

CERTIFIED MAIL 7000 0600 0023 5186 5072

TO: Interested Parties / Applicant

RE: Stewart Warner, Former Southwind Facility / T097-21466-00565

FROM: Felicia A. Robinson
Manager of Environmental Planning

Notice of Decision: Approval – Effective Immediately

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

If you wish to challenge this decision, IC 4-21.5-3-7 and IC 13-15-6-1(b) or IC 13-15-6-1(a) require that you file a petition for administrative review. This petition may include a request for stay of effectiveness and must be submitted to the Office of Environmental Adjudication, 100 North Senate Avenue, Government Center North, Room 1049, Indianapolis, IN 46204.

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

The filing of a petition for administrative review is complete on the earliest of the following dates that apply to the filing:

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

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

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

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

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

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

If you have technical questions regarding the enclosed documents, please contact the Indianapolis Office of Environmental Services, Air Permits at (317) 327-2234.



**INDIANA DEPARTMENT OF ENVIRONMENTAL
MANAGEMENT
OFFICE OF AIR QUALITY
and
INDIANAPOLIS OFFICE OF ENVIRONMENTAL SERVICES**

**NEW SOURCE CONSTRUCTION PERMIT
PART 70 OPERATING PERMIT**

**Stewart Warner, Former Southwind Facility
1514 Drover Street Indianapolis
Indianapolis, Indiana 46221**

(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. This permit also addresses certain new source review requirements and is intended to fulfill the new source review procedures, applicable to those conditions.

Operation Permit No.: T097-21466-00565	
Issued by: ORIGINAL SIGNED BY: Paul Dubenetzky, Assistant Commissioner Office of Air Quality ORIGINAL SIGNED BY: Felicia A. Robinson, Manager of Environmental Planning	Issuance Date: March 14, 2006 Expiration Date: March 13, 2011



**Department of Public Works
Office of Environmental Services**

2700 Belmont Avenue
Indianapolis, IN 46221

317-327-2234
Fax 327-2274
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indygov.org/dpw

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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) and City of Indianapolis Office of Environmental Services (OES). The information describing the source contained in conditions A.1 through A.4 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 site remediation project at its property located at 1514 Drover Street, Indianapolis IN 46221.

Responsible Official:	Director of Special Projects, Environmental
Source Address:	1514 Drover Street, Indianapolis IN 46221
Mailing Address:	33 Commercial Street, B51-2Z, Foxboro MA 02035
General Source Phone Number:	(508) 549-4949
SIC Code:	None
County Location:	Marion
Source Location Status:	Nonattainment for ozone under the 8-hour standard Nonattainment for PM2.5 Attainment for all other criteria pollutants.
Source Status:	Part 70 Permit Program Minor Source, under PSD and Nonattainment NSR; Major 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 site remediation project source consists of the following emission units and pollution control devices:

- (a) One (1) Soil Vapor Extraction Unit, 400 acfm maximum capacity, identified as EU-M01.
- (b) One (1) Soil Vapor Extraction Unit, 400 acfm maximum capacity, identified as EU-M02.
- (c) One (1) Soil Vapor Extraction Unit, 400 acfm maximum capacity, identified as EU-M03.
- (d) One (1) Soil Vapor Extraction Unit, 200 acfm maximum capacity, identified as EU-S01.
- (e) One (1) Soil Vapor Extraction/Air Sparging Unit, 110 acfm maximum capacity, identified as EU-S02.
- (f) One (1) Soil Vapor Extraction Unit, 90 acfm maximum capacity, identified as EU-S02.

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 does not currently have any insignificant activities, as defined in 326 IAC 2-7-1(21).

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

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

- (a) It is a major source, as defined in 326 IAC 2-7-1(22);
- (b) It is a source in a source category designated by the United States Environmental

Protection Agency (U.S. EPA) under 40 CFR 70.3 (Part 70 - Applicability).

SECTION B

GENERAL CONDITIONS

B.1 Permit No Defense [IC 13]

This permit to construct does not relieve the Permittee of the responsibility to comply with the provisions of the Indiana Environmental Management Law (IC 13-11 through 13-20; 13-22 through 13-25; and 13-30), the Air Pollution Control Law (IC 13-17) and the rules promulgated thereunder, as well as other applicable local, state, and federal requirements.

B.2 Effective Date of the Permit [IC13-15-5-3]

Pursuant to IC 13-15-5-3, this permit becomes effective upon its issuance.

B.3 Revocation of Permits [326 IAC 2-1.1-9(5)]

Pursuant to 326 IAC 2-1.1-9(5)(Revocation of Permits), the IDEM Commissioner or OES Administrator may revoke this permit if construction is not commenced within eighteen (18) months after receipt of this approval or if construction is suspended for a continuous period of one (1) year or more.

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

- (a) This permit, T097-21466-00565, is issued for a fixed term of five (5) years from the issuance date of this permit, as determined in accordance with IC 4-21.5-3-5(f) and IC 13-15-5-3. Subsequent revisions, modifications, or amendments of this permit do not affect the expiration date of this permit.
- (b) If IDEM, OAQ, and OES, upon receiving a timely and complete renewal permit application, fails to issue or deny the permit renewal prior to the expiration date of this permit, this existing permit shall not expire and all terms and conditions shall continue in effect, including any permit shield provided in 326 IAC 2-7-15, until the renewal permit has been issued or denied.

B.6 Part 70 Operating Permit [326 IAC 2-7]

This document shall also become a Part 70 operating permit pursuant to 326 IAC 2-7 when, prior to start of operation, the following requirements are met:

- (a) The attached Affidavit of Construction shall be submitted to Indianapolis OES, Air Permits.
 - (1) If the Affidavit of Construction verifies that the facilities covered in this Construction Permit were constructed as proposed in the application, then the facilities may begin operating on the date the Affidavit of Construction is postmarked or hand delivered to OES.
 - (2) If actual construction of the emission units differs from the construction proposed in the application, the source may not begin operation until the permit has been revised pursuant to 326 IAC 2-7 and an Operation Permit Validation Letter is issued.
- (b) If construction is completed in phases; i.e., the entire construction is not done continuously, a separate affidavit must be submitted for each phase of construction. Any permit conditions associated with operation start up dates such as stack testing for New Source Performance Standards (NSPS) shall be applicable to each individual phase.
- (c) Upon receipt of the Operation Permit Validation Letter, the Permittee shall attach it to this

document.

- (d) The operation permit will be subject to annual operating permit fees pursuant to 326 IAC 2-7-19 (Fees).

B.7 Phase Construction Time Frame

Pursuant to 326 IAC 2-2-8(Revocation of Permits), the IDEM and OES may revoke this permit to construct if the construction has not begun within eighteen (18) months from the effective date of this permit or if during the construction, work is suspended for a continuous period of eighteen (18) months or more.

The OAQ and OES may extend such time upon satisfactory showing that an extension, formally requested by the Permittee, is justified.

B.8 Term of Conditions [326 IAC 2-1.1-9.5]

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

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

B.9 Enforceability [326 IAC 2-7-7]

- (a) 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, OES, the United States Environmental Protection Agency (U.S. EPA) and by citizens in accordance with the Clean Air Act.
- (b) The Indianapolis Air Pollution Control Board (IAPCB) has adopted by reference state rules listed in Appendix A of this permit. The version adopted by reference includes all amendments, additions and repeals filed with the Secretary of State through May 10, 2003 and published in the Indiana Register on June 1, 2003, unless otherwise indicated in the adoption by reference or in Appendix A. For the purposes of this permit, all state rules adopted by reference by the IAPCB are enforceable by OES using local enforcement procedures. Unless otherwise stated, all terms and conditions in this permit that are local requirements, including any provisions designed to limit the source's potential to emit, are enforceable by OES.

B.10 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.11 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.12 Duty to Provide Information [326 IAC 2-7-5(6)(E)]

- (a) The Permittee shall furnish to IDEM, OAQ, and OES within a reasonable time, any information that IDEM, OAQ, and OES 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, and OES copies of records required to be kept by this permit.
- (b) For information furnished by the Permittee to IDEM, OAQ, the Permittee may include a claim of confidentiality in accordance with 326 IAC 17.1. When furnishing copies of

requested records directly to U. S. EPA, the Permittee may assert a claim of confidentiality in accordance with 40 CFR 2, Subpart B.

B.13 Certification [326 IAC 2-7-4(f)] [326 IAC 2-7-6(1)] [326 IAC 2-7-5(3)(C)]

- (a) Where specifically designated by this permit or required by an applicable requirement, any application form, report, or compliance certification submitted shall contain certification by a responsible official of truth, accuracy, and completeness. This certification shall state that, based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate, and complete.
- (b) One (1) certification shall be included, using the attached Certification Form, with each submittal requiring certification. One (1) certification may cover multiple forms in one (1) submittal.
- (c) A responsible official is defined at 326 IAC 2-7-1(34).

