



Mitchell E. Daniels, Jr.
Governor

Thomas W. Easterly
Commissioner

100 North Senate Avenue
Indianapolis, Indiana 46204
(317) 232-8603
(800) 451-6027
www.IN.gov/idem

TO: Interested Parties / Applicant
DATE: November 18, 2005
RE: BP Products North America, Inc / 089-21879-00003
FROM: Paul Dubenetzky
Chief, Permits Branch
Office of Air Quality

Notice of Decision – Approval

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 326 IAC 2, this approval was effective immediately upon submittal of the application.

If you wish to challenge this decision, IC 4-21.5-3-7 requires that you file a petition for administrative review. This petition may include a request for stay of effectiveness and must be submitted to the Office of Environmental Adjudication, 100 North Senate Avenue, Government Center North, Room 1049, Indianapolis, IN 46204, **within eighteen (18) calendar days from the mailing of this notice**. The filing of a petition for administrative review is complete on the earliest of the following dates that apply to the filing:

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

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

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

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

Enclosures
FNPER-AM.dot 1/10/05



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November 18, 2005

Ms. Natalie Grimmer
BP Products North America, Inc. – Whiting Refinery
2815 Indianapolis Boulevard
Whiting, Indiana 46394

Re: 089-21879-00003
First Amendment to MSM 089-14239-00003

Dear Ms Grimmer:

BP Products North America Inc. – Whiting Refinery (formerly BP Amoco Oil Company – Whiting Refinery, referred to as “BP”) was issued a Minor Source Modification (MSM) on May 11, 2001. The Title V permit application for BP was submitted on September 23, 1996 and this Title V permit (#089-6741-00003) has not yet been issued. A letter requesting permission to allow BP to sell steam to US Steel was received on October 3, 2005. Pursuant to the provisions of 326 IAC 2-7, the permit is hereby amended as follows:

1. Pursuant to MSM #089-14239-00003, issued on May 11, 2001, BP is allowed to accept a maximum of 13,200 tons per day of steam from Whiting Clean Energy (Plant ID #089-00449) and to supply a maximum of 8,400 tons/day of steam to Whiting Clean Energy. BP proposed to sell steam to US steel – East Chicago (Plant ID #089-00300), and the total amount of steam sold to both Whiting Cleaning Energy and US Steel will remain less than 8,400 tons/day.

Since this proposed change will not increase the potential to emit from BP, Conditions A.1 and D.1 have been revised as follows to allow the construction of a connecting pipe between BP and US Steel and to allow the sell of steam from BP to US Steel:

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

This stationary source is approved to construct and operate the following emission units and pollution control devices:

...

- (b) **One (1) pipeline (US Steel Steam Transfer Line) connecting BP’s steam header with US Steel – East Chicago (Plant ID #089-00300). This pipeline is used to transfer steam from BP to US Steel. The pipeline will be constructed in 2005.**

SECTION D.1 FACILITY OPERATION CONDITIONS

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

...

- (b) **One (1) pipeline (US Steel Steam Transfer Line) connecting BP’s steam header with US Steel – East Chicago (Plant ID #089-00300). This pipeline is used to transfer steam from BP to US Steel. The pipeline will be constructed in 2005.**

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

D.1.1 Operational Limits

- (a) The maximum amount of steam BP ~~Amoco~~ will accept from Whiting Clean Energy is 13,200 tons per day. The maximum amount of steam BP ~~Amoco~~ will supply to Whiting Clean Energy **and US Steel** is 8,400 tons per day. In all cases, the net steam flow, over any twelve (12) consecutive month period, from Whiting Clean Energy to the BP ~~Amoco Oil~~-Refinery, shall be positive.

...

