this notification including the written documentation may be made in writing and sent by express mail so that it is received by the department at least 7 days prior to the refilling.

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

D.4.6 2.7 Record Keeping Requirements [326 IAC 8-4] [326 IAC 8-9] [Part 60.7 and Part 60.115b, Subpart Kb]

- (a) The Permittee shall maintain a record and submit to the department a report containing the following information for each vessel:
 - (1) The vessel identification number.
 - (2) The vessel dimensions.
 - (3) The vessel capacity
 - (4) A description of the emission control equipment for each vessel or a schedule for installation of emission control equipment with a certification that the emission control equipment meets the applicable standards.
- (b) The owner or operator of each vessel equipped with an external floating roof shall comply with the following record keeping and reporting requirements:
 - (1) Keep a record of each gap measurement performed as required in Condition D.2.5. Each record shall identify the vessel in which the measurement was made and shall contain the following:
 - (A) The date of measurement.
 - (B) The raw data obtained in the measurement.
 - (C) The calculations described in Condition **D.2.5**(2) and D.2.5(3).
 - (2) Within sixty (60) days of performing the seal gap measurements required by Condition D.2.5, furnish the department with a report that contains the following:
 - (A) The date of measurement.
 - (B) The raw data obtained in the measurement.
 - (C) The calculations described in Condition **D.2.5**(2) and D.2.5(3).
 - (3) After each seal gap measurement that detects gaps exceeding the limitations specified in Condition D.2.1 and Condition D.2.3, submit a report to the department within thirty (30) days of the inspection. The report shall identify the vessel and contain the information specified in Section (2) of this condition and the date the vessel was emptied or the repairs made and date of repair.
- (c) All records shall be maintained in accordance with Section C - General Record Keeping Requirements, of this permit.

D.4.7 2.8 Reporting Requirements [326 IAC 8-9-6] [Part 60.7 and Part 60.115b, Subpart Kb]

- (a) Pursuant to 326 IAC 8-9-6(d), the source shall:
- (1) Maintain a record and submit to the department a report containing the following information for each vessel:
 - (A) The vessel identification number.
 - (B) The vessel dimensions.
 - (C) The vessel capacity
 - (D) A description of the emission control equipment for each vessel or a schedule for installation of emission control equipment with a certification that the emission control equipment meets the applicable standards.
 - (2) Furnish the department, within 60 days of performing the seal gap measurement, a report that contains the following:
 - (A) The date of measurement.
 - (B) The raw data obtained in the measurement.
 - (C) The calculation described in ~~D.1.5~~**D.2.5** (2) and D.2.5(3).
 - (3) After each seal gap measurement that detects gaps exceeding the limitations, submit a report to the department within 30 days of the inspection. The report shall identify the vessel and contain the information specified in Section (2) of this condition and the date the vessel was emptied or the repairs made and date of repair.
- (b) Pursuant to Part 60.7 and Part 60.115b, Subpart Kb the source shall:
- (1) **Furnish the EPA and IDEM, OAQ written notification of the actual initial start up date of Tank 79 within fifteen (15) days after such date.**
 - (2) **Furnish report to EPA and IDEM, OAQ describing the control equipment for Tank 79 and certifies that the control equipment meets the specifications required in this rule.**
 - (3) **Within sixty (60) days of performing the seal gap measurements, the owner or operator of storage tank, Tank 79 shall furnish EPA and IDEM, OAQ a report containing:**
 - (A) **The date of measurement;**
 - (B) **The raw data obtained in the measurement;**
 - (C) **The calculations in determining the gap widths and areas in the primary and secondary seals; and the gap surface area of each gap location for the primary and secondary seal.**
 - (4) shall submit report within thirty (30) days of the inspection of each seal gap measurement that detects gaps exceeding the limitations in Condition D.2.1 and Condition D.2.3 for Tank 79. The report shall include the date this tank was emptied or the repairs made and the date of repair.

The following SECTION D.2 from the Hartsdale Part 70 permit will be renumbered to SECTION D.3 as follows:

SECTION D.23 FACILITY OPERATION CONDITIONS

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

Emergency diesel generator not exceeding 1,600 horsepower, rated at 175 horsepower.

