

Certified Mail: 7005 0390 0000 6271 7094



TO: Interested Parties / Applicant
RE: Metalworking Lubricants Company/ SPR 097-22764-00139
FROM: Felicia A. Robinson *FR*
Administrator

Notice of Decision: Approval - Effective Immediately

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

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

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

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

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

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

Enclosures

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Department of Public Works
Office of Environmental Services

2700 Belmont Avenue
Indianapolis, IN 46221

317-327-2234
Fax 327-2274
TDD 327-5186
indygov.org/dpw

April 17, 2007

Mr. Gary Baize
Metalworking Lubricants Company
1509 South Senate Avenue
Indianapolis, Indiana 46225



Re: 097-22764-00139
First Significant Revision to
FESOP 097- F097-15365-00139

Dear Mr. Gary Baize:

Metalworking Lubricants Company was issued a Federally Enforceable State Operating Permit (FESOP) Renewal on October 27, 2003 for a stationary waste oil recycling plant. The Indiana Department of Environmental Management (IDEM), Office of Air Quality (OAQ) and the City of Indianapolis, Office of Environmental Services have incorporated the Memorandum of Understanding (MOU), October 11, 2004, City of Indianapolis (plaintiff) vs. Metal Working Lubricants (defendant), Cause Number 04-A-0187, into Metalworking Lubricants Company's FESOP.

Pursuant to the provisions of 326 IAC 2-8-11.1, a significant permit revision to this permit is hereby approved as described in the attached Technical Support Document. All other conditions of the permit shall remain unchanged and in effect. For your convenience, the entire permit has been printed.

Sincerely,

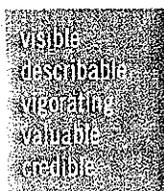
Felicia A. Robinson
Administrator
Office of Environmental Services

Attachments

wmw

cc: File
Marion County Health Department
Air Compliance - Matt Mosier
IDEM, OAQ - Mindy Hahn

Clean air is in



Department of Public Works
Office of Environmental Services

2700 Belmont Avenue
Indianapolis, IN 46221

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**FEDERALLY ENFORCEABLE STATE
OPERATING PERMIT (FESOP) Renewal**



**INDIANA DEPT. OF ENVIRONMENTAL MANAGEMENT
OFFICE OF AIR QUALITY
and
INDIANAPOLIS OFFICE OF ENVIRONMENTAL SERVICES**

**Metalworking Lubricants Company
1509 South Senate Avenue, Indianapolis, Indiana 46225**

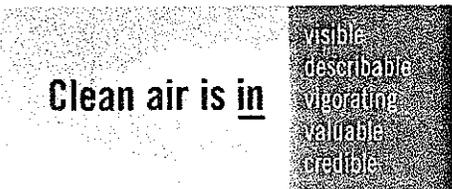
(herein known as the Permittee) is hereby authorized to operate subject to the conditions contained herein, the source described in Section A (Source Summary) of this permit.

The Permittee must comply with all conditions of this permit. Noncompliance with any provision of this permit is grounds for enforcement action; permit termination, revocation and reissuance, or modification; and denial of a permit renewal application. 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.

Indiana statutes from IC 13 and rules from 326 IAC, quoted in conditions in this permit, are those applicable at the time the permit was issued. The issuance or possession of this permit shall not alone constitute a defense against an alleged violation of any law, regulation or standard, except for the requirement to obtain a FESOP under 326 IAC 2-8.

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 2-8 as required by 42 U.S.C. 7401, et. seq. (Clean Air Act as amended by the 1990 Clean Air Act Amendments), 40 CFR Part 70.6, IC 13-15 and IC 13-17. This permit also addresses new source review requirements and is intended to fulfill the new source review procedures and permit revision requirements pursuant to 326 IAC 2-8-11.1, applicable to those conditions.

Operation Permit No.: F097-15365-00139	
Originally signed by John B. Chavez, Administrator	Issuance Date: 10-27-2003 Expiration Date: 10-27-2008
Administrative Amendment: 097-19516-00139, issued on May 19, 2005	
Significant Permit Revision 097-22764-00139	Conditions Affected: A.1, A.3, A.5, Section B, Section C, Section D.1, Section D.2
Issued by:  Felicia A. Robinson, Administrator Office of Environmental Services	Issuance Date: 4-17-2007 Expiration Date: 10-27-2008



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Department of Public Works
Office of Environmental Services

2700 Belmont Avenue
Indianapolis, IN 46221

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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 City of Indianapolis, Office of Environmental Services (OES). 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 2-8-3(b)]

The Permittee owns and operates a stationary waste oil recycling plant, using two boilers.

Source Address:	1509 South Senate Avenue, Indianapolis, Indiana 46225
Mailing Address:	1509 South Senate Avenue, Indianapolis, Indiana 46225
General Source Phone:	(317) 269-2444
SIC Code:	2992
County Location:	Marion
Source Location Status:	Nonattainment for 8 hour ozone Nonattainment for PM2.5 Attainment for all other criteria pollutants
Source Status:	Federally Enforceable State Operating Permit (FESOP) Minor Source, under PSD, Nonattainment New Source Review, and Emission Offset Rules Minor Source, Section 112 of the Clean Air Act

A.2 Emission Units and Pollution Control Equipment Summary [326 IAC 2-8-3(c)(3)]

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

- (a) 350 HP Leffel boiler, 11.7 MMBtu/hr heat input capacity, installed 1987, Natural Gas and Distillate #4, Residual #4 and recycled Fuel Oil fired, identified as Emission Unit ID #1; and
- (b) 600 HP Kewanee boiler, 20.1 MMBtu/hr heat input capacity, installed May 1993, Natural Gas and Distillate #4, Residual #4 and recycled Fuel Oil fired, identified as Emission Unit ID #2.

A.3 Insignificant Activities [326 IAC 2-7-1(21)] [326 IAC 2-8-3(c)(3)(I)]

This stationary source also includes the following insignificant activities, as defined in 326 IAC 2-7-1(21):

- (a) Natural gas-fired combustion sources with heat input equal to or less than ten (10) million Btu per hour:
 - (1) Unit Heater - Maintenance, 130 MBH;
 - (2) Storage Heater - Maintenance, 175 MBH;
 - (3) Unit Heater 1 - Blending, 175 MBH;
 - (4) Unit Heater 2 - Blending, 175 MBH;
 - (5) Unit Heater 3 - Blending, 175 MBH

- (6) Make-up Unit - Blending, 175 MBH;
 - (7) Unit Heater 1 - Water Treatment, 400 MBH;
 - (8) Unit Heater 2 - Water Treatment, 130 MBH;
 - (9) Unit Heater 3 - Water Treatment, 130 MBH;
 - (10) Make-up Unit - Water Treatment, 985 CFH;
 - (11) Individual Water Heater (temp.), 150 MBH;
 - (12) Space Heater 1 - Office, 115 MBH;
 - (13) Space Heater 2 - Office, 115 MBH;
 - (14) Space Heater 3 - Office, 130 MBH.
- (b) Propane Tank Forklift powered by internal combustion engine of capacity less than 500,000 Btu/hr;
 - (c) Petroleum fuel dispensing facility, having a storage capacity of less than 10,500 gallons;
 - (d) Vessels storing lubricating oils, hydraulic oils, machining oils, and machining fluids;
 - (e) Activities associated with the treatment of wastewater streams with an oil and grease content less than or equal to one percent (1%) by volume;
 - (f) Paved and unpaved roads and parking lots with public access;
 - (g) Equipment used to collect any material that might be released during a malfunction, process upset, or spill cleanup, including catch tanks, temporary liquid separators, tanks, and fluid handling equipment;
 - (h) Blowdown for any of the following: sight glasses, boilers, compressors, pumps;
 - (i) A laboratory as defined in 326 IAC 2-7-1(21)(D), utilizing Freon (CFC 113) used in lab and recovered for reuse;

- (j) Vent and scrubber system serving the outside oil processing tanks and dryer tanks shown in table A-1 solely for odor control.

TABLE A-1: TANKS CURRENTLY SERVED BY SCRUBBER

Tank No.	Capacity (gallons)	Construction Material	Date Acquired	Heat Source
P1	30,000	Carbon Steel	1995	Live steam
P3	21,800	Carbon Steel	1996	Live steam
P4	21,800	Carbon Steel	1997	Live steam
P5	25,350	Carbon Steel	1988	Live steam
P6	21,800	Carbon Steel	1997	Live steam
P7	21,800	Carbon Steel	1997	Live steam
P8	21,800	Carbon Steel	1997	Live steam
P9	21,800	Carbon Steel	1997	Live steam
P10	30,811	Carbon Steel	1977	Live steam
P11	30,811	Carbon Steel	1977	Live steam
P12	30,811	Carbon Steel	1977	Live steam
P13	30,811	Carbon Steel	1977	Live steam
P14	21,073	Carbon Steel	2003	Live steam
P15	20,403	Carbon Steel	2003	Live steam
D1	12,000	Carbon Steel	2005	Heat Exchanger
D2	12,327	Carbon Steel	1977	Heat Exchanger
D3	16,289	Carbon Steel	1977	Heat Exchanger
D4	16,350	Carbon Steel	1997	Heat Exchanger
D5	16,350	Carbon Steel	1997	Heat Exchanger
W8	22,306	Carbon Steel	1988	Live steam
SHT2	25,380	Carbon Steel	1991	Heat Exchanger

A.4 FESOP Applicability [326 IAC 2-8-2]

This stationary source, otherwise required to have a Part 70 permit as described in 326 IAC 2-7-2 (a), has applied to the Indiana Department of Environmental Management (IDEM), Office of Air Quality (OAQ) and the OES to renew a Federally Enforceable State Operating Permit (FESOP).

SECTION B

GENERAL CONDITIONS

B.1 Definitions [326 IAC 2-8-1]

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 2-8-4(2)][326 IAC 2-1.1-9.5][IC 13-15-3-6(a)]

- (a) This permit, 097-15365-00139, is issued for a fixed term of five (5) years from the issuance date of this permit, as determined in accordance with IC 4-21.5-3-5(f) and IC 13-15-5-3. Subsequent revisions, modifications, or amendments of this permit do not affect the expiration date of this permit.
- (b) If IDEM, OAQ and OES, upon receiving a timely and complete renewal permit application, fails to issue or deny the permit renewal prior to the expiration date of this permit, this existing permit shall not expire and all terms and conditions shall continue in effect, 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 2-8-6]

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

B.5 Severability [326 IAC 2-8-4(4)]

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

B.6 Property Rights or Exclusive Privilege [326 IAC 2-8-4(5)(D)]

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

B.7 Duty to Provide Information [326 IAC 2-8-4(5)(E)]

- (a) The Permittee shall furnish to IDEM, OAQ and OES, within a reasonable time, any information that IDEM, OAQ and OES may request in writing to determine whether cause exists for modifying, revoking and reissuing, or terminating this permit, or to determine compliance with this permit. The submittal by the Permittee does require the certification by an "authorized individual" as defined by 326 IAC 2-1.1-1(1). Upon request, the Permittee shall also furnish to IDEM, OAQ and OES copies of records required to be kept by this permit.

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

B.8 Compliance Order Issuance [326 IAC 2-8-5(b)]

IDEM, OAQ and OES may issue a compliance order to this Permittee upon discovery that this permit is in nonconformance with an applicable requirement. The order may require immediate compliance or contain a schedule for expeditious compliance with the applicable requirement.

B.9 Certification [326 IAC 2-8-3(d)][326 IAC 2-8-4(3)(C)(i)][326 IAC 2-8-5(1)]

- (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 an "authorized individual" 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) An "authorized individual" is defined at 326 IAC 2-1.1-1(1).

B.10 Annual Compliance Certification [326 IAC 2-8-5(a)(1)]

- (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 no later than April 15th of each year to:

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

and

Office of Environmental Services
Air Compliance
2700 South Belmont Ave.
Indianapolis, IN 46221

- (b) The annual compliance certification report required by this permit shall be considered timely if the date postmarked on the envelope or certified mail receipt, or affixed by the shipper on the private shipping receipt, is on or before the date it is due. If the document is submitted by any other means, it shall be considered timely if received by IDEM, OAQ and OES, on or before the date it is due.
- (c) The annual compliance certification report shall include the following:
- (1) The appropriate identification of each term or condition of this permit that is the basis of the certification;
 - (2) The compliance status;

- (3) Whether compliance was continuous or intermittent;
- (4) The methods used for determining the compliance status of the source, currently and over the reporting period consistent with 326 IAC 2-8-4(3); and
- (5) Such other facts, as specified in Sections D of this permit, as IDEM, OAQ and OES may require to determine the compliance status of the source.

The submittal by the Permittee does require the certification by an "authorized individual" as defined by 326 IAC 2-1.1-1(1).

B.11 Preventive Maintenance Plan [326 IAC 1-6-3][326 IAC 2-8-4(9)][326 IAC 2-8-5(a)(1)]

- (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) A copy of the PMPs shall be submitted to IDEM, OAQ and OES upon request and within a reasonable time, and shall be subject to review and approval by IDEM, OAQ and OES. IDEM, OAQ and OES may require the Permittee to revise its PMPs whenever lack of proper maintenance causes or is the primary contributor to an exceedance of any limitation on emissions or potential to emit. The PMPs do not require the certification by an "authorized individual" as defined by 326 IAC 2-1.1-1(1).
- (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 2-8-12]

- (a) An emergency, as defined in 326 IAC 2-7-1(12), is not an affirmative defense for an action brought for noncompliance with a federal or state health-based emission limitation except as provided in 326 IAC 2-8-12.
- (b) An emergency, as defined in 326 IAC 2-7-1(12), constitutes an affirmative defense to an action brought for noncompliance with a health-based or technology-based emission limitation if the affirmative defense of an emergency is demonstrated through properly signed, contemporaneous operating logs or other relevant evidence that describe the following:
 - (1) An emergency occurred and the Permittee can, to the extent possible, identify the causes of the emergency;
 - (2) The permitted facility was at the time being properly operated;
 - (3) During the period of an emergency, the Permittee took all reasonable steps to minimize levels of emissions that exceeded the emission standards or other requirements in this permit;

- (4) For each emergency lasting one (1) hour or more, the Permittee notified IDEM, OAQ, and OES within four (4) daytime business hours after the beginning of the emergency, or after the emergency was discovered or reasonably should have been discovered;

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

Telephone Number: 317-233-0178 (ask for Compliance Section)

Facsimile Number: 317-233-6865

Office of Environmental Services phone: (317) 327-2234; fax: (317) 327-2274

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

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

and

Office of Environmental Services
Air Compliance
2700 South Belmont Ave.
Indianapolis, IN 46221

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 2-8-4(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 an "authorized individual" as defined by 326 IAC 2-1.1-1(1).

- (6) The Permittee immediately took all reasonable steps to correct the emergency.
- (c) In any enforcement proceeding, the Permittee seeking to establish the occurrence of an emergency has the burden of proof.
 - (d) This emergency provision supersedes 326 IAC 1-6 (Malfunctions). This permit condition is in addition to any emergency or upset provision contained in any applicable requirement.
 - (e) The Permittee seeking to establish the occurrence of an emergency shall make records available upon request to ensure that failure to implement a PMP did not cause or contribute to an exceedance of any limitations on emissions. However, IDEM, OAQ and

OES may require that the Preventive Maintenance Plans required under 326 IAC 2-8-3(c)(6) be revised in response to an emergency.

- (f) Failure to notify IDEM, OAQ and OES by telephone or facsimile of an emergency lasting more than one (1) hour in accordance with (b)(4) and (5) of this condition shall constitute a violation of 326 IAC 2-8 and any other applicable rules.
- (g) Operations may continue during an emergency only if the following conditions are met:
 - (1) If the emergency situation causes a deviation from a technology-based limit, the Permittee may continue to operate the affected emitting facilities during the emergency provided the Permittee immediately takes all reasonable steps to correct the emergency and minimize emissions.
 - (2) If an emergency situation causes a deviation from a health-based limit, the Permittee may not continue to operate the affected emissions facilities unless:
 - (A) The Permittee immediately takes all reasonable steps to correct the emergency situation and to minimize emissions; and
 - (B) Continued operation of the facilities is necessary to prevent imminent injury to persons, severe damage to equipment, substantial loss of capital investment, or loss of product or raw material of substantial economic value.

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

- (h) The Permittee shall include all emergencies in the Quarterly Deviation and Compliance Monitoring Report.

B.13 Prior Permits Superseded [326 IAC 2-1.1-9.5]

- (a) All terms and conditions of permits established prior to 097-15365-00139 and issued pursuant to permitting programs approved into the state implementation plan have been either:
 - (1) incorporated as originally stated,
 - (2) revised, or
 - (3) deleted.
- (b) All previous registrations and permits are superseded by this permit.

B.14 Termination of Right to Operate [326 IAC 2-8-9][326 IAC 2-8-3(h)]

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 2-8-3(h) and 326 IAC 2-8-9.

B.15 Deviations from Permit Requirements and Conditions [326 IAC 2-8-4(3)(C)(ii)]

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

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

and

Office of Environmental Services
Air Compliance
2700 South Belmont Ave.
Indianapolis, IN 46221

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 an "authorized individual" as defined by 326 IAC 2-1.1-1(1).

- (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 2-8-4(5)(C)][326 IAC 2-8-7(a)][326 IAC 2-8-8]

- (a) This permit may be modified, reopened, revoked and reissued, or terminated for cause. The filing of a request by the Permittee for a Federally Enforceable State Operating 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 2-8-4(5)(C)] The notification by the Permittee does require the certification by an "authorized individual" as defined by 326 IAC 2-1.1-1(1).
- (b) This permit shall be reopened and revised under any of the circumstances listed in IC 13-15-7-2 or if IDEM, OAQ, or OES determines any of the following:
- (1) That this permit contains a material mistake.
 - (2) That inaccurate statements were made in establishing the emissions standards or other terms or conditions.
 - (3) That this permit must be revised or revoked to assure compliance with an applicable requirement. [326 IAC 2-8-8(a)]
- (c) Proceedings by IDEM, OAQ, or OES to reopen and revise this permit shall follow the same procedures as apply to initial permit issuance and shall affect only those parts of this permit for which cause to reopen exists. Such reopening and revision shall be made as expeditiously as practicable. [326 IAC 2-8-8(b)]
- (d) The reopening and revision of this permit, under 326 IAC 2-8-8(a), shall not be initiated before notice of such intent is provided to the Permittee by IDEM, OAQ, or OES at least thirty (30) days in advance of the date this permit is to be reopened, except that IDEM, OAQ, or OES may provide a shorter time period in the case of an emergency. [326 IAC 2-8-8(c)]

B.17 Permit Renewal [326 IAC 2-8-3(h)]

- (a) The application for renewal shall be submitted using the application form or forms prescribed by IDEM, OAQ, and OES and shall include the information specified in 326 IAC 2-8-3. 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 an "authorized individual" as defined by 326 IAC 2-1.1-1(1).

Request for renewal shall be submitted to:

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

and

Office of Environmental Services
Air Compliance
2700 South Belmont Ave.
Indianapolis, IN 46221

- (b) A timely renewal application is one that is:
- (1) Submitted at least nine (9) months prior to the date of the expiration of this permit; and
 - (2) If the date postmarked on the envelope or certified mail receipt, or affixed by the shipper on the private shipping receipt, is on or before the date it is due. If the document is submitted by any other means, it shall be considered timely if received by IDEM, OAQ, and OES on or before the date it is due.
- (c) If the Permittee submits a timely and complete application for renewal of this permit, the source's failure to have a permit is not a violation of 326 IAC 2-8 until IDEM, OAQ and OES takes final action on the renewal application, except that this protection shall cease to apply if, subsequent to the completeness determination, the Permittee fails to submit by the deadline specified in writing by IDEM, OAQ and OES any additional information identified as being needed to process the application.

B.18 Permit Amendment or Revision [326 IAC 2-8-10][326 IAC 2-8-11.1]

- (a) Permit amendments and revisions are governed by the requirements of 326 IAC 2-8-10 or 326 IAC 2-8-11.1 whenever the Permittee seeks to amend or modify this permit.
- (b) Any application requesting an amendment or modification of this permit shall be submitted to:

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

and

Office of Environmental Services
Air Compliance
2700 South Belmont Ave.
Indianapolis, IN 46221

Any such application shall be certified by an "authorized individual" as defined by 326 IAC 2-1.1-1(1).

- (c) The Permittee may implement administrative amendment changes addressed in the request for an administrative amendment immediately upon submittal of the request. [326 IAC 2-8-10(b)(3)]

B.19 Operational Flexibility [326 IAC 2-8-15][326 IAC 2-8-11.1]

- (a) The Permittee may make any change or changes at the source that are described in 326 IAC 2-8-15(b) through (d) without a prior permit revision, if each of the following conditions is met:

- (1) The changes are not modifications under any provision of Title I of the Clean Air Act;
- (2) Any approval required by 326 IAC 2-8-11.1 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

Office of Environmental Services
Air Compliance
2700 South Belmont Ave.
Indianapolis, IN 46221

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 2-8-15(b) through (d). The Permittee shall make such records available, upon reasonable request, for public review.

Such records shall consist of all information required to be submitted to IDEM, OAQ and OES in the notices specified in 326 IAC 2-8-15(b)(2), (c)(1), and (d).

- (b) Emission Trades [326 IAC 2-8-15(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 2-8-15(c).

- (c) **Alternative Operating Scenarios [326 IAC 2-8-15(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 2-8-4(7). No prior notification of IDEM, OAQ, or U.S. EPA is required.
- (d) 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.20 Source Modification Requirement [326 IAC 2-8-11.1]

A modification, construction, or reconstruction is governed by the requirements of 326 IAC 2 and 326 IAC 2-8-11.1.

B.21 Inspection and Entry [326 IAC 2-8-5(a)(2)][IC 13-14-2-2][IC 13-17-3-2][IC13-30-3-1]

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, and OES or an authorized representative to perform the following:

- (a) Enter upon the Permittee's premises where a FESOP 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, at reasonable times, 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, at reasonable times, 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, at reasonable times, 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.22 Transfer of Ownership or Operational Control [326 IAC 2-8-10]

- (a) The Permittee must comply with the requirements of 326 IAC 2-8-10 whenever the Permittee seeks to change the ownership or operational control of the source and no other change in the permit is necessary.
- (b) Any application requesting a change in the ownership or operational control of the source shall contain a written agreement containing a specific date for transfer of permit responsibility, coverage and liability between the current and new Permittee. The application shall be submitted to:

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

and

Office of Environmental Services
Air Compliance
2700 South Belmont Ave.
Indianapolis, IN 46221

The application which shall be submitted by the Permittee does require the certification by an "authorized individual" as defined by 326 IAC 2-1.1-1(1).

- (c) The Permittee may implement administrative amendment changes addressed in the request for an administrative amendment immediately upon submittal of the request. [326 IAC 2-8-10(b)(3)]

B.23 Annual Fee Payment [326 IAC 2-7-19] [326 IAC 2-8-4(6)] [326 IAC 2-8-16][326 IAC 2-1.1-7]

- (a) The Permittee shall pay annual fees to IDEM, OAQ, and OES within thirty (30) calendar days of receipt of a billing. Pursuant to 326 IAC 2-7-19(b), if the Permittee does not receive a bill from IDEM, OAQ, or OES the applicable fee is due April 1 of each year.
- (b) 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.24 Credible Evidence [326 IAC 2-8-4(3)][326 IAC 2-8-5][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 2-8-4(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 Overall Source Limit [326 IAC 2-8]

The purpose of this permit is to limit this source's potential to emit to less than major source levels for the purpose of Section 502(a) of the Clean Air Act.

(a) Pursuant to 326 IAC 2-8:

- (1) The potential to emit any regulated pollutant, except particulate matter (PM), from the entire source shall be limited to less than one-hundred (100) tons per twelve (12) consecutive month period. This limitation shall also make the requirements of 326 IAC 2-2 (Prevention of Significant Deterioration (PSD)) and 326 IAC 2-3 (Emission Offset) not applicable
- (2) The potential to emit any individual hazardous air pollutant (HAP) from the entire source shall be limited to less than ten (10) tons per twelve (12) consecutive month period; and
- (3) The potential to emit any combination of HAPs from the entire source shall be limited to less than twenty-five (25) tons per twelve (12) consecutive month period.

(b) The potential to emit particulate matter (PM) from the entire source shall be limited to less than two-hundred and fifty (250) tons per twelve (12) consecutive month period. This limitation shall make the requirements of 326 IAC 2-2 (Prevention of Significant Deterioration) is not applicable.

(c) This condition shall include all emission points at this source including those that are insignificant as defined in 326 IAC 2-7-1(21). The source shall be allowed to add insignificant activities not already listed in this permit, provided that the source's potential to emit does not exceed the above specified limits. The source shall be allowed to modify insignificant activities or remove insignificant activities located at the source, provided that the source's potential to emit does not exceed the above specified limits and provided that the modification does not trigger a new applicable requirement or otherwise require approval pursuant to 326 IAC 2.

(d) Section D of this permit contains independently enforceable provisions to satisfy this requirement.

C.3 Opacity [326 IAC 5-1]

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

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

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

The Permittee shall not open burn any material except as provided in 326 IAC 4-1-3, 326 IAC 4-1-4 or 326 IAC 4-1-6. The previous sentence notwithstanding, the Permittee may open burn in accordance with an open burning approval issued by the Commissioner under 326 IAC 4-1-4.1.

C.5 Incineration [326 IAC 4-2] [326 IAC 9-1-2]

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

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

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

C.7 Fugitive Particulate Matter Emission Limitations [326 IAC 6-5]

Pursuant to 326 IAC 6-5 (Fugitive Particulate Matter Emission Limitations), fugitive particulate matter emissions shall be controlled according to the plan submitted on April 2, 1996. The plan consists of:

- (a) The application of wet dust suppression on as needed basis with 0.2 gallons per square yard of calcium chloride.

C.8 Stack Height [326 IAC 1-7]

The Permittee shall comply with the applicable provisions of 326 IAC 1-7 (Stack Height Provisions), for all exhaust stacks through which a potential (before controls) of twenty-five (25) tons per year or more of particulate matter or sulfur dioxide is emitted.

C.9 Asbestos Abatement Projects [326 IAC 14-10] [326 IAC 18] [40 CFR 61, Subpart M]

- (a) Notification requirements apply to each owner or operator. If the combined amount of regulated asbestos containing material (RACM) to be stripped, removed or disturbed is at least 260 linear feet on pipes or 160 square feet on other facility components, or at least thirty-five (35) cubic feet on all facility components, then the notification requirements of 326 IAC 14-10-3 are mandatory. All demolition projects require notification whether or not asbestos is present.
- (b) The Permittee shall ensure that a written notification is sent on a form provided by the Commissioner at least ten (10) working days before asbestos stripping or removal work or before demolition begins, per 326 IAC 14-10-3, and shall update such notice as necessary, including, but not limited to the following:
 - (1) When the amount of affected asbestos containing material increases or decreases by at least twenty percent (20%); or
 - (2) If there is a change in the following:
 - (A) Asbestos removal or demolition start date;

- (B) Removal or demolition contractor; or
 - (C) Waste disposal site.
- (c) The Permittee shall ensure that the notice is postmarked or delivered according to the guidelines set forth in 326 IAC 14-10-3(2).
 - (d) The notice to be submitted shall include the information enumerated in 326 IAC 14-10-3(3).

All required notifications shall be submitted to:

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

and

Office of Environmental Services
Air Enforcement
2700 South Belmont Ave.
Indianapolis, IN 46221

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 an "authorized individual" as defined by 326 IAC 2-1.1-1(1).

- (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.

Testing Requirements [326 IAC 2-8-4(3)]

C.10 Performance Testing [326 IAC 3-6]

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

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

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

and

Office of Environmental Services
Air Compliance
2700 South Belmont Ave.
Indianapolis, IN 46221

no later than thirty-five (35) days prior to the intended test date. The protocol submitted by the Permittee does not require certification by an "authorized individual" as defined by 326 IAC 2-1.1-1(1).

- (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 an "authorized individual" as defined by 326 IAC 2-1.1-1(1).
- (c) Pursuant to 326 IAC 3-6-4(b), all test reports must be received by IDEM, OAQ and OES not later than forty-five (45) days after the completion of the testing. An extension may be granted by IDEM, OAQ, and OES if the Permittee submits to IDEM, OAQ, a reasonable written explanation not later than five (5) days prior to the end of the initial forty-five (45) day period.

Compliance Requirements [326 IAC 2-1.1-11]

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

The commissioner may require stack testing, monitoring, or reporting at any time to assure compliance with all applicable requirements 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 2-8-4][326 IAC 2-8-5(a)(1)]

C.12 Compliance Monitoring [326 IAC 2-8-4(3)][326 IAC 2-8-5(a)(1)]

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

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

and

Office of Environmental Services
Air Compliance
2700 South Belmont Ave.
Indianapolis, IN 46221

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 an "authorized individual" as defined by 326 IAC 2-1.1-1(1).

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

C.13 Compliance Monitoring [326 IAC 2-1.1-11]

Compliance with applicable requirements shall be documented as required by this permit. The Permittee shall be responsible for installing any necessary equipment and initiating any required monitoring related to that equipment. All monitoring and record keeping requirements not already legally required shall be implemented when operation begins.

C.14 Monitoring Methods [326 IAC 3] [40 CFR 60] [40 CFR 63]

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

C.15 Instrument Specifications [326 IAC 2-1.1-11] [326 IAC 2-8-4(3)][326 IAC 2-8-5(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 2-8-4][326 IAC 2-8-5(a)(1)]

C.16 Risk Management Plan [326 IAC 2-8-4] [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.17 Response to Excursions or Exceedances [326 IAC 2-8-4] [326 IAC 2-8-5]

- (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.18 Actions Related to Noncompliance Demonstrated by a Stack Test [326 IAC 2-8-4][326 IAC 2-8-5]

- (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 an "authorized individual" as defined by 326 IAC 2-1.1-1(1).

Record Keeping and Reporting Requirements [326 IAC 2-8-4(3)]

C.19 General Record Keeping Requirements[326 IAC 2-8-4(3)] [326 IAC 2-8-5]

- (a) Records of all required monitoring data, reports and support information required by this permit shall be retained for a period of at least five (5) years from the date of monitoring sample, measurement, report, or application. These records shall be physically present

or electronically accessible at the source location for a minimum of three (3) years. The records may be stored elsewhere for the remaining two (2) years as long as they are available upon request. If the Commissioner or OES makes a request for records to the Permittee, the Permittee shall furnish the records to the Commissioner or OES within a reasonable time.

- (b) Unless otherwise specified in this permit, all record keeping requirements not already legally required shall be implemented within ninety (90) days of permit issuance.

C.20 General Reporting Requirements [326 IAC 2-8-4(3)(C)] [326 IAC 2-1.1-11]

- (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 an "authorized individual" as defined by 326 IAC 2-1.1-1(1).

- (b) The report required in (a) of this condition and reports required by conditions in Section D of this permit shall be submitted to:

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

and

Office of Environmental Services
Air Compliance
2700 South Belmont Ave.
Indianapolis, IN 46221

- (c) Unless otherwise specified in this permit, any notice, report, or other submission required by this permit shall be considered timely if the date postmarked on the envelope or certified mail receipt, or affixed by the shipper on the private shipping receipt, is on or before the date it is due. If the document is submitted by any other means, it shall be considered timely if received by IDEM, OAQ, and OES on or before the date it is due.
- (d) Unless otherwise specified in this permit, all reports required in Section D of this permit shall be submitted within thirty (30) days of the end of the reporting period. All reports do require the certification by an "authorized individual" as defined by 326 IAC 2-1.1-1(1).
- (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.

Stratospheric Ozone Protection

C.21 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 2-8-4(10)]:

- (a) 350 HP Leffel boiler, 11.7 MMBtu/hr heat input capacity, installed 1987, Natural Gas and Distillate #4, Residual #4 and recycled Fuel Oil fired, identified as Emission Unit ID #1; and
- (b) 600 HP Kewanee boiler, 20.1 MMBtu/hr heat input capacity, installed May 1993, Natural Gas and Distillate #4, Residual #4 and recycled Fuel Oil fired, identified as Emission Unit ID #2.

(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 2-8-4(1)]

D.1.1 Fuel Usage Limitation [326 IAC 7-1.1-1] [326 IAC 12-1] [326 IAC 2-8-4] [40 CFR 60, Subpart Dc]

- (a) The following limits shall apply for the 11.7 million Btu per hour boiler (emissions unit EU#1):
 - (1) The sulfur content of distillate oil combusted shall not exceed 0.5% by weight.
 - (2) The sulfur content of residual oil and recycled oil combusted shall not exceed 1.04% by weight.
 - (3) The total gallons of recycled oil, residual oil and the distillate oil equivalence for residual oil combusted in the 11.7 MMBtu per hour boiler (emissions unit EU #1) shall not exceed 715.20 kilogallons per twelve (12) consecutive month period, with compliance determined at the end of each month. The distillate oil equivalence shall be calculated by multiplying the amount distillate oil combusted by a correction factor of 0.447.

Compliance with these limitations on the sulfur content and amount of fuel oils combusted shall assure compliance with the requirement of 326 IAC 7-1.1-2 (Sulfur Dioxide Emission Limitations) and the requirement to limit SO₂ emissions to less than 100 tons per twelve consecutive month period such that 326 IAC 2-7 (Part 70) does not apply.

- (b) The sulfur content of fuel oil combusted in the 20.1 million Btu per hour boiler (emissions unit EU#2) shall not exceed to 0.5% by weight. Pursuant to 40 CFR 60 Subpart Dc, the fuel oil sulfur content limit applies at all times, including periods of startup, shutdown, and malfunction. This limitation on the sulfur content of fuel oils combusted satisfies the requirement of 326 IAC 7-1.1-2 (Sulfur Dioxide Emission Limitations), 40 CFR 60.42c (d) (Subpart Dc, Standards of Performance for Small Industrial-Commercial-Institutional Steam Generating Units) and the requirement to limit SO₂ emissions to less than 100 tons per twelve consecutive month period such that 326 IAC 2-7 (Part 70) shall not apply.

D.1.2 Particulate [326 IAC 6-2-4]

- (a) Pursuant to 326 IAC 6-2-4(a) (Particulate Emission Limitations for Sources of Indirect Heating) the particulate emissions from the 11.7 MMBtu per hour heat input boiler shall be limited to 0.57 pounds per MMBtu heat input.
- (b) Pursuant to 326 IAC 6-2-4(a) (Particulate Emission Limitations for Sources of Indirect Heating) the particulate emissions from the 20.1 MMBtu per hour heat input boiler shall be limited to 0.44 pounds per MMBtu heat input.

Above emission rates were based on the calculations using the following equation:

$$Pt = \frac{1.09}{Q^{0.26}}$$

where: Pt = maximum allowable particulate matter (PM) emitted per MMBtu heat input.

Q = total source maximum operating capacity rating in million Btu per hour

D.1.3 HAPs [326 IAC 2-8-4]

Pursuant to 326 IAC 2-8-4 (FESOP) the HCl emissions from recycled fuel oil combusted in the two (2) boilers shall not exceed 8.6 tons per 12 consecutive month period, with compliance determined at the end of each month. This usage limit is required to limit the source-wide potential to emit of HCl and any combination of HAPs to less than 10 and 25 tons per 12 consecutive month period, respectively. Compliance with this limit makes 326 IAC 2-7 not applicable.

D.1.4 Preventive Maintenance Plan [326 IAC 2-8-4(9)]

A Preventive Maintenance Plan, in accordance with Section B - Preventive Maintenance Plan, of this permit, is required for these facilities.

Compliance Determination Requirements

D.1.5 Sulfur Dioxide Emissions and Sulfur Content

(a) Pursuant to 40 CFR 60, Subpart Dc, the Permittee shall demonstrate compliance utilizing one of the following options:

- (1) Providing vendor analysis of fuel delivered, if accompanied by a vendor certification; or
- (2) Analyzing the oil sample to determine the sulfur content of the oil via the procedures in 40 CFR 60, Appendix A, Method 19.
 - (A) Oil samples may be collected from the fuel tank immediately after the fuel tank is filled and before any oil is combusted; and
 - (B) If a partially empty fuel tank is refilled, a new sample and analysis would be required upon filling.
- (3) Analyzing each batch of recycled oil delivered to the fuel tank to determine the sulfur content of the oil via on-site certified laboratory analysis.

D.1.6 Chlorine Content

Compliance shall be determined utilizing one of the following options.

The Permittee shall analyze the recycled oil sample to determine the chlorine content of the oil via on-site certified laboratory analysis, as follows:

- (a) (1) Oil samples shall be collected from the fuel tank immediately after the fuel tank is filled and before any oil is combusted;
- (2) If a partially empty fuel tank is refilled, a new sample and analysis would be required upon filling.

or

- (b) By sampling each batch of recycled oil delivered to the fuel tank.

Compliance Monitoring Requirements [326 IAC 2-8-4] [326 IAC 2-8-5(a)(1)]

D.1.7 Visible Emissions Notations

- (a) Visible emission notations of the two (2) boilers shall be performed once per day during normal daylight operations when burning oil. A trained employee shall record whether emissions are normal or abnormal.
- (b) For processes operated continuously, "normal" means those conditions prevailing, or expected to prevail, eighty percent (80%) of the time the process is in operation, not counting startup or shut down time.
- (c) In the case of batch or discontinuous operations, readings shall be taken during that part of the operation that would normally be expected to cause the greatest emissions.
- (d) A trained employee is an employee who has worked at the plant at least one (1) month and has been trained in the appearance and characteristics of normal visible emissions for that specific process.
- (e) If abnormal emissions are observed, the permittee shall take responsible response steps in accordance with section C – Response to Excursions or Exceedances. Failure to take response steps in accordance with Section C - Response to Excursions or Exceedances, shall be considered a violation of this permit.

Record Keeping and Reporting Requirements [326 IAC 2-8-4(3)] [326 IAC 2-8-16]

D.1.8 Record Keeping Requirements

- (a) To document compliance with Condition D.1.1(b), the Permittee shall maintain records in accordance with (1) through (6) below. Note that pursuant to 40 CFR 60 Subpart Dc, the fuel oil sulfur limit applies at all times including periods of startup, shutdown, and malfunction.
- (1) Calendar dates covered in the compliance determination period;
 - (2) Actual fuel oil usage since last compliance determination period and equivalent sulfur dioxide emissions;
 - (3) A certification, signed by the owner or operator, that the records of the fuel supplier certifications represent all of the fuel combusted during the period, the natural gas fired boiler certification does require the certification by the "authorized individual" as defined by 326 IAC 2-1.1-1(1); and

If the fuel supplier certification is used to demonstrate compliance the following, as a minimum, shall be maintained:

- (4) Fuel supplier certifications;
- (5) The name of the fuel supplier; and
- (6) A statement from the fuel supplier that certifies the sulfur content of the fuel oil.

The Permittee shall retain records of all recording/monitoring data and support information for a period of five (5) years, or longer if specified elsewhere in this permit, from the date of the monitoring sample, measurement, or report. Support information includes all calibration

and maintenance records and all original strip-chart recordings for continuous monitoring instrumentation, and copies of all reports required by this permit.

- (b) To document compliance with Condition D.1.1(a), the Permittee shall maintain records of the monthly sum of distillate and residual oil combusted in the 11.7 million Btu per hour boiler (emission unit EU# 1).
- (c) To document compliance with Condition D.1.3, the Permittee shall maintain records in accordance with (1) through (5) below.
- (1) Calendar dates covered in the compliance determination period;
 - (2) Results of filled-tank recycled oil analysis (percent chlorine by weight);
 - (3) A certification, signed by the owner or operator, that the results of fuel oil analysis represent all of the recycled fuel oil combusted during the period; and
 - (4) Monthly amount of recycled fuel oil combusted and calculated HCl emissions. Monthly HCl emissions shall be calculated as follows:

$$E = A \times B \times C \times D \times \frac{1 \text{ ton}}{2000 \text{ lbs}}$$

Where A = The recycled oil usage, in kilogallons per month.
B = The density of recycled oil, lb of oil/kgal.
C = Weight % chlorine in recycled oil
D = Stoichiometric ratio of HCl produced per mole of Cl₂ reacted (73/71)
E = Monthly HCl emissions

- (5) The weight of HCl emitted for each compliance period.
- (d) To document compliance with Condition D.1.7, the Permittee shall maintain a daily record of visible emission notations of each of the two (2) boiler stack exhausts. The Permittee shall include in its daily record when a visible emission notation is not taken and the reason for the lack of visible emission notation, (i.e. the process did not operate that day).
- (e) All records shall be maintained in accordance with Section C - General Record Keeping Requirements, of this permit.

D.1.9 Reporting Requirements

- (a) The natural gas boiler certification 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 its equivalent, within thirty (30) days after the end of the six (6) month period being reported. The natural gas-fired boiler certification does require the certification by an "authorized individual" as defined by 326 IAC 2-1.1-1(1). A quarterly summary of the information to document compliance with Conditions D.1.1 and D.1.3 shall be submitted to the addresses listed in Section C - General Reporting Requirements, of this permit, using the reporting forms located at the end of this permit, or their equivalent, within thirty (30) days after the end of the quarter being reported. The report submitted by the Permittee does require the certification by the "authorized individual" as defined by 326 IAC 2-1.1-1(1).

SECTION D.2

FACILITY OPERATION CONDITIONS

Facility Description [326 IAC 2-8-4(10)]:

- (j) Vent and scrubber system serving the outside oil processing tanks and dryer tanks shown in table A-1 solely for odor control. (See condition A.3 (j) table A-1)

(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 2-8-4(1)]

- D.2.1 Preventive Maintenance Plan [326 IAC 2-8-4(9)] [Memorandum of Understanding (MOU), October 11, 2004, City of Indianapolis (plaintiff) vs. Metal Working Lubricants (defendant), Cause Number 04-A-0187]

A Preventive Maintenance Plan, in accordance with Section B - Preventive Maintenance Plan, of this permit, is required for this facility and any control devices.

Compliance Determination Requirement

- D.2.2 Scrubber Operation [Memorandum of Understanding (MOU), October 11, 2004, City of Indianapolis (plaintiff) vs. Metal Working Lubricants (defendant), Cause Number 04-A-0187]

The scrubber shall be in operation when the dryers and oil processing tanks are in operation.

Compliance Monitoring Requirements [326 IAC 2-8-4] [326 IAC 2-8-5(a)(1)]

- D.2.3 Parametric Monitoring for Scrubber [Memorandum of Understanding (MOU), October 11, 2004, City of Indianapolis (plaintiff) vs. Metal Working Lubricants (defendant), Cause Number 04-A-0187]

The Permittee shall record the total static pressure drop across the scrubbers used in conjunction with the subject tanks, at least once per day. When for any one reading, the pressure drop across the scrubber is outside the normal range of 1-4 inches of water or a suitable range established during the latest stack test, the Permittee shall take reasonable response steps in accordance with Section C- Response to Excursions or Exceedances. A pressure reading that is outside the above mentioned range is not a deviation from this permit. Failure to take response steps in accordance with Section C - Response to Excursions or Exceedances, shall be considered a deviation from this permit.

The instrument used for determining the pressure shall comply with Section C - Instrument Specifications, of this permit, shall be subject to approval by IDEM, OAQ, and OES and shall be calibrated or replaced at least once every six (6) months.

- D.2.4 Scrubber Failure Detection [Memorandum of Understanding (MOU), October 11, 2004, City of Indianapolis (plaintiff) vs. Metal Working Lubricants (defendant), Cause Number 04-A-0187]

In the event that scrubber failure has been observed:

The failed unit and associated dryers and oil processing tanks will be shut down as soon as practicable until the failed units have been repaired or replaced. Operations may continue as soon as practicable if the event qualifies as an emergency and the Permittee satisfies the technology-based requirements of the emergency provisions of this permit (Section B - Emergency Provisions). Failure to take response steps in accordance with Section C - Response to Excursions or Exceedances, shall be considered a deviation from this permit.

Record Keeping and Reporting Requirement [326 IAC 2-8-4(3)] [326 IAC 2-8-16]

D.2.5 Record Keeping Requirements [Memorandum of Understanding (MOU), October 11, 2004, City of Indianapolis (plaintiff) vs. Metal Working Lubricants (defendant), Cause Number 04-A-0187]

- (a) To document compliance with Condition D.2.3, the Permittee shall maintain daily records of the differential static pressure across the scrubbers used in conjunction with the subject tanks during normal operation. The Permittee shall include in its daily record when a pressure drop reading is not taken and the reason for the lack of pressure drop reading, (i.e. the process did not operate that day).
- (b) To document compliance with Condition D.2.1, the Permittee shall maintain of records of any additional inspections prescribed by the Preventive Maintenance Plan.
- (c) All records shall be maintained in accordance with Section C - General Record Keeping Requirements, of this permit.

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

**FEDERALLY ENFORCEABLE STATE OPERATING PERMIT (FESOP)
CERTIFICATION**

Source Name: Metalworking Lubricants Company
Source Address: 1509 South Senate Avenue, Indianapolis IN 46225
Mailing Address: 1509 South Senate Avenue, Indianapolis IN 46225
FESOP No.: F097-15365-00139

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:

Date:

**INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
OFFICE OF AIR QUALITY
COMPLIANCE BRANCH
P.O. Box 6015
100 North Senate Avenue
Indianapolis, Indiana 46204-2251
Phone: 317-233-0178
Fax: 317-233-6865**

**CITY OF INDIANAPOLIS
OFFICE OF ENVIRONMENTAL SERVICES
AIR COMPLIANCE
2700 South Belmont Avenue
Indianapolis, Indiana 46221
Phone: 317-327-2234
Fax: 317-327-2274**

**FEDERALLY ENFORCEABLE STATE OPERATING PERMIT (FESOP)
EMERGENCY OCCURRENCE REPORT**

Source Name: Metalworking Lubricants Company
Source Address: 1509 South Senate Avenue, Indianapolis IN 46225
Mailing Address: 1509 South Senate Avenue, Indianapolis IN 46225
FESOP No.: F097-15365-00139

This form consists of 2 pages

Page 1 of 2

- This is an emergency as defined in 326 IAC 2-7-1(12)
- The Permittee must notify the Office of Air Quality (OAQ), within four (4) business hours (1-800-451-6027 or 317-233-0178, ask for Compliance Section); and
 - The Permittee must submit notice in writing or by facsimile within two (2) working days (Facsimile Number: 317-233-6865), and follow the other requirements of 326 IAC 2-7-16

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

Facility/Equipment/Operation:

Control Equipment:

Permit Condition or Operation Limitation in Permit:

Description of the Emergency:

Describe the cause of the Emergency:

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

Page 2 of 2

Date/Time Emergency started:
Date/Time Emergency was corrected:
Was the facility being properly operated at the time of the emergency? Y N Describe:
Type of Pollutants Emitted: TSP, PM-10, SO₂, VOC, NO_x, CO, Pb, other:
Estimated amount of pollutant(s) emitted during emergency:
Describe the steps taken to mitigate the problem:
Describe the corrective actions/response steps taken:
Describe the measures taken to minimize emissions:
If applicable, describe the reasons why continued operation of the facilities are necessary to prevent imminent injury to persons, severe damage to equipment, substantial loss of capital investment, or loss of product or raw materials of substantial economic value:

Form Completed by:
Title / Position:
Date: _____
Phone: _____

A certification is not required for this report.

**INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
OFFICE OF AIR QUALITY
COMPLIANCE DATA SECTION
and
CITY OF INDIANAPOLIS
OFFICE OF ENVIRONMENTAL SERVICES
AIR COMPLIANCE**

**FEDERALLY ENFORCEABLE STATE OPERATING PERMIT (FESOP)
NATURAL GAS FIRED BOILER CERTIFICATION**

Source Name: Metalworking Lubricants Company
Source Address: 1509 South Senate Avenue, Indianapolis IN 46225
Mailing Address: 1509 South Senate Avenue, Indianapolis IN 46225
FESOP No.: F097-15365-00139

<input type="checkbox"/> Natural Gas Only
<input type="checkbox"/> Alternate Fuel
From: _____ To: _____

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

Signature:

Printed Name:

Title/Position:

Date:

Attach a signed certification to complete this report.

**INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
 OFFICE OF AIR QUALITY
 COMPLIANCE DATA SECTION
 and
 CITY OF INDIANAPOLIS
 OFFICE OF ENVIRONMENTAL SERVICES
 DATA COMPLIANCE**

FESOP Quarterly Report

Source Name: Metalworking Lubricants Company
Source Address: 1509 South Senate Avenue, Indianapolis IN 46225
Mailing Address: 1509 South Senate Avenue, Indianapolis IN 46225
FESOP No.: F097-15365-00139
Facility: EU#1 and EU#2
Parameter: Hydrogen Chloride (HCl)
Limit: The HCl emissions from recycled fuel oil combusted in the two (2) boilers shall not exceed 8.6 tons per 12 consecutive month period, with compliance determined at the end of each month. The fuel usage shall be calculated as follows:

$$E = A \times B \times C \times D \times \frac{1 \text{ ton}}{2000 \text{ lbs}}$$

- Where
- A = The recycled oil usage, in kilogallons per month.
 - B = The density of recycled oil, lb of oil/kgal.
 - C = Weight % chlorine in recycled oil
 - D = Stoichiometric ratio of HCl produced per mole of Cl₂ reacted (73/71)
 - E = Monthly HCl emissions

Year: _____

Month	HCl emissions this month (tons)	HCl emissions previous 11 months (tons)	HCl emissions last 12 months (tons)
Month 1			
Month 2			
Month 3			

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

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

Attach a signed certification to complete this report.

**INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
OFFICE OF AIR QUALITY
COMPLIANCE DATA SECTION
and
CITY OF INDIANAPOLIS
OFFICE OF ENVIRONMENTAL SERVICES
AIR COMPLIANCE**

FESOP Quarterly Report

Source Name: Metalworking Lubricants Company
Source Address: 1509 South Senate Avenue, Indianapolis IN 46225
Mailing Address: 1509 South Senate Avenue, Indianapolis IN 46225
FESOP No.: F097-15365-00139
Facility: EU#1
Parameter: Sulfur Dioxide (SO₂)
Limit: The total gallons of recycled oil, residual oil and the distillate oil equivalence for residual oil combusted in the 11.7 MMBtu per hour boiler (emissions unit EU #1) shall not exceed 715.20 kilogallons per twelve (12) consecutive month period, with compliance determined at the end of each month and the maximum sulfur content of the recycled oil and the residual oil shall not exceed 1.04% by weight.

YEAR: _____

Month	Recycled Oil, Residual Oil (& equivalents) usage this month (gallons)	% sulfur by weight of recycled and residual oil combusted this month	Recycled Oil, Residual Oil (& equivalents usage) previous 11 months (gallons)	% sulfur by weight of recycled and residual oil combusted previous 11 months	Recycled Oil, Residual Oil (& equivalents usage) last 12 months (gallons)	% sulfur by weight of recycled and residual oil combusted last 12 months
Month 1						
Month 2						
Month 3						

- No deviation occurred in this month.
- 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
and
CITY OF INDIANAPOLIS
OFFICE OF ENVIRONMENTAL SERVICES
AIR COMPLIANCE**

**FEDERALLY ENFORCEABLE STATE OPERATING PERMIT (FESOP)
QUARTERLY DEVIATION AND COMPLIANCE MONITORING REPORT**

Source Name: Metalworking Lubricants Company
Source Address: 1509 South Senate Avenue, Indianapolis IN 46225
Mailing Address: 1509 South Senate Avenue, Indianapolis IN 46225
FESOP No.: F097-15365-00139

Months: _____ to _____ Year: _____

Page 1 of 2

<p>This report shall be submitted quarterly based on a calendar year. Any deviation from the requirements, the date(s) of each deviation, the probable cause of the deviation, and the response steps taken must be reported. Deviations that are required to be reported by an applicable requirement shall be reported according to the schedule stated in the applicable requirement and do not need to be included in this report. Additional pages may be attached if necessary. If no deviations occurred, please specify in the box marked "No deviations occurred this reporting period".</p>	
<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
and
City of Indianapolis
Office of Environmental Services**

**Addendum to the Technical Support Document for a
Significant Permit Revision to a
Federally Enforceable State Operating Permit (FESOP)**

Source Name:	Metalworking Lubricants Company
Source Location:	1509 South Senate Avenue, Indianapolis, Indiana 46225
County:	Marion
SIC Code:	2992
Permit Modification No.:	097-22764-00139
FESOP Number	097-15365-00139

On December 8, 2006 the Office of Air Quality (OAQ) and the Office of Environmental Services (OES) had a notice published in the Indianapolis Star, Indianapolis, Indiana, stating that a Significant Permit Revision was being proposed to incorporate the new scrubber system into Metalworking Lubricants Company's FESOP as required by the Memorandum of Understanding (MOU), agreed to by the City of Indianapolis and Metalworking Lubricants and signed October 11, 2004. The notice also stated that OAQ and OES proposed to issue a permit for this change and provided information on how the public could review the proposed permit and other documentation. Finally, the notice informed interested parties that there was a period of thirty (30) days to provide comments on whether or not this permit should be issued as proposed. At the request of Metalworking Lubricants, the public notice period was extended for an additional thirty (30) days.

On February 6, 2007, Metalworking Lubricants Company submitted comments on the draft Significant FESOP Revision. Upon further review, the OAQ and OES have decided to make the following revisions to the FESOP. The TSD will remain as it originally appeared when published. Changes to the permit or technical support material that occur after the permit has published for public notice are documented in this Addendum to the Technical Support Document. This accomplishes the desired result of ensuring that these types of concerns are documented and part of the record regarding this permit decision. Bolded language has been added and the language with strikethrough has been deleted. The Table of Contents has been modified to reflect these changes.

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

Comment 1:

Section A.3, item (j) and Table A-1:

A very minor comment is that the spelling of the word "drier", when referring to some of our used oil processing vessels, should be consistent. It is instead spelled "dryer" as in section A.3(j).

It should be stated here, or clarified in the introduction to SECTION A, that the identification of the specific tanks that are served by the fume collection and scrubber system are exemplary only. As an insignificant activity, the alteration, replacement, addition, or removal of oil processing or drier tanks served by the scrubber system should not necessitate a permit modification or notification

subject to the limitations stated in item C.2(b). The last sentence of the introductory language to SECTION A on page 5 of 40 seems to indicate that changes rendering this descriptive information inaccurate may trigger such requirements.

Table A-1 does not correctly identify the tanks currently served by the scrubber. It is recommended that this Table be revised.

IDEM and OES Response 1:

Table A-1 has been revised to reflect information submitted by the Permittee. The spelling of "drier" in Conditions D.2.3 and D.2.4 have been corrected to "dryer" as outlined below.

The statement, requested by the Permittee, that the permit need not be revised if the Permittee adds, removes, modifies or alters the tanks identified in the table has not been added. Pursuant to 326 IAC 2-8-3(c)(3)(I), applicants are required to submit information regarding Insignificant Activities if that information is needed to determine the applicability of 40 CFR 70. Therefore, changes at the source that may impact the source's FESOP status, even if those changes only involve insignificant activities, may require a FESOP revision pursuant to 326 IAC 2-8-11.1. The last sentence of the introductory language to SECTION A is included to clarify that although the descriptive information (such as tank capacity) is not an enforceable permit condition, the information in the descriptions is the information used to determine rule applicability. Therefore, changes to emission units that impact the accuracy of the permit description may impact rule applicability and, therefore, may require a permit revision.

A.3 Insignificant Activities [326 IAC 2-7-1(21)] [326 IAC 2-8-3(c)(3)(I)]

This stationary source also includes the following insignificant activities, as defined in 326 IAC 2-7-1(21):

- (j) Vent and scrubber system serving the outside oil processing tanks and dryer tanks shown in table A-1 solely for odor control.

Table A-1

Waste Codes/location	Type/Construction	number of tanks /Size	Quantity
Used Oil/ D tank farm	above-ground /steel	5/10,000	approx. 40,000 gallons total
Used Oil/ H	above-ground /steel	3/10,000	approx. 15,000 gallons total
product Oil/ P tank farm	above-ground/steel	9/20,000	approx. 100,000 gallons total
product Oil/ P tank farm 10-13	above-ground/steel	4/30,000	approx. 70,000 gallons total

TABLE A-1: TANKS CURRENTLY SERVED BY SCRUBBER

Tank No.	Capacity (gallons)	Construction Material	Date Acquired	Heat Source
P1	30,000	Carbon Steel	1995	Live steam
P3	21,800	Carbon Steel	1996	Live steam
P4	21,800	Carbon Steel	1997	Live steam
P5	25,350	Carbon Steel	1988	Live steam
P6	21,800	Carbon Steel	1997	Live steam
P7	21,800	Carbon Steel	1997	Live steam
P8	21,800	Carbon Steel	1997	Live steam
P9	21,800	Carbon Steel	1997	Live steam
P10	30,811	Carbon Steel	1977	Live steam

P11	30,811	Carbon Steel	1977	Live steam
P12	30,811	Carbon Steel	1977	Live steam
P13	30,811	Carbon Steel	1977	Live steam
P14	21,073	Carbon Steel	2003	Live steam
P15	20,403	Carbon Steel	2003	Live steam
D1	12,000	Carbon Steel	2005	Heat Exchanger
D2	12,327	Carbon Steel	1977	Heat Exchanger
D3	16,289	Carbon Steel	1977	Heat Exchanger
D4	16,350	Carbon Steel	1997	Heat Exchanger
D5	16,350	Carbon Steel	1997	Heat Exchanger
W8	22,306	Carbon Steel	1988	Live steam
SHT2	25,380	Carbon Steel	1991	Heat Exchanger

D.2.2 Scrubber Operation [Memorandum of Understanding (MOU), October 11, 2004, City of Indianapolis (plaintiff) vs. Metal Working Lubricants (defendant), Cause Number 04-A-0187]

The scrubber shall be in operation when the ~~driers~~ **dryers** and oil processing tanks are in operation.

D.2.4 Scrubber Failure Detection [Memorandum of Understanding (MOU), October 11, 2004, City of Indianapolis (plaintiff) vs. Metal Working Lubricants (defendant), Cause Number 04-A-0187]

In the event that scrubber failure has been observed:

The failed unit and associated ~~driers~~ **dryers** and oil processing tanks will be shut down as soon as practicable until the failed units have been repaired or replaced. Operations may continue as soon as practicable if the event qualifies as an emergency and the Permittee satisfies the technology-based requirements of the emergency provisions of this permit (Section B - Emergency Provisions). Failure to take response steps in accordance with Section C - Response to Excursions or Exceedances, shall be considered a deviation from this permit.

Comment 2.

Section C.15(a) and (b):

The necessity of or basis for this specific requirement is not clear, nor is the requirement that IDEM OAQ approve any alternative or replacement monitoring instruments. Is approval of the existing gauge being granted through this Permit modification? Such a requirement could potentially limit Metalworking Lubricants Company's ability to respond to any instrument malfunctions or discontinuation of a particular model by the manufacturer. What is the anticipated procedure and timeframes for both IDEM and OES approval of such devices?

IDEM and OES Response 2.

In order for the Permittee and the OES inspector to determine that the total static pressure drop across the scrubber is within the appropriate range, the instrument must be of the appropriate scale, in working condition, and readable. This requirement ensures that both the Permittee and the inspector are able to obtain the appropriate information from the instrument. If the Permittee wishes to utilize an instrument that does not have a scale such that the expected maximum

reading for the normal range is no less than twenty percent (20%) of full scale, the Permittee shall work with the IDEM and/or OES inspector to determine if the proposed instrument is sufficient. This may trigger the need for a permit revision such that this condition can be revised to reflect the alternative instrument.

Comment 3.

Section C.18:

This condition should clarify or allow for the conduct of stack tests intended for control or other system design studies of short duration where a fuel or other potential pollutant source may be obtained, formulated, or utilized to represent "worst case" input conditions that are not representative of normal operating conditions or emissions, and do not create a violation of any emission levels specified in any condition of the Permit. The condition does not appear to recognize that the results of such "extreme" tests are not representative of normal operating emissions beyond the actual term of the limited test period.

IDEM and OES Response 3.

In order for a stack test to be a valid demonstration of compliance, the test must be completed pursuant to 326 IAC 3-6. Any testing completed by the source not following the requirements of 326 IAC 3-6, would not be a valid stack test. If a test completed by the source, outside of any IDEM, OAQ or OES testing requirement, was not done following the requirements of 326 IAC 3-6 but indicated possible noncompliance with a permit condition or applicable rule, IDEM, OAQ and/or OES may determine that a valid compliance demonstration may be needed. As stated in Condition C.11 - Compliance Requirements, IDEM, OAQ and OES can, at any time, pursuant to 326 IAC 2-1.1-11, require stack testing, monitoring, or reporting at any time to assure compliance with all applicable requirements. No change to Condition C.18 is necessary.

Comment 4.

Section C.2(c):

This condition should be expanded to allow for the alteration, expansion, or removal of insignificant activities at the facility, whether or not they are specifically identified in this Permit, rather than only allowing for their addition.

IDEM and OES Response to 4

The Permittee is able to alter, expand, remove, or otherwise modify insignificant activities located at the source, provided that the source's potential to emit does not exceed the limits specified in Condition C.2 and provided that a permit revision is not required pursuant to 326 IAC 2-8-11.1. Condition C.2(c) has been revised as follows:

C.2 Overall Source Limit [326 IAC 2-8]

The purpose of this permit is to limit this source's potential to emit to less than major source levels for the purpose of Section 502(a) of the Clean Air Act.

-
- (c) This condition shall include all emission points at this source including those that are insignificant as defined in 326 IAC 2-7-1(21). The source shall be allowed to add insignificant activities not already listed in this permit, provided that the source's potential to emit does not exceed the above specified limits. **The source shall be allowed to modify insignificant activities or remove insignificant activities located at the source, provided that the source's potential to emit does not exceed the above specified limits and provided that the modification does not trigger a new applicable requirement or otherwise require approval pursuant to 326 IAC 2.**
-

Comment 5.

Section D.1.1(a)(3); Section D.1.8(b):

There is no definition or reference in the Permit to specifications (such as an ASTM Standard) for distillate oil (normally #1 and #2 fuel oil) versus the residual oil and recycled oils referred to in this section. Metalworking is uncertain as to the purpose of the distinction between residual oils and recycled oils insofar as this limitation. Metalworking would prefer to eliminate the maximum fuel usage limit on the 11.7 mmBTU boiler (EU #1), subject to reporting the maximum sulfur dioxide emissions based on the actual sulfur content of the fuels being burned (similar to what is allowed in section D.1.3 for HCl emissions).

Metalworking proposes replacement of the current designated fuel grades in the Permit such as distillate, residual, or recycled oil, with any necessary limitations instead being based on the actual sulfur content of the fuel being burned. Metalworking is a used oil recycling and blending facility and, as such, produces and blends recycled fuels that are not necessarily representative of these standard fuel specifications, but for which actual sulfur concentrations can be and are determined and recorded. As the purpose of using these fuel designations is only for the application of AP-42 emission factors based on their typical range of sulfur concentrations, their designation seems redundant when actual sulfur concentrations in the blended fuels at Metalworking will be known, and can serve as the basis for any fuel consumption limitations.

Depending on the OES response to the comment above, Condition D.1.8(b) could be altered to read similarly to the following: "To document compliance with Condition D.1.1.(a), the Permittee shall maintain records of the sulfur content of other than distillate oils (meeting #1 or #2 fuel or diesel oil specifications), the quantities of such fuels (e.g, used oils, or recycled oils) combusted, and the calculated total sulfur dioxide emissions.

IDEM and OES Response to Comment 5.

IDEM, OAQ and OES suggest that the applicant submit a Significant FESOP Revision application to make the changes suggested in Comment 5. Pursuant to 326 IAC 2-8-11.1(g), it appears that some of the changes outlined in this comment would require public notice of the changes since they involve an adjustment to the emissions cap limitation and changes to existing requirements for the units under the emission cap. Therefore, these changes are best handled in a new Significant FESOP Revision rather than through this TSD addendum. No changes are being made at this time in response to Comment 5.

Comment 6.

Section D.1.5:

It appears that paragraph (b) of this condition should actually be item (3) under (a) as it is another option in demonstrating compliance.

IDEM and OES Response to Comment 6.

IDEM and OES agree that paragraph (b) of this condition should actually be item (3) under (a). The following change has been made to Condition D.1.5:

D.1.5 Sulfur Dioxide Emissions and Sulfur Content

- (a) Pursuant to 40 CFR 60, Subpart Dc, the Permittee shall demonstrate compliance utilizing one of the following options:
 - (1) Providing vendor analysis of fuel delivered, if accompanied by a vendor certification; or

- (2) Analyzing the oil sample to determine the sulfur content of the oil via the procedures in 40 CFR 60, Appendix A, Method 19.
 - (A) Oil samples may be collected from the fuel tank immediately after the fuel tank is filled and before any oil is combusted; and
 - (B) If a partially empty fuel tank is refilled, a new sample and analysis would be required upon filling.
- (b) (3) Analyzing each batch of recycled oil delivered to the fuel tank to determine the sulfur content of the oil via on-site certified laboratory analysis.

Comment 7.

Section D.1.6:

The following language should be added to this section as item (c): "By sampling each batch of recycled oil delivered to the fuel tank." This modification should then be prefaced by ending the preceding paragraph (b) with a semicolon and the work "or," rather than a period.

IDEM and OES Response to Comment 7.

The Permittee may elect to sample each batch of recycled oil delivered to the fuel tank. However, IDEM and OES believes this is an alternative to the existing options. Condition D.1.6 has been revised as follows:

D.1.6 Chlorine Content

Compliance shall be determined utilizing one of the following options.

The Permittee shall analyze the recycled oil sample to determine the chlorine content of the oil via on-site certified laboratory analysis, as follows:

- (a) (1) Oil samples shall be collected from the fuel tank immediately after the fuel tank is filled and before any oil is combusted; or
- (b) (2) If a partially empty fuel tank is refilled, a new sample and analysis would be required upon filling.

or

- (b) **By sampling each batch of recycled oil delivered to the fuel tank.**

Comment 8.

Section D.1.8(d):

This condition should be revised as follows in order to correspond with the base condition at D.1.7: "To document compliance with Condition D.1.7, the Permittee shall maintain records of visible emission notations of either or both of the two (2) boilers once each day when the particular unit is exhausting to the atmosphere and burning oil."

IDEM and OES Response to Comment 8.

IDEM and OES intend for records to be kept each day for each boiler stack. The boilers vent to separate stacks and therefore, records should be kept each day for each stack. If a boiler is not operating or not burning oil, a record shall be kept indicating that the boiler was not operating or

not burning oil. The two boilers always vent to the atmosphere, therefore, Condition D.1.7(a) is being revised. To clarify the record keeping condition, Condition D.1.8(d) has been revised.

D.1.7 Visible Emissions Notations

- (a) Visible emission notations of the two (2) boilers shall be performed once per day during normal daylight operations when exhausting to the atmosphere and burning oil. A trained employee shall record whether emissions are normal or abnormal.

D.1.8 Record Keeping Requirements

- (d) To document compliance with Condition D.1.7, the Permittee shall maintain a **daily records record** of visible emission notations of **each of the two (2) boiler stack exhausts** ~~boilers once per day~~. **The Permittee shall include in its daily record when a visible emission notation is not taken and the reason for the lack of visible emission notation, (i.e. the process did not operate that day).**

Comment 9.

Section D.1.10(b):

This condition should be expanded to include the following as a second sentence: "The Permittee has notified the U.S. EPA and/or IDEM of its used oil handling, processing, and burning activities as required and maintains U.S. EPA ID Number IND 000646950."

IDEM and OES Response to Comment 9.

Upon further review, IDEM has determined that Condition D.1.10 does not need to be included in the permit, since this is regulated by other agencies. Condition D.1.10(b) has been removed.

D.1.10 Used Oil Requirements [329 IAC 13]

~~The waste oil burned in the two (2) boilers shall comply with the used oil requirements specified in 329 IAC 13 (Used Oil Management). Pursuant to 329 IAC 13-3-2 (Used Oil Specifications), used oil burned for energy recovery that is classified as off-specification used oil fuel shall comply with the provisions of 329 IAC 13-8 (Used Oil Burners Who Burn Off-specification Used Oil For Energy Recovery), including:~~

- ~~(a) Receipt of an EPA identification number as outlined in 329 IAC 13-8-3 (Notification),~~
- ~~(b) Compliance with the used oil storage requirements specified in 329 IAC 13-8-5 (Used Oil Storage), and~~
- ~~(c) Maintaining records pursuant to 329 IAC 13-8-6 (Tracking).~~

~~The burning of mixtures of used oil and hazardous waste that is regulated under 329 IAC 3-1 is prohibited at this source.~~

Comment 10.

Section D.2.3:

Regarding the second paragraph of this condition, requiring approval of the monitoring instrument by IDEM and OES, Metalworking suggests that this is not necessary and, at a minimum, requests recognition that some time may pass pending approval of a replacement instrument by the 2 regulatory agencies. It is also requested that that the instrument should be calibrated in accordance with the manufacturer's recommendations rather than an arbitrary period of once

every six (6) months. Further, that replacement of the device should be an option as opposed to calibration.

While recognizing that the language in this condition was accepted in the 2004 Memorandum of Understanding, the following changes (additional words or phrases) to the first paragraph of this condition are suggested for clarity or correction (noted in **bold**):

The Permittee shall record the total static pressure drop across the scrubber(s) used in conjunction with the **subject** tanks, at least once per day when the tanks are in operation when venting to the atmosphere. When for any one reading, the pressure drop across the scrubber is outside the normal range of 0-4 inches of water, or a **suitable** range established during the latest stack **or operational** test, the Permittee shall take reasonable response steps in accordance with Section C – Response to Excursions or Exceedances. A pressure reading that is outside the above-mentioned range is not a deviation from this permit. Failure to take response steps in accordance with Section C – Response to Excursions or Exceedances, shall be considered a deviation from this permit.

Response to Comment 10.

As indicated in Response to Comment 3, in order for the Permittee and the OES inspector to determine that the total static pressure drop across the scrubber is in the appropriate range, the instrument must be of the appropriate scale, in working condition, and readable. This requirement ensures that both the Permittee and the inspector are able to obtain the appropriate information from the instrument. If the Permittee wishes to utilize an instrument that does not have a scale such that the expected maximum reading for the normal range is no less than twenty percent (20%) of full scale, the Permittee shall work with the IDEM, OAQ and/or OES inspector to determine if the proposed instrument is sufficient. This may trigger the need for a permit revision such that this condition can be revised to reflect the alternative instrument.

Pressure drop is an indicator of a variety of conditions within the scrubber. Any deviations from the normal operational range of the unit, whether gradual or sudden, should alert the operator that the unit needs maintenance. The accurate and consistent operation of the device used to measure the pressure drop must be assured or the respective monitoring data would be invalid. Therefore, regular calibration of the device used to measure the pressure drop is necessary. The Permittee has not submitted sufficient evidence to justify a less frequent calibration period. However, replacement is a sufficient substitution for a calibration. The condition has been revised to allow for replacement of the instrument.

At this time, the Permittee has not submitted sufficient evidence to revise the scrubber pressure drop range. Evidence sufficient to revise the range might include manufacturer's specifications or readings during an approved stack test where the Permittee shows compliance. A range determined during operational tests not approved by IDEM and/or OES are not sufficient since IDEM and OES would not be able to determine that the test met the requirements of 326 IAC 3-6. A lower range level of zero (0) inches of water could indicate that the fan is off, therefore, a reading of zero (0) could indicate that response steps should be taken. IDEM, OAQ and OES are not revising the range at this time.

Conditions D.2.3 and D.2.4 have been revised to clarify that pressure drop readings shall be taken once per day. If the tanks are not in operation, the Permittee shall still maintain a notation for that day, but the notation should indicate that the tanks are not in operation. The following changes have been made to Condition D.2.3 and D.2.4:

- D.2.3 Parametric Monitoring for Scrubber [Memorandum of Understanding (MOU), October 11, 2004, City of Indianapolis (plaintiff) vs. Metal Working Lubricants (defendant), Cause Number 04-A-0187]

The Permittee shall record the total static pressure drop across the scrubbers used in conjunction with the **subject** tanks, at least once per day when the tanks are in operation

~~when venting to the atmosphere.~~ When for any one reading, the pressure drop across the scrubber is outside the normal range of 1-4 inches of water or a **suitable** range established during the latest stack test, the Permittee shall take reasonable response steps in accordance with Section C- Response to Excursions or Exceedances. A pressure reading that is outside the above mentioned range is not a deviation from this permit. Failure to take response steps in accordance with Section C - Response to Excursions or Exceedances, shall be considered a deviation from this permit.

The instrument used for determining the pressure shall comply with Section C - Instrument Specifications, of this permit, shall be subject to approval by IDEM, OAQ, and OES and shall be calibrated **or replaced** at least once every six (6) months.

D.2.5 Record Keeping Requirements [Memorandum of Understanding (MOU), October 11, 2004, City of Indianapolis (plaintiff) vs. Metal Working Lubricants (defendant), Cause Number 04-A-0187]

(a) To document compliance with Condition D.2.3, the Permittee shall maintain **daily** records of the differential static pressure **across the scrubbers used in conjunction with the subject tanks** during normal operation ~~once per day when venting to the atmosphere.~~ **The Permittee shall include in its daily record when a pressure drop reading is not taken and the reason for the lack of a pressure drop reading, (i.e. the process did not operate that day).**

.....

Comment 11.

Technical Support Document, Federal Rule Applicability (b):

This finding should be expanded to state that: "This source is not subject to the Off Site Waste Recovery Operations NESHAP (40 CFR 63, Subpart DD, adopted at 326 IAC 20-23). MLCs initial FESOP was issued in September 1997; and therefore, as a minor source, they are excluded from its applicability."

Response to Comment 11.

The Technical Support Document to which the commenter is referring was associated with the FESOP renewal (F097-15365-00139) issued on October 27, 2003. The Technical Support Document for this Significant Permit Revision stated in the Federal Rule Applicability Section that no Federal Rule Applicability was impacted by this revision. IDEM and OES have not made a determination that the Off Site Waste Recovery Operations NESHAP (40 CFR 63, Subpart DD, adopted at 326 IAC 20-23) does not apply. However, pursuant to 40 CFR 63.680(a)(1), the Off Site Waste Recovery Operations NESHAP (40 CFR 63, Subpart DD, adopted at 326 IAC 20-23) applies only to major sources of Hazardous Air Pollutant emissions as defined in 40 CFR 63.2.

IDEM and OES have also made the following changes:

IDEM and OES Change 1.

Marion County has been classified as nonattainment for PM2.5 in 70 FR 943 dated January 5, 2005. Until U.S. EPA adopts specific New Source Review rules for PM2.5 emissions, it has directed states to regulate PM10 emissions as a surrogate for PM2.5 emissions, pursuant to the Non-attainment New Source Review requirements. The change to indicate county nonattainment status for PM2.5 has already been noted in the permit, however, the Source Status line of Condition A.1 General Information is being updated to update the source status. In addition, IDEM and OES have determined that it is not necessary to identify the Authorized Individual in the permit, therefore, this information is being removed from Condition A.1.

A.1 General Information [326 IAC 2-8-3(b)]

The Permittee owns and operates a stationary waste oil recycling plant, using two boilers.

Authorized individual: ~~Plant Manager~~

.....

Source Status: Federally Enforceable State Operating Permit (FESOP)
Minor Source, under PSD, **Nonattainment New Source
Review**, and Emission Offset Rules
Minor Source, Section 112 of the Clean Air Act

IDEM and OES Change 2.

The NSPS Subpart Dc rule cite and 326 IAC 12 rule cite have been added to Condition D.1.1 to reflect that requirements from those rules are included in that condition.

D.1.1 Fuel Usage Limitation [326 IAC 7-1.1-1] [326 IAC 12-1] [326 IAC 2-8-4] **[40 CFR 60
Subpart Dc]**

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

Technical Support Document (TSD) for a FESOP Significant Permit
Revision

Source Description and Location

Source Name:	Metalworking Lubricants Company
Source Location:	1509 South Senate Avenue, Indianapolis, Indiana 46225
County:	Marion
SIC Code:	2992
Permit Modification No.:	097-22764-00139
FESOP Number	097-15365-00139
Permit Reviewer:	Warner Waters

Existing Approvals

The source is operating under the following approvals:

- (a) Operation Permit No.: 097-15365-00139 issued on October 27, 2003
- (b) Administrative Amendment No.: 097-19516-00139 issued on May 19, 2005

County Attainment Status

The source is located in Marion County.

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

- (a) Volatile organic compounds (VOC) and nitrogen oxides (NO_x) are regulated under the Clean Air Act (CAA) for the purposes of attaining and maintaining the National Ambient Air Quality Standards (NAAQS) for ozone. Therefore, VOC and NO_x emissions are considered when evaluating the rule applicability relating to the ozone standards. Marion County has been designated as nonattainment for the 8-hour ozone standard. Therefore, VOC and NO_x emissions were reviewed pursuant to the requirements for Emission Offset, 326 IAC 2-3.

- (b) Marion County has been classified as nonattainment for PM2.5 in 70 FR 943 dated January 5, 2005. Until U.S. EPA adopts specific New Source Review rules for PM2.5 emissions, it has directed states to regulate PM10 emissions as a surrogate for PM2.5 emissions pursuant to the requirements of Emission Offset, 326 IAC 2-3.
- (c) Marion County has been classified as attainment or unclassifiable for PM10, SO₂, CO and Lead. Therefore, these emissions were reviewed pursuant to the requirements for Prevention of Significant Deterioration (PSD), 326 IAC 2-2.
- (e) Fugitive Emissions
This type of operation is one of the twenty-eight (28) listed source categories under 326 IAC 2-2 or 326 IAC 2-3, and there is an applicable New Source Performance Standard that was in effect on August 7, 1980, specifically 40 CFR Part 60, Subpart Y, therefore, fugitive emissions are counted toward the determination of PSD and Emission Offset applicability.
- (f) On August 7, 2006, a temporary emergency rule took effect revoking the one-hour ozone standard in Indiana. The Indiana Air Pollution Control Board has approved a permanent rule revision to incorporate this change into 326 IAC 1-4-1. A permanent revision to 326 IAC 1-4-1 will take effect prior to the expiration of the emergency rule.

Description of Revision

IDEM and OES are incorporating the Memorandum of Understanding, Cause Number 04-A-0187 into the FESOP.

Permit Level Determination – FESOP

The significant permit revision to the FESOP is issued pursuant to 326 IAC 2-8-11.1(f), which states "A significant permit revision is a modification that is not an administrative amendment under section 10 of this rule or subject to subsection (d)". This revision involves significant changes to monitoring and Record Keeping therefore it is not an administrative amendment or minor permit revision. A significant permit revision shall be issued.

Federal Rule Applicability Determination

The federal rule applicabilities for this source remain unchanged as a result of this revision.

State Rule Applicability Determination

The state rule applicabilities for this source remain unchanged as a result of this revision.

Proposed Changes

- (a) IDEM and OES are updating sections A, B & C to further address and clarify the permit terms and the terms of the conditions.
 - 1. IDEM has determined that the Permittee is not required to keep records of all preventive maintenance for the boilers except where required by the MOU. 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 Condition B-Preventive Maintenance and has amended Condition B – Emergency Provisions.
 - 2. For clarification purposes, Condition B-Operational Flexibility has been revised.

3. In order to avoid duplication of requirements which may be included in D sections, Condition C.8 – Operation of Equipment has been removed from the permit.
4. Condition C-Instrument Specifications was added to insure instrument specifications and to provide instrument range specifications.
5. IDEM has reconsidered the requirement to develop and follow a Compliance Response Plan (Condition C.16). 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. Therefore, the condition for "Compliance Response Plan" has been replaced by the condition for "Response to Excursions or Exceedances". The Section D conditions that refer to this condition have been revised to reflect the new condition title (see the changes in the section of Proposed Changes).
6. Upon further review, IDEM has determined that once per day visible emission notations of the emission units. Therefore, the monitoring frequency has been changed from once per shift to once per day in the revised permit.
7. A.5 Prior Permits Superseded has been moved to the B. Section.
8. A condition for Credible Evidence has been added to Section B of the Permit.

The **bold language is new** language that has been added, and the language with a line through it has been taken out. The permit will reflect the following changes:

~~A.5 Prior Permits Superseded [326 IAC 2-1.1-9.5]~~

~~(a) All terms and conditions of previous permits issued pursuant to permitting programs approved into the state implementation plan have been either~~

~~(1) incorporated as originally stated,~~

~~(2) revised, or~~

~~(3) deleted~~

~~by this permit.~~

~~(b) All previous registrations and permits are superseded by this permit.~~

~~B.1 Permit No Defense [IC 13]~~

~~Indiana statutes from IC 13 and rules from 326 IAC, quoted in conditions in this permit, are those applicable at the time the permit was issued. The issuance or possession of this permit shall not alone constitute a defense against an alleged violation of any law, regulation or standard, except for the requirement to obtain a FESOP under 326 IAC 2-8.~~

~~B.2 Definitions [326 IAC 2-8-1]~~

~~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.3 Permit Term [326 IAC 2-8-4(2)][326 IAC 2-1.1-9.5]~~

~~This permit 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.~~

~~B.4 Enforceability [326 IAC 2-8-6]~~

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

~~(b) Unless otherwise stated, all terms and conditions in this permit that are local requirements, including any provisions designed to limit the source's potential to emit, are enforceable by the OES.~~

~~B.5 Termination of Right to Operate [326 IAC 2-8-9] [326 IAC 2-8-3(h)]~~

~~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 2-8-3(h) and 326 IAC 2-8-9.~~

~~B.6 Severability [326 IAC 2-8-4(4)]~~

~~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 2-8-4(5)(D)]~~

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

~~B.8 Duty to Provide Information [326 IAC 2-8-4(5)(E)]~~

~~(a) The Permittee shall furnish to IDEM, OAQ, and the OES within a reasonable time, any information that IDEM, OAQ, and the OES may request in writing to determine whether cause exists for modifying, revoking and reissuing, or terminating this permit, or to determine compliance with this permit. The submittal by the Permittee does require the certification by the "authorized individual" as defined by 326 IAC 2-1.1-1(1). Upon request, the Permittee shall also furnish to IDEM, OAQ, and the OES copies of records required to be kept by this permit.~~

~~(b) For information furnished by the Permittee to IDEM, OAQ and the OES, 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 Compliance Order Issuance [326 IAC 2-8-5(b)]~~

~~IDEM, OAQ, and the OES may issue a compliance order to this Permittee upon discovery that this permit is in nonconformance with an applicable requirement. The order may require immediate compliance or contain a schedule for expeditious compliance with the applicable requirement.~~

~~B.10 Certification [326 IAC 2-8-3(d)] [326 IAC 2-8-4(3)(C)(i)] [326 IAC 2-8-5(1)]~~

- ~~(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 an authorized individual of truth, accuracy, and completeness. This certification, shall state that, based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate, and complete.~~
- ~~(b) One (1) certification shall be included, using the attached Certification Form, with each submittal requiring certification.~~
- ~~(c) An authorized individual is defined at 326 IAC 2-1.1-1(1).~~

~~B.11 Annual Compliance Certification [326 IAC 2-8-5(a)(1)]~~

~~(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 April 15 of each year to:~~

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

~~and~~

~~City of Indianapolis
Office of Environmental Services
Air Quality Management Section
2700 South Belmont Avenue
Indianapolis Indiana 46221-2097~~

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

~~(c) The annual compliance certification report shall include the following:~~

- ~~(1) The appropriate identification of each term or condition of this permit that is the basis of the certification;~~
- ~~(2) The compliance status;~~
- ~~(3) Whether compliance was continuous or intermittent;~~
- ~~(4) The methods used for determining the compliance status of the source, currently and over the reporting period consistent with 326 IAC 2-8-4(3); and~~
- ~~(5) Such other facts as specified in Sections D of this permit, IDEM, OAQ, and the OES may require to determine the compliance status of the source.~~

The notification which shall be submitted by the Permittee does require the certification by the "authorized individual" as defined by 326 IAC 2-1.1-1(1).

~~B.12 Preventive Maintenance Plan [326 IAC 1-6-3] [326 IAC 2-8-4(9)] [326 IAC 2-8-5(a)(1)]~~

- ~~(a) If required by specific condition(c) 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.~~
- ~~(c) A copy of the PMPs shall be submitted to IDEM, OAQ, and the OES upon request and within a reasonable time, and shall be subject to review and approval by IDEM, OAQ, and the OES. IDEM, OAQ, and the OES, may require the Permittee to revise its PMPs whenever lack of proper maintenance causes or is the primary contributor to an exceedance of any limitation on emissions or potential to emit. The PMP does not require the certification by the "authorized individual" as defined by 326 IAC 2-1.1-1(1).~~
- ~~(d) To the extent the Permittee is required by 40 CFR Part 60/63 to have an Operation, Maintenance, and Monitoring (OMM) Plan for a unit, such Plan is deemed to satisfy the PMP requirements of 326 IAC 1-6-3 for that unit.~~

~~B.13 Emergency Provisions [326 IAC 2-8-12]~~

- ~~(a) An emergency, as defined in 326 IAC 2-7-1(12), is not an affirmative defense for an action brought for noncompliance with a federal or state health-based emission limitation, except as provided in 326 IAC 2-8-12.~~
- ~~(b) An emergency, as defined in 326 IAC 2-7-1(12), constitutes an affirmative defense to an action brought for noncompliance with a health-based or technology-based emission limitation if the affirmative defense of an emergency is demonstrated through properly signed, contemporaneous operating logs or other relevant evidence that describes the following:~~
- ~~(1) An emergency occurred and the Permittee can, to the extent possible, identify the causes of the emergency;~~
 - ~~(2) The permitted facility was at the time being properly operated;~~
 - ~~(3) During the period of an emergency, the Permittee took all reasonable steps to minimize levels of emissions that exceeded the emission standards or other requirements in this permit;~~
 - ~~(4) For each emergency lasting one (1) hour or more, the Permittee notified~~

~~_____ IDEM, OAQ and the OES, within four (4) daytime business hours after
_____ the beginning of the emergency, or after the emergency was discovered
_____ or reasonably should have been discovered;~~

~~Telephone No.: 1-800-451-6027 (ask for Office of Air Quality, Compliance
Section) or,
_____ Telephone No.: 317-233-5674 (ask for Compliance Section)
_____ Facsimile No.: 317-233-5967~~

~~_____ City of Indianapolis OES
_____ Telephone No.: 317/327-2234
_____ Facsimile No.: 317/327-2274~~

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

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

~~_____ and~~

~~_____ City of Indianapolis
_____ Office of Environmental Services
_____ Air Quality Management Section
_____ 2700 South Belmont Avenue
_____ Indianapolis Indiana 46221-2097~~

~~_____ 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 2-8-4(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 "authorized individual" as defined by 326
_____ IAC 2-1.1-1(1).~~

~~_____ (6) _____ The Permittee immediately took all reasonable steps to correct the emergency.~~

~~_____ (c) _____ In any enforcement proceeding, the Permittee seeking to establish the occurrence of an
_____ emergency has the burden of proof.~~

~~_____ (d) _____ This emergency provision supersedes 326 IAC 1-6 (Malfunctions). This permit condition
_____ is in addition to any emergency or upset provision contained in any applicable
_____ requirement.~~

~~_____ (e) _____ IDEM, OAQ and the OES, may require that the Preventive Maintenance Plans required~~

~~under 326 IAC 2-8-3(c)(6) be revised in response to an emergency.~~

~~(f) Failure to notify IDEM, OAQ and the OES, by telephone or facsimile of an emergency lasting more than one (1) hour in accordance with (b)(4) and (5) of this condition shall constitute a violation of 326 IAC 2-8 and any other applicable rules.~~

~~(g) Operations may continue during an emergency only if the following conditions are met:~~

~~(1) If the emergency situation causes a deviation from a technology-based limit, the Permittee may continue to operate the affected emitting facilities during the emergency provided the Permittee immediately takes all reasonable steps to correct the emergency and minimize emissions.~~

~~(2) If an emergency situation causes a deviation from a health-based limit, the Permittee may not continue to operate the affected emissions facilities unless:~~

~~(A) The Permittee immediately takes all reasonable steps to correct the emergency situation and to minimize emissions; and~~

~~(B) Continued operation of the facilities is necessary to prevent imminent injury to persons, severe damage to equipment, substantial loss of capital investment, or loss of product or raw material of substantial economic value.~~

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

~~(h) The Permittee shall include all emergencies in the Quarterly Deviation and Compliance Monitoring Report.~~

~~B.14 Deviations from Permit Requirements and Conditions [326 IAC 2-8-4(3)(C)(ii)]~~

~~(a) Deviations from any permit requirements (for emergencies see Section B - Emergency Provision), 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~~

~~and~~

~~City of Indianapolis
Office of Environmental Services
Air Quality Management Section
2700 South Belmont Avenue
Indianapolis Indiana 46221-2097~~

~~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 need to be included in this report.~~

~~The Quarterly Deviation and Compliance Monitoring Report does require the certification~~

by the "authorized individual" as defined by 326 IAC 2-1.1-1(1).

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

~~B.15 Permit Modification, Reopening, Revocation and Reissuance, or Termination
[326 IAC 2-8-4(5)(C)] [326 IAC 2-8-7(a)] [326 IAC 2-8-8]~~

- (a) This permit may be modified, reopened, revoked and reissued, or terminated for cause. The filing of a request by the Permittee for a FESOP 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 2-8-4(5)(C)]~~ The notification by the Permittee does require the certification by the "authorized individual" as defined by 326 IAC 2-1.1-1(1).

- (b) This permit shall be reopened and revised under any of the circumstances listed in IC 13-15-7-2 or if IDEM, OAQ or the OES determines any of the following:

(1) That this permit contains a material mistake.

(2) That inaccurate statements were made in establishing the emissions standards or other terms or conditions.

(3) That this permit must be revised or revoked to assure compliance with an applicable requirement. ~~[326 IAC 2-8-8(a)]~~

- (c) Proceedings by IDEM, OAQ or the OES, to reopen and revise this permit shall follow the same procedures as apply to initial permit issuance and shall affect only those parts of this permit for which cause to reopen exists. Such reopening and revision shall be made as expeditiously as practicable. ~~[326 IAC 2-8-8(b)]~~

- (d) The reopening and revision of this permit, under 326 IAC 2-8-8(a), shall not be initiated before notice of such intent is provided to the Permittee by IDEM, OAQ or the OES, at least thirty (30) days in advance of the date this permit is to be reopened, except that IDEM, OAQ or the OES, may provide a shorter time period in the case of an emergency. ~~[326 IAC 2-8-8(e)]~~

~~B.16 Permit Renewal [326 IAC 2-8-3(h)]~~

- (a) The application for renewal shall be submitted using the application form or forms prescribed by IDEM, OAQ and the OES and shall include the information specified in 326 IAC 2-8-3. 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 "authorized individual" as defined by 326 IAC 2-1.1-1(1).

Request for renewal shall be submitted to:

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

and

City of Indianapolis

Office of Environmental Services
Air Quality Management Section
2700 South Belmont Avenue
Indianapolis Indiana 46221-2097

~~(b) Timely Submittal of Permit Renewal [326 IAC 2-8-3]~~

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

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

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

~~(2) If IDEM, OAQ and the OES 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 until the renewal permit has been issued or denied.~~

~~(c) Right to Operate After Application for Renewal [326 IAC 2-8-9]~~

~~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 2-8 until IDEM, OAQ and the OES takes final action on the renewal application, except that this protection shall cease to apply if, subsequent to the completeness determination, the Permittee fails to submit by the deadline specified in writing by IDEM, OAQ and the OES, any additional information identified as needed to process the application.~~

~~B.17 Permit Amendment or Revision [326 IAC 2-8-10] [326 IAC 2-8-11.1]~~

~~(a) Permit amendments and revisions are governed by the requirements of 326 IAC 2-8-10 or 326 IAC 2-8-11.1 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~~

~~and~~

~~City of Indianapolis
Office of Environmental Services
Air Quality Management Section
2700 South Belmont Avenue
Indianapolis Indiana 46221-2097~~

~~Any such application shall be certified by the "authorized individual" as defined by 326 IAC 2-1.1-1(1).~~

~~(c) The Permittee may implement the administrative amendment changes addressed in the~~

~~request for an administrative amendment immediately upon submittal of the request. [326 IAC 2-8-10(b)(3)]~~

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

~~B.18 Operational Flexibility [326 IAC 2-8-15][326 IAC 2-8-11.1]~~

- ~~(a) The Permittee may make any change or changes at this source that are described in 326 IAC 2-8-15(b) through (d), without prior permit revision, if each of the following conditions is met:~~

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

~~(2) Any approval required by 326 IAC 2-8-11.1 has been obtained;~~

~~(3) The changes do not result in emissions which exceed the emissions allowable under this permit (whether expressed herein as a rate of emissions or in terms of total emissions);~~

~~(4) The Permittee notifies the:~~

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

~~and~~

~~City of Indianapolis
Office of Environmental Services
Air Quality Management Section
2700 South Belmont Avenue
Indianapolis Indiana 46221-2097~~

~~and~~

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

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

- ~~(5) The Permittee maintains records on-site which document, on a rolling five (5) year basis, all such changes and emissions trading that are subject to 326 IAC 2-8-15(b) through (d) and makes such records available, upon reasonable request, to public review.~~

~~Such records shall consist of all information required to be submitted to IDEM, OAQ and the OES, in the notices specified in 326 IAC 2-8-15(b)(2), (c)(1), and (d).~~

- ~~(b) Emission Trades [326 IAC 2-8-15(c)]~~

~~The Permittee may trade increases and decreases in emissions in the source, where the applicable SIP provides for such emission trades without requiring a permit revision,~~

~~subject to the constraints of Section (a) of this condition and those in 326 IAC 2-8-15(c).~~

~~(c) Alternative Operating Scenarios [326 IAC 2-8-15(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 2-8-4(7). No prior notification of IDEM, OAQ or U.S. EPA is required.~~

~~B.19 Permit Revision Requirement [326 IAC 2-8-11.1]~~

~~A modification, construction, or reconstruction is governed by the requirements of 326 IAC 2 and 326 IAC 2-8-11.1.~~

~~B.20 Inspection and Entry [326 IAC 2-8-5(a)(2)] [IC 13-14-2-2] [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, the OES, U.S. EPA, or an authorized representative to perform the following:~~

~~(a) Enter upon the Permittee's premises where a FESOP 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, at reasonable times, 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, at reasonable times, 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, at reasonable times, 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.21 Transfer of Ownership or Operational Control [326 IAC 2-8-10]~~

~~(a) The Permittee must comply with the requirements of 326 IAC 2-8-10 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~~

~~_____ and~~

~~City of Indianapolis
Office of Environmental Services
Air Quality Management Section
2700 South Belmont Avenue
Indianapolis Indiana 46224-2097~~

~~The application which shall be submitted by the Permittee does require the certification by the "authorized individual" as defined by 326 IAC 2-1.1-1(1).~~

- ~~(c) The Permittee may implement administrative amendment changes addressed in the request for an administrative amendment immediately upon submittal of the request. [326 IAC 2-8-10(b)(3)]~~

~~B.22 Annual Fee Payment [326 IAC 2-7-19] [326 IAC 2-8-4(6)] [326 IAC 2-8-16][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) 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 317-233-4320 (ask for OAQ, Billing, Licensing and Training Section), to determine the appropriate permit fee.~~

SECTION C SOURCE OPERATION CONDITIONS

Entire Source

Emissions Limitations and Standards [326 IAC 2-8-4(1)]

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

~~(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.~~

~~(a) 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 ~~Overall Source Limit [326 IAC 2-8]~~

~~The purpose of this permit is to limit this source's potential to emit to less than major source levels for the purpose of Section 502(a) of the Clean Air Act.~~

~~(a) Pursuant to 326 IAC 2-8:~~

~~(1) The potential to emit any regulated pollutant, except particulate matter (PM), from the entire source shall be limited to less than one hundred (100) tons per twelve (12) consecutive month period. This limitation shall also satisfy the requirements of 326 IAC 2-2 (Prevention of Significant Deterioration (PSD));~~

~~(2) The potential to emit any individual hazardous air pollutant (HAP) from the entire source shall be limited to less than ten (10) tons per twelve (12) consecutive month period; and~~

~~(3) The potential to emit any combination of HAPs from the entire source shall be limited to less than twenty five (25) tons per twelve (12) consecutive month period.~~

~~(b) This condition shall include all emission points at this source including those that are insignificant as defined in 326 IAC 2-7-1(21). The source shall be allowed to add insignificant activities not already listed in this permit, provided the source's potential to emit does not exceed the above specified limits.~~

~~(c) Section D of this permit contains independently enforceable provisions to satisfy this requirement.~~

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

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

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

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

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

~~The Permittee shall not open burn any material except as provided in 326 IAC 4-1-3, 326 IAC 4-1-4 or 326 IAC 4-1-6. The previous sentence notwithstanding, the Permittee may open burn in accordance with an open burning approval issued by the Commissioner under 326 IAC 4-1-4.1.~~

~~C.5 — Incineration [326 IAC 4-2] [326 IAC 9-1-2(3)]~~

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

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

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

~~C.7 — Fugitive Particulate Matter Emission Limitations [326 IAC 6-5]~~

~~Pursuant to 326 IAC 6-5 (Fugitive Particulate Matter Emission Limitations), fugitive particulate matter emissions shall be controlled according to the plan submitted on April 2, 1996. The plan consists of:~~

- ~~(a) — The application of wet dust suppression on as needed basis with 0.2 gallons per square yard of calcium chloride.~~

~~C.8 — Operation of Equipment [326 IAC 2-8-5(a)(4)]~~

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

~~C.9 — Stack Height [326 IAC 1-7]~~

~~The Permittee shall comply with the applicable provisions of 326 IAC 1-7 (Stack Height Provisions), for all exhaust stacks through which a potential (before controls) of twenty-five (25) tons per year or more of particulate matter or sulfur dioxide is emitted.~~

~~C.10 — 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~~

~~_____ and~~

~~_____ City of Indianapolis
_____ Office of Environmental Services
_____ Air Quality Management Section
_____ 2700 South Belmont Avenue
_____ Indianapolis-Indiana 46221-2097~~

~~_____ 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 "authorized individual" as defined by 326 IAC 2-1.1-1(1).~~

~~_____ (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 be accredited is not federally enforceable.~~

Testing Requirements [326 IAC 2-8-4(3)]

C.11 Performance Testing [326 IAC 3-6]

~~_____ (a) All testing shall be performed according to the provisions of 326 IAC 3-6 (Source Sampling Procedures), except as provided elsewhere in this permit, utilizing any applicable procedures and analysis methods specified in 40 CFR 51, 40 CFR 60, 40 CFR~~

~~61, 40 CFR 63, 40 CFR 75, or other procedures approved by IDEM, OAQ.~~

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

~~_____ Indiana Department of Environmental Management
_____ Compliance Data Section, Office of Air Quality
_____ 100 North Senate Avenue, P. O. Box 6015
_____ Indianapolis, Indiana 46204~~

~~_____ and~~

~~_____ City of Indianapolis
_____ Office of Environmental Services
_____ Air Quality Management Section
_____ 2700 South Belmont Avenue
_____ Indianapolis Indiana 46221-2097~~

~~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 "authorized individual" as defined by 326 IAC 2-1.1-1(1).~~

~~_____ (b) The Permittee shall notify IDEM, OAQ and OES of the actual test date at least fourteen (14) days prior to the actual test date. The notification submitted by the Permittee does not require certification by the "authorized individual" as defined by 326 IAC 2-1.1-1(1).~~

~~_____ (c) Pursuant to 326 IAC 3-6-4(b), all test reports must be received by IDEM, OAQ and the OES, not later than forty five (45) days after the completion of the testing. An extension may be granted by IDEM, OAQ, and the OES, if the source submits to IDEM, OAQ, a reasonable written explanation not later than five (5) days prior to the end of the initial forty five (45) day period.~~

Compliance Requirements [326 IAC 2-1.1-11]

C.12 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 2-8-4] [326 IAC 2-8-5(a)(1)]

C.13 Compliance Monitoring [326 IAC 2-8-4(3)] [326 IAC 2-8-5(a)(1)]

~~Unless otherwise specified in this permit, all monitoring and record keeping requirements not already legally required shall be implemented upon issuance of this permit. If required by Section D, the Permittee shall be responsible for installing any necessary equipment and initiating any required monitoring related to that equipment.~~

~~_____ Unless otherwise specified in the approval for the new emissions unit, compliance monitoring for new emission units or emission units added through a permit revision shall be implemented when operation begins.~~

~~C.14 — Monitoring Methods [326 IAC 3] [40 CFR 60] [40 CFR 63]~~

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

Corrective Actions and Response Steps [326 IAC 2-8-4] [326 IAC 2-8-5(a)(1)]

~~C.15 — Risk Management Plan [326 IAC 2-8-4] [40 CFR 68]~~

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

~~C.16 — Compliance Response Plan Preparation, Implementation, Records, and Reports
[326 IAC 2-8-4] [326 IAC 2-8-5]~~

~~(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, OAQ, and the OES, 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 is 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 time frame 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 10 days or more until the unit or device will be shut down, then the permittee shall promptly notify the IDEM, OAQ and OES of the expected date of the shut down, the status of the applicable compliance monitoring parameter with respect to normal, and the results of the 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 an administrative amendment to the permit, and such request has not been denied.~~
- ~~(3) An automatic measurement was taken when the process was not operating.~~
- ~~(4) The process has already returned or is returning to operating within "normal" parameters and no response steps are required.~~
- ~~(d) 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 2-8-12 (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.~~

~~C.17 Actions Related to Noncompliance Demonstrated by a Stack Test [326 IAC 2-8-4]
[326 IAC 2-8-5]~~

- ~~(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 "authorized individual" as defined by 326 IAC 2-1.1-1(1).~~

~~Record Keeping and Reporting Requirements [326 IAC 2-8-4(3)]~~

~~C.18 General Record Keeping Requirements [326 IAC 2-8-4(3)] [326 IAC 2-8-5]~~

~~(a) — Records of all required monitoring data, reports and support information required by this permit shall be retained for a period of at least five (5) years from the date of monitoring sample, measurement, report, or application. These records shall be physically present or electronically accessible at the source location for a minimum of three (3) years. The records may be stored elsewhere for the remaining two (2) years as long as they are available upon request. If the Commissioner or the OES makes a request for records to the Permittee, the Permittee shall furnish the records to the Commissioner or the OES within a reasonable time.~~

~~(b) — Unless otherwise specified in this permit, all record keeping requirements not already legally required shall be implemented within ninety (90) days of permit issuance.~~

~~C.19 — General Reporting Requirements [326 IAC 2-8-4(3)(C)] [326 IAC 2-1.1-11]~~

~~(a) — The source shall submit the attached Quarterly Deviation and Compliance Monitoring Report or its equivalent. Any deviation from permit requirements, the date(s) of each deviation, the cause of the deviation, and the response steps taken must be reported. This report shall be submitted within thirty (30) days of the end of the reporting period. The Quarterly Deviation and Compliance Monitoring Report shall include the certification by the "authorized individual" as defined by 326 IAC 2-1.1-1(1).~~

~~(b) — The report required in (a) of this condition and reports required by conditions in Section D of this permit shall be submitted to:~~

~~Indiana Department of Environmental Management
Compliance Data Section, Office of Air Quality
100 North Senate Avenue, P. O. Box 6015
Indianapolis, Indiana 46204~~

~~and~~

~~City of Indianapolis
Office of Environmental Services
Air Quality Management Section
2700 South Belmont Avenue
Indianapolis Indiana 46221-2097~~

~~(c) — Unless otherwise specified in this permit, any notice, report, or other submission required by this permit shall be considered timely if the date postmarked on the envelope or certified mail receipt, or affixed by the shipper on the private shipping receipt, is on or before the date it is due. If the document is submitted by any other means, it shall be considered timely if received by IDEM, OAQ, and the OES on or before the date it is due.~~

~~(d) — Unless otherwise specified in this permit, all reports required in Section D of this permit shall be submitted within thirty (30) days of the end of the reporting period. All reports do require the certification by the "authorized individual" as defined by 326 IAC 2-1.1-1(1).~~

~~(e) — Reporting periods are based on calendar years.~~

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 B GENERAL CONDITIONS

B.1 Definitions [326 IAC 2-8-1]

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 2-8-4(2)][326 IAC 2-1.1-9.5][IC 13-15-3-6(a)]

- (a) This permit, 097-15365-00139, is issued for a fixed term of five (5) years from the issuance date of this permit, as determined in accordance with IC 4-21.5-3-5(f) and IC 13-15-5-3. Subsequent revisions, modifications, or amendments of this permit do not affect the expiration date of this permit.
- (b) If IDEM, OAQ and OES, upon receiving a timely and complete renewal permit application, fails to issue or deny the permit renewal prior to the expiration date of this permit, this existing permit shall not expire and all terms and conditions shall continue in effect, 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 2-8-6]

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

B.5 Severability [326 IAC 2-8-4(4)]

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

B.6 Property Rights or Exclusive Privilege [326 IAC 2-8-4(5)(D)]

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

B.7 Duty to Provide Information [326 IAC 2-8-4(5)(E)]

- (a) The Permittee shall furnish to IDEM, OAQ and OES, within a reasonable time, any information that IDEM, OAQ and OES may request in writing to determine whether cause exists for modifying, revoking and reissuing, or terminating this permit, or to determine compliance with this permit. The submittal by the Permittee does require the certification by an "authorized individual" as defined by 326 IAC 2-1.1-1(1). Upon request, the Permittee shall also furnish to IDEM, OAQ and OES copies of records required to be kept by this permit.
- (b) For information furnished by the Permittee to IDEM, OAQ, the Permittee may include a claim of confidentiality in accordance with 326 IAC 17.1. When furnishing copies of requested records directly to U. S. EPA, the Permittee may assert a claim of confidentiality in accordance with 40 CFR 2, Subpart B.

B.8 Compliance Order Issuance [326 IAC 2-8-5(b)]

IDEM, OAQ and OES may issue a compliance order to this Permittee upon discovery that this permit is in nonconformance with an applicable requirement. The order may require immediate compliance or contain a schedule for expeditious compliance with the applicable requirement.

B.9 Certification [326 IAC 2-8-3(d)][326 IAC 2-8-4(3)(C)(i)][326 IAC 2-8-5(1)]

- (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 an "authorized individual" 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) An "authorized individual" is defined at 326 IAC 2-1.1-1(1).

B.10 Annual Compliance Certification [326 IAC 2-8-5(a)(1)]

- (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 no later than April 15th of each year to:

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

and

Office of Environmental Services
Air Compliance
2700 South Belmont Ave.
Indianapolis, IN 46221

- (b) The annual compliance certification report required by this permit shall be considered timely if the date postmarked on the envelope or certified mail receipt, or affixed by the shipper on the private shipping receipt, is on or before the date it is due. If the document is submitted by any other means, it shall be considered timely if received by IDEM, OAQ and OES, on or before the date it is due.
- (c) The annual compliance certification report shall include the following:
- (1) The appropriate identification of each term or condition of this permit that is the basis of the certification;
 - (2) The compliance status;
 - (3) Whether compliance was continuous or intermittent;
 - (4) The methods used for determining the compliance status of the source, currently and over the reporting period consistent with 326 IAC 2-8-4(3); and
 - (5) Such other facts, as specified in Sections D of this permit, as IDEM, OAQ and OES may require to determine the compliance status of the source.

The submittal by the Permittee does require the certification by an "authorized individual" as defined by 326 IAC 2-1.1-1(1).

B.11 Preventive Maintenance Plan [326 IAC 1-6-3][326 IAC 2-8-4(9)][326 IAC 2-8-5(a)(1)]

- (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) A copy of the PMPs shall be submitted to IDEM, OAQ and OES upon request and within a reasonable time, and shall be subject to review and approval by IDEM, OAQ and OES. IDEM, OAQ and OES may require the Permittee to revise its PMPs whenever lack of proper maintenance causes or is the primary contributor to an exceedance of any limitation on emissions or potential to emit. The PMPs do not require the certification by an "authorized individual" as defined by 326 IAC 2-1.1-

1(1).

- (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 2-8-12]

- (a) An emergency, as defined in 326 IAC 2-7-1(12), is not an affirmative defense for an action brought for noncompliance with a federal or state health-based emission limitation except as provided in 326 IAC 2-8-12.
- (b) An emergency, as defined in 326 IAC 2-7-1(12), constitutes an affirmative defense to an action brought for noncompliance with a health-based or technology-based emission limitation if the affirmative defense of an emergency is demonstrated through properly signed, contemporaneous operating logs or other relevant evidence that describe the following:

- (1) An emergency occurred and the Permittee can, to the extent possible, identify the causes of the emergency;
- (2) The permitted facility was at the time being properly operated;
- (3) During the period of an emergency, the Permittee took all reasonable steps to minimize levels of emissions that exceeded the emission standards or other requirements in this permit;
- (4) For each emergency lasting one (1) hour or more, the Permittee notified IDEM, OAQ, and OES within four (4) daytime business hours after the beginning of the emergency, or after the emergency was discovered or reasonably should have been discovered;

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

Telephone Number: 317-233-0178 (ask for Compliance Section)

Facsimile Number: 317-233-6865

Office of Environmental Services phone: (317) 327-2234; fax: (317) 327-2274

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

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

and

Office of Environmental Services
Air Compliance
2700 South Belmont Ave.
Indianapolis, IN 46221

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 2-8-4(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 an "authorized individual" as defined by 326 IAC 2-1.1-1(1).

- (6) The Permittee immediately took all reasonable steps to correct the emergency.**
- (c) In any enforcement proceeding, the Permittee seeking to establish the occurrence of an emergency has the burden of proof.**
- (d) This emergency provision supersedes 326 IAC 1-6 (Malfunctions). This permit condition is in addition to any emergency or upset provision contained in any applicable requirement.**
- (e) The Permittee seeking to establish the occurrence of an emergency shall make records available upon request to ensure that failure to implement a PMP did not cause or contribute to an exceedance of any limitations on emissions. However, IDEM, OAQ and OES may require that the Preventive Maintenance Plans required under 326 IAC 2-8-3(c)(6) be revised in response to an emergency.**
- (f) Failure to notify IDEM, OAQ and OES by telephone or facsimile of an emergency lasting more than one (1) hour in accordance with (b)(4) and (5) of this condition shall constitute a violation of 326 IAC 2-8 and any other applicable rules.**
- (g) Operations may continue during an emergency only if the following conditions are met:**
 - (1) If the emergency situation causes a deviation from a technology-based limit, the Permittee may continue to operate the affected emitting facilities during the emergency provided the Permittee immediately takes all reasonable steps to correct the emergency and minimize emissions.**
 - (2) If an emergency situation causes a deviation from a health-based limit, the Permittee may not continue to operate the affected emissions facilities unless:**
 - (A) The Permittee immediately takes all reasonable steps to correct the emergency situation and to minimize emissions; and**
 - (B) Continued operation of the facilities is necessary to prevent imminent injury to persons, severe damage to equipment, substantial loss of capital investment, or loss of product or raw**

material of substantial economic value.

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

- (h) The Permittee shall include all emergencies in the Quarterly Deviation and Compliance Monitoring Report.

B.13 Prior Permits Superseded [326 IAC 2-1.1-9.5]

- (a) All terms and conditions of permits established prior to 097-15365-00139 and issued pursuant to permitting programs approved into the state implementation plan have been either:

- (1) incorporated as originally stated,
- (2) revised, or
- (3) deleted.

- (b) All previous registrations and permits are superseded by this permit.

B.14 Termination of Right to Operate [326 IAC 2-8-9][326 IAC 2-8-3(h)]

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 2-8-3(h) and 326 IAC 2-8-9.

B.15 Deviations from Permit Requirements and Conditions [326 IAC 2-8-4(3)(C)(ii)]

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

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

and

Office of Environmental Services
Air Compliance
2700 South Belmont Ave.
Indianapolis, IN 46221

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 an "authorized individual" as defined by 326 IAC 2-1.1-1(1).

- (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 2-8-4(5)(C)][326 IAC 2-8-7(a)][326 IAC 2-8-8]

- (a) This permit may be modified, reopened, revoked and reissued, or terminated for cause. The filing of a request by the Permittee for a Federally Enforceable State Operating 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 2-8-4(5)(C)] The notification by the Permittee does require the certification by an "authorized individual" as defined by 326 IAC 2-1.1-1(1).
- (b) This permit shall be reopened and revised under any of the circumstances listed in IC 13-15-7-2 or if IDEM, OAQ, or OES determines any of the following:
- (1) That this permit contains a material mistake.
 - (2) That inaccurate statements were made in establishing the emissions standards or other terms or conditions.
 - (3) That this permit must be revised or revoked to assure compliance with an applicable requirement. [326 IAC 2-8-8(a)]
- (c) Proceedings by IDEM, OAQ, or OES to reopen and revise this permit shall follow the same procedures as apply to initial permit issuance and shall affect only those parts of this permit for which cause to reopen exists. Such reopening and revision shall be made as expeditiously as practicable. [326 IAC 2-8-8(b)]
- (d) The reopening and revision of this permit, under 326 IAC 2-8-8(a), shall not be initiated before notice of such intent is provided to the Permittee by IDEM, OAQ, or OES at least thirty (30) days in advance of the date this permit is to be reopened, except that IDEM, OAQ, or OES may provide a shorter time period in the case of an emergency. [326 IAC 2-8-8(c)]

B.17 Permit Renewal [326 IAC 2-8-3(h)]

- (a) The application for renewal shall be submitted using the application form or forms prescribed by IDEM, OAQ, and OES and shall include the information specified in 326 IAC 2-8-3. 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 an "authorized individual" as defined by 326 IAC 2-1.1-1(1).

Request for renewal shall be submitted to:

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

and

**Office of Environmental Services
Air Compliance
2700 South Belmont Ave.
Indianapolis, IN 46221**

- (b) A timely renewal application is one that is:
- (1) Submitted at least nine (9) months prior to the date of the expiration of this permit; and
 - (2) If the date postmarked on the envelope or certified mail receipt, or affixed by the shipper on the private shipping receipt, is on or before the date it is due. If the document is submitted by any other means, it shall be considered timely if received by IDEM, OAQ, and OES on or before the date it is due.
- (c) If the Permittee submits a timely and complete application for renewal of this permit, the source's failure to have a permit is not a violation of 326 IAC 2-8 until IDEM, OAQ and OES takes final action on the renewal application, except that this protection shall cease to apply if, subsequent to the completeness determination, the Permittee fails to submit by the deadline specified in writing by IDEM, OAQ and OES any additional information identified as being needed to process the application.

B.18 Permit Amendment or Revision [326 IAC 2-8-10][326 IAC 2-8-11.1]

- (a) Permit amendments and revisions are governed by the requirements of 326 IAC 2-8-10 or 326 IAC 2-8-11.1 whenever the Permittee seeks to amend or modify this permit.
- (b) Any application requesting an amendment or modification of this permit shall be submitted to:
- Indiana Department of Environmental Management
Permits Branch, Office of Air Quality
100 North Senate Avenue
Indianapolis, Indiana 46204-2251**
- and
- Office of Environmental Services
Air Compliance
2700 South Belmont Ave.
Indianapolis, IN 46221**
- Any such application shall be certified by an "authorized individual" as defined by 326 IAC 2-1.1-1(1).
- (c) The Permittee may implement administrative amendment changes addressed in the request for an administrative amendment immediately upon submittal of the request.
[326 IAC 2-8-10(b)(3)]

B.19 Operational Flexibility [326 IAC 2-8-15][326 IAC 2-8-11.1]

(a) The Permittee may make any change or changes at the source that are described in 326 IAC 2-8-15(b) through (d) without a prior permit revision, if each of the following conditions is met:

- (1) The changes are not modifications under any provision of Title I of the Clean Air Act;
- (2) Any approval required by 326 IAC 2-8-11.1 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

Office of Environmental Services
Air Compliance
2700 South Belmont Ave.
Indianapolis, IN 46221

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 2-8-15(b) through (d). The Permittee shall make such records available, upon reasonable request, for public review.

Such records shall consist of all information required to be submitted to IDEM, OAQ and OES in the notices specified in 326 IAC 2-8-15(b)(2), (c)(1), and (d).

(b) **Emission Trades [326 IAC 2-8-15(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 2-8-15(c).

(c) **Alternative Operating Scenarios [326 IAC 2-8-15(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 2-8-4(7). No prior notification of IDEM, OAQ, or U.S. EPA is required.

- (d) 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.20 Source Modification Requirement [326 IAC 2-8-11.1]

A modification, construction, or reconstruction is governed by the requirements of 326 IAC 2 and 326 IAC 2-8-11.1.

B.21 Inspection and Entry [326 IAC 2-8-5(a)(2)][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, and OES or an authorized representative to perform the following:

- (a) Enter upon the Permittee's premises where a FESOP 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, at reasonable times, 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, at reasonable times, 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, at reasonable times, 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.22 Transfer of Ownership or Operational Control [326 IAC 2-8-10]

- (a) The Permittee must comply with the requirements of 326 IAC 2-8-10 whenever the Permittee seeks to change the ownership or operational control of the source and no other change in the permit is necessary.
- (b) Any application requesting a change in the ownership or operational control of the source shall contain a written agreement containing a specific date for transfer of permit responsibility, coverage and liability between the current and new Permittee. The application shall be submitted to:

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

and

**Office of Environmental Services
Air Compliance
2700 South Belmont Ave.
Indianapolis, IN 46221**

The application which shall be submitted by the Permittee does require the certification by an "authorized individual" as defined by 326 IAC 2-1.1-1(1).

- (c) The Permittee may implement administrative amendment changes addressed in the request for an administrative amendment immediately upon submittal of the request. [326 IAC 2-8-10(b)(3)]

B.23 Annual Fee Payment [326 IAC 2-7-19] [326 IAC 2-8-4(6)] [326 IAC 2-8-16][326 IAC 2-1.1-7]

- (a) The Permittee shall pay annual fees to IDEM, OAQ, and OES within thirty (30) calendar days of receipt of a billing. Pursuant to 326 IAC 2-7-19(b), if the Permittee does not receive a bill from IDEM, OAQ, or OES the applicable fee is due April 1 of each year.
- (b) 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.24 Credible Evidence [326 IAC 2-8-4(3)][326 IAC 2-8-5][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 2-8-4(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 Overall Source Limit [326 IAC 2-8]

The purpose of this permit is to limit this source's potential to emit to less than major source levels for the purpose of Section 502(a) of the Clean Air Act.

(a) Pursuant to 326 IAC 2-8:

- (1) The potential to emit any regulated pollutant, except particulate matter (PM), from the entire source shall be limited to less than one-hundred (100) tons per twelve (12) consecutive month period. This limitation shall also make the requirements of 326 IAC 2-2 (Prevention of Significant Deterioration (PSD)) and 326 IAC 2-3 (Emission Offset) not applicable**
 - (2) The potential to emit any individual hazardous air pollutant (HAP) from the entire source shall be limited to less than ten (10) tons per twelve (12) consecutive month period; and**
 - (3) The potential to emit any combination of HAPs from the entire source shall be limited to less than twenty-five (25) tons per twelve (12) consecutive month period.**
- (b) The potential to emit particulate matter (PM) from the entire source shall be limited to less than two-hundred and fifty (250) tons per twelve (12) consecutive month period. This limitation shall make the requirements of 326 IAC 2-2 (Prevention of Significant Deterioration) is not applicable.**
- (c) This condition shall include all emission points at this source including those that are insignificant as defined in 326 IAC 2-7-1(21). The source shall be allowed to add insignificant activities not already listed in this permit, provided that the source's potential to emit does not exceed the above specified limits.**

Section D of this permit contains independently enforceable provisions to satisfy this requirement.

C.3 Opacity [326 IAC 5-1]

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

- (a) Opacity shall not exceed an average of thirty percent (30%) in any one (1) six (6)**

minute averaging period as determined in 326 IAC 5-1-4.

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

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

The Permittee shall not open burn any material except as provided in 326 IAC 4-1-3, 326 IAC 4-1-4 or 326 IAC 4-1-6. The previous sentence notwithstanding, the Permittee may open burn in accordance with an open burning approval issued by the Commissioner under 326 IAC 4-1-4.1.

C.5 Incineration [326 IAC 4-2] [326 IAC 9-1-2]

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

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

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

C.7 Fugitive Particulate Matter Emission Limitations [326 IAC 6-5]

Pursuant to 326 IAC 6-5 (Fugitive Particulate Matter Emission Limitations), fugitive particulate matter emissions shall be controlled according to the plan submitted on April 2, 1996. The plan consists of:

- (a) The application of wet dust suppression on as needed basis with 0.2 gallons per square yard of calcium chloride.

C.8 Stack Height [326 IAC 1-7]

The Permittee shall comply with the applicable provisions of 326 IAC 1-7 (Stack Height Provisions), for all exhaust stacks through which a potential (before controls) of twenty-five (25) tons per year or more of particulate matter or sulfur dioxide is emitted.

C.9 Asbestos Abatement Projects [326 IAC 14-10] [326 IAC 18] [40 CFR 61, Subpart M]

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

(b) The Permittee shall ensure that a written notification is sent on a form provided by the Commissioner at least ten (10) working days before asbestos stripping or removal work or before demolition begins, per 326 IAC 14-10-3, and shall update such notice as necessary, including, but not limited to the following:

- (1) When the amount of affected asbestos containing material increases or decreases by at least twenty percent (20%); or
- (2) If there is a change in the following:

- (A) Asbestos removal or demolition start date;
 - (B) Removal or demolition contractor; or
 - (C) Waste disposal site.
- (c) The Permittee shall ensure that the notice is postmarked or delivered according to the guidelines set forth in 326 IAC 14-10-3(2).
- (d) The notice to be submitted shall include the information enumerated in 326 IAC 14-10-3(3).

All required notifications shall be submitted to:

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

and

Office of Environmental Services
Air Enforcement
2700 South Belmont Ave.
Indianapolis, IN 46221

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 an "authorized individual" as defined by 326 IAC 2-1.1-1(1).

- (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.

Testing Requirements [326 IAC 2-8-4(3)]

C.10 Performance Testing [326 IAC 3-6]

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

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

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

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

and

Office of Environmental Services
Air Compliance
2700 South Belmont Ave.
Indianapolis, IN 46221

no later than thirty-five (35) days prior to the intended test date. The protocol submitted by the Permittee does not require certification by an "authorized individual" as defined by 326 IAC 2-1.1-1(1).

- (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 an "authorized individual" as defined by 326 IAC 2-1.1-1(1).
- (c) Pursuant to 326 IAC 3-6-4(b), all test reports must be received by IDEM, OAQ and OES not later than forty-five (45) days after the completion of the testing. An extension may be granted by IDEM, OAQ, and OES if the Permittee submits to IDEM, OAQ, a reasonable written explanation not later than five (5) days prior to the end of the initial forty-five (45) day period.

Compliance Requirements [326 IAC 2-1.1-11]

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

The commissioner may require stack testing, monitoring, or reporting at any time to assure compliance with all applicable requirements 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 2-8-4][326 IAC 2-8-5(a)(1)]

C.12 Compliance Monitoring [326 IAC 2-8-4(3)][326 IAC 2-8-5(a)(1)]

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

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

and

**Office of Environmental Services
Air Compliance
2700 South Belmont Ave.
Indianapolis, IN 46221**

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 an "authorized individual" as defined by 326 IAC 2-1.1-1(1).

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

C.13 Compliance Monitoring [326 IAC 2-1.1-11]

Compliance with applicable requirements shall be documented as required by this permit. The Permittee shall be responsible for installing any necessary equipment and initiating any required monitoring related to that equipment. All monitoring and record keeping requirements not already legally required shall be implemented when operation begins.

C.14 Monitoring Methods [326 IAC 3] [40 CFR 60] [40 CFR 63]

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

C.15 Instrument Specifications [326 IAC 2-1.1-11] [326 IAC 2-8-4(3)][326 IAC 2-8-5(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 2-8-4][326 IAC 2-8-5(a)(1)]

C.16 Risk Management Plan [326 IAC 2-8-4] [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.17 Response to Excursions or Exceedances [326 IAC 2-8-4] [326 IAC 2-8-5]

- (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.18 Actions Related to Noncompliance Demonstrated by a Stack Test [326 IAC 2-8-4][326 IAC 2-8-5]

- (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 an "authorized individual" as defined by 326 IAC 2-1.1-1(1).

Record Keeping and Reporting Requirements [326 IAC 2-8-4(3)]

C.19 General Record Keeping Requirements[326 IAC 2-8-4(3)] [326 IAC 2-8-5]

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

C.20 General Reporting Requirements [326 IAC 2-8-4(3)(C)] [326 IAC 2-1.1-11]

- (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 an "authorized individual" as defined by 326 IAC 2-1.1-1(1).
- (b) The report required in (a) of this condition and reports required by conditions in Section D of this permit shall be submitted to:
- Indiana Department of Environmental Management
Compliance Data Section, Office of Air Quality
100 North Senate Avenue
Indianapolis, Indiana 46204-2251
- and
- Office of Environmental Services
Air Compliance
2700 South Belmont Ave.
Indianapolis, IN 46221
- (c) Unless otherwise specified in this permit, any notice, report, or other submission required by this permit shall be considered timely if the date postmarked on the envelope or certified mail receipt, or affixed by the shipper on the private shipping receipt, is on or before the date it is due. If the document is submitted by any other

means, it shall be considered timely if received by IDEM, OAQ, and OES on or before the date it is due.

- (d) Unless otherwise specified in this permit, all reports required in Section D of this permit shall be submitted within thirty (30) days of the end of the reporting period. All reports do require the certification by an "authorized individual" as defined by 326 IAC 2-1.1-1(1).
- (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.

Stratospheric Ozone Protection

C.21 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.
- (b) IDEM and OES are incorporating the Memorandum of Understanding, Cause Number 04-A-0187 into the FESOP.

Although the Memorandum Of Understanding (MOU) contained once per shift monitoring, since that time, OES and IDEM have determined that once per day monitoring of the control device is generally sufficient to ensure proper operation of the emission units and control devices. Therefore, the monitoring frequency has been changed from once per shift to once per day in the permit. OES is maintaining the requirement to maintain records of any additional inspections prescribed by the Preventive Maintenance Plan as outlined in the attachment to the MOU to ensure compliance. Preventive Maintenance is vital to the proper operation of the equipment outlined in the MOU. For example Preventive Maintenance records are needed to ensure that caustic is provided to the scrubber at a proper rate to provide odor control.

Emission Limitations and Standards [326 IAC 2-8-4(1)]

D.2.1 Preventive Maintenance Plan [326 IAC 2-8-4(9)] [Memorandum of Understanding (MOU), October 11, 2004, City of Indianapolis (plaintiff) vs. Metal Working Lubricants (defendant), Cause Number 04-A-0187]

A Preventive Maintenance Plan, in accordance with Section B - Preventive Maintenance Plan, of this permit, is required for this facility and any control devices.

Compliance Determination Requirement

D.2.2 Scrubber Operation [Memorandum of Understanding (MOU), October 11, 2004, City of

Indianapolis (plaintiff) vs. Metal Working Lubricants (defendant), Cause Number 04-A-0187]

The scrubber shall be in operation when the driers and oil processing tanks are in operation.

Compliance Monitoring Requirements [326 IAC 2-8-4] [326 IAC 2-8-5(a)(1)]

D.2.3 Parametric Monitoring for Scrubber [Memorandum of Understanding (MOU), October 11, 2004, City of Indianapolis (plaintiff) vs. Metal Working Lubricants (defendant), Cause Number 04-A-0187]

The Permittee shall record the total static pressure drop across the scrubbers used in conjunction with the tanks, at least once per day when the tanks are in operation when venting to the atmosphere. When for any one reading, the pressure drop across the scrubber is outside the normal range of 1-4 inches of water or a range established during the latest stack test, the Permittee shall take reasonable response steps in accordance with Section C - Response to Excursions or Exceedances. A pressure reading that is outside the above mentioned range is not a deviation from this permit. Failure to take response steps in accordance with Section C - Response to Excursions or Exceedances, shall be considered a deviation from this permit.

The instrument used for determining the pressure shall comply with Section C - Instrument Specifications, of this permit, shall be subject to approval by IDEM, OAQ, and OES and shall be calibrated at least once every six (6) months.

D.2.4 Scrubber Failure Detection [Memorandum of Understanding (MOU), October 11, 2004, City of Indianapolis (plaintiff) vs. Metal Working Lubricants (defendant), Cause Number 04-A-0187]

In the event that scrubber failure has been observed:

The failed unit and associated driers and oil processing tanks will be shut down as soon as practicable until the failed units have been repaired or replaced. Operations may continue as soon as practicable if the event qualifies as an emergency and the Permittee satisfies the technology-based requirements of the emergency provisions of this permit (Section B - Emergency Provisions). Failure to take response steps in accordance with Section C - Response to Excursions or Exceedances, shall be considered a deviation from this permit.

Record Keeping and Reporting Requirement [326 IAC 2-8-4(3)] [326 IAC 2-8-16]

D.2.5 Record Keeping Requirements [Memorandum of Understanding (MOU), October 11, 2004, City of Indianapolis (plaintiff) vs. Metal Working Lubricants (defendant), Cause Number 04-A-0187]

- (a) To document compliance with Condition D.2.3, the Permittee shall maintain records of the differential static pressure during normal operation once per day when venting to the atmosphere.
 - (b) To document compliance with Condition D.2.1, the Permittee shall maintain records of any additional inspections prescribed by the Preventive Maintenance Plan.
 - (c) All records shall be maintained in accordance with Section C - General Record Keeping Requirements, of this permit.
- (c) IDEM has determined that once per day visible emission notations is generally sufficient to ensure proper operation of the control device. IDEM has also determined that monitoring these

parameters once per day is sufficient to satisfy the requirements of the FESOP rules at 326 IAC 2-8-4 and 326 IAC 2-8-5.

D.1.7 Visible Emissions Notations

- (a) Visible emission notations of the two (2) boilers shall be performed once per **shift day** during normal daylight operations when exhausting to the atmosphere and burning oil. A trained employee shall record whether emissions are normal or abnormal.
- (b) For processes operated continuously, "normal" means those conditions prevailing, or expected to prevail, eighty percent (80%) of the time the process is in operation, not counting startup or shut down time.
- (c) In the case of batch or discontinuous operations, readings shall be taken during that part of the operation that would normally be expected to cause the greatest emissions.
- (d) A trained employee is an employee who has worked at the plant at least one (1) month and has been trained in the appearance and characteristics of normal visible emissions for that specific process.
- (e) The Compliance Response Plan for this unit shall contain troubleshooting contingency and response steps for when an abnormal emission is **observed, the Permittee shall take reasonable response steps in accordance with Section C- Response to Excursions or Exceedances.** Failure to take response steps in accordance with Section C - Response to Excursions or Exceedances, shall be considered a deviation from this permit.

D.1.8 Record Keeping Requirements

- (d) To document compliance with Condition D.1.7, the Permittee shall maintain records of visible emission notations of the two (2) boilers once per **shift day**.

Conclusion and Recommendation

The proposed modification shall be subject to the conditions of the attached proposed FESOP Significant Permit Revision No. F097-22764-00139. The staff recommends that this FESOP Significant Permit Revision be approved.