Upon further review, IDEM, OAQ has made following changes:

1. The legal name of this source has been changed from “BP Amoco Oil Company – Whiting Refinery” to “BP Products North America Inc. – Whiting Refinery.” This change has been made throughout the whole permit.
2. According to a Joint Agreement Stay Cause N. 01-A-J-2731, issued on May 20, 2003, the description of the existing emissions units 501 and 503, and the requirements in Conditions D.1.1(b) and D.1.2(a) shall be revised as follows:

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

This stationary source is approved to construct and operate the following emission units and pollution control devices:

- (a) A connecting pipe between BP ~~Amoco Oil Company~~ **Products North America Inc. –** Whiting Refinery's emission units 501 and 503, and Whiting Clean Energy's heat recovery steam operator. The purpose of the connection will be to exchange steam between the two facilities. Emission units 501 and 503 consist of a series of fuel gas, fuel oil and natural gas-fired boilers, constructed in ~~1990~~ **1928 and 1948, respectively**, and with a total maximum capacity of ~~4,920~~ **4,705** MMBtu/hr. The connecting pipe will include a steam flow meter.

...

SECTION D.1

FACILITY OPERATION CONDITIONS

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

- (a) A connecting pipe between BP ~~Amoco Oil Company~~ **Products North America Inc. –**Whiting Refinery's emission units 501 and 503, and Whiting Clean Energy's heat recovery steam operator. The purpose of the connection will be to exchange steam between the two facilities. Emission units 501 and 503 consist of a series of fuel gas, fuel oil and natural gas-fired boilers, constructed in ~~1990~~ **1928 and 1948, respectively**, and with a total maximum capacity of ~~4,920~~ **4,705** MMBtu/hr. The connecting pipe will include a steam flow meter.

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

D.1.1 Operational Limits

...

- (b) **Pursuant to the Joint Agreement Stay Cause No. 01-A-J-2731, issued on May 20, 2003, the amount of steam** At any time while steam is being accepted to the BP ~~Amoco Oil Refinery~~ **accepts** from Whiting Clean Energy, **plus the amount of BP Amoco will reduce steam production** from Units 501 and 503 ~~by the same amount of steam that is being accepted~~ **shall not exceed 34,560 tons per day.**

...

D.1.2 Record Keeping Requirements

- (a) To document compliance with Condition D.1.1, the Permittee shall maintain the following records:
- (1a) An average yearly net flow rate, computed on a rolling 365 day basis.
 - (2b) ~~A log of the dates and~~ **The amounts that of steam BP accepts from Whiting Clean Energy each day and the amount of steam production was reduced for emission produced from Units 501 and 503 each day, when steam was accepted from Whiting Clean Energy.**
- (c) **The amount of steam BP supplies to Whiting Clean Energy and US Steel each day.**
3. According to a Joint Agreement Stay Cause N. 01-A-J-2731, issued on May 20, 2003, all the references to Gary Department of Environmental Affairs contained in the permit cover sheet, Section A, and Conditions C.2, C.3, C.12, C.14 and C.15 shall be deleted. Therefore, Section A and Conditions C.2, C.3, C.12, C.14 and C.15 have been revised to remove the reference to Gary Department of Environmental Affairs.
4. Only the title of the “Responsible Official” is required to be listed in the permit. In addition, Lake County has been designated as attainment for SO₂, and as nonattainment for PM2.5 and Ozone under both 1 hour and 8-hour standards. Therefore, Condition A.1 has been revised as follows to reflect these changes:

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

The Permittee owns and operates a stationary oil refinery.

Responsible Official:	Colin MacLean Whiting Business Unit Leader
Source Address:	2815 Indianapolis Boulevard, Whiting, Indiana 46394
Mailing Address:	P.O. Box 710, Whiting, Indiana 46394
General Source Phone Number:	(219) 473-7700
SIC Code:	2911
County Location:	Lake
Source Location Status:	Nonattainment for Ozone (both 1 hour and 8 hour standards) , PM-10, and SO₂ PM2.5
Source Status:	Attainment for all other criteria pollutants Part 70 Permit Program Major Source, under PSD, and Emission Offset Rules; Major Source, Section 112 of the Clean Air Act 1 of 28 Source Categories

5. The mailing address to IDEM, OAQ has been changed as follows:

100 North Senate Avenue
~~P.O. Box 6015~~
Indianapolis, Indiana ~~46206-6015~~ **46204-2251**

This change has been made throughout the whole permit.

