



Mitchell E. Daniels, Jr.
Governor

Thomas W. Easterly
Commissioner

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

TO: Interested Parties / Applicant

DATE: June 28, 2006

RE: Countrymark Cooperative LLP - Switz City / 055-22084-00003

FROM: Nisha Sizemore
Chief, Permits Branch
Office of Air Quality

Notice of Decision: Approval – Effective Immediately

Please be advised that on behalf of the Commissioner of the Department of Environmental Management, I have issued a decision regarding the enclosed matter. Pursuant to IC 13-17-3-4 and 326 IAC 2, this permit modification is effective immediately, unless a petition for stay of effectiveness is filed and granted, and may be revoked or modified in accordance with the provisions of IC 13-15-7-1.

If you wish to challenge this decision, IC 4-21.5-3-7 and IC 13-15-7-3 require that you file a petition for administrative review. This petition may include a request for stay of effectiveness and must be submitted to the Office Environmental Adjudication, 100 North Senate Avenue, Government Center North, Room 1049, Indianapolis, IN 46204, **within eighteen (18) days of the mailing of this notice**. The filing of a petition for administrative review is complete on the earliest of the following dates that apply to the filing:

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

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

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

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

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

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

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



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

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Indianapolis, Indiana 46204
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Mr. David Hertzing
Manager of Regulatory Compliance
Countrymark Cooperative, LLP
1200 Refinery Road
Mt. Vernon, IN 47620

June 28, 2006

Re: 055-22084-00003
First Significant Permit Modification to
Part 70 No.: T 055-16571-00003

Dear Mr. Hertzing:

Countrymark Cooperative, LLP, Switz City Terminal was issued a Part 70 Operating Permit on December 28, 2004 for a petroleum storage and transfer unit. An application requesting changes to this permit was received on December 16, 2005. Pursuant to the provisions of 326 IAC 2-7-12 a significant permit modification to this permit is hereby approved as described in the attached Technical Support Document.

The modification consists of changes to the compliance determination and compliance monitoring conditions of the Part 70 Operating Permit. In addition, clarifications to Part 70 Operating Permit language and updates to portions of the Indiana Administrative Code have been included in this modification.

All other conditions of the permit remain unchanged and in effect. The revised Part 70 Operating Permit is being issued for your convenience.

This decision is subject to the Indiana Administrative Orders and Procedures Act - IC 4-21.5-3-5. If you have any questions on this matter, please contact Don Robin, P.E., OAQ, 100 North Senate Avenue, Indianapolis, Indiana, 46204-2251, or call at (800) 451-6027 and ask for Don Robin or extension 3-5691, or dial (317) 233-5691.

Sincerely,

Nisha Sizemore, Chief
Permits Branch
Office of Air Quality

Attachments

DFR

cc: File - Greene County
U.S. EPA, Region V
Greene County Health Department
Air Compliance Inspector – Jim Thorpe
Compliance Data Section
Administrative and Development



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Indianapolis, Indiana 46204
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PART 70 OPERATING PERMIT RENEWAL OFFICE OF AIR QUALITY

**Countrymark Cooperative, LLP
Hwy. 54, 2 miles west of Hwy. 67
Switz City, Indiana 47465**

(herein known as the Permittee) is hereby authorized to operate subject to the conditions contained herein, the source described in Section A (Source Summary) of this permit.

The Permittee must comply with all conditions of this permit. Noncompliance with any provisions of this permit is grounds for enforcement action; permit termination, revocation and reissuance, or modification; or denial of a permit renewal application. Noncompliance with any provision of this permit, except any provision specifically designated as not federally enforceable, constitutes a violation of the Clean Air Act. It shall not be a defense for the Permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit. An emergency does constitute an affirmative defense in an enforcement action provided the Permittee complies with the applicable requirements set forth in Section B, Emergency Provisions.

This permit is issued in accordance with 326 IAC 2 and 40 CFR Part 70 Appendix A and contains the conditions and provisions specified in 326 IAC 2-7 as required by 42 U.S.C. 7401, et. seq. (Clean Air Act as amended by the 1990 Clean Air Act Amendments), 40 CFR Part 70.6, IC 13-15 and IC 13-17.

Operation Permit No.: T 055-16571-00003	
Issued by: Janet G. McCabe, Assistant Commissioner Office of Air Quality	Issuance Date: December 28, 2004 Expiration Date: December 28, 2009
Significant Permit Modification No.: 055-22084-00003	
Issued by: Original signed by Nisha Sizemore, Chief Permits Branch Office of Air Quality	Issuance Date: June 28, 2006 Expiration Date: December 28, 2009

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SECTION A

SOURCE SUMMARY

This permit is based on information requested by the Indiana Department of Environmental Management (IDEM), Office of Air Quality (OAQ). The information describing the source contained in Conditions A.1 through A.3 is descriptive information and does not constitute enforceable conditions. However, the Permittee should be aware that a physical change or a change in the method of operation that may render this descriptive information obsolete or inaccurate may trigger requirements for the Permittee to obtain additional permits or seek modification of this permit pursuant to 326 IAC 2, or change other applicable requirements presented in the permit application.

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

The Permittee owns and operates a stationary bulk storage and wholesale petroleum products distribution source.

Responsible Official:	Vice President
Source Address:	Highway 54, 2 miles west of Hwy 67, Switz City, Indiana 47465
Mailing Address:	1200 Refinery Road, Mt. Vernon, IN 47620
General Source Phone Number:	(812) 838-8191
SIC Code:	5171
County Location:	Greene
Source Location Status:	8-hour ozone basic nonattainment Attainment for all other criteria pollutants
Source Status:	Part 70 Permit Program Major Source, under Emission Offset

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

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

- (a) Four (4) storage tanks, identified as Tanks 60 - 63, installed in 1953, capacity: 982,900 gallons of gasoline or distillates, each.
- (b) One (1) storage tank, identified as Tank 64, installed in 1958, capacity: 2,201,900 gallons of gasoline or distillates.
- (c) One (1) storage tank, identified as Tank 65, installed in 1965, vented to Tank 64, capacity: 397,700 gallons of gasoline or distillates.
- (d) Two (2) storage tanks, identified as Tanks 66A and 66B, installed in 1979 and 1980, capacity: 19,100 gallons of ethanol, each.
- (e) One (1) storage tank, identified as Tank 67, installed in 1988, capacity: 8,200 gallons of additives.
- (f) One (1) submerged gasoline and distillate truck loading rack, identified as loading rack, installed in 2001, equipped with a relief stack, known as 3321-3, a vapor knockout box, and a flare vapor control unit, exhausting through Stack 3321-2, capacity: 46,200 gallons of gasoline or petroleum distillates per hour.
- (g) Fugitives from pump seals, valves and flanges.

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) that have applicable requirements.

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

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

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

SECTION B GENERAL CONDITIONS

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

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

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

- (a) This permit, T055-16571-00003, 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 or of permits issued pursuant to Title IV of the Clean Air Act and 326 IAC 21 (Acid Deposition Control).
- (b) If IDEM, OAQ upon receiving a timely and complete renewal permit application, fails to issue or deny the permit renewal prior to the expiration date of this permit, this existing permit shall not expire and all terms and conditions shall continue in effect, including any permit shield provided in 326 IAC 2-7-15, until the renewal permit has been issued or denied.

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

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

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

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

Unless otherwise stated, all terms and conditions in this permit, including any provisions designed to limit the source's potential to emit, are enforceable by IDEM, the United States Environmental Protection Agency (U.S. EPA) and by citizens in accordance with the Clean Air Act.

B.5 Termination of Right to Operate [326 IAC 2-7-10] [326 IAC 2-7-4(a)]

The Permittee's right to operate this source terminates with the expiration of this permit unless a timely and complete renewal application is submitted at least nine (9) months prior to the date of expiration of the source's existing permit, consistent with 326 IAC 2-7-3 and 326 IAC 2-7-4(a).

B.6 Severability [326 IAC 2-7-5(5)]

The provisions of this permit are severable; a determination that any portion of this permit is invalid shall not affect the validity of the remainder of the permit.

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

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

B.8 Duty to Provide Information [326 IAC 2-7-5(6)(E)]

- (a) The Permittee shall furnish to IDEM, OAQ, within a reasonable time, any information that IDEM, OAQ, may request in writing to determine whether cause exists for modifying, revoking and reissuing, or terminating this permit, or to determine compliance with this permit. The submittal by the Permittee does require the certification by the "responsible official" as defined by 326 IAC 2-7-1(34). Upon request, the Permittee shall also furnish to IDEM, OAQ, copies of records required to be kept by this permit.

- (b) For information furnished by the Permittee to IDEM, OAQ, the Permittee may include a claim of confidentiality in accordance with 326 IAC 17.1. When furnishing copies of requested records directly to U. S. EPA, the Permittee may assert a claim of confidentiality in accordance with 40 CFR 2, Subpart B.

B.9 Certification [326 IAC 2-7-4(f)] [326 IAC 2-7-6(1)] [326 IAC 2-7-5(3)(C)]

- (a) Where specifically designated by this permit or required by an applicable requirement, any application form, report, or compliance certification submitted shall contain certification by a responsible official of truth, accuracy, and completeness. This certification shall state that, based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate, and complete.
- (b) One (1) certification shall be included, using the attached Certification Form, with each submittal requiring certification. 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.10 Annual Compliance Certification [326 IAC 2-7-6(5)]

- (a) The Permittee shall annually submit a compliance certification report which addresses the status of the source's compliance with the terms and conditions contained in this permit, including emission limitations, standards, or work practices. All certifications shall cover the time period from January 1 to December 31 of the previous year, and shall be submitted in letter form no later than July 1 of each year to:

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

and

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

- (b) The annual compliance certification report required by this permit shall be considered timely if the date postmarked on the envelope or certified mail receipt, or affixed by the shipper on the private shipping receipt, is on or before the date it is due. If the document is submitted by any other means, it shall be considered timely if received by IDEM, OAQ, on or before the date it is due.
- (c) The annual compliance certification report shall include the following:
 - (1) The appropriate identification of each term or condition of this permit that is the basis of the certification;
 - (2) The compliance status;
 - (3) Whether compliance was continuous or intermittent;
 - (4) The methods used for determining the compliance status of the source, currently and over the reporting period consistent with 326 IAC 2-7-5(3); and

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

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

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

- (a) If required by specific condition(s) in Section D of this permit, the Permittee shall prepare and maintain Preventive Maintenance Plans (PMPs) within ninety (90) days after issuance of this permit, including the following information on each facility:
- (1) Identification of the individual(s) responsible for inspecting, maintaining, and repairing emission control devices;
 - (2) A description of the items or conditions that will be inspected and the inspection schedule for said items or conditions; and
 - (3) Identification and quantification of the replacement parts that will be maintained in inventory for quick replacement.
- (b) A copy of the PMPs shall be submitted to IDEM, OAQ, upon request and within a reasonable time, and shall be subject to review and approval by IDEM, OAQ. IDEM, OAQ, may require the Permittee to revise its PMPs whenever lack of proper maintenance causes or is the primary contributor to an exceedance of any limitation on emissions or potential to emit. The PMPs do not require the certification by the "responsible official" as defined by 326 IAC 2-7-1(34).
- (c) To the extent the Permittee is required by 40 CFR Part 60/63 to have an Operation Maintenance, and Monitoring (OMM) Plan for a unit, such Plan is deemed to satisfy the PMP requirements of 326 IAC 1-6-3 for that unit.

