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

Mitchell E. Daniels, Jr.
Governor

Thomas W. Easterly
Commissioner

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

TO: Interested Parties / Applicant

DATE: June 30, 2006

RE: Mead Johnson and Company / 163-22793-00015

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

Notice of Decision: Approval - Effective Immediately

Please be advised that on behalf of the Commissioner of the Department of Environmental Management, I have issued a decision regarding the enclosed matter. Pursuant to IC 13-15-5-3, 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 eighteen (18) calendar days of the mailing of this notice**. The filing of a petition for administrative review is complete on the earliest of the following dates that apply to the filing:

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

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

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

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

Enclosures
FNPER.dot 03/23/06

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PART 70 OPERATING PERMIT
OFFICE OF AIR QUALITY
AND
EVANSVILLE EPA

Mead Johnson & Company
2400 West Lloyd Expressway
Evansville, Indiana 47721

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

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

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

Operation Permit No.: T163-7142-00015	
Issued by: Original Signed by Janet McCabe Janet G. McCabe, Assistant Commissioner Office of Air Quality	Issuance Date: March 22, 2002 Expiration Date: March 22, 2007

First Administrative Amendment No.: 163-18728-00015, issued on June 29, 2004
Second Administrative Amendment No.: 163-22563-00015, issued on February 9, 2006

First Significant Source Modification No.: 163-22793-00015	
Issued by: Original Signed By: Nisha Sizemore, Chief Permits Branch Office of Air Quality	Issuance Date: June 30, 2006

SECTION A SOURCE SUMMARY

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

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

The Permittee owns and operates a pharmaceutical and nutritional product formulation plant.

Responsible Official:	Senior Vice President, Global Supply Chain
Source Location:	2400 West Lloyd Expressway, Evansville, Indiana 47721
Mailing Address:	2400 West Lloyd Expressway, Evansville, Indiana 47721
General Source Phone Number:	(812) 429-5000
County:	Vanderburgh
SIC Code:	2834, 2099
Operation Permit No.:	T163-7142-00015
Source Location Status:	Nonattainment for PM2.5 and Ozone under 8-hour Standards Attainment for all other criteria pollutants
Source Status:	Part 70 Permit Program Major Source, under PSD and Emission Offset Rules; Minor Source, Section 112 of the Clean Air Act 1 of 28 Source Categories

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

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

(a) One (1) landfill gas fired boiler with low NOx burner and flue gas recirculation system identified as CSUP-1 (boiler 8), using natural gas and No. 2 fuel oil as back-up fuels, maximum capacity rated at 98.6 million British thermal units per hour fired with landfill gas or natural gas, rated at 93.9 million British thermal units per hour fired with No. 2 distillate fuel oil, maximum capacity rated at 80,000 lbs saturated steam per hour at 400 psig operating pressure and 400 to 450^0 F, located in building 66, and exhausting at one (1) stack identified as CSUP-S_1. (Constructed in 1998 and modified in 2006)

(b) One (1) landfill gas fired boiler with low NOx burner and flue gas recirculation system identified as CSUP-2 (boiler 9), using natural gas and No. 2 fuel oil as back-up fuels, maximum capacity rated at 98.6 million British thermal units per hour fired with landfill gas or natural gas, rated at 93.9 million British thermal units per hour fired with No. 2 distillate fuel oil, maximum capacity rated at 80,000 lbs saturated steam per hour at 400 psig operating pressure and 400 to 450^0 F, located in building 66, and exhausting at one (1) stack identified as CSUP-S_2. (Constructed in 1998 and modified in 2006)

(c) One (1) landfill gas fired boiler with low NOx burner and flue gas recirculation system identified as CSUP-3 (boiler 10), using natural gas and No. 2 fuel oil as back-up fuels, maximum capacity rated at 98.6 million British thermal units per hour fired with landfill gas or natural gas, rated at 93.9 million British thermal units per hour fired with No. 2 distillate fuel oil, maximum capacity rated at 80,000 lbs saturated steam per hour at 400 psig operating pressure and 400 to 450^0 F, located in building 66, and exhausting at one (1) stack identified as CSUP-S_3. (Constructed in 1998 and modified in 2006)

(d) One (1) diesel fuel oil fired emergency electric generator identified as CSUP-4, rated at 7.20 million British thermal units per hour (MMBtu/hr) or capable of maximum 750 KW output, located near the southeast corner of building 66, and exhausting at one (1) stack identified as CSUP-S_4. (Constructed in 1998)

(e) One (1) fixed roof tank with a maximum design capacity of 10,000 gallons identified as CSUP-F1, located east of building 66, and will be used to store petroleum products with a maximum vapor pressure of 0.009 psia at 68^0 F. (Constructed in 1998)

(f) One (1) reciprocating diesel fuel oil fired emergency electric generator, identified as backup generator #1, used to provide backup power to the computer center in case of a power outage, capable of a maximum 750 kilowatt (KW) output, located in building 5, and exhausting at one (1) stack, identified as stack BG-1. (Constructed in 1985)

(g) One (1) reciprocating diesel fuel oil fired emergency electric generator, identified as backup generator #2, used to provide backup power to the computer center in case of a power outage, capable of a maximum 1,100 kilowatt (KW) output, located south of building 52, and exhausting at one (1) stack, identified as stack BG-2. (Constructed in 1992)

(h) One (1) reciprocating diesel fuel oil fired emergency electric generator, identified as backup generator #4 used to provide backup power to Bldg. 48 R & D Laboratory in case of power outage, capable of 500 KVA (405HP) output located north of Building 48 and south of Building 63, and exhausting at one (1) stack identified as stack BG-4. (Constructed in 2001)

A.3 Specifically Regulated Insignificant Activities [326 IAC 2-7-1(21)] [326 IAC 2-7-4(c)] [326 IAC 2-7-5(15)]

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

(a) Grinding and machining operations controlled with fabric filters, scrubbers, mist collectors, wet collectors and electrostatic precipitators with a design grain loading of less than or equal to 0.03 grains per actual cubic foot and a gas flow rate less than or equal to 4000 actual cubic feet per minute, including the following: deburring; buffing; polishing; abrasive blasting; pneumatic conveying; and woodworking operations.(326 IAC 6-1-2)

(b) Other activities or categories not previously identified:

Insignificant Thresholds:
Lead (Pb) = 0.6 ton/year or 3.29 lbs/day Carbon Monoxide (CO) = 25 lbs/day
Sulfur Dioxides (SO2) = 5 lbs/hour or 25 lbs/day Particulate Matter (PM) = 5 lbs/hour or 25 lbs/day
Nitrogen Oxides (NOX) = 5 lbs/hour or 25 lbs/day Volatile Organic compounds (VOC) = 3 lbs/hr or 15 lbs/day

(1) Nutritional Lodige Wet Granulation (113) (mixing process involving powders and liquids) (326 IAC 6-1-2)

(2) Pharmaceutical Lodige Wet Granulation (112) (mixing process involving powders and liquids) (326 IAC 6-1-2)

(3) High Shear Mixer (111A) (mixing process involving powders and liquids) (326 IAC 6-1-2)

(4) Fluidized Bed Dryer (110A, 111, 109) (air drying of wet granulation) (326 IAC 6-1-2)

(5) Weigh Scales (105) (weighing of materials) (326 IAC 6-1-2)

(6) Lodige Dry Granulation (25) (mixing process involving powders and liquids) (326 IAC 6-1-2)

(7) Dump Room/Mixer (130/25A, 134/23A, 132/24A) (dumping and mixing of solid granulation) (326 IAC 6-1-2)

(8) Solids Chilsenator (131) (dry mixing of granulation) (326 IAC 6-1-2)

(9) Dry Chilsenator (126) (dry mixing of granulation) (326 IAC 6-1-2

(10) Oncology Blending (116A) (dry mixing of granulation) (326 IAC 6-1-2)

(11) Oncology Encapsulating (116A) (capsulating of dry granulation) (326 IAC 6-1-2

(12) Tray Drying Ovens (114, 115A, 103) (ovens used to dry granulations

(13) Feed Room (103D) (granulation dump room for tableting room) (326 IAC 6-1-2)

(14) Weigh Room (304) (weighing of powders via scales) (326 IAC 6-1-2)

(15) Dump Room (301, 303, 304, 305, 216, 212) (dumping of powders that feed mixing machine) (326 IAC 6-1-2)

(16) Steroid Tableting (125, 101) (tableting of granulation) (326 IAC 6-1-2)

(17) Steroid Blending (105) (mixing of granulation constituents) (326 IAC 6-1-2)

(18) Steroid Processing Room (103A) (dry blend and manual tableting) (326 IAC 6-1-2)

(19) Two (2) packaging lines (304A) (tablet packaging) (326 IAC 6-1-2)

(20) Eight (8) weigh stations, identified as 1 through 8, constructed in 1979, located in room 105 of building 9, six (6) with hepafilter systems. Weigh stations 1 through 7 are controlled by a common rotoclone. Weigh station 8 is controlled by a dedicated rotoclone.

(21) One (1) tablet drying system, identified as Wurster #2, constructed in 1984, located in room 119 of building 9, equipped with one (1) integral internal pleated bag filter, controlled by one (1) dust collector (identified as RTC 0032).

A.5 Part 70 Permit Applicability [326 IAC 2-7-2]

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

(a) It is a major source, as defined in 326 IAC 2-7-1(22);

(b) It is a source in a source category designated by the United States Environmental Protection Agency (U.S. EPA) under 40 CFR 70.3 (Part 70 - Applicability).

SECTION B GENERAL CONDITIONS

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

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

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

(a) This permit, 163-7142-00015, 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, upon receiving a timely and complete renewal permit application, fails to issue or deny the permit renewal prior to the expiration date of this permit, this existing permit shall not expire and all terms and conditions shall continue in effect, including any permit shield provided in 326 IAC 2-7-15, until the renewal permit has been issued or denied.

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

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

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

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

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

(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 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 Evansville EPA.

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

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

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

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

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

(a) The Permittee shall furnish to IDEM, OAQ and Evansville EPA, within a reasonable time, any information that IDEM, OAQ and Evansville EPA may request in writing to determine whether cause exists for modifying, revoking and reissuing, or terminating this permit, or to determine compliance with this permit. The submittal by the Permittee does require the certification by the "responsible official" as defined by 326 IAC 2-7-1(34). Upon request, the Permittee shall also furnish to IDEM, OAQ and Evansville EPA 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 Certification [326 IAC 2-7-4(f)][326 IAC 2-7-6(1)][326 IAC 2-7-5(3)(C)]

(a) Where specifically designated by this permit or required by an applicable requirement, any application form, report, or compliance certification submitted shall contain certification by the "responsible official" of truth, accuracy, and completeness. This certification shall state that, based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate, and complete.

(b) One (1) certification shall be included, using the attached Certification Form, with each submittal requiring certification. One (1) certification may cover multiple forms in one (1) submittal.

(c) the "responsible official" is defined at 326 IAC 2-7-1(34).

B.9 Annual Compliance Certification [326 IAC 2-7-6(5)]

(a) The Permittee shall annually submit a compliance certification report which addresses the status of the source's compliance with the terms and conditions contained in this permit, including emission limitations, standards, or work practices. The initial certification shall cover the time period from the date of final permit issuance through December 31 of the same year. All subsequent certifications shall cover the time period from January 1 to December 31 of the previous year, and shall be submitted no later than April 15 of each year to:

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

and

Evansville EPA
C.K. Newsome Community Center
100E. Walnut Street, Suite 100
Evansville, Indiana 47713

and

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

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

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

(1) The appropriate identification of each term or condition of this permit that is the basis of the certification;

(2) The compliance status;

(3) Whether compliance was continuous or intermittent;

(4) The methods used for determining the compliance status of the source, currently and over the reporting period consistent with 326 IAC 2-7-5(3); and

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

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

B.10 Preventive Maintenance Plan [326 IAC 2-7-5(1),(3) and (13)][326 IAC 2-7-6(1) and (6)][326 IAC 1-6-3]

(a) If required by specific condition(s) in Section D of this permit, the Permittee shall prepare and maintain Preventive Maintenance Plans (PMPs) within ninety (90) days after issuance of this permit, including the following information on each facility:

(1) Identification of the individual(s) responsible for inspecting, maintaining, and repairing emission control devices;

(2) A description of the items or conditions that will be inspected and the inspection schedule for said items or conditions; and

(3) Identification and quantification of the replacement parts that will be maintained in inventory for quick replacement.

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

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

and

Evansville EPA
C.K. Newsome Community Center
100E. Walnut Street, Suite
Evansville, Indiana 47713

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

(b) A copy of the PMPs shall be submitted to IDEM, OAQ and Evansville EPA upon request and within a reasonable time, and shall be subject to review and approval by IDEM, OAQ and Evansville EPA. IDEM, OAQ and Evansville EPA may require the Permittee to revise its PMPs whenever lack of proper maintenance causes or is the primary contributor to an exceedance of any limitation on emissions or potential to emit. The PMPs do not require the certification by the "responsible official" as defined by 326 IAC 2-7-1(34).

(c) To the extent the Permittee is required by 40 CFR Part 60/63 to have an Operation Maintenance, and Monitoring (OMM) Plan for a unit, such Plan is deemed to satisfy the PMP requirements of 326 IAC 1-6-3 for that unit.

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

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

(b) An emergency, as defined in 326 IAC 2-7-1(12), constitutes an affirmative defense to an action brought for noncompliance with a technology-based emission limitation if the

affirmative defense of an emergency is demonstrated through properly signed, contemporaneous operating logs or other relevant evidence that describe the following:

(1) An emergency occurred and the Permittee can, to the extent possible, identify the causes of the emergency;

(2) The permitted facility was at the time being properly operated;

(3) During the period of an emergency, the Permittee took all reasonable steps to minimize levels of emissions that exceeded the emission standards or other requirements in this permit;

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

IDEM, OAQ
Telephone No.: 1-800-451-6027 (ask for Office of Air Quality, Compliance Section) or,
Telephone No.: 317-233-0178 (ask for Compliance Section)
Facsimile No.: 317-233-6865

Evansville EPA
Telephone No.: 812-435-6145
Facsimile No.: 812-435-6155

Southwest Regional Office
Telephone No.: 1-888-672-8323, or
Telephone No. 812-380-2305
Facsimile No.: 812-380-2304

(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

Evansville EPA
C.K. Newsome Community Center
100E. Walnut Street, Suite
Evansville, Indiana 47713

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

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

(A) A description of the emergency;

(B) Any steps taken to mitigate the emissions; and

(C) Corrective actions taken.

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

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

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

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

(e) The Permittee seeking to establish the occurrence of an emergency shall make records available upon request to ensure that failure to implement a PMP did not cause or contribute to an exceedance of any limitations on emissions. However, IDEM, OAQ and Evansville EPA may require that the Preventive Maintenance Plans required under 326 IAC 2-7-4(c)(9) be revised in response to an emergency.

(f) Failure to notify IDEM, OAQ and Evansville EPA by telephone or facsimile of an emergency lasting more than one (1) hour in accordance with (b)(4) and (5) of this condition shall constitute a violation of 326 IAC 2-7 and any other applicable rules.

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

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

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

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

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

(b) If, after issuance of this permit, it is determined that the permit is in nonconformance with an applicable requirement that applied to the source on the date of permit issuance, IDEM, OAQ and Evansville EPA, shall immediately take steps to reopen and revise this permit and issue a compliance order to the Permittee to ensure expeditious compliance with the applicable requirement until the permit is reissued. The permit shield shall continue in effect so long as the Permittee is in compliance with the compliance order.

(c) No permit shield shall apply to any permit term or condition that is determined after issuance of this permit to have been based on erroneous information supplied in the permit application. Erroneous information means information that the Permittee knew to be false, or in the exercise of reasonable care should have been known to be false, at the time the information was submitted.

(d) Nothing in 326 IAC 2-7-15 or in this permit shall alter or affect the following:

(1) The provisions of Section 303 of the Clean Air Act (emergency orders), including the authority of the U.S. EPA under Section 303 of the Clean Air Act;

(2) The liability of the Permittee for any violation of applicable requirements prior to or at the time of this permit's issuance;

(3) The applicable requirements of the acid rain program, consistent with Section 408(a) of the Clean Air Act; and

(4) The ability of U.S. EPA to obtain information from the Permittee under Section 114 of the Clean Air Act.

(e) This permit shield is not applicable to any change made under 326 IAC 2-7-20(b)(2) (Sections 502(b)(10) of the Clean Air Act changes) and 326 IAC 2-7-20(c)(2) (trading based on State Implementation Plan (SIP) provisions).

(f) This permit shield is not applicable to modifications eligible for group processing until after IDEM, OAQ and Evansville EPA, has issued the modifications. [326 IAC 2-7-12(c)(7)]

(g) This permit shield is not applicable to minor Part 70 permit modifications until after IDEM, OAQ and Evansville EPA, has issued the modification. [326 IAC 2-7-12(b)(8)]

B.13 Prior Permits Superseded [326 IAC 2-1.1-9.5][326 IAC 2-7-10.5]

(a) All terms and conditions of permits established prior to 163-7142-00015 and issued pursuant to permitting programs approved into the state implementation plan have been either:

(1) incorporated as originally stated,

(2) revised under 326 IAC 2-7-10.5, or

(3) deleted under 326 IAC 2-7-10.5.

(b) Provided that all terms and conditions are accurately reflected in this combined permit, all previous registrations and permits are superseded by this combined new source review and part 70 operating permit.

B.14 Termination of Right to Operate [326 IAC 2-7-10][326 IAC 2-7-4(a)]

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

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

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

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

and

Evansville EPA
C.K. Newsome Community Center

100E. Walnut Street, Suite
Evansville, Indiana 47713

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

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

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

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

(a) This permit may be modified, reopened, revoked and reissued, or terminated for cause. The filing of a request by the Permittee for a Part 70 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 2-7-5(6)(C)] The notification by the Permittee does require the certification by the "responsible official" as defined by 326 IAC 2-7-1(34).

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

(1) That this permit contains a material mistake.

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

(3) That this permit must be revised or revoked to assure compliance with an applicable requirement. [326 IAC 2-7-9(a)(3)]

(c) Proceedings by IDEM, OAQ and Evansville EPA, to reopen and revise this permit shall follow the same procedures as apply to initial permit issuance and shall affect only those parts of this permit for which cause to reopen exists. Such reopening and revision shall be made as expeditiously as practicable. [326 IAC 2-7-9(b)]

(d) The reopening and revision of this permit, under 326 IAC 2-7-9(c), shall not be initiated before notice of such intent is provided to the Permittee by IDEM, OAQ and Evansville EPA, at least thirty (30) days in advance of the date this permit is to be reopened, except that IDEM, OAQ and Evansville EPA, may provide a shorter time period in the case of an emergency. [326 IAC 2-7-9(c)]

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

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

Request for renewal shall be submitted to:

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

100 North Senate Avenue
Indianapolis, Indiana 46204-2251

and

Evansville EPA
C.K. Newsome Community Center
100E. Walnut Street, Suite
Evansville, Indiana 47713

(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 Evansville EPA, on or before the date it is due.

(c) If the Permittee submits a timely and complete application for renewal of this permit, the source's failure to have a permit is not a violation of 326 IAC 2-7 until IDEM, OAQ and Evansville EPA 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 Evansville EPA, any additional information identified as being needed to process the application.

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

(a) Permit amendments and modification are governed by the requirements of 326 IAC 2-7-11 or 326 IAC 2-7-12 whenever the Permittee seeks to amend or modify this permit.

(b) Any application requesting an amendment or modification of this permit shall be submitted to:

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

and

Evansville EPA
C.K. Newsome Community Center
100E. Walnut Street, Suite
Evansville, Indiana 47713

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

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

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

(a) No Part 70 permit revision shall be required under any approved economic incentives, marketable Part 70 permits, emissions trading, and other similar programs or processes for changes that are provided for in a Part 70 permit.

(b) Notwithstanding 326 IAC 2-7-12(b)(1) and 326 IAC 2-7-12(c)(1), minor Part 70 permit modification procedures may be used for Part 70 modifications involving the use of economic incentives, marketable Part 70 permits, emissions trading, and other similar approaches to the extent that such minor Part 70 permit modification procedures are explicitly provided for in the applicable State Implementation Plan (SIP) or in applicable requirements promulgated or approved by the U.S. EPA.

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

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

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

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

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

(4) The Permittee notifies the:

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

And

Evansville EPA
C.K. Newsome Community Center
100E. Walnut Street, Suite
Evansville, Indiana 47713

and

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

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

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

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

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

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

(2) The date on which the change will occur;

(3) Any change in emissions; and

(4) Any permit term or condition that is no longer applicable as a result of the change.

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

(c) Emission Trades [326 IAC 2-7-20(c)]
The Permittee may trade emissions increases and decreases at in the source, where the applicable SIP provides for such emission trades without requiring a permit revision, subject to the constraints of Section (a) of this condition and those in 326 IAC 2-7-20(c).

(d) Alternative Operating Scenarios Part 70 Operating Permit
The Permittee may make changes at the source within the range of alternative operating scenarios that are described in the terms and conditions of this permit in accordance with 326 IAC 2-7-5(9). No prior notification of IDEM, OAQ, or U.S. EPA is required.

(e) Backup fuel switches specifically addressed in, and limited under, Section D of this permit shall not be considered alternative operating scenarios. Therefore, the notification requirements of part (a) of this condition do not apply.

B.21 Source Modification Requirement [326 IAC 2-7-10.5] [326 IAC 2-2-2] [326 IAC 2-3-2]

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

(b) Any modification at an existing major source is governed by the requirements of 326 IAC 2-2-2 or 326 IAC 2-3-2.

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

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

(a) Enter upon the Permittee's premises where a Part 70 source is located, or emissions related activity is conducted, or where records must be kept under the conditions of this permit;

(b) As authorized by the Clean Air Act, IC 13-14-2-2, IC 13-17-3-2, and IC 13-30-3-1, have access to and copy any records that must be kept under the conditions of this permit;

(c) As authorized by the Clean Air Act, IC 13-14-2-2, IC 13-17-3-2, and IC 13-30-3-1, inspect any facilities, equipment (including monitoring and air pollution control equipment), practices, or operations regulated or required under this permit;

(d) As authorized by the Clean Air Act, IC 13-14-2-2, IC 13-17-3-2, and IC 13-30-3-1, sample or monitor substances or parameters for the purpose of assuring compliance with this permit or applicable requirements; and

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

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

(a) The Permittee must comply with the requirements of 326 IAC 2-7-11 whenever the Permittee seeks to change the ownership or operational control of the source and no other change in the permit is necessary.

(b) Any application requesting a change in the ownership or operational control of the source shall contain a written agreement containing a specific date for transfer of permit responsibility, coverage and liability between the current and new Permittee. The application shall be submitted to:

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

and

Evansville EPA
C.K. Newsome Community Center
100E. Walnut Street, Suite
Evansville, Indiana 47713

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

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

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

(a) The Permittee shall pay annual fees to IDEM, OAQ and Evansville EPA, 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 and Evansville EPA, the applicable fee is due April 1 of each year.

(b) Except as provided in 326 IAC 2-7-19(e), failure to pay may result in administrative enforcement action or revocation of this permit.

(c) The Permittee may call the following telephone numbers: 1-800-451-6027 or 317-233-4230 (ask for OAQ, Billing, Licensing, and Training Section), to determine the appropriate permit fee.

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

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

SECTION C SOURCE OPERATION CONDITIONS

Entire Source

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

C.1 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.2 Open Burning [326 IAC 4-1] [IC 13-17-9]

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

C.3 Incineration [326 IAC 4-2] [326 IAC 9-1-2]

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

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

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

C.5 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.6 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

Evansville EPA
C.K. Newsome Community Center
100E. Walnut Street, Suite
Evansville, Indiana 47713

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

(e) Procedures for Asbestos Emission Control
The Permittee shall comply with the applicable emission control procedures in 326 IAC 14-10-4 and 40 CFR 61.145(c). Per 326 IAC 14-10-1, emission control requirements are applicable for any removal or disturbance of RACM greater than three (3) linear feet on pipes or three (3) square feet on any other facility components or a total of at least 0.75 cubic feet on all facility components.

(f) Demolition and Renovation
The Permittee shall thoroughly inspect the affected facility or part of the facility where the demolition or renovation will occur for the presence of asbestos pursuant to 40 CFR 61.145(a).

(g) Indiana Accredited Asbestos Inspector
The Permittee shall comply with 326 IAC 14-10-1(a) that requires the owner or operator, prior to a renovation/demolition, to use an Indiana Accredited Asbestos Inspector to thoroughly inspect the affected portion of the facility for the presence of asbestos. The requirement to use an Indiana Accredited Asbestos inspector is not federally enforceable.

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

C.7 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

Evansville EPA
C.K. Newsome Community Center
100E. Walnut Street, Suite
Evansville, Indiana 47713

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

(b) The Permittee shall notify IDEM, OAQ and Evansville EPA of the actual test date at least fourteen (14) days prior to the actual test date. The notification submitted by the Permittee does not require certification by the "responsible official" as defined by 326 IAC 2-7-1(34).

(c) Pursuant to 326 IAC 3-6-4(b), all test reports must be received by IDEM, OAQ and Evansville EPA not later than forty-five (45) days after the completion of the testing. An extension may be granted by IDEM, OAQ and Evansville EPA, 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.8 Compliance Requirements [326 IAC 2-1.1-11]

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

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

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

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

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

and

Evansville EPA
C.K. Newsome Community Center

100E. Walnut Street, Suite
Evansville, Indiana 47713

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

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

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

C.10 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.11 Monitoring Methods [326 IAC 3] [40 CFR 60] [40 CFR 63]

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

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

(a) When required by any condition of this permit, an analog instrument used to measure a parameter related to the operation of an air pollution control device shall have a scale such that the expected maximum reading for the normal range shall be no less than twenty percent (20%) of full scale.

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

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

C.13 Emergency Reduction Plans [326 IAC 1-5-2] [326 IAC 1-5-3]

Pursuant to 326 IAC 1-5-2 (Emergency Reduction Plans; Submission):

(a) The Permittee shall prepare written emergency reduction plans (ERPs) consistent with safe operating procedures.

(b) These ERPs shall be submitted for approval to:

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

and

Evansville EPA
C.K. Newsome Community Center
100E. Walnut Street, Suite
Evansville, Indiana 47713

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

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

(c) If the ERP is disapproved by IDEM, OAQ and Evansville EPA, the Permittee shall have an additional thirty (30) days to resolve the differences and submit an approvable ERP.

(d) These ERPs shall state those actions that will be taken, when each episode level is declared, to reduce or eliminate emissions of the appropriate air pollutants.

(e) Said ERPs shall also identify the sources of air pollutants, the approximate amount of reduction of the pollutants, and a brief description of the manner in which the reduction will be achieved.

(f) Upon direct notification by IDEM, OAQ and Evansville EPA that a specific air pollution episode level is in effect, the Permittee shall immediately put into effect the actions stipulated in the approved ERP for the appropriate episode level.
[326 IAC 1-5-3]

C.14 Risk Management Plan [326 IAC 2-7-5(12)] [40 CFR 68]

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

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

(a) Upon detecting an excursion or exceedance, the Permittee shall restore operation of the emissions unit (including any control device and associated capture system) to its normal or usual manner of operation as expeditiously as practicable in accordance with good air pollution control practices for minimizing emissions.

(b) The response shall include minimizing the period of any startup, shutdown or malfunction and taking any necessary corrective actions to restore normal operation and prevent the likely recurrence of the cause of an excursion or exceedance (other than those caused by excused startup or shutdown conditions). Corrective actions may include, but are not limited to, the following:

(1) initial inspection and evaluation

(2) recording that operations returned to normal without operator action (such as through response by a computerized distribution control system); or

(3) any necessary follow-up actions to return operation to within the indicator range, designated condition, or below the applicable emission limitation or standard, as applicable.

(c) A determination of whether the Permittee has used acceptable procedures in response to an excursion or exceedance will be based on information available, which may include, but is not limited to, the following:

(1) monitoring results;

(2) review of operation and maintenance procedures and records;

(3) inspection of the control device, associated capture system, and the process.

(d) Failure to take reasonable response steps shall be considered a deviation from the permit.

(e) The Permittee shall maintain the following records:

(1) monitoring data;

(2) monitor performance data, if applicable; and

(3) corrective actions taken.

C.16 Actions Related to Noncompliance Demonstrated by a Stack Test Part 70 Operating Permit

(a) When the results of a stack test performed in conformance with Section C - Performance Testing, of this permit exceed the level specified in any condition of this permit, the Permittee shall take appropriate response actions. The Permittee shall submit a description of these response actions to IDEM, OAQ and Evansville EPA, within thirty (30) days of receipt of the test results. The Permittee shall take appropriate action to minimize excess emissions from the affected facility while the response actions are being implemented.

(b) A retest to demonstrate compliance shall be performed within one hundred twenty (120) days of receipt of the original test results. Should the Permittee demonstrate to IDEM, OAQ and Evansville EPA that retesting in one-hundred and twenty (120) days is not practicable, IDEM, OAQ and Evansville EPA may extend the retesting deadline.

(c) IDEM, OAQ and Evansville EPA reserve the authority to take any actions allowed under law in response to noncompliant stack tests.

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

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

C.17 Emission Statement [326 IAC 2-7-5(3)(C)(iii)][326 IAC 2-7-5(7)][326 IAC 2-7-19(c)][326 IAC 2-6]

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

(1) Indicate estimated actual emissions of all pollutants listed in 326 IAC 2-6-4(a);

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

The statement must be submitted to:

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

and

Evansville EPA
C.K. Newsome Community Center
100E. Walnut Street, Suite
Evansville, Indiana 47713

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

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

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

C.18 General Record Keeping Requirements[326 IAC 2-7-5(3)] [326 IAC 2-7-6] [326 IAC 2-2] [326 IAC 2-3]

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

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

(c) If there is a reasonable possibility that a “project” (as defined in 326 IAC 2-2-1 (qq) and/or 326 IAC 2-3-3 (ll)) at an existing emissions unit, other than projects at a Clean Unit, which is not part of a “major modification” (as defined in 326 IAC 2-2-1(ee) and/or 326 IAC 2-3-1(z)) may result in significant emissions increase and the Permittee elects to utilize the “projected actual emissions” (as defined in 326 IAC 2-2-1 (rr) and/or 326 IAC 2-3-3 (mm)), the Permittee shall comply with following:

(1) Before beginning actual construction of the “project” (as defined in 326 IAC 2-2-1(qq) and/or 326 IAC 2-3-1(ll)) at an existing emissions unit, document and maintain the following records:

(A) A description of the project.

(B) Identification of any emissions unit whose emissions of a regulated new source review pollutant could be affected by the project.

(C) A description of the applicability test used to determine that the project is not a major modification for any regulated NSR pollutant, including:

(i) Baseline actual emissions;

(ii) Projected actual emissions;

(iii) Amount of emissions excluded under section 326 IAC 2-2-1(rr)(2)(A)(iii) and/or 326 IAC 2-3-1(mm)(2)(A)(iii); and

(iv) An explanation for why the amount was excluded, and any netting calculations, if applicable.

(2) Monitor the emissions of any regulated NSR pollutant that could increase as a result of the project and that is emitted by any existing emissions unit identified in (1)(B) above; and

(3) Calculate and maintain a record of the annual emissions, in tons per year on a calendar year basis, for a period of five (5) years following resumption of regular operations after the change, or for a period of ten (10) years following resumption of regular operations after the change if the project increases the design capacity of or the potential to emit that regulated NSR pollutant at the emissions unit.

C.19 General Reporting Requirements [326 IAC 2-7-5(3)(C)] [326 IAC 2-1.1-11] [326 IAC 2-2] [326 IAC 2-3]

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

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

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

and

Evansville EPA
C.K. Newsome Community Center
100E. Walnut Street, Suite
Evansville, Indiana 47713

(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 Evansville EPA, on or before the date it is due.

(d) Unless otherwise specified in this permit, all reports required in Section D of this permit shall be submitted within thirty (30) days of the end of the reporting period. All reports do require the certification by the "responsible official" as defined by 326 IAC 2-7-1(34).

(e) The first report shall cover the period commencing on the date of issuance of this permit and ending on the last day of the reporting period. Reporting periods are based on calendar years, unless otherwise specified in this permit. For the purpose of this permit “calendar year” means the twelve (12) month period from January 1 to December 31 inclusive.

(f) If the Permittee is required to comply with the recordkeeping provisions of (c) in Section C- General Record Keeping Requirements for any “project” (as defined in 326 IAC 2-2-1(qq) and/or 326 IAC 2-3-1(ll)) at an existing emissions unit, and the project meets the following criteria, then the Permittee shall submit a report to IDEM, OAQ and Evansville EPA:

(1) The annual emissions, in tons per year, from the project identified in (c)(1) in Section C- General Record Keeping Requirements exceed the baseline actual emissions, as documented and maintained under Section C- General Record Keeping Requirements (c)(1)(C)(i), by a significant amount, as defined in 326 IAC 2-2-1(xx) and/or 326 IAC 2-3-1(qq), for that regulated NSR pollutant, and

(2) The emissions differ from the preconstruction projection as documented and maintained under Section C- General Record Keeping Requirements (c)(1)(C)(ii).

(g) The report for project at an existing emissions unit shall be submitted within sixty (60) days after the end of the year and contain the following:

(1) The name, address, and telephone number of the major stationary source.

(2) The annual emissions calculated in accordance with (c)(2) and (3) in Section C- General Record Keeping Requirements.

(3) The emissions calculated under the actual-to-projected actual test stated in 326 IAC 2-2-2(d)(3) and/or 326 IAC 2-3-2(c)(3).

(4) Any other information that the Permittee deems fit to include in this report,

Reports required in this part shall be submitted to:

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

and

Evansville EPA
C.K. Newsome Community Center
100E. Walnut Street, Suite
Evansville, Indiana 47713

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

Stratospheric Ozone Protection

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

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

(a) Persons opening appliances for maintenance, service, repair, or disposal must comply with the required practices pursuant to 40 CFR 82.156.

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

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

SECTION D.1 FACILITY OPERATION CONDITIONS

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

(a) One (1) landfill gas fired boiler with low NOx burner and flue gas recirculation system identified as CSUP-1 (boiler 8), using natural gas and No. 2 fuel oil as back-up fuels, maximum capacity rated at 98.6 million British thermal units per hour fired with landfill gas or natural gas, rated at 93.9 million British thermal units per hour fired with No. 2 distillate fuel oil, maximum capacity rated at 80,000 lbs saturated steam per hour at 400 psig operating pressure and 400 to 450^0 F, located in building 66, and exhausting at one (1) stack identified as CSUP-S_1. (Constructed in 1998 and modified in 2006)

(b) One (1) landfill gas fired boiler with low NOx burner and flue gas recirculation system identified as CSUP-2 (boiler 9), using natural gas and No. 2 fuel oil as back-up fuels, maximum capacity rated at 98.6 million British thermal units per hour fired with landfill gas or natural gas, rated at 93.9 million British thermal units per hour fired with No. 2 distillate fuel oil, maximum capacity rated at 80,000 lbs saturated steam per hour at 400 psig operating pressure and 400 to 450^0 F, located in building 66, and exhausting at one (1) stack identified as CSUP-S_2. (Constructed in 1998 and modified in 2006)

(c) One (1) landfill gas fired boiler with low NOx burner and flue gas recirculation system identified as CSUP-3 (boiler 10), using natural gas and No. 2 fuel oil as back-up fuels, maximum capacity rated at 98.6 million British thermal units per hour fired with landfill gas or natural gas, rated at 93.9 million British thermal units per hour fired with No. 2 distillate fuel oil, maximum capacity rated at 80,000 lbs saturated steam per hour at 400 psig operating pressure and 400 to 450^0 F, located in building 66, and exhausting at one (1) stack identified as CSUP-S_3. (Constructed in 1998 and modified in 2006).

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

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

D.1.1 New Source Performance Standard, Standards of Performance for Small Industrial-Commercial-Institutional Steam Generating Units [40 CFR Part 60.40c through 60.48c, Subpart Dc] [326 IAC 12]

Pursuant to New Source Performance Standard, 40 CFR Part 60.40c through 60.48c, Subpart Dc, Standards of Performance for Small Industrial-Commercial-Institutional Steam Generating Units, the three (3) landfill gas fired (using natural gas and No. 2 distillate fuel oil as back up fuels) boilers, identified as CSUP-1, CSUP-2, and CSUP-3 have the following requirements:

(a) SO_2 emissions shall be limited to five tenths (0.5) pounds per MMBtu of heat input during distillate oil firing or that the distillate oil sulfur content be limited to five tenths (0.5) percent by weight at all times including periods of start-up, shut-down and malfunction. The source will comply with this rule by accepting a federally enforceable emission limit of 0.3 pounds per MMBtu heat input when burning No. 2 distillate fuel oil in boilers CSUP-1, CSUP-2, and CSUP-3.

(b) When burning No. 2 distillate fuel oil, opacity shall be limited to 20 percent as a 6-minute average, except for one (1) 6-minute period per hour limited to 27 percent opacity, and except during periods of start-up, shut-down and malfunction.

D.1.2 PSD Limit [326 IAC 2-2]

Pursuant to CP 163-9713-00015, issued on August 24, 1998, and 326 IAC 2-2:

(a) NOx emissions from boilers CSUP-1, CSUP-2, and CSUP-3 shall be limited to 0.08 pounds per MMBtu (lb/MMBtu) while burning natural gas only.

(b) NOx emissions from boilers CSUP-1, CSUP-2, and CSUP-3 shall be limited to 0.08 pounds per MMBtu (lb/MMBtu) while burning No. 2 distillate fuel oil only.

D.1.3 Non-attainment Area Particulate Limitations [326 IAC 6.5-1-2]

Pursuant to 326 IAC 6.5-1-2(a), the Permittee shall comply with the following:

(a) the particulate matter (PM) emissions from all gaseous fuel fired steam generators (CSUP-1, 2, and 3) shall not exceed 0.01 grains per dry standard cubic foot.

(b) the particulate matter (PM) emissions from all liquid fuel fired steam generators (CSUP-1, 2, and 3) shall not exceed 0.15 pounds per million Btu.

D.1.4 Sulfur Dioxide Emission Limitations [326 IAC 7-1.1-2]

Pursuant to 326 IAC 7-1.1-2, the sulfur dioxide emissions from boilers CSUP-1, 2, and 3, when No. 2 distillate fuel oil is used, shall be limited to 0.5 pounds per MMBtu heat input. This equates to an allowable distillate fuel oil sulfur content limit of 0.5%. Therefore, the sulfur content of the distillate fuel must be less than or equal to 0.5% in order to comply with this rule. The facility will comply with this rule by limiting distillate oil sulfur content to 0.3% or less. This condition is not federally enforceable.

D.1.5 Preventive Maintenance Plan [326 IAC 2-7-5(13)]

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

Compliance Determination Requirements

D.1.6 Testing Requirements [326 IAC 2-7-6(1),(6)] [326 IAC 2-1.1-11]

(a) During the period between 30 and 36 months after issuance of this permit, in order to demonstrate compliance with Conditions D.1.1(b) and D.1.2, the Permittee shall perform opacity and NOx testing (when burning fuel oil), and NOx testing (when burning natural gas) utilizing methods as approved by the Commissioner. This test shall be repeated at least once every five (5) years from the date of this valid compliance demonstration. Testing shall be conducted in accordance with Section C - Performance Testing.

(b) In order to demonstrate compliance with 326 IAC 2-2(PSD), 326 IAC 2-3 (Emission Offset), and Condition D.1.3, the Permittee shall perform PM and NOx testing for one of the boilers CSUP-1, CSUP-2, and CSUP-3 while combusting landfill gas, within 60 days after achieving the maximum capacity, but not later than 180 days after using landfill gas in these boilers, utilizing methods as approved by the Commissioner. These tests shall be repeated at least once every five (5) years from the date of this valid compliance demonstration. Testing shall be conducted in accordance with Section C - Performance Testing.

(c) In order to establish an emission rate for these units, the Permittee shall perform PM-10 and CO testing for one of the boilers CSUP-1, CSUP-2, and CSUP-3 while combusting landfill gas, within 60 days after achieving the maximum capacity, but not later than 180 days after using landfill gas in these boilers, utilizing methods as approved by the Commissioner. These tests shall be repeated at least once every five (5) years from the date of this valid compliance demonstration. PM-10 includes filterable and condensable PM-10. Testing shall be conducted in accordance with Section C – Performance Testing.

D.1.7 Sulfur Dioxide Emissions and Sulfur Content

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

(a) Providing vendor analysis of fuel oil delivered, if accompanied by a certification; or

(b) Analyzing the oil sample to determine the sulfur content of the oil via the procedures in 40

CFR 60, Appendix A, Method 19.

(1) Oil samples may be collected from the fuel tank immediately after the fuel tank is filled and before any oil is combusted; and

(2) If a partially empty fuel tank is refilled, a new sample and analysis would be required upon filling.

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

D.1.8 Visible Emissions Notations

(a) Visible emission notations of the boiler stack exhausts shall be performed once per day during normal daylight operations when combusting landfill gas or No.2 fuel 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 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 of this permit.

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

D.1.9 Record Keeping Requirements

(a) To document compliance with Conditions D.1.1 and D.1.4, 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 (30 consecutive operating days);

(2) Actual fuel oil usage since last compliance determination period and equivalent sulfur dioxide emissions;

(3) To certify compliance when burning natural gas only, the Permittee shall maintain records of fuel used.

If the fuel supplier certification is used to demonstrate compliance, when burning alternate fuels and not determining compliance pursuant to 326 IAC 3-7-4, 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.1.8, the Permittee shall maintain records of visible emission notations of the boiler stack exhausts once per day when one or more boilers are combusting landfill gas or No. 2 fuel oil.

(c) Pursuant to 326 IAC 12 (which incorporates the July 1, 2005 version of 40 CFR 60 Subpart Dc), the Permittee shall record and maintain records of the amounts of each fuel combusted in boilers CSUP-1 through CSUP-3 during each day. This requirement is not federally enforceable.

(d) Pursuant to 40 CFR 60.48c, the Permittee shall record and maintain records of the fuels combusted in boilers CSUP-1 through CSUP-3 during each calendar month. This requirement is federally enforceable.

(e) All records shall be maintained in accordance with Section C - General Record Keeping Requirements, of this permit.

D.1.10 Reporting Requirements

(a) A certification, signed by the responsible official that certifies all of the fuels combusted during the period. The natural gas-fired boiler certification does require the certification by the “responsible official” as defined by 326 IAC 2-7-1(34);

(b) 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 their equivalent, within thirty (30) days after the end of the six (6) month period being reported.

(c) A semi-annual summary of the information to document compliance with Condition D.1.1, in any compliance period when No. 2 fuel oil was combusted shall be submitted to the address listed in Section C - General Reporting Requirements, using the reporting forms located at the end of this permit, or their equivalent, within thirty (30) days after the end of the six (6) month period being reported. The report submitted by the Permittee does require the certification by the “responsible official” as defined by 326 IAC 2-7-1(34).

SECTION D.2 FACILITY OPERATION CONDITIONS

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

(d) One (1) diesel fuel oil fired emergency electric generator identified as CSUP-4, rated at 7.20 million British thermal units per hour (MMBtu/hr) or capable of maximum 750 KW output, located near the southeast corner of building 66, and exhausting at one (1) stack identified as CSUP-S_4. (Constructed in 1998)

(f) One (1) reciprocating diesel fuel oil fired emergency electric generator, identified as backup generator #1, used to provide backup power to the computer center in case of a power outage, capable of a maximum 750 kilowatt (KW) output, located in building 5, and exhausting at one (1) stack, identified as stack BG-1. (Constructed in 1985)

(g) One (1) reciprocating diesel fuel oil fired emergency electric generator, identified as backup generator #2, used to provide backup power to the computer center in case of a power outage, capable of a maximum 1,100 kilowatt (KW) output, located south of building 52, and exhausting at one (1) stack, identified as stack BG-2. (Constructed in 1992)

(h) One (1) reciprocating diesel fuel oil fired emergency electric generator, identified as backup generator #4 used to provide backup power to Bldg. 48 R & D Laboratory in case of power outage, capable of 500 KVA (405HP) output located north of Building 48 and south of Building 63, and exhausting at one (1) stack identified as stack BG-4. (Constructed in 2001)

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

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

D.2.1 Nitrogen Oxides (NOx) [326 IAC 2-2]

(a) The input diesel fuel oil of the electrical generator identified as CSUP-4 shall be limited to 25,643 gallons per 12 consecutive month period. This production limitation is equivalent to NO_X emissions of 4.4 tons per 12 consecutive month period, rolled on a monthly basis. Compliance with this limit ensures 326 IAC 2-2 does not apply.

(b) One (1) 750 kW and one (1) 1000 kW electrical generators shall be limited to 2578 hours of operation per year. This limitation is equivalent to NOx emissions of 39 tons per 12 consecutive month period. Compliance with this limit ensures 326 IAC 2-2 does not apply.

D.2.2 Particulate Matter Limitations Except Lake County [326 IAC 6.5-1-2]

Pursuant to 326 IAC 6.5-1-2, the allowable particulate emissions for electrical generators shall not exceed 0.03 grains per dry standard cubic feet of air per minute when combusting diesel fuel oil.

Compliance Determination Requirements

D.2.3 NOx

Compliance with Condition D.2.1 shall be demonstrated within 30 days of the end of each month based on the total diesel fuel oil usage and generator operating hours for the most recent twelve (12) month period).

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

D.2.4 Visible Emissions Notations

(a) Visible emission notations of the emergency generator stack exhausts shall be performed once per day during normal daylight operations when one or more generators are in operation. 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 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.

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

D.2.5 Record Keeping Requirements

(a) To document compliance with Condition D.2.1(a), the Permittee shall maintain records of the amount of diesel fuel oil used rolled on a monthly basis.

(b) To document compliance with Condition D.2.1(b), the Permittee shall maintain records of the number of hours the one (1) 750 kW and one (1) 1000 kW electrical generators are operated rolled on a monthly basis.

(c) To document compliance with D.2.4, the Permittee shall maintain records of daily visible emission notations of the diesel fuel combustion stack exhausts.

(d) All records shall be maintained in accordance with Section C - General Record Keeping Requirements, of this permit.

D.2.6 Reporting Requirements

A quarterly summary of the information to document compliance with Condition D.2.1 in any compliance period for (a) when No. 2 fuel oil was combusted, and (b) the number of hours that the No. 2 fuel oil fired generators were operated.

SECTION D.3 FACILITY CONDITIONS

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

(b) Other activities or categories not previously identified:

Insignificant Thresholds:
Lead (Pb) = 0.6 ton/year or 3.29 lbs/day Carbon Monoxide (CO) = 25 lbs/day
Sulfur Dioxides (SO2) = 5 lbs/hour or 25 lbs/day Particulate Matter (PM) = 5 lbs/hour or 25 lbs/day
Nitrogen Oxides (NOX) = 5 lbs/hour or 25 lbs/day Volatile Organic compounds (VOC) = 3 lbs/hr or 15 lbs/day

(20) Eight (8) weigh stations, identified as 1 through 8, constructed in 1979, located in room 105 of building 9, six (6) with hepafilter systems. Weigh stations 1 through 7 are controlled by a common rotoclone. Weigh station 8 is controlled by a dedicated rotoclone.

(21) One (1) tablet drying system, identified as Wurster #2, constructed in 1984, located in room 119 of building 9, equipped with one (1) integral internal pleated bag filter, controlled by one (1) dust collector (identified as RTC 0032).

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

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

D.3.1 Particulate Matter (PM) Limitations Except Lake County [326 IAC 6.5-1-2]

Pursuant to 326 IAC 6.5-1-2(a), the particulate matter (PM) content of the following eight (8) weigh stations, identified as 1 through 8, located in room 105 of building 9, and one (1) tablet drying system, identified as Wurster #2, located in room 119 of building 9, shall be limited to 0.03 grain/dry standard cubic foot.

Compliance Determination Requirements

D.3.2 PM

The rotoclones, pleated bag filter, and dust collectors for PM control shall be in operation at all times when the weighing stations and the drying system are in operation and exhausting to the outside atmosphere.

SECTION D.4 FACILITY OPERATION CONDITIONS

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

Grinding and machining operations controlled with fabric filters, scrubbers, mist collectors, wet collectors and electrostatic precipitators with a design grain loading of less than or equal to 0.03 grains per actual cubic foot and a gas flow rate less than or equal to 4000 actual cubic feet per minute, including the following: deburring; buffing; polishing; abrasive blasting; pneumatic conveying; and woodworking operations.

Space heaters, process heaters, or boilers using the following fuels:

(a) Natural gas-fired combustion sources with heat input equal to or less than ten (10) million Btu per hour.

(b) Propane or liquified petroleum gas, or butane-fired combustion sources with heat input equal to or less than six million (6,000,000) Btu per hour.

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

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

D.4.1 Particulate Matter (PM) Limitations Except Lake County [326 IAC 6.5-1-2]

Pursuant to 326 IAC 6.5-1-2,

(a) the particulate matter (PM) emissions from the grinding and machining operations shall be limited to 0.03 grain/dry standard cubic foot.

(b) the particulate matter (PM) emissions from all gaseous fuel fired steam generators shall not exceed 0.01 grains per dry standard cubic foot, and

(c) the particulate matter (PM) emissions from all liquid fuel fired steam generators shall not exceed 0.15 pounds per million Btu.

Compliance Determination

D.4.2 PM

The equipment for PM control shall be in operation at all times when the grinding process is in operation and exhausting to the outside atmosphere.

INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
OFFICE OF AIR QUALITY
COMPLIANCE BRANCH
100 North Senate Avenue
Indianapolis, Indiana 46204-2251
Phone: 317-233-0178
Fax: 317-233-6865
and Southwest Regional Office
208 NW Fourth Street
Evansville, IN 47708
PART 70 OPERATING PERMIT
EMERGENCY OCCURRENCE REPORT

Source Name:	Mead Johnson and Company
Source Address:	2400 West Lloyd Expressway, Evansville, Indiana 47721
Mailing Address:	2400 West Lloyd Expressway, Evansville, Indiana 47721
Part 70 Permit No.:	T163-7142-00015

This form consists of 2 pages **Page 1 of 2**

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

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

Part 70 Quarterly Report

Source Name: Mead Johnson and Company
Source Address: 2400 West Lloyd Expressway, Evansville, Indiana 47721
Mailing Address: 2400 West Lloyd Expressway, Evansville, Indiana 47721
Part 70 Permit No.: T163-7142-00015
Facility: One (1) 750 kW and one (1) 1000 kW electrical generators
Parameter: hours of operation (which limits NOx to 39 tons per 12 consecutive month period
Limit: 2578 hours

YEAR:

Month	Column 1	Column 2	Column 1 + Column 2
	This Month	Previous 11 Months	12 Month Total
Month 1			
Month 2			
Month 3			

No deviation occurred in this quarter.

Deviation/s occurred in this quarter.
Deviation has been reported on:

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

Attach a signed certification to complete this report.

Indiana Department of Environmental Management
Office of Air Quality

Addendum to the Technical Support Document for a Part 70 Significant Source Modification and a Part 70 Significant Permit Modification

Source Background and Description

Source Name:	Mead Johnson & Company
Source Location:	2400 West Lloyd Expressway, Evansville, Indiana 47721
County:	Vanderburgh
SIC Code:	2834, 2099
Operation Permit No.:	T163-7142-00015
Operation Permit Issuance Date:	March 22, 2002
Significant Source Modification No.:	163-22793-00015
Significant Permit Modification No.:	163-22795-00015
Permit Reviewer:	ERG/YC

On May 5, 2006, the Office of Air Quality (OAQ) had a notice published in the Evansville Courier, Evansville, Indiana, stating that Mead Johnson & Company had applied for a Part 70 Significant Source Modification and a Part 70 Significant Permit Modification to allow the use of landfill gas in the existing boilers CSUP-1, CSUP-2, and CSUP-3 as the primary fuel. The notice also stated that OAQ proposed to issue a permit for this operation and provided information on how the public could review the proposed permit and other documentation. Finally, the notice informed interested parties that there was a period of thirty (30) days to provide comments on whether or not this permit should be issued as proposed.

On June 5, 2006, the Permittee submitted comments on the proposed Significant Source Modification and Significant Permit Modification. On May 17, 2006, City of Evansville, Environmental Protection Agency (referred to as “EEPA”) submitted comments on the proposed Significant Source Modification and Significant Permit Modification. The summary of the comments is as follows (bolded language has been added, the language with a line through it has been deleted):

Comment 1:

The Permittee indicated that the steam temperature range for each boiler is between 400 and 450EF, not 4,500EF. The Permittee stated that this typographical error should be correct in the permit cover letter and the technical support document (TSD).

Response to Comment 1:

The temperature range for each boiler listed in the permit is correct as between 400EF and 450EF. The temperature range for the boilers in the permit cover letter has been revised as follows:

(a) One (1) landfill gas fired boiler with low NOx burner and flue gas recirculation system identified as CSUP-1 (boiler 8), using natural gas and No. 2 fuel oil as back-up fuels, maximum capacity rated at 98.6 million British thermal units per hour fired with landfill gas or natural gas, rated at 93.9 million British thermal

units per hour fired with No. 2 distillate fuel oil, maximum capacity rated at 80,000 lbs saturated steam per hour at 400 psig operating pressure and 400 to ~~4,500~~**450**^{0} F, located in building 66, and exhausting at one (1) stack identified as CSUP-S_1. (Constructed in 1998 and modified in 2006)

(b) One (1) landfill gas fired boiler with low NOx burner and flue gas recirculation system identified as CSUP-2 (boiler 9), using natural gas and No. 2 fuel oil as back-up fuels, maximum capacity rated at 98.6 million British thermal units per hour fired with landfill gas or natural gas, rated at 93.9 million British thermal units per hour fired with No. 2 distillate fuel oil, maximum capacity rated at 80,000 lbs saturated steam per hour at 400 psig operating pressure and 400 to ~~4,500~~**450**^{0} F, located in building 66, and exhausting at one (1) stack identified as CSUP-S_2. (Constructed in 1998 and modified in 2006)

(c) One (1) landfill gas fired boiler with low NOx burner and flue gas recirculation system identified as CSUP-3 (boiler 10), using natural gas and No. 2 fuel oil as back-up fuels, maximum capacity rated at 98.6 million British thermal units per hour fired with landfill gas or natural gas, rated at 93.9 million British thermal units per hour fired with No. 2 distillate fuel oil, maximum capacity rated at 80,000 lbs saturated steam per hour at 400 psig operating pressure and 400 to ~~4,500~~**450**^{0} F, located in building 66, and exhausting at one (1) stack identified as CSUP-S_3. (Constructed in 1998 and modified in 2006)

However, no changes have been made to the TSD because the OAQ prefers that the Technical Support Document reflect the permit that was on public notice. Changes to the permit or technical support material that occur after the 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.

Comment 2:

The Permittee stated that the backup generators do not exhaust through a common stack and the description for the existing backup generators should be corrected to reflect the following:

(a) Backup generator #1 vents to stack BG-1.

(b) Backup generator #2 vents to stack BG-2.

(c) Backup generator #4 vents to Stack BG-4.

In addition, the Permittee stated that the actual maximum power output rate of the backup generator #2 should be 1,100 KW, instead of 1,000 KW. Backup generator #2 is located in Building 52, not Building 8. The Permittee indicated that the description for backup generator #4 is omitted from the description box in Section 2. The Permittee requested the facility description in Conditions A.2, D.2, and the TSD be revised to reflect the above changes.

Response to Comment 2:

The unit description for the backup generators in Conditions A.2 and D.2 has been revised as follows as the result of this comment:

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

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

. . .

(f) One (1) reciprocating diesel fuel oil fired emergency electric generator, identified as backup generator #1, used to provide backup power to the computer center in case of a power outage, capable of a maximum 750 kilowatt (KW) output, located in building 5, and exhausting at one (1) stack, identified as stack **BG-**1. (Constructed in 1985)

(g) One (1) reciprocating diesel fuel oil fired emergency electric generator, identified as backup generator #2, used to provide backup power to the computer center in case of a power outage, capable of a maximum ~~1000~~ **1,100** kilowatt (KW) output, located south of building ~~8~~ **52**, and exhausting at one (1) stack, identified as stack ~~1~~**BG-2**. (Constructed in 1992)

(h) One (1) reciprocating diesel fuel oil fired emergency electric generator, identified as backup generator #4 used to provide backup power to Bldg. 48 R & D Laboratory in case of power outage, capable of 500 KVA (405HP) output located north of Building 48 and south of Building 63, and exhausting at one (1) stack identified as stack ~~1~~**BG-4**. (Constructed in 2001)

SECTION D.2 FACILITY OPERATION CONDITIONS

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

. . .

(f) One (1) reciprocating diesel fuel oil fired emergency electric generator, identified as backup generator #1, used to provide backup power to the computer center in case of a power outage, capable of a maximum 750 kilowatt (KW) output, located in building 5, and exhausting at one (1) stack, identified as stack **BG-**1. (Constructed in 1985)

(g) One (1) reciprocating diesel fuel oil fired emergency electric generator, identified as backup generator #2, used to provide backup power to the computer center in case of a power outage, capable of a maximum ~~1000~~ **1,100** kilowatt (KW) output, located south of building ~~8~~ **52**, and exhausting at one (1) stack, identified as stack ~~1~~**BG-2**. (Constructed in 1992)

(h) One (1) reciprocating diesel fuel oil fired emergency electric generator, identified as backup generator #4 used to provide backup power to Bldg. 48 R & D Laboratory in case of power outage, capable of 500 KVA (405HP) output located north of Building 48 and south of Building 63, and exhausting at one (1) stack identified as stack BG-4. (Constructed in 2001)

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

No changes have been made to the TSD because the OAQ prefers that the Technical Support Document reflect the permit that was on public notice. Changes to the permit or technical support material that occur after the 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.

Comment 3:

The Permittee asked that Condition D.1.9(b) be revised as follows to be more specific as to their compliance obligations:

D.1.9 Record Keeping Requirements

. . .

(b) To document compliance with Condition D.1.8, the Permittee shall maintain records of visible emission notations of the boiler stack exhausts once per day **when one or more boilers are burning landfill gas or no.2 fuel oil**.

. . .

Response to Comment 3:

As stated in Condition D.1.8(a), visible emission notations for boilers CSUP-1, CSUP-2, and CSUP-3 are only required when combusting landfill gas or No. 2 fuel oil. For clarification purpose, Condition D.1.9 (b) has been revised as follows:

D.1.9 Record Keeping Requirements

. . .

(b) To document compliance with Condition D.1.8, the Permittee shall maintain records of visible emission notations of the boiler stack exhausts once per day **when one or more boilers are combusting landfill gas or No. 2 fuel oil**.

. . .

Comment 4:

For clarification purposes, the Permittee requested Condition D.2.4 be revised as follows:

D.2.4 Visible Emissions Notations

(a) Visible emission notations of the emergency generator stack exhausts shall be performed once per day during normal daylight operations **when one or more generators are in operation**. A trained employee shall record whether emissions are normal or abnormal.

Response to Comment 4:

For clarification purposes, Condition D.2.4 has been revised as follows:

D.2.4 Visible Emissions Notations

(a) Visible emission notations of the emergency generator stack exhausts shall be performed once per day during normal daylight operations **when one or more generators are in operation**. A trained employee shall record whether emissions are normal or abnormal.

Comment 5:

The Permittee requested the following description condition be added to Section A as an affirmation of their minor HAP source status and the nonapplicability of several MACT standards.

This stationary source is a minor source for purposes of Section 112 of the Clean Air Act. The source potential to emit HAPs is less than 10 tons per year for any single HAP and less than 25 tons per year of total HAPs. As a minor source of HAP emissions, this stationary source is not subject to any emission standards promulgated under 40 CFR Part 63, including but not limited to:

National Emission Standards for Hazardous Air Pollutants for Pharmaceuticals Production (40 CFR Part 63, Subpart GGG); and

National Emission Standards for Hazardous Air Pollutants for Industrial, Commercial, Institutional Boilers and Process Heaters (40 CFR Part 63, Subpart DDDDD).

Response to Comment 5:

The source status for HAP emissions is listed in Condition A.2 and the NESHAP applicability discussion is included in the TSD. A Part 70 operating permit only includes the applicable requirements. The rule applicability discussion is documented in the TSD. IDEM, OAQ believes that the suggested additional statement is not necessary to be included in the permit conditions and will not be included in the final permit. No change has been made as a result of this permit.

Comment 6:

The Permittee requested further clarification on the testing method for the PM emission limits contained in Condition D.1.3. The Permittee asked if compliance with the PM limits in Condition D.1.3 should be demonstrated by the particulate emissions measured by U.S. EPA Reference Method 5.

Response to Comment 6:

According to Condition D.1.6(b), compliance with the PM emission limits in Condition D.1.3 is demonstrated by complying with the testing requirements in Condition D.1.6(b). Condition D.1.6(b) states that the Permittee shall perform PM stack testing utilizing methods as approved by the Commissioner. IDEM, OAQ accepted U.S. EPA Reference Method 5 as an approved testing method for PM emissions. Therefore, the PM emission information measured using U.S. EPA Reference Method 5 can be used to demonstrate compliance with the PM limits in Condition D.1.3.

Comment 7:

Condition B.2(a) – The EEPA indicated that both SSM #163-22793-00015 and SPM #163-22795-00015 list the same permit number (#163-22793-00015) in Condition B.2(a). The EEPA believes the correct permit number would be #163-22795-00015.

Comment 8:

Condition B.13(a) - The EEPA believes the permit number referred in this condition should be changed from #163-22793-00015 to #163-22795-00015.

Response to Comments 7 and 8:

The permit number referred to in Conditions B.2 and B.13 should be the number for the source's Part 70 operating permit (T163-7142-00015). Therefore, Conditions B.2 and B.13 have been revised as follows:

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

(a) This permit, 163-~~22793~~**7142**-00015, 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.13 Prior Permits Superseded [326 IAC 2-1.1-9.5][326 IAC 2-7-10.5]

(a) All terms and conditions of permits established prior to 163-~~22793~~**7142**-00015 and issued pursuant to permitting programs approved into the state implementation plan have been either:

. . .

Comment 9:

Condition B.20(a)(2) – The EEPS indicated that there are two (2) conditions B.20(a)(2). The one "(2) Any approval required by 326 IAC 2-8-11.1 has been obtained;" needs to be removed as it does not pertain to this source.

Response to Comment 9:

The second Condition B.20(a)(2) in the draft permit is not applicable to this source and has been removed:

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

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

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

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

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

. . .

Comment 10:

Condition C.7(b) - The EEPA requested that the Permittee notifies EEPA in addition to IDEM fourteen days prior to the actual test date.

Response to Comment 10:

Condition C.7(b) has been revised as follows as a result of this comment:

C.7 Performance Testing [326 IAC 3-6]

. . .

(b) The Permittee shall notify IDEM, OAQ **and Evansville EPA** of the actual test date at least fourteen (14) days prior to the actual test date. The notification

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

. . .

Comment 11:

Condition C.16(a) - The EEPA requested that the Permittee notifies EEPA in addition to IDEM.

Response to Comment 11:

Condition C.16 has been revised as follows as a result of this comment:

C.16 Actions Related to Noncompliance Demonstrated by a Stack Test Part 70 Operating Permit

(a) When the results of a stack test performed in conformance with Section C - Performance Testing, of this permit exceed the level specified in any condition of this permit, the Permittee shall take appropriate response actions. The Permittee shall submit a description of these response actions to IDEM, OAQ **and Evansville EPA**, within thirty (30) days of receipt of the test results. The Permittee shall take appropriate action to minimize excess emissions from the affected facility while the response actions are being implemented.

(b) A retest to demonstrate compliance shall be performed within one hundred twenty (120) days of receipt of the original test results. Should the Permittee demonstrate to IDEM, OAQ **and Evansville EPA** that retesting in one-hundred and twenty (120) days is not practicable, IDEM, OAQ **and Evansville EPA** may extend the retesting deadline.

(c) IDEM, OAQ **and Evansville EPA** reserve~~s~~ the authority to take any actions allowed under law in response to noncompliant stack tests.

. . .

Comment 12:

Condition D.1.2(b) – The EEPA requested the boiler description be changed from 93.9 MMBtu/hr boilers to 98.6 MMBtu/hr boilers to be consistent with the rest of the permit. The EEPA stated that boilers are described as the units with a maximum heat input capacity of 98.6 MMBtu/hr when discussing the operation of No. 2 distillate fuel oil usage.

Response to Comment 12:

Boilers CSUP-1, CSUP-2, and CSUP-3 have maximum capacities of 98.6 MMBtu/hr while combusting NG or landfill gas, and have maximum capacities of 93.9 MMBtu/hr when combusting fuel oil. To avoid any confusion, the capacity reference in Conditions D.1.1, D.1.2, and D.1.4 has been removed as follows:

D.1.1 New Source Performance Standard, Standards of Performance for Small Industrial-Commercial-Institutional Steam Generating Units [40 CFR Part 60.40c through 60.48c, Subpart Dc] [326 IAC 12]

Pursuant to New Source Performance Standard, 40 CFR Part 60.40c through 60.48c, Subpart Dc, Standards of Performance for Small Industrial-Commercial-Institutional Steam Generating Units, the three (3) landfill gas fired (using natural gas and No. 2 distillate fuel oil as back up fuels) ~~98.6 MMBtu/hr~~ boilers, identified as CSUP-1, CSUP-2, and CSUP-3 have the following requirements:

(a) SO_2 emissions shall be limited to five tenths (0.5) pounds per MMBtu of heat input during distillate oil firing or that the distillate oil sulfur content be limited to five tenths (0.5) percent by weight at all times including periods of start-up, shut-down and malfunction. The source will comply with this rule by accepting a federally enforceable emission limit of 0.3 pounds per MMBtu heat input when burning No. 2 distillate fuel oil in ~~the 98.6 MMBtu per hour~~ boilers **CSUP-1, CSUP-2, and CSUP-3**.

. . .

D.1.2 PSD Limit [326 IAC 2-2]

Pursuant to CP 163-9713-00015, issued on August 24, 1998, and 326 IAC 2-2:

(a) NOx emissions from ~~the 98.6 MMBtu/hr~~ boilers ~~identified as~~ CSUP-1, CSUP-2, and CSUP-3 shall be limited to 0.08 pounds per MMBtu (lb/MMBtu) while burning natural gas only~~, (this alternate emission factor was tested and verified on November 9-12, 1999, and results in the PTE of NOx being 39 tons per year for each boiler),~~**.**

(b) NOx emissions from ~~the 93.9 MMBtu/hr~~ boilers ~~identified as~~ CSUP-1, CSUP-2, and CSUP-3 shall be limited to 0.08 pounds per MMBtu (lb/MMBtu) while burning No. 2 distillate fuel oil only~~, (this alternate emission factor was tested and verified on November 9-12, 1999, and results in the PTE of NOx being 39 tons per year for each boiler)~~.

D.1.4 Sulfur Dioxide Emission Limitations [326 IAC 7-1.1-2]

Pursuant to 326 IAC 7-1.1-2, the sulfur dioxide emissions from ~~the 98.6 MMBtu per hour~~ boilers ~~(~~CSUP-1, 2, and 3~~)~~, when No. 2 distillate fuel oil is used, shall be limited to 0.5 pounds per MMBtu heat input. This equates to an allowable distillate fuel oil sulfur content limit of 0.5%. Therefore, the sulfur content of the distillate fuel must be less than or equal to 0.5% in order to comply with this rule. The facility will comply with this rule by limiting distillate oil sulfur content to 0.3% or less. This condition is not federally enforceable.

Comment 13:

Condition D.1.6(a) – The EEPA stated that the wording “in order to demonstrate compliance with Conditions D.1.1, D.1.4 and D.1.5” should be changed to “in order to demonstrate compliance with Conditions D.1.1 and D.1.2”. Condition D.1.4 talks about SO_2 limit which is not a test requirement and D.1.4 is the Preventive Maintenance Plan.

Response to Comment 13:

The opacity limit is included in Condition D.1.1(b) and the NOx emission limits are included in Condition D.1.2. Therefore, the referred condition numbers in Condition D.1.6(a) for opacity and NOx testing requirements have been corrected as follows:

D.1.6 Testing Requirements [326 IAC 2-7-6(1),(6)] [326 IAC 2-1.1-11]

(a) During the period between 30 and 36 months after issuance of this permit, in order to demonstrate compliance with Conditions D.1.1**(b) and D.1.2** ~~D.1.4, and D.1.5~~, the Permittee shall perform opacity and NOx testing (when burning fuel oil), and NOx testing (when burning natural gas) utilizing methods as approved by the Commissioner. This test shall be repeated at least once every five (5) years from the date of this valid compliance demonstration. Testing shall be conducted in accordance with Section C - Performance Testing. . . .

Comment 14:

Condition D.1.9(a) - For clarification the EEPA requests that IDEM state what time period is the "compliance determination period". Is this period monthly, quarterly, semi-annual or annual?

Response to Comment 14:

Pursuant to 40 CFR 60.44c, compliance with the SO_2 emission limits in NSPS, Subpart Dc (Condition D.1.1(a)) shall be based on the average of the 30 consecutive steam generating unit operating days. Pursuant to 326 IAC 7-2-1(c), the Permittee shall demonstrate that the sulfur dioxide emissions in 326 IAC 326 IAC 7-1.1-2 (Condition D.1.4) using a thirty (30) day rolling weighted average. For clarification purposes, D.1.9 has been revised as follows:

D.1.9 Record Keeping Requirements

(a) To document compliance with Conditions D.1.1 and D.1.4, 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 **(30 consecutive operating days)**;

(2) Actual fuel oil usage since last compliance determination period and equivalent sulfur dioxide emissions;

(3) To certify compliance when burning natural gas only, the Permittee shall maintain records of fuel used.

. . .

Comment 15:

Condition D.1.10(a) – The EEPA requested the time period in Condition D.1.10(a) be specified for clarification purposes.

Comment 16:

EEPA requested that the reporting frequency at this source be changed to quarterly for the natural gas fired boiler certification in order to be consistent with other reporting requirements listed in Condition D.1.10(c).

Response to Comments 15 and 16:

Pursuant to 40 CFR 60.48c(j), the reporting period for the reports required by NSPS, Subpart Dc is each six (6) months. As specified in the natural gas fired boiler certification form and Condition D.1.10(b), the natural gas fired boiler certification form shall be submitted semi-annually. Therefore, the reporting frequencies for all the reports required in Section D.1 should be semi-annually.

In addition, the reporting requirements for the natural gas fired boiler certification are included in Conditions D.1.10(a) and (b). Therefore, the referral of this form in Condition D.1.10(c) has been removed and Condition D.1.10(c) has been corrected as follows:

D.1.10 Reporting Requirements

. . .

(c) A ~~quarterly~~ **semi-annual** summary of the information to document compliance with Condition D.1.1, in any compliance period when No. 2 fuel oil was combusted~~, and the natural gas fired boiler certification,~~ shall be submitted to the address listed in Section C - General Reporting Requirements, using the reporting forms located at the end of this permit, or their equivalent, within thirty (30) days after the end of the six (6) month period being reported. The report submitted by the Permittee does require the certification by the "responsible official" as defined by 326 IAC 2-7-1(34).

Comment 17:

Condition D.2 - Emission unit (h) – One (1) reciprocating diesel fuel oil fired emergency electric generator, identified as backup generator #4 has been omitted from the facility description box and is not mentioned in any of the Conditions.

Response to Comment 17:

This correction has been made in the response to Comment 2.

Upon further review, the OAQ has decided to make the following revisions to the permit:

1. The phone number and the fax number listed in Condition B.11 - Emergency Provisions has been changed so that the OAQ's receptionist number is listed and the fax number for the compliance branch is listed. The same change was made to the Emergency Occurrence Report form.

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

. . .

(b) An emergency, as defined in 326 IAC 2-7-1(12), constitutes an affirmative defense to an action brought for noncompliance with a 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:

. . .

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

IDEM, OAQ
Telephone No.: 1-800-451-6027 (ask for Office of Air Quality, Compliance Section) or,
Telephone No.: 317-233-~~5674~~**0178** (ask for Compliance Section)
Facsimile No.: 317-233-~~5967~~**6865**

. . .

2. Conditions B.20 and C.12 have been corrected as follows:

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

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

. . .

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

. . .

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

(a) When required by any condition of this permit, an analog instrument used to measure a parameter related to the operation of an air pollution control device shall have a scale such that the expected maximum reading for the normal range shall be no less than twenty percent (20%) of full scale**.**

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

3. Condition C.18 – General Record Keeping Requirements and Condition C.19 – General Reporting Requirements have been revised as follows:

C.18 General Record Keeping Requirements [326 IAC 2-7-5(3)] [326 IAC 2-7-6] [326 IAC 2-2] [326 IAC 2-3]

. . .

(c) If there is a reasonable possibility that a "project" (as defined in 326 IAC 2-2-1 (qq) and**/or** 326 IAC 2-3-3 (ll)) at an existing emissions unit, other than projects at a Clean Unit, which is not part of a "major modification" (as defined in 326 IAC 2-2-1(ee) **and/**or 326 IAC 2-3-1(z)) may result in significant emissions increase and the Permittee elects to utilize the "projected actual emissions" (as defined in 326 IAC 2-2-1 (rr) **and/**or 326 IAC 2-3-3 (mm)), the Permittee shall comply with following:

(1) Before beginning actual construction of the "project" (as defined in 326 IAC 2-2-1(qq) **and/**or 326 IAC 2-3-1(ll)) at an existing emissions unit, document and maintain the following records:

. .

(C) A description of the applicability test used to determine that the project is not a major modification for any regulated NSR pollutant, including:

(iii) Amount of emissions excluded under section 326 IAC 2-2-1(rr)(2)(A)(iii) and/or 326 IAC 2-3-1(mm)(2)(A)(~~3~~**iii**); and

. . .

C.19 General Reporting Requirements [326 IAC 2-7-5(3)(C)] [326 IAC 2-1.1-11] [326 IAC 2-2] [326 IAC 2-3]

. . .

(f) If the Permittee is required to comply with the recordkeeping provisions of (c) in Section C- General Record Keeping Requirements for any "project" (as defined in 326 IAC 2-2-1(qq) **and/**or 326 IAC 2-3-1(ll)) at an existing emissions unit, and the project meets the following criteria, then the Permittee shall submit a report to IDEM, OAQ and Evansville EPA:

(1) The annual emissions, in tons per year, from the project identified in (c)(1) in Section C- General Record Keeping Requirements exceed the baseline actual emissions, as documented and maintained under Section C- General Record Keeping Requirements (c)(1)(C)(i), by a significant amount, as defined in 326 IAC 2-2-1(xx) **and/**or 326 IAC 2-3-1(qq), for that regulated NSR pollutant, and

. . .

(g) The report for project at an existing emissions unit shall be submitted within sixty (60) days after the end of the year and contain the following:

. . .

(3) The emissions calculated under the actual-to-projected actual test stated in 326 IAC 2-2-2(d)(3) and**/or** 326 IAC 2-3-2(c)(3).

. . .

4. IDEM's mailing address in the Emergency Occurrence Report form has been corrected as follows:

INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
OFFICE OF AIR QUALITY
COMPLIANCE BRANCH
100 North Senate Avenue
Indianapolis, Indiana 4620~~6-6015~~4-2251
Phone: 317-233-0178
Fax: 317-233-6865
and Southwest Regional Office
208 NW Fourth Street
Evansville, IN 47708
PART 70 OPERATING PERMIT
EMERGENCY OCCURRENCE REPORT

Source Name:	Mead Johnson and Company
Source Address:	2400 West Lloyd Expressway, Evansville, Indiana 47721
Mailing Address:	2400 West Lloyd Expressway, Evansville, Indiana 47721
Part 70 Permit No.:	T163-7142-00015

. . .

5. Condition D.1.2 has been revised as follows to remove the description information in this condition:

D.1.2 PSD Limit [326 IAC 2-2]

Pursuant to CP 163-9713-00015, issued on August 24, 1998, and 326 IAC 2-2:

(a) NOx emissions from boilers CSUP-1, CSUP-2, and CSUP-3 shall be limited to 0.08 pounds per MMBtu (lb/MMBtu) while burning natural gas only~~, (this alternate emission factor was tested and verified on November 9-12, 1999, and results in the PTE of NOx being 39 tons per year for each boiler)~~.

(b) NOx emissions from boilers CSUP-1, CSUP-2, and CSUP-3 shall be limited to 0.08 pounds per MMBtu (lb/MMBtu) while burning No. 2 distillate fuel oil only~~, (this alternate emission factor was tested and verified on November 9-12, 1999, and results in the PTE of NOx being 39 tons per year for each boiler)~~.

6. Condition D.1.9 has been revised as follows to emphasis the fuel usage recordkeeping requirement in 40 CFR 60, Subpart Dc and 326 IAC 12:

D.1.9 Record Keeping Requirements

. . .

(c) Pursuant to 326 IAC 12 (which incorporates the July 1, 2005 version of 40 CFR 60 Subpart Dc), the Permittee shall record and maintain records of the amounts of each fuel combusted in boilers CSUP-1 through CSUP-3 during each day. This requirement is not federally enforceable.

(d) Pursuant to 40 CFR 60.48c, the Permittee shall record and maintain records of the fuels combusted in boilers CSUP-1 through CSUP-3 during each calendar month. This requirement is federally enforceable.

(~~c~~**e**) 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

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

Source Description and Location

Source Name:	Mead Johnson & Company
Source Location:	2400 West Lloyd Expressway, Evansville, Indiana 47721
County:	Vanderburgh
SIC Code:	2834, 2099
Operation Permit No.:	T163-7142-00015
Operation Permit Issuance Date:	March 22, 2002
Significant Source Modification No.:	163-22793-00015
Significant Permit Modification No.:	163-22795-00015
Permit Reviewer:	ERG/YC

Existing Approvals

The source was issued a Part 70 Operating Permit No. 163-7142-00015 on March 22, 2002. The source has since received the following approvals:

(a) First Administrative Amendment No. 163-18728-00015, issued on June 29, 2004.

(b) Second Administrative Amendment No. 163-22563-00015, issued on February 9, 2006.

County Attainment Status

The source is located in Vanderburgh County.

Pollutant	Status
PM10	Attainment
PM2.5	Nonattainment
SO_2	Attainment
NO_2	Attainment
1-hour Ozone	Attainment
8-hour Ozone	Nonattainment
CO	Attainment
Lead	Attainment

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

(b) U.S. EPA, in the Federal Register Notice 70 FR 943 dated January 5, 2005, has designated Vanderburgh County as nonattainment for PM2.5. On March 7, 2005 the

Indiana Attorney General's Office, on behalf of IDEM, filed a law suit with the Court of Appeals for the District of Columbia Circuit challenging U.S. EPA's designation of nonattainment areas without sufficient data. However, in order to ensure that sources are not potentially liable for a violation of the Clean Air Act, the OAQ is following the U.S. EPA's guidance to regulate PM10 emissions as a surrogate for PM2.5 emissions pursuant to the requirements of Emission Offset, 326 IAC 2-3.

(c) Vanderburgh County has been classified as attainment for all other criteria pollutants. Therefore, these emissions were reviewed pursuant to the requirements for PSD, 326 IAC 2-2.

(d) Since this source is classified as a chemical process plant, it is considered one of the twenty-eight (28) listed source categories, as specified in 326 IAC 2-2-1(gg)(1).

(e) Fugitive Emissions
Since this type of operation is in one of the twenty-eight (28) listed source categories under 326 IAC 2-2 or 326 IAC 2-3, fugitive emissions are counted toward the determination of PSD and Emission Offset applicability.

Source Status

The table below summarizes the potential to emit of the entire source, prior to the proposed modification, after consideration of all enforceable limits established in the effective permits:

Pollutant	Emissions* (tons/year)
PM	17.7
PM10	10.1
SO_2	375
VOC	8.40
CO	111
NO_x	156

* Note: This is from the TSD for T165-7142-00015, issued on March 22, 2002.

(a) This existing source is a major stationary source under PSD (326 IAC 2-2), because a regulated pollutant is emitted at a rate of 100 tons per year or more, and it is in one of the twenty-eight (28) listed source categories, as specified in 326 IAC 2-2-1(gg)(1).

(b) This existing source is a major stationary source under Emission Offset (326 IAC 2-3) because an nonattainment regulated pollutant (NOx) is emitted at a rate of 100 tons per year or more.

The table below summarizes the potential to emit HAPs for the entire source, prior to the proposed modification, after consideration of all enforceable limits established in the effective permits:

HAPs	Potential To Emit (tons/year)
A single HAP	Less than 10.0
Total HAPs	Less than 25.0

This existing source is not a major source of HAPs, as defined in 40 CFR 63.41, because HAPs emissions are less than ten (10) tons per year for any single HAP and less than twenty-five (25) tons per year of a combination of HAPs. Therefore, this source is an area source under Section

112 of the Clean Air Act (CAA).

Actual Emissions

The following table shows the actual emissions from the source. This information reflects the 2002 OAQ emission data.

Pollutant	Actual Emissions (tons/year)
PM	2.0
PM10	2.0
SO_2	3.0
VOC	8.0
CO	24.0
NO_x	17.0
HAP's	Less than 10 for a single HAP and less than 25 tons for total HAPs

Description of Proposed Modification

The Office of Air Quality (OAQ) has reviewed a modification application, submitted by Mead Johnson & Company on February 3, 2006, relating to the modification to the existing natural gas and No. 2 fuel oil fired boilers CSUP-1, 2, and 3. The Permittee proposed to modify or replace the fuel burners of boilers CSUP-1, 2, and 3 to allow each boiler the capability to burn clean landfill gas also. The landfill gas will be purchased from other sources and will be the primary fuel in these boilers after this modification. The following is a list of the modified emission units:

(a) One (1) landfill gas fired boiler with low NOx burner and flue gas recirculation system, identified as CSUP-1 (boiler 8), using natural gas and No. 2 fuel oil as back-up fuels, maximum capacity rated at 98.6 million British thermal units per hour fired with natural gas or landfill gas, rated at 93.9 million British thermal units per hour fired with No. 2 distillate fuel oil, maximum capacity rated at 80,000 lbs saturated steam per hour at 400 psig operating pressure and 400 to 4,500EF, located in building 66, and exhausting at one (1) stack identified as CSUP-S1. (Constructed in 1998 and modified in 2006)

(b) One (1) landfill gas fired boiler with low NOx burner and flue gas recirculation system, identified as CSUP-2 (boiler 9), using natural gas and No. 2 fuel oil as back-up fuels, maximum capacity rated at 98.6 million British thermal units per hour fired with natural gas or landfill gas, rated at 93.9 million British thermal units per hour fired with No. 2 distillate fuel oil, maximum capacity rated at 80,000 lbs saturated steam per hour at 400 psig operating pressure and 400 to 4,500EF, located in building 66, and exhausting at one (1) stack identified as CSUP-S2. (Constructed in 1998 and modified in 2006)

(c) One (1) landfill gas fired boiler with low NOx burner and flue gas recirculation system, identified as CSUP-3 (boiler 10), using natural gas and No. 2 fuel oil as back-up fuels, maximum capacity rated at 98.6 million British thermal units per hour fired with natural gas or landfill gas, rated at 93.9 million British thermal units per hour fired with No. 2 distillate fuel oil, maximum capacity rated at 80,000 lbs saturated steam per hour at 400 psig operating pressure and 400 to 4,500EF, located in building 66, and exhausting at one (1) stack identified as CSUP-S3. (Constructed in 1998 and modified in 2006)

Mead Johnson & Company is an existing pharmaceutical and nutritional product formulation plant and was permitted to operate in T163-7142-00015, issued on March 22, 2002. The Permittee also requested the following changes to their Part 70 permit:

(a) The backup emergency generator #3 has been permanently removed.

(b) Weigh stations 1 through 8 should be listed under Condition A.3 for insignificant activities, rather than the significant emission units in Condition A.2 because the PTE of PM/PM10 for these units is less than 5 tons per year (see Appendix A). In a letter received on April 11, 2006, the Permittee also requested to remove the compliance monitoring requirements for these units since these weight stations are insignificant activities.

(c) The Permittee stated that they have permanently discontinued production of tablets that require a methylene chloride/alcohol-based coating. One of the tablet coating systems in room 119 of building 9 has been shut down. The other tablet coating system, which was identified as 2025 and now identified as Wurster #2, remains in service.

Tablet drying system Wurster #2 is now only used for drying applications and is for experimental product testing. This unit is currently equipped with an integral internal pleated bag filter to maintain the fluidized granulation within the drying unit. The Permittee requested to list Wurster #2 under Condition A.3 for insignificant activities, rather than the significant emission units in Condition A.2.

On March 15, 2006, the Permittee provided emissions calculations (see Appendix A) to demonstrate that the potential to emit from each of the weigh stations and the tablet drying system Wurster #2 is less than the insignificant activity thresholds in 326 IAC 2-7-1(21). Therefore, these units have been moved from Condition A.2 to Condition A.3 in the revised permit.

(d) The Permittee stated that they have permanently discontinued production of tablets that required HAP containing coatings. The recordkeeping and reporting requirements for HAP usage in Section D.3 of the Part 70 permit have been removed from the revised permit.

The Permittee also requested to include universal changes that IDEM has notified Part 70 applicants. Upon further review, IDEM, OAQ has made the following changes:

1. All references to IDEM, OAQ's mailing address have been revised as follows:

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

2. IDEM has determined that the Permittee is not required to keep records of all preventive maintenance. However, where the Permittee seeks to demonstrate that an emergency has occurred, the Permittee must provide, upon request records of preventive maintenance in order to establish that the lack of proper maintenance did not cause or contribute to the deviation. Therefore, IDEM has deleted paragraph (b) of Condition B.11 – Preventive Maintenance and has amended Condition B.12 – Emergency Provisions.

3. For clarification purposes, Condition B.20 - Operational Flexibility has been revised.

4. Indiana was required to incorporate credible evidence provisions into state rules consistent with the SIP call published by U.S. EPA in 1997 (62 FR 8314). Indiana has incorporated the credible evidence provision in 326 IAC 1-1-6. This rule is effective March 16, 2005; therefore, the condition reflecting this rule will be incorporated into this permit as Condition B.25 Credible Evidence.

5. In order to avoid duplication of requirements which may be included in D sections, Condition C.7 – Operation of Equipment has been removed from the permit.

6. IDEM realizes that the specifications of Condition C.13 - Pressure Gauge and Other Instrument Specifications, can only be practically applied to analog units, and has therefore clarified the condition to state that the condition only applies to analog units. Upon further review, IDEM has also determined that the accuracy of the instruments is not nearly as important as whether the instrument has a range that is appropriate for the normal expected reading of the parameter. Therefore, the language in Condition C.13 (now C.12) has been revised (see the changes in the section of Proposed Changes).

7. IDEM has reconsidered the requirement to develop and follow a Compliance Response Plan (Condition C.16, now C.15). 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).

8. Rule 326 IAC 6-1-2 (Nonattainment Particulate Emission Limitations) has been moved to 326 IAC 6.5-1-2 (Particulate Emission Limitations Except Lake County). Therefore, the rule citation for 326 IAC 6-1-2 has been changed to 326 IAC 6.5-1-2 throughout the permit.

Air Pollution Control Justification as an Integral Part of the Process

The company has submitted the following justification such that the internal pleated bag filter be considered as an integral part of the Wurster #2 drying system:

(a) The dryer utilizes a fluidizing air blower to air-dry wet product, and the internal pleated bag filter serves as a product recovery filter that prevents product from being entrained in the exhaust gas stream. The dryer could not operate without the filter as without it in place, 100 percent of the product would be lost to the downstream Torit dust collector.

IDEM, OAQ has evaluated the justifications and agreed that the internal pleated bag filter will be considered as an integral part of the Wurster #2 drying system. Therefore, the permitting level will be determined using the potential to emit after the internal pleated bag filter. Operating conditions in the proposed permit will specify that the internal pleated bag filter shall operate at all times when the Wurster #2 drying system is in operation.

Enforcement Issues

There are no pending enforcement actions.

Emission Calculations

See Appendix A of this document for detailed emission calculations (pages 1 through 3).

Permit Level Determination – Part 70

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

The following table is used to determine the appropriate permit level under 326 IAC 2-7-10.5. This table reflects the PTE before controls. Control equipment is not considered federally enforceable until it has been required in a federally enforceable permit.

Pollutant	PTE Before Modification (tons/year)	PTE After Modification* (tons/year)	Net Difference (tons/year)
PM	17.4	17.4	0
PM10	9.90	51.8	41.9
SO_2	374	374	0
VOC	7.20	7.20	0
CO	108	108	0
NO_X	103	103	0
HAPs	Negligible	4.74	4.74

*This is the worst case scenario among using natural gas, No. 2 fuel oil, and landfill gas for boilers CSUP-1, 2 and 3. The PTE of the HAP after modification was provided by the Permittee.

This modification is being performed through a Part 70 Significant Source Modification because the potential to emit PM10 from this modification is greater than 25 tons/yr, pursuant to 326 IAC 2-7-10.5 (f)(4). The permit modification is being performed through a Part 70 Significant Permit Modification pursuant to 326 IAC 2-7-12(d) because this modification involves significant changes to the existing monitoring requirements.

Permit Level Determination – PSD and Emission Offset

The Permittee has provided emission calculations, based on the actual to projected actual emissions tests, as part of their modification application. IDEM, OAQ has not reviewed this information and will not be making any determination in this regard as part of this approval. The following is the summary of the information submitted by the Mead Johnson & Company:

	Emissions (tons/year)						
Process/facility	PM	PM-10	SO_2	VOC	CO	NO_X	HAPs
Projected Actual Emissions for Boilers CSUP-1 through CSUP-3	5.15	17.2	45.4	3.77	57.5	54.8	1.57
Past Actual Emissions for Boilers CSUP-1 through CSUP-3	0.57	2.27	5.52	1.64	25.0	14.9	Negligible
Emission Increases	4.58	14.9	39.9	2.13	32.5	39.9	1.57
Emission Offset and PSD Major Source Thresholds	25	15	40	40	100	40	NA

Mead Johnson & Company has determined that the proposed modification is not a major modification under 326 IAC 2-2 (PSD) and 326 IAC 2-3 (Emission Offset). The Permittee will be required to keep records and report in accordance with Source obligation in 326 IAC 2-2-8 and Applicability in 326 IAC 2-3-2.

Federal Rule Applicability Determination

(a) Boilers CSUP-1, 2, and 3 were constructed in 1998 and each of them has a maximum heat capacity greater than 10 MMBtu/hr and less than 100 MMBtu/hr. Therefore, these boilers are already subject to the Performance Standards for Small Industrial - Commercial - Institutional Steam Generating Units (40 CFR 60.40c-48c, Subpart Dc), which is incorporated by reference as 326 IAC 12.

Boilers CSUP-1, 2, and 3 use natural gas and No. 2 fuel oil as fuels and will be able to combust landfill gas after this modification. This modification will not trigger new applicable requirements in this NSPS for the existing boilers. Therefore, this project is not considered a modification under NSPS according to the modification definition in 40 CFR 60.2. There are no applicable emission limits for boilers CSUP-1, 2, and 3 while combusting natural gas and landfill gas. While combusting No. 2 fuel oil, the Permittee shall comply with the following emission limits:

(1) Pursuant to 40 CFR 60.42c(d), the SO_2 emissions from each of the boilers CSUP-1, 2, and 3 shall not exceed 0.5 lbs/MMBtu or the sulfur content of the fuel oil burned in boilers CSUP-1, 2, and 3 shall not exceed five-tenths percent (0.5%) by weight. The source must demonstrate compliance by either:

(A) Providing vendor analysis of fuel oil delivered with vendor certification; or

(B) Analyzing the oil sample to determine the sulfur content of the oil via the procedures in 40 CFR 60, Appendix A, Method 19. Oil samples may be collected from the fuel tank immediately after the fuel tank is filled and before any oil is combusted. If a partially empty fuel tank is refilled, a new sample and analysis would be required after filling.

(2) Pursuant to 40 CFR 60.43c(c), opacity shall not exceed more than 20 percent (6-minute average), except for one 6-minute period per hour of not more than 27 percent opacity.

Pursuant to 40 CFR 60.48c(g), the Permittee is also required to maintain daily records of the amount and type of fuel burned.

(b) There are no National Emission Standards for Hazardous Air Pollutants (NESHAP)(326 IAC 14, 20 and 40 CFR Part 61, 63) included in this permit.

The Permittee previously used HAP containing solvents in the tablet coating systems (identified as 2025 and 2026) and has a permit condition (Condition D.3.2 in T163-7142-00015, issued on March 22, 2002) to limit the total HAP usage at this source to less than 10 tons per year for a single HAP and less than 25 tons per year for total HAPs. Since the Permittee has permanently discontinued production of tables that required HAP containing coatings, the potential to emit HAP of this source is less than the major source thresholds for HAPs.

(c) The potential to emit HAP of this source was limited to less than 10 tons per year for a single HAP and less than 25 tons per year for total HAPs. After this modification, the potential to emit of this source is still less than the HAP major source thresholds. Therefore, the requirements of the National Emission Standards for Hazardous Air Pollutants (NESHAP) for Industrial, Commercial, and Institutional Boilers and Process Heaters (40 CFR 63, Subpart DDDDD) are not applicable to boilers CSUP-1, 2, and 3.

(d) This modification to the boilers does not involve a pollutant-specific emissions unit as defined in 40 CFR 64.1:

(1) With the potential to emit before controls equal to or greater than the major source threshold.

(2) That is subject to an emission limitation or standard; and

(3) Uses a control device as defined in 40 CFR 64.1 to comply with that emission limitation or standard.

Therefore, the requirements of 40 CFR 64 (Compliance Assurance Monitoring) are not applicable.

State Rule Applicability Determination

The following state rules are applicable to the source due to the modification:

326 IAC 2-3 (Emission Offset)

The existing source was constructed in 1990 and is in one of the twenty-eight (28) listed source categories. The potential to emit NOx of this source is greater than 100 tons/yr. Therefore, this existing source is an Emission Offset major source.

The Permittee has provided information as part of the application for this approval that based on Actual to Projected Actual test in 326 IAC 2-3-2, this modification at a major stationary source will not be major for Emission Offset under 326 IAC 2-3-1. Please see the Permit Level Determination – PSD and Emission Offset section for details.

326 IAC 2-1.1-5 (Nonattainment NSR)

The existing source was constructed in 1990 and is in one of the twenty-eight (28) listed source categories. Vanderburgh County has been designated as nonattainment for PM2.5 in 70 FR 943 dated January 5, 2005. IDEM, OAQ is following the U.S. EPA's guidance to regulate PM10 emissions as a surrogate for PM2.5 emissions. The potential to emit PM10 from the entire source is limited to less than 100 tons/yr. Therefore, this existing source is a Nonattainment NSR minor source. The potential to emit PM10 of this modification is less than 100 tons/yr (see the table in the Permit Level Determination – Part 70 section). Therefore, the requirements of 326 IAC 2-1.1-5 (Nonattainment NSR) are not applicable.

326 IAC 2-2 (Prevention of Significant Deterioration)

The existing source was constructed in 1990 and is in one of the twenty-eight (28) listed source categories. The potential to emit SO_2 and CO from the entire source is greater than 100 tons/yr. Therefore, this existing source is a PSD major source. The potential to emit PM of this modification is greater than 25 tons/yr and the potential to emit PM10 of this modification is greater than 15 tons/yr.

The Permittee has provided information as part of the application for this approval that based on Actual to Projected Actual test in 326 IAC 2-2-2, this modification at a major stationary source will not be major for Prevention of Significant Deterioration under 326 IAC 2-2-1. Please see the Permit Level Determination – PSD and Emission Offset section for details.

Note that the NOx emissions from boiler CSUP-1, CSUP-2, and CSUP-3 are limited to less than 0.08 pounds per MMBtu while burning only natural gas only or No. 2 fuel oil only, pursuant to CP 163-9713-00015, issued on August 24, 1998. Compliance with this requirements ensures the modification in 1998 is not subject to the requirements of 326 IAC 2-2 (PSD). The boiler modification project in 2006 for using landfill gas in the boilers will not affect these existing limits.

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

The HAP emissions from the existing source were limited less than 10 tons per year and less than 25 tons per year in T163-7142-00015, issued on March 22, 2002. Therefore, the existing source is a minor source for HAPs. The potential to emit HAP from this modification is less than 10 tons/yr for a single HAP and less than 25 tons/yr for total HAPs. Therefore, the requirements of 326 IAC 2-4.1 are not applicable.

326 IAC 5-1 (Opacity Limitations)

This source is located at City of Evansville in Vanderburgh County. Pursuant to 326 IAC 5-1-1(c)(7) and 326 IAC 5-1-2(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%) for 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.

326 IAC 6.5-1-2(a) (Particulate Matter Limitations Except Lake County)

This source is located in Vanderburgh County. However, boilers CSUP-1, 2, and 3 are not

specifically listed in 326 IAC 6.5-8-9. The potential to emit PM of this source is greater than 100 tons/yr. Therefore, the PM emissions from the boilers CSUP-1, 2, and 3 are subject to the requirements of 326 IAC 6.5-1-2 (Particulate Matter Limitations Except Lake County). Pursuant to 326 IAC 6.5-1-2(b), the PM emissions from each of the boilers CSUP-1, 2, and 3 shall comply with the following:

(a) 0.15 lbs/MMBtu while combusting No. 2 fuel oil.

(b) 0.01 gr/dscf while combusting gaseous fuel (including natural gas and landfill gas).

These boilers were already subject to the requirements of 326 IAC 6.5-1-2(a) before this modification.

326 IAC 6-2 (Particulate Emissions Limitations for Sources of Indirect Heating)
Since the PM emissions from boilers CSUP-1, 2, and 3 are subject to the requirements of 326 IAC 6.5-1 (formerly 326 IAC 6-1 (Nonattainment Area Particulate Limitations)), and 326 IAC 6-1 remains in effect under 40 CFR 52, Subpart P, these emission units are exempt from the requirements of 326 IAC 6-2, pursuant to 326 IAC 6-2-1(e).

326 IAC 7-1.1-2(Sulfur Dioxide Emission Limitations)
The potential to Emit SO_2 for each of the boilers CSUP-1, 2, and 3 is greater than 25 tons per year while combusting No. 2 fuel oil. Therefore, these boilers are subject to the requirements of 326 IAC 7-1.1-2. Pursuant to 326 IAC 7-1.1-2(a)(3), sulfur dioxide emissions from boilers CSUP-1, 2, and 3 shall not exceed 0.5 pounds per million Btu heat input when combusting No. 2 fuel oil.

326 IAC 9-1-2 (Carbon Monoxide Emission Requirements)
This source is not among the listed source categories in 326 IAC 9-1-2. Therefore, the requirements of 326 IAC 9-1-2 are not applicable.

326 IAC 10-1 (Nitrogen Oxide Emission Requirements)
This source is not located in Clark or Floyd County. Therefore, the requirements of 326 IAC 10-1 are not applicable.

Testing Requirements

Boilers CSUP-1 through CSUP-3 are identical. The emission factors for the landfill gas combustion in the emission calculations were provided by the vendor and have not been verified by stack testing. In order to demonstrate compliance with the 326 IAC 2-2 (PSD), 326 IAC 2-3 (Emission Offset), and 326 IAC 6.5-1-2 (Non-attainment Area Particulate Limitations), the Permittee shall perform PM and NOx testing for one of the boilers CSUP-1, CSUP-2, and CSUP-3 while combusting landfill gas, within 60 days after achieving the maximum capacity, but not later than 180 days after using landfill gas in these boilers, utilizing methods as approved by the Commissioner. In order to establish an emission rate for these units for PM-10 and CO, the Permittee shall perform PM-10 and CO testing for one of the boilers CSUP-1, CSUP-2, and CSUP-3 while combusting landfill gas, within 60 days after achieving the maximum capacity, but not later than 180 days after using landfill gas in these boilers, utilizing methods as approved by the Commissioner. These tests shall be repeated at least once every five (5) years from the date of this valid compliance demonstration. PM-10 includes filterable and condensible PM-10. Testing shall be conducted in accordance with Section C - Performance Testing.

Compliance Determination and Monitoring Requirements

Permits issued under 326 IAC 2-7 are required to ensure that sources can demonstrate compliance with all applicable state and federal rules on a continuous basis. All state and federal rules contain compliance provisions, however, these provisions do not always fulfill the requirement for a continuous demonstration. When this occurs IDEM, OAQ, in conjunction with the source, must develop specific conditions to satisfy 326 IAC 2-7-5. As a result, Compliance Determination Requirements are included in the permit. The Compliance Determination Requirements in Section D of the permit are those conditions that are found directly within state and federal rules and the violation of which serves as grounds for enforcement action.

If the Compliance Determination Requirements are not sufficient to demonstrate continuous compliance, they will be supplemented with Compliance Monitoring Requirements, also in Section D of the permit. Unlike Compliance Determination Requirements, failure to meet Compliance Monitoring conditions would serve as a trigger for corrective actions and not grounds for enforcement action. However, a violation in relation to a compliance monitoring condition will arise through a source's failure to take the appropriate corrective actions within a specific time period.

The Compliance Determination Requirements applicable to this modification are as follows:

1. The Permittee was required to perform once per shift visible emission notations for existing Boilers CSUP-1, 2, and 3 while combusting No. 2 fuel oil in T163-7142-00015, issued on March 22, 2002. After this modification, these boilers will have applicable compliance monitoring conditions as specified below:

   Visible emissions notations of the boiler stack exhausts (Stacks CSUP-S_1, CSUP-S_2, and CSUP-S_3) shall be performed once per day during normal daylight operations while combusting landfill gas or No. 2 fuel oil. A trained employee will record whether emissions are normal or abnormal. 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. 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. 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. If abnormal emissions are 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.

   These monitoring conditions are necessary because boilers CSUP-1, 2, and 3 must operate properly to ensure compliance with 40 CFR 60, Subpart Dc and 326 IAC 6.5-1-2(a) (Particulate Matter Limitations Except Lake County).

Proposed Changes

The changes listed below have been made to Part 70 Operating Permit No.163-7142-00015 due to this proposed modification and the changes initiated by IDEM. Deleted language appears as ~~strikethroughs~~ and new language appears in **bold**:

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

The Permittee owns and operates a pharmaceutical and nutritional product formulation plant.

Responsible Official:	~~James J. Jobe~~**Senior Vice President, Global Supply Chain**
Source Location:	2400 West Lloyd Expressway, Evansville, Indiana 47721
Mailing Address:	2400 West Lloyd Expressway, Evansville, Indiana 47721
General Source Phone Number:	(812) 429-5000
County:	Vanderburgh
SIC Code:	2834, 2099
Operation Permit No.:	T163-7142-00015
~~Permit Reviewer:~~	~~Holly M. Stockrahm~~
Source Location Status:	~~Maintenance for ozone~~ **Nonattainment for PM2.5 and Ozone under 8 hour Standards** Attainment for all other criteria pollutants
Source Status:	Part 70 Permit Program Major Source, under PSD **and Emission Offset** Rules; ~~Major~~ **Minor** Source, Section 112 of the Clean Air Act **1 of 28 Source Categories**

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

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

(a) One (1) ~~natural~~ **landfill** gas fired boiler with low NOx burner and flue gas recirculation system identified as CSUP-1 (boiler 8), **using natural gas and No. 2 fuel oil as back-up fuels,** maximum capacity rated at 98.6 million British thermal units per hour fired with **landfill gas or** natural gas, rated at 93.9 million British thermal units per hour fired with No. 2 distillate fuel oil, maximum capacity rated at 80,000 lbs saturated steam per hour at 400 psig operating pressure and 400 to 450^0 F, located in building 66, and exhausting at one (1) stack identified as CSUP-S_1. (Constructed in 1998 **and modified in 2006**)

(b) One (1) ~~natural~~ **landfill** gas fired boiler with low NOx burner and flue gas recirculation system identified as CSUP-2 (boiler 9), **using natural gas and No. 2 fuel oil as back-up fuels,** maximum capacity rated at 98.6 million British thermal units per hour fired with **landfill gas or** natural gas, rated at 93.9 million British thermal units per hour fired with No. 2 distillate fuel oil, maximum capacity rated at 80,000 lbs saturated steam per hour at 400 psig operating pressure and 400 to 450^0 F, located in building 66, and exhausting at one (1) stack identified as CSUP-S_2. (Constructed in 1998 **and modified in 2006**)

(c) One (1) ~~natural~~ **landfill** gas fired boiler with low NOx burner and flue gas recirculation system identified as CSUP-3 (boiler 10), **using natural gas and No. 2 fuel oil as back-up fuels,** maximum capacity rated at 98.6 million British thermal units per hour fired with **landfill gas or** natural gas, rated at 93.9 million British thermal units per hour fired with No. 2 distillate fuel oil, maximum capacity rated at 80,000 lbs saturated steam per hour at 400 psig operating pressure and 400 to 450^0 F, located in building 66, and exhausting at one (1) stack identified as CSUP-S_3. (Constructed in 1998 **and modified in 2006**)

. . .

~~(h) One (1) reciprocating diesel fuel oil fired emergency electric generator, identified as backup generator #3 used to provide backup power to the computer center in case of a power outage, capable of a maximum 750 kilowatt (KW) output, located north of building 52, and exhausting at one (1) stacks, identified as stack 1 and stack 2. (Constructed in 1992)~~

(~~i~~**h**) One (1) reciprocating diesel fuel oil fired emergency electric generator, identified as backup generator #4 used to provide backup power to Bldg. 48 R & D Laboratory in case of power outage, capable of 500 KVA (405HP) output located north of Building 48 and

south of Building 63, and exhausting at one (1) stack identified as stack 1. (Constructed in 2001)

~~(j) Eight (8) weigh stations, identified as 1 through 8, located in room 105 of building 9, each with PM controlled by a rotoclone, six (6) with hepafilter systems, with rotoclones located on the roof. (Constructed in 1997)~~

~~(k) Two (2) tablet coating systems, identified as 2025 and 2026, located in room 119 of building 9, controlled by two (2) dust collectors, identified as RTC 0032 and 0033, located on the roof. (Constructed in 1997)~~

A.3 Specifically Regulated Insignificant Activities [326 IAC 2-7-1(21)] [326 IAC 2-7-4(c)] [326 IAC 2-7-5(15)]

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

. . .

(b) Other activities or categories not previously identified:

Insignificant Thresholds:
Lead (Pb) = 0.6 ton/year or 3.29 lbs/day Carbon Monoxide (CO) = 25 lbs/day
Sulfur Dioxides (SO2) = 5 lbs/hour or 25 lbs/day Particulate Matter (PM) = 5 lbs/hour or 25 lbs/day
Nitrogen Oxides (NOX) = 5 lbs/hour or 25 lbs/day Volatile Organic compounds (VOC) = 3 lbs/hr or 15 lbs/day

. . .

(20) Eight (8) weigh stations, identified as 1 through 8, constructed in 1979, located in room 105 of building 9, six (6) with hepafilter systems. Weigh stations 1 through 7 are controlled by a common rotoclone. Weigh station 8 is controlled by a dedicated rotoclone.

(21) One (1) tablet drying system, identified as Wurster #2, constructed in 1984, located in room 119 of building 9, equipped with one (1) integral internal pleated bag filter, controlled by one (1) dust collector (identified as RTC 0032).

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

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

~~B.2 Permit Term [326 IAC 2-7-5(2)][326 IAC 2-1.1-9.5]~~

This ~~permit is issued for a fixed term of five (5) years from the original date, as determined in accordance with IC 4-21.5-3-5(f) and IC 13-15-5-3. Subsequent revisions, modifications, or amendments of this permit do not affect the expiration date.~~

~~B.3 Enforceability [326 IAC 2-7-7]~~

~~(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 Evansville EPA, 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 Evansville EPA.~~

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

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

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

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

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

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

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

~~(a) The Permittee, upon becoming aware that any relevant facts were omitted or incorrect information was submitted in the permit application, shall promptly submit such supplementary facts or corrected information to:~~

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

~~and~~

~~Evansville EPA~~
~~101 NW Martin Luther King Jr. Blvd~~
~~Room 250~~
~~Evansville, Indiana 47708~~

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

~~(b) The Permittee shall furnish to IDEM, OAQ, and Evansville EPA within a reasonable time, any information that IDEM, OAQ, and Evansville EPA may request in writing to determine whether cause exists for modifying, revoking and reissuing, or terminating this permit, or to determine compliance with this permit. The submittal by the Permittee does require the certification by the "responsible official" as defined by 326 IAC 2-7-1(34). Upon request, the Permittee shall also furnish to IDEM, OAQ, and Evansville EPA copies of records required to be kept by this permit or, for information claimed to be confidential, the Permittee may furnish such records directly to the U. S. EPA along with a claim of confidentiality. [326 IAC 2-7-5(6)(E)]~~

~~(c) The Permittee may include a claim of confidentiality in accordance with 326 IAC 17.1. When furnishing copies of requested records directly to U. S. EPA, the Permittee may assert a claim of confidentiality in accordance with 40 CFR 2, Subpart B.~~

~~B.8 Compliance with Permit Conditions [326 IAC 2-7-5(6)(A)] [326 IAC 2-7-5(6)(B)]~~

~~(a) The Permittee must comply with all conditions of this permit. Noncompliance with any provision of this permit is grounds for:~~

~~(1) Enforcement action;~~

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

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

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

~~(c) It shall not be a defense for the Permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit.~~

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

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

~~(a) Where specifically designated by this permit or required by an applicable requirement, any application form, report, or compliance certification submitted shall contain certification by a responsible official of truth, accuracy, and completeness. This certification shall state that, based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate, and complete.~~

~~(b) One (1) certification shall be included, using the attached Certification Form, with each submittal requiring certification.~~

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

~~B.10 Annual Compliance Certification [326 IAC 2-7-6(5)]~~

~~(a) The Permittee shall annually submit a compliance certification report which addresses the status of the source's compliance with the terms and conditions contained in this permit, including emission limitations, standards, or work practices. The initial certification shall cover the time period from the date of final permit issuance through December 31 of the same year. All subsequent certifications shall cover the time period from January 1 to December 31 of the previous year, and shall be submitted in letter form no later than April 15 of each year to:~~

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

~~and~~

~~Evansville EPA~~
~~101 NW Martin Luther King Jr. Blvd~~
~~Room 250~~
~~Evansville, Indiana 47708~~

~~and~~

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

~~(b) The annual compliance certification report required by this permit shall be considered~~

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

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

~~(1) The appropriate identification of each term or condition of this permit that is the basis of the certification;~~

~~(2) The compliance status;~~

~~(3) Whether compliance was continuous or intermittent;~~

~~(4) The methods used for determining the compliance status of the source, currently and over the reporting period consistent with 326 IAC 2-7-5(3); and~~

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

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

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

~~(a) If required by specific condition(s) in Section D of this permit, the Permittee shall prepare and maintain Preventive Maintenance Plans (PMPs) within ninety (90) days after issuance of this permit, including the following information on each facility:~~

~~(1) Identification of the individual(s) responsible for inspecting, maintaining, and repairing emission control devices;~~

~~(2) A description of the items or conditions that will be inspected and the inspection schedule for said items or conditions; and~~

~~(3) Identification and quantification of the replacement parts that will be maintained in inventory for quick replacement.~~

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

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

~~and~~

~~Evansville EPA~~
~~101 NW Martin Luther King Jr. Blvd~~
~~Room 250~~
~~Evansville, Indiana 47708~~

~~The PMP and the PMP extension notification do not require the certification by the~~

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

~~(b) The Permittee shall implement the PMPs as necessary to ensure that failure to implement a PMP does not cause or contribute to a violation of any limitation on emissions or potential to emit.~~

~~(c) A copy of the PMPs shall be submitted to IDEM, OAQ, and Evansville EPA upon request and within a reasonable time, and shall be subject to review and approval by IDEM, OAQ, and Evansville EPA. IDEM, OAQ, and Evansville EPA may require the Permittee to revise its PMPs whenever lack of proper maintenance causes or contributes to any violation. The PMP does not require the certification by the "responsible official" as defined by 326 IAC 2-7-1(34).~~

~~(d) Records of preventive maintenance shall be retained for a period of at least five (5) years. These records shall be kept at the source location for a minimum of three (3) years. The records may be stored elsewhere for the remaining two (2) years as long as they are available upon request. If the Commissioner or Evansville EPA makes a request for records to the Permittee, the Permittee shall furnish the records to the Commissioner or Evansville EPA within a reasonable time.~~

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

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

~~(b) An emergency, as defined in 326 IAC 2-7-1(12), constitutes an affirmative defense to an action brought for noncompliance with a technology-based emission limitation if the affirmative defense of an emergency is demonstrated through properly signed, contemporaneous operating logs or other relevant evidence that describe the following:~~

~~(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 Evansville EPA may require that the Preventive Maintenance Plans required under 326 IAC 2-7-4-(c)(10) be revised in response to an emergency.~~

~~(f) Failure to notify IDEM, OAQ, and Evansville EPA by telephone or facsimile of an emergency lasting more than one (1) hour in accordance with (b)(4) and (5) of this condition shall constitute a violation of 326 IAC 2-7 and any other applicable rules.~~

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

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

~~(a) Pursuant to 326 IAC 2-7-15, the Permittee has been granted a permit shield. The permit shield provides that compliance with the conditions of this permit shall be deemed in compliance with any applicable requirements as of the date of permit issuance, provided that either the applicable requirements are included and specifically identified in this permit or the permit contains an explicit determination or concise summary of a determination that other specifically identified requirements are not applicable. The~~

~~Indiana statutes from IC 13 and rules from 326 IAC, referenced in conditions in this permit, are those applicable at the time the permit was issued. The issuance or possession of this permit shall not alone constitute a defense against an alleged violation of any law, regulation or standard, except for the requirement to obtain a Part 70 permit under 326 IAC 2-7 or for applicable requirements for which a permit shield has been granted.~~

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

~~(b) If, after issuance of this permit, it is determined that the permit is in nonconformance with an applicable requirement that applied to the source on the date of permit issuance, IDEM, OAQ, or Evansville EPA shall immediately take steps to reopen and revise this permit and issue a compliance order to the Permittee to ensure expeditious compliance with the applicable requirement until the permit is reissued. The permit shield shall continue in effect so long as the Permittee is in compliance with the compliance order.~~

~~(c) No permit shield shall apply to any permit term or condition that is determined after issuance of this permit to have been based on erroneous information supplied in the permit application. Erroneous information means information that the Permittee knew to be false, or in the exercise of reasonable care should have been known to be false, at the time the information was submitted.~~

~~(d) Nothing in 326 IAC 2-7-15 or in this permit shall alter or affect the following:~~

~~(1) The provisions of Section 303 of the Clean Air Act (emergency orders), including the authority of the U.S. EPA under Section 303 of the Clean Air Act;~~

~~(2) The liability of the Permittee for any violation of applicable requirements prior to or at the time of this permit's issuance;~~

~~(3) The applicable requirements of the acid rain program, consistent with Section 408(a) of the Clean Air Act; and~~

~~(4) The ability of U.S. EPA to obtain information from the Permittee under Section 114 of the Clean Air Act.~~

~~(e) This permit shield is not applicable to any change made under 326 IAC 2-7-20(b)(2) (Sections 502(b)(10) of the Clean Air Act changes) and 326 IAC 2-7-20(c)(2) (trading based on State Implementation Plan (SIP) provisions).~~

~~(f) This permit shield is not applicable to modifications eligible for group processing until after IDEM, OAQ, or Evansville EPA has issued the modifications. [326 IAC 2-7-12(c)(7)]~~

~~(g) This permit shield is not applicable to minor Part 70 permit modifications until after IDEM, OAQ, or Evansville EPA has issued the modification. [326 IAC 2-7-12(b)(7)]~~

~~B.14 Prior Permit Conditions 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.15 Deviations from Permit Requirements and Conditions [326 IAC 2-7-5(3)(C)(ii)]~~

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

~~Indiana Department of Environmental Management~~
~~Compliance Data Section, Office of Air Quality~~
~~100 North Senate Avenue, P.O. Box 6015~~
~~Indianapolis, Indiana 46206-6015~~

~~and~~

~~Evansville EPA~~
~~101 NW Martin Luther King Jr. Blvd~~
~~Room 250~~
~~Evansville, Indiana 47708~~

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

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

~~(b) A deviation is an exceedance of a permit limitation or a failure to comply with a requirement of the permit or a rule. It does not include:~~

~~(1) An excursion from compliance monitoring parameters as identified in Section D of this permit unless tied to an applicable rule or limit; or~~
~~(2) Failure to implement elements of the Preventive Maintenance Plan unless such failure has caused or contributed to a deviation.~~

~~A Permittee's failure to take the appropriate response step when an excursion of a compliance monitoring parameter has occurred is a deviation.~~

~~(c) Emergencies shall be included in the Quarterly Deviation and Compliance Monitoring Report.~~

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

~~(a) This permit may be modified, reopened, revoked and reissued, or terminated for cause. The filing of a request by the Permittee for a Part 70 permit modification, revocation and reissuance, or termination, or of a notification of planned changes or anticipated noncompliance does not stay any condition of this permit. [326 IAC 2-7-5(6)(C)] The notification by the Permittee does require the certification by the "responsible official" as defined by 326 IAC 2-7-1(34).~~

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

~~(1) That this permit contains a material mistake.~~

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

~~(3) That this permit must be revised or revoked to assure compliance with an applicable requirement. [326 IAC 2-7-9(a)(3)]~~

~~(c) Proceedings by IDEM, OAQ, or Evansville EPA to reopen and revise this permit shall follow the same procedures as apply to initial permit issuance and shall affect only those parts of this permit for which cause to reopen exists. Such reopening and revision shall be made as expeditiously as practicable. [326 IAC 2-7-9(b)]~~

~~(d) The reopening and revision of this permit, under 326 IAC 2-7-9(a), shall not be initiated before notice of such intent is provided to the Permittee by IDEM, OAQ, or Evansville EPA at least thirty (30) days in advance of the date this permit is to be reopened, except that IDEM, OAQ, or Evansville EPA may provide a shorter time period in the case of an emergency. [326 IAC 2-7-9(c)]~~

~~B.17 Permit Renewal [326 IAC 2-7-4]~~

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

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

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

~~and~~

~~Evansville EPA~~
~~101 NW Martin Luther King Jr. Blvd~~
~~Room 250~~
~~Evansville, Indiana 47708~~

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

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

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

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

~~(2) If IDEM, OAQ, and Evansville EPA, upon receiving a timely and complete permit application, fails to issue or deny the permit renewal prior to the expiration date of this permit, this existing permit shall not expire and all terms and conditions shall~~

~~continue in effect, including any permit shield provided in 326 IAC 2-7-15, until the renewal permit has been issued or denied.~~

~~(c) Right to Operate After Application for Renewal [326 IAC 2-7-3]~~
~~If the Permittee submits a timely and complete application for renewal of this permit, the source's failure to have a permit is not a violation of 326 IAC 2-7 until IDEM, OAQ, and Evansville EPA, 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 Evansville EPA, any additional information identified as being needed to process the application.~~

~~(d) United States Environmental Protection Agency Authority [326 IAC 2-7-8(e)]~~
~~If IDEM, OAQ, and Evansville EPA fails to act in a timely way on a Part 70 permit renewal, the U.S. EPA may invoke its authority under Section 505(e) of the Clean Air Act to terminate or revoke and reissue a Part 70 permit.~~

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

~~(a) Permit amendments and modifications are governed by the requirements of 326 IAC 2-7-11 or 326 IAC 2-7-12 whenever the Permittee seeks to amend or modify this permit.~~

~~(b) Any application requesting an amendment or modification of this permit shall be submitted to:~~

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

~~and~~

~~Evansville EPA~~
~~101 NW Martin Luther King Jr. Blvd~~
~~Room 250~~
~~Evansville, Indiana 47708~~

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

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

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

~~(a) No Part 70 permit revision shall be required under any approved economic incentives, marketable Part 70 permits, emissions trading, and other similar programs or processes for changes that are provided for in a Part 70 permit.~~

~~(b) Notwithstanding 326 IAC 2-7-12(b)(1)(D)(i) and 326 IAC 2-7-12(c)(1), minor Part 70 permit modification procedures may be used for Part 70 modifications involving the use of economic incentives, marketable Part 70 permits, emissions trading, and other similar approaches to the extent that such minor Part 70 permit modification procedures are explicitly provided for in the applicable State Implementation Plan (SIP) or in applicable requirements promulgated or approved by the U.S. EPA.~~

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

~~(a) The Permittee may make any change or changes at the source that are described in 326~~

~~IAC 2-7-20(b), (c), or (e), without a prior permit revision, if each of the following conditions is met:~~

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

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

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

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

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

~~and~~

~~Evansville EPA~~
~~101 NW Martin Luther King Jr. Blvd~~
~~Room 250~~
~~Evansville, Indiana 47708~~

~~and~~

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

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

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

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

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

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

~~(2) The date on which the change will occur;~~

~~(3) Any change in emissions; and~~

~~(4) Any permit term or condition that is no longer applicable as a result of the change.~~

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

~~(c) Emission Trades [326 IAC 2-7-20(c)]~~
~~The Permittee may trade increases and decreases in emissions in the source, where the applicable SIP provides for such emission trades without requiring a permit revision, subject to the constraints of Section (a) of this condition and those in 326 IAC 2-7-20(c).~~

~~(d) Alternative Operating Scenarios [326 IAC 2-7-20(d)]~~
~~The Permittee may make changes at the source within the range of alternative operating scenarios that are described in the terms and conditions of this permit in accordance with 326 IAC 2-7-5(9). No prior notification of IDEM, OAQ, or U.S. EPA is required.~~

~~B.21 Source Modification Requirement [326 IAC 2-7-10.5]~~
~~A modification, construction, or reconstruction is governed by 326 IAC 2 and 326 IAC 2-7-10.5.~~

~~B.22 Inspection and Entry [326 IAC 2-7-6] [IC 13-14-2-2]~~
~~Upon presentation of proper identification cards, credentials, and other documents as may be required by law, and subject to the Permittee's right under all applicable laws and regulations to assert that the information collected by the agency is confidential and entitled to be treated as such, the Permittee shall allow IDEM, OAQ, and Evansville EPA U.S. EPA, or an authorized representative to perform the following:~~

~~(a) Enter upon the Permittee's premises where a Part 70 source is located, or emissions related activity is conducted, or where records must be kept under the conditions of this permit;~~

~~(b) Have access to and copy any records that must be kept under the conditions of this permit;~~

~~(c) Inspect any facilities, equipment (including monitoring and air pollution control equipment), practices, or operations regulated or required under this permit;~~

~~(d) Sample or monitor substances or parameters for the purpose of assuring compliance with this permit or applicable requirements; and~~

~~(e) Utilize any photographic, recording, testing, monitoring, or other equipment for the purpose of assuring compliance with this permit or applicable requirements.~~

~~B.23 Transfer of Ownership or Operational Control [326 IAC 2-7-11]~~
~~(a) The Permittee must comply with the requirements of 326 IAC 2-7-11 whenever the Permittee seeks to change the ownership or operational control of the source and no other change in the permit is necessary.~~

~~(b) Any application requesting a change in the ownership or operational control of the source shall contain a written agreement containing a specific date for transfer of permit responsibility, coverage and liability between the current and new Permittee. The application shall be submitted to:~~

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

~~and~~

~~Evansville EPA~~
~~101 NW Martin Luther King Jr. Blvd~~
~~Room 250~~
~~Evansville, Indiana 47708~~

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

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

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

~~(a) The Permittee shall pay annual fees to IDEM, OAQ, and Evansville EPA 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, and Evansville EPA the applicable fee is due April 1 of each year.~~

~~(b) Except as provided in 326 IAC 2-7-19(e), failure to pay may result in administrative enforcement action or revocation of this permit.~~

~~(c) The Permittee may call the following telephone numbers: 1-800-451-6027 or 317-233-0425 (ask for OAQ, Technical Support and Modeling Section), to determine the appropriate permit fee.~~

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

~~Pursuant to 326 IAC 6-3-2(c), the allowable particulate matter emissions rate from any process not already regulated by 326 IAC 6-1 or any New Source Performance Standard, and which has a maximum process weight rate less than 100 pounds per hour shall not exceed 0.551 pounds per hour.~~

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

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

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

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

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

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

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

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

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

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

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

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

~~C.7 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. The provisions of 326 IAC 1-7-2, 326 IAC 1-7-3(c) and (d), 326 IAC 1-7-4(d), (e), and (f), and 326 IAC 1-7-5(d) are not federally enforceable.~~

~~C.8 Asbestos Abatement Projects [326 IAC 14-10] [326 IAC 18] [40 CFR 61, Subpart M]~~

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

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

~~(1) When the amount of affected asbestos containing material increases or decreases by at least twenty percent (20%); or~~

~~(2) If there is a change in the following:~~

~~(A) Asbestos removal or demolition start date;~~

~~(B) Removal or demolition contractor; or~~

~~(C) Waste disposal site.~~

~~(c) The Permittee shall ensure that the notice is postmarked or delivered according to the guidelines set forth in 326 IAC 14-10-3(2).~~

~~(d) The notice to be submitted shall include the information enumerated in 326 IAC 14-10-3(3).~~

~~All required notifications shall be submitted to:~~

~~Indiana Department of Environmental Management~~
~~Asbestos Section, Office of Air Quality~~
~~100 North Senate Avenue, P.O. Box 6015~~
~~Indianapolis, Indiana 46206-6015~~

~~and~~

~~Evansville EPA~~
~~101 NW Martin Luther King Jr. Blvd~~

~~Room 250~~
~~Evansville, Indiana 47708~~

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

~~(e) Procedures for Asbestos Emission Control~~
~~The Permittee shall comply with the applicable emission control procedures in 326 IAC 14-10-4 and 40 CFR 61.145(c). Per 326 IAC 14-10-4, emission control requirements are applicable for any removal or disturbance of RACM greater than three (3) linear feet on pipes or three (3) square feet on any other facility components or a total of at least 0.75 cubic feet on all facility components.~~

~~(f) Indiana Accredited Asbestos Inspector~~
~~The Permittee shall comply with 326 IAC 14-10-1(a) that requires the owner or operator, prior to a renovation/demolition, to use an Indiana Accredited Asbestos Inspector to thoroughly inspect the affected portion of the facility for the presence of asbestos. The requirement that the inspector be accredited, pursuant to the provisions of 40 CFR 61, Subpart M, is federally enforceable.~~

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

~~C.9 Performance Testing [326 IAC 3-6]~~

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

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

~~Indiana Department of Environmental Management~~
~~Compliance Data Section, Office of Air Quality~~
~~100 North Senate Avenue, P. O. Box 6015~~
~~Indianapolis, Indiana 46206-6015~~

~~and~~

~~Evansville EPA~~
~~101 NW Martin Luther King Jr. Blvd~~
~~Room 250~~
~~Evansville, Indiana 47708~~

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

~~(b) The Permittee shall notify IDEM, OAQ of the actual test date at least fourteen (14) days prior to the actual test date. The notification submitted by the Permittee does not require certification by the "responsible official" as defined by 326 IAC 2-7-1(34).~~

~~(c) Pursuant to 326 IAC 3-6-4(b), all test reports must be received by IDEM, OAQ and Evansville EPA not later than forty-five (45) days after the completion of the testing. An extension may be granted by IDEM, OAQ, and Evansville EPA, 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.10 Compliance Requirements [326 IAC 2-1.1-11]~~

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

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

~~C.11 Compliance Monitoring [326 IAC 2-7-5(3)] [326 IAC 2-7-6(1)]~~

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

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

~~and~~

~~Evansville EPA~~
~~101 NW Martin Luther King Jr. Blvd~~
~~Room 250~~
~~Evansville, Indiana 47708~~

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

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

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

~~C.12 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.13 Pressure Gauge and Other Instrument Specifications [326 IAC 2-1.1-11] [326 IAC 2-7-5(3)] [326 IAC 2-7-6(1)]~~

~~(a) Whenever a condition in this permit requires the measurement of pressure drop across any part of the unit or its control device, the gauge employed shall have a scale such that the expected normal reading shall be no less than twenty percent (20%) of full scale and be accurate within plus or minus two percent (±2%) of full scale reading.~~

~~(b) Whenever a condition in this permit requires the measurement of a flow rate the instrument employed shall have a scale such that the expected normal reading shall be no less than twenty percent (20%) of full scale and be accurate within plus or minus two~~

~~percent (±2%) of full scale reading.~~

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

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

~~C.14 Emergency Reduction Plans [326 IAC 1-5-2] [326 IAC 1-5-3]~~

~~Pursuant to 326 IAC 1-5-2 (Emergency Reduction Plans; Submission):~~

~~(a) The Permittee shall prepare written emergency reduction plans (ERPs) consistent with safe operating procedures.~~

~~(b) These ERPs shall be submitted for approval to:~~

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

~~and~~

~~Evansville EPA~~
~~101 NW Martin Luther King Jr. Blvd~~
~~Room 250~~
~~Evansville, Indiana 47708~~

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

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

~~(c) If the ERP is disapproved by IDEM, OAQ, and Evansville EPA, the Permittee shall have an additional thirty (30) days to resolve the differences and submit an approvable ERP.~~

~~(d) These ERPs shall state those actions that will be taken, when each episode level is declared, to reduce or eliminate emissions of the appropriate air pollutants.~~

~~(e) Said ERPs shall also identify the sources of air pollutants, the approximate amount of reduction of the pollutants, and a brief description of the manner in which the reduction will be achieved.~~

~~(f) Upon direct notification by IDEM, OAQ, and Evansville EPA, that a specific air pollution episode level is in effect, the Permittee shall immediately put into effect the actions stipulated in the approved ERP for the appropriate episode level. [326 IAC 1-5-3]~~

~~C.15 Risk Management Plan [326 IAC 2-7-5(12)] [40 CFR 68.215]~~

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

~~(a) A compliance schedule for meeting the requirements of 40 CFR 68; or~~

~~(b) As a part of the annual compliance certification submitted under 326 IAC 2-7-6(5), a certification statement that the source is in compliance with all the requirements of 40~~

~~CFR 68, including the registration and submission of a Risk Management Plan (RMP);~~

~~All documents submitted pursuant to this condition shall include the certification by the "responsible official" as defined by 326 IAC 2-7-1(34).~~

~~C.16 Compliance Response Plan - Failure to Take Response Steps [326 IAC 2-7-5] [326 IAC 2-7-6]~~

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

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

~~(2) If, at any time, the Permittee takes reasonable response steps that are not set forth in the Permittee's current Compliance Response Plan and the Permittee documents such response in accordance with subsection (c) 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, the IDEM, OAQ shall be promptly notified 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 constitute a violation of the permit.~~

~~(c) The Permittee is not required to take any further response steps for any of the following reasons:~~

~~(1) A false reading occurs due to the malfunction of the monitoring equipment and prompt action was taken to correct the monitoring equipment.~~

~~(2) The Permittee has determined that the compliance monitoring parameters established in the permit conditions are technically inappropriate, has previously submitted a request for a minor permit modification to the permit, and such request has not been denied.~~

~~(3) An automatic measurement was taken when the process was not operating.~~

~~(4) The process has already returned or is returning to operating within "normal" parameters and no response steps are required.~~

~~(d) When implementing reasonable steps in response to a compliance monitoring condition, if the Permittee determines that an exceedance of an emission limitation has occurred, the Permittee shall report such deviations pursuant to Section B-Deviations from Permit Requirements and Conditions.~~

~~(e) The Permittee shall record all instances when response steps are taken. In the event of an emergency, the provisions of 326 IAC 2-7-16 (Emergency Provisions) requiring prompt corrective action to mitigate emissions shall prevail.~~

~~(f) Except as otherwise provided by a rule or provided specifically in Section D, all monitoring as required in Section D shall be performed when the emission unit is operating, except for time necessary to perform quality assurance and maintenance activities.~~

~~C.17 Actions Related to Noncompliance Demonstrated by a Stack Test [326 IAC 2-7-5] [326 IAC 2-7-6]~~

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

~~(b) A retest to demonstrate compliance shall be performed within one hundred twenty (120) days of receipt of the original test results. Should the Permittee demonstrate to IDEM, OAQ that retesting in one-hundred and twenty (120) days is not practicable, IDEM, OAQ may extend the retesting deadline.~~

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

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

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

~~C.18 Emission Statement [326 IAC 2-7-5(3)(C)(iii)] [326 IAC 2-7-5(7)] [326 IAC 2-7-19(c)] [326 IAC 2-6]~~

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

~~(1) Indicate estimated emissions of all pollutants listed in 326 IAC 2-6-4(a);~~

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

~~The statement must be submitted to:~~

~~Indiana Department of Environmental Management
Technical Support and Modeling Section, Office of Air Quality
100 North Senate Avenue, P.O. Box 6015
Indianapolis, Indiana 46206-6015~~

~~and~~

~~Evansville EPA~~
~~101 NW Martin Luther King Jr. Blvd.~~
~~Room 250~~
~~Evansville, Indiana 47708~~

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

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

~~C.19 General Record Keeping Requirements [326 IAC 2-7-5(3)] [326 IAC 2-7-6]~~

~~(a) Records of all required data, reports and support information shall be retained for a period of at least five (5) years from the date of monitoring sample, measurement, report, or application. These records shall be kept at the source location for a minimum of three (3) years. The records may be stored elsewhere for the remaining two (2) years as long as they are available upon request. If the Commissioner or Evansville EPA makes a request for records to the Permittee, the Permittee shall furnish the records to the Commissioner or Evansville EPA 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 2-7-5(3)(C)] [326 IAC 2-1.1-11]~~

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

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

~~Indiana Department of Environmental Management~~
~~Compliance Data Section, Office of Air Quality~~
~~100 North Senate Avenue, P. O. Box 6015~~
~~Indianapolis, Indiana 46206-6015~~

~~and~~

~~Evansville EPA~~
~~101 NW Martin Luther King Jr. Blvd~~
~~Room 250~~
~~Evansville, Indiana 47708~~

~~(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 Evansville EPA on or before the date it~~

~~is due.~~

~~(d) Unless otherwise specified in this permit, all reports required in Section D of this permit shall be submitted within thirty (30) days of the end of the reporting period. All reports do require the certification by the "responsible official" as defined by 326 IAC 2-7-1(34).~~

~~(e) The first report shall cover the period commencing on the date of issuance of this permit and ending on the last day of the reporting period. Reporting periods are based on calendar years.~~

~~**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 B GENERAL CONDITIONS

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

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

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

(a) This permit, 163-22793-00015, 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, upon receiving a timely and complete renewal permit application, fails to issue or deny the permit renewal prior to the expiration date of this permit, this existing permit shall not expire and all terms and conditions shall continue in effect, including any permit shield provided in 326 IAC 2-7-15, until the renewal permit has been issued or denied.

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

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

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

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

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

(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 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 Evansville EPA.

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

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

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

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

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

(a) The Permittee shall furnish to IDEM, OAQ and Evansville EPA, within a reasonable time, any information that IDEM, OAQ and Evansville EPA may request in writing to determine whether cause exists for modifying, revoking and reissuing, or terminating this permit, or to determine compliance with this permit. The submittal by the Permittee does require the certification by the "responsible official" as defined by 326 IAC 2-7-1(34). Upon request, the Permittee shall also furnish to IDEM, OAQ and Evansville EPA 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 Certification [326 IAC 2-7-4(f)][326 IAC 2-7-6(1)][326 IAC 2-7-5(3)(C)]

(a) Where specifically designated by this permit or required by an applicable requirement, any application form, report, or compliance certification submitted shall contain certification by the "responsible official" of truth, accuracy, and completeness. This certification shall state that, based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate, and complete.

(b) One (1) certification shall be included, using the attached Certification Form, with each submittal requiring certification. One (1) certification may cover multiple forms in one (1) submittal.

(c) the "responsible official" is defined at 326 IAC 2-7-1(34).

B.9 Annual Compliance Certification [326 IAC 2-7-6(5)]

(a) The Permittee shall annually submit a compliance certification report which addresses the status of the source's compliance with the terms and conditions contained in this permit, including emission limitations, standards, or work practices. The initial certification shall cover the time period from the date of final permit issuance through December 31 of the same year. All subsequent certifications shall cover the time period from January 1 to December 31 of the previous year, and shall be submitted no later than April 15 of each year to:

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

and

Evansville EPA
C.K. Newsome Community Center
100E. Walnut Street, Suite 100
Evansville, Indiana 47713

and

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

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

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

(1) The appropriate identification of each term or condition of this permit that is the basis of the certification;

(2) The compliance status;

(3) Whether compliance was continuous or intermittent;

(4) The methods used for determining the compliance status of the source, currently and over the reporting period consistent with 326 IAC 2-7-5(3); and

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

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

B.10 Preventive Maintenance Plan [326 IAC 2-7-5(1),(3) and (13)][326 IAC 2-7-6(1) and (6)][326 IAC 1-6-3]

(a) If required by specific condition(s) in Section D of this permit, the Permittee shall prepare and maintain Preventive Maintenance Plans (PMPs) within ninety (90) days after issuance of this permit, including the following information on each facility:

(1) Identification of the individual(s) responsible for inspecting, maintaining, and repairing emission control devices;

(2) A description of the items or conditions that will be inspected and the inspection schedule for said items or conditions; and

(3) Identification and quantification of the replacement parts that will be maintained in inventory for quick replacement.

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

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

and

Evansville EPA
C.K. Newsome Community Center
100E. Walnut Street, Suite
Evansville, Indiana 47713

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

(b) A copy of the PMPs shall be submitted to IDEM, OAQ and Evansville EPA upon request and within a reasonable time, and shall be subject to review and approval by IDEM, OAQ and Evansville EPA. IDEM, OAQ and Evansville EPA may require the Permittee to revise its PMPs whenever lack of proper maintenance causes or is the primary contributor to an exceedance of any limitation on emissions or potential to emit. The PMPs do not require the certification by the "responsible official" as defined by 326 IAC 2-7-1(34).

(c) To the extent the Permittee is required by 40 CFR Part 60/63 to have an Operation Maintenance, and Monitoring (OMM) Plan for a unit, such Plan is deemed to satisfy the PMP requirements of 326 IAC 1-6-3 for that unit.

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

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

(b) An emergency, as defined in 326 IAC 2-7-1(12), constitutes an affirmative defense to an action brought for noncompliance with a technology-based emission limitation if the affirmative defense of an emergency is demonstrated through properly signed, contemporaneous operating logs or other relevant evidence that describe the following:

(1) An emergency occurred and the Permittee can, to the extent possible, identify the causes of the emergency;

(2) The permitted facility was at the time being properly operated;

(3) During the period of an emergency, the Permittee took all reasonable steps to minimize levels of emissions that exceeded the emission standards or other requirements in this permit;

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

IDEM, OAQ
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

Evansville EPA
Telephone No.: 812-435-6145
Facsimile No.: 812-435-6155

Southwest Regional Office
Telephone No.: 1-888-672-8323, or
Telephone No. 812-380-2305
Facsimile No.: 812-380-2304

(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

Evansville EPA
C.K. Newsome Community Center
100E. Walnut Street, Suite
Evansville, Indiana 47713

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

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

(A) A description of the emergency;

(B) Any steps taken to mitigate the emissions; and

(C) Corrective actions taken.

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

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

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

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

(e) The Permittee seeking to establish the occurrence of an emergency shall make records available upon request to ensure that failure to implement a PMP did not cause or contribute to an exceedance of any limitations on emissions. However, IDEM, OAQ and Evansville EPA may require that the Preventive Maintenance Plans required under 326 IAC 2-7-4(c)(9) be revised in response to an emergency.

(f) Failure to notify IDEM, OAQ and Evansville EPA by telephone or facsimile of an emergency lasting more than one (1) hour in accordance with (b)(4) and (5) of this condition shall constitute a violation of 326 IAC 2-7 and any other applicable rules.

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

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

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

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

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

(b) If, after issuance of this permit, it is determined that the permit is in nonconformance with an applicable requirement that applied to the source on the date of permit issuance, IDEM, OAQ and Evansville EPA, shall immediately take steps to reopen and revise this permit and issue a compliance order to the Permittee to ensure expeditious compliance with the applicable requirement until the permit is reissued. The permit shield shall continue in effect so long as the Permittee is in compliance with the compliance order.

(c) No permit shield shall apply to any permit term or condition that is determined after issuance of this permit to have been based on erroneous information supplied in the permit application. Erroneous information means information that the Permittee knew to be false, or in the exercise of reasonable care should have been known to be false, at the time the information was submitted.

(d) Nothing in 326 IAC 2-7-15 or in this permit shall alter or affect the following:

(1) The provisions of Section 303 of the Clean Air Act (emergency orders), including the authority of the U.S. EPA under Section 303 of the Clean Air Act;

(2) The liability of the Permittee for any violation of applicable requirements prior to or at the time of this permit's issuance;

(3) The applicable requirements of the acid rain program, consistent with Section 408(a) of the Clean Air Act; and

(4) The ability of U.S. EPA to obtain information from the Permittee under Section 114 of the Clean Air Act.

(e) This permit shield is not applicable to any change made under 326 IAC 2-7-20(b)(2) (Sections 502(b)(10) of the Clean Air Act changes) and 326 IAC 2-7-20(c)(2) (trading based on State Implementation Plan (SIP) provisions).

(f) This permit shield is not applicable to modifications eligible for group processing until after IDEM, OAQ and Evansville EPA, has issued the modifications. [326 IAC 2-7-12(c)(7)]

(g) This permit shield is not applicable to minor Part 70 permit modifications until after IDEM, OAQ and Evansville EPA, has issued the modification. [326 IAC 2-7-12(b)(8)]

B.13 Prior Permits Superseded [326 IAC 2-1.1-9.5][326 IAC 2-7-10.5]

(a) All terms and conditions of permits established prior to 163-22793-00015 and issued pursuant to permitting programs approved into the state implementation plan have been either:

(1) incorporated as originally stated,

(2) revised under 326 IAC 2-7-10.5, or

(3) deleted under 326 IAC 2-7-10.5.

(b) Provided that all terms and conditions are accurately reflected in this combined permit, all previous registrations and permits are superseded by this combined new source review and part 70 operating permit.

B.14 Termination of Right to Operate [326 IAC 2-7-10][326 IAC 2-7-4(a)]

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

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

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

Indiana Department of Environmental Management
Compliance Data Section, Office of Air Quality

100 North Senate Avenue
Indianapolis, Indiana 46204-2251

and

Evansville EPA
C.K. Newsome Community Center
100E. Walnut Street, Suite
Evansville, Indiana 47713

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

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

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

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

(a) This permit may be modified, reopened, revoked and reissued, or terminated for cause. The filing of a request by the Permittee for a Part 70 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 2-7-5(6)(C)] The notification by the Permittee does require the certification by the "responsible official" as defined by 326 IAC 2-7-1(34).

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

(1) That this permit contains a material mistake.

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

(3) That this permit must be revised or revoked to assure compliance with an applicable requirement. [326 IAC 2-7-9(a)(3)]

(c) Proceedings by IDEM, OAQ and Evansville EPA, to reopen and revise this permit shall follow the same procedures as apply to initial permit issuance and shall affect only those parts of this permit for which cause to reopen exists. Such reopening and revision shall be made as expeditiously as practicable. [326 IAC 2-7-9(b)]

(d) The reopening and revision of this permit, under 326 IAC 2-7-9(c), shall not be initiated before notice of such intent is provided to the Permittee by IDEM, OAQ and Evansville EPA, at least thirty (30) days in advance of the date this permit is to be reopened, except that IDEM, OAQ and Evansville EPA, may provide a shorter time period in the case of an emergency. [326 IAC 2-7-9(c)]

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

(a) The application for renewal shall be submitted using the application form or forms prescribed by IDEM, OAQ and Evansville EPA, and shall include the information

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

Request for renewal shall be submitted to:

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

and

Evansville EPA
C.K. Newsome Community Center
100E. Walnut Street, Suite
Evansville, Indiana 47713

(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 Evansville EPA, on or before the date it is due.

(c) If the Permittee submits a timely and complete application for renewal of this permit, the source's failure to have a permit is not a violation of 326 IAC 2-7 until IDEM, OAQ and Evansville EPA 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 Evansville EPA, any additional information identified as being needed to process the application.

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

(a) Permit amendments and modification are governed by the requirements of 326 IAC 2-7-11 or 326 IAC 2-7-12 whenever the Permittee seeks to amend or modify this permit.

(b) Any application requesting an amendment or modification of this permit shall be submitted to:

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

and

Evansville EPA
C.K. Newsome Community Center

100E. Walnut Street, Suite
Evansville, Indiana 47713

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

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

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

(a) No Part 70 permit revision shall be required under any approved economic incentives, marketable Part 70 permits, emissions trading, and other similar programs or processes for changes that are provided for in a Part 70 permit.

(b) Notwithstanding 326 IAC 2-7-12(b)(1) and 326 IAC 2-7-12(c)(1), minor Part 70 permit modification procedures may be used for Part 70 modifications involving the use of economic incentives, marketable Part 70 permits, emissions trading, and other similar approaches to the extent that such minor Part 70 permit modification procedures are explicitly provided for in the applicable State Implementation Plan (SIP) or in applicable requirements promulgated or approved by the U.S. EPA.

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

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

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

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

(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

Evansville EPA
C.K. Newsome Community Center
100E. Walnut Street, Suite
Evansville, Indiana 47713

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 emission trades that are subject to 326 IAC 2-7-20(b),(c), or (e). The Permittee shall make such records available, upon reasonable request, for public review.

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

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

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

(2) The date on which the change will occur;

(3) Any change in emissions; and

(4) Any permit term or condition that is no longer applicable as a result of the change.

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

(c) Emission Trades [326 IAC 2-7-20(c)]
The Permittee may trade emissions increases and decreases at in the source, where the applicable SIP provides for such emission trades without requiring a permit revision, subject to the constraints of Section (a) of this condition and those in 326 IAC 2-7-20(c).

(d) Alternative Operating Scenarios Part 70 Operating Permit
The Permittee may make changes at the source within the range of alternative operating scenarios that are described in the terms and conditions of this permit in accordance with 326 IAC 2-7-5(9). No prior notification of IDEM, OAQ, or U.S. EPA is required.

(e) Backup fuel switches specifically addressed in, and limited under, Section D of this permit shall not be considered alternative operating scenarios. Therefore, the notification requirements of part (a) of this condition do not apply.

B.21 Source Modification Requirement [326 IAC 2-7-10.5] [326 IAC 2-2-2] [326 IAC 2-3-2]

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

(b) Any modification at an existing major source is governed by the requirements of 326 IAC 2-2-2 or 326 IAC 2-3-2.

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

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

(a) Enter upon the Permittee's premises where a Part 70 source is located, or emissions related activity is conducted, or where records must be kept under the conditions of this permit;

(b) As authorized by the Clean Air Act, IC 13-14-2-2, IC 13-17-3-2, and IC 13-30-3-1, have access to and copy any records that must be kept under the conditions of this permit;

(c) As authorized by the Clean Air Act, IC 13-14-2-2, IC 13-17-3-2, and IC 13-30-3-1, inspect any facilities, equipment (including monitoring and air pollution control equipment), practices, or operations regulated or required under this permit;

(d) As authorized by the Clean Air Act, IC 13-14-2-2, IC 13-17-3-2, and IC 13-30-3-1, sample or monitor substances or parameters for the purpose of assuring compliance with this permit or applicable requirements; and

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

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

(a) The Permittee must comply with the requirements of 326 IAC 2-7-11 whenever the Permittee seeks to change the ownership or operational control of the source and no other change in the permit is necessary.

(b) Any application requesting a change in the ownership or operational control of the source shall contain a written agreement containing a specific date for transfer of permit responsibility, coverage and liability between the current and new Permittee. The application shall be submitted to:

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

and

Evansville EPA
C.K. Newsome Community Center
100E. Walnut Street, Suite
Evansville, Indiana 47713

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

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

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

(a) The Permittee shall pay annual fees to IDEM, OAQ and Evansville EPA, 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 and Evansville EPA, the applicable fee is due April 1 of each year.

(b) Except as provided in 326 IAC 2-7-19(e), failure to pay may result in administrative enforcement action or revocation of this permit.

(c) The Permittee may call the following telephone numbers: 1-800-451-6027 or 317-233-4230 (ask for OAQ, Billing, Licensing, and Training Section), to determine the appropriate permit fee.

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

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

SECTION C SOURCE OPERATION CONDITIONS

Entire Source

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

C.1 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.2 Open Burning [326 IAC 4-1] [IC 13-17-9]

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

C.3 Incineration [326 IAC 4-2] [326 IAC 9-1-2]

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

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

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

C.5 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.6 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

Evansville EPA
C.K. Newsome Community Center
100E. Walnut Street, Suite
Evansville, Indiana 47713

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

(e) Procedures for Asbestos Emission Control
The Permittee shall comply with the applicable emission control procedures in 326 IAC 14-10-4 and 40 CFR 61.145(c). Per 326 IAC 14-10-1, emission control requirements are applicable for any removal or disturbance of RACM greater than three (3) linear feet on pipes or three (3) square feet on any other facility components or a total of at least 0.75 cubic feet on all facility components.

(f) Demolition and Renovation
The Permittee shall thoroughly inspect the affected facility or part of the facility where the demolition or renovation will occur for the presence of asbestos pursuant to 40 CFR 61.145(a).

(g) Indiana Accredited Asbestos Inspector
The Permittee shall comply with 326 IAC 14-10-1(a) that requires the owner or operator, prior to a renovation/demolition, to use an Indiana Accredited Asbestos Inspector to thoroughly inspect the affected portion of the facility for the presence of asbestos. The requirement to use an Indiana Accredited Asbestos inspector is not federally enforceable.

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

C.7 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

Evansville EPA
C.K. Newsome Community Center
100E. Walnut Street, Suite
Evansville, Indiana 47713

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

(b) The Permittee shall notify IDEM, OAQ of the actual test date at least fourteen (14) days prior to the actual test date. The notification submitted by the Permittee does not require certification by the "responsible official" as defined by 326 IAC 2-7-1(34).

(c) Pursuant to 326 IAC 3-6-4(b), all test reports must be received by IDEM, OAQ and Evansville EPA not later than forty-five (45) days after the completion of the testing. An extension may be granted by IDEM, OAQ and Evansville EPA, 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.8 Compliance Requirements [326 IAC 2-1.1-11]

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

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

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

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

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

and

Evansville EPA
C.K. Newsome Community Center
100E. Walnut Street, Suite
Evansville, Indiana 47713

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

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

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

C.10 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.11 Monitoring Methods [326 IAC 3] [40 CFR 60] [40 CFR 63]

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

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

(a) When required by any condition of this permit, an analog instrument used to measure a parameter related to the operation of an air pollution control device shall have a scale such that the expected maximum reading for the normal range shall be no less than twenty percent (20%) of full scale

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

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

C.13 Emergency Reduction Plans [326 IAC 1-5-2] [326 IAC 1-5-3]

Pursuant to 326 IAC 1-5-2 (Emergency Reduction Plans; Submission):

(a) The Permittee shall prepare written emergency reduction plans (ERPs) consistent with safe operating procedures.

(b) These ERPs shall be submitted for approval to:

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

and

Evansville EPA
C.K. Newsome Community Center
100E. Walnut Street, Suite
Evansville, Indiana 47713

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

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

(c) If the ERP is disapproved by IDEM, OAQ and Evansville EPA, the Permittee shall have an additional thirty (30) days to resolve the differences and submit an approvable ERP.

(d) These ERPs shall state those actions that will be taken, when each episode level is declared, to reduce or eliminate emissions of the appropriate air pollutants.

(e) Said ERPs shall also identify the sources of air pollutants, the approximate amount of reduction of the pollutants, and a brief description of the manner in which the reduction will be achieved.

(f) Upon direct notification by IDEM, OAQ and Evansville EPA that a specific air pollution episode level is in effect, the Permittee shall immediately put into effect the actions stipulated in the approved ERP for the appropriate episode level. [326 IAC 1-5-3]

C.14 Risk Management Plan [326 IAC 2-7-5(12)] [40 CFR 68]

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

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

(a) Upon detecting an excursion or exceedance, the Permittee shall restore operation of the emissions unit (including any control device and associated capture system) to its normal or usual manner of operation as expeditiously as practicable in accordance with good air pollution control practices for minimizing emissions.

(b) The response shall include minimizing the period of any startup, shutdown or malfunction and taking any necessary corrective actions to restore normal operation and prevent the likely recurrence of the cause of an excursion or exceedance (other than those caused by excused startup or shutdown conditions). Corrective actions may include, but are not limited to, the following:

(1) initial inspection and evaluation

(2) recording that operations returned to normal without operator action (such as through response by a computerized distribution control system); or

(3) any necessary follow-up actions to return operation to within the indicator range, designated condition, or below the applicable emission limitation or standard, as applicable.

(c) A determination of whether the Permittee has used acceptable procedures in response to an excursion or exceedance will be based on information available, which may include, but is not limited to, the following:

(1) monitoring results;

(2) review of operation and maintenance procedures and records;

(3) inspection of the control device, associated capture system, and the process.

(d) Failure to take reasonable response steps shall be considered a deviation from the permit.

(e) The Permittee shall maintain the following records:

(1) monitoring data;

(2) monitor performance data, if applicable; and

(3) corrective actions taken.

C.16 Actions Related to Noncompliance Demonstrated by a Stack Test Part 70 Operating Permit

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

(b) A retest to demonstrate compliance shall be performed within one hundred twenty (120) days of receipt of the original test results. Should the Permittee demonstrate to IDEM, OAQ that retesting in one-hundred and twenty (120) days is not practicable, IDEM, OAQ may extend the retesting deadline.

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

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

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

C.17 Emission Statement [326 IAC 2-7-5(3)(C)(iii)][326 IAC 2-7-5(7)][326 IAC 2-7-19(c)][326 IAC 2-6]

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

(1) Indicate estimated actual emissions of all pollutants listed in 326 IAC 2-6-4(a);

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

The statement must be submitted to:

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

and

Evansville EPA
C.K. Newsome Community Center
100E. Walnut Street, Suite
Evansville, Indiana 47713

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

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

C.18 General Record Keeping Requirements[326 IAC 2-7-5(3)] [326 IAC 2-7-6] [326 IAC 2-2] [326 IAC 2-3]

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

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

(c) If there is a reasonable possibility that a "project" (as defined in 326 IAC 2-2-1 (qq) and 326 IAC 2-3-3 (ll)) at an existing emissions unit, other than projects at a Clean Unit, which is not part of a "major modification" (as defined in 326 IAC 2-2-1(ee) or 326 IAC 2-3-1(z)) may result in significant emissions increase and the Permittee elects to utilize the "projected actual emissions" (as defined in 326 IAC 2-2-1 (rr) or 326 IAC 2-3-3 (mm)), the Permittee shall comply with following:

(1) Before beginning actual construction of the "project" (as defined in 326 IAC 2-2-1(qq) or 326 IAC 2-3-1(ll)) at an existing emissions unit, document and maintain the following records:

(A) A description of the project.

(B) Identification of any emissions unit whose emissions of a regulated new source review pollutant could be affected by the project.

(C) A description of the applicability test used to determine that the project is not a major modification for any regulated NSR pollutant, including:

(i) Baseline actual emissions;

(ii) Projected actual emissions;

(iii) Amount of emissions excluded under section 326 IAC 2-2-1(rr)(2)(A)(iii) and/or 326 IAC 2-3-1(mm)(2)(A)(3); and

(iv) An explanation for why the amount was excluded, and any netting calculations, if applicable.

(2) Monitor the emissions of any regulated NSR pollutant that could increase as a result of the project and that is emitted by any existing emissions unit identified in (1)(B) above; and

(3) Calculate and maintain a record of the annual emissions, in tons per year on a calendar year basis, for a period of five (5) years following resumption of regular operations after the change, or for a period of ten (10) years following resumption of regular operations after the change if the project increases the design capacity of or the potential to emit that regulated NSR pollutant at the emissions unit.

C.19 General Reporting Requirements [326 IAC 2-7-5(3)(C)] [326 IAC 2-1.1-11] [326 IAC 2-2] [326 IAC 2-3]

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

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

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

and

Evansville EPA
C.K. Newsome Community Center
100E. Walnut Street, Suite

Evansville, Indiana 47713

(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 Evansville EPA, on or before the date it is due.

(d) Unless otherwise specified in this permit, all reports required in Section D of this permit shall be submitted within thirty (30) days of the end of the reporting period. All reports do require the certification by the "responsible official" as defined by 326 IAC 2-7-1(34).

(e) The first report shall cover the period commencing on the date of issuance of this permit and ending on the last day of the reporting period. Reporting periods are based on calendar years, unless otherwise specified in this permit. For the purpose of this permit "calendar year" means the twelve (12) month period from January 1 to December 31 inclusive.

(f) If the Permittee is required to comply with the recordkeeping provisions of (c) in Section C- General Record Keeping Requirements for any "project" (as defined in 326 IAC 2-2-1(qq) or 326 IAC 2-3-1(ll)) at an existing emissions unit, and the project meets the following criteria, then the Permittee shall submit a report to IDEM, OAQ and Evansville EPA:

(1) The annual emissions, in tons per year, from the project identified in (c)(1) in Section C- General Record Keeping Requirements exceed the baseline actual emissions, as documented and maintained under Section C- General Record Keeping Requirements (c)(1)(C)(i), by a significant amount, as defined in 326 IAC 2-2-1(xx) or 326 IAC 2-3-1(qq), for that regulated NSR pollutant, and

(2) The emissions differ from the preconstruction projection as documented and maintained under Section C- General Record Keeping Requirements (c)(1)(C)(ii).

(g) The report for project at an existing emissions unit shall be submitted within sixty (60) days after the end of the year and contain the following:

(1) The name, address, and telephone number of the major stationary source.

(2) The annual emissions calculated in accordance with (c)(2) and (3) in Section C- General Record Keeping Requirements.

(3) The emissions calculated under the actual-to-projected actual test stated in 326 IAC 2-2-2(d)(3) and 326 IAC 2-3-2(c)(3).

(4) Any other information that the Permittee deems fit to include in this report,

Reports required in this part shall be submitted to:

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

and

Evansville EPA
C.K. Newsome Community Center
100E. Walnut Street, Suite
Evansville, Indiana 47713

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

Stratospheric Ozone Protection

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

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

(a) Persons opening appliances for maintenance, service, repair, or disposal must comply with the required practices pursuant to 40 CFR 82.156.

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

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

SECTION D.1 FACILITY OPERATION CONDITIONS

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

(a) One (1) ~~natural~~ **landfill** gas fired boiler with low NOx burner and flue gas recirculation system identified as CSUP-1 (boiler 8), **using natural gas and No. 2 fuel oil as back-up fuels,** maximum capacity rated at 98.6 million British thermal units per hour fired with **landfill gas or** natural gas, rated at 93.9 million British thermal units per hour fired with No. 2 distillate fuel oil, maximum capacity rated at 80,000 lbs saturated steam per hour at 400 psig operating pressure and 400 to 450^0 F, located in building 66, and exhausting at one (1) stack identified as CSUP-S_1. (Constructed in 1998 **and modified in 2006**)

(b) One (1) ~~natural~~ **landfill** gas fired boiler with low NOx burner and flue gas recirculation system identified as CSUP-2 (boiler 9), **using natural gas and No. 2 fuel oil as back-up fuels,** maximum capacity rated at 98.6 million British thermal units per hour fired with **landfill gas or** natural gas, rated at 93.9 million British thermal units per hour fired with No. 2 distillate fuel oil, maximum capacity rated at 80,000 lbs saturated steam per hour at 400 psig operating pressure and 400 to 450^0 F, located in building 66, and exhausting at one (1) stack identified as CSUP-S_2. (Constructed in 1998 **and modified in 2006**)

(c) One (1) ~~natural~~ **landfill** gas fired boiler with low NOx burner and flue gas recirculation system identified as CSUP-3 (boiler 10), **using natural gas and No. 2 fuel oil as back-up fuels,** maximum capacity rated at 98.6 million British thermal units per hour fired with **landfill gas or** natural gas, rated at 93.9 million British thermal units per hour fired with No. 2 distillate fuel oil, maximum capacity rated at 80,000 lbs saturated steam per hour at 400 psig operating pressure and 400 to 450^0 F, located in building 66, and exhausting at one (1) stack identified as CSUP-S_3. (Constructed in 1998 **and modified in 2006**)

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

D.1.1 New Source Performance Standard, Standards of Performance for Small Industrial-Commercial-Institutional Steam Generating Units [40 CFR Part 60.40c through 60.48c, Subpart Dc] [326 IAC 12]

Pursuant to New Source Performance Standard, 40 CFR Part 60.40c through 60.48c, Subpart Dc, Standards of Performance for Small Industrial-Commercial-Institutional Steam Generating Units, the three (3) ~~natural~~ **landfill** gas fired (using **natural gas and** No. 2 distillate fuel oil as back up fuel**s**) 98.6 MMBtu/hr boilers, identified as CSUP-1, CSUP-2, and CSUP-3 have the following requirements:

. . .

D.1.2 PSD Limit [326 IAC 2-2] ~~[40 CFR 52.21]~~

Pursuant to CP 163-9713-00015, issued on August 24, 1998, and 326 IAC 2-2 ~~and 40 CFR 52.21~~:

. . .

D.1.3 Non-attainment Area Particulate Limitations [326 IAC 6**.5**-1-2]

Pursuant to 326 IAC 6**.5**-1-2**(a)**, **the Permittee shall comply with the following:**

(a) the particulate matter (PM) ~~content of~~ **emissions from** all gaseous fuel fired steam generators (CSUP-1, 2, and 3) shall not exceed 0.01 grains per dry standard cubic foot.

(b) the particulate matter (PM) ~~content of~~ **emissions from** all liquid fuel fired steam generators (CSUP-1, 2, and 3) shall not exceed 0.15 pounds per million Btu.

D.1.4 Sulfur Dioxide Emission Limitations [326 IAC 7-1.1**-2**]

Pursuant to 326 IAC ~~7-1-1~~ **7-1.1-2**, the sulfur dioxide emissions from the 98.6 MMBtu per hour boilers (CSUP-1, 2, and 3), when No. 2 distillate fuel oil is used, shall be limited to 0.5 pounds per MMBtu heat input. This equates to an allowable distillate fuel oil sulfur content limit of 0.5%. Therefore, the sulfur content of the distillate fuel must be less than or equal to 0.5% in order to comply with this rule. The facility will comply with this rule by limiting distillate oil sulfur content to 0.3% or less. This condition is not federally enforceable.

D.1.6 Testing Requirements [326 IAC 2-7-6(1),(6)] [326 IAC 2-1.1-11]

(a) During the period between 30 and 36 months after issuance of this permit, in order to demonstrate compliance with Conditions D.1.1, D.1.4, and D.1.5, the Permittee shall perform opacity and NOx testing (when burning fuel oil), and NOx testing (when burning natural gas) utilizing methods as approved by the Commissioner. This test shall be repeated at least once every five (5) years from the date of this valid compliance demonstration. Testing shall be conducted in accordance with Section C- Performance Testing.

(b) In order to demonstrate compliance with 326 IAC 2-2(PSD), 326 IAC 2-3 (Emission Offset), and Condition D.1.3, the Permittee shall perform PM and NOx testing for one of the boilers CSUP-1, CSUP-2, and CSUP-3 while combusting landfill gas, within 60 days after achieving the maximum capacity, but not later than 180 days after using landfill gas in these boilers, utilizing methods as approved by the Commissioner. These tests shall be repeated at least once every five (5) years from the date of this valid compliance demonstration. Testing shall be conducted in accordance with Section C - Performance Testing.

(c) In order to establish an emission rate for these units, the Permittee shall perform PM-10 and CO testing for one of the boilers CSUP-1, CSUP-2, and CSUP-3 while combusting landfill gas, within 60 days after achieving the maximum capacity, but not later than 180 days after using landfill gas in these boilers, utilizing methods as approved by the Commissioner. These tests shall be repeated at least once every five (5) years from the date of this valid compliance demonstration. PM-10 includes filterable and condensable PM-10. Testing shall be conducted in accordance with Section C – Performance Testing.

D.1.7 Sulfur Dioxide Emissions and Sulfur Content

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

(a) Providing vendor analysis of fuel **oil** delivered, if accompanied by a certification; or

. . .

D.1.8 Visible Emissions Notations

(a) Visible emission notations of the boiler stack exhausts shall be performed once per ~~shift~~ **day** during normal daylight operations when combusting **landfill gas or** No.2 fuel oil~~, and when exhausting to the atmosphere~~. A trained employee shall record whether emissions are normal or abnormal.

. . .

(e) ~~The Compliance Response Plan for this unit shall contain troubleshooting contingency and response steps for when an abnormal emission is observed.~~ **If abnormal emissions are 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 - ~~Compliance Response Plan - Failure to Take Response Steps~~ **Response to Excursions or Exceedances**, shall be considered a

~~violation of~~ **deviation of** this permit.

D.1.9 Record Keeping Requirements

. . .

(b) To document compliance with Condition D.1.8, the Permittee shall maintain records of visible emission notations of the boiler stack exhaust**s** once per ~~shift~~ **day**.

. . .

SECTION D.2 FACILITY OPERATION CONDITIONS

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

. . .

~~(h) One (1) reciprocating diesel fuel oil fired emergency electric generator, identified as backup generator #3 used to provide backup power to the computer center in case of a power outage, capable of a maximum 750 kilowatt (KW) output, located north of building 52, and exhausting at one (1) stacks, identified as stack 1 and stack 2. (Constructed in 1992)~~

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

D.2.1 Nitrogen Oxides (NOx) [326 IAC 2-2]

. . .

(b) ~~Two (2)~~ **One (1)** 750 kW and one (1) 1000 kW electrical generators shall be limited to 2578 hours of operation per year. This limitation is equivalent to NOx emissions of 39 tons per 12 consecutive month period. Compliance with this limit ensures 326 IAC 2-2 does not apply.

D.2.2 ~~PM10 Emission Limitations for Vanderburgh County~~ **Particulate Matter Limitations Except Lake County** [326 IAC ~~6-1-2~~ **6.5-1-2**]

Pursuant to 326 IAC ~~6-1-2~~ **6.5-1-2**, the allowable particulate emissions for electrical generators shall not exceed 0.03 grains per dry standard cubic feet of air per minute when combusting diesel fuel oil.

D.2.4 Visible Emissions Notations

(a) Visible emission notations of the emergency generator stack exhausts shall be performed once per ~~shift~~ **day** during normal daylight operations. A trained employee shall record whether emissions are normal or abnormal.

. . .

(e) ~~The Preventive Maintenance Plan for this unit shall contain troubleshooting contingency and corrective actions for when an abnormal emission is observed.~~ **If abnormal emissions are 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.2.5 Record Keeping Requirements

. . .

(b) To document compliance with Condition D.2.1(b)**,** the Permittee shall maintain records of the number of hours the ~~two (2)~~ **one (1)** 750 kW and one (1) 1000 kW electrical

generators are operated rolled on a monthly basis.

(c) To document compliance with D.2.4, the Permittee shall maintain records of daily visible emission notations of the diesel fuel combustion stack exhausts ~~required under Condition D.2.5~~.

. . .

SECTION D.3 FACILITY CONDITIONS

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

~~(j) Eight (8) weigh stations, identified as 1 through 8, located in room 105 of building 9, each with PM controlled by a rotoclone, six (6) with hepafilter systems, with rotoclones located on the roof. (Constructed in 1997)~~

~~(k) Two (2) tablet coating systems, identified as 2025 and 2026, located in room 119 of building 9, controlled by two (2) dust collectors, identified as RTC 0032 and 0033, located on the roof. (Constructed in 1997)~~

(b) Other activities or categories not previously identified:

Insignificant Thresholds:
Lead (Pb) = 0.6 ton/year or 3.29 lbs/day **Carbon Monoxide (CO) = 25 lbs/day**
Sulfur Dioxides (SO2) = 5 lbs/hour or 25 lbs/day **Particulate Matter (PM) = 5 lbs/hour or 25 lbs/day**
Nitrogen Oxides (NOX) = 5 lbs/hour or 25 lbs/day **Volatile Organic compounds (VOC) = 3 lbs/hr or 15 lbs/day**

(20) Eight (8) weigh stations, identified as 1 through 8, constructed in 1979, located in room 105 of building 9, six (6) with hepafilter systems. Weigh stations 1 through 7 are controlled by a common rotoclone. Weigh station 8 is controlled by a dedicated rotoclone.

(21) One (1) tablet drying system, identified as Wurster #2, constructed in 1984, located in room 119 of building 9, equipped with one (1) integral internal pleated bag filter, controlled by one (1) dust collector (identified as RTC 0032).

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

D.3.1 Particulate Matter (PM) **Limitations Except Lake County** [326 IAC ~~6-1-2~~ **6.5-1-2**]

Pursuant to 326 IAC ~~6-1-2(d)~~ **6.5-1-2(a)**, the particulate matter (PM) content of the following eight (8) weigh stations, identified as 1 through 8, located in room 105 of building 9, and ~~two (2)~~ **one (1)** tablet **drying** ~~coating~~ system~~s~~, identified as ~~2025 and 2026~~ **Wurster #2**, located in room 119 of building 9, shall be limited to 0.03 grain/dry standard cubic foot.

~~D.3.2 Pharmaceutical MACT NESHAPs [40 CFR Part 63, Subpart GGG]~~

~~The source potential to emit of HAPs shall not exceed 10 tons per 12 consecutive month period of a single HAP and 25 tons per 12 consecutive month period of a combination of HAPs. Compliance with this limit ensures that 40 CFR Part 63, Subpart GGG, does not apply.~~

~~D.3.3 Preventive Maintenance Plan [326 IAC 2-7-5(13)]~~

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

~~D.3.4 HAPs~~

~~Compliance with Condition D.3.2 shall be demonstrated within 30 days of the end of each month based on the total volatile organic compound usage for the most recent twelve (12) month period.~~

D.3.~~5~~**2** PM

The rotoclones**, pleated bag filter,** and dust collectors for PM control shall be in operation at all times when the weighing **stations** and **the drying system** ~~coating processes~~ are in operation and exhausting to the outside atmosphere.

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

~~D.3.6 Monitoring~~

~~The weigh stations, identified as 1 through 8, (controlled by rotoclones) and the two (2) tablet coating systems, identified as 2025 and 2026, can filling, pouch filling, packaging, and tablet forming, have applicable compliance monitoring conditions as specified below:~~

~~(a) Visible emissions notations of the processes above shall be performed once per shift during normal daylight operations. A trained employee will record whether emissions are normal or abnormal. 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. 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. 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. The Compliance Response Plan for this unit shall contain troubleshooting contingency and response steps for when an abnormal emission is observed.~~

~~(b) Parametric Monitoring for the dust collectors only:~~

~~(1) The Permittee shall take readings of the total static pressure drop across the dust collectors, as least once per week. Unless operated under conditions for which the Preventive Maintenance Plan specifies otherwise, the pressure drop across the dust collector shall be maintained within the range of 3 to 6 inches of water. The Preventive Maintenance Plan for the dust collector when the pressure reading is outside of this range for any one reading.~~

~~(2) An inspection shall be performed each calendar quarter of the dust collectors. Defective dust collectors shall be replaced. A record shall be kept of the results of the inspections and the number of dust collectors replaced.~~

~~(3) In the event that a dust collector's failure has been observed:~~

~~(A) The affected compartments will be shut down immediately until the failed units have been repaired or replaced.~~

~~(B) Based upon the findings of the inspection, any additional corrective actions will be devised within eight (8) hours of discovery and will include a timetable for completion.~~

~~(c) Parametric Monitoring for the water rotoclones only:~~

~~(1) The Permittee shall record the pressure of water to the rotocyclones at least once daily when the respective process is in operation. Unless operated under conditions for which the Compliance Response Plan specifies otherwise, the water pressure rate shall be maintained within the range of 40 to 60 psi or a range established during the latest stack test.~~

~~(2) An inspection shall be performed each calendar quarter of the rotoclones. Defective rotoclones shall be replaced. A record shall be kept of the results of the inspections and the number of rotoclones replaced.~~

~~(3) The Compliance Response Plan for this unit shall contain troubleshooting contingency and response steps for when the pressure reading is outside of the above mentioned range for any one reading.~~

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

~~D.3.7 Record Keeping Requirements~~

~~(a) To document compliance with Condition D.3.1, the Permittee shall:~~

~~(1) maintain records of daily visible emission notations of the weighing and coating operations stack exhaust required under Condition D.3.5(a).~~

~~(2) maintain records of the results of the inspections required under Condition D.3.5(b).~~

~~(b) To document compliance with Conditions D.3.2, the Permittee shall maintain records in accordance with (1) through (4) below. Records maintained for (1) through (4) shall be taken monthly and shall be complete and sufficient to establish compliance with the HAP usage limits and/or the HAP emission limits established in Conditions D.3.2.~~

~~(1) The amount and HAP content of each material and solvent used. Records shall include purchase orders, invoices, and material safety data sheets (MSDS) necessary to verify the type and amount used. Solvent usage records shall differentiate between those added to coatings and those used as cleanup solvents;~~

~~(2) The volume weighted HAP content of the coatings used for each month;~~

~~(3) The total HAP usage for each or month; and~~

~~(4) The weight of HAP emitted for each compliance period.~~

~~(c) To document compliance with Condition D.3.6(a), the Permittee shall maintain a log of weekly readings and quarterly inspections, and those additional inspections prescribed by the Preventive Maintenance Plan.~~

~~(d) To document compliance with Condition D.3.6(b), the Permittee shall maintain a log of daily readings and quarterly inspections, and those additional inspections prescribed by the Preventive Maintenance Plan.~~

~~(e) All records shall be maintained in accordance with Section C - General Record Keeping Requirements, of this permit.~~

~~D.3.8 Reporting Requirements~~

~~A quarterly summary of the information to document compliance with Condition D.3.2 shall be submitted to the addresses listed in Section C - General Reporting Requirements, of this permit, using the reporting forms located at the end of this permit, or their equivalent, within thirty (30) days after the end of the quarter being reported. reported. The report submitted by the Permittee does require the certification by the "responsible official" as defined by 326 IAC 2-7-1(34).~~

D.4.1 Particulate Matter (PM) **Limitations Except Lake County** [326 IAC ~~6-1-2~~ **6.5-1-2**]

Pursuant to 326 IAC ~~6-1-2~~ **6.5-1-2**,

(a) the particulate matter (PM) ~~content of~~ **emissions from** the grinding and machining operations shall be limited to 0.03 grain/dry standard cubic foot.

(b) the particulate matter (PM) ~~content of~~ **emissions from** all gaseous fuel fired steam generators shall not exceed 0.01 grains per dry standard cubic foot, and

(c) the particulate matter (PM) ~~content of~~ **emissions from** all liquid fuel fired steam generators shall not exceed 0.15 pounds per million Btu.

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

Part 70 Quarterly Report

Source Name:	Mead Johnson and Company
Source Address:	2400 West Lloyd Expressway, Evansville, Indiana 47721
Mailing Address:	2400 West Lloyd Expressway, Evansville, Indiana 47721
Part 70 Permit No.:	T163-7142-00015
Facility:	~~Two (2)~~ **One (1)** 750 kW and one (1) 1000 kW electrical generators
Parameter:	hours of operation (which limits NOx to 39 tons per 12 consecutive month period
Limit:	2578 hours

. . .

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

~~Part 70 Quarterly Report~~

~~Source Name:~~ ~~Mead Johnson and Company~~
~~Source Address:~~ ~~2400 West Lloyd Expressway, Evansville, Indiana 47721~~
~~Mailing Address:~~ ~~2400 West Lloyd Expressway, Evansville, Indiana 47721~~
~~Part 70 Permit No.:~~ ~~T163-7142-00015~~
~~Facility:~~ ~~entire source~~
~~Parameter:~~ ~~HAPs~~
~~Limit:~~ ~~10 of one, 25 of a combination per 12 consecutive month period~~

~~YEAR:~~

~~Month~~	~~Column 1~~		~~Column 2~~		~~Column 1 + Column 2~~	
	~~This Month~~		~~Previous 11 Months~~		~~12 Month Total~~	
	~~Single HAP~~	~~Combined HAPs~~	~~Single HAP~~	~~Combined HAPs~~	~~Single HAP~~	~~Combined HAPs~~
~~Month 1~~						
~~Month 2~~						
~~Month 3~~						

~~☐ No deviation occurred in this quarter.~~

~~☐ Deviation/s occurred in this quarter.~~
~~Deviation has been reported on:~~

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

~~Attach a signed certification to complete this report.~~

Conclusion and Recommendation

The construction of this proposed modification shall be subject to the conditions of the attached proposed Part 70 Significant Source Modification No.163-22793-00015. The operation of this proposed modification shall be subject to the conditions of the attached proposed Part 70 Significant Permit Modification 163-22795-00015. The staff recommends to the Commissioner that this Part 70 Significant Source Modification and Significant Permit Modification be approved.

Appendix A: Emission Calculations
Landfill Gas Combustion
(MMBtu/hr < 100)
From Boilers CSUP-1, 2, and 3

Company Name: Mead Johnson & Company
Address: 2400 West Lloyd Expressway, Evansville, IN 47721
SSM: 163-22793-00015
Reviewer: ERG/YC
Date: April 12, 2006

Max. Heat Input
MMBtu/hr

295.8 (3 units total)

	Pollutant					
	PM	PM10	SO_2	NO_x	VOC	CO
Emission Factor in lbs/MMBtu	0.012	0.04	0.038	0.036	0.004	0.075
Potential to (PTE) Emit in tons/yr	**15.5**	**51.8**	**49.2**	**46.6**	**5.18**	**97.2**

Emission factors are provided by the source based on burner vendor estimates.

Methodology

PTE (tons/yr) = Max. Heat Input (MMBtu/hr) x Emission Factor (lbs/MMBtu) x 8760 hr/yr x 1 ton/2000 lbs

Appendix A: Emission Calculations
PM/PM10 Emissions
From the Eight (8) Weight Stations

Company Name: **Mead Johnson & Company**
Address: **2400 West Lloyd Expressway, Evansville, IN 47721**
SSM: **163-22793-00015**
Reviewer: **ERG/YC**
Date: **April 12, 2006**

1. Process Description:

Maximum Total Throughput:	2,100	lbs/hr (8 units combined)
PM/PM10 Emission Factor:	0.0001	lb/lb (from the TSD for T163-7142-00015, issued on 03/22/06)

* Note: Assume all the PM emissions are PM10 emissions.

2. Potential to Emit PM/PM10 before Control:

Hourly PM/PM10 Emissions	= 2,100 lbs/hr x 0.0001 lb/lb=	**0.21 lbs/hr**
Annual PM/PM10 emissions	= 0.21 lbs/hr x 8760 hr/yr x 1/2000 (ton/lb) =	**0.92 tons/yr**

Appendix A: Emission Calculations
PM/PM10 Emissions
From the Drying System (Wurster Coater No. 2; Unit 2026)

Company Name: Mead Johnson & Company
Address: 2400 West Lloyd Expressway, Evansville, IN 47721
SSM: 163-22793-00015
Reviewer: ERG/YC
Date: April 12, 2006

1. Process Description:

This unit is used for experimental product batch testing using fluidizing air to dry aqueous granulations. This unit is equipped with an integral internal pleated bag filter to maintain the fluidized granulation within the drying unit. This unit is now used for drying purpose, not coating. No solvent will be used in this unit in the future.

Maximum Coating Solids:	282	lbs/batch
Batch Cycle:	2	hrs/batch
PM/PM10 Emission Factor:	0.005	lb/lb (source engineering estimate)

* Note: Assume all the PM emissions are PM10 emissions.

2. Potential to Emit PM/PM10 before Control:

Annual PM/PM10 emissions = 282 (lbs/batch) / 2 (hrs/batch) x 0.005 lb/lb x 8760 hr/yr x 1/2000 (ton/lb) = **3.09 tons/yr**