6. The contact information for the Northwest Regional Office has been changed as follows:

~~NBD Bank Building~~
~~504 N. Broadway, Suite 418~~ **8315 Virginia Avenue, Suite 1**
~~Gary, Indiana 46402-1942~~ **Merrillville, Indiana 46410-9201**
~~TEL: 1-888-672-8323~~ **209-8892 or 219-757-0265**

This change has been made throughout the whole permit.

All other conditions of the permit shall remain unchanged and in effect. Please find attached a copy of the revised permit.

Pursuant to Contract No. A305-5-65, IDEM, OAQ has assigned the processing of this application to Eastern Research Group, Inc., (ERG). Therefore, questions should be directed to Yu-Lien Chu, ERG, 1600 Perimeter Park Drive, Morrisville, North Carolina 27560, or call (919) 468-7871 to speak directly to Ms. Chu. Questions may also be directed to Duane Van Laningham at IDEM, OAQ, 100 North Senate Avenue, Indianapolis, Indiana, 46204-2251, or call (800) 451-6027, and ask for Duane Van Laningham or extension 3-6878, or dial (317) 233-6878.

Sincerely,
Original signed by

Paul Dubenetzky, Assistant Commissioner
Office of Air Quality

Attachments

ERG/YC

cc: File – Lake County
Lake County Health Department
Northwest Regional Office
Air Compliance Section Inspector – Rick Massoels/Ramesh Tejuja
Compliance Data Section
Administrative and Development
Technical Support and Modeling - Michele Boner
Title V Reviewer – ERG/AAB



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PART 70 MINOR SOURCE MODIFICATION OFFICE OF AIR QUALITY

BP Products North America Inc. – Whiting Refinery 2815 Indianapolis Boulevard Whiting, Indiana 46394

(herein known as the Permittee) is hereby authorized to construct and operate subject to the conditions contained herein, the emission units described in Section A (Source Summary) of this approval.

This approval 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.

Minor Source Modification No. 089-14239-00003	
Issued by: Paul Dubenetzky, Branch Chief Office of Air Quality	Issuance Date: May 11, 2001

First Amendment No.: 089-21879-00003	Affected Pages: 3, 5 through 11
Original signed by: Paul Dubenetzky, Assistant Commissioner Office of Air Quality	Issuance Date: November 18, 2005

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SECTION A

SOURCE SUMMARY

This approval is based on information requested by the Indiana Department of Environmental Management (IDEM), Office of Air Quality (OAQ). The information describing the emission units contained in conditions A.1 through A.2 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 approval 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)]

The Permittee owns and operates a stationary oil refinery.

Responsible Official:	Whiting Business Unit Leader
Source Address:	2815 Indianapolis Boulevard, Whiting, Indiana 46394
Mailing Address:	P.O. Box 710, Whiting, Indiana 46394
General Source Phone Number:	(219) 473-7700
SIC Code:	2911
County Location:	Lake
Source Location Status:	Nonattainment for Ozone (both 1 hour and 8 hour standards), PM-10, and PM2.5 Attainment for all other criteria pollutants
Source Status:	Part 70 Permit Program Major Source, under PSD and Emission Offset Rules; Major Source, Section 112 of the Clean Air Act 1 of 28 Source Categories

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

This stationary source is approved to construct and operate the following emission units and pollution control devices:

- (a) A connecting pipe between BP Products North America Inc. –Whiting Refinery's emission units 501 and 503, and Whiting Clean Energy's heat recovery steam operator. The purpose of the connection will be to exchange steam between the two facilities. Emission units 501 and 503 consist of a series of fuel gas, fuel oil and natural gas-fired boilers, constructed in 1928 and 1948, respectively, and with a total maximum capacity of 4,705 MMBtu/hr. The connecting pipe will include a steam flow meter.
- (b) One (1) pipeline (US Steel Steam Transfer Line) connecting BP's steam header with US Steel – East Chicago (Plant ID #089-00300). This pipeline is used to transfer steam from BP to US Steel. The pipeline will be constructed in 2005.