B.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.
- (b) An emergency, as defined in 326 IAC 2-7-1(12), constitutes an affirmative defense to an action brought for noncompliance with a technology-based emission limitation if the affirmative defense of an emergency is demonstrated through properly signed, contemporaneous operating logs or other relevant evidence that describe the following:
- (1) An emergency occurred and the Permittee can, to the extent possible, identify the causes of the emergency;
 - (2) The permitted facility was at the time being properly operated;
 - (3) During the period of an emergency, the Permittee took all reasonable steps to minimize levels of emissions that exceeded the emission standards or other requirements in this permit;
 - (4) For each emergency lasting one (1) hour or more, the Permittee notified IDEM, OAQ, within four (4) daytime business hours after the beginning of the emergency, or after the emergency was discovered or reasonably should have been discovered;

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

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

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

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

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

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

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

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

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

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

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

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

B.14 Prior Permits Superseded [326 IAC 2-1.1-9.5] [326 IAC 2-7-10.5]

- (a) All terms and conditions of permits established prior to T055-16571-00003 and issued pursuant to permitting programs approved into the state implementation plan have been either:
- (1) incorporated as originally stated,
 - (2) revised under 326 IAC 2-7-10.5, or
 - (3) deleted under 326 IAC 2-7-10.5.
- (b) Provided that all terms and conditions are accurately reflected in this permit, all previous registrations and permits are superseded by this Part 70 operating permit, except for permits issued pursuant to Title IV of the Clean Air Act and 326 IAC 21 (Acid Deposition Control).

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

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

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

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

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

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

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

- (a) This permit may be modified, reopened, revoked and reissued, or terminated for cause. The filing of a request by the Permittee for a Part 70 permit modification, revocation and reissuance, or termination, or of a notification of planned changes or anticipated noncompliance does not stay any condition of this permit. [326 IAC 2-7-5(6)(C)] The notification by the Permittee does require the certification by the "responsible official" as defined by 326 IAC 2-7-1(34).
- (b) This permit shall be reopened and revised under any of the circumstances listed in IC 13-15-7-2 or if IDEM, OAQ, determines any of the following:
- (1) That this permit contains a material mistake.
 - (2) That inaccurate statements were made in establishing the emissions standards or other terms or conditions.
 - (3) That this permit must be revised or revoked to assure compliance with an applicable requirement. [326 IAC 2-7-9(a)(3)]

- (c) Proceedings by IDEM, OAQ, to reopen and revise this permit shall follow the same procedures as apply to initial permit issuance and shall affect only those parts of this permit for which cause to reopen exists. Such reopening and revision shall be made as expeditiously as practicable. [326 IAC 2-7-9(b)]
- (d) The reopening and revision of this permit, under 326 IAC 2-7-9(a), shall not be initiated before notice of such intent is provided to the Permittee by IDEM, OAQ, at least thirty (30) days in advance of the date this permit is to be reopened, except that IDEM, OAQ, may provide a shorter time period in the case of an emergency. [326 IAC 2-7-9(c)]

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

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

Request for renewal shall be submitted to:

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

- (b) A timely renewal application is one that is:
 - (1) Submitted at least nine (9) months prior to the date of the expiration of this permit; and
 - (2) If the date postmarked on the envelope or certified mail receipt, or affixed by the shipper on the private shipping receipt, is on or before the date it is due. If the document is submitted by any other means, it shall be considered timely if received by IDEM, OAQ on or before the date it is due.
- (c) If the Permittee submits a timely and complete application for renewal of this permit, the source's failure to have a permit is not a violation of 326 IAC 2-7 until IDEM, OAQ takes final action on the renewal application, except that this protection shall cease to apply if, subsequent to the completeness determination, the Permittee fails to submit by the deadline specified in writing by IDEM, OAQ any additional information identified as being needed to process the application.

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

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

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

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

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

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

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

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

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

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

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

and

United States Environmental Protection Agency, Region V
Air and Radiation Division, Regulation Development Branch - Indiana (AR-18J)
77 West Jackson Boulevard
Chicago, Illinois 60604-3590

in advance of the change by written notification at least ten (10) days in advance of the proposed change. The Permittee shall attach every such notice to the Permittee's copy of this permit; and

- (5) The Permittee maintains records on-site, on a rolling five (5) year basis, which document all such changes and emission trades that are subject to 326 IAC 2-7-

20(b), (c), or (e). The Permittee shall make such records available, upon reasonable request, for public review.

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

- (b) The Permittee may make Section 502(b)(10) of the Clean Air Act changes (this term is defined at 326 IAC 2-7-1(36)) without a permit revision, subject to the constraint of 326 IAC 2-7-20(a). For each such Section 502(b)(10) of the Clean Air Act change, the required written notification shall include the following:
- (1) A brief description of the change within the source;
 - (2) The date on which the change will occur;
 - (3) Any change in emissions; and
 - (4) Any permit term or condition that is no longer applicable as a result of the change.

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

- (c) Emission Trades [326 IAC 2-7-20(c)]
The Permittee may trade emissions increases and decreases at 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.21 Source Modification Requirement [326 IAC 2-7-10.5]

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

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

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

- (a) Enter upon the Permittee's premises where a Part 70 source is located, or emissions related activity is conducted, or where records must be kept under the conditions of this permit;
- (b) As authorized by the Clean Air Act, IC 13-14-2-2, IC 13-17-3-2, and IC 13-30-3-1, have access to and copy any records that must be kept under the conditions of this permit;
- (c) As authorized by the Clean Air Act, IC 13-14-2-2, IC 13-17-3-2, and IC 13-30-3-1, inspect any facilities, equipment (including monitoring and air pollution control equipment), practices, or

operations regulated or required under this permit;

- (d) As authorized by the Clean Air Act, IC 13-14-2-2, IC 13-17-3-2, and IC 13-30-3-1, sample or monitor substances or parameters for the purpose of assuring compliance with this permit or applicable requirements; and
- (e) As authorized by the Clean Air Act, IC 13-14-2-2, IC 13-17-3-2, and IC 13-30-3-1, utilize any photographic, recording, testing, monitoring, or other equipment for the purpose of assuring compliance with this permit or applicable requirements.

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

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

Indiana Department of Environmental Management
Permits Branch, Office of Air Quality
100 North Senate Avenue
Indianapolis, Indiana 46204-2251
The application which shall be submitted by the Permittee does require the certification by the "responsible official" as defined by 326 IAC 2-7-1(34).
- (c) The Permittee may implement administrative amendment changes addressed in the request for an administrative amendment immediately upon submittal of the request. [326 IAC 2-7-11(c)(3)]

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

- (a) The Permittee shall pay annual fees to IDEM, OAQ, within thirty (30) calendar days of receipt of a billing. Pursuant to 326 IAC 2-7-19(b), if the Permittee does not receive a bill from IDEM, OAQ, the applicable fee is due April 1 of each year.
- (b) Except as provided in 326 IAC 2-7-19(e), failure to pay may result in administrative enforcement action or revocation of this permit.
- (c) The Permittee may call the following telephone numbers: 1-800-451-6027 or 317-233-4230 (ask for OAQ, Billing, Licensing, and Training Section), to determine the appropriate permit fee.

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

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

SECTION C

SOURCE OPERATION CONDITIONS

Entire Source

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

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

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

C.2 Opacity [326 IAC 5-1]

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

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

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

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

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

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

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

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

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

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

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

- (a) Notification requirements apply to each owner or operator. If the combined amount of regulated asbestos containing material (RACM) to be stripped, removed or disturbed is at least 260 linear feet on pipes or 160 square feet on other facility components, or at least thirty-five (35) cubic feet on all facility components, then the notification requirements of 326 IAC 14-10-3 are mandatory. All demolition projects require notification whether or not asbestos is present.

- (b) The Permittee shall ensure that a written notification is sent on a form provided by the Commissioner at least ten (10) working days before asbestos stripping or removal work or before demolition begins, per 326 IAC 14-10-3, and shall update such notice as necessary, including, but not limited to the following:
- (1) When the amount of affected asbestos containing material increases or decreases by at least twenty percent (20%); or
 - (2) If there is a change in the following:
 - (A) Asbestos removal or demolition start date;
 - (B) Removal or demolition contractor; or
 - (C) Waste disposal site.
- (c) The Permittee shall ensure that the notice is postmarked or delivered according to the guidelines set forth in 326 IAC 14-10-3(2).
- (d) The notice to be submitted shall include the information enumerated in 326 IAC 14-10-3(3).

All required notifications shall be submitted to:

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

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

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

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

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

- (a) All testing shall be performed according to the provisions of 326 IAC 3-6 (Source Sampling)

Procedures), except as provided elsewhere in this permit, utilizing any applicable procedures and analysis methods specified in 40 CFR 51, 40 CFR 60, 40 CFR 61, 40 CFR 63, 40 CFR 75, or other procedures approved by IDEM, OAQ.

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

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

no later than thirty-five (35) days prior to the intended test date. The protocol submitted by the Permittee does not require certification by the "responsible official" as defined by 326 IAC 2-7-1(34).