(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.2.1 3.1 Emergency Generator

The 175 horsepower emergency generator shall not operate more than five hundred (500) hours per year.

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

D.2.2 3.2 Record Keeping Requirements

To document compliance with Condition D.1.1 the Permittee shall maintain records of the number of hours the emergency generator operates per month.

Compliance Requirements

Permits issued under 326 IAC 2-7 are required to ensure that sources can demonstrate compliance with applicable state and federal rules on a more or less continuous basis. All state and federal rules contain compliance provisions, however, these provisions do not always fulfill the requirement for a more or less 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 requirements are divided into two sections: Compliance Determination Requirements and Compliance Monitoring Requirements.

Compliance Determination Requirements in Section D of the permit are those conditions that are found more or less directly within state and federal rules and the violation of which serves as grounds for enforcement action. If these conditions 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.

Conclusion

The construction of this proposed modification shall be subject to the conditions of the attached **Part 70 Minor Source Modification No.: 089-21491-00497 and Minor Permit Modification No.: 089-21442-00497.**

Indiana Department of Environmental Management Office of Air Quality

Addendum to the Technical Support Document for a Minor Permit Modification to a Part 70 Operating Permit

Source Name: Enbridge Energy, Limited Partnership –
Hartsdale/Griffith
Source Location: 1500 West Main Street, Griffith, Indiana 46319
County: Lake
SIC Code: 4612
Operation Permit No. - Hartsdale Terminal: T 089-11137-00081
Issuance Date: May 1, 2001
Operation Permit No. - Griffith Terminal: T 089-7802-00059
Issuance Date: September 24, 1998
Minor Permit Modification No.: 089-21442-00497
Permit Reviewer: Aida De Guzman

On August 24, 2005 the Office of Air Quality (OAQ) had a notice published in “The Post Tribune”, Merrillville, Indiana, stating that Enbridge Energy, Limited Partnership – Hartsdale/Griffith had applied for a Minor Permit Modification to a Part 70 Operating Permit for the installation of an external floating roof tank, identified as Tank 79 and Spearhead project. 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 this permit should be issued as proposed.

On September 26, 2005 Enbridge Energy, Limited Partnership – Hartsdale/Griffith made the following comments to the proposed Minor Permit Modification (additions are **bolded** and deletions are ~~struck through~~ for emphasis):

Comment 1: On Page 1 of 54 of the draft permit, please delete “**and Lakehead Road**” to be consistent with address used throughout the permit.

Response 1: The address on the cover page of the permit will be changed as follows:
Enbridge Energy, Limited Partnership - Hartsdale/Griffith
1500 West Main Street and ~~Lakehead Road~~
Griffith, Indiana 46319

Comment 2: In the Operating Permit, Page 5 of 54, Section A.1, please change SIC Code: 4226 to SIC Code: 4612.

Response 2: The SIC Code on Section A.1 will be changed as follows:

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 bulk petroleum storage sources, known as Hartsdale Terminal and Griffith Terminal.

Responsible Official: Scott W. Lounsbury
Source Address: 1500 West Main Street, Griffith, Indiana 46319
Mailing Address: 119 N. 25th Street East, Superior, Wisconsin 54880-5247
General Source Phone Number: 219-922-3133
SIC Code: ~~4226~~ 4612
County Location: Lake

- Source Location Status: Nonattainment for 8-hour Ozone, 1-hour Ozone, PM2.5, and Sulfur Dioxide
- Source Status: Attainment for all other criteria pollutants
Part 70 Permit Program
Major Source, under Emission Offset Rules;
Minor Source, Section 112 of the Clean Air Act
- Comment 3: In the Operating Permit, Page 37 of 54, Condition D.1.10(j), the referenced condition should be D.1.5(b)(1) instead of D.1.4(b)(1).
- Response 3: Condition D.1.10(j) will be revised as follows:
- (j) Notify the department thirty (30) days in advance of any gap measurements required by Condition D.1.4 5(b)(1) to afford the department the opportunity to have an observer present.
- Comment 4: In the Operating Permit, Page 40 of 54, Condition D.2.1(b)(7), please remove “=”.
- Response 4: The typographical error was fixed as follows:
- (7) Rim vents shall be set to open when the roof is being floated off the roof leg supports or at the manufacturer=~~s~~'s recommended setting. Automatic bleeder vents and rim space vents shall be gasketed.
- Comment 5: The word “possible” is missing in Condition D.2.1(b)(9), Page 40 of 54 of the Operating Permit
- Response 5: Conditon D.2.1(b)(9) will be revised as follows:
- (9) The roof shall be floating on the liquid at all times, for example, off the roof leg supports, except when the vessel is completely emptied and subsequently refilled. The process of filling, emptying or refilling when the roof is resting on the leg supports shall be continuous and shall be accomplished as rapidly as **possible**.
- Comment 6: Please remove “0” in Condition D.2.2(a)(1)(ii)(B).
- Response 6: Condition D.2.2(a)(1)(ii)(B) will be revised as follows:
- (B) The accumulated area of gaps between the tank wall and the secondary seal used in combination with a metallic shoe or liquid-mounted primary seal shall not exceed 21.2 cm² per meter of tank diameter (1.0 in² per ft of tank diameter θ and the width of any portion of any gap shall not exceed 1.27 cm (0.5 in). There shall be no gaps between the tank wall and the secondary seal used in combination with a vapor-mounted primary seal.
- Comment 7: Please fix the typographical error in Condition D.2.5(b)(3)(C), the “(3)” should be “(30)”.
- Response 7: Condition D.2.5(b)(3)(C) will be revised as follows:

- (C) A failure (where the gap areas do not meet the standard) that is detected during inspections shall be repaired within forty-five (45) days.

If the tank cannot be emptied within 45 days, a thirty (30) day extension may be requested from the EPA and IDEM, OAQ in the inspection report. Such request must include a demonstration of unavailability of alternate storage capacity and a specification of a schedule that will assure that the control will be repaired or the tank will be emptied as soon as possible.

Technical Support Document

Comment 1: In table “SUMMARY OF EMISSIONS” on Page 2 of 66 of the TSD the Spearhead Project Modified Tank Withdrawal Emissions of VOC 4.5 was not included.

Response 1: IDEM, OAQ prefers not to change the original TSD in order to preserve the original information from the permit. The TSD Addendum is part of the TSD. It serves to address the changes made in the permit and in the original TSD as a result of the submitted comments. Therefore, changes to the original TSD will be noted in this TSD Addendum.

The 4.5 tons per year VOC emissions are the projected actual emissions increase from the Hartsdale Terminal due to the project. This VOC increase was included in the Emission Offset applicability table “**Potential to Emit of Modification After Issuance Reflecting Major PSD or NA NSR Applicability**” on Page 5 of 66 of the TSD and not on the “**Potential To Emit of Modification**” table found on page 3 of 66 of the TSD. There is no PTE associated with the Hartsdale Terminal as there was no physical modification done to it. Therefore, the tables will stay the same.

SUMMARY OF EMISSIONS (TONS/YEAR)					TOTAL EMISSIONS
POLLUTANT	GRIFFITH TERMINAL			HARTSDALE TERMINAL	
	Storage Tank (Tank 79)	Storage Tank (Tank 79) Landing Losses	Tank 79 Component Piping Fugitive Emissions	Spearhead Project	
VOC	10.41	5.5	0.03	0.19	16.13
HAPs	0.16		0.0003	0.002	0.1623

Potential To Emit of Modification

Pursuant to 326 IAC 2-1.1-1(16), Potential to Emit is defined as “the maximum capacity of a stationary source 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.”

This table reflects the PTE before controls. Control equipment is not considered federally enforceable until it has been required in a federally enforceable permit.

Pollutant	Potential To Emit (tons/year)
PM2.5	0.0
PM10	0.0
SO ₂	0.0
VOC	16.13
CO	0.0
NO _x	0.0

HAP's	Potential To Emit (tons/year)
Benzene	2.4E-02
n-Hexane	1.68E-01
Ethylbenzene	1.36E-03
Toluene	1.12E-02
m-Xylene	4.20E-03
Cumene	1.54E-04
Isooctane/2,2-4 Trimethylpentane	2.06E-03
Single HAP	1.68E-01
Combined HAPs	2.1E-01

Comment 2: Please change **40** cubic meters (m3) to **75** cubic meters (m3) as this is the correct vessel capacity.

Response 2: The first paragraph is correct. This is a general applicability statement which states that 40 cubic meters (m3) is the smallest size storage tank that is subject to NSPS, Subpart Kb. This statement will stay the same.

(a) New Source Performance Standards (NSPS) (326 IAC 12 and 40 CFR Part 60):

40 CFR Part 60.110b, Subpart Kb – Standards of Performance for Volatile Organic Liquid Storage Vessels (Including Petroleum Liquid Storage Vessels). This rule applies to storage vessels with capacity greater than or equal to 40 cubic meters (m³) that is used to store volatile organic liquids (VOL's) for which construction, reconstruction commenced after July 23, 1984.

Comment 3: Page 6 of 66 of the TSD, Federal Rule Applicability Section (a). The proposed storage tank, identified as Tank 79 will store VOL with vapor pressure greater than 5.2 kPa (0.75 psi) but less than 76.6 kPa (11.3 psi). Please change 3.5 kPa (0.51 psi).

Response 3: Second paragraph Section (a) under the Federal Rule Applicability will be changed as requested. This change will not affect already determined applicable requirements.

The proposed storage tank, identified as Tank 79 is subject to this rule since it has a capacity greater than 151 m³ (39,890 gallons) and will store VOL with vapor pressure greater than ~~3.5 kPa (0.51 psi)~~ **5.2 kPa (0.75 psi)** but less than 76.6 kPa (11.3 psi). This rule requires the tank to be equipped with one of the following:

Comment 4: There is a missing end of the sentence on Page 8 of 66 of the TSD under Federal Rule Applicability, §60.113b Testing and Procedure Section. Please add the bolded sentence.

- (B) Determine the gap widths and areas in the primary and secondary seals individually as follows:
 - (i) Measure seal gaps, if any, at one or more floating roof levels when the roof is floating off the roof leg supports.
 - (ii) Measure seal gaps around the entire circumference of the tank in each place **where a 0.32 cm diameter uniform probe passes freely (without forcing or binding against seal) between the seal and the wall of the storage vessel and measure the circumferential distance of each such location.**

Response 4: Section (ii) under Federal Rule Applicability, §60.113b Testing and Procedure as written in the original TSD was intentionally shortened and excluded the detailed process of measuring the seal gaps. As a practice the rule applicability in the TSD are written differently than how conditions in the permit are stated. No changes will be made to this section.

Comment 5: In the Technical Support Document, Page 8 of 66, Federal Rule Applicability, §60.113b Testing and Procedure: Section (1)(C), please correct the typographical error, change 3 to 30.

Response 5: Section (1)(C) under §60.113b Testing and Procedure will be revised as follows:

- (C) A failure (where the gap areas do not meet the standard) that is detected during inspections shall be repaired within forty-five (45) days.

If the tank cannot be emptied within 45 days, a thirty (30) day extension may be requested from the EPA and IDEM, OAQ in the inspection report. Such request must include a demonstration of unavailability of alternate storage capacity and a specification of a schedule that will assure that the control will be repaired or the tank will be emptied as soon as possible.

Comment 6: In the Technical Support Document, Page 66 of 66, Section D.3.2 please change the referenced condition to D.3.1, instead of D.1.1.

Response 6: IDEM, OAQ prefers not to change the original TSD in order to preserve the original information from the permit. The TSD Addendum is part of the TSD. It serves to address the changes made in the permit and in the original TSD as a result of the submitted comments. The draft permit referenced the correct condition, but the TSD did not. IDEM acknowledges that the TSD should have read as follows:

D.2-2-3.2 Record Keeping Requirements

To document compliance with Condition D.4.3.1 the Permittee shall maintain records of the number of hours the emergency generator operates per month.