B.14 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 Branch, Office of Air Quality
100 North Senate Avenue
Indianapolis, Indiana 46204-2251

and

Indianapolis OES
Air Compliance
2700 South Belmont Avenue
Indianapolis, IN 46221-2009

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, and OES 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, and OES 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.15 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) The Permittee shall prepare and maintain Preventive Maintenance Plans (PMPs) within ninety (90) days) after issuance of this permit, for the source as described in 326 IAC 1-6-3. At a minimum, the PMPs shall include:
 - (1) Identification of the individual(s) responsible for inspecting, maintaining, and repairing emission control devices;
 - (2) A description of the items or conditions that will be inspected and the inspection schedule for said items or conditions; and
 - (3) Identification and quantification of the replacement parts that will be maintained in inventory for quick replacement.

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

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

and

Indianapolis OES
Air Compliance
2700 South Belmont Avenue
Indianapolis, IN 46221-2009

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

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

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

- (a) An emergency, as defined in 326 IAC 2-7-1(12), is not an affirmative defense for an action brought for noncompliance with a federal or state health-based emission limitation.

- (b) An emergency, as defined in 326 IAC 2-7-1(12), constitutes an affirmative defense to an action brought for noncompliance with a technology-based emission limitation if the affirmative defense of an emergency is demonstrated through properly signed, contemporaneous operating logs or other relevant evidence that describe the following:
- (1) An emergency occurred and the Permittee can, to the extent possible, identify the causes of the emergency;
 - (2) The permitted facility was at the time being properly operated;
 - (3) During the period of an emergency, the Permittee took all reasonable steps to minimize levels of emissions that exceeded the emission standards or other requirements in this permit;
 - (4) For each emergency lasting one (1) hour or more, the Permittee notified IDEM, OAQ, and OES 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 IDEM, OAQ, Compliance Section),
or:
Telephone Number: 317-233-5674 (ask for IDEM, OAQ, Compliance Section)
Facsimile Number: 317-233-5967;

and

Telephone Number: 317-327-2234 (ask for OES, Air Compliance)
Facsimile Number: 317-327-2274.

- (5) For each emergency lasting one (1) hour or more, the Permittee submitted the attached Emergency Occurrence Report Form or its equivalent, either by mail or facsimile to:

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

and

Indianapolis OES
Air Compliance
2700 South Belmont Avenue
Indianapolis, IN 46221-2009

within two (2) working days of the time when emission limitations were exceeded due to the emergency.

The notice fulfills the requirement of 326 IAC 2-7-5(3)(C)(ii) and must contain the following:

- (A) A description of the emergency;
- (B) Any steps taken to mitigate the emissions; and
- (C) Corrective actions taken.

The notification which shall be submitted by the Permittee does not require the

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

- (6) The Permittee immediately took all reasonable steps to correct the emergency.
- (c) In any enforcement proceeding, the Permittee seeking to establish the occurrence of an emergency has the burden of proof.
- (d) This emergency provision supersedes 326 IAC 1-6 (Malfunctions). This permit condition is in addition to any emergency or upset provision contained in any applicable requirement.
- (e) The Permittee seeking to establish the occurrence of an emergency shall make records available upon request to ensure that failure to implement a PMP did not cause or contribute to an exceedance of any limitations on emissions. However, IDEM, OAQ, and OES may require that the Preventive Maintenance Plans required under 326 IAC 2-7-4(c)(9) be revised in response to an emergency.
- (f) Failure to notify IDEM, OAQ, and OES by telephone or facsimile of an emergency lasting more than one (1) hour in accordance with (b)(4) and (5) of this condition shall constitute a violation of 326 IAC 2-7 and any other applicable rules.
- (g) If the emergency situation causes a deviation from a technology-based limit, the Permittee may continue to operate the affected emitting facilities during the emergency provided the Permittee immediately takes all reasonable steps to correct the emergency and minimize emissions.
- (h) The Permittee shall include all emergencies in the Quarterly Deviation and Compliance Monitoring Report.

B.17 Permit Shield [326 IAC 2-7-15] [326 IAC 2-7-20] [326 IAC 2-7-12]

- (a) Pursuant to 326 IAC 2-7-15, the Permittee has been granted a permit shield. The permit shield provides that compliance with the conditions of this permit shall be deemed in compliance with any applicable requirements as of the date of permit issuance, provided that either the applicable requirements are included and specifically identified in this permit or the permit contains an explicit determination or concise summary of a determination that other specifically identified requirements are not applicable. The Indiana statutes from IC 13 and rules from 326 IAC, referenced in conditions in this permit, are those applicable at the time the permit was issued. The issuance or possession of this permit shall not alone constitute a defense against an alleged violation of any law, regulation or standard, except for the requirement to obtain a Part 70 permit under 326 IAC 2-7 or for applicable requirements for which a permit shield has been granted.

This permit shield does not extend to applicable requirements which are promulgated after the date of issuance of this permit unless this permit has been modified to reflect such new requirements.
- (b) If, after issuance of this permit, it is determined that the permit is in nonconformance with an applicable requirement that applied to the source on the date of permit issuance, IDEM, OAQ, and OES shall immediately take steps to reopen and revise this permit and issue a compliance order to the Permittee to ensure expeditious compliance with the applicable requirement until the permit is reissued. The permit shield shall continue in effect so long as the Permittee is in compliance with the compliance order.
- (c) No permit shield shall apply to any permit term or condition that is determined after issuance of this permit to have been based on erroneous information supplied in the permit application. Erroneous information means information that the Permittee knew to be false, or in the exercise of reasonable care should have been known to be false, at the

time the information was submitted.

- (d) Nothing in 326 IAC 2-7-15 or in this permit shall alter or affect the following:
- (1) The provisions of Section 303 of the Clean Air Act (emergency orders), including the authority of the U.S. EPA under Section 303 of the Clean Air Act;
 - (2) The liability of the Permittee for any violation of applicable requirements prior to or at the time of this permit's issuance;
 - (3) The applicable requirements of the acid rain program, consistent with Section 408(a) of the Clean Air Act; and
 - (4) The ability of U.S. EPA to obtain information from the Permittee under Section 114 of the Clean Air Act.
- (e) This permit shield is not applicable to any change made under 326 IAC 2-7-20(b)(2) (Sections 502(b)(10) of the Clean Air Act changes) and 326 IAC 2-7-20(c)(2) (trading based on State Implementation Plan (SIP) provisions).
- (f) This permit shield is not applicable to modifications eligible for group processing until after IDEM, OAQ, or OES has issued the modifications. [326 IAC 2-7-12(c)(7)]
- (g) This permit shield is not applicable to minor Part 70 permit modifications until after IDEM, OAQ, or OES has issued the modification. [326 IAC 2-7-12(b)(8)]

B.18 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.19 Deviations from Permit Requirements and Conditions [326 IAC 2-7-5(3)(C)(ii)]

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

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

Indianapolis OES
Air Compliance
2700 South Belmont Avenue
Indianapolis, IN 46221-2009

using the attached Quarterly Deviation and Compliance Monitoring Report, or its equivalent. A deviation required to be reported pursuant to an applicable requirement that exists independent of this permit, shall be reported according to the schedule stated in the applicable requirement and does not need to be included in this report.

The Quarterly Deviation and Compliance Monitoring Report does require the certification by the "responsible official" as defined by 326 IAC 2-7-1(34).

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

B.20 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, or OES 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, or OES 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, or OES at least thirty (30) days in advance of the date this permit is to be reopened, except that IDEM, OAQ, or OES may provide a shorter time period in the case of an emergency. [326 IAC 2-7-9(c)]

B.21 Permit Renewal [326 IAC 2-7-3] [326 IAC 2-7-4] [326 IAC 2-7-8(e)]

- (a) The application for renewal shall be submitted using the application form or forms prescribed by IDEM, OAQ, and OES and shall include the information specified in 326 IAC 2-7-4. Such information shall be included in the application for each emission unit at this source, except those emission units included on the trivial or insignificant activities list contained in 326 IAC 2-7-1(21) and 326 IAC 2-7-1(40). The renewal application does require the certification by the "responsible official" as defined by 326 IAC 2-7-1(34).

Request for renewal shall be submitted to:

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

and

Indianapolis OES
Air Permits
2700 South Belmont Avenue
Indianapolis, IN 46221-2009

- (b) A timely renewal application is one that is:
 - (1) Submitted at least nine (9) months prior to the date of the expiration of this permit; and

- (2) If the date postmarked on the envelope or certified mail receipt, or affixed by the shipper on the private shipping receipt, is on or before the date it is due. If the document is submitted by any other means, it shall be considered timely if received by IDEM, OAQ, and OES on or before the date it is due.
- (c) If the Permittee submits a timely and complete application for renewal of this permit, the source's failure to have a permit is not a violation of 326 IAC 2-7 until IDEM, OAQ, and OES, 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, and OES, any additional information identified as being needed to process the application.

B.22 Permit Amendment or Modification [326 IAC 2-7-11] [326 IAC 2-7-12] [40 CFR 72]

- (a) Permit amendments and modifications are governed by the requirements of 326 IAC 2-7-11 or 326 IAC 2-7-12 whenever the Permittee seeks to amend or modify this permit.
- (b) Any application requesting an amendment or modification of this permit shall be submitted to:

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

and

Indianapolis OES
Air Permits
2700 South Belmont Avenue
Indianapolis, IN 46221-2009

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)]
- (d) No permit amendment or modification is required for the addition, operation or removal of a nonroad engine, as defined in 40 CFR 89.2.