A.3 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 CONSTRUCTION CONDITIONS

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

Terms in this permit shall have the definition assigned to such terms in the referenced regulation. In the absence of definitions in the referenced regulation, the applicable definitions found in the statutes or regulations (IC 13-11, 326 IAC 1-2 and 326 IAC 2-7) shall prevail.

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

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

B.3 Revocation of Permits [326 IAC 2-1.1-9(5)][326 IAC 2-7-10.5(i)]

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

SECTION C GENERAL OPERATION CONDITIONS

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

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

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

- (a) If required by specific condition(s) in Section D of this permit, the Permittee shall prepare and maintain Preventive Maintenance Plans (PMPs) when operation begins, including the following information on each facility:
 - (1) Identification of the individual(s) responsible for inspecting, maintaining, and repairing emission control devices;
 - (2) A description of the items or conditions that will be inspected and the inspection schedule for said items or conditions; and
 - (3) Identification and quantification of the replacement parts that will be maintained in inventory for quick replacement.

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

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

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

- (b) The Permittee shall implement the PMPs as necessary to ensure that failure to implement a PMP does not cause or contribute to a violation of any limitation on emissions or potential to emit.
- (c) A copy of the PMPs shall be submitted to IDEM, OAQ, upon request and within a reasonable time, and shall be subject to review and approval by IDEM, OAQ. IDEM, OAQ, may require the Permittee to revise its PMPs whenever lack of proper maintenance causes or contributes to any violation. The PMP does not require the certification by the "responsible official" as defined by 326 IAC 2-7-1(34).
- (d) Records of preventive maintenance shall be retained for a period of at least five (5) years. These records shall be kept at the source location for a minimum of three (3) years. The records may be stored elsewhere for the remaining two (2) years as long as they are available upon request. If the Commissioner makes a request for records to the Permittee, the Permittee shall furnish the records to the Commissioner within a reasonable time.

C.3 Permit Amendment or Modification [326 IAC 2-7-11] [326 IAC 2-7-12]

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

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

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

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

C.4 Opacity [326 IAC 5-1]

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

- (a) Opacity shall not exceed an average of twenty percent (20%) in any one (1) six (6) minute averaging period as determined in 326 IAC 5-1-4.
- (b) Opacity shall not exceed sixty percent (60%) for more than a cumulative total of fifteen (15) minutes (sixty (60) readings as measured according to 40 CFR 60, Appendix A, Method 9 or fifteen (15) one (1) minute nonoverlapping integrated averages for a continuous opacity monitor) in a six (6) hour period.

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

Pursuant to 326 IAC 6-1-11.1 (Lake County Fugitive Particulate Matter Control Requirements), the particulate matter emissions from source wide activities shall meet the following requirements:

- (a) The average instantaneous opacity of fugitive particulate emissions from a paved road shall not exceed ten percent (10%).
- (b) The average instantaneous opacity of fugitive particulate emissions from an unpaved road shall not exceed ten percent (10%).
- (c) The average instantaneous opacity of fugitive particulate emissions from batch transfer shall not exceed ten percent (10%).
- (d) The opacity of fugitive particulate emissions from continuous transfer of material onto and out of storage piles shall not exceed ten percent (10%) on a three (3) minute average.
- (e) The opacity of fugitive particulate emissions from storage piles shall not exceed ten percent (10%) on a six (6) minute average.
- (f) There shall be a zero (0) percent frequency of visible emission observations of a material during the inplant transportation of material by truck or rail at any time.