- (b) The Permittee shall notify IDEM, OAQ of the actual test date at least fourteen (14) days prior to the actual test date. The notification submitted by the Permittee does not require certification by the "responsible official" as defined by 326 IAC 2-7-1(34).
- (c) Pursuant to 326 IAC 3-6-4(b), all test reports must be received by IDEM, OAQ not later than forty-five (45) days after the completion of the testing. An extension may be granted by IDEM, OAQ, if the Permittee submits to IDEM, OAQ, a reasonable written explanation not later than five (5) days prior to the end of the initial forty-five (45) day period.

Compliance Requirements [326 IAC 2-1.1-11]

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

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

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

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

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

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

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

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

Unless otherwise specified in the approval for the new emission unit(s), compliance monitoring for

new emission units or emission units added through a source modification shall be implemented when operation begins.

C.11 Monitoring Methods [326 IAC 3] [40 CFR 60] [40 CFR 63]

Any monitoring or testing required by Section D of this permit shall be performed according to the provisions of 326 IAC 3, 40 CFR 60, Appendix A, 40 CFR 60 Appendix B, 40 CFR 63, or other approved methods as specified in this permit.

C.12 Instrument Specifications [326 IAC 2-1.1-11] [326 IAC 2-7-5(3)][326 IAC 2-7-6(1)]

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

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

C.13 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 46204-2251

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

The ERP does require the certification by the "responsible official" as defined by 326 IAC 2-7-1(34).
- (c) If the ERP is disapproved by IDEM, OAQ, the Permittee shall have an additional thirty (30) days to resolve the differences and submit an approvable ERP.
- (d) These ERPs shall state those actions that will be taken, when each episode level is declared, to reduce or eliminate emissions of the appropriate air pollutants.
- (e) Said ERPs shall also identify the sources of air pollutants, the approximate amount of reduction of the pollutants, and a brief description of the manner in which the reduction will be achieved.
- (f) Upon direct notification by IDEM, OAQ, that a specific air pollution episode level is in effect, the Permittee shall immediately put into effect the actions stipulated in the approved ERP for the appropriate episode level. [326 IAC 1-5-3]

C.14 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.15 Response to Excursions or Exceedances [326 IAC 2-7-5] [326 IAC 2-7-6]

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

C.16 Actions Related to Noncompliance Demonstrated by a Stack Test [326 IAC 2-7-5] [326 IAC 2-7-6]

- (a) When the results of a stack test performed in conformance with Section C - Performance Testing, of this permit exceed the level specified in any condition of this permit, the Permittee shall take appropriate response actions. The Permittee shall submit a description of these response actions to IDEM, OAQ, within thirty (30) days of receipt of the test results. The Permittee shall take appropriate action to minimize excess emissions from the affected facility while the response actions are being implemented.
- (b) A retest to demonstrate compliance shall be performed within one hundred twenty (120) days of receipt of the original test results. Should the Permittee demonstrate to IDEM, OAQ that

retesting in one-hundred and twenty (120) days is not practicable, IDEM, OAQ may extend the retesting deadline.

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

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

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

C.17 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)(3), starting in 2006 and every three (3) years thereafter, the Permittee shall submit by July 1 an emission statement covering the previous calendar year. The emission statement shall contain, at a minimum, the information specified in 326 IAC 2-6-4(c) and shall meet the following requirements:

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

The statement must be submitted to:

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

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

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

C.18 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 makes a request for records to the Permittee, the Permittee shall furnish the records to the Commissioner within a reasonable time.
- (b) Unless otherwise specified in this permit, all record keeping requirements not already legally required shall be implemented within ninety (90) days of permit issuance.
- (c) If there is a reasonable possibility that a "project" (as defined in 326 IAC 2-2-1 (qq) and/or 326 IAC 2-3-1 (ll)) 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) and/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 IAC2-2-1 (rr) and/or 326 IAC2-3-1 (mm)), the Permittee shall comply with following:

- (1) Before beginning actual construction of the "project" (as defined in 326 IAC 2-2-1 (qq) and/or 326 IAC 2-3-1 (ll)) at an existing emissions unit, document and maintain the following records:
 - (A) A description of the project.
 - (B) Identification of any emissions unit whose emissions of a regulated new source review pollutant could be affected by the project.
 - (C) A description of the applicability test used to determine that the project is not a major modification for any regulated NSR pollutant, including:
 - (i) Baseline actual emissions;
 - (ii) Projected actual emissions;
 - (iii) Amount of emissions excluded under section 326 IAC 2-2-1(rr)(2)(A)(iii) and/or 326 IAC 2-3-1(mm)(2)(A)(3) ; and
 - (iv) An explanation for why the amount was excluded, and any netting calculations, if applicable.
- (2) Monitor the emissions of any regulated NSR pollutant that could increase as a result of the project and that is emitted by any existing emissions unit identified in (1)(B) above; and
- (3) Calculate and maintain a record of the annual emissions, in tons per year on a calendar year basis, for a period of 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.19 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
- (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) Reporting periods are based on calendar years, unless otherwise specified in this permit. For the purpose of this permit "calendar year" means the twelve (12) month period from January 1 to December 31 inclusive.
- (f) If the Permittee is required to comply with the recordkeeping provisions of (c) in Section C- General Record Keeping Requirements for any "project" (as defined in 326 IAC 2-2-1 (qq) and/or 326 IAC 2-3-1 (ll)) at an existing emissions unit, and the project meets the following criteria, then the Permittee shall submit a report to IDEM, OAQ:
 - (1) The annual emissions, in tons per year, from the project identified in (c)(1) in Section C- General Record Keeping Requirements exceed the baseline actual emissions, as documented and maintained under Section C- General Record Keeping Requirements (c)(1)(C)(i), by a significant amount, as defined in 326 IAC 2-2-1 (xx) and/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

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

Stratospheric Ozone Protection

C.20 Compliance with 40 CFR 82 and 326 IAC 22-1

Pursuant to 40 CFR 82 (Protection of Stratospheric Ozone), Subpart F, except as provided for motor vehicle air conditioners in Subpart B, the Permittee shall comply with the standards for recycling and emissions reduction:

- (a) Persons opening appliances for maintenance, service, repair, or disposal must comply with the required practices pursuant to 40 CFR 82.156.
- (b) Equipment used during the maintenance, service, repair, or disposal of appliances must comply with the standards for recycling and recovery equipment pursuant to 40 CFR 82.158.

- (c) Persons performing maintenance, service, repair, or disposal of appliances must be certified by an approved technician certification program pursuant to 40 CFR 82.161.

SECTION D.1

FACILITY OPERATION CONDITIONS

Facility Description [326 IAC 2-7-5(15)]: Loading Rack and Storage Tanks

- (a) Four (4) storage tanks, identified as Tanks 60 - 63, installed in 1953, capacity: 982,900 gallons of gasoline or distillates, each.
- (b) One (1) storage tank, identified as Tank 64, installed in 1958, capacity: 2,201,900 gallons of gasoline or distillates.
- (c) One (1) storage tank, identified as Tank 65, installed in 1965, vented to Tank 64, capacity: 397,700 gallons of gasoline or distillates.
- (d) Two (2) storage tanks, identified as Tanks 66A and 66B, installed in 1979 and 1980, capacity: 19,100 gallons of ethanol, each.
- (e) One (1) storage tank, identified as Tank 67, installed in 1988, capacity: 8,200 gallons of additives.
- (f) One (1) submerged gasoline and distillate truck loading rack, identified as loading rack, installed in 2001, equipped with a relief stack, known as 3321-3, a vapor knockout box, and a flare vapor control unit, exhausting through Stack 3321-2, capacity: 46,200 gallons of gasoline or petroleum distillates per hour.
- (g) Fugitives from pump seals, valves and flanges.

(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 VOC Limitation [326 IAC 2-2]

- (a) The throughput of additives to Tank 67 shall be limited to less than 7,900,000 gallons per twelve (12) consecutive months with compliance determined at the end of each month.
- (b) Compliance with this limit is equivalent to total VOC emissions from Tank 67 (standing and working losses) of less than forty (40) tons per year. Therefore, the requirements of 326 IAC 2-2 are not applicable.

D.1.2 General Provisions Relating to NSPS [326 IAC 12-1] [40 CFR 60, Subpart A]

The provisions of 40 CFR 60 Subpart A - General Provisions, which are incorporated as 326 IAC 12-1, apply to the submerged gasoline and distillate truck loading rack, identified as loading rack, described in this section except when otherwise specified in 40 CFR Part 60.500, Subpart XX.

D.1.3 Standard for Volatile Organic Compound (VOC) Emissions From Bulk Gasoline Terminals, Subpart XX [40 CFR 60.502] [326 IAC 12-1]

The Permittee of each bulk gasoline terminal containing an affected facility shall comply with the following requirements:

- (a) Each affected facility shall be equipped with a vapor collection system designed to collect the total organic compounds vapors displaced from tank trucks during product loading.
- (b) The emissions to the atmosphere from the vapor collection system due to the loading of liquid product into gasoline tank trucks are not to exceed thirty-five (35) milligrams of total organic compounds per liter of gasoline loaded.

- (c) Each vapor collection system shall be designed to prevent any total organic compounds vapors collected at one loading rack from passing to another loading rack.
- (d) Loadings of liquid product into gasoline tank trucks shall be limited to vapor-tight gasoline tank trucks using the following procedures:
 - (1) The Permittee shall obtain the vapor tightness documentation described in 40 CFR 60.505(b) for each gasoline tank truck which is to be loaded at the affected facility.
 - (2) The Permittee shall require the tank identification number to be recorded as each gasoline tank truck is loaded at the affected facility.
 - (3) The Permittee shall cross-check each tank identification number obtained in paragraph (d)(2) with the file of tank vapor tightness documentation within two (2) weeks after the corresponding tank is loaded, unless either of the following conditions is maintained:
 - (A) If less than an average of one gasoline tank truck per month over the last twenty-six (26) weeks is loaded without vapor tightness documentation then the documentation cross-check shall be performed each quarter; or
 - (B) If less than an average of one gasoline tank truck per month over the last fifty-two (52) weeks is loaded without vapor tightness documentation then the documentation cross-check shall be performed semiannually.