B.23 Permit Revision Under Economic Incentives and Other Programs [326 IAC 2-7-5(8)] [326 IAC 2-7-12 (b)(2)]

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

B.24 Operational Flexibility [326 IAC 2-7-20] [326 IAC 2-7-10.5]

- (a) The Permittee may make any change or changes at the source that are described in 326 IAC 2-7-20(b), (c), or (e), without a prior permit revision, if each of the following conditions

is met:

- (1) The changes are not modifications under any provision of Title I of the Clean Air Act;
- (2) Any preconstruction approval required by 326 IAC 2-7-10.5 has been obtained;
- (3) The changes do not result in emissions which exceed the limitations provided in this permit (whether expressed herein as a rate of emissions or in terms of total emissions);
- (4) The Permittee notifies the:

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

and

Indianapolis OES
Air Permits
2700 South Belmont Avenue
Indianapolis, IN 46221-2009

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, on a rolling five (5) year basis, which document all such changes and emissions trades that are subject to 326 IAC 2-7-20(b), (c), or (e). The Permittee shall make such records available, upon reasonable request, for public review.

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

- (b) The Permittee may make Section 502(b)(10) of the Clean Air Act changes (this term is defined at 326 IAC 2-7-1(36)) without a permit revision, subject to the constraint of 326 IAC 2-7-20(a). For each such Section 502(b)(10) of the Clean Air Act change, the required written notification shall include the following:

- (1) A brief description of the change within the source;
- (2) The date on which the change will occur;
- (3) Any change in emissions; and
- (4) Any permit term or condition that is no longer applicable as a result of the change.

The notification which shall be submitted is not considered an application form, report or compliance certification. Therefore, the notification by the Permittee does not require the

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

- (c) Emission Trades [326 IAC 2-7-20(c)]
The Permittee may trade emissions increases and decreases at 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.
- (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.25 Inspection and Entry [326 IAC 2-7-6] [IC 13-14-2-2] [IC 13-30-3-1] [IC 13-17-3-2]

Upon presentation of proper identification cards, credentials, and other documents as may be required by law, and subject to the Permittee’s right under all applicable laws and regulations to assert that the information collected by the agency is confidential and entitled to be treated as such, the Permittee shall allow IDEM, OAQ, and OES U.S. EPA, or an authorized representative to perform the following:

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

B.26 Transfer of Ownership or Operational Control [326 IAC 2-7-11]

- (a) The Permittee must comply with the requirements of 326 IAC 2-7-11 whenever the Permittee seeks to change the ownership or operational control of the source and no other change in the permit is necessary.
- (b) Any application requesting a change in the ownership or operational control of the source shall contain a written agreement containing a specific date for transfer of permit responsibility, coverage and liability between the current and new Permittee. The application shall be submitted to:

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

and

Indianapolis OES
Air Permits
2700 South Belmont Avenue
Indianapolis, IN 46221-2009

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

- (a) The Permittee shall pay annual fees to IDEM, OAQ, and OES 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, or OES, the applicable fee is due April 1 of each year.
- (b) Except as provided in 326 IAC 2-7-19(e), failure to pay may result in administrative enforcement action or revocation of this permit.
- (c) The Permittee may call the following telephone numbers: 1-800-451-6027 or 317-233-4230 (ask for OAQ, Billing, Licensing, and Training Section), to determine the appropriate permit fee.

B.28 Credible Evidence [326 IAC 2-7-5(3)][326 IAC 2-7-6][62 FR 8314] [326 IAC 1-1-6]

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

SECTION C

SOURCE OPERATION CONDITIONS

Entire Source

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

C.1 Particulate Emission Limitations For Processes with Process Weight Rates Less Than One Hundred (100) Pounds per Hour [40 CFR 52 Subpart P][326 IAC 6-3-2]

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

C.2 Opacity [326 IAC 5-1]

Pursuant to 326 IAC 5-1-2 (Opacity Limitations), except as provided in 326 IAC 5-1-3 (Temporary Alternative Opacity Limitations), opacity shall meet the following, unless otherwise stated in this permit:

- (a) Opacity shall not exceed an average of thirty percent (30%) in any one (1) six (6) minute averaging period as determined in 326 IAC 5-1-4.
- (b) Opacity shall not exceed sixty percent (60%) for more than a cumulative total of fifteen (15) minutes (sixty (60) readings as measured according to 40 CFR 60, Appendix A, Method 9 or fifteen (15) one (1) minute nonoverlapping integrated averages for a continuous opacity monitor) in a six (6) hour period.

C.3 Open Burning [326 IAC 4-1] [IC 13-17-9]

The Permittee shall not open burn any material except as provided in 326 IAC 4-1-3, 326 IAC 4-1-4 or 326 IAC 4-1-6. The previous sentence notwithstanding, the Permittee may open burn in accordance with an open burning approval issued by the Commissioner under 326 IAC 4-1-4.1. 326 IAC 4-1-3 (a)(2)(A) and (B) are not federally enforceable.

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

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

C.5 Fugitive Dust Emissions [326 IAC 6-4]

The Permittee shall not allow fugitive dust to escape beyond the property line or boundaries of the property, right-of-way, or easement on which the source is located, in a manner that would violate 326 IAC 6-4 (Fugitive Dust Emissions). 326 IAC 6-4-2(4) is not federally enforceable

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

Except as otherwise provided by statute or rule, or in this permit, all air pollution control equipment listed in this permit and used to comply with an applicable requirement shall be operated at all times that the emission unit(s) vented to the control equipment are in operation.

C.7 Asbestos Abatement Projects [326 IAC 14-10] [326 IAC 18] [40 CFR 61, Subpart M]

- (a) Notification requirements apply to each owner or operator. If the combined amount of regulated asbestos containing material (RACM) to be stripped, removed or disturbed is at least 260 linear feet on pipes or 160 square feet on other facility components, or at least thirty-five (35) cubic feet on all facility components, then the notification requirements of 326 IAC 14-10-3 are mandatory. All demolition projects require notification whether or not asbestos is present.
- (b) The Permittee shall ensure that a written notification is sent on a form provided by the Commissioner at least ten (10) working days before asbestos stripping or removal work or

before demolition begins, per 326 IAC 14-10-3, and shall update such notice as necessary, including, but not limited to the following:

- (1) When the amount of affected asbestos containing material increases or decreases by at least twenty percent (20%); or
- (2) If there is a change in the following:
 - (A) Asbestos removal or demolition start date;
 - (B) Removal or demolition contractor; or
 - (C) Waste disposal site.
- (c) The Permittee shall ensure that the notice is postmarked or delivered according to the guidelines set forth in 326 IAC 14-10-3(2).
- (d) The notice to be submitted shall include the information enumerated in 326 IAC 14-10-3(3).

All required notifications shall be submitted to:

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

and

Indianapolis OES
Asbestos Section
2700 South Belmont Avenue
Indianapolis, IN 46221-2009

The notice shall include a signed certification from the owner or operator that the information provided in this notification is correct and that only Indiana licensed workers and project supervisors will be used to implement the asbestos removal project. The notifications do not require a certification by the "responsible official" as defined by 326 IAC 2-7-1(34).

- (e) **Procedures for Asbestos Emission Control**
The Permittee shall comply with the applicable emission control procedures in 326 IAC 14-10-4 and 40 CFR 61.145(c). Per 326 IAC 14-10-1, emission control requirements are applicable for any removal or disturbance of RACM greater than three (3) linear feet on pipes or three (3) square feet on any other facility components or a total of at least 0.75 cubic feet on all facility components.
- (f) **Demolition and renovation**
The Permittee shall thoroughly inspect the affected facility or part of the facility where the demolition or renovation will occur for the presence of asbestos pursuant to 40 CFR 61.145(a).
- (g) **Indiana Accredited Asbestos Inspector**
The Permittee shall comply with 326 IAC 14-10-1(a) that requires the owner or operator, prior to a renovation/demolition, to use an Indiana Accredited Asbestos Inspector to thoroughly inspect the affected portion of the facility for the presence of asbestos. The requirement to use an Indiana Accredited Asbestos inspector is not federally enforceable.

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

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

- (a) All testing shall be performed according to the provisions of 326 IAC 3-6 (Source Sampling Procedures), except as provided elsewhere in this permit, utilizing any applicable procedures and analysis methods specified in 40 CFR 51, 40 CFR 60, 40 CFR 61, 40 CFR 63, 40 CFR 75, or other procedures approved by IDEM, OAQ.

A test protocol, except as provided elsewhere in this permit, shall be submitted to:

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

and

Indianapolis OES
Air Compliance
2700 South Belmont Avenue
Indianapolis, IN 46221-2009

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, and OES 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, and OES not later than forty-five (45) days after the completion of the testing. An extension may be granted by IDEM, OAQ, and OES if the Permittee submits to IDEM, OAQ, and OES a reasonable written explanation not later than five (5) days prior to the end of the initial forty-five (45) day period.

Compliance Requirements [326 IAC 2-1.1-11]

C.9 Compliance Requirements [326 IAC 2-1.1-11]

The commissioner may require stack testing, monitoring, or reporting at any time to assure compliance with all applicable requirements by issuing an order under 326 IAC 2-1.1-11. Any monitoring or testing shall be performed in accordance with 326 IAC 3 or other methods approved by the commissioner or the U. S. EPA.