- (g) The opacity of fugitive particulate emissions from the inplant transportation of material by front end loaders and skip hoists shall not exceed ten percent (10%).
- (h) There shall be a zero (0) percent frequency of visible emission observations from a building enclosing all or part of the material processing equipment, except from a vent in the building.
- (i) The PM10 emissions from building vents shall not exceed twenty-two thousandths (0.022) grains per dry standard cubic foot and ten percent (10%) opacity.
- (j) The opacity of particulate emissions from dust handling equipment shall not exceed ten percent (10%).
- (k) Any facility or operation not specified in 326 IAC 6-1-11.1(d) shall meet a twenty percent (20%), three (3) minute average opacity standard.

The Permittee shall achieve these limits by controlling fugitive particulate matter emissions according to the Fugitive Dust Control Plan, to be submitted to IDEM.

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

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

Compliance Requirements [326 IAC 2-1.1-11]

C.8 Compliance Requirements [326 IAC 2-1.1-11]

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

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

C.9 Compliance Monitoring [326 IAC 2-7-5(3)] [326 IAC 2-7-6(1)]

If required by Section D, all monitoring and record keeping requirements shall be implemented when operation begins. The Permittee shall be responsible for installing any necessary equipment and initiating any required monitoring related to that equipment.

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

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

C.11 Pressure Gauge and Other Instrument Specifications [326 IAC 2-1.1-11] [326 IAC 2-7-5(3)] [326 IAC 2-7-6(1)]

- (a) Whenever a condition in this permit requires the measurement of pressure drop across any part of the unit or its control device, the gauge employed shall have a scale such that

the expected normal reading shall be no less than twenty percent (20%) of full scale and be accurate within plus or minus two percent ($\pm 2\%$) of full scale reading.

- (b) Whenever a condition in this permit requires the measurement of a flow rate, the instrument employed shall have a scale such that the expected normal reading shall be no less than twenty percent (20%) of full scale and be accurate within plus or minus two percent ($\pm 2\%$) of full scale reading.
- (c) The Permittee may request the IDEM, OAQ approve the use of a pressure gauge or other instrument that does not meet the above specifications provided the Permittee can demonstrate an alternative pressure gauge or other instrument specification will adequately ensure compliance with permit conditions requiring the measurement of pressure drop or other parameters.

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

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

- (a) An emergency, as defined in 326 IAC 2-7-1(12), is not an affirmative defense for an action brought for noncompliance with a federal or state health-based emission limitation, except as provided in 326 IAC 2-7-16.
- (b) An emergency, as defined in 326 IAC 2-7-1(12), constitutes an affirmative defense to an action brought for noncompliance with a health-based or technology-based emission limitation if the affirmative defense of an emergency is demonstrated through properly signed, contemporaneous operating logs or other relevant evidence that describe the following:
 - (1) An emergency occurred and the Permittee can, to the extent possible, identify the causes of the emergency;
 - (2) The permitted facility was at the time being properly operated;
 - (3) During the period of an emergency, the Permittee took all reasonable steps to minimize levels of emissions that exceeded the emission standards or other requirements in this permit;
 - (4) For each emergency lasting one (1) hour or more, the Permittee notified IDEM, OAQ, and the Northwest Regional Office within four (4) daytime business hours after the beginning of the emergency, or after the emergency was discovered or reasonably should have been discovered;

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

and

Northwest Regional Office
8315 Virginia Avenue, Suite 1
Merrillville, Indiana 46410
1-888-209-8892 or (219) 757-0265

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

Indiana Department of Environmental Management
Compliance Branch, Office of Air Quality