If either the quarterly or semiannual cross-check provided in paragraphs (d)(3) (A) and (B) reveals that these conditions were not maintained, the source must return to biweekly monitoring until such time as these conditions are again met.

 - (4) The terminal Permittee shall notify the Permittee of each non-vapor-tight gasoline tank truck loaded at the affected facility within one (1) week of the documentation cross-check in paragraph (d)(3) of this section.
 - (5) The terminal Permittee shall take steps assuring that the nonvapor-tight gasoline tank truck will not be reloaded at the affected facility until vapor tightness documentation for that tank is obtained.
 - (6) Alternate procedures to those described in paragraphs (d)(1) through (5) for limiting gasoline tank truck loadings may be used upon application to, and approval by, the Administrator.
- (e) The Permittee shall act to assure that loadings of gasoline tank trucks at the affected facility are made only into tanks equipped with vapor collection equipment that is compatible with the terminal's vapor collection system.
- (f) The Permittee shall act to assure that the terminal's and the tank truck's vapor collection systems are connected during each loading of a gasoline tank truck at the affected facility. Examples of actions to accomplish this include training drivers in the hookup procedures and posting visible reminder signs at the affected loading racks.
- (g) The vapor collection and liquid loading equipment shall be designed and operated to prevent gauge pressure in the delivery tank from exceeding 4,500 pascals (450 mm of water) during product loading. This level is not to be exceeded when measured by the procedures specified in 40 CFR 60.503(d).

- (h) No pressure-vacuum vent in the bulk gasoline terminal's vapor collection system shall begin to open at a system pressure less than 4,500 pascals (450 mm of water).
- (i) Each calendar month, the vapor collection system, the vapor processing system, and each loading rack handling gasoline shall be inspected during the loading of gasoline tank trucks for total organic compounds liquid or vapor leaks. For purposes of this paragraph, detection methods incorporating sight, sound, or smell are acceptable. Each detection of a leak shall be recorded and the source of the leak repaired within fifteen (15) calendar days after it is detected.

D.1.4 Hazardous Air Pollutants [326 IAC 20-1] [40 CFR Part 63, Subpart R]

The hazardous air pollutant emissions from the entire source shall be limited as follows to make the requirements of 40 CFR Part 63 Subpart R [National Emission Standards for Gasoline Distribution Facilities (Bulk Gasoline Terminals and Pipeline Breakout Stations)] and 326 IAC 20-1 not applicable:

- (a) The input of gasoline to the entire source is limited to 297,619,048 gallons per consecutive twelve (12) month period with compliance determined at the end of each month.
- (b) One (1) gallon of gasoline delivered to the loading rack is equivalent to 0.008854 gallons of gasoline.
- (c) One (1) gallon of gasoline throughput to Tanks 63 and/or 64 is equivalent to one (1) gallon of gasoline.
- (d) One (1) gallon of gasoline throughput to Tank 65 is equivalent to 1.0417 gallons of gasoline.
- (e) This limitation is equivalent to both a potential to emit of a greatest single HAP of less than ten (10) tons and 23.3 tons of combined HAPs per twelve (12) consecutive month period.

D.1.5 Volatile Organic Compounds (VOC) [326 IAC 8-4-4]

Pursuant to 326 IAC 8-4-4 (Bulk gasoline terminals):

- (a) No owner or operator of a bulk gasoline terminal shall permit the loading of gasoline into any transport, excluding railroad tank cars, or barges, unless:
 - (1) The bulk gasoline terminal is equipped with a vapor control system, in good working order, in operation and consisting of one of the following:
 - (A) An adsorber or condensation system which processes and recovers vapors and gases from the equipment being controlled, releasing no more than 80 milligrams per liter of VOC to the atmosphere.
 - (B) A vapor collection system which directs all vapors to a fuel gas system or incinerator.
 - (C) An approved control system, demonstrated to have control efficiency equivalent to or greater than clause (A) above.
 - (2) Displaced vapors and gases are vented only to the vapor control system.
 - (3) A means is provided to prevent liquid drainage from the loading device when it is not in use or to accomplish complete drainage before the loading device is disconnected.
 - (4) All loading and vapor lines are equipped with fittings which make vapor-tight connections and which will be closed upon disconnection.

- (b) If employees of the owner of the bulk gasoline terminal are not present during loading, it shall be the responsibility of the owner of the transport to make certain the vapor control system is attached to the transport. The owner of the terminal shall take all reasonable steps to insure that owners of transports loading at the terminal during unsupervised times comply with this section.

D.1.6 Volatile Organic Compounds (VOC) [326 IAC 8-4-9]

Pursuant to 326 IAC 8-4-9 (Leaks from transports and vapor collection systems, records) the source will operate a vapor control system. The requirements are as follows:

- (a) This section is applicable to the following:
 - (1) All vapor balance systems and vapor control systems at sources subject to sections 4 through 6 of this rule.
 - (2) All gasoline transports subject to section 7 of this rule.
- (b) No person shall allow a gasoline transport that is subject to this rule and that has a capacity of two thousand (2,000) gallons or more to be filled or emptied unless the gasoline transport completes the following:
 - (1) Annual leak detection testing before the end of the twelfth calendar month following the previous year's test, according to test procedures contained in 40 CFR 63.425 (e), as follows:
 - (A) Conduct the pressure and vacuum tests for the transport's cargo tank using a time period of five (5) minutes. The initial pressure for the pressure test shall be four hundred sixty (460) millimeters H₂O (eighteen (18) inches H₂O) gauge. The initial vacuum for the vacuum test shall be one hundred fifty (150) millimeters H₂O (six (6) inches H₂O) gauge. The maximum allowable pressure or vacuum change is twenty-five (25) millimeters H₂O (one (1) inch H₂O) in five (5) minutes.
 - (B) Conduct the pressure test of the cargo tank's internal vapor valve as follows:
 - (i) After completing the test under clause (A), use the procedures in 40 CFR 60, Appendix A, Method 27 to repressurize the tank to four hundred sixty (460) millimeters H₂O (eighteen (18) inches H₂O) gauge. Close the transport's internal vapor valve or valves, thereby isolating the vapor return line and manifold from the tank.
 - (ii) Relieve the pressure in the vapor return line to atmospheric pressure, then reseal the line. After five (5) minutes, record the gauge pressure in the vapor return line and manifold. The maximum allowable five (5) minute pressure increase is one hundred thirty (130) millimeters H₂O (five (5) inches H₂O).
 - (2) Repairs by the gasoline transport owner or operator, if the transport does not meet the criteria of subdivision (1), and retesting to prove compliance with the criteria of subdivision (1).
- (c) The annual test data remain valid until the end of the twelfth calendar month following the test. The owner of the gasoline transport shall be responsible for compliance with subsection (b) and shall provide the owner of the loading facility with the most recent valid modified 40

CFR 60, Appendix A, Method 27 test results upon request. The owner of the loading facility shall take all reasonable steps, including reviewing the test date and tester's signature, to ensure that gasoline transports loading at its facility comply with subsection (b).

- (d) The owner or operator of a vapor balance system or vapor control system subject to this rule shall:
- (1) design and operate the applicable system and the gasoline loading equipment in a manner that prevents:
 - (A) gauge pressure from exceeding four thousand five hundred (4,500) pascals (eighteen (18) inches of H₂O) and a vacuum from exceeding one thousand five hundred (1,500) pascals (six (6) inches of H₂O) in the gasoline transport;
 - (B) except for sources subject to 40 CFR 60.503(b) (NESHAP/MACT) or 40 CFR 63. 425(a) (New Source Performance Standards) requirements, a reading equal to or greater than twenty-one thousand (21,000) parts per million as propane, from all points on the perimeter of a potential leak source when measured by the method referenced in 40 CFR 60, Appendix A, Method 21, or an equivalent procedure approved by the commissioner during loading or unloading operations at gasoline dispensing facilities, bulk plants, and bulk terminals; and
 - (C) avoidable visible liquid leaks during loading or unloading operations at gasoline dispensing facilities, bulk plants, and bulk terminals; and
 - (2) within fifteen (15) days, repair and retest a vapor balance, collection, or control system that exceeds the limits in subdivision (1).
- (e) The department may, at any time, monitor a gasoline transport, vapor balance, or vapor control system to confirm continuing compliance with subsection (b) or (c).
- (f) The owner or operator of a vapor balance or vapor control system subject to this section shall maintain records of all certification testing. The records shall identify the following:
- (1) The vapor balance, vapor collection, or vapor control system.
 - (2) The date of the test and, if applicable, retest.
 - (3) The results of the test and, if applicable, retest.
- The records shall be maintained in a legible, readily available condition for at least two (2) years after the date the testing and, if applicable, retesting were completed.
- (g) The owner or operator of a gasoline transport subject to this section shall keep a legible copy of the transport's most recent valid annual modified 40 CFR 60, Appendix A, Method 27 test either in the cab of the transport or affixed to the transport trailer. The test record shall identify the following:
- (1) The gasoline transport.
 - (2) The type and date of the test and, if applicable, date of retest.
 - (3) The test methods, test data, and results certified as true, accurate, and in compliance with this rule by the person who performs the test.

This copy shall be made available immediately upon request to the department and to the owner of the loading facility for inspection and review. The department shall be allowed to make copies of the test results.

- (h) If the commissioner allows alternative test procedures in subsection (b)(1) or (d)(1)(B), such method shall be submitted to the U.S. EPA as a SIP revision.
- (i) During compliance tests conducted under 326 IAC 3-6 (stack testing), each vapor balance or control system shall be tested applying the standards described in subsection (d)(1)(B). Testers shall use 40 CFR 60, Appendix A, Method 21 to determine if there are any leaks from the hatches and the flanges of the gasoline transports. If any leak is detected, the transport cannot be used for the capacity of the compliance test of the bulk gas terminal. The threshold for leaks shall be as follows:
 - (1) Five hundred (500) parts per million methane for all bulk gas terminals subject to NESHAP/MACT (40 CFR 63, Subpart R).
 - (2) Ten thousand (10,000) parts per million methane for all bulk gas terminals subject to a New Source Performance Standard.

D.1.7 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 the gasoline loading rack and its control device.