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

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

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

Indiana Department of Environmental Management
Compliance Branch, Office of Air Quality
100 North Senate Avenue

Indianapolis, Indiana 46204-2251

and

Indianapolis OES
Air Compliance
2700 South Belmont Avenue
Indianapolis, IN 46221-2009

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

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

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

C.11 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.12 Risk Management Plan [326 IAC 2-7-5(12)] [40 CFR 68]

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

C.13 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, and OES 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, and OES that retesting in one-hundred and twenty (120) days is not practicable, IDEM, OAQ, and OES may extend the retesting deadline.
- (c) IDEM, OAQ, and OES reserve the authority to take any actions allowed under law in response to noncompliant stack tests.

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

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

C.14 Emission Statement [326 IAC 2-7-5(3)(C)(iii)][326 IAC 2-7-5(7)][326 IAC 2-7-19(c)][326 IAC 2-6]

- (a) Pursuant to 326 IAC 2-6-3(b)(2), starting in 2008 and every three (3) years thereafter, the Permittee shall submit by July 1 an emission statement covering the previous calendar year. The emission statement shall contain, at a minimum, the information specified in 326 IAC 2-6-4(c) and shall meet the following requirements:

- (1) Indicate estimated actual emissions of all pollutants listed in 326 IAC 2-6-4(a);
- (2) Indicate estimated actual emissions of regulated pollutants (as defined by 326 IAC 2-7-1(32)) ("Regulated pollutant which is used only for purposes of Section 19 of this rule") from the source, for purposes of Part 70 fee assessment.

The statement must be submitted to:

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

and

Indianapolis OES
Air Compliance
2700 South Belmont Avenue
Indianapolis, IN 46221-2009

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

- (b) The emission statement required by this permit shall be considered timely if the date postmarked on the envelope or certified mail receipt, or affixed by the shipper on the private shipping receipt, is on or before the date it is due. If the document is submitted by any other means, it shall be considered timely if received by IDEM, OAQ, and OES on or before the date it is due.

C.15 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 five (5) years from the date of monitoring sample, measurement, report, or application. These records shall be physically present or electronically accessible at the source location for a minimum of three (3) years. The records may be stored elsewhere for the remaining two (2) years as long as they are available upon request. If the Commissioner or Indianapolis OES makes a request for records to the Permittee, the Permittee shall furnish the records to the Commissioner or Indianapolis OES 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) or 326 IAC 2-3-1(II)) at an existing emissions unit, other than projects at a Clean Unit or at a source with Plant-wide Applicability Limitation (PAL), which is not part of a "major modification" (as defined in 326 IAC 2-2-1 (ee) or 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) or 326 IAC 2-3-1 (mm)), the Permittee shall comply with following:
 - (1) Before beginning actual construction of the "project" (as defined in 326 IAC 2-2-1 (qq) or 326 IAC 2-3-1 (II)) at an existing emissions unit, document and maintain the following records:
 - (A) A description of the project.
 - (B) Identification of any emissions unit whose emissions of a regulated new source review pollutant could be affected by the project.
 - (C) A description of the applicability test used to determine that the project is

not a major modification for any regulated NSR pollutant, including:

- (i) Baseline actual emissions;
- (ii) Projected actual emissions;
- (iii) Amount of emissions excluded under section 326 IAC 2-2-1(rr)(2)(A)(iii) or 326 IAC 2-3-1(mm)(2)(A)(3); and
- (iv) An explanation for why the amount was excluded, and any netting calculations, if applicable.

- (2) Monitor the emissions of any regulated NSR pollutant that could increase as a result of the project and that is emitted by any existing emissions unit identified in (1)(B) above; and
- (3) Calculate and maintain a record of the annual emissions, in tons per year on a calendar year basis, for a period of five (5) years following resumption of regular operations after the change, or for a period of ten (10) years following resumption of regular operations after the change if the project increases the design capacity of or the potential to emit that regulated NSR pollutant at the emissions unit.

C.16 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,
Indianapolis, Indiana 46204-2251

and

Indianapolis OES
Air Compliance
2700 South Belmont Avenue
Indianapolis, IN 46221-2009
- (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 and Indianapolis OES 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) 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 and OES:
- (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) or 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,
Indianapolis, Indiana 46204-2251

and

Indianapolis OES
Air Compliance
2700 South Belmont Ave.
Indianapolis, IN 46221

- (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 and OES. The general public may request this information from the IDEM, OAQ and OES under 326 IAC 17.1.

Stratospheric Ozone Protection

C.17 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 CONDITIONS

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

- (a) One (1) Soil Vapor Extraction Unit, 400 acfm maximum capacity, identified as EU-M01.
- (b) One (1) Soil Vapor Extraction Unit, 400 acfm maximum capacity, identified as EU-M02.
- (c) One (1) Soil Vapor Extraction Unit, 400 acfm maximum capacity, identified as EU-M03.
- (d) One (1) Soil Vapor Extraction Unit, 200 acfm maximum capacity, identified as EU-S01.
- (e) One (1) Soil Vapor Extraction/Air Sparging Unit, 110 acfm maximum capacity, identified as EU-S02.
- (f) One (1) Soil Vapor Extraction Unit, 90 acfm maximum capacity, identified as EU-S02.

(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 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 these facilities and any emission control devices.

**INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
OFFICE OF AIR QUALITY
COMPLIANCE BRANCH
100 North Senate Avenue
Indianapolis, Indiana 46204-2251
Phone: 317-233-5674
Fax: 317-233-5967**

and

**Indianapolis Office of Environmental Services
Air Compliance
2700 South Belmont Avenue
Indianapolis, IN 46221-2009**

**PART 70 OPERATING PERMIT
CERTIFICATION**

Source Name: Stewart Warner, Former Southwind Facility
Source Address: 1514 Drover Street Indianapolis IN 46221
Mailing Address: 33 Commercial Street B51-2Z, Foxboro MA 02035
Part 70 Permit No.: 097-21466-00565

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
and
INDIANAPOLIS OFFICE OF ENVIRONMENTAL SERVICES
AIR COMPLIANCE**

**PART 70 OPERATING PERMIT
EMERGENCY OCCURRENCE REPORT**

Source Name: Stewart Warner, Former Southwind Facility
Source Address: 1514 Drover Street Indianapolis IN 46221
Mailing Address: 33 Commercial Street B51-2Z, Foxboro MA 02035
Part 70 Permit No.: 097-21466-00565

This form consists of 2 pages

Page 1 of 2

- | |
|--|
| <input type="checkbox"/> This is an emergency as defined in 326 IAC 2-7-1(12) <ul style="list-style-type: none">C The Permittee must notify the Office of Air Quality (OAQ), and OES within four (4) business hours (1-800-451-6027 or 317-233-5674, ask for Compliance Section); andC The Permittee must submit notice in writing or by facsimile within two (2) working 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
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
and
INDIANAPOLIS OFFICE OF ENVIRONMENTAL SERVICES
AIR COMPLIANCE**

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

Source Name: Stewart Warner, Former Southwind Facility
Source Address: 1514 Drover Street Indianapolis IN 46221
Mailing Address: 33 Commercial Street B51-2Z, Foxboro MA 02035
Part 70 Permit No.: 097-21466-00565

Months: _____ to _____ Year: _____

Page 1 of 2

<p>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. A deviation required to be reported pursuant to an applicable requirement that exists independent of the permit, shall be reported according to the schedule stated in the applicable requirement and does 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>	
<input type="checkbox"/> NO DEVIATIONS OCCURRED THIS REPORTING PERIOD.	
<input type="checkbox"/> THE FOLLOWING DEVIATIONS OCCURRED THIS REPORTING PERIOD	
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:	
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:	

Form Completed By:

Title/Position:

Date:

Phone:

Attach a signed certification to complete this report.

Mail to: City of Indianapolis
Office of Environmental Services
2700 South Belmont
Indianapolis, IN 46221

and

IDEM, OAQ
Permit Administration & Development Section
100 North Senate Avenue
Indianapolis, IN 46204-2251

Company Name:
Mailing Address:
City, State Zip Code:

Affidavit of Construction

I, _____, being duly sworn upon my oath, depose and say:
(Name of the Authorized Representative)

1. I live in _____ County, Indiana and being of sound mind and over twenty-one (21) years of age, I am competent to give this affidavit.
2. I hold the position of _____ for _____.
(Title) (Company Name)
3. By virtue of my position with _____, I have personal
(Company Name)
knowledge of the representations contained in this affidavit and am authorized to make
these representations on behalf of _____.
(Company Name)
4. I hereby certify that Stewart Warner, Former Southwind Facility, located at 1514 South Drover Street, Indianapolis, Indiana, 46221, has constructed the site remediation facility in conformity with the requirements and intent of the permit application received by the Office of Environmental Services and the Office of Air Quality on July 15, 2005 and as permitted pursuant to New Source Construction Permit and Part 70 Operating Permit **No. 097-21466, Plant ID No. 097-00565** issued on _____.
5. Additional operations/facilities were constructed/substituted as described in the attachment to this document and were not made in accordance with the New Source Construction Permit and Part 70 Operating Permit (Delete this statement if it does not apply.)
6. I hereby certify that _____ is now is subject to the Part 70 Permit Program
(Company Name)
as of the postmarked submission date of this Affidavit of Construction.

Further Affiant said not.

I affirm under penalties of perjury that the representations contained in this Affidavit are true, to the best of my information and belief.

Signature

Date

STATE OF INDIANA)
SS)
COUNTY OF _____)

Subscribed and sworn to me, a notary public in and for _____ County and State of Indiana
on this _____ day of _____, 20____.

My Commission expires:

Signature

Date

Appendix A

The following State rules have been adopted by reference by the Indianapolis Air Pollution Control Board and are enforceable by Indianapolis Office of Environmental Services (OES) using local enforcement procedures.

- (1) 326 IAC 1;
- (2) 326 IAC 2-3-1 through 326 IAC 2-3-5;
- (3) 326 IAC 2-4-1 through 326 IAC 2-4-6;
- (4) 326 IAC 2-6-1 through 326 IAC 2-6-4;
- (5) 326 IAC 2-7-1 through 2-7-18; 2-7-20 through 2-7-25;
- (6) 326 IAC 2-8-1 through 2-8-15, 2-8-17;
- (7) 326 IAC 2-9-1 through 2-9-14;
- (8) 326 IAC 2-10-1 through 2-10-5 (The IAPCB adoption adds the language "state or local" immediately after the word "federal" in 326 IAC 2-10-1);
- (9) 326 IAC 2-11-1, 2-11-3 and 2-11-4 (The IAPCB adoption adds the language "state or local" immediately after the word "federal" in 326 IAC 2-11-1);
- (10) 326 IAC 3-1.1-1 through 3-1.1-5;
- (11) 326 IAC 3-2.1 through 3-2.1-5;
- (12) 326 IAC 3-3-1 through 3-3-5;
- (13) 326 IAC 4-2-1 through 4-2-2;
- (14) 326 IAC 5-1-1(a), (b) and (c)(5), 5-1-2(1), (2)(A), (2)(c)(4), 5-1-3 through 5-1-5, 5-1-7;
- (15) 326 IAC 6;
- (16) 326 IAC 7-1.1-1 and 7-1.1-2;
- (17) 326 IAC 7-2-1;
- (18) 326 IAC 7-3-1 and 7-3-2
- (19) 326 IAC 7-4-2(28) through (31) (Instead of adopting by reference 7-4-2(1) through (27), the IAPCB regulation substitutes the same requirements listed in a format in which the companies are alphabetized and emission points known to no longer exist have been deleted);
- (20) 326 IAC 8-1-0.5 except (b), 8-1-1 through 8-1-2, 8-1-3 except c), (g) and (i), 8-1-5 through 8-1-12;
- (21) 326 IAC 8-2-1 through 8-2-12 (The IAPCB adoption by reference of 8-2-5 adds additional language specific to Zimmer Paper Products, Incorporated as subpart c);
- (22) 326 IAC 8-3-1 through 8-3-7;
- (23) 326 IAC 8-4-1 through 8-4-5, 8-4-6(a)(6), (a)(8) and (a)(14) and 8-4-6(b)(1), (b)(3) and 8-4-6 c) (In place of 8-4-6(b)(2), which was not adopted, the IAPCB adopted language requiring a pressure relief valve set to release at no less than four and eight-tenths (4.8) KiloPascals (seven-tenths (0.7) pounds per square inch)), 8-4-7 except (e), 8-4-8 and 8-4-9;
- (24) 326 IAC 8-5-1 through 8-5-4, 8-5-5 except (a)(3) and (d)(3);
- (25) 326 IAC 8-6-1 and 8-6-2;
- (26) 326 IAC 9-1-1 and 9-1-2;
- (27) 326 IAC 10 (adopted January 8, 2004);
- (28) 326 IAC 11-1-1 through 11-1-2
- (29) 326 IAC 11-2-1 through 11-2-3;
- (30) 326 IAC 11-3-1 through 11-3-6;
- (31) 326 IAC 14-1-1 through 14-1-4;
- (32) 326 IAC 14-2-1 except 40 CFR 61.145;
- (33) 326 IAC 14-3-1;
- (34) 326 IAC 14-4-1;
- (35) 326 IAC 14-5-1;
- (36) 326 IAC 14-6-1;
- (37) 326 IAC 14-7-1;
- (38) 326 IAC 14-8-1 through 14-8-5;
- (39) 326 IAC 15-1-1, 15-1-2(a)(1), (a)(2) and (a)(8), 15-1-3 and 15-1-4;
- (40) 326 IAC 20;
- (41) 326 IAC 21;
- (42) 326 IAC 21-1-1 (The adoption state that "or the administrator of OES" is added in (b));
- (43) 326 IAC 22-1-1 (The adoption state that "or the administrator of OES" is added in (b));

**Indiana Department of Environmental Management
Office of Air Quality
and
City of Indianapolis
Office of Environmental Services**

Addendum to the Technical Support Document
for a New Source Construction and Part 70 Operating Permit

Source Name:	Stewart Warner, Former Southwind Facility
Source Location:	1514 Drover Street, Indianapolis IN 46221
County:	Marion
SIC Code:	None
Operation Permit No.:	097-21466-00565
Permit Reviewer:	Keshav Reddy

On October 17, 2005, the Office of Air Quality (OAQ) and the Office of Environmental Services (OES) had a notice published in the Indianapolis Star, Indianapolis, Indiana, stating that Stewart Warner, Former Southwind Facility had applied for a New Source Construction and Part 70 Operating Permit to construct and operate a site remediation project at its property located at 1514 Drover Street, Indianapolis, IN 46221. The notice also stated that OAQ and OES proposed to issue a permit for this operation and provided information on how the public could review the proposed permit and other documentation. Finally, the notice informed interested parties that there was a period of thirty (30) days to provide comments on whether or not this permit should be issued as proposed.

August Mack Environmental, on behalf of Stewart Warner, Former Southwind Facility, submitted three comments on the draft New Source Construction and Part 70 Operating Permit. Upon further review, the OAQ and OES have decided to make the following revisions to the New Source Construction and Part 70 Operating Permit. The TSD will remain as it originally appeared when published. Changes to the permit or technical support material that occur after the permit has published for public notice are documented in this Addendum to the Technical Support Document. This accomplishes the desired result of ensuring that these types of concerns are documented and part of the record regarding this permit decision. Bolded language has been added and the language with strikethrough has been deleted. The Table of Contents has been modified to reflect these changes.

The comments and responses, including changes to the permit, are as follows:

August Mack Comment 1

For Condition C.12, eliminate the requirement to prepare and submit a written emergency reduction plan (ERP). Pursuant to 326 IAC 1-5-2, the applicability for this requirement is based on the emission units at this source having potential emissions in excess of one hundred (100) tons per year (tpy) of a criteria pollutant. The emission units at the site have potential criteria pollutant emissions of less than 100 tpy, therefore, this requirement is not applicable.

Response 1

This source is a major source because the potential to emit a single HAP, specifically, perchloroethylene, exceeds ten (10) tons per year. Therefore, this source is subject to the provisions of 326 IAC 2-7 (Part 70 Permit Program). However, this source does not have the

potential to emit any criteria air pollutant equal to or greater than one hundred (100) tons per year. Therefore, 326 IAC 1-5 (Episode Alert Levels) is not an applicable requirement for this source. Condition C.12 (Emergency Reduction Plans) is deleted from the New Source Construction and Part 70 Operating Permit as follows (which causes the subsequent renumbering of all remaining Section C – Source Operating Conditions):

~~C.12 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
Indianapolis, Indiana 46204~~

~~and~~

~~Indianapolis OES
Air Compliance
2700 South Belmont Avenue
Indianapolis, IN 46221-2009~~

~~within 180 days from the date on which this source commences operation.~~

~~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, and OES, 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, and OES, 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].~~

August Mack Comment 2

For Condition C.15, there will be no 2004 emissions to report for this project in 2005, therefore, the condition C.15 should be changed to read “starting in 2008 and every three (3) years thereafter” instead of “starting in 2005 and every three (3) years thereafter.”

Response 2

Marion County sources operating pursuant to a Part 70 Operating Permit and not subject to annual emission reporting pursuant to 326 IAC 2-6-3(a)(1), shall submit triennially, based on the schedule stated in 326 IAC 2-6-3(b)(2). Since this source did not operate in calendar year 2004, OAQ and OES have revised the first year of the triennial reporting cycle from 2005 to 2008 for Condition C.1514. In addition, the IDEM, OAQ mailing address is updated throughout the permit and in this Condition to reflect the new mailing address.

C.1514 Emission Statement [326 IAC 2-7-5(3)(C)(iii)][326 IAC 2-7-5(7)][326 IAC 2-7-19(c)][326 IAC 2-6]

- (a) Pursuant to 326 IAC 2-6-3(b)(2), starting in **2008** ~~2005~~ and every three (3) years thereafter, the Permittee shall submit by July 1 an emission statement covering the previous calendar year. The emission statement shall contain, at a minimum, the information specified in 326 IAC 2-6-4(c) and shall meet the following requirements:
- (1) Indicate estimated actual emissions of all pollutants listed in 326 IAC 2-6-4(a);
 - (2) Indicate estimated actual emissions of regulated pollutants (as defined by 326 IAC 2-7-1(32)) ("Regulated pollutant which is used only for purposes of Section 19 of this rule") from the source, for purposes of Part 70 fee assessment.

The statement must be submitted to:

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

and

Indianapolis OES
Air Compliance
2700 South Belmont Avenue
Indianapolis, IN 46221-2009

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

- (b) The emission statement required by this permit shall be considered timely if the date postmarked on the envelope or certified mail receipt, or affixed by the shipper on the private shipping receipt, is on or before the date it is due. If the document is submitted by any other means, it shall be considered timely if received by IDEM, OAQ, and OES on or before the date it is due.

August Mack Comment 3

Because the Stewart Warner site is not subject to any compliance monitoring requirements, the Condition C.17 requirement to submit a quarterly deviation and compliance monitoring report should be eliminated.

Response 3

There are no Section D compliance monitoring requirements. However, the Quarterly Deviation and Compliance Monitoring report is required to include any deviation from any permit condition.

Additionally, Condition B.16(h) (Emergency Provisions) states, "The Permittee shall include all emergencies in the Quarterly Deviation and Compliance Monitoring Report." The Quarterly Deviation and Compliance Monitoring Report is utilized additionally to report emergencies and deviations for the source. Therefore, the requirement to submit a Quarterly Deviation and Compliance Monitoring report is not eliminated from the New Source Construction and Part 70 Operating Permit.

OAQ and OES are making the following additional changes:

Change 1

IDEM, OAQ and OES have determined that the Permittee is not required to keep records of all preventive maintenance. However, where the Permittee seeks to demonstrate that an emergency has occurred, the Permittee must provide, upon request, records of preventive maintenance in order to establish that the lack of proper maintenance did not cause or contribute to the deviation. Therefore, IDEM, OAQ and OES have deleted paragraph (b) of Section B.15 (Preventive Maintenance) and has amended the Section B.16 (Emergency Provisions) condition as follows:

B.15 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~~ **The** Permittee shall prepare and maintain Preventive Maintenance Plans (PMPs) within ninety (90) days after issuance of this permit, **for the source as described in 326 IAC 1-6-3. At a minimum, the PMPs shall include** ~~including the following information on each facility:~~

- (1) Identification of the individual(s) responsible for inspecting, maintaining, and repairing emission control devices;
- (2) A description of the items or conditions that will be inspected and the inspection schedule for said items or conditions; and
- (3) Identification and quantification of the replacement parts that will be maintained in inventory for quick replacement.

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

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

and

Indianapolis OES
Air Compliance
2700 South Belmont Avenue
Indianapolis, IN 46221-2009

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

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

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

- (a) An emergency, as defined in 326 IAC 2-7-1(12), is not an affirmative defense for an action brought for noncompliance with a federal or state health-based emission limitation.
- (b) An emergency, as defined in 326 IAC 2-7-1(12), constitutes an affirmative defense to an action brought for noncompliance with a technology-based emission limitation if the affirmative defense of an emergency is demonstrated through properly signed, contemporaneous operating logs or other relevant evidence that describe the following:
- (1) An emergency occurred and the Permittee can, to the extent possible, identify the causes of the emergency;
 - (2) The permitted facility was at the time being properly operated;
 - (3) During the period of an emergency, the Permittee took all reasonable steps to minimize levels of emissions that exceeded the emission standards or other requirements in this permit;
 - (4) For each emergency lasting one (1) hour or more, the Permittee notified IDEM, OAQ, and OES 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 IDEM, OAQ, Compliance Section),
or:
Telephone Number: 317-233-5674 (ask for IDEM, OAQ, Compliance Section)
Facsimile Number: 317-233-5967;
- and
- Telephone Number: 317-327-2234 (ask for OES, Air Compliance)
Facsimile Number: 317-327-2274.
- (5) For each emergency lasting one (1) hour or more, the Permittee submitted the attached Emergency Occurrence Report Form or its equivalent, either by mail or facsimile to:

Indiana Department of Environmental Management
Compliance Branch, Office of Air Quality
100 North Senate Avenue

Indianapolis, Indiana 46204-2251

and

Indianapolis OES
Air Compliance
2700 South Belmont Avenue
Indianapolis, IN 46221-2009

within two (2) working days of the time when emission limitations were exceeded due to the emergency.

The notice fulfills the requirement of 326 IAC 2-7-5(3)(C)(ii) and must contain the following:

- (A) A description of the emergency;
- (B) Any steps taken to mitigate the emissions; and
- (C) Corrective actions taken.

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

- (6) The Permittee immediately took all reasonable steps to correct the emergency.
- (c) In any enforcement proceeding, the Permittee seeking to establish the occurrence of an emergency has the burden of proof.
- (d) This emergency provision supersedes 326 IAC 1-6 (Malfunctions). This permit condition is in addition to any emergency or upset provision contained in any applicable requirement.
- (e) **The Permittee seeking to establish the occurrence of an emergency shall make records available upon request to ensure that failure to implement a PMP did not cause or contribute to an exceedance of any limitations on emissions. However, IDEM, OAQ, and OES may require that the Preventive Maintenance Plans required under 326 IAC 2-7-4(c)(9) be revised in response to an emergency.**
- (f) Failure to notify IDEM, OAQ, and OES by telephone or facsimile of an emergency lasting more than one (1) hour in accordance with (b)(4) and (5) of this condition shall constitute a violation of 326 IAC 2-7 and any other applicable rules.
- (g) If the emergency situation causes a deviation from a technology-based limit, the Permittee may continue to operate the affected emitting facilities during the emergency provided the Permittee immediately takes all reasonable steps to correct the emergency and minimize emissions.
- (h) The Permittee shall include all emergencies in the Quarterly Deviation and Compliance Monitoring Report.

Change 2

Section B.24 (Operational Flexibility) is revised as follows:

B.24 Operational Flexibility [326 IAC 2-7-20] [326 IAC 2-7-10.5]

(a) The Permittee may make any change or changes at the source that are described in 326 IAC 2-7-20(b), (c), or (e), without a prior permit revision, if each of the following conditions is met:

- (1) The changes are not modifications under any provision of Title I of the Clean Air Act;
- (2) Any preconstruction approval required by 326 IAC 2-7-10.5 has been obtained;
- (3) The changes do not result in emissions which exceed the **limitations provided in 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
Indianapolis, Indiana 46204-2251

and

Indianapolis OES
Air Permits
2700 South Belmont Avenue
Indianapolis, IN 46221-2009

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, **on a rolling five (5) year basis**, which document, ~~on a rolling five (5) year basis~~, all such changes and emissions **trades trading** that are subject to 326 IAC 2-7-20(b), (c), or (e). **The Permittee shall make 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, and OES in the notices specified in 326 IAC 2-7-20(b)(1), (c)(1), and (e)(2).

(b) The Permittee may make Section 502(b)(10) of the Clean Air Act changes (this term is defined at 326 IAC 2-7-1(36)) without a permit revision, subject to the constraint of 326 IAC 2-7-20(a). For each such Section 502(b)(10) of the Clean Air Act change, the required written notification shall include the following:

- (1) A brief description of the change within the source;

- (2) The date on which the change will occur;
- (3) Any change in emissions; and
- (4) Any permit term or condition that is no longer applicable as a result of the change.

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

- (c) Emission Trades [326 IAC 2-7-20(c)]
The Permittee may trade **emission** increases and decreases ~~at 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.
- (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.

Change 3

Condition B.6 (Part 70 Operating Permit) references an attached Affidavit of Construction to be submitted by the source. However, no Affidavit of Construction was included in the public notice permit. The Affidavit is now included in the New Source Construction and Part 70 Operating Permit along with the following revision to Condition B.6 to delete the requirement to submit a Part 70 Operating Permit application within twelve (12) months.

B.6 Part 70 Operating Permit [326 IAC 2-7]

This document shall also become a Part 70 operating permit pursuant to 326 IAC 2-7 when, prior to start of operation, the following requirements are met:

- (a) The attached Affidavit of Construction shall be submitted to Indianapolis OES, Air Permits.
 - (1) If the Affidavit of Construction verifies that the facilities covered in this Construction Permit were constructed as proposed in the application, then the facilities may begin operating on the date the Affidavit of Construction is postmarked or hand delivered to OES.
 - (2) If actual construction of the emission units differs from the construction proposed in the application, the source may not begin operation until the permit has been revised pursuant to 326 IAC 2-7 and an Operation Permit Validation Letter is issued.
- (b) If construction is completed in phases; i.e., the entire construction is not done continuously, a separate affidavit must be submitted for each phase of construction. Any permit conditions associated with operation start up dates such as stack testing for New Source Performance Standards (NSPS) shall be applicable to each individual phase.

- (c) Upon receipt of the Operation Permit Validation Letter, the Permittee shall attach it to this document.
- (d) The operation permit will be subject to annual operating permit fees pursuant to 326 IAC 2-7-19 (Fees).
- ~~(e) Pursuant to 326 IAC 2-7-4(a)(1)(A)(ii) and 326 IAC 2-5.1-4, the Permittee shall apply for a Title V operating permit within twelve (12) months of the date on which the source first meets an applicability criterion of 326 IAC 2-7-2.~~

Change 4

Item (b) of Condition B.9 (Enforceability) stated “The Indianapolis Air Pollution Control Board (IAPCB) has adopted by reference state rules listed in Appendix A of this permit. The version adopted by reference includes all amendments, additions and repeals filed with the Secretary of State through May 10, 2003 and published in the Indiana Register on June 1, 2003, unless otherwise indicated in the adoption by reference or in Appendix A.” However, the adopted state rules were not included as Appendix A in the public notice New Source Construction and Part 70 Operating Permit. The state rules adopted by reference are now included as Appendix A as follows:

Appendix A

The following State rules have been adopted by reference by the Indianapolis Air Pollution Control Board and are enforceable by Indianapolis Office of Environmental Services (OES) using local enforcement procedures.

- (1) 326 IAC 1;
- (2) 326 IAC 2-3-1 through 326 IAC 2-3-5;
- (3) 326 IAC 2-4-1 through 326 IAC 2-4-6;
- (4) 326 IAC 2-6-1 through 326 IAC 2-6-4;
- (5) 326 IAC 2-7-1 through 2-7-18; 2-7-20 through 2-7-25;
- (6) 326 IAC 2-8-1 through 2-8-15, 2-8-17;
- (7) 326 IAC 2-9-1 through 2-9-14;
- (8) 326 IAC 2-10-1 through 2-10-5 (The IAPCB adoption adds the language “state or local” immediately after the word “federal” in 326 IAC 2-10-1);
- (9) 326 IAC 2-11-1, 2-11-3 and 2-11- 4 (The IAPCB adoption adds the language “state or local” immediately after the word “federal” in 326 IAC 2-11-1);
- (10) 326 IAC 3-1.1-1 through 3-1.1-5;
- (11) 326 IAC 3-2.1 through 3-2.1-5;
- (12) 326 IAC 3-3-1 through 3-3-5;
- (13) 326 IAC 4-2-1 through 4-2-2;
- (14) 326 IAC 5-1-1(a), (b) and (c)(5), 5-1-2(1), (2)(A), (2)(c)(4), 5-1-3 through 5-1-5, 5-1-7;
- (15) 326 IAC 6;
- (16) 326 IAC 7-1.1-1 and 7-1.1-2;
- (17) 326 IAC 7-2-1;
- (18) 326 IAC 7-3-1 and 7-3-2
- (19) 326 IAC 7-4-2(28) through (31) (Instead of adopting by reference 7-4-2(1) through (27), the IAPCB regulation substitutes the same requirements listed in a format in which the companies are alphabetized and emission points known to no longer exist have been deleted);
- (20) 326 IAC 8-1-0.5 except (b), 8-1-1 through 8-1-2, 8-1-3 except c), (g) and (i), 8-1-5 through 8-1-12;

- (21) 326 IAC 8-2-1 through 8-2-12 (The IAPCB adoption by reference of 8-2-5 adds additional language specific to Zimmer Paper Products, Incorporated as subpart c);
- (22) 326 IAC 8-3-1 through 8-3-7;
- (23) 326 IAC 8-4-1 through 8-4-5, 8-4-6(a)(6), (a)(8) and (a)(14) and 8-4-6(b)(1), (b)(3) and 8-4-6 c) (In place of 8-4-6(b)(2), which was not adopted, the IAPCB adopted language requiring a pressure relief valve set to release at no less than four and eight-tenths (4.8) KiloPascals (seven-tenths (0.7) pounds per square inch)), 8-4-7 except (e), 8-4-8 and 8-4-9;
- (24) 326 IAC 8-5-1 through 8-5-4, 8-5-5 except (a)(3) and (d)(3);
- (25) 326 IAC 8-6-1 and 8-6-2;
- (26) 326 IAC 9-1-1 and 9-1-2;
- (27) 326 IAC 10 (adopted January 8, 2004);
- (28) 326 IAC 11-1-1 through 11-1-2
- (29) 326 IAC 11-2-1 through 11-2-3;
- (30) 326 IAC 11-3-1 through 11-3-6;
- (31) 326 IAC 14-1-1 through 14-1-4;
- (32) 326 IAC 14-2-1 except 40 CFR 61.145;
- (33) 326 IAC 14-3-1;
- (34) 326 IAC 14-4-1;
- (35) 326 IAC 14-5-1;
- (36) 326 IAC 14-6-1;
- (37) 326 IAC 14-7-1;
- (38) 326 IAC 14-8-1 through 14-8-5;
- (39) 326 IAC 15-1-1, 15-1-2(a)(1), (a)(2) and (a)(8), 15-1-3 and 15-1-4;
- (40) 326 IAC 20;
- (41) 326 IAC 21;
- (42) 326 IAC 21-1-1 (The adoption state that "or the administrator of OES" is added in (b));
- (43) 326 IAC 22-1-1 (The adoption state that "or the administrator of OES" is added in (b));

Change 5

The 326 IAC 6-3 rule revisions that became effective on June 12, 2002 were approved into the State Implementation Plan on September 23, 2005. These rules replace the previous version of 326 IAC 6-3 (Process Operations) that had been part of the SIP. Therefore, the requirements of the previous version of 326 IAC 6-3-2 are no longer applicable to this source. Condition C.1 has been revised to remove the previous version requirements. Particulate emission limitations for processes with process weight rates less than one hundred (100) pounds per hour that are not exempted by 326 IAC 6-3-1(b) or (c) and are not subject to the provisions of 326 IAC 6-3-2(b) through (d), are subject to 326 IAC 6-3-2(e)(2). Therefore, Condition C.1 (Particulate Emission Limitations For Processes with Process Weight Rates Less Than One Hundred (100) Pounds per Hour) is revised as follows:

C.1 Particulate Emission Limitations For Processes with Process Weight Rates Less Than One Hundred (100) Pounds per Hour ~~[40 CFR 52 Subpart P]~~[326 IAC 6-3-2(e)]

- ~~(a) Pursuant to 40 CFR 52 Subpart P, particulate matter emissions 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.~~
- (b) Pursuant to 326 IAC 6-3-2(e)(2), particulate emissions from any process not exempt under 326 IAC 6-3-1(b) or (c) which has a maximum process weight rate less than 100 pounds per hour and the methods in 326 IAC 6-3-2(b) through (d) do not apply shall not exceed 0.551 pounds per hour. ~~This condition is not federally enforceable.~~

**Indiana Department of Environmental Management
Office of Air Quality
and
Indianapolis Office of Environmental Services**

Technical Support Document (TSD) for a New Source Construction and Part 70
Operating Permit

Source Background and Description

Source Name:	Stewart Warner, Former Southwind Facility
Source Location:	1514 Drover Street, Indianapolis IN 46221
County:	Marion
SIC Code:	None
Operation Permit No.:	097-21466-00565
Permit Reviewer:	Keshav Reddy

The Indiana Department of Environmental Management, Office of Air Quality (OAQ) and Indianapolis Office of Environmental Services (OES) have reviewed a Part 70 Operating Permit application from Stewart Warner relating to the construction and operation of a site remediation project at its property located at 1514 Drover Street, Indianapolis, IN 46221.

This Part 70 operating permit contains provisions intended to satisfy the requirements of the construction permit rules.

New Emission Units and Pollution Control Equipment

The source proposes to construct the following emission units:

- (a) One (1) Soil Vapor Extraction Unit, 400 acfm maximum capacity, identified as EU-M01.
- (b) One (1) Soil Vapor Extraction Unit, 400 acfm maximum capacity, identified as EU-M02.
- (c) One (1) Soil Vapor Extraction Unit, 400 acfm maximum capacity, identified as EU-M03.
- (d) One (1) Soil Vapor Extraction Unit, 200 acfm maximum capacity, identified as EU-S01.
- (e) One (1) Soil Vapor Extraction/Air Sparging Unit, 110 acfm maximum capacity, identified as EU-S02.
- (f) One (1) Soil Vapor Extraction Unit, 90 acfm maximum capacity, identified as EU-S02.

The source plans to construct the facility in October 2005.

Insignificant Activities

This source does not currently have any insignificant activities, as defined in 326 IAC 2-7-1(21).

Enforcement Issue

There are no enforcement actions pending.

Recommendation

The staff recommends to the Commissioner that the construction and operation 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 administratively complete Part 70 permit application for the purposes of this review was received on July 15, 2005. There was no notice of completeness letter mailed to the Permittee.

Emission Calculations

The calculations submitted by the applicant have been verified and found to be accurate and correct. These calculations are summarized in Appendix A of this document (1 page).

Potential to Emit of the Source

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

Pollutant	Potential to Emit (tons/yr)
PM	Negligible
PM-10	Negligible
SO ₂	Negligible
VOC	0.67*
CO	Negligible
NO _x	Negligible

HAPs	Potential to Emit (tons/yr)
Cis-1,2-dichloroethane	0.01
1,1,1-trichloroethane	0.01
Trichloroethene	0.65
Perchloroethylene	59.58
Vinyl Chloride	Negligible
Total	60.25

* Tetrachloroethene (or Perchloroethylene) is not considered a VOC pursuant to 40 CFR 51.100 and hence pursuant to 326 IAC 1-2-90

- (a) The potential to emit (as defined in 326 IAC 2-7-1(29)) of any single HAP is equal to or greater than ten (10) tons per year and the potential to emit (as defined in 326 IAC 2-7-1(29)) of a combination of HAPs is equal to or greater than twenty-five (25) tons per year. Therefore, the source is subject to the provisions of 326 IAC 2-7.
- (b) Fugitive Emissions
Since this type of operation is not one of the twenty-eight (28) listed source categories under 326 IAC 2-2 and since there are no applicable New Source Performance Standards that were in effect on August 7, 1980, the fugitive particulate matter (PM) and volatile

organic compound (VOC) emissions are not counted toward determination of PSD and Emission Offset applicability.

Actual Emissions

No previous emission data has been received from the source.

County Attainment Status

The source is located in Marion County.

Pollutant	Status
PM-2.5	nonattainment
PM-10	attainment
SO ₂	maintenance attainment
NO ₂	attainment
8-hour Ozone	basic nonattainment
1-hour Ozone	maintenance attainment
CO	attainment
Lead	attainment

- (a) Volatile organic compounds (VOC) and Nitrogen Oxides (NO_x) are regulated under the Clean Air Act (CAA) for the purposes of attaining and maintaining the National Ambient Air Quality Standards (NAAQS) for ozone. Therefore, VOC and NO_x emissions are considered when evaluating the rule applicability relating to the ozone standards. Marion County has been designated as nonattainment for the 8-hour ozone standard. Therefore, VOC and NO_x emissions were reviewed pursuant to the requirements for Emission Offset, 326 IAC 2-3.
- (b) U.S. EPA in Federal Register Notice 70 FR 943 dated January 5, 2005 has designated Marion County as nonattainment for PM_{2.5}. 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 for nonattainment 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 emissions as a surrogate for PM_{2.5} emissions pursuant to the Nonattainment New Source Review requirements. See the State Rule Applicability – Entire Source Section.
- (c) Marion County has been classified as attainment or unclassifiable in Indiana for PM₁₀, SO₂, NO₂, CO, and Lead. Therefore, these emissions were reviewed pursuant to the requirements for Prevention of Significant Deterioration (PSD), 326 IAC 2-2. See the State Rule Applicability for the source section.

Part 70 Permit Conditions

This source is subject to the requirements of 326 IAC 2-7, pursuant to which the source has to meet the following:

- (a) Emission limitations and standards, including those operational requirements and limitations that assure compliance with all applicable requirements at the time of issuance of Part 70 permits.

- (b) Monitoring and related record keeping requirements which assure that all reasonable information is provided to evaluate continuous compliance with the applicable requirements.

Federal Rule Applicability

There are no New Source Performance Standards (NSPS) (326 IAC 12 and 40 CFR Part 60) applicable to this source.

This source is not subject to the requirements of the National Emission Standards for Hazardous Air Pollutants (NESHAP) (326 IAC 14, 20 and 40 CFR Part 63, Subpart GGGGG). Although this project qualifies as a site remediation operation and has potential to emit more than 10 tons/yr of a single HAP and more than 25 tons/yr of a combination of HAPs, it is specifically exempted under 40 CFR 63.7881(b)(2) because this remediation classifies as a RCRA mandated corrective action.

State Rule Applicability – Entire Source

326 IAC 2-2 (Prevention of Significant Deterioration)

This source is not a major PSD source under this rule because the potential to emit of all attainment regulated pollutants is less than 250 tons per year. Therefore, the requirements of 326 IAC 2-2 do not apply.

326 IAC 2-3 Emission Offset

Marion County has been designated as nonattainment for PM 2.5 in 70 FR 943 dated January 5, 2005. According to the April 5, 2005 EPA memo titled "Implementation of New Source Review Requirements in PM2.5 Nonattainment Areas" authored by Steve Page, Director of OAQPS, until EPA promulgates the PM 2.5 major NSR regulations, States should assume that a major stationary source's PM10 emissions represent PM2.5 emissions. IDEM will use the PM10 nonattainment major NSR program as a surrogate to address the requirements of nonattainment major NSR for the PM2.5 NAAQS. A major source in a nonattainment area is a source that emits or has the potential to emit 100 tons per year of any regulated pollutant. This remediation project has a potential to emit of PM10 below 100 tons per year. Therefore, assuming that PM10 emissions represent PM2.5 emissions, 326 IAC 2-3 does not apply.

Marion County has been designated as basic nonattainment for the 8-hour ozone standard. The potential to emit of NOx and VOC from this source is less than 100 tons per year for each pollutant. Therefore, the requirements of 326 IAC 2-3 do not apply.

326 IAC 2-4.1 (Major Sources of Hazardous Air Pollutants (HAP))

The operation of the soil vapor extraction units at the source will result in HAP emissions greater than ten (10) tons per year of a single HAP or twenty-five (25) tons per year of a combination of HAPs. However, pursuant to 326 IAC 2-4.1-1(b)(2), a major source specifically exempt from regulation by a standard issued pursuant to 112(d) and 112(h) of the Clean Air Act (CAA), is also exempt from the requirements of 326 IAC 2-4.1. Therefore, the requirements of 326 IAC 2-4.1 are not applicable to this source.

326 IAC 2-6 (Emission Reporting)

This source is subject to 326 IAC 2-6 (Emission Reporting) because it is required to have an operating permit under 326 IAC 2-7, Part 70 program. Pursuant to this rule, the owner/operator of the source must submit an emission statement for the source. The emission statement must be received by July 1 of 2005 and every three (3) years thereafter. The emission statement shall contain the minimum requirement as specified in 326 IAC 2-6-4. The submittal should cover the period defined in 326 IAC 2-6-2(8)(Emission Statement Operating Year).

326 IAC 5-1 (Opacity Limitations)

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 the permit:

- (a) Opacity shall not exceed an average of thirty percent (30%) in any one (1) six (6) minute averaging period as determined in 326 IAC 5-1-4.
- (a) 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.

State Rule Applicability – Individual Facilities

326 IAC 8-1-6 (General Provisions Relating to VOC Rules)

This rule applies to facilities located anywhere in the state that were constructed on or after January 1, 1980, with potential VOC emissions equal to or greater than twenty-five (25) tons per year, and which are not otherwise regulated by another provision of Article 8. No facility at this source has potential VOC emissions of twenty-five (25) tons per year or more. Although, potential emissions of Tetrachloroethene (or Perchloroethylene) are at a rate greater than twenty-five (25) tons per year, it is not considered a VOC pursuant to 40 CFR 51.100 and hence pursuant to 326 IAC 1-2-90. Therefore, 326 IAC 8-1-6 is not applicable to this source.

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, and OES 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 in 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. There are no compliance monitoring requirements included in this operating permit.

Conclusion

The construction and operation of this site remediation project at the Stewart Warner Facility shall be subject to the conditions of this Part 70 permit **097-21466-00565**.

Appendix A Emissions Calculations

Appendix A of TSD Page 1

Company Name: Stewart Warner, Former Southwind Facility
Address City IN Zip: 1514 Drover Street Indianapolis IN 46221
Permit Number: 097-21466-00565
Reviewer: Keshav Reddy
Date: August 6, 2005

Detected VOC/HAP Constituent	Emissions from EU-S01 (tons/yr)	Emissions from EU-S02 (tons/yr)	Emissions from EU-S03 (tons/yr)	Emissions from EU-M01 (tons/yr)	Emissions from EU-M02 (tons/yr)	Emissions from EU-M03 (tons/yr)	TOTAL EMISSIONS (tons/yr)
cis-1,2-dichloroethene	0.00	0.01	0.00	0.00	0.00	0.00	0.01
1,1,1-trichloroethane	0.00	0.01	0.00	0.00	0.00	0.00	0.01
Trichloroethene	0.05	0.25	0.02	0.11	0.11	0.11	0.65
Perchloroethylene	7.22	1.15	3.57	15.88	15.88	15.88	59.58
Vinyl Chloride	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Total VOC	0.05	0.27	0.02	0.11	0.11	0.11	0.67
Single Highest HAP	7.22	1.15	3.57	15.88	15.88	15.88	59.58
Total HAPs	7.27	1.42	3.59	15.99	15.99	15.99	60.25

Methodology:

The Emissions rates were estimated from concentration of the pollutant in extracted air. Extracted samples were analyzed at a lab and the analytical test results were used for emission estimates.

$$\text{Pollutant Emissions (tons/yr)} = \text{Airflow (ft}^3\text{/min)} * \text{Pollutant Conc. (micrograms/m}^3\text{)} * \text{m}^3\text{/(3.28 ft)}^3 * 10^{-6} \text{ gms/microgram} * \text{lbs/453.6 gms} * 60 \text{ mins/hr} * 8760 \text{ hrs/yr} * \text{ton/2000lbs}$$

The air samples were taken during the first week of the SVE pilot test, hence showing maximum concentration of pollutants. This is a highly conservative estimate of the emissions.

Tetrachloroethene (or Perchloroethylene) is not considered a VOC pursuant to 40 CFR 51.100 and hence pursuant to 326 IAC 1-2-90