100 North Senate Avenue
Indianapolis, Indiana 46204-2251

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

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

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

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

- (6) The Permittee immediately took all reasonable steps to correct the emergency.
- (c) In any enforcement proceeding, the Permittee seeking to establish the occurrence of an emergency has the burden of proof.
- (d) This emergency provision supersedes 326 IAC 1-6 (Malfunctions). This permit condition is in addition to any emergency or upset provision contained in any applicable requirement.
- (e) IDEM, OAQ may require that the Preventive Maintenance Plans required under 326 IAC 2-7-4-(c)(10) be revised in response to an emergency.
- (f) Failure to notify IDEM, OAQ by telephone or facsimile of an emergency lasting more than one (1) hour in accordance with (b)(4) and (5) of this condition shall constitute a violation of 326 IAC 2-7 and any other applicable rules.
- (g) Operations may continue during an emergency only if the following conditions are met:
 - (1) If the emergency situation causes a deviation from a technology-based limit, the Permittee may continue to operate the affected emitting facilities during the emergency provided the Permittee immediately takes all reasonable steps to correct the emergency and minimize emissions.
 - (2) If an emergency situation causes a deviation from a health-based limit, the Permittee may not continue to operate the affected emissions facilities unless:
 - (A) The Permittee immediately takes all reasonable steps to correct the emergency situation and to minimize emissions; and
 - (B) Continued operation of the facilities is necessary to prevent imminent injury to persons, severe damage to equipment, substantial loss of capital investment, or loss of product or raw materials of substantial economic value.

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

C.13 Actions Related to Noncompliance Demonstrated by a Stack Test [326 IAC 2-7-5]
[326 IAC 2-7-6]

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- (a) When the results of a stack test performed in conformance with Section C - Performance Testing, of this permit exceed the level specified in any condition of this permit, the

Permittee shall take appropriate response actions. The Permittee shall submit a description of these response actions to IDEM, OAQ, within thirty (30) days of receipt of the test results. The Permittee shall take appropriate action to minimize excess emissions from the affected facility while the response actions are being implemented.

- (b) A retest to demonstrate compliance shall be performed within one hundred twenty (120) days of receipt of the original test results. Should the Permittee demonstrate to IDEM, OAQ that retesting in one-hundred and twenty (120) days is not practicable, IDEM, OAQ may extend the retesting deadline.
- (c) IDEM, OAQ reserves the authority to take any actions allowed under law in response to noncompliant stack tests.

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

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

C.14 General Record Keeping Requirements [326 IAC 2-7-5(3)][326 IAC 2-7-6]

- (a) Records of all required data, reports and support information shall be retained for a period of at least five (5) years from the date of monitoring sample, measurement, report, or application. These records shall be kept at the source location for a minimum of three (3) years. The records may be stored elsewhere for the remaining two (2) years as long as they are available upon request. If the Commissioner makes a request for records to the Permittee, the Permittee shall furnish the records to the Commissioner within a reasonable time.
- (b) Unless otherwise specified in this permit, all record keeping requirements not already legally required shall be implemented within ninety (90) days of permit issuance.

C.15 General Reporting Requirements [326 IAC 2-7-5(3)(C)]

- (a) The source shall submit the attached Quarterly Deviation and Compliance Monitoring Report or its equivalent. Any deviation from permit requirements, the date(s) of each deviation, the cause of the deviation, and the response steps taken must be reported. This report shall be submitted within thirty (30) days of the end of the reporting period. The Quarterly Deviation and Compliance Monitoring Report shall include the certification by the "responsible official" as defined by 326 IAC 2-7-1(34).
- (b) The report required in (a) of this condition and reports required by conditions in Section D of this permit shall be submitted to:

Indiana Department of Environmental Management
Compliance Data Section, Office of Air Quality
100 North Senate Avenue
Indianapolis, Indiana 46204-2251
- (c) Unless otherwise specified in this permit, any notice, report, or other submission required by this permit shall be considered timely if the date postmarked on the envelope or certified mail receipt, or affixed by the shipper on the private shipping receipt, is on or before the date it is due. If the document is submitted by any other means, it shall be considered timely if received by IDEM, OAQ, on or before the date it is due.
- (d) Unless otherwise specified in this permit, all reports required in Section D of this permit shall be submitted within thirty (30) days of the end of the reporting period. All reports do require the certification by the "responsible official" as defined by 326 IAC 2-7-1(34).
- (e) The first report shall cover the period commencing on the date of issuance of this permit and ending on the last day of the reporting period. Reporting periods are based on calendar years.