Compliance Determination Requirements

D.1.8 VOC and HAPs

In order to comply with Condition D.1.3, the flare vapor control unit for VOC and HAPs control shall be in operation and control emissions from the loading rack at all times when the loading rack is in operation.

D.1.9 Testing Requirements [326 IAC 2-7-6(1)] [326 IAC 2-1.1-11] [Subpart XX] [40 CFR 60.503] [326 IAC 12-1]

Prior to November 7, 2007, which is five (5) years from the last valid compliance demonstration, in order to demonstrate compliance with NSPS Subpart XX, the Permittee shall perform testing utilizing the methods and procedures specified in Condition D.1.10. This test shall be repeated at least once every five (5) years from the date of this valid compliance demonstration.

D.1.10 Test Methods and Procedures, Subpart XX [40 CFR 60.503] [326 IAC 12-1]

- (a) In conducting the performance tests required in 40 CFR 60.8, the Permittee shall use as reference methods and procedures the test methods in Appendix A of this part or other methods and procedures as specified in this section, except as provided in 40 CFR 60.8(b). The three-run requirement of 40 CFR 60.8(f) does not apply to this subpart.
- (b) Immediately before the performance test required to determine compliance with 40 CFR 60.502(b), (c), and (h), the Permittee shall use Method 21 to monitor for leakage of vapor all potential sources in the terminal's vapor collection system equipment while a gasoline tank truck is being loaded. The Permittee shall repair all leaks with readings of 10,000 ppm (as methane) or greater before conducting the performance test.
- (c) The Permittee shall determine compliance with the standards in 40 CFR 60.502 (b) and (c) as follows:
 - (1) The performance test shall be 6 hours long during which at least 300,000 liters of

gasoline is loaded. If this is not possible, the test may be continued the same day until 300,000 liters of gasoline is loaded or the test may be resumed the next day with another complete 6-hour period. In the latter case, the 300,000-liter criterion need not be met. However, as much as possible, testing should be conducted during the 6-hour period in which the highest throughput normally occurs.

- (2) If the vapor processing system is intermittent in operation, the performance test shall begin at a reference vapor holder level and shall end at the same reference point. The test shall include at least two startups and shutdowns of the vapor processor. If this does not occur under automatically controlled operations, the system shall be manually controlled.
- (3) The emission rate (E) of total organic compounds shall be computed using the following equation:

$$E = K \sum_{i=1}^n \frac{V_{esi} \cdot C_{ei}}{L \cdot 10^6}$$

where: E = emission rate of total organic compounds, mg/liter of gasoline loaded.

V_{esi} = volume of air-vapor mixture exhausted at each interval "i", scm.

C_{ei} = concentration of total organic compounds at each interval "i", ppm.

L = total volume of gasoline loaded, liters.

n = number of testing intervals.

i = emission testing interval of 5 minutes.

K = density of calibration gas, 1.83×10^6 for propane and 2.41×10^6 for butane, mg/scm.

- (4) The performance test shall be conducted in intervals of 5 minutes. For each interval "i", readings from each measurement shall be recorded, and the volume exhausted (V_{esi}) and the corresponding average total organic compounds concentration (C_{ei}) shall be determined. The sampling system response time shall be considered in determining the average total organic compounds concentration corresponding to the volume exhausted.
- (5) The following methods shall be used to determine the volume (V_{esi}) air-vapor mixture exhausted at each interval:
 - (i) Method 2B shall be used for combustion vapor processing systems.
 - (ii) Method 2A shall be used for all other vapor processing systems.
- (6) Method 25A or 25B shall be used for determining the total organic compounds concentration (C_{ei}) at each interval. The calibration gas shall be either propane or butane. The Permittee may exclude the methane and ethane content in the exhaust vent by any method (e.g., Method 18) approved by the Administrator.
- (7) To determine the volume (L) of gasoline dispensed during the performance test

period at all loading racks whose vapor emissions are controlled by the processing system being tested, terminal records or readings from gasoline dispensing meters at each loading rack shall be used.

- (d) The Permittee shall determine compliance with the standard in 40 CFR 60.502(h) as follows:
- (1) A pressure measurement device (liquid manometer, magnehelic gauge, or equivalent instrument), capable of measuring up to 500 mm of water gauge pressure with " 2.5 mm of water precision, shall be calibrated and installed on the terminal's vapor collection system at a pressure tap located as close as possible to the connection with the gasoline tank truck.
 - (2) During the performance test, the pressure shall be recorded every 5 minutes while a gasoline truck is being loaded; the highest instantaneous pressure that occurs during each loading shall also be recorded. Every loading position must be tested at least once during the performance test.

D.1.11 Monitoring

- (a) Measure the monthly flow rate of gasoline, petroleum distillate and additives to the loading rack and storage tanks.
- (b) Calibrate the flow meters on the loading rack at least once per quarter. The instrument used for determining the flow rate shall comply with Section C - Instrument Specifications, of this permit, shall be subject to approval by IDEM, OAQ.

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

D.1.12 Broken or Failed Flow Gauge Detection

In the event that a flow meter failure has been observed, the affected compartments of the loading rack associated with that flow meter will be shut down immediately until the failed flow meter has been repaired or replaced. Within eight (8) business hours of the determination of failure, response steps according to the timetable described in the Response to Excursions or Exceedances shall be initiated.

For any failure with corresponding response steps and timetable not described in the Response to Excursions or Exceedances, response steps shall be devised within eight (8) business hours of discovery of the failure and shall include a timetable for completion. Failure to take response steps in accordance with Section C - Response to Excursions or Exceedances shall be considered a deviation from this permit. If operations continue after bag failure is observed and it will be ten (10) days or more after the failure is observed before the failed units will be repaired or replaced, the Permittee shall promptly notify the IDEM, OAQ of the expected date the failed units will be repaired or replaced. The notification shall also include the status of the applicable compliance monitoring parameters with respect to normal, and the results of any response actions taken up to the time of notification.

D.1.13 Flame Detection and Flare Operation

To document compliance with Condition D.1.8, the Permittee shall perform daily checks of the key operating parameters, including flame presence and temperature at the combustion zone.

Compliance Assurance Monitoring Requirements

D.1.14 Monitoring Determination Method [40 CFR 64]

Pursuant to 40 CFR 64:

- (a) The Permittee shall monitor the flare vapor control unit as follows:
 - (1) Daily inspection for:

- (A) flame presence
- (B) flame appearance
- (C) temperature at the combustion zone
- (2) Weekly inspections of the pilot fuel tank
- (3) Monthly inspections of the vapor collection system during truck loading
- (4) Annual inspections of the knock out tank

**Record Keeping and Reporting Requirements [326 IAC 2-7-5(3)] [326 IAC 2-7-19] [326 IAC 13-3-4]
[40 CFR Part 60.110]**

D.1.15 Record Keeping Requirements

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- (a) To document compliance with Condition D.1.1, the Permittee shall maintain records of the throughput of additives to Tank 67 on a monthly basis.
 - (b) To document compliance with Condition D.1.4, the Permittee shall maintain records at the facility of the materials used that contain any HAPs. The records shall be complete and sufficient to establish compliance with the HAP usage limits and/or HAP emission limits that may be established in this permit. The records shall contain a minimum of the following:
 - (1) The HAP/VOC ratio of each fuel received;
 - (2) The weight of HAPs emitted for each compliance period, considering capture and control efficiency, if applicable; and
 - (3) Identification of the facility or facilities associated with the usage of each HAP.
 - (c) Transfer documents shall be kept for all gasoline distributed to Clark or Floyd Counties between May 1 and September 15 of each year unless the gasoline is being dispensed into motor vehicles or purchased by a consumer at a retail or wholesale outlet. All compliant fuel shall be segregated from noncompliant fuel and labeled. Records shall be maintained for a minimum of two (2) years. These records shall accompany every shipment of gasoline after it has been dispensed by the refinery, and shall contain at minimum, the following:
 - (1) The date of all transfers.
 - (2) The volume of the gasoline that was transferred.
 - (3) The volume and percentage of ethanol if ethanol blended, with a date and location of blending.
 - (4) The location and time of transfer.
 - (5) A statement certifying that the gasoline has an RVP of seven and eight-tenths (7.8) pounds per square inch of less per gallon or is ethanol blended or is certified as RFG.
 - (d) The Permittee shall maintain records at the source sufficient to demonstrate compliance with 40 CFR Part 60.110 (NSPS Subpart K) for Storage Tanks, 66A and 66B, only.

- (e) To document compliance with Condition D.1.6, the Permittee shall maintain records of the:
 - (1) Certification testing required under Condition D.1.6(f), and
 - (2) Test required under Condition D.1.6(g).
- (f) To document compliance with Condition D.1.11, the Permittee shall maintain records of the daily flow notations of the gasoline loading rack flow gauges required under Condition D.1.11.
- (g) To document compliance with Conditions D.1.13 and D.1.14(a)(1), the Permittee shall maintain records of the daily check of the key flare operating parameters required under Conditions D.1.13 and D.1.14(a)(1).
- (h) To document compliance with Condition D.1.14(a)(2), (3) and (4), the Permittee shall maintain records of the:
 - (1) Weekly inspections of the pilot fuel tank,
 - (2) Monthly inspections of the vapor collection system during truck loading, and
 - (3) Annual inspections of the knock out tank.
- (i) All records shall be maintained in accordance with Section C - General Record Keeping Requirements, of this permit.

D.1.16 Reporting Requirements

A quarterly summary of the information to document compliance with Conditions D.1.1 and D.1.4 shall be submitted to the address listed in Section C - General Reporting Requirements, of this permit, using the reporting forms located at the end of this permit, or their equivalent, within thirty (30) days after the end of the quarter being reported.

D.1.17 NSPS Reporting Requirement [326 IAC 12-1] [Subpart XX, 40 CFR 60.500]

Pursuant to the New Source Performance Standards (NSPS), 40 CFR Part 60.500, Subpart XX, the source owner/operator is hereby advised of the requirement to report the date of performance testing (at least thirty (30) days prior to such date), when required by a condition elsewhere in this permit.

Reports are to be sent to:

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

The application and enforcement of these standards have been delegated to the IDEM OAQ. The requirements of 40 CFR Part 60 are also federally enforceable.

D.1.18 Reporting and Record Keeping [Subpart XX, 40 CFR 60.505] [326 IAC 12-1]

- (a) The tank truck vapor tightness documentation required under 40 CFR 60.502(e)(1) shall be kept on file at the terminal in a permanent form available for inspection.
- (b) The documentation file for each gasoline tank truck shall be updated at least once per year to reflect current test results as determined by Method 27. This documentation shall include, as a minimum, the following information:
 - (1) Test title: Gasoline Delivery Tank Pressure Test--EPA Reference Method 27.

- (2) Tank owner and address.
 - (3) Tank identification number.
 - (4) Testing location.
 - (5) Date of test.
 - (6) Tester name and signature.
 - (7) Witnessing inspector, if any: Name, signature, and affiliation.
 - (8) Test results: Actual pressure change in five (5) minutes, mm of water (average for 2 runs).
- (c) A record of each monthly leak inspection required under 40 CFR 60.502(j) shall be kept on file at the terminal for at least two (2) years. Inspection records shall include, as a minimum, the following information:
- (1) Date of inspection.
 - (2) Findings (may indicate no leaks discovered; or location, nature, and severity of each leak).
 - (3) Leak determination method.
 - (4) Corrective action (date each leak repaired; reasons for any repair interval in excess of fifteen (15) days).
 - (5) Inspector name and signature.
- (d) The terminal Permittee shall keep documentation of all notifications required under 40 CFR 60.502(e)(4) on file at the terminal for at least two (2) years.
- (e) The Permittee of an affected facility shall keep records of all replacements or additions of components performed on an existing vapor processing system for at least three (3) years.

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

**PART 70 OPERATING PERMIT
CERTIFICATION**

Source Name: Countrymark Cooperative, LLC
Source Address: Hwy 54, 2 miles west of Hwy. 67, Switz City, IN 47465
Mailing Address: 1200 Refinery Road, Mt. Vernon, IN 47620
Part 70 Permit No.: T 055-16571-00003

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

Please check what document is being certified:

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

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

Signature:

Printed Name:

Title/Position:

Phone:

Date:

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

**PART 70 OPERATING PERMIT
EMERGENCY OCCURRENCE REPORT**

Source Name: Countrymark Cooperative, LLC
Source Address: Hwy 54, 2 miles west of Hwy. 67, Switz City, IN 47465
Mailing Address: 1200 Refinery Road, Mt. Vernon, IN 47620
Part 70 Permit No.: T 055-16571-00003

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) C The Permittee must notify the Office of Air Quality (OAQ), within four (4) business hours (1-800-451-6027 or 317-233-5674, ask for Compliance Section); and C 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**

Part 70 Quarterly Report

Source Name: Countrymark Cooperative, LLC
Source Address: Hwy 54, 2 miles west of Hwy. 67, Switz City, IN 47465
Mailing Address: 1200 Refinery Road, Mt. Vernon, IN 47620
Part 70 Permit No.: T 055-16571-00003
Facility: Tank 67
Parameter: Input of additives
Limit: 7,900,000, gallons per twelve (12) consecutive month period with compliance determined at the end of each month, equivalent to both a potential to emit of VOC of less than forty (40) tons per year.

YEAR:

Month	Input of Additives (gallons)	Input of Additives (gallons)	Input of Additives (gallons)
	This Month	Previous 11 Months	12 Month Total

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

Submitted by:
Title / Position:
Signature:
Date:
Phone:

Attach a signed certification to complete this report.

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

Part 70 Quarterly Report

Source Name: Countrymark Cooperative, LLC
 Source Address: Hwy 54, 2 miles west of Hwy. 67, Switz City, IN 47465
 Mailing Address: 1200 Refinery Road, Mt. Vernon, IN 47620
 Part 70 Permit No.: T 055-16571-00003
 Facilities: Entire Source
 Parameter: Input of gasoline
 Limit: 297,619,048 gallons per twelve (12) consecutive month period with compliance determined at the end of each month, equivalent to both a potential to emit of a greatest single HAP of less than ten (10) tons and 23.3 tons of combined HAPs per year. One (1) gallon of gasoline delivered to the loading rack is equivalent to 0.008854 gallons of gasoline. One (1) gallon of gasoline throughput to Tanks 63 and/or 64 is equivalent to one (1) gallon of gasoline. One (1) gallon of gasoline throughput to Tank 65 is equivalent to 1.0417 gallons of gasoline.

YEAR:

Month	Input of Gasoline (gallons)	Input of Gasoline (gallons)	Input of Gasoline (gallons)
	This Month	Previous 11 Months	12 Month Total

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

Submitted by:
 Title / Position:
 Signature:
 Date:
 Phone:

Attach a signed certification to complete this report.

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

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

Source Name: Countrymark Cooperative, LLC
Source Address: Hwy 54, 2 miles west of Hwy. 67, Switz City, IN 47465
Mailing Address: 1200 Refinery Road, Mt. Vernon, IN 47620
Part 70 Permit No.: T 055-16571-00003

Months: _____ to _____ Year: _____

<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.

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

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

Source Description and Location	
Source Name: Source Location: County: SIC Code: Operation Permit No.: Operation Permit Issuance Date: Significant Permit Modification No.: Permit Reviewer:	Countrymark Cooperative, LLP Hwy. 54, 2 miles west of Hwy. 67 Switz City, IN 47465 Greene County 5171 T 055-16571-00003 December 28, 2004 055-22084-00003 Donald F. Robin, P.E.
<p>On February 17, 2006, the Office of Air Quality (OAQ) had a notice published in the Linton Daily Citizen, Linton, Indiana stating that Countrymark Cooperative, LLP had applied for a permit modification of their existing Part 70 Operating Permit, T 055-16571-00003. This notice was for changing compliance determination and compliance monitoring conditions. The notice also stated that OAQ proposed to issue a permit for this operation and provided information on how the public could review the proposed permit and other documentation. Finally, the notice informed interested parties that there was a period of thirty (30) days to provide comments on whether this permit should be issued as proposed.</p> <p>Upon further review, IDEM has made the following revisions to this significant permit modification (deleted language appears as strikethroughs and new language appears in bold):</p> <p>Revision 1: The following changes have been incorporated into the record keeping and reporting requirements to reflect NSR reform at major sources:</p> <p>C.18 General Record Keeping Requirements [326 IAC 2-7-5(3)][326 IAC 2-7-6][326 IAC 2-2][326 IAC 2-3]</p> <p>(a) Records of all required monitoring data, reports and support information required by this permit shall be retained for a period of at least five (5) years from the date of monitoring sample, measurement, report, or application. These records shall be physically present or electronically accessible at the source location for a minimum of three (3) years. The records may be stored elsewhere for the remaining two (2) years as long as they are available upon request. If the Commissioner makes a request for records to the Permittee, the Permittee shall furnish the records to the Commissioner within a reasonable time.</p> <p>(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.</p> <p>(c) If there is a reasonable possibility that a “project” (as defined in 326 IAC 2-2-1 (qq) and/or 326 IAC 2-3-1 (ll)) 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) and/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) and/or 326 IAC 2-3-1 (mm)), the Permittee shall comply with following:</p> <p style="padding-left: 20px;">(1) Before beginning actual construction of the “project” (as defined in 326 IAC 2-2-1 (qq) and/or 326 IAC 2-3-1 (ll)) at an existing emissions unit, document and maintain the following records:</p>	

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

C.19 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
- (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) Reporting periods are based on calendar years, unless otherwise specified in this permit. For the purpose of this permit "calendar year" means the twelve (12) month period from January 1 to December 31 inclusive.
- (f) **If the Permittee is required to comply with the recordkeeping provisions of (c) in Section C- General Record Keeping Requirements for any "project" (as defined in**

326 IAC 2-2-1 (qq) and/or 326 IAC 2-3-1 (ll)), and the project meets the following criteria, then the Permittee shall submit a report to IDEM, OAQ:

- (1) **The annual emissions, in tons per year, from the project identified in (c)(1) in Section C- General Record Keeping Requirements exceed the baseline actual emissions, as documented and maintained under Section C- General Record Keeping Requirements (c)(1)(C)(i), by a significant amount, as defined in 326 IAC 2-2-1 (xx) and/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**

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

Revision 2:

Section D.1.11 Monitoring has been updated with the new title of Section C.12 – Instrument Specifications as follows:

D.1.11 Monitoring

- (a) Measure the monthly flow rate of gasoline, petroleum distillate and additives to the loading rack and storage tanks.
- (b) Calibrate the flow meters on the loading rack at least once per quarter. The instrument used for determining the flow rate shall comply with Section C – ~~Pressure Gauge and Other Instrument Specifications~~, of this permit, shall be subject to approval by IDEM, OAQ.

Revision 3:

IDEM has decided to remove (d) concerning nonroad engines from B.18 Permit Amendment or Modification. 40 CFR 89, Appendix A specifically indicates that states are not precluded from regulating the use and operation of nonroad engines, such as regulations on hours of usage, daily mass emission limits, or sulfur limits on fuel; nor are permits regulating such operations precluded,

once the engine is no longer new.

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

- (a) Permit amendments and modifications are governed by the requirements of 326 IAC 2-7-11 or 326 IAC 2-7-12 whenever the Permittee seeks to amend or modify this permit.
- (b) Any application requesting an amendment or modification of this permit shall be submitted to:
- Indiana Department of Environmental Management
Permits Branch, Office of Air Quality
100 North Senate Avenue
Indianapolis, Indiana 46204-2251
- Any such application shall be certified by the "responsible official" as defined by 326 IAC 2-7-1(34).
- (c) The Permittee may implement administrative amendment changes addressed in the request for an administrative amendment immediately upon submittal of the request. [326 IAC 2-7-11(c)(3)]
- ~~(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.~~

Revision 4:

IDEM is removing a section of strikeout text that was inadvertently left in Section B.17 of the draft permit:

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

- (a) The application for renewal shall be submitted using the application form or forms prescribed by IDEM, OAQ and shall include the information specified in 326 IAC 2-7-4. Such information shall be included in the application for each emission unit at this source, except those emission units included on the trivial or insignificant activities list contained in 326 IAC 2-7-1(21) and 326 IAC 2-7-1(40). The renewal application does require the certification by the "responsible official" as defined by 326 IAC 2-7-1(34).
- Request for renewal shall be submitted to:
- Indiana Department of Environmental Management
Permits Branch, Office of Air Quality
100 North Senate Avenue, P.O. Box 6015
Indianapolis, Indiana ~~46206-6015~~ **46204-2251**
- (b) A timely renewal application is one that is:
- (1) Submitted at least nine (9) months prior to the date of the expiration of this permit; and
 - (2) If the date postmarked on the envelope or certified mail receipt, or affixed by the shipper on the private shipping receipt, is on or before the date it is due. If the document is submitted by any other means, it shall be considered timely if received by IDEM, OAQ on or before the date it is due.
- (c) If the Permittee submits a timely and complete application for renewal of this permit, the source's failure to have a permit is not a violation of 326 IAC 2-7 until IDEM, OAQ takes

final action on the renewal application, except that this protection shall cease to apply if, subsequent to the completeness determination, the Permittee fails to submit by the deadline specified in writing by IDEM, OAQ any additional information identified as being needed to process the application.

Revision 5:

IDEM has updated the Table of Contents to reflect changes to the Section C.12 title as well as the additional rule citations for Sections C.18 and C.19.

Revision 6:

IDEM has updated the general source information in Section A.1 to reflect the change in source status due to the change in county attainment status of Greene County:

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

The Permittee owns and operates a stationary bulk storage and wholesale petroleum products distribution source.

Responsible Official:	Vice President
Source Address:	Highway 54, 2 miles west of Hwy 67, Switz City, Indiana 47465
Mailing Address:	1200 Refinery Road, Mt. Vernon, IN 47620
General Source Phone Number:	(812) 838-8191
SIC Code:	5171
County Location:	Greene
Source Location Status:	8-hour ozone basic nonattainment Attainment for all other criteria pollutants
Source Status:	Part 70 Permit Program Major Source, under PSD and Nonattainment NSR Emission Offset

Revision 7:

Title V Permits are now being signed by Nisha Sizemore, Chief, Permits Branch. The change to the signature box of the permit is shown below:

Significant Permit Modification No.: 055-22084-00003	
Issued by: Paul Dubenetzky, Assistant Commissioner Nisha Sizemore, Chief Permits Branch Office of Air Quality	Issuance Date: Expiration Date: December 28, 2009

Indiana Department of Environmental Management Office of Air Quality

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

Source Description and Location

Source Name:	Countrymark Cooperative, LLP – Switz City Terminal
Source Location:	Hwy. 54, 2 miles west of Hwy. 67, Switz City
County:	Greene County
SIC Code:	5171
Operation Permit No.:	T 055-16571-00003
Operation Permit Issuance Date:	December 28, 2004
Significant Permit Modification No.:	055-22084-00003
Permit Reviewer:	Donald F. Robin, P.E.

Existing Approvals

The source was issued a Part 70 Operating Permit Renewal No. 055-16571-00003 on December 28, 2004. No approvals have been issued to this source since the Part 70 Operating Permit Renewal.

County Attainment Status

The source is located in Greene County.

Pollutant	Status
PM10	Attainment
PM2.5	Attainment
SO ₂	Attainment
NO ₂	Attainment
1-hour Ozone	Attainment
8-hour Ozone	Basic Nonattainment
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. Greene 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) Greene County has been classified as attainment for PM2.5. U.S. EPA has not yet established the requirements for Prevention of Significant Deterioration (PSD), 326 IAC 2-2 for PM2.5 emissions. Therefore, until the U.S.EPA adopts specific provisions for PSD review for PM2.5 emissions, it has directed states to regulate PM10 emissions as a surrogate for PM2.5 emissions.
- (c) Greene County has been classified as attainment or unclassifiable for all other criteria pollutants. Therefore, these emissions were reviewed pursuant to the requirements for Prevention of Significant Deterioration (PSD), 326 IAC 2-2.

- (d) Since this source is classified as a petroleum storage and transfer unit with a total storage capacity exceeding 300,000 barrels (12,600,00 gallons), it is considered one of the twenty-eight (28) listed source categories, as specified in 326 IAC 2-2-1(gg)(1).
- (e) Fugitive Emissions
Since this type of operation is in one of the twenty-eight (28) listed source categories under 326 IAC 2-2 or 326 IAC 2-3, fugitive emissions are counted toward the determination of PSD and Emission Offset applicability.

Source Status

- (a) This existing source is a major stationary source, under PSD (326 IAC 2-2), because a regulated pollutant is emitted at a rate of 100 tons per year or more, and it is one of the twenty-eight (28) listed source categories, as specified in 326 IAC 2-2-1(gg)(1).
- (b) This existing source is a major stationary source under Emission Offset (326 IAC 2-3) because VOC, a nonattainment regulated pollutant, is emitted at a rate of 100 tons per year or more.
- (c) These emissions are based upon the TSD for the Part 70 Operating Permit Renewal issued on December 28, 2004.
- (d) This existing source is not a major source of HAPs, as defined in 40 CFR 63.41, because HAPs emissions are less than ten (10) tons per year for any single HAP and less than twenty-five (25) tons per year of a combination of HAPs. Therefore, this source is an area source under Section 112 of the Clean Air Act (CAA).

No changes to the Source Status are proposed through this permit modification.

Permit Level Determination – Part 70

The modification will be incorporated into the Part 70 Operating Permit through a significant permit modification issued pursuant to 326 IAC 2-7-12(d)(1) which states that “significant modification procedures shall be used for applications requesting Part 70 permit modifications that do not qualify as minor permit modifications or as administrative amendments. Every significant change in existing monitoring Part 70 permit terms or conditions and every relaxation of reporting or record keeping permit terms or conditions shall be considered significant”. Because the changes included in this modification meet this requirement, this permitting action shall be considered a significant permit modification.

Federal Rule Applicability Determination

The federal rules that are applicable to this source remain unchanged as a result of this modification.

State Rule Applicability Determination

The state rules that are applicable to this source remain unchanged as a result of this modification.

Proposed Changes

The changes listed below have been made to Part 70 Operating Permit No. T055-16571-00003. Deleted language appears as ~~strikethroughs~~ and new language appears in **bold**:

1. B.2 has been amended to include the requirements of 326 IAC 2-7-4 and IC 13-15-3-6 which address Part 70 permit renewal applications. B.3 has been added to the Part 70 permit to address the term of

permit conditions. Conditions stated in a permit action will continue to be valid until modified in a subsequent permit action or the permanent cessation of emission source operation. Due to the insertion of the new B.3 condition (Term of Conditions), all following B section conditions have been renumbered. The Table of Contents has also been updated.

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

(a) This permit, **T055-16571-00003**, 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 **or of permits issued pursuant to Title IV of the Clean Air Act and 326 IAC 21 (Acid Deposition Control)**.

(b) **If IDEM, OAQ upon receiving a timely and complete renewal permit application, fails to issue or deny the permit renewal prior to the expiration date of this permit, this existing permit shall not expire and all terms and conditions shall continue in effect, including any permit shield provided in 326 IAC 2-7-15, until the renewal permit has been issued or denied.**

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

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

(a) **the condition is modified in a subsequent permit action pursuant to Title I of the Clean Air Act; or**

(b) **the emission unit to which the condition pertains permanently ceases operation.**

2. IDEM has 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 has deleted paragraph (b) of Section B – Preventive Maintenance, and has amended the Section B – Emergency Provisions condition as follows:

B.4011 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 maintain and implement Preventive Maintenance Plans (PMPs) 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.

~~(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.~~

(eb) A copy of the PMPs shall be submitted to IDEM, OAQ, upon request and within a reasonable time, and shall be subject to review and approval by IDEM, OAQ. IDEM, OAQ, may require the Permittee to revise its PMPs whenever lack of proper maintenance causes or is the primary contributor to an exceedance of any limitation on emissions or potential to emit. The

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

- (dc) 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.4412 Emergency Provisions [326 IAC 2-7-16]

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

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

Telephone Number: 317-233-5674 (ask for Compliance Section)

Facsimile Number: 317-233-5967

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

Indiana Department of Environmental Management
Compliance Branch, Office of Air Quality
100 North Senate Avenue, P. O. Box 6045
Indianapolis, Indiana ~~46206-6045~~ **46204-2251**

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

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

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

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

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

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

B.134 Prior Permits Superseded [326 IAC 2-1.1-9.5] **[326 IAC 2-7-10.5]**

- (a) All terms and conditions of ~~previous~~ permits **established prior to T055-16571-00003 and issued pursuant to permitting programs approved into the state implementation plan have been either:**
 - (1) incorporated as originally stated,
 - (2) revised **under 326 IAC 2-7-10.5**, or
 - (3) deleted **under 326 IAC 2-7-10.5**.

by this permit.
- (b) **Provided that all terms and conditions are accurately reflected in this permit, all previous registrations and permits are superseded by this Part 70 operating permit, except for permits issued pursuant to Title IV of the Clean Air Act and 326 IAC 21 (Acid Deposition Control).**

B.167 Permit Renewal [326 IAC 2-7-3] [326 IAC 2-7-4] **[326 IAC 2-7-8(e)]**

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

Request for renewal shall be submitted to:

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

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

~~(1) — A timely renewal application is one that is:~~

~~(A) (1) Submitted at least nine (9) months prior to the date of the expiration of this permit; and~~

~~(B) (2) If the date postmarked on the envelope or certified mail receipt, or affixed by the shipper on the private shipping receipt, is on or before the date it is due. If the document is submitted by any other means, it shall be considered timely if received by IDEM, OAQ on or before the date it is due.~~

~~(2) — If IDEM, OAQ upon receiving a timely and complete permit application, fails to issue or deny the permit renewal prior to the expiration date of this permit, this existing permit shall not expire and all terms and conditions shall continue in effect, including any permit shield provided in 326 IAC 2-7-15, until the renewal permit has been issued or denied.~~

(c) ~~Right to Operate After Application for Renewal [326 IAC 2-7-3]~~

~~If the Permittee submits a timely and complete application for renewal of this permit, the source's failure to have a permit is not a violation of 326 IAC 2-7 until IDEM, OAQ takes final action on the renewal application, except that this protection shall cease to apply if, subsequent to the completeness determination, the Permittee fails to submit by the deadline specified in writing by IDEM, OAQ any additional information identified as being needed to process the application.~~

(d) ~~United States Environmental Protection Agency Authority [326 IAC 2-7-8(e)]~~

~~If IDEM, OAQ fails to act in a timely way on a Part 70 permit renewal, the U.S. EPA may invoke its authority under Section 505(e) of the Clean Air Act to terminate or revoke and reissue a Part 70 permit.~~

4. IDEM has clarified the Section B Operational Flexibility condition as follows:

B.4920 Operational Flexibility [326 IAC 2-7-20] [326 IAC 2-7-10.5]

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

(1) The changes are not modifications under any provision of Title I of the Clean Air Act;

(2) Any preconstruction approval required by 326 IAC 2-7-10.5 has been obtained;

(3) The changes do not result in emissions which exceed the ~~emissions allowable~~ **under 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, P. O. Box 6015
Indianapolis, Indiana ~~46206-6015~~ **46204-2251**

and

United States Environmental Protection Agency, Region V
Air and Radiation Division, Regulation Development Branch - Indiana (AR-18J)
77 West Jackson Boulevard
Chicago, Illinois 60604-3590

in advance of the change by written notification at least ten (10) days in advance of the proposed change. The Permittee shall attach every such notice to the Permittee's copy of this permit; and

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

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

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

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

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

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

5. Indiana was required to incorporate credible evidence provisions into state rules consistent with the SIP call published by U.S. EPA in 1997 (62 FR 8314). Indiana has incorporated the credible evidence provision in 326 IAC 1-1-6. This rule is effective March 16, 2005; therefore, the condition reflecting this rule will be incorporated into your permit as follows:

B.2425 Credible Evidence [326 IAC 2-7-5(3)][326 IAC 2-7-6][62 FR 8314] [326 IAC 1-1-6]

~~Notwithstanding the conditions of this permit that state specific methods that may be used to demonstrate compliance with, or a violation of, applicable requirements, any person (including the Permittee) may also use other credible evidence to demonstrate compliance with, or a violation of, any term or condition of this permit.~~

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.

6. The 326 IAC 6-3 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 (a) which contained these requirements and since the requirements of the 326 IAC 6-3-2(d) that were effective June 12, 2002 are now federally enforceable, the last statement from C.1 has been removed.

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]

~~(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.~~

7. IDEM realizes that these specifications can only be practically applied to analog units, and has therefore clarified the condition to state that the condition only applies to analog units. Upon further review, IDEM has also determined that the accuracy of the instruments is not nearly as important as whether the instrument has a range that is appropriate for the normal expected reading of the parameter. Therefore, the accuracy requirements have been removed from the condition.

C.12 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~~ **When required by any condition of this permit, an analog instrument used to measure a parameter related to the operation of an air pollution control device shall have a scale such that the expected normal maximum reading for the normal range shall be no less than twenty**

~~percent (20%) of full scale and be accurate within plus or minus two percent (2%) of full scale reading.~~

~~(b) Whenever a condition in this permit requires the measurement of a temperature or 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 (2%) of full scale reading.~~

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

8. IDEM has reconsidered the requirement to develop and follow a Compliance Response Plan. The Permittee will still be required to take reasonable response steps when a compliance monitoring parameter is determined to be out of range or abnormal. Replacing the requirement to develop and follow a Compliance Response Plan with a requirement to take reasonable response steps will ensure that the control equipment is returned to proper operation as soon as practicable, while still allowing the Permittee the flexibility to respond to situations that were not anticipated. The Section D condition that refers to this condition (D.1.12) has been revised to reflect the new condition title, and the following changes have been made to the Section C condition:

C.15 ~~Compliance Response Plan – Preparation, Implementation, Records, and Reports~~
Response to Excursions or Exceedances [326 IAC 2-7-5] [326 IAC 2-7-6]

~~(a) The Permittee is required to prepare a Compliance Response Plan (CRP) for each compliance monitoring condition of this permit. A CRP shall be submitted to IDEM upon request. The CRP shall be prepared within ninety (90) days after issuance of this permit by the Permittee, supplemented from time to time by the Permittee, maintained on-site, and comprised of:~~

~~(1) Reasonable response steps that may be implemented in the event that a response step is needed pursuant to the requirements of Section D of this permit; and an expected timeframe for taking reasonable response steps.~~

~~(2) If, at any time, the Permittee takes reasonable response steps that are not set forth in the Permittee's current Compliance Response Plan and the Permittee documents such response in accordance with subsection (e) below, the Permittee shall amend its Compliance Response Plan to include such response steps taken.~~

~~(b) For each compliance monitoring condition of this permit, reasonable response steps shall be taken when indicated by the provisions of that compliance monitoring condition as follows:~~

~~(1) Reasonable response steps shall be taken as set forth in the Permittee's current Compliance Response Plan; or~~

~~(2) If none of the reasonable response steps listed in the Compliance Response Plan is applicable or responsive to the excursion, the Permittee shall devise and implement additional response steps as expeditiously as practical. Taking such additional response steps shall not be considered a deviation from this permit so long as the Permittee documents such response steps in accordance with this condition.~~

~~(3) If the Permittee determines that additional response steps would necessitate that~~

~~the emissions unit or control device be shut down, and it will be ten (10) days or more until the unit or device will be shut down, then the Permittee shall promptly notify the IDEM, OAQ of the expected date of the shut down. The notification shall also include the status of the applicable compliance monitoring parameter with respect to normal, and the results of the response actions taken up to the time of notification.~~

- ~~(4) Failure to take reasonable response steps shall be considered a deviation from the permit.~~
- ~~(c) The Permittee is not required to take any further response steps for any of the following reasons:
 - ~~(1) A false reading occurs due to the malfunction of the monitoring equipment and prompt action was taken to correct the monitoring equipment.~~
 - ~~(2) The Permittee has determined that the compliance monitoring parameters established in the permit conditions are technically inappropriate, has previously submitted a request for a minor permit modification to the permit, and such request has not been denied.~~
 - ~~(3) An automatic measurement was taken when the process was not operating.~~
 - ~~(4) The process has already returned or is returning to operating within "normal" parameters and no response steps are required.~~~~
- ~~(d) When implementing reasonable steps in response to a compliance monitoring condition, if the Permittee determines that an exceedance of an emission limitation has occurred, the Permittee shall report such deviations pursuant to Section B-Deviations from Permit Requirements and Conditions.~~
- ~~(e) The Permittee shall record all instances when, in accordance with Section D, response steps are taken. In the event of an emergency, the provisions of 326 IAC 2-7-16 (Emergency Provisions) requiring prompt corrective action to mitigate emissions shall prevail.~~
- ~~(f) Except as otherwise provided by a rule or provided specifically in Section D, all monitoring as required in Section D shall be performed when the emission unit is operating, except for time necessary to perform quality assurance and maintenance activities.~~
- (a) Upon detecting an excursion or exceedance, the Permittee shall restore operation of the emissions unit (including any control device and associated capture system) to its normal or usual manner of operation as expeditiously as practicable in accordance with good air pollution control practices for minimizing emissions.**
- (b) The response shall include minimizing the period of any startup, shutdown or malfunction and taking any necessary corrective actions to restore normal operation and prevent the likely recurrence of the cause of an excursion or exceedance (other than those caused by excused startup or shutdown conditions). Corrective actions may include, but are not limited to, the following:
 - (1) initial inspection and evaluation;**
 - (2) recording that operations returned to normal without operator action (such as through response by a computerized distribution control system); or**
 - (3) any necessary follow-up actions to return operation to within the indicator****

range, designated condition, or below the applicable emission limitation or standard, as applicable.

- (c) A determination of whether the Permittee has used acceptable procedures in response to an excursion or exceedance will be based on information available, which may include, but is not limited to, the following:**
 - (1) monitoring results;**
 - (2) review of operation and maintenance procedures and records;**
 - (3) inspection of the control device, associated capture system, and the process.**
- (d) Failure to take reasonable response steps shall be considered a deviation from the permit.**
- (e) The Permittee shall maintain the following records:**
 - (1) monitoring data;**
 - (2) monitor performance data, if applicable; and**
 - (3) corrective actions taken.**

D.1.12 Broken or Failed Flow Gauge Detection

In the event that a flow meter failure has been observed, the affected compartments of the loading rack associated with that flow meter will be shut down immediately until the failed flow meter has been repaired or replaced. Within eight (8) business hours of the determination of failure, response steps according to the timetable described in the ~~Compliance Response Plan~~ **Response to Excursions or Exceedances** shall be initiated. For any failure with corresponding response steps and timetable not described in the ~~Compliance Response Plan~~ **Response to Excursions or Exceedances**, response steps shall be devised within eight (8) business hours of discovery of the failure and shall include a timetable for completion. Failure to take response steps in accordance with Section C - ~~Compliance Response Plan - Preparation, Implementation, Records, and Reports~~ **Response to Excursions or Exceedances**, shall be considered a deviation from this permit. If operations continue after bag failure is observed and it will be ten (10) days or more after the failure is observed before the failed units will be repaired or replaced, the Permittee shall promptly notify the IDEM, OAQ of the expected date the failed units will be repaired or replaced. The notification shall also include the status of the applicable compliance monitoring parameters with respect to normal, and the results of any response actions taken up to the time of notification.

9. The Monitoring Determination Method condition has been revised to reflect changes to Permittee's Preventative Maintenance Plan (PMP) conditions in Section B as follows:

D.1.14 Monitoring Determination Method [40 CFR 64]

Pursuant to 40 CFR 64:

- (a) The Permittee shall monitor the flare vapor control unit as follows:**
 - (1) Daily inspection for:**
 - (A) flame presence**
 - (B) flame appearance**

- (C) temperature at the combustion zone
- (2) Weekly inspections of the pilot fuel tank
- (3) Monthly inspections of the vapor collection system during truck loading
- (4) Annual inspections of the knock out tank
- ~~(b) Additional inspections and preventative measures shall be performed as prescribed in the Preventative Maintenance Plan.~~

10. The address for IDEM, OAQ has been updated in the Part 70 Operating Permit Renewal.

Conclusion and Recommendation

The construction of this proposed modification shall be subject to the conditions of the attached proposed Part 70 Significant Permit Modification No. 055-22084-00003. The staff recommends to the Commissioner that this Part 70 Significant Permit Modification be approved.