SECTION D.1 FACILITY OPERATION CONDITIONS

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

- (a) A connecting pipe between BP Products North America Inc. –Whiting Refinery's emission units 501 and 503, and Whiting Clean Energy's heat recovery steam operator. The purpose of the connection will be to exchange steam between the two facilities. Emission units 501 and 503 consist of a series of fuel gas, fuel oil and natural gas-fired boilers, constructed in 1928 and 1948, respectively, and with a total maximum capacity of 4,705 MMBtu/hr. The connecting pipe will include a steam flow meter.
- (b) One (1) pipeline (US Steel Steam Transfer Line) connecting BP's steam header with US Steel – East Chicago (Plant ID #089-00300). This pipeline is used to transfer steam from BP to US Steel. The pipeline will be constructed in 2005.

(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 Operational Limits

- (a) The maximum amount of steam BP will accept from Whiting Clean Energy is 13,200 tons per day. The maximum amount of steam BP will supply to Whiting Clean Energy and US Steel is 8,400 tons per day. In all cases, the net steam flow, over any twelve (12) consecutive month period, from Whiting Clean Energy to the BP Refinery, shall be positive.
- (b) Pursuant to the Joint Agreement Stay Cause No. 01-A-J-2731, issued on May 20, 2003, the amount of steam BP accepts from Whiting Clean Energy, plus the amount of steam produced from Units 501 and 503 shall not exceed 34,560 tons per day.

Compliance with these limits makes the requirements of 326 IAC 2-2 (Prevention of Significant Deterioration) not applicable.

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

D.1.2 Record Keeping Requirements

To document compliance with Condition D.1.1, the Permittee shall maintain the following records:

- (a) An average yearly net flow rate, computed on a rolling 365 day basis.
- (b) The amount of steam BP accepts from Whiting Clean Energy each day and the amount of steam produced from Units 501 and 503 each day.
- (c) The amount of steam BP supplies to Whiting Clean Energy and US Steel each day.

D.1.3 Reporting Requirements

A semi-annual summary of the information to document compliance with Condition D.1.1 shall be submitted to the addresses listed in Section C - General Reporting Requirements, of this permit, using the reporting forms located at the end of this permit, or their equivalent, within thirty (30) days after the end of the six (6) month period being reported. The report submitted by the Permittee does require the certification by the "responsible official" as defined by 326 IAC 2-7-1(34).

INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT OFFICE OF AIR QUALITY

PART 70 SOURCE MODIFICATION CERTIFICATION

Source Name: BP Products North America - Whiting Refinery
Source Address: 2815 Indianapolis Blvd., Whiting, Indiana 46394-0710
Mailing Address: P.O. Box 710, 2815 Indianapolis Blvd., Whiting, Indiana 46394-0710
Source Modification No.: 089-14239-00003

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

Please check what document is being certified:

- 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:

Date:

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

Part 70 Source Modification Monthly Report

For each semi-annual report, please include six monthly reports

Source Name: BP Products North America - Whiting Refinery
 Source Address: 2815 Indianapolis Blvd., Whiting, Indiana 46394-0710
 Mailing Address: P.O. Box 710, 2815 Indianapolis Blvd., Whiting, Indiana 46394-0710
 Source Modification No.: 089-14239-00003
 Facility: Connection between BP and Whiting Clean Energy (WCE)
 Parameter: Net Yearly flow rate calculated on a rolling 365 day basis
 Limit: Net flow rate must be positive

Month: _____ Year: _____

Day	Steam supplied to BP Amoco from WCE (tons/day)	Steam supplied to WCE from BP Amoco (tons/day)	Net yearly flow rate	Day			
1				17			
2				18			
3				19			
4				20			
5				21			
6				22			
7				23			
8				24			
9				25			
10				26			
11				27			
12				28			
13				29			
14				30			
15				31			
16				no. of deviations			

No deviation occurred in this month.
 Deviation/s occurred in this month.
 Deviation has been reported on:

Submitted by:
 Title/Position:
 Signature:
 Date: