INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
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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: April 2, 2007

RE: Daramic, LLC / 061-23287-00012

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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April 2, 2007

Mr. Larry Richards
Daramic, LLC
3430 Cline Road
Corydon, IN 47112

Re: 061-23287-00012
Second Significant Source Modification to
Part 70 Permit No.: 061-5983-00012

Dear Mr. Richards:

Daramic, LLC was issued a Part 70 permit on September 7, 1999, for the operation of a foam packaging material manufacturing plant. An application to modify the source was received by the Office of Air Quality (OAQ) on June 28, 2006. Pursuant to the provisions of 326 IAC 2-7-10.5(f)(2), a significant source modification to this permit is hereby approved as described in the attached Technical Support Document.

The modification includes the following:

(a) Adding a Leak Detection and Repair (LDAR) Plan for all equipment in trichloroethylene (TCE) service (containing more than 5% TCE which is in service more than 300 hours per calendar year). The LDAR Plan is included as an additional control requirement to meet the Best Available Control Technology as required by 326 IAC 8-1-6 in permit CP- 061-1935-00012.

(b) Adding a trichloroethylene (TCE) recovery room (smokehouse) that is vented to the existing carbon absorption system (S/V 17) to control emissions of VOC (TCE) from off-specification material that is removed from the extraction lines 3, 4 and 6 as a result of start-ups, wet folds, or web breaks.

(c) Daramic is requesting that the filter changing activities for the Miscella Tanks and the Distillation Equipment be listed as separate emission units in accordance with 326 IAC 2-7-4.

(d) Revising Conditions D.1.1, D.1.5, D.1.6 and D.1.7 to remove references to the aerosol addition systems (mix towers) identified as Unit ID #s 10.1 through 10.3 and extruders identified as 8.1 through 8.3.

(e) Daramic is requesting that the three (3) mixers on Line 3, Line 4 and Line 6 be recognized as emission units.

(f) Re-evaluating the Best Available Control Technology (BACT) determination made by OAQ pursuant to CP-061-1935-00012, issued on December 21, 1990.

(g) Modifying Title V Operating Permit T061-5983-00012 to include a BACT determination for the extruder for Sub-Micro (SM) Line 4 (Unit ID# 8.2) and the extruder for SM Line 6 (Unit ID# 8.3) to satisfy Condition 18.D(i) of the March 28, 2006 EPA Administrative Consent Order (EPA-5-06-113(a)-IN-03) (ACO).

(h) Revising the compliance monitoring provisions for Section D.1.

(i) Revising Section D.1 – Recordkeeping Requirements to include sufficient recordkeeping requirements to establish compliance with the limits and the monitoring conditions of Section D.1.

(j) Incorporating the language for the National Emission Standards for Hazardous Air Pollutants, 40 CFR 63, Subpart EEEE into the Title V permit.

The following construction conditions shall apply:

General Construction Conditions

1. The data and information supplied with the application shall be considered part of this source modification approval. Prior to any proposed change in construction which may affect the potential to emit (PTE) of the proposed project, the change must be approved by the Office of Air Quality (OAQ).

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

3. Effective Date of the Permit
Pursuant to IC 13-15-5-3, this approval becomes effective upon its issuance.

4. Pursuant to 326 IAC 2-1.1-9 and 326 IAC 2-7-10.5(i), the Commissioner may revoke this approval if construction is not commenced within eighteen (18) months after receipt of this approval or if construction is suspended for a continuous period of one (1) year or more.

5. All requirements and conditions of this construction approval shall remain in effect unless modified in a manner consistent with procedures established pursuant to 326 IAC 2.

6. Pursuant to 326 IAC 2-7-10.5(l) the emission unit constructed under this approval shall not be placed into operation prior to revision of the source's Part 70 Operating Permit to incorporate the required operation conditions.

This significant source modification authorizes construction of the above listed units. Operating conditions shall be incorporated into the Part 70 operating permit as a significant permit modification in accordance with 326 IAC 2-7-10.5(l)(2) and 326 IAC 2-7-12. Operation is not approved until the significant permit modification has been issued.

This decision is subject to the Indiana Administrative Orders and Procedures Act - IC 4-21.5-3-5. If you have any questions on this matter, please contact Alic Bent, c/o OAQ, 100 North Senate Avenue,

Indianapolis, Indiana, 46204-2251, or at 973-575-2555, extension 3206, or dial 1-800-451-6027, and ask for extension 3-6878.

Sincerely,

Original document signed by

Nisha Sizemore, Chief
Permits Branch
Office of Air Quality

Attachments
AB / EVP

cc: File - Harrison County
U.S. EPA, Region V
Air Compliance Section Inspector – Ray Schick
Compliance Data Section
Administrative and Development
Technical Support and Modeling

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PART 70 SIGNIFICANT SOURCE MODIFICATION
OFFICE OF AIR QUALITY

Daramic, LLC
3430 Cline Road
Corydon, Indiana 47112-8706

(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.

Second Significant Source Modification No.:061-23287-00012	Pages Affected: Entire Permit
Issued by: *Original document signed by* Nisha Sizemore, Chief Permits Branch Office of Air Quality	Issuance Date: April 2, 2007

TABLE OF CONTENTS

A SOURCE SUMMARY 6
A.1 General Information [326 IAC 2-7-4(c)][326 IAC 2-7-5(15)][326 IAC 2-7-1(22)]
A.2 Emission Units and Pollution Control Equipment Summary [326 IAC 2-7-4(c)(3)] [326 IAC 2-7-5(15)]
A.3 Specifically Regulated Insignificant Activities [326 IAC 2-7-1(21)][326 IAC 2-7-4(c)] [326 IAC 2-7-5(15)]
A.4 Part 70 Permit Applicability [326 IAC 2-7-2]

B GENERAL CONDITIONS 9
B.1 Definitions [326 IAC 2-7-1]
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)]
B.3 Term of Conditions [326 IAC 2-1.1-9.5]
B.4 Enforceability [326 IAC 2-7-7]
B.5 Severability [326 IAC 2-7-5(5)]
B.6 Property Rights or Exclusive Privilege [326 IAC 2-7-5(6)(D)]
B.7 Duty to Provide Information [326 IAC 2-7-5(6)(E)]
B.8 Certification [326 IAC 2-7-4(f)] [326 IAC 2-7-6(1)] [326 IAC 2-7-5(3)(C)]
B.9 Annual Compliance Certification [326 IAC 2-7-6(5)]
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]
B.11 Emergency Provisions [326 IAC 2-7-16]
B.12 Permit Shield [326 IAC 2-7-15] [326 IAC 2-7-20] [326 IAC 2-7-12]
B.13 Prior Permits Superseded [326 IAC 2-1.1-9.5] [326 IAC 2-7-10.5]
B.14 Termination of Right to Operate [326 IAC 2-7-10] [326 IAC 2-7-4(a)]
B.15 Deviations from Permit Requirements and Conditions [326 IAC 2-7-5(3)(C)(ii)]
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]
B.17 Permit Renewal [326 IAC 2-7-3] [326 IAC 2-7-4] [326 IAC 2-7-8(e)]
B.18 Permit Amendment or Modification [326 IAC 2-7-11][326 IAC 2-7-12]
B.19 Permit Revision Under Economic Incentives and Other Programs [326 IAC 2-7-5(8)] [326 IAC 2-7-12 (b)(2)]
B.20 Operational Flexibility [326 IAC 2-7-20] [326 IAC 2-7-10.5]
B.21 Source Modification Requirement [326 IAC 2-7-10.5] [326 IAC 2-2-2] [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]
B.23 Transfer of Ownership or Operational Control [326 IAC 2-7-11]
B.24 Annual Fee Payment [326 IAC 2-7-19] [326 IAC 2-7-5(7)][326 IAC 2-1.1-7]
B.25 Credible Evidence [326 IAC 2-7-5(3)][326 IAC 2-7-6][62 FR 8314] [326 IAC 1-1-6]

C SOURCE OPERATION CONDITIONS 20

Emission Limitations and Standards [326 IAC 2-7-5(1)]
C.1 Particulate Emission Limitations For Processes with Process Weight Rates Less Than One Hundred (100) Pounds per Hour [326 IAC 6-3-2]
C.2 Opacity [326 IAC 5-1]
C.3 Open Burning [326 IAC 4-1] [IC 13-17-9]
C.4 Incineration [326 IAC 4-2] [326 IAC 9-1-2]
C.5 Fugitive Dust Emissions [326 IAC 6-4]
C.6 Stack Height [326 IAC 1-7]
C.7 Asbestos Abatement Projects [326 IAC 14-10] [326 IAC 18] [40 CFR 61, Subpart M]

Testing Requirements [326 IAC 2-7-6(1)]
C.8 Performance Testing [326 IAC 3-6]

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

Compliance Monitoring Requirements [326 IAC 2-7-5(1)] [326 IAC 2-7-6(1)]
C.10 Compliance Monitoring [326 IAC 2-7-5(3)] [326 IAC 2-7-6(1)]
C.11 Monitoring Methods [326 IAC 3][40 CFR 60][40 CFR 63]
C.12 Instrument Specifications [326 IAC 2-1.1-11][326 IAC 2-7-5(3)][326 IAC 2-7-6(1)]

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]
C.14 Risk Management Plan [326 IAC 2-7-5(12)] [40 CFR 68]
C.15 Response to Excursions or Exceedances [326 IAC 2-7-5] [326 IAC 2-7-6]
C.16 Actions Related to Noncompliance Demonstrated by a Stack Test [326 IAC 2-7-5] [326 IAC 2-7-6]

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]
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.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]

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

D.1 FACILITY OPERATION CONDITIONS – Extruders, Oil Extraction System, Aerosol Addition System, Tanks, Smokehouse…… 29

Emission Limitations and Standards [326 IAC 2-7-5(1)]
D.1.1 BACT Analysis [326 IAC 8-1-6]
D.1.2 Preventive Maintenance Plan [326 IAC 2-7-5(13)]

Compliance Determination Requirements
D.1.3 Testing Requirements [326 IAC 2-7-6(1),(6)][326 IAC 2-1.1-11]
D.1.4 Volatile Organic Compounds (VOC)

Compliance Monitoring Requirements [326 IAC 2-7-6(1)] [326 IAC 2-7-5(1)]
D.1.5 Process Emissions and Carbon Adsorption System Emissions [40 CFR Part 64]
D.1.6 Carbon Adsorption Failure Detection [40 CFR Part 64]

Record Keeping and Reporting Requirement [326 IAC 2-7-5(3)] [326 IAC 2-7-19]
D.1.7 Record Keeping Requirements

D.2 FACILITY OPERATION CONDITIONS - Silos, Day Bins, Transporters..... 34

Emission Limitations and Standards [326 IAC 2-7-5(1)]
D.2.1 Particulate Matter (PM) [326 IAC 6-3]
D.2.2 Preventive Maintenance Plan [326 IAC 2-7-5(13)]

Compliance Determination Requirements
D.2.3 Testing Requirements [326 IAC 2-7-6(1),(6)]
D.2.4 Particulate Matter (PM)

Compliance Monitoring Requirements [326 IAC 2-7-6(1)] [326 IAC 2-7-5(1)]
D.2.5 Visible Emissions Notations

D.2.6 Parametric Monitoring
D.2.7 Broken or Failed Bag Detection

Record Keeping and Reporting Requirement [326 IAC 2-7-5(3)] [326 IAC 2-7-19]
D.2.8 Record Keeping Requirements

D.3 FACILITY OPERATION CONDITIONS – One (1) Boiler (Unit 1.1) 37

Emission Limitations and Standards [326 IAC 2-7-5(1)]
D.3.1 Particulate Matter Limitation (PM) [326 IAC 6-2-3]

Compliance Determination Requirements
D.3.2 Testing Requirements [326 IAC 2-7-6(1),(6)]

Compliance Monitoring Requirements [326 IAC 2-7-6(1)] [326 IAC 2-7-5(1)]
D.3.3 Visible Emissions Notations

Record Keeping and Reporting Requirements [326 IAC 2-7-5(3)] [326 IAC 2-7-19]
D.3.4 Record Keeping Requirements
D.3.5 Reporting Requirements

D.4 FACILITY OPERATION CONDITIONS – One (1) Boiler (Unit 2.1)……..39

Emission Limitations and Standards [326 IAC 2-7-5(1)]
D.4.1 Particulate Matter Limitation (PM) [326 IAC 6-2-4]
D.4.2 Sulfur Dioxide (SO2) [326 IAC 7-1.1-1] [326 IAC 12-1]
D.4.3 Preventive Maintenance Plan [326 IAC 2-8-4(9)]

Compliance Determination Requirements
D.4.4 Testing Requirements [326 IAC 2-7-6(1),(6)]
D.4.5 Sulfur Dioxide Emissions and Sulfur Content

Compliance Monitoring Requirements [326 IAC 2-7-6(1)] [326 IAC 2-7-5(1)]
D.4.6 Visible Emissions Notations

Record Keeping and Reporting Requirements [326 IAC 2-7-5(3)] [326 IAC 2-7-19]
D.4.7 Record Keeping Requirements
D.4.8 Reporting Requirements

D.5 FACILITY CONDITIONS - Dilute Phase Transporter……42

Emission Limitations and Standards [326 IAC 2-7-5(1)]
D.5.1 Particulate Matter (PM) [326 IAC 6-3-2]
D.5.2 Preventive Maintenance Plan [326 IAC 2-7-5(13)]

Compliance Determination Requirements
D.5.3 Testing Requirements [326 IAC 2-7-6(1),(6)]

Compliance Monitoring Requirements [326 IAC 2-7-6(1)] [326 IAC 2-7-5(1)]
D.5.4 Particulate Control

Record Keeping and Reporting Requirements [326 IAC 2-7-5(3)] [326 IAC 2-7-19]
D.5.6 Record Keeping Requirements
D.5.7 Reporting Requirements

D.6 FACILITY CONDITIONS - Weigh Bin Lines 3 and 4……..43

Emission Limitations and Standards [326 IAC 2-7-5(1)]
D.6.1 Particulate [326 IAC 6-3]
D.6.2 Preventive Maintenance Plan [326 IAC 2-8-4(9)]

Compliance Determination Requirements
D.6.3 Particulate Control

Compliance Monitoring Requirements [326 IAC 2-7-6(1)] [326 IAC 2-7-5(1)]
D.6.4 Visible Emissions Notations
D.6.5 Parametric Monitoring
D.6.6 Broken or Failed Bag Detection

Record Keeping and Reporting Requirement [326 IAC 2-7-5(3)] [326 IAC 2-7-19]
D.6.7 Record Keeping Requirements

E.1 FACILITY CONDITIONS - Sub-Micro (SM) Lines 3, 4 and 6 support equipment…… 46

National Emission Standards for Hazardous Air Pollutants (NESHAP) Requirements [326 IAC 2-7-5(1)]
E.1.1 General Provisions Relating to NESHAP EEEE [40 CFR Part 63, Subpart A]
E.1.2 NESHAP Subpart EEEE Requirements [40 CFR Part 63, Subpart EEEE]
E.1.3 One Time Deadlines Relating to NESHAP EEEE

Certification 70
Emergency Occurrence Report 71
Semi-Annual Natural Gas Fired Boiler Certification 73
Quarterly Deviation and Compliance Monitoring Report 74

SECTION A SOURCE SUMMARY

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

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

The Permittee owns and operates a stationary battery separator manufacturing plant.

Responsible Official:	Site Manager
Source Address:	3430 Cline Road, Corydon, Indiana 47112-8706
Mailing Address:	3430 Cline Road, Corydon, Indiana 47112-8706
General Source Phone Number:	(812) 738-0422
SIC Code:	3089
County Location:	Harrison County
Source Location Status:	Attainment for all criteria pollutants
Source Status:	Part 70 Permit Program Major Source, under PSD Rules; Major Source, Section 112 of the Clean Air Act

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

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

(a) Sub-Micro (SM) Line 3, installed in 1979, and Sub-Micro (SM) Line 4, installed in 1984, consist of the following equipment:

(1) Four (4) silos, identified as Unit ID #s 4.1-4.4, used to store either polyethylene or silica, each with a maximum storage capacity of 168, 168, 75, and 75 tons, respectively, each utilizing a bin filter (Unit ID #s 4.1-4.4) for particulate matter control, each exhausting through one (1) stack, identified as S/V ID #s 4, 5, 6, and 7, respectively;

(2) Two (2) day bins, identified as Unit ID #s 6.1 and 6.2, used to store silica and polyethylene, respectively, each with a maximum storage capacity of 2.4 and 0.125 tons, respectively, each utilizing a bin filter (Unit ID #s 6.1 and 6.2) for particulate matter control, each exhausting through one (1) stack, identified as S/V ID #s 10 and 11, respectively;

(3) One (1) silo dense phase transporter, identified as Unit ID #3.1, constructed in 1979, used to convey silica from rail cars to silo #s 4.2-4.5, utilizing a baghouse (Unit ID # 3.1) for particulate control, exhausting through one (1) stack, identified as S/V ID #3;

(4) One (1) silica transporter, identified as Unit ID # 5.1, constructed in 1979, used to convey silica from silos 4.3, 4.4, and 4.5 to silica day bin # 6.1, utilizing a baghouse (Unit # 5.1) for particulate matter control, each exhausting through one (1) stack, identified as S/V ID # 9;

(5) Two (2) oil extraction systems, identified as Unit ID #s 9.1 and 9.2, each system includes oil extraction pans, a solvent drying oven, a water drying oven, and a distillation unit, utilizing a carbon adsorber to control volatile organic compounds and trichloroethylene, exhausting through one (1) stack, identified as S/V ID # 17;

(6) Two (2) extruders, identified as Unit ID #s 8.1 and 8.2, each controlled by a precipitative coalescing filter (smog hog) and exhausting through one (1) stack identified as S/V ID #14;

(7) Two (2) aerosol addition systems (mix towers), identified as Unit ID #s 10.1, 10.2, exhausting inside the building;

(b) Sub-Micro (SM) Line 6, installed in 1991, consists of the following equipment:

(1) One (1) silo, identified as Unit ID # 4.5, used to store silica, with a maximum storage capacity of 75 tons, utilizing a bin filter (Unit ID # 4.5) for particulate matter control, exhausting through one (1) stack, identified as S/V ID # 8;

(2) Two (2) day bins, identified as Unit ID #s 7.1 and 7.2, used to store silica and polyethylene, respectively, each with a maximum storage capacity of 2.4 and 0.125 tons, respectively, each utilizing a bin filter (Unit ID #s 7.1 and 7.2) for particulate matter control, each exhausting through one (1) stack, identified as S/V ID #s 12 and 13, respectively;

(3) One (1) oil extraction system, identified as Unit ID # 9.3,system includes oil extraction pans, a solvent drying oven, a water drying oven, and a distillation unit, utilizing a carbon adsorber to control volatile organic compounds and trichloroethylene, exhausting through one (1) stack, identified as S/V ID # 17;

(4) One (1) extruder, identified as Unit ID # 8.3, controlled by a precipitative coalescing filter (smog hog) and exhausting through one (1) stack identified as S/V ID #16;

(5) One (1) aerosol addition system (mix tower), identified as Unit ID # 10.3, exhausting inside the building.

(c) Sub-Micro (SM) Lines 3, 4 and 6 support equipment, consisting of storage tanks (Unit ID #s 11.1 through 11.6) and a trichloroethylene (TCE) recovery system (smokehouse) Unit ID #9.4.

(d) Two (2) boilers, identified as Unit ID #s 1.1 and 2.1, constructed in 1979 and 1991, respectively, each with a maximum heat input capacity of 12.553 and 20.922 MMBtu per hour, respectively, each combusting natural gas or No. 2 fuel oil, each exhausting through one (1) stack, identified as S/V ID #s 1 and 2, respectively; and

(e) One (1) tank, identified as Unit #11.7, constructed in 1991, used to store virgin oil, with a maximum storage capacity of 14,384 gallons.

(f) One (1) silo dilute phase transporter, identified as Unit ID #13, used to convey polyethylene pneumatically from rail cars to a silo, utilizing a bin filter for particulate control and exhausting through one (1) stack, identified as S/V ID #20.

(g) One (1) polyethylene weigh bin line 3 with maximum weighing capacity of 345 pounds per hour, equipped with a baghouse for particulate control and exhausting through one (1) stack identified as F05.1.

(h) One (1) silica weigh bin line 3 with maximum weighing capacity of 800 pounds per hour, equipped with a baghouse for particulate control and exhausting through one (1) stack identified as F01.1.

(i) One (1) polyethylene weigh bin line 4 with maximum weighing capacity of 345 pounds per hour, equipped with a baghouse for particulate control and exhausting through one (1) stack identified as F05.2.

(j) One (1) silica weigh bin line 4 with maximum weighing capacity of 800 pounds per hour, equipped with a baghouse for particulate control and exhausting through one (1) stack identified as F01.2.

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

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

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

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

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

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

SECTION B GENERAL CONDITIONS

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

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

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

(a) This permit, T061-5983-00012, 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]

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

B.5 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, within a reasonable time, any information that IDEM, OAQ may request in writing to determine whether cause exists for modifying, revoking and reissuing, or terminating this permit, or to determine compliance with this permit. The submittal by the Permittee does require the certification by the "responsible official" as defined by 326 IAC 2-7-1(34). Upon request, the Permittee shall also furnish to IDEM, OAQ copies of records required to be kept by this permit.

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

B.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 July 1 of each year to:

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

and

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

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

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

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

(2) The compliance status;

(3) Whether compliance was continuous or intermittent;

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

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

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

B.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

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

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

B.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 health-based or technology-based emission limitation if the affirmative defense of an emergency is demonstrated through properly signed, contemporaneous operating logs or other relevant evidence that describe the following:

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

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

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

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

Telephone Number: 1-800-451-6027 (ask for Office of Air Quality, Compliance Section), or
Telephone Number: 317-233-0178 (ask for Compliance Section)
Facsimile Number: 317-233-6865

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

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

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

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

(A) A description of the emergency;

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

(C) Corrective actions taken.

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

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

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

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

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

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

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

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

B.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, shall immediately take steps to reopen and revise this permit and issue a compliance order to the Permittee to ensure expeditious compliance with the applicable requirement until the permit is reissued. The permit shield shall continue in effect so long as the Permittee is in compliance with the compliance order.

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

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

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

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

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

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

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

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

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

B.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 T061-5983-00012 and issued pursuant to permitting programs approved into the state implementation plan have been either:

(1) incorporated as originally stated,

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

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

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

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

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, determines any of the following:

(1) That this permit contains a material mistake.

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

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

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

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

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

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

Request for renewal shall be submitted to:

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

(b) A timely renewal application is one that is:

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

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

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

B.18 Permit Amendment or Modification [326 IAC 2-7-11][326 IAC 2-7-12][40 CFR 72]

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

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

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

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

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

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

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

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

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

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

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

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

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

(4) The Permittee notifies the:

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

and

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

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

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

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

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

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

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

(3) Any change in emissions; and

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

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

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

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

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

B.21 Source Modification Requirement [326 IAC 2-7-10.5] [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 and/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, 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 at reasonable times, substances or parameters for the purpose of assuring compliance with this permit or applicable requirements; and

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

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

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

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

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

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

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

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

(a) The Permittee shall pay annual fees to IDEM, OAQ, within thirty (30) calendar days of receipt of a billing. Pursuant to 326 IAC 2-7-19(b), if the Permittee does not receive a bill from IDEM, OAQ, the applicable fee is due April 1 of each year.

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

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

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

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

SECTION C SOURCE OPERATION CONDITIONS

Entire Source

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

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

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

C.2 Opacity [326 IAC 5-1]

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

(a) Opacity shall not exceed an average of forty percent (40%) in any one (1) six (6) minute averaging period as determined in 326 IAC 5-1-4.

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

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

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

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.

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).

C.6 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.7 Asbestos Abatement Projects [326 IAC 14-10] [326 IAC 18] [40 CFR 61, Subpart M]

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

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

(1) When the amount of affected asbestos containing material increases or decreases by at least twenty percent (20%); or

(2) If there is a change in the following:

(A) Asbestos removal or demolition start date;

(B) Removal or demolition contractor; or

(C) Waste disposal site.

(c) The Permittee shall ensure that the notice is postmarked or delivered according to the guidelines set forth in 326 IAC 14-10-3(2).

(d) The notice to be submitted shall include the information enumerated in 326 IAC 14-10-3(3).

All required notifications shall be submitted to:

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

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

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

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

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

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

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

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

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

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

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

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

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

Compliance Requirements [326 IAC 2-1.1-11]

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(1) initial inspection and evaluation;

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

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

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

(1) monitoring results;

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

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

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

(e) The Permittee shall maintain the following records:

(1) monitoring data;

(2) monitor performance data, if applicable; and

(3) corrective actions taken.

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

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

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

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

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

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

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

(a) Pursuant to 326 IAC 2-6-3(b)(2), starting in 2005 and every three (3) years thereafter, the Permittee shall submit by July 1 an emission statement covering the previous calendar year. The emission statement shall contain, at a minimum, the information specified in 326 IAC 2-6-4(c) and shall meet the following requirements:

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

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

The statement must be submitted to:

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

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

(b) The emission statement required by this permit shall be considered timely if the date 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.18 General Record Keeping Requirements[326 IAC 2-7-5(3)] [326 IAC 2-7-6] [326 IAC 2-2] [326 IAC 2-3]

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

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

(c) If there is a “project” (as defined in 326 IAC 2-2-1 (qq) and/or 326 IAC 2-3-1 (ll)) at an existing emissions 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)) and the Permittee elects to utilize the “projected actual emissions” (as defined in 326 IAC 2-2-1 (rr) and/or 326 IAC 2-3-1 (mm)), the Permittee shall comply with following:

(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 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 Aresponsible official@ as defined by 326 IAC 2-7-1(34).

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

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

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

(d) Unless otherwise specified in this permit, any quarterly report required in Section D of this permit shall be submitted within thirty (30) days of the end of the reporting period. The reports do require the certification by the Aresponsible 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 :

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

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

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

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

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

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

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

Reports required in this part shall be submitted to:

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

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

Stratospheric Ozone Protection

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

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

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

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

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

SECTION D.1 FACILITY OPERATION CONDITIONS

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

(a) Sub-Micro (SM) Line 3, installed in 1979, and Sub-Micro (SM) Line 4, installed in 1984, consist of the following equipment:

(1) Two (2) oil extraction systems, identified as Unit ID #s 9.1 and 9.2, each system includes oil extraction pans, a solvent drying oven, a water drying oven, and a distillation unit, utilizing a carbon adsorber to control volatile organic compounds and trichloroethylene, exhausting through one (1) stack, identified as S/V ID # 17;

(2) Two (2) extruders, identified as Unit ID #s 8.1 and 8.2, each controlled by a precipitative coalescing filter (smog hog) and exhausting through one (1) stack identified as S/V ID #14;

(3) Two (2) aerosol addition systems (mix towers), identified as Unit ID #s 10.1, 10.2, exhausting inside the building;

(b) Sub-Micro (SM) Line 6, installed in 1991, consists of the following equipment:

(1) One (1) oil extraction system, identified as Unit ID # 9.3, system includes oil extraction pans, a solvent drying oven, a water drying oven, and a distillation unit, utilizing a carbon adsorber to control volatile organic compounds and trichloroethylene, exhausting through one (1) stack, identified as S/V ID # 17;

(2) One (1) extruder, identified as Unit ID # 8.3, controlled by a precipitative coalescing filter (smog hog) and exhausting through one (1) stack identified as S/V ID #16;

(3) One (1) aerosol addition system (mix tower), identified as Unit ID # 10.3, exhausting inside the building.

(c) Sub-Micro (SM) Lines 3, 4 and 6 support equipment, consisting of storage tanks (Unit ID #s 11.1 through 11.6) and a trichloroethylene (TCE) recovery system (smokehouse) Unit ID #9.4.

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

D.1.1 BACT Analysis [326 IAC 8-1-6]

(a) Pursuant to CP-061-1935-00012, issued on December 21, 1990, a carbon adsorption system (CAS) with 95% control efficiency has been determined by OAQ to be the Best Available Control Technology for SM-3, SM-4, and SM-6. The control system shall be operated at all times that oil extraction systems for SM-3, SM-4, and SM-6; aerosol addition systems for SM-3, SM-4, and SM-6; and tanks (ID #s 11.1 through 11.6) are used. For the purpose of determining compliance, the overall control efficiency of the control system shall be considered to be 95% provided the carbon adsorption unit is operating in compliance with the monitoring provisions specified in Condition D.1.5.

(b) Pursuant to 326 IAC 8-1-6 (BACT):

(1) A leak detection and repair (LDAR) program as described below has been determined by OAQ to be included as Best Available Control Technology for all equipment in trichloroethylene service (i.e., containing more than 5% trichloroethylene and in service more than 300 hours per calendar year). Within 30 days of the issuance of the Significant Permit Modification 061-23800-00012, the Permittee shall develop a written leak detection and repair (LDAR) program requiring leak checks of all equipment in trichloroethylene service. The LDAR plan shall be consistent with the following provisions of 40 CFR Part 63, Subpart H - National Emission Standards for Organic Hazardous Air Pollutants for Equipment Leaks.

(A) Definitions: § 63.161;

(B) Standards: §§ 63.162-63.163, 63.165-63.169, 63.171, and 63.174;

(C) Quality Improvement Program for Valves and Pumps: §§ 63.175 and 63.176 (when applicable);

(D) Test Methods and Procedures: § 63.180;

(E) Recordkeeping: § 63.181;

(F) Reporting: § 63.182 (a), (b) & (d); and

(G) Implementation: § 63.183.

The Permittee shall implement the LDAR plan by no later than the close of the second calendar month following the month the 12 consecutive month period of the plant-wide trichloroethylene inventory loss first equals or exceeds 125 tons per year. For the purposes of the LDAR plan, the compliance date for determining the applicability of Subpart H Phase 1, Phase II or Phase III requirements shall be the date of implementation of the LDAR plan.

(2) In the event the requirement to implement LDAR Plan is triggered as described in Condition D.1.1(b)(1), the Permittee shall continue to implement the LDAR plan until the 12 month consecutive period sum of source-wide trichloroethylene inventory loss remains less than 125 tons per year for three consecutive calendar months, at which time it may cease implementation of the LDAR Plan for all subsequent time periods during which the 12 consecutive month period sum of source-wide trichloroethylene inventory loss remains less than 125 tons per year.

(c) Pursuant to Significant Permit Modification 061-23800-00012 and 326 IAC 8-1-6 (BACT):

(1) The VOC emissions at die exits of extruders serving SM Line 4 and SM Line 6 (Unit ID #8.2 and Unit ID #8.3, respectively) shall be controlled by a precipitating coalescing filter (smog hog demister) with a minimum overall control efficiency of 76%, by attaining 80% capture efficiency and 95% control efficiency. The VOC emissions from the smog hog demister for the extruders serving SM Line 4 and SM Line 6 shall not exceed 2.38 pounds per hour.

(2) Off-specification material that is removed from SM Lines 3, 4 and 6 as a result of start-ups, wet folds, or web breaks shall be placed in the trichloroethylene recovery system (smokehouse), Unit ID #9.4.

D.1.2 Preventive Maintenance Plan [326 IAC 2-7-5(13)]

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

Compliance Determination Requirements

D.1.3 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, the Permittee shall perform VOC testing of the carbon adsorption system (CAS) utilizing Method 25/ 25A (40 CFR 60, Appendix A) or other 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. In addition to these requirements, IDEM may require compliance testing when necessary to determine if the facility is in compliance.

(b) Within 180 days after issuance of this permit, the Permittee shall perform VOC testing including the capture and control efficiencies of the precipitating coalescing filter (smog hog) utilizing Method 25/ 25A (40 CFR 60, Appendix A) or other 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.

D.1.4 Volatile Organic Compounds (VOCs)

(a) The CAS shall be operated at all times when the oil extraction systems for SM-3, SM-4, and SM-6 (ID #s 9.1, 9.2 and 9.3), storage tanks (ID #s 11.1 through 11.6), aerosol addition systems for SM-3, SM-4 and SM-6, and the trichloroethylene recovery system (smokehouse, Unit ID #9.4) are operated.

(b) The smog hogs shall be operated at all times that the associated extruders (Unit ID #s 8.2 and 8.3) are operated.

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

D.1.5 Process Emissions and Carbon Adsorption System Emissions [40 CFR Part 64]

Pursuant to 40 CFR Part 64 (CAM) and to ensure compliance with Conditions D.1.1(a) and D.1.1(b) the following compliance monitoring is required:

(a) The CAS shall be equipped with a continuous exhaust gas flow rate monitor. The Permittee shall take daily instantaneous measurement of the outlet VOC concentration of the CAS (using a handheld photo- ionization detector or comparable device) and at the same time record the value of the CAS exhaust gas flow rate. Provided the CAS exhaust gas flow rate is less than or equal to 2,500 cubic feet per minute (cfpm), then compliance is indicated if the CAS outlet VOC concentration is less than 100 ppmv , and no measurement of the CAS inlet VOC concentration nor calculation of CAS efficiency is required for that day. If the outlet CAS VOC concentration is greater than 100 ppmv, then a daily grab measurement of the CAS inlet VOC concentration (using a colorimetric tube analysis) shall also be taken and the CAS control efficiency calculated to provide an indication of compliance. CAS control efficiency shall be calculated using the VOC concentration data as follows:

$$\text{CAS Efficiency (\%)} = [(CAS_{inlet} - CAS_{outlet}) / (CAS_{inlet})] \times 100$$

Daily measurements of CAS exhaust gas flow rate and VOC inlet and outlet concentration(s) shall be taken within the final 30 minutes of a carbon bed cycle and shall be taken when the CAS cooling air blower is not operating. The CAS cooling air blower is not operating when the measured CAS exhaust gas flow rate is less than or equal to 2,500 cfpm. In the event that the outlet VOC concentration is greater than 100 ppmv and the CAS efficiency is less than 95%, the Permittee shall perform reasonable response steps to achieve 95% CAS efficiency. The Permittee shall continue to make daily CAS efficiency calculations until a CAS efficiency of 95% or more is achieved for seven (7) consecutive operating days. Upon achieving a CAS efficiency of 95% or more for seven (7) consecutive operating days, the Permittee may resume daily measurement of the outlet VOC concentration.

(b) The Permittee shall control trichloroethylene inventory losses by monitoring the trichloroethylene inventory, including but not limited to purchases, releases off - site, and emissions from startups, shutdowns, and process and air pollution control equipment malfunctions, so that the twelve consecutive month period sum of plant - wide trichloroethylene inventory loss does not exceed 141 tons per year. Losses of trichloroethylene resulting from events which are unrelated to process and air pollution control equipment operation and are sudden reasonably unforeseeable and beyond the Permittee's reasonable control, including but not limited to power failures, severe weather, and transportation-related accidents, shall not be included in the inventory loss calculation.

Compliance with the above monitoring conditions shall also satisfy the requirements of 40 CFR 64, Compliance Assurance Monitoring for the trichloroethylene recovery room (Unit #9.4).

D.1.6 Carbon Adsorption Failure Detection [40 CFR Part 64]

In the event that carbon adsorber failure has been observed:

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

Compliance with the above monitoring condition shall also satisfy the requirements of 40 CFR 64, Compliance Assurance Monitoring for the trichloroethylene recovery room (Unit #9.4).

D.1.7 Record Keeping Requirements

(a) To document compliance with Conditions D.1.1(a) and D.1.5, the Permittee shall maintain records in accordance with (1) through (5). Records of all data and operating parameters shall be complete and sufficient to establish compliance with the limits established in Condition D.1.1(a) and the monitoring conditions established in Condition D.1.5.

(1) Daily measurement of CAS outlet VOC concentration;

(2) Daily measurement of CAS exhaust gas flow rate;

(3) All measurements of CAS inlet VOC concentrations and calculations of CAS control efficiency made pursuant to Condition D.1.5(a);

(4) Records of monthly source-wide trichloroethylene inventory losses made pursuant to Condition D.1.5(b); and

(5) Records of the date, quantity and cause of each such loss of trichloroethylene

excluded from the inventory loss calculation pursuant to Condition D.1.5(b).

(b) To document compliance with Condition D.1.1(b)(2), the Permittee shall maintain the records required by the LDAR.

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

SECTION D.2 FACILITY OPERATION CONDITIONS

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

(a) Sub-Micro (SM) Line 3 , installed in 1979, and Sub-Micro (SM) Line 4, installed in 1984, consist of the following equipment:

(1) Four (4) silos, identified as Unit ID #=s 4.1-4.4, used to store either polyethylene or silica, each with a maximum storage capacity of 168, 168, 75, and 75 tons, respectively, each utilizing a bin filter (Unit ID #=s 4.1-4.4) for particulate matter control, each exhausting through one (1) stack, identified as S/V ID #=s 4, 5, 6, and 7, respectively;

(2) Two (2) day bins, identified as Unit ID #=s 6.1 and 6.2, used to store silica and polyethylene, respectively, each with a maximum storage capacity of 2.4 and 0.125 tons, respectively, each utilizing a bin filter (Unit ID #=s 6.1 and 6.2) for particulate matter control, each exhausting through one (1) stack, identified as S/V ID #=s 10 and 11, respectively;

(3) One (1) silo dense phase transporter, identified as Unit ID #3.1, constructed in 1979, used to convey silica from rail cars to silo #=s 4.2-4.5, utilizing a baghouse (Unit ID # 3.1) for particulate control, exhausting through one (1) stack, identified as S/V ID # 3;

(4) One (1) silica transporter, identified as Unit ID # 5.1, constructed in 1979, used to convey silica from silos 4.3, 4.4, and 4.5 to silica day bin #=s 6.1 and 6.2, utilizing a baghouse (Unit # 5.1) for particulate matter control, each exhausting through one (1) stack, identified as S/V ID # 9;

(b) Sub-Micro (SM) Line 6, installed in 1991, consists of the following equipment:

(1) One (1) silo, identified as Unit ID # 4.5, used to store silica, with a maximum storage capacity of 75 tons, utilizing a bin filter (Unit ID # 4.5) for particulate matter control, exhausting through one (1) stack, identified as S/V ID # 8; and

(2) Two (2) day bins, identified as Unit ID #=s 7.1 and 7.2, used to store silica and polyethylene, respectively, each with a maximum storage capacity of 2.4 and 0.125 tons, respectively, each utilizing a bin filter (Unit ID #=s 7.1 and 7.2) for particulate matter control, each exhausting through one (1) stack, identified as S/V ID #=s 12 and 13, respectively.

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

D.2.1 Particulate [326 IAC 6-3-2]

Pursuant to 326 IAC 6-3-2 (Particulate Emission Limitations for Manufacturing Processes), the allowable PM emission rate from the five (5) silos, four (4) day bins, and two (2) transporters shall not exceed the following pounds per hour when operating at the following appropriate process weight rate in tons per hour:

(a) The allowable particulate matter emissions from the four (4) silos (ID #4.1 - 4.4), two (2) day bins (ID #6.1 and 6.2), the silo dense phase transporter and the SM 3/4 silica transporter for SM-3 and SM-4 shall not exceed 22.91 pounds per hour, when operating at a process weight rate of 13.04 tons per hour.

(b) Pursuant to CP-061-1935-00012, issued on December 21, 1990, the allowable particulate matter emissions from the one (1) silo (ID #4.5) and two (2) day bins (ID #7.1 and 7.2) for SM-6 shall not exceed 5.09 pounds per hour, when operating at a process weight rate of 1.38 tons per hour.

The pounds per hour limitation was calculated with the following equation:

Interpolation of the data for the process weight rate up to 60,000 pounds per hour shall be accomplished by use of the equation:

$E = 4.10\ P^{0.67}$ where E = rate of emission in pounds per hour; and
P = process weight rate in tons per hour

D.2.2 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.

Compliance Determination Requirements

D.2.3 Testing Requirements [326 IAC 2-7-6(1),(6)]

The Permittee is not required to test this facility by this permit. However, IDEM may require compliance testing when necessary to determine if the facility is in compliance. If testing is required by IDEM, compliance with the limit specified in Condition D.2.1 shall be determined by a performance test conducted in accordance with Section C - Performance Testing.

D.2.4 Particulate Control

(a) The bin filters for the five (5) silos and four (4) day bins, the baghouses for the two (2) transporters for PM control shall be in operation at all times when are in operation and exhausting to the outside atmosphere.

(b) In the event that bag failure is observed in a multi-compartment baghouse, if operations will continue for ten (10) days or more after the failure is observed before the failed units will be repaired or replaced, the Permittee shall promptly notify the IDEM, OAQ of the expected date the failed units will be repaired or replaced. The notification shall also include the status of the applicable compliance monitoring parameters with respect to normal, and the results of any response actions taken up to the time of notification.

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

D.2.5 Visible Emissions Notations

(a) Daily visible emission notations of the five (5) silos, four (4) day bins, and two (2) transporters stack exhausts shall be performed once per day during normal daylight operations when exhausting to the atmosphere. 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.

D.2.6 Parametric Monitoring

The Permittee shall record the pressure drop across the bin filters and baghouses used in conjunction with the five (5) silos, four (4) day bins, and two (2) transporters, at least once per day when the five (5) silos, four (4) day bins, and two (2) transporters are in operation when venting to the atmosphere. When for any one reading, the pressure drop across the bin filters and baghouses is outside the normal range of 1.0 and 7.0 inches of water or a range established during the latest stack test, the Permittee shall take reasonable response steps in accordance with Section C- Response to Excursions or Exceedances. A pressure reading that is outside the above mentioned range is not a deviation from this permit. Failure to take response steps in accordance with Section C - Response to Excursions or Exceedances, shall be considered a deviation from this permit.

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

D.2.7 Broken or Failed Bag Detection

(a) For a single compartment baghouse controlling emissions from a process operated continuously, a failed unit and the associated process shall be shut down immediately until the failed unit has been repaired or replaced. Operations may continue only if the event qualifies as an emergency and the Permittee satisfies the requirements of the emergency provisions of this permit (Section B - Emergency Provisions).

(b) For a single compartment baghouse controlling emissions from a batch process, the feed to the process shall be shut down immediately until the failed unit has been repaired or replaced. The emissions unit shall be shut down no later than the completion of the processing of the material in the line. Operations may continue only if the event qualifies as an emergency and the Permittee satisfies the requirements of the emergency provisions of this permit (Section B - Emergency Provisions).

Bag failure can be indicated by a significant drop in the baghouse's pressure reading with abnormal visible emissions, by an opacity violation, or by other means such as gas temperature, flow rate, air infiltration, leaks, dust traces or triboflows.

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

D.2.8 Record Keeping Requirements

(a) To document compliance with Condition D.2.5, the Permittee shall maintain records of daily visible emission notations of the five (5) silos, four (4) day bins, and two (2) transporters stack exhaust.

(b) To document compliance with Condition D.2.6, the Permittee shall maintain daily records of the pressure drop during normal operation when venting to the atmosphere.

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

SECTION D.3 FACILITY OPERATION CONDITIONS

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

One (1) boiler, identified as Unit ID # 1.1, constructed in 1979, with a maximum heat input capacity of 12.553 MMBtu per hour, combusting natural gas or No. 2 fuel oil, exhausting through one (1) stack, identified as S/V ID # 1.

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

D.3.1 Particulate Matter Limitation (PM) [326 IAC 6-2-3]

Pursuant to 326 IAC 6-2-3 (a) (Particulate emission limitations for sources of indirect heating: emission limitations for facilities specified in 326 IAC 6-2-1 (b)), particulate emissions from Boiler #1, which was in operation on or before September 21, 1983, shall in no case exceed 0.6 pounds of particulate matter per million British thermal units heat input. This is based on the lower of 0.6 and the following formula:

$$Pt = \frac{C \times a \times h}{76.5 \times Q^{0.75} \times N^{0.25}}$$

where: Pt = Pounds of particulate matter emitted per MMBtu heat input.
Q = Total source maximum operating capacity rating in MMBtu per hour.

D.3.2 Testing Requirements [326 IAC 2-7-6(1),(6)]

The Permittee is not required to test this facility by this permit. However, IDEM may require compliance testing at any specific time when necessary to determine if the facility is in compliance. If testing is required by IDEM, compliance with the PM limit specified in Condition D.3.1 shall be determined by a performance test conducted in accordance with Section C - Performance Testing.

D.3.3 Visible Emissions Notations

(a) Daily visible emission notations of Boiler #1 stack exhaust shall be performed during normal daylight operations when exhausting to the atmosphere when burning 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 from this permit.

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

D.3.4 Record Keeping Requirements

(a) To document compliance with Condition D.3.3, the Permittee shall maintain records of daily visible emission notations of Boiler #1 stack exhaust when burning No. 2 fuel oil.

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

D.3.5 Reporting Requirements

The Natural Gas Fired Boiler Certification shall be submitted when submitting monitoring, testing reports/results or other documents as required by this permit to the address listed in Section C - General Reporting Requirements, of this permit, using the certification form located at the end of this permit, or its equivalent.

SECTION D.4 FACILITY OPERATION CONDITIONS

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

One (1) boiler, identified as Unit ID # 2.1, constructed in 1991, with a maximum heat input capacity of 20.922 MMBtu per hour, combusting natural gas or No. 2 fuel oil, exhausting through one (1) stack, identified as S/V ID # 2.

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

D.4.1 Particulate Matter Limitation (PM) [326 IAC 6-2-4]

Pursuant to 326 IAC 6-2-4 (Particulate emission limitations for sources of indirect heating: emission limitations for facilities specified in 326 IAC 6-2-1 (c)), particulate emissions from Boiler #2, which was in operation on or after September 21, 1983, shall in no case exceed 0.44 pounds of particulate matter per million British thermal units heat input. The emission limit was determined using the following formula:

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

where: Pt = Pounds of particulate matter emitted per MMBtu heat input.
Q = Total source maximum operating capacity rating in MMBtu per hour.

D.4.2 Sulfur Dioxide (SO2) [326 IAC 7-1.1-1] [326 IAC 12-1]

Pursuant to 326 IAC 7-1.1 (SO2 Emissions Limitations) and 40 CFR 60, Subpart Dc (Standards of Performance for Small Industrial-Commercial-Institutional Steam Generating Units):

(a) The SO2 emissions from the 20.922 MMBtu per hour oil-fueled boiler shall not exceed five tenths (0.5) pounds per million Btu heat input; or

(b) The sulfur content of the fuel oil shall not exceed five-tenths percent (0.5%) by weight. [40 CFR 60.42c(d)]

Pursuant to 40 CFR 60 Subpart Dc, the fuel oil sulfur content limit applies at all times, including periods of startup, shutdown, and malfunction.

D.4.3 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.

Compliance Determination Requirements

D.4.4 Testing Requirements [326 IAC 2-7-6(1),(6)]

The Permittee is not required to test this facility by this permit. However, IDEM may require compliance testing at any specific time when necessary to determine if the facility is in compliance. If testing is required by IDEM, compliance with the PM and SO2 limit specified in Condition D.4.1 and 4.2 shall be determined by a performance test conducted in accordance with Section C - Performance Testing.

D.4.5 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 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.4.6 Visible Emissions Notations

(a) Daily visible emission notations of Boiler #2 stack exhaust shall be performed once per day during normal daylight operations when exhausting to the atmosphere when burning 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 from this permit.

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

D.4.7 Record Keeping Requirements

(a) To document compliance with Condition D.4.2, the Permittee shall maintain records in accordance with (1) through (6) below. Note that pursuant to 40 CFR 60 Subpart Dc, the fuel oil sulfur limit applies at all times including periods of startup, shutdown, and malfunction.

(1) Calendar dates covered in the compliance determination period;

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

(3) A certification, signed by the owner or operator, that the records of the fuel supplier certifications represent all of the fuel combusted during the period; and

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

(4) Fuel supplier certifications;

(5) The name of the fuel supplier; and

(6) A statement from the fuel supplier that certifies the sulfur content of the fuel oil.

The Permittee shall retain records of all recording/monitoring data and support information for a period of five (5) years, or longer if specified elsewhere in this permit, from the date of the monitoring sample, measurement, or report. Support information includes all calibration and maintenance records and all original strip-chart recordings for continuous monitoring instrumentation, and copies of all reports required by this permit.

(b) To document compliance with Condition D.4.6, the Permittee shall maintain records of daily visible emission notations of Boiler #2 stack exhaust when burning No. 2 fuel oil.

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

D.4.8 Reporting Requirements

The Natural Gas Fired Boiler Certification shall be submitted when submitting monitoring, testing reports/results or other documents as required by this permit to the address listed in Section C - General Reporting Requirements, of this permit, using the certification form located at the end of this permit, or its equivalent.

SECTION D.5 FACILITY OPERATION CONDITIONS

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

One (1) silo dilute phase transporter, identified as Unit ID #13, used to convey polyethylene pneumatically from rail cars to a silo, utilizing a bin filter for particulate control and exhausting through one (1) stack, identified as S/V ID #20.

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

D.5.1 Particulate [326 IAC 6-3-2]

Pursuant to 326 IAC 6-3-2 (Particulate Emission Limitations for Manufacturing Processes), the allowable particulate emission rate from the silo dilute phase transporter (Unit ID #13) shall not exceed 5.68 pounds per hour when operating at a process weight rate of 1.625 tons per hour.

The pounds per hour limitation was calculated with the following equation:

Interpolation of the data for the process weight rate up to 60,000 pounds per hour shall be accomplished by use of the equation:

$E = 4.10 P^{0.67}$ where E = rate of emission in pounds per hour; and
P = process weight rate in tons per hour

D.5.2 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.

Compliance Determination Requirements

D.5.3 Testing Requirements [326 IAC 2-7-6(1),(6)]

The Permittee is not required to test this facility by this permit.

D.5.4 Particulate Control

(a) The control devices for particulate control shall be in operation and control emissions from the facility at all times that the facility is in operation.

(b) In the event that bag failure is observed in a multi-compartment baghouse, if operations will continue for ten (10) days or more after the failure is observed before the failed units will be repaired or replaced, the Permittee shall promptly notify the IDEM, OAQ of the expected date the failed units will be repaired or replaced. The notification shall also include the status of the applicable compliance monitoring parameters with respect to normal, and the results of any response actions taken up to the time of notification.

SECTION D.6 FACILITY OPERATION CONDITIONS

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

(a) One (1) polyethylene weigh bin line 3 with maximum weighing capacity of 345 pounds per hour, equipped with a baghouse for particulate control and exhausting through one (1) stack identified as F05.1.

(b) One (1) silica weigh bin line 3 with maximum weighing capacity of 800 pounds per hour, equipped with a baghouse for particulate control and exhausting through one (1) stack identified as F01.1.

(c) One (1) polyethylene weigh bin line 4 with maximum weighing capacity of 345 pounds per hour, equipped with a baghouse for particulate control and exhausting through one (1) stack identified as F05.2.

(d) One (1) silica weigh bin line 4 with maximum weighing capacity of 800 pounds per hour, equipped with a baghouse for particulate control and exhausting through one (1) stack identified as F01.2.

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

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

D.6.1 Particulate [326 IAC 6-3]

The particulate emissions from the emission units listed in the table below shall be limited by the following:

Interpolation of the data for the process weight rate up to sixty thousand (60,000) pounds per hour shall be accomplished by use of the equation:

$E = 4.10 P^{0.67}$ where E = rate of emission in pounds per hour and
P = process weight rate in tons per hour

The allowable emissions for each facility operating at its maximum process weight rate are as follows:

Facilities	Process Weight Rate (tons/hr)	PM Allowable Emissions (lb/hr)
Polyethylene weigh bin line 3 (F05.1)	0.1725	1.26
Silica weigh bin line 3 (F01.1)	0.40	2.20
Polyethylene weigh bin line 4 (F05.2)	0.1725	1.26
Silica weigh bin line 4 (F01.2)	0.40	2.20

D.6.2 Preventive Maintenance Plan [326 IAC 2-8-4(9)]

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

Compliance Determination Requirements

D.6.3 Particulate Control

(a) In order to comply with condition D.6.1, the baghouses for particulate control identified as F05.1, F01.1, F05.2 and F01.2 shall be in operation and control emissions from the polyethylene and silica weigh bin lines 3 and 4 at all times that these facilities are in operation.

(b) In the event that bag failure is observed in a multi-compartment baghouse, if operations will continue for ten (10) days or more after the failure is observed before the failed units will be repaired or replaced, the Permittee shall promptly notify the IDEM, OAQ of the expected date the failed units will be repaired or replaced. The notification shall also include the status of the applicable compliance monitoring parameters with respect to normal, and the results of any response actions taken up to the time of notification.

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

D.6.4 Visible Emissions Notations

(a) Visible emission notations of the F05.1, F01.1, F05.2, and F01.2 baghouse stack exhausts shall be performed once per day during normal daylight operations when exhausting to the atmosphere. 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.

D.6.5 Parametric Monitoring

The Permittee shall record the pressure drop across each of the baghouses identified as F05.1, F01.1, F05.2, and F01.2, at least once per day when systems are in operation when venting to the atmosphere. When for any one reading, the pressure drop across the baghouses (F05.1 and F05.2) is outside the normal range of 0.8 to 2.0 inches of water and the baghouses (F01.1 and F01.2) is outside the normal range of 2.53 to 4.0 or a range established during the latest stack test, the Permittee shall take reasonable response steps in accordance with Section C - Response to Excursions or Exceedances. A pressure reading that is outside the above mentioned range is not a deviation from this permit. Failure to take response steps in accordance with Section C - Response to Excursions or Exceedances, shall be considered a deviation from this permit.

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

D.6.6 Broken or Failed Bag Detection

(a) For a single compartment baghouse controlling emissions from a process operated continuously, a failed unit and the associated process shall be shut down immediately until the failed unit has been repaired or replaced. Operations may continue only if the event qualifies as an emergency and the Permittee satisfies the requirements of the emergency provisions of this permit (Section B - Emergency Provisions).

(b) For a single compartment baghouse controlling emissions from a batch process, the feed to the process shall be shut down immediately until the failed unit has been repaired or replaced. The emissions unit shall be shut down no later than the completion of the processing of the material in the line. Operations may continue only if the event qualifies as an emergency and the Permittee satisfies the requirements of the emergency provisions of this permit (Section B - Emergency Provisions).

Bag failure can be indicated by a significant drop in the baghouse's pressure reading with abnormal visible emissions, by an opacity violation, or by other means such as gas temperature, flow rate, air infiltration, leaks, dust traces or triboflows.

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

D.6.7 Record Keeping Requirements

(a) To document compliance with Condition D.6.4, the Permittee shall maintain daily records of visible emission notations of the baghouse F05.1, F01.1, F05.2, and F01.2 stack exhausts.

(b) To document compliance with Condition D.6.5, the Permittee shall maintain daily records of the pressure drop during normal operation for each baghouse.

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

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

(a) Sub-Micro (SM) Lines 3, 4 and 6 support equipment, consisting of storage tanks (Unit ID #s 11.1 through 11.6) and a trichloroethylene (TCE) recovery system (smokehouse) Unit ID #9.4.

National Emission Standards for Hazardous Air Pollutants (NESHAP) Requirements [326 IAC 2-7-5(1)]

E.1.1 General Provisions Relating to NESHAP EEEE [40 CFR Part 63, Subpart A]

Pursuant to 40 CFR 63.2398, the Permittee shall comply with the provisions of 40 CFR Part 63, Subpart A – General Provisions, as specified in Table 12 of 40 CFR Part 63, Subpart EEEE in accordance with schedule in 40 CFR 63 Subpart EEEE.

E.1.2 NESHAP Subpart EEEE Requirements [40 CFR Part 63, Subpart EEEE]

Pursuant to 40 CFR Part 63, Subpart EEEE, the Permittee shall comply with the provisions of 40 CFR Part 63.2330, as specified as follows:

What This Subpart Covers

§ 63.2330 What is the purpose of this subpart?

This subpart establishes national emission limitations, operating limits, and work practice standards for organic hazardous air pollutants (HAP) emitted from organic liquids distribution (OLD) (non-gasoline) operations at major sources of HAP emissions. This subpart also establishes requirements to demonstrate initial and continuous compliance with the emission limitations, operating limits, and work practice standards.

§ 63.2334 Am I subject to this subpart?

(a) Except as provided for in paragraphs (b) and (c) of this section, you are subject to this subpart if you own or operate an OLD operation that is located at, or is part of, a major source of HAP emissions. An OLD operation may occupy an entire plant site or be collocated with other industrial (e.g., manufacturing) operations at the same plant site.

(b) Organic liquid distribution operations located at research and development facilities, consistent with section 112(c)(7) of the Clean Air Act (CAA), are not subject to this subpart.

(c) Organic liquid distribution operations do not include the activities and equipment, including product loading racks, used to process, store, or transfer organic liquids at facilities listed in paragraph (c) (1) and (2) of this section.

(1) Oil and natural gas production field facilities, as the term “facility” is defined in §63.761 of subpart HH.

(2) Natural gas transmission and storage facilities, as the term “facility” is defined in §63.1271 of subpart HHH.

§ 63.2338 What parts of my plant does this subpart cover?

(a) This subpart applies to each new, reconstructed, or existing OLD operation affected source.

(b) Except as provided in paragraph (c) of this section, the affected source is the collection of activities and equipment used to distribute organic liquids into, out of, or within a facility that is a major source of HAP. The affected source is composed of:

(1) All storage tanks storing organic liquids.

(2) All transfer racks at which organic liquids are loaded into or unloaded out of transport vehicles and/or containers.

(3) All equipment leak components in organic liquids service that are associated with:

(i) Storage tanks storing organic liquids;

(ii) Transfer racks loading or unloading organic liquids;

(iii) Pipelines that transfer organic liquids directly between two storage tanks that are subject to this subpart;

(iv) Pipelines that transfer organic liquids directly between a storage tank subject to this subpart and a transfer rack subject to this subpart; and

(v) Pipelines that transfer organic liquids directly between two transfer racks that are subject to this subpart.

(4) All transport vehicles while they are loading or unloading organic liquids at transfer racks subject to this subpart.

(5) All containers while they are loading or unloading organic liquids at transfer racks subject to this subpart.

(f) An affected source is existing if it is not new or reconstructed.

[69 FR 5063, Feb. 3, 2004, as amended at 71 FR 42904, July 28, 2006]

§ 63.2342 When do I have to comply with this subpart?

(b)(1) If you have an existing affected source, you must comply with the emission limitations, operating limits, and work practice standards for existing affected sources no later than February 5, 2007, except as provided in paragraphs (b)(2) and (3) of this section.

§ 63.2343 What are my requirements for emission sources not requiring control?

This section establishes the notification, recordkeeping, and reporting requirements for emission sources identified in §63.2338 that do not require control under this subpart (i.e., under paragraphs (a) through (e) of §63.2346). Such emission sources are not subject to any other notification, recordkeeping, or reporting sections in this subpart, including §63.2350(c), except as indicated in paragraphs (a) through (d) of this section.

(b) For each storage tank subject to this subpart having a capacity of 18.9 cubic meters (5,000 gallons) or more that is not subject to control based on the criteria specified in Table 2 to this subpart, items 1 through 6, you must comply with the requirements specified in paragraphs (b)(1) through (3) of this section.

(1)(i) You must submit the information in §63.2386(c)(1), (2), (3), and (10)(i) in either the Notification of Compliance Status, according to the schedule specified in Table 12 to this subpart, or in your first Compliance report, according to the schedule specified in §63.2386(b), whichever occurs first.

(ii)(A) If you submit your first Compliance report before your Notification of Compliance Status, the Notification of Compliance Status must contain the information specified in §63.2386(d)(3) and (4) if any of the changes identified in paragraph (d) of this section have occurred since the filing of the first Compliance report. If none of the changes identified in paragraph (d) of this section have occurred since the filing of

the first Compliance report, you do not need to report the information specified in §63.2386(c)(10)(i) when you submit your Notification of Compliance Status.

(B) If you submit your Notification of Compliance Status before your first Compliance report, your first Compliance report must contain the information specified in §63.2386(d)(3) and (4) if any of the changes specified in paragraph (d) of this section have occurred since the filing of the Notification of Compliance Status.

(iii) If you are already submitting a Notification of Compliance Status or a first Compliance report under §63.2386(c), you do not need to submit a separate Notification of Compliance Status or first Compliance report for each storage tank that meets the conditions identified in paragraph (b) of this section (i.e., a single Notification of Compliance Status or first Compliance report should be submitted).

(2)(i) You must submit a subsequent Compliance report according to the schedule in §63.2386(b) whenever any of the events in paragraph (d) of this section occur, as applicable.

(ii) Your subsequent Compliance reports must contain the information in §63.2386(c)(1), (2), (3) and, as applicable, in §63.2386(d)(3) and (4). If you are already submitting a subsequent Compliance report under §63.2386(d), you do not need to submit a separate subsequent Compliance report for each storage tank that meets the conditions identified in paragraph (b) of this section (i.e., a single subsequent Compliance report should be submitted).

(3) For each storage tank that meets the conditions identified in paragraph (b) of this section, you must keep documentation, including a record of the annual average true vapor pressure of the total Table 1 organic HAP in the stored organic liquid, that verifies the storage tank is not required to be controlled under this subpart. The documentation must be kept up-to-date and must be in a form suitable and readily available for expeditious inspection and review according to §63.10(b)(1), including records stored in electronic form in a separate location.

(c) For each transfer rack subject to this subpart that loads organic liquids but is not subject to control based on the criteria specified in Table 2 to this subpart, items 7 through 10, you must comply with the requirements specified in paragraphs (c)(1) through (3) of this section.

(1)(i) You must submit the information in §63.2386(c)(1), (2), (3), and (10)(i) in either the Notification of Compliance Status, according to the schedule specified in Table 12 to this subpart, or a first Compliance report, according to the schedule specified in §63.2386(b), whichever occurs first.

(ii)(A) If you submit your first Compliance report before your Notification of Compliance Status, the Notification of Compliance Status must contain the information specified in §63.2386(d)(3) and (4) if any of the changes identified in paragraph (d) of this section have occurred since the filing of the first Compliance report. If none of the changes identified in paragraph (d) of this section have occurred since the filing of the first Compliance report, you do not need to report the information specified in §63.2386(c)(10)(i) when you submit your Notification of Compliance Status.

(B) If you submit your Notification of Compliance Status before your first Compliance report, your first Compliance report must contain the information specified in §63.2386(d)(3) and (4) if any of the changes specified in paragraph (d) of this section have occurred since the filing of the Notification of Compliance Status.

(iii) If you are already submitting a Notification of Compliance Status or a first Compliance report under §63.2386(c), you do not need to submit a separate Notification of Compliance Status or first Compliance report for each transfer rack that meets the conditions identified in paragraph (b) of this section (i.e., a single Notification of Compliance Status or first Compliance report should be submitted).

(2)(i) You must submit a subsequent Compliance report according to the schedule in §63.2386(b) whenever any of the events in paragraph (d) of this section occur, as applicable.

(ii) Your subsequent Compliance reports must contain the information in §63.2386(c)(1), (2), (3) and, as applicable, in §63.2386(d)(3) and (4). If you are already submitting a subsequent Compliance report under §63.2386(d), you do not need to submit a separate subsequent Compliance report for each transfer rack that meets the conditions identified in paragraph (c) of this section (i.e., a single subsequent Compliance report should be submitted).

(3) For each transfer rack that meets the conditions identified in paragraph (c) of this section, you must keep documentation, including the records specified in §63.2390(d), that verifies the transfer rack is not required to be controlled under this subpart. The documentation must be kept up-to-date and must be in a form suitable and readily available for expeditious inspection and review according to §63.10(b)(1), including records stored in electronic form in a separate location.

(d) If one or more of the events identified in paragraphs (d)(1) through (4) of this section occur since the filing of the Notification of Compliance Status or the last Compliance report, you must submit a subsequent Compliance report as specified in paragraphs (b)(3) and (c)(3) of this section.

(1) Any storage tank or transfer rack became subject to control under this subpart EEEE; or

(2) Any storage tank equal to or greater than 18.9 cubic meters (5,000 gallons) became part of the affected source but is not subject to any of the emission limitations, operating limits, or work practice standards of this subpart; or

(3) Any transfer rack (except those racks at which only unloading of organic liquids occurs) became part of the affected source; or

(4) Any of the information required in §63.2386(c)(1), §63.2386(c)(2), or §63.2386(c)(3) has changed.

General Compliance Requirements

§ 63.2350 What are my general requirements for complying with this subpart?

(a) You must be in compliance with the emission limitations, operating limits, and work practice standards in this subpart at all times when the equipment identified in §63.2338(b)(1) through (4) is in OLD operation.

(b) You must always operate and maintain your affected source, including air pollution control and monitoring equipment, according to the provisions in §63.6(e)(1)(i).

(c) Except for emission sources not required to be controlled as specified in §63.2343, you must develop a written startup, shutdown, and malfunction (SSM) plan according to the provisions in §63.6(e)(3).

[69 FR 5063, Feb. 3, 2004, as amended at 71 FR 20463, Apr. 20, 2006; 71 FR 42909, July 28, 2006]

Notifications, Reports, and Records

§ 63.2382 What notifications must I submit and when and what information should be submitted?

(a) You must submit each notification in subpart SS of this part, Table 12 to this subpart, and paragraphs (b) through (d) of this section that applies to you. You must submit these notifications according to the schedule in Table 12 to this subpart and as specified in paragraphs (b) through (d) of this section.

(b)(1) Initial Notification. If you startup your affected source before February 3, 2004, you must submit the Initial Notification no later than 120 calendar days after February 3, 2004.

§ 63.2386 What reports must I submit and when and what information is to be submitted in each?

(a) You must submit each report in subpart SS of this part, Table 11 to this subpart, Table 12 to this subpart, and in paragraphs (c) through (e) of this section that applies to you.

(b) Unless the Administrator has approved a different schedule for submission of reports under §63.10(a), you must submit each report according to Table 11 to this subpart and by the dates shown in paragraphs (b)(1) through (3) of this section, by the dates shown in subpart SS of this part, and by the dates shown in Table 12 to this subpart, whichever are applicable.

(1)(i) The first Compliance report must cover the period beginning on the compliance date that is specified for your affected source in §63.2342 and ending on June 30 or December 31, whichever date is the first date following the end of the first calendar half after the compliance date that is specified for your affected source in §63.2342.

(ii) The first Compliance report must be postmarked no later than July 31 or January 31, whichever date follows the end of the first calendar half after the compliance date that is specified for your affected source in §63.2342.

(2)(i) Each subsequent Compliance report must cover the semiannual reporting period from January 1 through June 30 or the semiannual reporting period from July 1 through December 31.

(ii) Each subsequent Compliance report must be postmarked no later than July 31 or January 31, whichever date is the first date following the end of the semiannual reporting period.

(3) For each affected source that is subject to permitting regulations pursuant to 40 CFR part 70 or 40 CFR part 71, if the permitting authority has established dates for submitting semiannual reports pursuant to 40 CFR 70.6(a)(3)(iii)(A) or 40 CFR 71.6(a)(3)(iii)(A), you may submit the first and subsequent Compliance reports according to the dates the permitting authority has established instead of according to the dates in paragraphs (b)(1) and (2) of this section.

(c) First Compliance report. The first Compliance report must contain the information specified in paragraphs (c)(1) through (10) of this section.

(1) Company name and address.

(2) Statement by a responsible official, including the official's name, title, and signature, certifying that, based on information and belief formed after reasonable inquiry, the statements and information in the report are true, accurate, and complete.

(3) Date of report and beginning and ending dates of the reporting period.

(4) Any changes to the information listed in §63.2382(d)(2) that have occurred since the submittal of the Notification of Compliance Status.

(10)(i) A listing of all transfer racks (except those racks at which only unloading of organic liquids occurs) and of tanks greater than or equal to 18.9 cubic meters (5,000 gallons) that are part of the affected source but are not subject to any of the emission limitations, operating limits, or work practice standards of this subpart.

(ii) If the information specified in paragraph (c)(10)(i) of this section has already been submitted with the Notification of Compliance Status, the information specified in paragraphs (d)(3) and (4) of this section, as applicable, shall be submitted instead.

§ 63.2390 What records must I keep?

(a) For each emission source identified in §63.2338 that does not require control under this subpart, you must keep all records identified in §63.2343.

§ 63.2394 In what form and how long must I keep my records?

(a) Your records must be in a form suitable and readily available for expeditious inspection and review according to §63.10(b)(1), including records stored in electronic form at a separate location.

(b) As specified in §63.10(b)(1), you must keep your files of all information (including all reports and notifications) for at least 5 years following the date of each occurrence, measurement, maintenance, corrective action, report, or record.

(c) You must keep each record on site for at least 2 years after the date of each occurrence, measurement, maintenance, corrective action, report, or record, according to §63.10(b)(1). You may keep the records off site for the remaining 3 years.

§ 63.2398 What parts of the General Provisions apply to me?

Table 12 to this subpart shows which parts of the General Provisions in §§63.1 through 63.15 apply to you.

§ 63.2402 Who implements and enforces this subpart?

(a) This subpart can be implemented and enforced by the U.S. Environmental Protection Agency (U.S. EPA) or a delegated authority such as your State, local, or eligible tribal agency. If the EPA Administrator has delegated authority to your State, local, or eligible tribal agency, then that agency, as well as the EPA, has the authority to implement and enforce this subpart. You should contact your EPA Regional Office (see list in §63.13) to find out if this subpart is delegated to your State, local, or eligible tribal agency.

(b) In delegating implementation and enforcement authority for this subpart to a State, local, or eligible tribal agency under 40 CFR part 63, subpart E, the authorities contained in paragraphs (b)(1) through (4) of this section are retained by the EPA Administrator and are not delegated to the State, local, or eligible tribal agency.

(1) Approval of alternatives to the nonopacity emission limitations, operating limits, and work practice standards in §63.2346(a) through (c) under §63.6(g).

(2) Approval of major changes to test methods under §63.7(e)(2)(ii) and (f) and as defined in §63.90.

(3) Approval of major changes to monitoring under §63.8(f) and as defined in §63.90.

(4) Approval of major changes to recordkeeping and reporting under §63.10(f) and as defined in §63.90.

[69 FR 5063, Feb. 3, 2004, as amended at 71 FR 42911, July 28, 2006]

§ 63.2406 What definitions apply to this subpart?

Terms used in this subpart are defined in the CAA, in §63.2, 40 CFR part 63, subparts H, PP, SS, TT, UU, and WW, and in this section. If the same term is defined in another subpart and in this section, it will have the meaning given in this section for purposes of this subpart. Notwithstanding the introductory language in §63.921, the terms “container” and “safety device” shall have the meaning found in this subpart and not in §63.921.

Actual annual average temperature, for organic liquids, means the temperature determined using the

following methods:

(1) For heated or cooled storage tanks, use the calculated annual average temperature of the stored organic liquid as determined from a design analysis of the storage tank.

(2) For ambient temperature storage tanks:

(i) Use the annual average of the local (nearest) normal daily mean temperatures reported by the National Climatic Data Center; or

(ii) Use any other method that the EPA approves.

Annual average true vapor pressure means the equilibrium partial pressure exerted by the total Table 1 organic HAP in the stored or transferred organic liquid. For the purpose of determining if a liquid meets the definition of an organic liquid, the vapor pressure is determined using standard conditions of 77 degrees F and 29.92 inches of mercury. For the purpose of determining whether an organic liquid meets the applicability criteria in Table 2, items 1 through 6, to this subpart, use the actual annual average temperature as defined in this subpart. The vapor pressure value in either of these cases is determined:
(1) In accordance with methods described in American Petroleum Institute Publication 2517, Evaporative Loss from External Floating-Roof Tanks (incorporated by reference, see §63.14);

(2) Using standard reference texts;

(3) By the American Society for Testing and Materials Method D2879–83, 96 (incorporated by reference, see §63.14); or

(4) Using any other method that the EPA approves.

Bottoms receiver means a tank that collects distillation bottoms before the stream is sent for storage or for further processing downstream.

Cargo tank means a liquid-carrying tank permanently attached and forming an integral part of a motor vehicle or truck trailer. This term also refers to the entire cargo tank motor vehicle or trailer. For the purpose of this subpart, vacuum trucks used exclusively for maintenance or spill response are not considered cargo tanks.

Closed vent system means a system that is not open to the atmosphere and is composed of piping, ductwork, connections, and, if necessary, flow-inducing devices that transport gas or vapors from an emission point to a control device. This system does not include the vapor collection system that is part of some transport vehicles or the loading arm or hose that is used for vapor return. For transfer racks, the closed vent system begins at, and includes, the first block valve on the downstream side of the loading arm or hose used to convey displaced vapors.

Combustion device means an individual unit of equipment, such as a flare, oxidizer, catalytic oxidizer, process heater, or boiler, used for the combustion of organic emissions.

Container means a portable unit in which a material can be stored, transported, treated, disposed of, or otherwise handled. Examples of containers include, but are not limited to, drums and portable cargo containers known as “portable tanks” or “totes.”

Control device means any combustion device, recovery device, recapture device, or any combination of these devices used to comply with this subpart. Such equipment or devices include, but are not limited to, absorbers, adsorbers, condensers, and combustion devices. Primary condensers, steam strippers, and fuel gas systems are not considered control devices.

Crude oil means any of the naturally occurring liquids commonly referred to as crude oil, regardless of

specific physical properties. Only those crude oils downstream of the first point of custody transfer after the production field are considered crude oils in this subpart.

Custody transfer means the transfer of hydrocarbon liquids after processing and/or treatment in the producing operations, or from storage tanks or automatic transfer facilities to pipelines or any other forms of transportation.

Design evaluation means a procedure for evaluating control devices that complies with the requirements in §63.985(b)(1)(i).

Deviation means any instance in which an affected source subject to this subpart, or portion thereof, or an owner or operator of such a source:

(1) Fails to meet any requirement or obligation established by this subpart including, but not limited to, any emission limitation (including any operating limit) or work practice standard;

(2) Fails to meet any term or condition that is adopted to implement an applicable requirement in this subpart, and that is included in the operating permit for any affected source required to obtain such a permit; or
(3) Fails to meet any emission limitation (including any operating limit) or work practice standard in this subpart during SSM.

Emission limitation means an emission limit, opacity limit, operating limit, or visible emission limit.

Equipment leak component means each pump, valve, and sampling connection system used in organic liquids service at an OLD operation. Valve types include control, globe, gate, plug, and ball. Relief and check valves are excluded.

Gasoline means any petroleum distillate or petroleum distillate/alcohol blend having a Reid vapor pressure of 27.6 kilopascals (4.0 pounds per square inch absolute (psia)) or greater which is used as a fuel for internal combustion engines. Aviation gasoline is included in this definition.

High throughput transfer rack means those transfer racks that transfer into transport vehicles (for existing affected sources) or into transport vehicles and containers (for new affected sources) a total of 11.8 million liters per year or greater of organic liquids.

In organic liquids service means that an equipment leak component contains or contacts organic liquids having 5 percent by weight or greater of the organic HAP listed in Table 1 to this subpart.

Low throughput transfer rack means those transfer racks that transfer into transport vehicles (for existing affected sources) or into transport vehicles and containers (for new affected sources) less than 11.8 million liters per year of organic liquids.

On-site or on site means, with respect to records required to be maintained by this subpart or required by another subpart referenced by this subpart, that records are stored at a location within a major source which encompasses the affected source. On-site includes, but is not limited to, storage at the affected source to which the records pertain, storage in central files elsewhere at the major source, or electronically available at the site.

Organic liquid means:

(1) Any non-crude oil liquid or liquid mixture that contains 5 percent by weight or greater of the organic HAP listed in Table 1 to this subpart, as determined using the procedures specified in §63.2354(c).

(2) Any crude oils downstream of the first point of custody transfer.
(3) Organic liquids for purposes of this subpart do not include the following liquids:

(i) Gasoline (including aviation gasoline), kerosene (No. 1 distillate oil), diesel (No. 2 distillate oil), asphalt, and heavier distillate oils and fuel oils;

(ii) Any fuel consumed or dispensed on the plant site directly to users (such as fuels for fleet refueling or for refueling marine vessels that support the operation of the plant);

(iii) Hazardous waste;

(iv) Wastewater;

(v) Ballast water: or

(vi) Any non-crude oil liquid with an annual average true vapor pressure less than 0.7 kilopascals (0.1 psia).

Organic liquids distribution (OLD) operation means the combination of activities and equipment used to store or transfer organic liquids into, out of, or within a plant site regardless of the specific activity being performed. Activities include, but are not limited to, storage, transfer, blending, compounding, and packaging.

Permitting authority means one of the following:

(1) The State Air Pollution Control Agency, local agency, or other agency authorized by the EPA Administrator to carry out a permit program under 40 CFR part 70; or

(2) The EPA Administrator, in the case of EPA-implemented permit programs under title V of the CAA (42 U.S.C. 7661) and 40 CFR part 71.

Plant site means all contiguous or adjoining surface property that is under common control, including surface properties that are separated only by a road or other public right-of-way. Common control includes surface properties that are owned, leased, or operated by the same entity, parent entity, subsidiary, or any combination.

Research and development facility means laboratory and pilot plant operations whose primary purpose is to conduct research and development into new processes and products, where the operations are under the close supervision of technically trained personnel, and which are not engaged in the manufacture of products for commercial sale, except in a de minimis manner.

Responsible official means responsible official as defined in 40 CFR 70.2 and 40 CFR 71.2, as applicable.

Safety device means a closure device such as a pressure relief valve, frangible disc, fusible plug, or any other type of device that functions exclusively to prevent physical damage or permanent deformation to a unit or its air emission control equipment by venting gases or vapors directly to the atmosphere during unsafe conditions resulting from an unplanned, accidental, or emergency event.
Shutdown means the cessation of operation of an OLD affected source, or portion thereof (other than as part of normal operation of a batch-type operation), including equipment required or used to comply with this subpart, or the emptying and degassing of a storage tank. Shutdown as defined here includes, but is not limited to, events that result from periodic maintenance, replacement of equipment, or repair.

Startup means the setting in operation of an OLD affected source, or portion thereof (other than as part of normal operation of a batch-type operation), for any purpose. Startup also includes the placing in operation of any individual piece of equipment required or used to comply with this subpart including, but not limited to, control devices and monitors.

Storage tank means a stationary unit that is constructed primarily of nonearthen materials (such as wood,

concrete, steel, or reinforced plastic) that provide structural support and is designed to hold a bulk quantity of liquid. Storage tanks do not include:

(1) Units permanently attached to conveyances such as trucks, trailers, rail cars, barges, or ships;

(2) Pressure vessels designed to operate in excess of 204.9 kilopascals and without emissions to the atmosphere;

(3) Bottoms receivers;

(4) Surge control vessels;

(5) Vessels storing wastewater; or

(6) Reactor vessels associated with a manufacturing process unit.

Tank car means a car designed to carry liquid freight by rail, and including a permanently attached tank.

Total actual annual facility-level organic liquid loading volume means the total facility-level actual volume of organic liquid loaded for transport within or out of the facility through transfer racks that are part of the affected source into transport vehicles (for existing affected sources) or into transport vehicles and containers (for new affected sources) based on a 3-year rolling average, calculated annually.

(1) For existing affected sources, each 3-year rolling average is based on actual facility-level loading volume during each calendar year (January 1 through December 31) in the 3-year period. For calendar year 2004 only (the first year of the initial 3-year rolling average), if an owner or operator of an affected source does not have actual loading volume data for the time period from January 1, 2004, through February 2, 2004 (the time period prior to the effective date of the OLD NESHAP), the owner or operator shall compute a facility-level loading volume for this time period as follows: At the end of the 2004 calendar year, the owner or operator shall calculate a daily average facility-level loading volume (based on the actual loading volume for February 3, 2004, through December 31, 2004) and use that daily average to estimate the facility-level loading volume for the period of time from January 1, 2004, through February 2, 2004. The owner or operator shall then sum the estimated facility-level loading volume from January 1, 2004, through February 2, 2004, and the actual facility-level loading volume from February 3, 2004, through December 31, 2004, to calculate the annual facility-level loading volume for calendar year 2004.

(2)(i) For new affected sources, the 3-year rolling average is calculated as an average of three 12-month periods. An owner or operator must select as the beginning calculation date with which to start the calculations as either the initial startup date of the new affected source or the first day of the calendar month following the month in which startup occurs. Once selected, the date with which the calculations begin cannot be changed.

(ii) The initial 3-year rolling average is based on the projected maximum facility-level annual loading volume for each of the 3 years following the selected beginning calculation date. The second 3-year rolling average is based on actual facility-level loading volume for the first year of operation plus a new projected maximum facility-level annual loading volume for second and third years following the selected beginning calculation date. The third 3-year rolling average is based on actual facility-level loading volume for the first 2 years of operation plus a new projected maximum annual facility-level loading volume for the third year following the beginning calculation date. Subsequent 3-year rolling averages are based on actual facility-level loading volume for each year in the 3-year rolling average.

Transfer rack means a single system used to load organic liquids into, or unload organic liquids out of,

transport vehicles or containers. It includes all loading and unloading arms, pumps, meters, shutoff valves, relief valves, and other piping and equipment necessary for the transfer operation. Transfer equipment and operations that are physically separate (i.e., do not share common piping, valves, and other equipment) are considered to be separate transfer racks.

Transport vehicle means a cargo tank or tank car.

Vapor balancing system means: (1) A piping system that collects organic HAP vapors displaced from transport vehicles or containers during loading and routes the collected vapors to the storage tank from which the liquid being loaded originated or to another storage tank connected to a common header. For containers, the piping system must route the displaced vapors directly to the appropriate storage tank or to another storage tank connected to a common header in order to qualify as a vapor balancing system; or (2) a piping system that collects organic HAP vapors displaced from the loading of a storage tank and routes the collected vapors to the transport vehicle from which the storage tank is filled.

Vapor collection system means any equipment located at the source (i.e., at the OLD operation) that is not open to the atmosphere; that is composed of piping, connections, and, if necessary, flow-inducing devices; and that is used for:

(1) Containing and conveying vapors displaced during the loading of transport vehicles to a control device;

(2) Containing and directly conveying vapors displaced during the loading of containers; or
(3) Vapor balancing. This does not include any of the vapor collection equipment that is installed on the transport vehicle.

Vapor-tight transport vehicle means a transport vehicle that has been demonstrated to be vapor-tight. To be considered vapor-tight, a transport vehicle equipped with vapor collection equipment must undergo a pressure change of no more than 250 pascals (1 inch of water) within 5 minutes after it is pressurized to 4,500 pascals (18 inches of water). This capability must be demonstrated annually using the procedures specified in EPA Method 27 of 40 CFR part 60, appendix A. For all other transport vehicles, vapor tightness is demonstrated by performing the U.S. DOT pressure test procedures for tank cars and cargo tanks.

Work practice standard means any design, equipment, work practice, or operational standard, or combination thereof, that is promulgated pursuant to section 112(h) of the CAA.

Table 1 to Subpart EEEE of Part 63—Organic Hazardous Air Pollutants

You must use the organic HAP information listed in the following table to determine which of the liquids handled at your facility meet the HAP content criteria in the definition of Organic Liquid in §63.2406.

Compound name	CAS No.\1\
2,4-D salts and esters	94-75-7
Acetaldehyde	75-07-0
Acetonitrile	75-05-8
Acetophenone	98-86-2
Acrolein	107-02-8
Acrylamide	79-06-1
Acrylic acid	79-10-7
Acrylonitrile	107-13-1
Allyl chloride	107-05-1
Aniline	62-53-3
Benzene	71-43-2
Biphenyl	92-52-4
Butadiene (1,3-)	106-99-0
Carbon tetrachloride	56-23-5
Chloroacetic acid	79-11-8
Chlorobenzene	108-90-7
2-Chloro-1,3-butadiene (Chloroprene)	126-99-8
Chloroform	67-66-3
m-Cresol	108-39-4
o-Cresol	95-48-7
p-Cresol	106-44-5
Cresols/cresylic acid	1319-77-3
Cumene	98-82-8
Dibenzofurans	132-64-9
Dibutylphthalate	84-74-2
Dichloroethane (1,2-) (Ethylene dichloride) (EDC)	107-06-2
Dichloropropene (1,3-)	542-75-6
Diethanolamine	111-42-2
Diethyl aniline (N,N-)	121-69-7
Diethylene glycol monobutyl ether	112-34-5
Diethylene glycol monomethyl ether	111-77-3
Diethyl sulfate	64-67-5
Dimethyl formamide	68-12-2
Dimethylhydrazine (1,1-)	57-14-7
Dioxane (1,4-) (1,4-Diethyleneoxide)	123-91-1
Epichlorohydrin (1-Chloro-2,3-epoxypropane)	106-89-8
Epoxybutane (1,2-)	106-88-7
Ethyl acrylate	140-88-5
Ethylbenzene	100-41-4
Ethyl chloride (Chloroethane)	75-00-3
Ethylene dibromide (Dibromomethane)	106-93-4
Ethylene glycol	107-21-1
Ethylene glycol dimethyl ether	110-71-4
Ethylene glycol monomethyl ether	109-86-4
Ethylene glycol monomethyl ether acetate	110-49-6
Ethylene glycol monophenyl ether	122-99-6
Ethylene oxide	75-21-8
Ethylidene dichloride (1,1-Dichloroethane)	75-34-3
Formaldehyde	50-00-0
Hexachloroethane	67-72-1
Hexane	110-54-3
Hydroquinone	123-31-9
Isophorone	78-59-1
Maleic anhydride	108-31-6
Methanol	67-56-1
Methyl chloride (Chloromethane)	74-87-3
Methylene chloride (Dichloromethane)	75-09-2
Methylenedianiline (4,4[prime]-)	101-77-9

Compound name	CAS No.\1\
Methylene diphenyl diisocyanate	101-68-8
Methyl hydrazine	60-34-4
Methyl isobutyl ketone (Hexone) (MIBK)	108-10-1
Methyl methacrylate	80-62-6
Methyl tert-butyl ether (MTBE)	1634-04-4
Naphthalene	91-20-3
Nitrobenzene	98-95-3
Phenol	108-9-52
Phthalic anhydride	85-44-9
Polycyclic organic matter	50-32-8
Propionaldehyde	123-38-6
Propylene dichloride (1,2-Dichloropropane)	78-87-5
Propylene oxide	75-56-9
Quinoline	91-22-5
Styrene	100-42-5
Styrene oxide	96-09-3
Tetrachloroethane (1,1,2,2-)	79-34-5
Tetrachloroethylene (Perchloroethylene)	127-18-4
Toluene	108-88-3
Toluene diisocyanate (2,4-)	584-84-9
o-Toluidine	95-53-4
Trichlorobenzene (1,2,4-)	120-82-1
Trichloroethane (1,1,1-) (Methyl chloroform)	71-55-6
Trichloroethane (1,1,2-) (Vinyl trichloride)	79-00-5
Trichloroethylene	79-01-6
Triethylamine	121-44-8
Trimethylpentane (2,2,4-)	540-84-1
Vinyl acetate	108-05-4
Vinyl chloride (Chloroethylene)	75-01-4
Vinylidene chloride (1,1-Dichloroethylene)	75-35-4
Xylene (m-)	108-38-3
Xylene (o-)	95-47-6
Xylene (p-)	106-42-3
Xylenes (isomers and mixtures)	1330-20-7

\1\ CAS numbers refer to the Chemical Abstracts Services registry number assigned to specific compounds, isomers, or mixtures of compounds.

Table 12 to Subpart EEEE of Part 63—Applicability of General Provisions to Subpart EEEE

As stated in §§63.2382 and 63.2398, you must comply with the applicable General Provisions requirements as follows:

Citation	Subject	Brief description	Applies to subpart EEEE
§ 63.1	Applicability	Initial applicability determination; Applicability after standard established; Permit requirements; Extensions, Notifications.	Yes.
§ 63.2	Definitions	Definitions for part 63 standards.	Yes.
§ 63.3	Units and Abbreviations.	Units and abbreviations for part 63 standards.	Yes.
§ 63.4	Prohibited Activities and Circumvention.	Prohibited activities; Circumvention, Severability.	Yes.
§ 63.5	Construction/ Reconstruction.	Applicability; Applications; Approvals.	Yes.
§ 63.6(a)	Compliance with Standards/O&M Applicability.	GP apply unless compliance extension; GP apply to area sources that become major.	Yes.
§ 63.6(b)(1)-(4)	Compliance Dates for New and Reconstructed Sources.	Standards apply at effective date; 3 years after effective date; upon startup; 10 years after construction or reconstruction commences for section 112(f).	Yes.
§ 63.6(b)(5)	Notification	Must notify if commenced construction or reconstruction after proposal.	Yes.
§ 63.6(b)(6)	[Reserved].		

Citation	Subject	Brief description	Applies to subpart EEEE
§ 63.6(b)(7).....	Compliance Dates for New and Reconstructed Area Sources That Become Major.	Area sources that become major must comply with major source standards immediately upon becoming major, regardless of whether required to comply when they were an area source.	Yes.
§ 63.6(c)(1)-(2).....	Compliance Dates for Existing Sources.	Comply according to date in this subpart, which must be no later than 3 years after effective date; for section 112(f) standards, comply within 90 days of effective date unless compliance extension.	Yes.
§ 63.6(c)(3)-(4).....	[Reserved].		
§ 63.6(c)(5).....	Compliance Dates for Existing Area Sources That Become Major.	Area sources that become major must comply with major source standards by date indicated in this subpart or by equivalent time period (e.g., 3 years).	Yes.
§ 63.6(d).....	[Reserved].		
§ 63.6(e)(1).....	Operation & Maintenance.	Operate to minimize emissions at all times; correct malfunctions as soon as practicable; and operation and maintenance requirements independently enforceable; information Administrator will use to determine if operation and maintenance requirements were met.	Yes.
§ 63.6(e)(2).....	[Reserved].		
§ 63.6(e)(3).....	SSM Plan.....	Requirement for SSM plan; content of SSM plan; actions during SSM.	Yes; however, (1) the 2-day reporting requirement in paragraph § 63.6(e)(3)(iv) does not apply and (2) § 63.6(e)(3) does not apply to emissions sources not requiring control.

Citation	Subject	Brief description	Applies to subpart EEEE
§ 63.6(f)(1).....	Compliance Except During SSM.	You must comply with emission standards at all times except during SSM.	Yes.
§ 63.6(f)(2)-(3).....	Methods for Determining Compliance.	Compliance based on performance test, operation and maintenance plans, records, inspection.	Yes.
§ 63.6(g)(1)-(3).....	Alternative Standard..	Procedures for getting an alternative standard.	Yes.
§ 63.6(h).....	Opacity/Visible Emission Standards.	Requirements for compliance with opacity and visible emission standards.	No; except as it applies to flares for which Method 22 observations are required as part of a flare compliance assessment.
§ 63.6(i)(1)-(14).....	Compliance Extension..	Procedures and criteria for Administrator to grant compliance extension.	Yes.
§ 63.6(j).....	Presidential Compliance Exemption.	President may exempt any source from requirement to comply with this subpart.	Yes.
§ 63.7(a)(2).....	Performance Test Dates	Dates for conducting initial performance testing; must conduct 180 days after compliance date.	Yes.
§ 63.7(a)(3).....	Section 114 Authority.	Adminsitrator may require a performance test under CAA section 114 at any time.	Yes.
§ 63.7(b)(1).....	Notification of Performance Test.	Must notify Administrator 60 days before the test.	Yes.
§ 63.7(b)(2).....	Notification of Rescheduling.	If you have to reschedule performance test, must notify Administrator of rescheduled date as soon as practicable and without delay.	Yes.

Citation	Subject	Brief description	Applies to subpart EEEE
§ 63.7(c).....	Quality Assurance (QA)/ Test Plan.	Requirement to submit site-specific test plan 60 days before the test or on date Administrator agrees with; test plan approval procedures; performance audit requirements; internal and external QA procedures for testing.	Yes.
§ 63.7(d).....	Testing Facilities....	Requirements for testing facilities.	Yes.
§ 63.7(e)(1).....	Conditions for Conducting Performance Tests.	Performance tests must be conducted under representative conditions; cannot conduct performance tests during SSM.	Yes.
§ 63.7(e)(2).....	Conditions for Conducting Performance Tests.	Must conduct according to this subpart and EPA test methods unless Administrator approves alternative.	Yes.
§ 63.7(e)(3).....	Test Run Duration.....	Must have three test runs of at least 1 hour each; compliance is based on arithmetic mean of three runs; conditions when data from an additional test run can be used.	Yes; however, for transfer racks per §§ 63.987(b)(3)(i)(A)-(B) and 63.997(e)(1)(v)(A)-(B) provide exceptions to the requirement for test runs to be at least 1 hour each.
§ 63.7(f).....	Alternative Test Method.	Procedures by which Administrator can grant approval to use an intermediate or major change, or alternative to a test method.	Yes.

Citation	Subject	Brief description	Applies to subpart EEEE
§ 63.7(g).....	Performance Test Data Analysis.	Must include raw data in performance test report; must submit performance test data 60 days after end of test with the Notification of Compliance Status; keep data for 5 years.	Yes; however, performance test data is to be submitted with the Notification of Compliance Status according to the schedule specified in § 63.9(h)(1)-(6) below.
§ 63.7(h).....	Waiver of Tests.....	Procedures for Administrator to waive performance test.	Yes.
§ 63.8(a)(1).....	Applicability of Monitoring Requirements.	Subject to all monitoring requirements in standard.	Yes.
§ 63.8(a)(2).....	Performance Specifications.	Performance Specifications in appendix B of 40 CFR part 60 apply.	Yes.
§ 63.8(a)(3).....	[Reserved].		
§ 63.8(a)(4).....	Monitoring of Flares..	Monitoring requirements for flares in § 63.11.	Yes; however, monitoring requirements in § 63.987(c) also apply.
§ 63.8(b)(1).....	Monitoring.....	Must conduct monitoring according to standard unless Administrator approves alternative.	Yes.
§ 63.8(b)(2)-(3).....	Multiple Effluents and Multiple Monitoring Systems.	Specific requirements for installing monitoring systems; must install on each affected source or after combined with another affected source before it is released to the atmosphere provided the monitoring is sufficient to demonstrate compliance with the standard; if more than one monitoring system on an emission point, must report all monitoring system results, unless one monitoring system is a backup.	Yes.
§ 63.8(c)(1).....	Monitoring System Operation and Maintenance.	Maintain monitoring system in a manner consistent with good air pollution control practices.	Yes.

Citation	Subject	Brief description	Applies to subpart EEEE
§ 63.8(c)(1)(i)_(iii).....	Routine and Predictable SSM.	Keep parts for routine repairs readily available; reporting requirements for SSM when action is described in SSM plan..	Yes.
§ 63.8(c)(2)-(3).....	Monitoring System Installation.	Must install to get representative emission or parameter measurements; must verify operational status before or at performance test.	Yes.
§ 63.8(c)(4).....	CMS Requirements.....	CMS must be operating except during breakdown, out-of control, repair, maintenance, and high-level calibration drifts; COMS must have a minimum of one cycle of sampling and analysis for each successive 10-second period and one cycle of data recording for each successive 6-minute period; CEMS must have a minimum of one cycle of operation for each successive 15-minute period.	Yes; however, COMS are not applicable.
§ 63.8(c)(5).....	COMS Minimum Procedures.	COMS minimum procedures....	No.
§ 63.8(c)(6)-(8).....	CMS Requirements.....	Zero and high level calibration check requirements. Out-of-control periods.	Yes, but only applies for CEMS. 40 CFR part 63, subpart SS provides requirements for CPMS.
§ 63.8(d).....	CMS Quality Control...	Requirements for CMS quality control, including calibration, etc.; must keep quality control plan on record for 5 years; keep old versions for 5 years after revisions.	Yes, but only applies for CEMS. 40 CFR part 63, subpart SS provides requirements for CPMS.
§ 63.8(e).....	CMS Performance Evaluation.	Notification, performance evaluation test plan, reports.	Yes, but only applies for CEMS.

Citation	Subject	Brief description	Applies to subpart EEEE
§ 63.8(f)(1)-(5).....	Alternative Monitoring Method.	Procedures for Administrator to approve alternative monitoring.	Yes, but 40 CFR part 63, subpart SS also provides procedures for approval of CPMS.
§ 63.8(f)(6).....	Alternative to Relative Accuracy Test.	Procedures for Administrator to approve alternative relative accuracy tests for CEMS.	Yes.
§ 63.8(g).....	Data Reduction.....	COMS 6-minute averages calculated over at least 36 evenly spaced data points; CEMS 1 hour averages computed over at least 4 equally spaced data points; data that cannot be used in average.	Yes; however, COMS are not applicable.
§ 63.9(a).....	Notification Requirements.	Applicability and State delegation.	Yes.
§ 63.9(b)(1)-(2), (4)-(5).....	Initial Notifications.	Submit notification within 120 days after effective date; notification of intent to construct/ reconstruct, notification of commencement of construction/ reconstruction, notification of startup; contents of each.	Yes.
§ 63.9(c).....	Request for Compliance Extension.	Can request if cannot comply by date or if installed best available control technology or lowest achievable emission rate (BACT/LAER).	Yes.
§ 63.9(d).....	Notification of Special Compliance Requirements for New Sources.	For sources that commence construction between proposal and promulgation and want to comply 3 years after effective date.	Yes.
§ 63.9(e).....	Notification of Performance Test.	Notify Administrator 60 days prior.	Yes.
§ 63.9(f).....	Notification of VE/ Opacity Test.	Notify Administrator 30 days prior.	No.

Citation	Subject	Brief description	Applies to subpart EEEE
§ 63.9(g).....	Additional Notifications When Using CMS.	Notification of performance evaluation; notification about use of COMS data; notification that exceeded criterion for relative accuracy alternative.	Yes; however, there are no opacity standards.
§ 63.9(h)(1)-(6).....	Notification of Compliance Status.	Contents due 60 days after end of performance test or other compliance demonstration, except for opacity/visible emissions, which are due 30 days after; when to submit to Federal vs. State authority.	Yes; however, (1) there are no opacity standards and (2) all initial Notification of Compliance Status, including all performance test data, are to be submitted at the same time, either within 240 days after the compliance date or within 60 days after the last performance test demonstrating compliance has been completed, whichever occurs first.
§ 63.9(i).....	Adjustment of Submittal Deadlines.	Procedures for Administrator to approve change in when notifications must be submitted.	Yes.
§ 63.9(j).....	Change in Previous Information.	Must submit within 15 days after the change.	No. These changes will be reported in the first and subsequent compliance reports.
§ 63.10(a).....	Recordkeeping/ Reporting.	Applies to all, unless compliance extension; when to submit to Federal vs. State authority; procedures for owners of more than one source.	Yes.
§ 63.10(b)(1).....	Recordkeeping/ Reporting.	General requirements; keep all records readily available; keep for 5 years.	Yes.

Citation	Subject	Brief description	Applies to subpart EEEE
§ 63.10(b)(2)(i)-(iv).....	Records Related to Startup, Shutdown, and Malfunction.	Occurrence of each for operations (process equipment); occurrence of each malfunction of air pollution control equipment; maintenance on air pollution control equipment; actions during SSM.	Yes.
§ 63.10(b)(2)(vi)-(xi).....	CMS Records.....	Malfunctions, inoperative, out-of-control periods.	Yes.
§ 63.10(b)(2)(xii).....	Records.....	Records when under waiver..	Yes.
§ 63.10(b)(2)(xiii).....	Records.....	Records when using alternative to relative accuracy test.	Yes.
§ 63.10(b)(2)(xiv).....	Records.....	All documentation supporting initial notification and notification of compliance status.	Yes.
§ 63.10(b)(3).....	Records.....	Applicability determinations.	Yes.
§ 63.10(c).....	Records.....	Additional records for CMS.	Yes.
§ 63.10(d)(1).....	General Reporting Requirements.	Requirement to report.....	Yes.
§ 63.10(d)(2).....	Report of Performance Test Results.	When to submit to Federal or State authority.	Yes.
§ 63.10(d)(3).....	Reporting Opacity or VE Observations.	What to report and when....	Yes.
§ 63.10(d)(4).....	Progress Reports.....	Must submit progress reports on schedule if under compliance extension.	Yes.
§ 63.10(d)(5).....	SSM Reports.....	Contents and submission....	Yes.
§ 63.10(e)(1)-(2).....	Additional CMS Reports	Must report results for each CEMS on a unit; written copy of CMS performance evaluation; 2-3 copies of COMS performance evaluation.	Yes; however, COMS are not applicable.
§ 63.10(e)(3)(i)-(iii).....	Reports.....	Schedule for reporting excess emissions and parameter monitor exceedance (now defined as deviations).	Yes; however, note that the title of the report is the compliance report; deviations include excess emissions and parameter exceedances.

Citation	Subject	Brief description	Applies to subpart EEEE
§ 63.10(e)(3)(iv)-(v).....	Excess Emissions Reports.	Requirement to revert to quarterly submission if there is an excess emissions or parameter monitoring exceedance (now defined as deviations); provision to request semiannual reporting after compliance for 1 year; submit report by 30th day following end of quarter or calendar half; if there has not been an exceedance or excess emissions (now defined as deviations), report contents in a statement that there have been no deviations; must submit report containing all of the information in §§ 63.8(c)(7)-(8) and 63.10(c)(5)-(13).	Yes.
§ 63.10(e)(3)(vi)-(viii).....	Excess Emissions Report and Summary Report.	Requirements for reporting excess emissions for CMS (now called deviations); requires all of the information in §§ 63.10(c)(5)-(13) and 63.8(c)(7)-(8).	Yes.
§ 63.10(e)(4).....	Reporting COMS Data...	Must submit COMS data with performance test data.	No.
§ 63.10(f).....	Waiver for Recordkeeping/ Reporting.	Procedures for Administrator to waive.	Yes.
§ 63.11(b).....	Flares.....	Requirements for flares....	Yes; § 63.987 requirements apply, and the section references § 63.11(b).
§ 63.12.....	Delegation.....	State authority to enforce standards.	Yes.
§ 63.13.....	Addresses.....	Addresses where reports, notifications, and requests are sent.	Yes.
§ 63.14.....	Incorporation by Reference.	Test methods incorporated by reference.	Yes.
§ 63.15.....	Availability of Information.	Public and confidential information.	Yes.

E.1.3 One Time Deadlines Relating to NESHAP EEEE

(a) The Permittee submitted Initial Notification on November 9, 2006 [40 CFR 63.2382(b)].

(b) The Permittee shall conduct initial compliance demonstrations no later than February 3, 2007 [40 CFR 63.2342].

(c) The Permittee shall submit first Semi-annual Compliance Report no later than July 31, 2007 [40 CFR 63.2386(b)(1)(ii)].

INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
OFFICE OF AIR QUALITY

PART 70 OPERATING PERMIT
CERTIFICATION

Source Name: Daramic, Inc.
Source Address: 3430 Cline Road, Corydon, Indiana, 47112-8706
Mailing Address: 3430 Cline Road, Corydon, Indiana, 47112-8706
Part 70 Permit No.: T-061-5983-00012

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

Please check what document is being certified:

☐ Annual Compliance Certification Letter

☐ Test Result (specify)

☐ Report (specify)

☐ Notification (specify)

☐ Affidavit (specify)

☐ Other (specify)

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

Signature:
Printed Name:
Title/Position:
Phone:
Date:

INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
OFFICE OF AIR QUALITY

COMPLIANCE BRANCH
100 North Senate Avenue
Indianapolis, Indiana 46204-2251
Phone: 317-233-0178
Fax: 317-233-6865

PART 70 OPERATING PERMIT
EMERGENCY OCCURRENCE REPORT

Source Name: Daramic, LLC
Source Address: 3430 Cline Road, Corydon, Indiana, 47112-8706
Mailing Address: 3430 Cline Road, Corydon, Indiana, 47112-8706
Part 70 Permit No.: T-061-5983-00012

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

☐ This is an emergency as defined in 326 IAC 2-7-1(12)

X 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

X The Permittee must submit notice in writing or by facsimile within two (**2**) working days (Facsimile Number: 317-233-6865), and follow the other requirements of 326 IAC 2-7-16.

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

Facility/Equipment/Operation:
Control Equipment:
Permit Condition or Operation Limitation in Permit:
Description of the Emergency:
Describe the cause of the Emergency:

If any of the following are not applicable, mark N/A **Page 2 of 2**

Date/Time Emergency started:
Date/Time Emergency was corrected:
Was the facility being properly operated at the time of the emergency? Y N
Type of Pollutants Emitted: TSP, PM-10, SO_2, VOC, NO_X, CO, Pb, other:
Estimated amount of pollutant(s) emitted during emergency:
Describe the steps taken to mitigate the problem:
Describe the corrective actions/response steps taken:
Describe the measures taken to minimize emissions:
If applicable, describe the reasons why continued operation of the facilities are necessary to prevent imminent injury to persons, severe damage to equipment, substantial loss of capital investment, or loss of product or raw materials of substantial economic value:

Form Completed by:

Title / Position:

Date:

Phone:

A certification is not required for this report.

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

PART 70 OPERATING PERMIT
SEMI-ANNUAL NATURAL GAS FIRED BOILER CERTIFICATION

Source Name: Daramic,LLC
Source Address: 3430 Cline Road, Corydon, Indiana, 47112-8706
Mailing Address: 3430 Cline Road, Corydon, Indiana, 47112-8706
Part 70 Permit No.: T-061-5983-00012

☐ Natural Gas Only
☐ Alternate Fuel burned
From:_____ To:_____

I certify that, based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate, and complete. Signature:
Printed Name:
Title/Position:
Phone:
Date:

A certification by the responsible official as defined by 326 IAC 2-7-1(34) is required for this report.

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

PART 70 OPERATING PERMIT
QUARTERLY DEVIATION AND COMPLIANCE MONITORING REPORT

Source Name: Daramic, LLC
Source Address: 3430 Cline Road, Corydon, Indiana, 47112-8706
Mailing Address: 3430 Cline Road, Corydon, Indiana, 47112-8706
Part 70 Permit No.: T-061-5983-00012

Months: _____ to _____ Year: _____

Page 1 of 2

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

☐ NO DEVIATIONS OCCURRED THIS REPORTING PERIOD.

☐ THE FOLLOWING DEVIATIONS OCCURRED THIS REPORTING PERIOD

Permit Requirement (specify permit condition #)

Date of Deviation:	**Duration of Deviation:**

Number of Deviations:

Probable Cause of Deviation:

Response Steps Taken:

Permit Requirement (specify permit condition #)

Date of Deviation:	**Duration of Deviation:**

Number of Deviations:

Probable Cause of Deviation:

Response Steps Taken:

Page 2 of 2

Permit Requirement (specify permit condition #)	
Date of Deviation:	**Duration of Deviation:**
Number of Deviations:	
Probable Cause of Deviation:	
Response Steps Taken:	
Permit Requirement (specify permit condition #)	
Date of Deviation:	**Duration of Deviation:**
Number of Deviations:	
Probable Cause of Deviation:	
Response Steps Taken:	
Permit Requirement (specify permit condition #)	
Date of Deviation:	**Duration of Deviation:**
Number of Deviations:	
Probable Cause of Deviation:	
Response Steps Taken:	

Form Completed By:

Title/Position:

Date:

Phone:

Attach a signed certification to complete this report.

Indiana Department of Environmental Management
Office of Air Quality

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

Source Background and Description

Source Name:	**Daramic, LLC**
Source Location:	**3430 Cline Road, Corydon, IN 47112**
County:	**Harrison**
SIC Code:	**3089**
Operation Permit No.:	**T061-5983-00012**
Operation Permit Issuance Date:	**November 30, 2001**
Significant Source Modification No.:	**061-23287-00012**
Significant Permit Modification No.:	**061-23800-00012**
Permit Reviewer:	**Alic Bent/EVP**

On February 7, 2007, the Office of Air Quality (OAQ) had a notice published in the Corydon Democrat, Corydon, Indiana, stating that Daramic, LLC had applied for a Significant Source Modification and Significant Permit Modification to Part 70 permit T061-5983-00012. This notice was a request to add a trichloroethylene (TCE) recovery room (smokehouse) to control emissions of VOC (TCE) from off-specification material, to add a Leak Detection and Repair (LDAR) Plan for equipment in trichloroethylene (TCE) service, to modify Title V Operating Permit T061-5983-00012 to include a Best Available Control Technology (BACT) determination for the extruder for Sub-Micro (SM) Line 4 (Unit ID# 8.2) and the extruder for SM Line 6 (Unit ID# 8.3), and to incorporate the language for the National Emission Standards for Hazardous Air Pollutants, 40 CFR 63, Subpart EEEE into the Title V permit. 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 March 5, 2007, OAQ received comments from Daramic, LLC on the proposed source and permit modifications. The summary of the comments and corresponding responses is shown below. Changes made to the permit as a result of the comments are shown in bold and deleted permit language is shown with a line through it. Any permit changes affecting the permit's Table of Contents are also revised without replication herein.

Comment 1:

Section A.1 - General Information (Page 6 of 100)

Daramic respectfully requests that IDEM change the source description as shown below:

> The Permittee owns and operates a stationary ~~foam packaging material~~ **battery separator** manufacturing plant.

Response 1:

The source description in Section A.1 has been revised as shown below:

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

The Permittee owns and operates a stationary ~~foam packaging material~~ **battery separator** manufacturing plant.

Comment 2:

Section A.2 - Emission Units and Pollution Control Equipment Summary (Page 6 of 100)

The silo dense phase transporter (unit #3.1) is currently conveying only silica from rail cars to the silos 4.2 through 4.5. Daramic respectfully requests that IDEM revise the descriptive information in Section A2 (a)(3) as shown below.

> "One (1) silo dense phase transporter, identified as Unit ID #3.1, constructed in 1979, used to convey ~~polyethylene and~~ silica from rail cars to silo #s ~~4.1-4.5~~ **4.2-4.5**, utilizing a baghouse (Unit ID # 3.1) for particulate control, exhausting through one (1) stack, identified as S/V ID #3;"

Response 2:

The descriptive information in Section A.2 (a)(3) and Section D.2 (a)(3) has been revised as shown below:

"One (1) silo dense phase transporter, identified as Unit ID #3.1, constructed in 1979, used to convey ~~polyethylene and~~ silica from rail cars to silo #s ~~4.1-4.5~~ **4.2-4.5**, utilizing a baghouse (Unit ID # 3.1) for particulate control, exhausting through one (1) stack, identified as S/V ID #3;"

Comment 3:

Semi-Annual Compliance Monitoring Report (Page 99 of 100) (now re-numbered page 73 of 74)

Condition C.19 (General Reporting Requirements) says that the deviation report shall be submitted every quarter, however, on Page 99 of 100, the document still reads Semi-Annual Deviation and Compliance Monitoring Report. Please clarify which report (semi-annual or quarterly) needs to be submitted.

Response 3:

IDEM has determined that the deviation report should be submitted every quarter. Therefore, the report on page 99 of 100 (now re-numbered page 73 of 74) has been revised as follows:

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

PART 70 OPERATING PERMIT
QUARTERLY ~~SEMI-ANNUAL~~ DEVIATION AND COMPLIANCE MONITORING REPORT

Comment 4:

Section A2 (a) (6) & (b) (4) (Page 6, 7 of 100) & Facility Description (Page 29 of 100)

The exhaust for two (2) smog hogs, controlling the oil mist emissions from units 8.1 & 8.2, are ducted to a common header and exhaust through a single stack, identified as S/V ID # 14. Daramic respectfully request IDEM to revise the descriptive information in Section A2 (a)(6).

Response 4:

The descriptive information in Section A2 (a)(6) and Section D.1 (a)(2) has been revised as shown below to indicate that the smog hog is exhausting through a single stack:

"Two (2) extruders, identified as Unit ID #s 8.1 and 8.2, each controlled by a precipitative coalescing filter (smog hog) and exhausting through **one (1)** ~~individual~~ stack~~s~~ identified as S/V ID #14 ~~and S/V ID #15~~;"

Comment 5:

Condition D.1.1 (c) (1) (Page 30 of 100)
Appendix B - BACT analysis report (Page 4 of 5)

The smog hog controlling the VOC oil mist emissions from extruder exit does not destruct VOC. Smoghog is a coalescing filter where the VOC oil mist is deposited on the filters and gets drained into the pan below the smog hog. Therefore, Smoghog only controls VOC and does not destruct VOC.

Daramic respectfully requests that IDEM revise Condition D.1.1 (c) (1) as shown below:

> "The **VOC emissions at die exits of** extruders serving SM Line 4 and SM Line 6 (Unit ID #8.2 and Unit ID #8.3, respectively) shall be controlled by a precipitating coalescing filter (smog hog demister) with a minimum overall control efficiency of 76%, by attaining 80% capture efficiency and 95% ~~destruction~~ **control** efficiency. The VOC emissions from the smog hog demister for the extruders serving SM Line 4 and SM Line 6 shall not exceed 2.38 pounds per hour. "

Daramic respectfully requests that IDEM make the following changes in the Appendix B BACT analysis report.

Step 3 (Page 4 of 5)

Control Technology	Post-BACT Emissions Rate (tpy)	Emissions Reduction (tpy)*	Control Efficiency (%)
Precipitative Coalescing Filter (Smog Hog Demister)	10.4	33.0	76 (based on 80% capture & 95% ~~destruction~~ **control** efficiencies)

Step 5 – Select BACT (Page 4 of 5)

IDEM has determined that BACT for extruders serving SM Line 4 and SM Line 6 will be 76% overall control by attaining 80% capture and 95% ~~destruction~~ **control** efficiencies through the use of the precipitative coalescing filter (smog hog demister). This is equivalent to an emission reduction of 33.0 tons per year of VOC and a VOC limit of 2.38 pounds per hour.

Response 5:

IDEM agrees that the smog hog only controls VOC and does not destruct VOC. Therefore, Condition D.1.1 (c) (1) has been revised as follows. The BACT analysis has been revised as well (see Appendix B to the ATSD).

D.1.1 BACT Analysis [326 IAC 8-1-6]

(c) Pursuant to Significant Permit Modification 061-23800-00012 and 326 IAC 8-1-6 (BACT):

(1) The **VOC emissions at die exits of** extruders serving SM Line 4 and SM Line 6 (Unit ID #8.2 and Unit ID #8.3, respectively) shall be controlled by a precipitating coalescing filter (smog hog demister) with a minimum overall control efficiency of 76%, by attaining 80% capture efficiency and 95% ~~destruction~~ **control** efficiency. The VOC emissions from the smog hog demister for the extruders serving SM Line 4 and SM Line 6 shall not exceed 2.38 pounds per hour.

Comment 6:

Condition D.1.1 (c) (2) (Page 30 of 100)

Off-specification material is generated at all the three (3) SM lines. Daramic respectfully request IDEM to change Condition D.1.1 (c) (2) as given below.

> "Off-specification material that is removed from SM Lines **3,** 4 and 6 as a result of start-ups, wet folds, or web breaks shall be placed in the trichloroethylene recovery system (smokehouse), Unit ID #9.4. (Off spec material comes from all the lines)."

Response 6:

IDEM agrees that off-specification material is generated at all three (3) SM lines and shall be placed in the trichloroethylene recovery system (smokehouse) according to Appendix B BACT analysis report (page 5 of 5). SM Line 3 was inadvertently omitted from Condition D.1.1 (c)(2). Therefore, Condition D.1.1 (c)(2) has been revised to include SM Line 3.

D.1.1 BACT Analysis [326 IAC 8-1-6]

(c) Pursuant to Significant Permit Modification 061-23800-00012 and 326 IAC 8-1-6 (BACT):

(2) "Off-specification material that is removed from SM Lines **3,** 4 and 6 as a result of start-ups, wet folds, or web breaks shall be placed in the trichloroethylene recovery system (smokehouse), Unit ID #9.4.

Comment 7:

Condition D.1.5 (a) (Page 31 of 100)

According to Administrative Consent Order (ACO) item 18 (e) (i), EPA-5-06-113(a)-IN-03, issued by USEPA Region V, Condition D.1.5 (a) should read as shown below. Daramic respectfully request IDEM to change the Condition D.1.5 (a) as given below.

> "The CAS shall be equipped with a continuous exhaust gas flow rate monitor. The Permittee shall take daily instantaneous measurement of the outlet VOC concentration of the CAS (using a handheld photo- ionization detector or comparable device) and at the same time record the value of the CAS exhaust gas flow rate. Provided the CAS exhaust gas flow rate is less than or equal to 2,500 cubic feet per minute (cfpm), then compliance is indicated if the CAS outlet VOC concentration is less than 100 ppmv , and no measurement of the CAS inlet VOC concentration nor ~~the outlet CAS VOC concentration exceeds 100 ppmv~~ **calculation of CAS efficiency is required for that day**. If the outlet CAS VOC concentration is greater than 100 ppmv, then a

daily grab measurement of the CAS inlet VOC concentration (using a colorimetric tube analysis) shall also be taken and the CAS control efficiency calculated to provide an indication of compliance. CAS control efficiency shall be calculated using the VOC concentration data as follows:"

Response 7:

Condition D.1.5 (a) has been revised to match the compliance monitoring language used in Administrative Consent Order (ACO) item 18 (e) (i), EPA-5-06-113(a)-IN-03, issued by USEPA Region V.

D.1.5 Process Emissions and Carbon Adsorption System Emissions [40 CFR Part 64]

Pursuant to 40 CFR Part 64 (CAM) and to ensure compliance with Conditions D.1.1(a) and D.1.1(b) the following compliance monitoring is required:

(a) The CAS shall be equipped with a continuous exhaust gas flow rate monitor. The Permittee shall take daily instantaneous measurement of the outlet VOC concentration of the CAS (using a handheld photo- ionization detector or comparable device) and at the same time record the value of the CAS exhaust gas flow rate. Provided the CAS exhaust gas flow rate is less than or equal to 2,500 cubic feet per minute (cfpm), then compliance is indicated if the CAS outlet VOC concentration is less than 100 ppmv , and no measurement of the CAS inlet VOC concentration nor ~~the outlet CAS VOC concentration exceeds 100 ppmv~~ **calculation of CAS efficiency is required for that day**. If the outlet CAS VOC concentration is greater than 100 ppmv, then a daily grab measurement of the CAS inlet VOC concentration (using a colorimetric tube analysis) shall also be taken and the CAS control efficiency calculated to provide an indication of compliance. CAS control efficiency shall be calculated using the VOC concentration data as follows:

Comment 8:

Condition D.2.1 (a),(b) (Page 34, 35 of 100)

The process weight rate should be in tons/hour, therefore, Daramic requests that IDEM revise conditions D.2.1 (a) and (b) as shown below:

"The allowable particulate matter emissions from the four (4) silos (ID #4.1 - 4.4), two (2) day bins (ID #6.1 and 6.2), the silo dense phase transporter and the SM 3/4 silica transporter for SM-3 and SM-4 shall not exceed 22.91 pounds per hour, when operating at a process weight rate of 13.04 ~~pounds~~ **tons** per hour."

"Pursuant to CP-061-1935-00012, issued on December 21, 1990, the allowable particulate matter emissions from the one (1) silo (ID #4.5) and two (2) day bins (ID #7.1 and 7.2) for SM-6 shall not exceed 5.09 pounds per hour, when operating at a process weight rate of 1.38 ~~pounds~~ **tons** per hour."

Response 8:

IDEM agrees that the process weight rate should be in tons per hour. Therefore, Conditions D.2.1 (a) and (b) has been revised as follows:

D.2.1 Particulate [326 IAC 6-3-2]

Pursuant to 326 IAC 6-3-2 (Particulate Emission Limitations for Manufacturing Processes), the allowable PM emission rate from the five (5) silos, four (4) day bins, and two (2) transporters shall not exceed the following pounds per hour when operating at the following appropriate process weight rate in tons per hour:

(a) The allowable particulate matter emissions from the four (4) silos (ID #4.1 - 4.4), two (2) day bins (ID #6.1 and 6.2), the silo dense phase transporter and the SM 3/4 silica transporter for SM-3 and SM-4 shall not exceed 22.91 pounds per hour, when operating at a process weight rate of 13.04 ~~pounds~~ **tons** per hour.

(b) Pursuant to CP-061-1935-00012, issued on December 21, 1990, the allowable particulate matter emissions from the one (1) silo (ID #4.5) and two (2) day bins (ID #7.1 and 7.2) for SM-6 shall not exceed 5.09 pounds per hour, when operating at a process weight rate of 1.38 ~~pounds~~ **tons** per hour.

Comment 9:

Condition E.1.2 (Page 46 of 100)

Provided below is the general summary of applicable/ nonapplicable requirements for the affected source. Based on this information, Daramic respectfully requests that IDEM summarize (instead of including the whole CFR reg.) 40 CFR 63, Subpart EEEE requirements under Condition E.1.2. If needed, Daramic would be glad to assist IDEM in summarizing the permit language for the affected sources.

Summary of applicable/nonapplicable requirement for the affected sources

i) TCE and Miscella Storage Tanks

The storage tanks used to store TCE and Miscella have a storage capacity of greater than 5000 gallons, however, the annual average maximum vapor pressure of the TCE and Miscella is 57.8 mm of Hg (7.76 Kilopascal) @ 20 ^{o}C. The storage tanks do not meet the tank capacity and vapor pressure criteria for controls (item 1 through 6) in Table 2 of Subpart EEEE. Therefore, Daramic believes that the requirements of 40 CFR 63.2346 does not apply to the storage tanks at the facility.

Pursuant to 40 CFR 63.2343, the storage tanks having a capacity greater than 5000 gallons and not subject to control based criteria (items 1 through 6) in Table 2 of Subpart EEEE but are subject to the requirements specified in 40 CFR 63.2343 (b) (1) through (3).

ii) TCE Transfer Racks

Transfer Racks are not subject to 40 CFR 63, Subpart EEEE control requirements specified in 40 CFR 63.2346 (b) because they only unload TCE. There are no loading operations at the transfer racks. Pursuant to 40 CFR 63.2343, the transfer rack performing only unloading operation has to keep the documentation that verifies that the transfer rack is not required to be controlled.

iii) TCE and Miscella Equipment leak components

Equipment leak components are not subject to 40 CFR 63, Subpart EEEE requirements

specified in 40 CFR 63.2346 (c) because Daramic does not have any storage tank (or) transfer rack that meets the criteria for control in Table 2 of 40 CFR 63, Subpart EEEE. [40 CFR 63.2346(c)]

iv) TCE Transport Vehicles

Transport vehicles are not subject to 40 CFR 63, Subpart EEEE requirements specified in 40 CFR 63.2346 (d) because any of the items # 7 through 10 in Table 2 of Subpart EEEE do not apply to Daramic, LLC. [40 CFR 63.2346 (d)]

Response 9:

IDEM agrees that Condition E.1.2 should be revised to include only the applicable portions of Subpart EEEE. The storage tanks do not meet the tank capacity and vapor pressure criteria for controls (item 1 through 6) in Table 2 of Subpart EEEE and the transfer racks are not subject to 40 CFR 63, Subpart EEEE control requirements specified in 40 CFR 63.2346 (b) because they only unload TCE. There are no loading operations at the transfer racks. In addition, performance testing is not required for the affected facilities. Therefore, the following sections have been deleted from Condition E.1.2 as shown below:

(a) 40 CFR 63.2342 (b)(2)(3), (c) and (d);

(b) 40 CFR 63.2343 (a);

(c) 40 CFR 63.2354;

(d) 40 CFR 63.2358;

(e) 40 CFR 63.2362;

(f) 40 CFR 63.2366;

(g) 40 CFR 63.2374;

(h) 40 CFR 63.2378;

(i) 40 CFR 63.2382 (b)(2), (c) and (d);

(k) 40 CFR 63.2386 (c)(5) through (9), (d) and (e);

(l) 40 CFR 63.2390 (b) and (d);

(m) 40 CFR 63.2396; and

(n) Tables 2 through 11.

§ 63.2342 When do I have to comply with this subpart?

(b)(1) If you have an existing affected source, you must comply with the emission limitations, operating limits, and work practice standards for existing affected sources no later than February 5, 2007, except as provided in paragraphs (b)(2) and (3) of this section.

~~(2) Floating roof storage tanks at existing affected sources must be in compliance with the work practice standards in Table 4 to this subpart, item 1, at all times after the next degassing and cleaning activity or within 10 years after February 3, 2004, whichever occurs first. If the first degassing and cleaning activity occurs during the 3 years following February 3, 2004, the compliance date is February 5, 2007.~~

~~(3)(i) If an addition or change other than reconstruction as defined in §63.2 is made to an existing affected facility that causes the total actual annual facility-level organic liquid loading volume to exceed the criteria for control in Table 2 to this subpart, items 7 and 8, the owner or operator must comply with the transfer rack requirements specified in §63.2346(b) immediately; that is, be in compliance the first day of the period following the end of the 3-year period triggering the control criteria.~~
~~(ii) If the owner or operator believes that compliance with the transfer rack emission limits cannot be achieved immediately, as specified in paragraph (b)(3)(i) of this section, the owner or operator may submit a request for a compliance extension, as specified in paragraphs (b)(3)(ii)(A) through (I) of this section. Subject to paragraph (b)(3)(ii)(B) of this section, until an extension of compliance has been granted by the Administrator (or a State with an approved permit program) under this paragraph (b)(3)(ii), the owner or operator of the transfer rack subject to the requirements of this section shall comply with all applicable requirements of this subpart. Advice on requesting an extension of compliance may be obtained from the Administrator (or the State with an approved permit program).~~

~~(A) Submittal. The owner or operator shall submit a request for a compliance extension to the Administrator (or a State, when the State has an approved 40 CFR part 70 permit program and the source is required to obtain a 40 CFR part 70 permit under that program, or a State, when the State has been delegated the authority to implement and enforce the emission standard for that source) seeking an extension allowing the source up to 1 additional year to comply with the transfer rack standard, if such additional period is necessary for the installation of controls. The owner or operator of the affected source who has requested an extension of compliance under this paragraph (b)(3)(ii)(A) and who is otherwise required to obtain a title V permit shall apply for such permit, or apply to have the source's title V permit revised to incorporate the conditions of the extension of compliance. The conditions of an extension of compliance granted under this paragraph (b)(3)(ii)(A) will be incorporated into the affected source's title V permit according to the provisions of 40 CFR part 70 or Federal title V regulations in this chapter (42 U.S.C. 7661), whichever are applicable.~~

~~(B) When to submit. (1) Any request submitted under paragraph (b)(3)(ii)(A) of this section must be submitted in writing to the appropriate authority no later than 120 days prior to the affected source's compliance date (as specified in paragraph (b)(3)(i) of this section), except as provided for in paragraph (b)(3)(ii)(B)(2) of this section. Nonfrivolous requests submitted under this paragraph (b)(3)(ii)(B)(1) will stay the applicability of the rule as to the emission points in question until such time as the request is granted or denied. A denial will be effective as of the date of denial.~~

~~(2) An owner or operator may submit a compliance extension request after the date specified in paragraph (b)(3)(ii)(B)(1) of this section provided the need for the compliance extension arose after that date, and before the otherwise applicable compliance date and the need arose due to circumstances beyond reasonable control of the owner or operator. This request must include, in addition to the information required in paragraph (b)(3)(ii)(C) of this section, a statement of the reasons additional time is needed and the date when the owner or operator first learned of the problems. Nonfrivolous requests submitted under this paragraph (b)(3)(ii)(B)(2) will stay the applicability of the rule as to the emission points in question until such time as the request is granted or denied. A denial will be effective as of the original compliance date.~~

~~(C) Information required. The request for a compliance extension under paragraph (b)(3)(ii)(A) of this section shall include the following information:~~

~~(1) The name and address of the owner or operator and the address of the existing source if it differs from the address of the owner or operator;~~

~~(2) The name, address, and telephone number of a contact person for further information;~~

~~(3) An identification of the organic liquid distribution operation and of the specific equipment for which additional compliance time is required;~~

~~(4) A description of the controls to be installed to comply with the standard;~~

~~(5) Justification for the length of time being requested; and~~

~~(6) A compliance schedule, including the date by which each step toward compliance will be reached. At a minimum, the list of dates shall include:~~

~~(i) The date by which on-site construction, installation of emission control equipment, or a process change is planned to be initiated;~~

~~(ii) The date by which on-site construction, installation of emission control equipment, or a process change is to be completed; and~~

~~(iii) The date by which final compliance is to be achieved.~~

~~(D) Approval of request for extension of compliance. Based on the information provided in any request made under paragraph (b)(3)(ii)(C) of this section, or other information, the Administrator (or the State with an approved permit program) may grant an extension of compliance with the transfer rack emission standard, as specified in paragraph (b)(3)(ii) of this section. The extension will be in writing and will —~~

~~(1) Identify each affected source covered by the extension;~~

~~(2) Specify the termination date of the extension;~~

~~(3) Specify the dates by which steps toward compliance are to be taken, if appropriate;~~

~~(4) Specify other applicable requirements to which the compliance extension applies (e.g., performance tests);~~

~~(5) Specify the contents of the progress reports to be submitted and the dates by which such reports are to be submitted, if required pursuant to paragraph (b)(3)(ii)(E) of this section.~~

~~(6) Under paragraph (b)(3)(ii) of this section, specify any additional conditions that the Administrator (or the State) deems necessary to assure installation of the necessary controls and protection of the health of persons during the extension period.~~

~~(E) Progress reports. The owner or operator of an existing source that has been granted an extension of compliance under paragraph (b)(3)(ii)(D) of this section may be required to submit to the Administrator (or the State with an approved permit program) progress reports indicating whether the steps toward compliance outlined in the compliance schedule have been reached.~~

~~(F) Notification of approval or intention to deny.~~

~~(1) The Administrator (or the State with an approved permit program) will notify the owner or operator in writing of approval or intention to deny approval of a request for an extension of compliance within 30 calendar days after receipt of sufficient information to evaluate a request submitted under paragraph (b)(3)(ii) of this section. The Administrator (or the State) will notify the owner or operator in writing of the status of his/her application; that is, whether the application contains sufficient information to make a determination, within 30 calendar days after receipt of the original application and within 30 calendar days after receipt of any supplementary information that is submitted. The 30-day approval or denial period will begin after the owner or operator has been notified in writing that his/her application is complete. Failure by the Administrator to act within 30 calendar days to approve or disapprove a request submitted under paragraph (b)(3)(ii) of this section does not constitute automatic approval of the request.~~

~~(2) When notifying the owner or operator that his/her application is not complete, the Administrator will specify the information needed to complete the application and provide notice of opportunity for the applicant to present, in writing, within 30 calendar days after he/she is notified of the incomplete application, additional information or arguments to the Administrator to enable further action on the application.~~

~~(3) Before denying any request for an extension of compliance, the Administrator (or the State with an approved permit program) will notify the owner or operator in writing of the Administrator's (or the State's) intention to issue the denial, together with:~~

~~(i) Notice of the information and findings on which the intended denial is based; and~~

~~(ii) Notice of opportunity for the owner or operator to present in writing, within 15 calendar days after he/she is notified of the intended denial, additional information or arguments to the Administrator (or the State) before further action on the request.~~

~~(4) The Administrator's final determination to deny any request for an extension will be in writing and will set forth the specific grounds on which the denial is based. The final determination will be made within 30 calendar days after presentation of additional information or argument (if the application is complete), or within 30 calendar days after the final date specified for the presentation if no presentation is made.~~

~~(G) Termination of extension of compliance. The Administrator (or the State with an approved permit program) may terminate an extension of compliance at an earlier date than specified if any specification under paragraph (b)(3)(ii)(D)(3) or paragraph (b)(3)(ii)(D)(4) of this section is not met. Upon a determination to terminate, the Administrator will notify, in writing, the owner or operator of the Administrator's determination to terminate, together with:~~

~~(1) Notice of the reason for termination; and~~

~~(2) Notice of opportunity for the owner or operator to present in writing, within 15 calendar days after he/she is notified of the determination to terminate, additional information or arguments to the Administrator before further action on the termination.~~

~~(3) A final determination to terminate an extension of compliance will be in writing and will set forth the specific grounds on which the termination is based. The final determination will be made within 30 calendar days after presentation of additional information or arguments, or within 30 calendar days after the final date specified for the presentation if no presentation is made.~~

~~(H) The granting of an extension under this section shall not abrogate the Administrator's authority under section 114 of the CAA.~~

~~(I) Limitation on use of compliance extension. The owner or operator may request an extension of compliance under the provisions specified in paragraph (b)(3)(ii) of this section only once for each facility.~~

~~(c) If you have an area source that does not commence reconstruction but increases its emissions or its potential to emit such that it becomes a major source of HAP emissions and an existing affected source subject to this subpart, you must be in compliance by 3 years after the area source becomes a major source.~~

~~(d) You must meet the notification requirements in §§63.2343 and 63.2382(a), as applicable, according to the schedules in §63.2382(a) and (b)(1) through (3) and in subpart A of this part. Some of these notifications must be submitted before the compliance dates for the emission limitations, operating limits, and work practice standards in this subpart.~~

§ 63.2343 What are my requirements for emission sources not requiring control?

This section establishes the notification, recordkeeping, and reporting requirements for emission sources identified in §63.2338 that do not require control under this subpart (i.e., under paragraphs (a) through (e) of §63.2346). Such emission sources are not subject to any other notification, recordkeeping, or reporting sections in this subpart, including §63.2350(c), except as indicated in paragraphs (a) through (d) of this section.

~~(a) For each storage tank subject to this subpart having a capacity of less than 18.9 cubic meters (5,000 gallons) and for each transfer rack subject to this subpart that only unloads organic liquids (i.e., no organic liquids are loaded at any of the transfer racks), you must keep documentation that verifies that each storage tank and transfer rack identified in paragraph (a) of this section is not required to be controlled. The documentation must be kept up-to-date (i.e., all such emission sources at a facility are identified in the documentation regardless of when the documentation was last compiled) and must be in a form suitable and readily available for expeditious inspection and review according to §63.10(b)(1), including records stored in electronic form in a separate location. The documentation may consist of identification of the tanks and transfer racks identified in paragraph (a) of this section on a plant site plan or process and instrumentation diagram (P&ID).~~

~~Testing and Initial Compliance Requirements~~

~~§ 63.2354 What performance tests, design evaluations, and performance evaluations must I conduct?~~

~~(a)(1) For each performance test that you conduct, you must use the procedures specified in subpart SS of this part and the provisions specified in paragraph (b) of this section.~~

~~(2) For each design evaluation you conduct, you must use the procedures specified in subpart SS of this part.~~

~~(3) For each performance evaluation of a continuous emission monitoring system (CEMS) you conduct, you must follow the requirements in §63.8(e).~~

~~(b)(1) For nonflare control devices, you must conduct each performance test according to the requirements in §63.7(e)(1), and either §63.988(b), §63.990(b), or §63.995(b), using the procedures specified in §63.997(e).~~

~~(2) You must conduct three separate test runs for each performance test on a nonflare control device as specified in §§63.7(e)(3) and 63.997(e)(1)(v). Each test run must last at least 1 hour, except as provided in §63.997(e)(1)(v)(A) and (B).~~

~~(3)(i) In addition to EPA Method 25 or 25A of 40 CFR part 60, appendix A, to determine compliance with the organic HAP or TOC emission limit, you may use EPA Method 18 of 40 CFR part 60, appendix A, as specified in paragraph (b)(3)(i) of this section. As an alternative to EPA Method 18, you may use ASTM D6420–99 (Reapproved 2004), Standard Test Method for Determination of Gaseous Organic Compounds by Direct Interface Gas Chromatography-Mass Spectrometry (incorporated by reference, see §63.14), under the conditions specified in paragraph (b)(3)(ii) of this section.~~

~~(A) If you use EPA Method 18 to measure compliance with the percentage efficiency limit, you must first determine which organic HAP are present in the inlet gas stream (i.e., uncontrolled emissions) using knowledge of the organic liquids or the screening procedure described in EPA Method 18. In conducting the performance test, you must analyze samples collected as specified in EPA Method 18, simultaneously at the inlet and outlet of the control device. Quantify the emissions for the same organic HAP identified as present in the inlet gas stream for both the inlet and outlet gas streams of the control device.~~

~~(B) If you use EPA Method 18 of 40 CFR part 60, appendix A, to measure compliance with the emission concentration limit, you must first determine which organic HAP are present in the inlet gas stream using knowledge of the organic liquids or the screening procedure described in EPA Method 18. In conducting the performance test, analyze samples collected as specified in EPA Method 18 at the outlet of the control device. Quantify the control device outlet emission concentration for the same organic HAP identified as present in the inlet or uncontrolled gas stream.~~

~~(ii) You may use ASTM D6420–99 (Reapproved 2004), Standard Test Method for Determination of~~

~~Gaseous Organic Compounds by Direct Interface Gas Chromatography-Mass Spectrometry (incorporated by reference, see §63.14), as an alternative to EPA Method 18 if the target concentration is between 150 parts per billion by volume and 100 ppmv and either of the conditions specified in paragraph (b)(2)(ii)(A) or (B) of this section exists. For target compounds not listed in Section 1.1 of ASTM D6420–99 (Reapproved 2004) and not amenable to detection by mass spectrometry, you may not use ASTM D6420–99 (Reapproved 2004).~~

~~(A) The target compounds are those listed in Section 1.1 of ASTM D6420–99 (Reapproved 2004), Standard Test Method for Determination of Gaseous Organic Compounds by Direct Interface Gas Chromatography-Mass Spectrometry (incorporated by reference, see §63.14),; or~~

~~(B) For target compounds not listed in Section 1.1 of ASTM D6420–99 (Reapproved 2004), Standard Test Method for Determination of Gaseous Organic Compounds by Direct Interface Gas Chromatography-Mass Spectrometry (incorporated by reference, see §63.14), but potentially detected by mass spectrometry, the additional system continuing calibration check after each run, as detailed in ASTM D6420–99 (Reapproved 2004), Section 10.5.3, must be followed, met, documented, and submitted with the data report, even if there is no moisture condenser used or the compound is not considered water-soluble.~~

~~(4) If a principal component of the uncontrolled or inlet gas stream to the control device is formaldehyde, you may use EPA Method 316 of appendix A of this part instead of EPA Method 18 of 40 CFR part 60, appendix A, for measuring the formaldehyde. If formaldehyde is the predominant organic HAP in the inlet gas stream, you may use EPA Method 316 alone to measure formaldehyde either at the inlet and outlet of the control device using the formaldehyde control efficiency as a surrogate for total organic HAP or TOC efficiency, or at the outlet of a combustion device for determining compliance with the emission concentration limit.~~

~~(5) You may not conduct performance tests during periods of SSM, as specified in §63.7(e)(1).~~

~~(c) To determine the HAP content of the organic liquid, you may use EPA Method 311 of 40 CFR part 63, appendix A, or other method approved by the Administrator. In addition, you may use other means, such as voluntary consensus standards, material safety data sheets (MSDS), or certified product data sheets, to determine the HAP content of the organic liquid. If the method you select to determine the HAP content provides HAP content ranges, you must use the upper end of each HAP content range in determining the total HAP content of the organic liquid. The EPA may require you to test the HAP content of an organic liquid using EPA Method 311 or other method approved by the Administrator. If the results of the EPA Method 311 (or any other approved method) are different from the HAP content determined by another means, the EPA Method 311 (or approved method) results will govern.~~

~~[69 FR 5063, Feb. 3, 2004, as amended at 71 FR 42909, July 28, 2006]~~

~~§ 63.2358 By what date must I conduct performance tests and other initial compliance demonstrations?~~

~~(a) You must conduct initial performance tests and design evaluations according to the schedule in §63.7(a)(2), or by the compliance date specified in any applicable State or Federal new source review construction permit to which the affected source is already subject, whichever is earlier.~~

~~(b)(1) For storage tanks and transfer racks at existing affected sources complying with the emission limitations listed in Table 2 to this subpart, you must demonstrate initial compliance with the emission limitations within 180 days after February 5, 2007.~~

~~(2) For storage tanks and transfer racks at reconstructed or new affected sources complying with the emission limitations listed in Table 2 to this subpart, you must conduct your initial compliance demonstration with the emission limitations within 180 days after the initial startup date for the affected source or February 3, 2004, whichever is later.~~

~~(c)(1) For storage tanks at existing affected sources complying with the work practice standard in Table 4 to this subpart, you must conduct your initial compliance demonstration the next time the storage tank is emptied and degassed, but not later than 10 years after February 3, 2004.~~

~~(2) For transfer racks and equipment leak components at existing affected sources complying with the work practice standards in Table 4 to this subpart, you must conduct your initial compliance demonstration within 180 days after February 5, 2007.~~

~~(d) For storage tanks, transfer racks, and equipment leak components at reconstructed or new affected sources complying with the work practice standards in Table 4 to this subpart, you must conduct your initial compliance demonstration within 180 days after the initial startup date for the affected source.~~

~~§ 63.2362 When must I conduct subsequent performance tests?~~

~~(a) For nonflare control devices, you must conduct subsequent performance testing required in Table 5 to this subpart, item 1, at any time the EPA requests you to in accordance with section 114 of the CAA.~~

~~(b)(2) For transport vehicles that you own that do not have vapor collection equipment, you must maintain current certification in accordance with the U.S. DOT pressure test requirements in 49 CFR part 180 for cargo tanks or 49 CFR 173.31 for tank cars.~~

~~[69 FR 5063, Feb. 3, 2004, as amended at 71 FR 42910, July 28, 2006]~~

~~§ 63.2366 What are my monitoring installation, operation, and maintenance requirements?~~

~~(a) You must install, operate, and maintain a CMS on each control device required in order to comply with this subpart. If you use a continuous parameter monitoring system (CPMS) (as defined in §63.981), you must comply with the applicable requirements for CPMS in subpart SS of this part for the control device being used. If you use a continuous emissions monitoring system (CEMS), you must comply with the requirements in §63.8.~~

~~(b) For nonflare control devices controlling storage tanks and low throughput transfer racks, you must submit a monitoring plan according to the requirements in subpart SS of this part for monitoring plans.~~

~~§ 63.2370 How do I demonstrate initial compliance with the emission limitations, operating limits, and work practice standards?~~

~~(a) You must demonstrate initial compliance with each emission limitation and work practice standard that applies to you as specified in Tables 6 and 7 to this subpart.~~

~~(b) You demonstrate initial compliance with the operating limits requirements specified in §63.2346(e) by establishing the operating limits during the initial performance test or design evaluation.~~

~~(c) You must submit the results of the initial compliance determination in the Notification of Compliance Status according to the requirements in §63.2382(d).~~

~~[69 FR 5063, Feb. 3, 2004, as amended at 71 FR 42910, July 28, 2006]~~

~~Continuous Compliance Requirements~~

~~§ 63.2374 When do I monitor and collect data to demonstrate continuous compliance and how do I use the collected data?~~

~~(a) You must monitor and collect data according to subpart SS of this part and paragraphs (b) and (c) of this section.~~

~~(b) When using a control device to comply with this subpart, you must monitor continuously or collect data~~

~~at all required intervals at all times that the emission source and control device are in OLD operation, except for CMS malfunctions (including any malfunction preventing the CMS from operating properly), associated repairs, and required quality assurance or control activities (including, as applicable, calibration checks and required zero and span adjustments).~~

~~(c) Do not use data recorded during CMS malfunctions, associated repairs, required quality assurance or control activities, or periods when emissions from organic liquids are not routed to the control device in data averages and calculations used to report emission or operating levels. Do not use such data in fulfilling a minimum data availability requirement, if applicable. You must use all of the data collected during all other periods, including periods of SSM, in assessing the operation of the control device.~~

~~§ 63.2378 How do I demonstrate continuous compliance with the emission limitations, operating limits, and work practice standards?~~

~~(a) You must demonstrate continuous compliance with each emission limitation, operating limit, and work practice standard in Tables 2 through 4 to this subpart that applies to you according to the methods specified in subpart SS of this part and in Tables 8 through 10 to this subpart, as applicable.~~

~~(b) You must follow the requirements in §63.6(e)(1) and (3) during periods of startup, shutdown, malfunction, or nonoperation of the affected source or any part thereof. In addition, the provisions of paragraphs (b)(1) through (3) of this section apply.~~

~~(1) The emission limitations in this subpart apply at all times except during periods of nonoperation of the affected source (or specific portion thereof) resulting in cessation of the emissions to which this subpart applies. The emission limitations of this subpart apply during periods of SSM, except as provided in paragraphs (b)(2) and (3) of this section. However, if a SSM, or period of nonoperation of one portion of the affected source does not affect the ability of a particular emission source to comply with the emission limitations to which it is subject, then that emission source is still required to comply with the applicable emission limitations of this subpart during the startup, shutdown, malfunction, or period of nonoperation.~~

~~(2) The owner or operator must not shut down control devices or monitoring systems that are required or utilized for achieving compliance with this subpart during periods of SSM while emissions are being routed to such items of equipment if the shutdown would contravene requirements of this subpart applicable to such items of equipment. This paragraph (b)(2) does not apply if the item of equipment is malfunctioning. This paragraph (b)(2) also does not apply if the owner or operator shuts down the compliance equipment (other than monitoring systems) to avoid damage due to a contemporaneous SSM of the affected source or portion thereof. If the owner or operator has reason to believe that monitoring equipment would be damaged due to a contemporaneous SSM of the affected source of portion thereof, the owner or operator must provide documentation supporting such a claim in the next Compliance report required in Table 11 to this subpart, item 1. Once approved by the Administrator, the provision for ceasing to collect, during a SSM, monitoring data that would otherwise be required by the provisions of this subpart must be incorporated into the SSM plan.~~

~~(3) During SSM, you must implement, to the extent reasonably available, measures to prevent or minimize excess emissions. For purposes of this paragraph (b)(3), the term "excess emissions" means emissions greater than those allowed by the emission limits that apply during normal operational periods. The measures to be taken must be identified in the SSM plan, and may include, but are not limited to, air pollution control technologies, recovery technologies, work practices, pollution prevention, monitoring, and/or changes in the manner of operation of the affected source. Back-up control devices are not required, but may be used if available.~~

~~(c) Periods of planned routine maintenance of a control device used to control storage tanks or transfer racks, during which the control device does not meet the emission limits in Table 2 to this subpart, must not exceed 240 hours per year.~~

~~(d) If you elect to route emissions from storage tanks or transfer racks to a fuel gas system or to a process, as allowed by §63.982(d), to comply with the emission limits in Table 2 to this subpart, the total~~

~~aggregate amount of time during which the emissions bypass the fuel gas system or process during the calendar year without being routed to a control device, for all reasons (except SSM or product changeovers of flexible operation units and periods when a storage tank has been emptied and degassed), must not exceed 240 hours.~~

~~[69 FR 5063, Feb. 3, 2004, as amended at 71 FR 20463, Apr. 20, 2006]~~

Notifications, Reports, and Records

§ 63.2382 What notifications must I submit and when and what information should be submitted?

(a) You must submit each notification in subpart SS of this part, Table 12 to this subpart, and paragraphs (b) through (d) of this section that applies to you. You must submit these notifications according to the schedule in Table 12 to this subpart and as specified in paragraphs (b) through (d) of this section.

(b)(1) Initial Notification. If you startup your affected source before February 3, 2004, you must submit the Initial Notification no later than 120 calendar days after February 3, 2004.

~~(2) If you startup your new or reconstructed affected source on or after February 3, 2004, you must submit the Initial Notification no later than 120 days after initial startup.~~

~~(c) If you are required to conduct a performance test, you must submit the Notification of Intent to conduct the test at least 60 calendar days before it is initially scheduled to begin as required in §63.7(b)(1).~~

~~(d)(1) Notification of Compliance Status. If you are required to conduct a performance test, design evaluation, or other initial compliance demonstration as specified in Table 5, 6, or 7 to this subpart, you must submit a Notification of Compliance Status.~~

~~(2) The Notification of Compliance Status must include the information required in §63.999(b) and in paragraphs (d)(2)(i) through (viii) of this section.~~

~~(i) The results of any applicability determinations, emission calculations, or analyses used to identify and quantify organic HAP emissions from the affected source.~~

~~(ii) The results of emissions profiles, performance tests, engineering analyses, design evaluations, flare compliance assessments, inspections and repairs, and calculations used to demonstrate initial compliance according to Tables 6 and 7 to this subpart. For performance tests, results must include descriptions of sampling and analysis procedures and quality assurance procedures.~~

~~(iii) Descriptions of monitoring devices, monitoring frequencies, and the operating limits established during the initial compliance demonstrations, including data and calculations to support the levels you establish.~~

~~(iv) Descriptions of worst-case operating and/or testing conditions for the control device(s).~~

~~(v) Identification of emission sources subject to overlapping requirements described in §63.2396 and the authority under which you will comply.~~

~~(vi) The applicable information specified in §63.1039(a)(1) through (3) for all pumps and valves subject to the work practice standards for equipment leak components in Table 4 to this subpart, item 4.~~

~~(vii) If you are complying with the vapor balancing work practice standard for transfer racks according to Table 4 to this subpart, item 3.a, include a statement to that effect and a statement that the pressure vent settings on the affected storage tanks are greater than or equal to 2.5 psig.~~

~~(viii) The information specified in §63.2386(c)(10)(i), unless the information has already been submitted~~

~~with the first Compliance report. If the information specified in §63.2386(c)(10)(i) has already been submitted with the first Compliance report, the information specified in §63.2386(d)(3) and (4), as applicable, shall be submitted instead.~~

~~[69 FR 5063, Feb. 3, 2004, as amended at 71 FR 42910, July 28, 2006]~~

§ 63.2386 What reports must I submit and when and what information is to be submitted in each?

(a) You must submit each report in subpart SS of this part, Table 11 to this subpart, Table 12 to this subpart, and in paragraphs (c) through (e) of this section that applies to you.

(b) Unless the Administrator has approved a different schedule for submission of reports under §63.10(a), you must submit each report according to Table 11 to this subpart and by the dates shown in paragraphs (b)(1) through (3) of this section, by the dates shown in subpart SS of this part, and by the dates shown in Table 12 to this subpart, whichever are applicable.

(1)(i) The first Compliance report must cover the period beginning on the compliance date that is specified for your affected source in §63.2342 and ending on June 30 or December 31, whichever date is the first date following the end of the first calendar half after the compliance date that is specified for your affected source in §63.2342.

(ii) The first Compliance report must be postmarked no later than July 31 or January 31, whichever date follows the end of the first calendar half after the compliance date that is specified for your affected source in §63.2342.

(2)(i) Each subsequent Compliance report must cover the semiannual reporting period from January 1 through June 30 or the semiannual reporting period from July 1 through December 31.

(ii) Each subsequent Compliance report must be postmarked no later than July 31 or January 31, whichever date is the first date following the end of the semiannual reporting period.

(3) For each affected source that is subject to permitting regulations pursuant to 40 CFR part 70 or 40 CFR part 71, if the permitting authority has established dates for submitting semiannual reports pursuant to 40 CFR 70.6(a)(3)(iii)(A) or 40 CFR 71.6(a)(3)(iii)(A), you may submit the first and subsequent Compliance reports according to the dates the permitting authority has established instead of according to the dates in paragraphs (b)(1) and (2) of this section.

(c) First Compliance report. The first Compliance report must contain the information specified in paragraphs (c)(1) through (10) of this section.

(1) Company name and address.

(2) Statement by a responsible official, including the official's name, title, and signature, certifying that, based on information and belief formed after reasonable inquiry, the statements and information in the report are true, accurate, and complete.
(3) Date of report and beginning and ending dates of the reporting period.

(4) Any changes to the information listed in §63.2382(d)(2) that have occurred since the submittal of the Notification of Compliance Status.

~~(5) If you had a SSM during the reporting period and you took actions consistent with your SSM plan, the Compliance report must include the information described in §63.10(d)(5)(i).~~

~~(6) If there are no deviations from any emission limitation or operating limit that applies to you and there are no deviations from the requirements for work practice standards, a statement that there were no deviations from the emission limitations, operating limits, or work practice standards during the reporting~~

~~period.~~

~~(7) If there were no periods during which the CMS was out of control as specified in §63.8(c)(7), a statement that there were no periods during which the CMS was out of control during the reporting period.~~

~~(8) For closed vent systems and control devices used to control emissions, the information specified in paragraphs (c)(8)(i) and (ii) of this section for those planned routine maintenance activities that would require the control device to not meet the applicable emission limit.~~

~~(i) A description of the planned routine maintenance that is anticipated to be performed for the control device during the next 6 months. This description must include the type of maintenance necessary, planned frequency of maintenance, and lengths of maintenance periods.~~

~~(ii) A description of the planned routine maintenance that was performed for the control device during the previous 6 months. This description must include the type of maintenance performed and the total number of hours during those 6 months that the control device did not meet the applicable emission limit due to planned routine maintenance.~~

~~(9) A listing of all transport vehicles into which organic liquids were loaded at transfer racks that are subject to control based on the criteria specified in Table 2 to this subpart, items 7 through 10, during the previous 6 months for which vapor tightness documentation as required in §63.2390(c) was not on file at the facility.~~

(10)(i) A listing of all transfer racks (except those racks at which only unloading of organic liquids occurs) and of tanks greater than or equal to 18.9 cubic meters (5,000 gallons) that are part of the affected source but are not subject to any of the emission limitations, operating limits, or work practice standards of this subpart.

(ii) If the information specified in paragraph (c)(10)(i) of this section has already been submitted with the Notification of Compliance Status, the information specified in paragraphs (d)(3) and (4) of this section, as applicable, shall be submitted instead.

~~(d) Subsequent Compliance reports. Subsequent Compliance reports must contain the information in paragraphs (c)(1) through (9) of this section and, where applicable, the information in paragraphs (d)(1) through (4) of this section.~~

~~(1) For each deviation from an emission limitation occurring at an affected source where you are using a CMS to comply with an emission limitation in this subpart, you must include in the Compliance report the applicable information in paragraphs (d)(1)(i) through (xii) of this section. This includes periods of SSM.~~

~~(i) The date and time that each malfunction started and stopped.~~

~~(ii) The dates and times that each CMS was inoperative, except for zero (low-level) and high-level checks.~~

~~(iii) For each CMS that was out of control, the information in §63.8(c)(8).~~

~~(iv) The date and time that each deviation started and stopped, and whether each deviation occurred during a period of SSM, or during another period.~~

~~(v) A summary of the total duration of the deviations during the reporting period, and the total duration as a percentage of the total emission source operating time during that reporting period.~~

~~(vi) A breakdown of the total duration of the deviations during the reporting period into those that are due to startup, shutdown, control equipment problems, process problems, other known causes, and other unknown causes.~~

~~(vii) A summary of the total duration of CMS downtime during the reporting period, and the total duration~~

~~of CMS downtime as a percentage of the total emission source operating time during that reporting period.~~

~~(viii) An identification of each organic HAP that was potentially emitted during each deviation based on the known organic HAP contained in the liquid(s).~~

~~(ix) A brief description of the emission source(s) at which the CMS deviation(s) occurred.~~

~~(x) A brief description of each CMS that was out of control during the period.~~

~~(xi) The date of the latest certification or audit for each CMS.~~

~~(xii) A brief description of any changes in CMS, processes, or controls since the last reporting period.~~

~~(2) Include in the Compliance report the information in paragraphs (d)(2)(i) through (iii) of this section, as applicable.~~

~~(i) For each storage tank and transfer rack subject to control requirements, include periods of planned routine maintenance during which the control device did not comply with the applicable emission limits in Table 2 to this subpart.~~

~~(ii) For each storage tank controlled with a floating roof, include a copy of the inspection record (required in §63.1065(b)) when inspection failures occur.~~

~~(iii) If you elect to use an extension for a floating roof inspection in accordance with §63.1063(c)(2)(iv)(B) or (e)(2), include the documentation required by those paragraphs.~~

~~(3)(i) A listing of any storage tank that became subject to controls based on the criteria for control specified in Table 2 to this subpart, items 1 through 6, since the filing of the last Compliance report.~~

~~(ii) A listing of any transfer rack that became subject to controls based on the criteria for control specified in Table 2 to this subpart, items 7 through 10, since the filing of the last Compliance report.~~

~~(4)(i) A listing of tanks greater than or equal to 18.9 cubic meters (5,000 gallons) that became part of the affected source but are not subject to any of the emission limitations, operating limits, or work practice standards of this subpart, since the last Compliance report.~~

~~(ii) A listing of all transfer racks (except those racks at which only the unloading of organic liquids occurs) that became part of the affected source but are not subject to any of the emission limitations, operating limits, or work practice standards of this subpart, since the last Compliance report.~~

~~(e) Each affected source that has obtained a title V operating permit pursuant to 40 CFR part 70 or 40 CFR part 71 must report all deviations as defined in this subpart in the semiannual monitoring report required by 40 CFR 70.6(a)(3)(iii)(A) or 71.6(a)(3)(iii)(A). If an affected source submits a Compliance report pursuant to Table 11 to this subpart along with, or as part of, the semiannual monitoring report required by 40 CFR 70.6(a)(3)(iii)(A) or 71.6(a)(3)(iii)(A), and the Compliance report includes all required information concerning deviations from any emission limitation in this subpart, we will consider submission of the Compliance report as satisfying any obligation to report the same deviations in the semiannual monitoring report. However, submission of a Compliance report will not otherwise affect any obligation the affected source may have to report deviations from permit requirements to the applicable title V permitting authority.~~

~~[69 FR 5063, Feb. 3, 2004, as amended at 71 FR 42910, July 28, 2006]~~

§ 63.2390 What records must I keep?

(a) For each emission source identified in §63.2338 that does not require control under this subpart, you

must keep all records identified in §63.2343.

~~(b) For each emission source identified in §63.2338 that does require control under this subpart:~~

~~(1) You must keep all records identified in subpart SS of this part and in Table 12 to this subpart that are applicable, including records related to notifications and reports, SSM, performance tests, CMS, and performance evaluation plans; and~~

~~(2) You must keep the records required to show continuous compliance, as required in subpart SS of this part and in Tables 8 through 10 to this subpart, with each emission limitation, operating limit, and work practice standard that applies to you.~~

~~(d) You must keep records of the total actual annual facility-level organic liquid loading volume as defined in §63.2406 through transfer racks to document the applicability, or lack thereof, of the emission limitations in Table 2 to this subpart, items 7 through 10.~~

§ 63.2394 In what form and how long must I keep my records?

(a) Your records must be in a form suitable and readily available for expeditious inspection and review according to §63.10(b)(1), including records stored in electronic form at a separate location.

(b) As specified in §63.10(b)(1), you must keep your files of all information (including all reports and notifications) for at least 5 years following the date of each occurrence, measurement, maintenance, corrective action, report, or record.

(c) You must keep each record on site for at least 2 years after the date of each occurrence, measurement, maintenance, corrective action, report, or record, according to §63.10(b)(1). You may keep the records off site for the remaining 3 years.

[69 FR 5063, Feb. 3, 2004, as amended at 71 FR 42911, July 28, 2006]

~~**Other Requirements and Information**~~

~~**§ 63.2396 What compliance options do I have if part of my plant is subject to both this subpart and another subpart?**~~

~~(a) Compliance with other regulations for storage tanks. (1) After the compliance dates specified in §63.2342, you are in compliance with the provisions of this subpart for any storage tank that is assigned to the OLD affected source and that is both controlled with a floating roof and is in compliance with the provisions of either 40 CFR part 60, subpart Kb, or 40 CFR part 61, subpart Y, except that records shall be kept for 5 years rather than 2 years for storage tanks that are assigned to the OLD affected source.~~

~~(2) After the compliance dates specified in §63.2342, you are in compliance with the provisions of this subpart for any storage tank with a fixed roof that is assigned to the OLD affected source and that is both controlled with a closed vent system and control device and is in compliance with either 40 CFR part 60, subpart Kb, or 40 CFR part 61, subpart Y, except that you must comply with the monitoring, recordkeeping, and reporting requirements in this subpart.~~

~~(3) As an alternative to paragraphs (a)(1) and (2) of this section, if a storage tank assigned to the OLD affected source is subject to control under 40 CFR part 60, subpart Kb, or 40 CFR part 61, subpart Y, you may elect to comply only with the requirements of this subpart for storage tanks meeting the applicability criteria for control in Table 2 to this subpart.~~

~~(b) Compliance with other regulations for transfer racks. After the compliance dates specified in §63.2342, if you have a transfer rack that is subject to 40 CFR part 61, subpart BB, and that transfer rack is in OLD operation, you must meet all of the requirements of this subpart for that transfer rack when the transfer rack is in OLD operation during the loading of organic liquids.~~

~~(c) Compliance with other regulations for equipment leak components. (1) After the compliance dates specified in §63.2342, if you have pumps, valves, or sampling connections that are subject to a 40 CFR part 60 subpart, and those pumps, valves, and sampling connections are in OLD operation and in organic liquids service, as defined in this subpart, you must comply with the provisions of each subpart for those equipment leak components.~~

~~(2) After the compliance dates specified in §63.2342, if you have pumps, valves, or sampling connections subject to 40 CFR part 63, subpart GGG, and those pumps, valves, and sampling connections are in OLD operation and in organic liquids service, as defined in this subpart, you may elect to comply with the provisions of this subpart for all such equipment leak components. You must identify in the Notification of Compliance Status required by §63.2382(b) the provisions with which you will comply.~~

~~(d) [Reserved]~~

~~(e) Overlap with other regulations for monitoring, recordkeeping, and reporting. (1) Control devices. After the compliance dates specified in §63.2342, if any control device subject to this subpart is also subject to monitoring, recordkeeping, and reporting requirements of another 40 CFR part 63 subpart, the owner or operator must be in compliance with the monitoring, recordkeeping, and reporting requirements of this subpart EEEE. If complying with the monitoring, recordkeeping, and reporting requirements of the other subpart satisfies the monitoring, recordkeeping, and reporting requirements of this subpart, the owner or operator may elect to continue to comply with the monitoring, recordkeeping, and reporting requirements of the other subpart. In such instances, the owner or operator will be deemed to be in compliance with the monitoring, recordkeeping, and reporting requirements of this subpart. The owner or operator must identify the other subpart being complied with in the Notification of Compliance Status required by §63.2382(b).~~

~~(2) Equipment leak components. After the compliance dates specified in §63.2342, if you are applying the applicable recordkeeping and reporting requirements of another 40 CFR part 63 subpart to the valves, pumps, and sampling connection systems associated with a transfer rack subject to this subpart that only unloads organic liquids directly to or via pipeline to a non-tank process unit component or to a storage tank subject to the other 40 CFR part 63 subpart, the owner or operator must be in compliance with the recordkeeping and reporting requirements of this subpart EEEE. If complying with the recordkeeping and reporting requirements of the other subpart satisfies the recordkeeping and reporting requirements of this subpart, the owner or operator may elect to continue to comply with the recordkeeping and reporting requirements of the other subpart. In such instances, the owner or operator will be deemed to be in compliance with the recordkeeping and reporting requirements of this subpart. The owner or operator must identify the other subpart being complied with in the Notification of Compliance Status required by §63.2382(b).~~

~~Table 2 to Subpart EEEE of Part 63—Emission Limits~~

~~As stated in §63.2346, you must comply with the emission limits for the organic liquids distribution emission sources as follows:~~

~~If you operate~~	~~And if~~	~~Then you must~~
~~1. A storage tank at an existing affected source with a capacity ≥18.9 cubic meters (5,000 gallons) and <189.3 cubic meters (50,000 gallons).~~	~~a. The stored organic liquid is not crude oil and if the annual average true vapor pressure of the total Table 1 organic HAP in the stored organic liquid is ≥27.6 kilopascals (4.0 psia) and <76.6 kilopascals (11.1 psia).~~	~~i. Reduce emissions of total organic HAP (or, upon approval, TOC) by at least 95 weightpercent or, as an option, to an exhaust concentration less than or equal to 20 ppmv, on a dry basis corrected to 3 percent oxygen for combustion devices using supplemental combustion air, by venting emissions through a closed vent system to any combination of control devices meeting the applicable requirements of 40 CFR part 63, subpart SS; OR~~

~~If you operate~~	~~And if~~	~~Then you must~~
		~~ii. Comply with the work practice standards specified in Table 4 to this subpart, items 1.a, 1.b, or 1.c for tanks storing liquids described in that table.~~
	~~b. The stored organic liquid is crude oil~~	~~i. See the requirement in item 1.a.i or 1.a.ii of this table.~~
~~2. A storage tank at an existing affected source with a capacity ≥189.3 cubic meters (50,000 gallons).~~	~~a. The stored organic liquid is not crude oil and if the annual average true vapor pressure of the total Table 1 organic HAP in the stored organic liquid is <76.6 kilopascals (11.1 psia).~~	~~i. See the requirement in item 1.a.i or 1.a.ii of this table.~~
	~~b. The stored organic liquid is crude oil.~~	~~i. See the requirement in item 1.a.i or 1.a.ii of this table.~~
~~3. A storage tank at a reconstructed or new affected source with a capacity ≥18.9 cubic meters (5,000 gallons) and <37.9 cubic meters (10,000 gallons).~~	~~a. The stored organic liquid is not crude oil and if the annual average true vapor pressure of the total Table 1 organic HAP in the stored organic liquid is ≥27.6 kilopascals (4.0 psia) and <76.6 kilopascals (11.1 psia).~~	~~i. See the requirement in item 1.a.i or 1.a.ii of this table.~~
	~~b. The stored organic liquid is crude oil.~~	~~i. See the requirement in item 1.a.i or 1.a.ii of this table.~~
~~4. A storage tank at a reconstructed or new affected source with a capacity ≥37.9 cubic meters (10,000 gallons) and <189.3 cubic meters (50,000 gallons).~~	~~a. The stored organic liquid is not crude oil and if the annual average true vapor pressure of the total Table 1 organic HAP in the stored organic liquid is ≥0.7 kilopascals (0.1 psia) and <76.6 kilopascals (11.1 psia).~~	~~i. See the requirement in item 1.a.i or 1.a.ii of this table.~~
	~~b. The stored organic liquid is crude oil.~~	~~i. See the requirement in item 1.a.i or 1.a.ii of this table.~~
~~5. A storage tank at a reconstructed or new affected source with a capacity ≥189.3 cubic meters (50,000 gallons).~~	~~a. The stored organic liquid is not crude oil and if the annual average true vapor pressure of the total Table 1 organic HAP in the stored organic liquid is <76.6 kilopascals (11.1 psia).~~	~~i. See the requirement in item 1.a.i or 1.a.ii of this table.~~
	~~b. The stored organic liquid is crude oil.~~	~~i. See the requirement in item 1.a.i or 1.a.ii of this table.~~
~~6. A storage tank at an existing, reconstructed, or new affected source meeting the capacity criteria specified in Table 2 of this subpart, items 1~~	~~a. The stored organic liquid is not crude oil and if the annual average true vapor pressure of the total Table 1 organic HAP in the stored organic liquid is ≥76.6 kilopascals (11.1 psia).~~	~~i. Reduce emissions of total organic HAP (or, upon approval, TOC) by at least 95 weight percent or, as an option, to an exhaust concentration less than or equal to 20 ppmv, on a dry basis corrected to 3 percent oxygen for combustion devices using supplemental combustion air, by venting emissions through a closed~~

~~If you operate~~	~~And if~~	~~Then you must~~
~~through 5.~~		~~vent system to any combination~~
		~~of control devices meeting the applicable requirements of 40 CFR part 63, subpart SS; OR~~
		~~ii. Comply with the work practice standards specified in Table 4 to this subpart, item 2.a, for tanks storing the liquids described in that~~
		~~table.~~
~~7. A transfer rack at an existing facility where the total actual annual facility-level organic~~	~~a. The total Table 1 organic HAP content of the organic liquid being loaded through one or more of the transfer rack's arms is at least 98 percent by weight and is being~~	~~i. For all such loading arms at the rack, reduce emissions of total organic HAP (or, upon approval, TOC) from the loading of organic liquids either by venting the emissions that occur during loading through a closed vent system to any combination of control devices~~
~~liquid loading volume through transfer racks is equal to or greater than 800,000 gallons~~	~~loaded into a transport vehicle.~~	
~~and less than 10 million gallons.~~		~~meeting the applicable requirements of 40 CFR part 63, subpart SS, achieving at least 98 weight-percent HAP reduction, OR, as an option, to an exhaust concentration less than or equal to 20 ppmv, on a dry~~
		~~basis corrected to 3 percent oxygen for combustion devices using supplemental combustion air; OR~~
		~~ii. During the loading of organic liquids, comply with the work practice standards specified in item 3 of Table 4 to this subpart.~~
~~8. A transfer rack at an existing facility where the total actual annual facility-level organic~~	~~a. One or more of the transfer rack's arms is loading an organic liquid into a transport vehicle.~~	~~i. See the requirements in items 7.a.i and 7.a.ii of this table.~~
~~liquid loading volume through transfer racks is ≥10 million gallons..~~		
~~9. A transfer rack at a new facility where the total actual annual facility-level organic liquid~~	~~a. The total Table 1 organic HAP content of the organic liquid being loaded through one or more of the transfer rack's arms is at least 25 percent by weight and is being~~	~~i. See the requirements in items 7.a.i and 7.a.ii of this table.~~
~~loading volume through transfer racks is less than 800,000 gallons.~~	~~loaded into a transport vehicle.~~	
	~~b. One or more of the transfer rack's arms is filling a container with a capacity equal to or greater than 55 gallons.~~	~~i. For all such loading arms at the rack during the loading of organic liquids, comply with the provisions of SS 63.924 through 63.927~~
		~~of 40 CFR part 63, Subpart PP—National Emission Standards for Containers, Container Level 3 controls; OR ii. During the loading of organic liquids,~~

~~If you operate~~	~~And if~~	~~Then you must~~
		~~comply with the work practice standards specified in item 3.a of Table 4 to this subpart.~~
~~10. A transfer rack at a new facility where the total actual annual facility-level organic liquid loading volume through transfer racks is equal to or greater than 800,000 gallons.~~	~~a. One or more of the transfer rack's arms is loading an organic liquid into a transport vehicle.~~	~~i. See the requirements in items 7.a.i and 7.a.ii of this table..~~
	~~b. One or more of the transfer rack's arms is filling a container with a capacity equal to or greater than 55 gallons.~~	~~i. For all such loading arms at the rack during the loading of organic liquids, comply with the provisions of §§ 63.924 through 63.927 of 40 CFR part 63, Subpart PP—National Emission Standards for Containers, Container Level 3 controls; OR~~
		~~ii. During the loading of organic liquids, comply with the work practice standards specified in item 3.a of Table 4 to this subpart.~~

~~Table 3 to Subpart EEEE of Part 63—Operating Limits—High Throughput Transfer Racks~~

~~As stated in §63.2346(c), you must comply with the operating limits for existing, reconstructed, or new affected sources as follows:~~

~~For each existing, each reconstructed, and each new affected source using~~	~~You must~~
~~1. A thermal oxidizer to comply with an emission limit in Table 2 to this subpart.~~	~~Maintain the daily average fire box or combustion zone temperature greater than or equal to the reference temperature established during the design evaluation or performance test that demonstrated compliance with the emission limit.~~
~~2. A catalytic oxidizer to comply with an emission limit in Table 2 to this subpart.~~	~~a. Replace the existing catalyst bed before the age of the bed exceeds the maximum allowable age established during the design evaluation or performance test that demonstrated compliance with the emission limit; AND~~
	~~b. Maintain the daily average temperature at the inlet of the catalyst bed greater than or equal to the reference temperature established during the design evaluation or performance test that demonstrated compliance with the emission limit; AND~~
	~~c. Maintain the daily average temperature difference across the catalyst bed greater than or equal to the minimum temperature difference established during the design evaluation or performance test that demonstrated compliance with the emission limit.~~
~~3. An absorber to comply with an emission limit in Table 2 to this subpart.~~	~~a. Maintain the daily average concentration level of organic compounds in the absorber exhaust less than or equal to the reference concentration established during the design evaluation or performance test that demonstrated compliance with the emission limit; OR~~
	~~b. Maintain the daily average scrubbing liquid temperature less than or equal to the reference temperature established during the design evaluation or performance test that demonstrated compliance with the emission limit; AND~~
	~~Maintain the difference between the specific gravities of the saturated and fresh scrubbing fluids greater than or equal to the difference established during the design evaluation or performance test that~~

	~~demonstrated compliance with the emission limit.~~
~~4. A condenser to comply with an emission limit in Table 2 to this subpart.~~	~~a. Maintain the daily average concentration level of organic compounds at the condenser exit less than or equal to the reference concentration established during the design evaluation or performance test that demonstrated compliance with the emission limit; OR~~ ~~b. Maintain the daily average condenser exit temperature less than or equal to the reference temperature established during the design evaluation or performance test that demonstrated compliance with the emission limit.~~
~~5. An adsorption system with adsorbent regeneration to comply with an emission limit in Table 2 to this subpart.~~	~~a. Maintain the daily average concentration level of organic compounds in the adsorber exhaust less than or equal to the reference concentration established during the design evaluation or performance test that demonstrated compliance with the emission limit; OR~~ ~~b. Maintain the total regeneration stream mass flow during the adsorption bed regeneration cycle greater than or equal to the reference~~ ~~stream mass flow established during the design evaluation or performance test that demonstrated compliance with the emission limit; AND~~ ~~Before the adsorption cycle commences, achieve and maintain the temperature of the adsorption bed after regeneration less than or~~ ~~equal to the reference temperature established during the design evaluation or performance test that demonstrated compliance with~~ ~~the emission limit; AND~~ ~~Achieve a pressure reduction during each adsorption bed regeneration cycle greater than or equal to the pressure reduction established~~ ~~during the design evaluation or performance test that demonstrated compliance with the emission limit.~~
~~6. An adsorption system without adsorbent regeneration to comply with an emission limit in Table 2 to this subpart.~~	~~a. Maintain the daily average concentration level of organic compounds in the adsorber exhaust less than or equal to the reference concentration established during the design evaluation or performance test that demonstrated compliance with the emission limit; OR~~ ~~b. Replace the existing adsorbent in each segment of the bed with an adsorbent that meets the replacement specifications established during the design evaluation or performance test before the age of the adsorbent exceeds the maximum allowable age established during~~ ~~the design evaluation or performance test that demonstrated compliance with the emission limit; AND~~ ~~Maintain the temperature of the adsorption bed less than or equal to the reference temperature established during the design evaluation~~ ~~or performance test that demonstrated compliance with the emission limit.~~
~~7. A flare to comply with an emission limit in Table 2 to this subpart.~~	~~a. Comply with the equipment and operating requirements in § 63.987(a); AND~~ ~~b. Conduct an initial flare compliance assessment in accordance with § 63.987(b); AND~~ ~~c. Install and operate monitoring equipment as specified in § 63.987(c).~~
~~8. Another type of control device to comply with an emission limit in Table 2 to this subpart.~~	~~Submit a monitoring plan as specified in §§ 63.995(c) and 63.2366(b), and monitor the control device in accordance with that plan.~~

~~Table 4 to Subpart EEEE of Part 63 Work Practice Standards~~

~~As stated in §63.2346, you may elect to comply with one of the work practice standards for existing, reconstructed, or new affected sources in the following table. If you elect to do so, . . .~~

~~For each~~	~~You must~~
~~1. Storage tank at an existing, reconstructed, or new affected source meeting any set of tank capacity and organic HAP vapor pressure criteria specified in Table 2 to this subpart, items 1 through 5.~~	~~a. Comply with the requirements of 40 CFR part 63, subpart WW (control level 2), if you elect to meet 40 CFR part 63, subpart WW (control level 2) requirements as an alternative to the emission limit in Table 2 to this subpart, items 1 through 5; OR~~ ~~b. Comply with the requirements of § 63.984 for routing emissions to a fuel gas system or back to a process; OR~~ ~~c. Comply with the requirements of § 63.2346(a)(4) for vapor balancing emissions to the transport vehicle from which the storage tank is filled.~~
~~2. Storage tank at an existing, reconstructed, or new affected source meeting any set of tank capacity and organic HAP vapor pressure criteria specified in Table 2 to this subpart, item 6.~~	~~a. Comply with the requirements of § 63.984 for routing emissions to a fuel gas system or back to a process; OR~~ ~~b. Comply with the requirements of § 63.2346(a)(4) for vapor balancing emissions to the transport vehicle from which the storage tank is filled.~~
~~3. Transfer rack subject to control based on the criteria specified in Table 2 to this subpart, items 7 through 10, at an existing, reconstructed, or new affected source.~~	~~a. If the option of a vapor balancing system is selected, install and, during the loading of organic liquids, operate a system that meets the requirements in Table 7 to this subpart, item 3.b.i and item 3.b.ii, as applicable; OR~~ ~~b. Comply with the requirements of § 63.984 during the loading of organic liquids, for routing emissions to a fuel gas system or back to a process.~~
~~4. Pump, valve, and sampling connection that operates in organic liquids service at least 300 hours per year at an existing, reconstructed, or new affected source.~~	~~Comply with the requirements for pumps, valves, and sampling connections in 40 CFR part 63, subpart TT (control level 1), subpart UU (control level 2), or subpart H.~~
~~5. Transport vehicles equipped with vapor collection equipment that are loaded at transfer racks that are subject to control based on the criteria specified in Table 2 to this subpart, items 7 through 10.~~	~~Follow the steps in 40 CFR 60.502(e) to ensure that organic liquids are loaded only into vapor-tight transport vehicles, and comply with the provisions in 40 CFR 60.502(f), (g), (h), and (i), except substitute the term transport vehicle at each occurrence of tank truck or gasoline tank truck in those paragraphs.~~
~~6. Transport vehicles equipped without vapor collection equipment that are loaded at transfer racks that are subject to control based on the criteria specified in Table 2 to this subpart, items 7 through 10.~~	~~Ensure that organic liquids are loaded only into transport vehicles that have a current certification in accordance with the U.S. DOT pressure test requirements in 49 CFR 180 (cargo tanks) or 49 CFR 173.31 (tank cars).~~

~~Table 5 to Subpart EEEE of Part 63 Requirements for Performance Tests and Design Evaluations~~

~~As stated in §§63.2354(a) and 63.2362, you must comply with the requirements for performance tests and design evaluations for existing, reconstructed, or new affected sources as follows:~~

~~For~~	~~You must conduct~~	~~According to~~	~~Using~~	~~To Determine~~	~~According to the following requirements~~
~~1. Each existing, each reconstructed, and each new affected source using a nonflare control device to comply with an emission limit in Table 2 to this subpart, items 1 through 10.~~	~~a. A performance test to determine the organic HAP (or, upon approval, TOC) control efficiency of each nonflare control device, OR the exhaust concentration of each combustion device; OR~~	~~i. § 63.985(b)(1)(ii), § 63.988(b), § 63.990(b), or § 63.995(b).~~	~~(1) EPA Method 1 or 1A in appendix A of 40 CFR part 60, as appropriate.~~	~~(A) Sampling port locations and the required number of traverse points.~~	~~(i) Sampling sites must be located at the inlet and outlet of each control device if complying with the control efficiency requirement or at the outlet of the control device if complying with the exhaust concentration requirement; AND (ii) The outlet sampling site must be located at each control device prior to any releases to the atmosphere.~~
			~~(2) EPA Method 2, 2A, 2C, 2D, 2F, or 2G in appendix A of 40 CFR part 60, as appropriate.~~	~~(A) Stack gas velocity and volumetric flow rate.~~	~~See the requirements in items 1.a.i.(1)(A)(i) and (ii) of this table.~~
			~~(3) EPA Method 3 or 3B in appendix A of 40 CFR part 60, as appropriate.~~	~~(A) Concentration of CO2 and O2 and dry molecular weight of the stack gas.~~	~~See the requirements in items 1.a.i.(1)(A)(i) and (ii) of this table.~~

~~For~~	~~You must conduct~~	~~According to~~	~~Using~~	~~To Determine~~	~~According to the following requirements~~
			~~(4) EPA Method 4 in appendix A of 40 CFR part 60.~~	~~(A) Moisture content~~ ~~of the stack gas.~~	~~See the requirements in items 1.a.i.(1)(A)(i) and~~ ~~(ii) of this table.~~
			~~(5) EPA Method 18,~~ ~~25, or 25A in appendix~~ ~~A of 40 CFR part 60, as appropriate, or EPA~~ ~~Method 316 in Appendix A of 40 CFR~~ ~~part 63 for measuring~~ ~~formaldehyde.~~	~~(A) Total organic HAP~~ ~~(or, upon approval,~~ ~~TOC), or formaldehyde emissions.~~	~~(i) The organic HAP used for the calibration gas for EPA Method 25A must be the single organic~~ ~~HAP representing the largest percent by volume~~ ~~of emissions;~~ ~~AND~~ ~~(ii) During the performance test, you must establish the operating parameter limits within~~ ~~which total organic HAP (or, upon approval,~~ ~~TOC) emissions are reduced by the required~~ ~~weight-percent or, as an option for nonflare combustion devices, to 20 ppmv exhaust concentration.~~
		~~b. A design evaluation~~ ~~(for nonflare~~ ~~control devices) to~~ ~~determine the~~	~~§ 63.985(b)(1)(i).~~		~~During a design evaluation,~~ ~~you must~~ ~~establish the operating~~ ~~parameter~~

~~For~~	~~You must conduct~~	~~According to~~ ~~organic~~ ~~HAP (or,~~ ~~upon approval, TOC) control efficiency of each nonflare control device, or the exhaust concentration of~~ ~~each combustion~~ ~~control device..~~	~~Using~~	~~To Determine~~	~~According to the following requirements~~ ~~limits within which~~ ~~total organic HAP,~~ ~~(or, upon approval,~~ ~~TOC) emissions are reduced by at least 95 weight-percent for storage tanks or 98 weight percent for transfer racks, or, as an option for nonflare combustion devices, to 20 ppmv exhaust concentration.~~
~~2. Each transport vehicle that you own that is equipped with vapor collection~~ ~~equipment and is~~ ~~loaded with organic liquids at a transfer rack that is subject to control based on~~ ~~the criteria specified in Table 2 to this subpart, items 7 through 10, at an existing, reconstructed,~~ ~~or new affected~~ ~~source.~~	~~A performance test to determine the~~ ~~vapor tightness of~~ ~~the tank and then~~ ~~repair as needed~~ ~~until it passes the~~ ~~test.~~		~~EPA Method 27 in~~ ~~appendix A of 40~~ ~~CFR part 60.~~	~~Vapor tightness~~	~~The pressure change in the tank must be no more than 250 pascals (1 inch of water) in 5 minutes after it is pressurized to 4,500 pascals (18 inches of water).~~

~~Table 6 to Subpart EEEE of Part 63 Initial Compliance With Emission Limits~~

~~As stated in §§63.2370(a) and 63.2382(b), you must show initial compliance with the emission limits for existing, reconstructed, or new affected sources~~

~~as follows:~~

~~For each~~	~~For the following emission unit~~	~~You have demonstrated initial compliance if~~
~~1. Storage tank at an existing, reconstructed, or new affected source meeting either set of tank capacity and liquid organic HAP vapor pressure criteria specified in Table 2 to this subpart, items 1 through 6.~~	~~Reduce total organic HAP (or, upon approval, TOC) emissions by at least 95 weight-percent, or as an option for combustion devices to an exhaust concentration of ≤20 ppmv.~~	~~Total organic HAP (or, upon approval, TOC) emissions, based on the results of the performance testing or design evaluation specified in Table 5 to this subpart, item 1.a or 1.b, respectively, are reduced by at least 95 weight-percent or as an option for nonflare combustion devices to an exhaust concentration ≤20 ppmv.~~
~~2. Transfer rack that is subject to control based on the criteria specified in Table 2 to this subpart, items 7 through 10, at an existing, reconstructed, or new affected source.~~	~~Reduce total organic HAP (or, upon approval, TOC) emissions from the loading of organic liquids by at least 98 weight-percent, or as an option for nonflare combustion devices to an exhaust concentration of ≤20 ppmv.~~	~~Total organic HAP (or, upon approval, TOC) emissions from the loading of organic liquids, based on the results of the performance testing or design evaluation specified in Table 5 to this subpart, item 1.a or 1.b, respectively, are reduced by at least 98 weight-percent or as an option for nonflare combustion devices to an exhaust concentration of ≤20 ppmv.~~

~~Table 7 to Subpart EEEE of Part 63 Initial Compliance With Work Practice Standards~~

~~For each~~	~~If you~~	~~You have demonstrated initial compliance if~~
~~1. Storage tank at an existing affected source meeting either set of tank capacity and liquid organic HAP vapor pressure criteria specified in Table 2 to this subpart, items 1 or 2.~~	~~a. Install a floating roof or equivalent control that meets the requirements in Table 4 to this subpart, item 1.a.~~	~~i. After emptying and degassing, you visually inspect each internal floating roof before the refilling of the storage tank and perform seal gap inspections of the primary and secondary rim seals of each external floating roof within 90 days after the refilling of the storage tank.~~
	~~b. Route emissions to a fuel gas system or back to a process.~~	~~i. You meet the requirements in § 63.984(b) and submit the statement of connection required by § 63.984(c).~~
	~~c. Install and, during the filling of the storage tank with organic liquids, operate a vapor balancing system.~~	~~i. You meet the requirements in § 3.2346(a)(4).~~
~~2. Storage tank at a reconstructed or new affected source meeting any set of tank capacity and liquid organic HAP vapor pressure criteria specified in Table 2 to this subpart, items 3 through 5.~~	~~a. Install a floating roof or equivalent control that meets the requirements in Table 4 to this subpart, item 1.a.~~	~~i. You visually inspect each internal floating roof before the initial filling of the storage tank, and perform seal gap inspections of the priamry and secondary rim seals of each external floating roof within 90 days after the initial filling of the storage tank.~~
	~~b. Route emissions to a fuel gas system or back~~	~~i. See item 1.b.i of this table.~~

	~~to a process.~~	
	~~c. Install and, during the filling of the storage tank with organic liquids, operate a vapor balancing system.~~	~~i. See item 1.c.i of this table.~~
~~3. Transfer rack that is subject to control based on the criteria specified in Table 2 to this subpart, items 7 through 10, at an existing, reconstructed, or new affected source.~~	~~a. Load organic liquids only into transport vehicles having current vapor tightness certification as described in Table 4 to this subpart, item 5 and item 6.~~	~~i. You comply with the provisions specified in Table 4 to this subpart, item 5 or item 6, as applicable.~~
	~~b. Install and, during the loading of organic liquids, operate a vapor balancing system.~~	~~i. You design and operate the vapor balancing system to route organic HAP vapors displaced from loading of organic liquids into transport vehicles to the storage tank from which the liquid being loaded originated or to another storage tank connected to a common header.~~ ~~ii. You design and operate the vapor balancing system to route organic HAP vapors displaced from loading of organic liquids into containers directly (e.g., no intervening tank or containment area such as a room) to the storage tank from which the liquid being loaded originated or to another storage tank connected to a common header.~~
	~~c. Route emissions to a fuel gas system or back to a process.~~	~~i. See item 1.b.i of this table.~~
~~4. Equipment leak component, as defined in § 63.2406, that operates in organic liquids service ≥ 300 hours per year at an existing, reconstructed, or new affected source.~~	~~a. Carry out a leak detection and repair program or equivalent control according to one of the subparts listed in Table 4 to this subpart, item 3.a.~~	~~i. You specify which one of the control programs listed in Table 4 to this subpart you have selected, OR~~ ~~ii. Provide written specifications for your~~ ~~equivalent control approach.~~

~~Table 8 to Subpart EEEE of Part 63. Continuous Compliance With Emission Limits~~

~~As stated in §§ 63.2378(a) and (b) and 63.2390(b), you must show continuous compliance with the emission limits for existing, reconstructed, or new affected sources according to the following table:~~

~~For each~~	~~For the following emission limit~~	~~You must demonstrate continuous compliance by~~
~~1. Storage tank at an existing, reconstructed, or new affected source meeting any set of tank capacity and liquid organic HAP vapor pressure~~	~~a. Reduce total organic HAP (or, upon approval, TOC) emissions from the closed vent system and control device by 95 weight-percent or greater, or as an option~~	~~i. Performing CMS monitoring and collecting data according to §§ 63.2366, 63.2374, and 63.2378; AND~~ ~~ii. Maintaining the operating limits established during the design evaluation or performance test that demonstrated~~

~~criteria specified in Table 2 to this subpart, items 1 through 6.~~	~~to 20 ppmv or less of total organic HAP (or, upon approval, TOC) in the exhaust of combustion devices.~~	~~compliance with the emission limit.~~
~~2. Transfer rack that is subject to control based on the criteria specified in Table 2 to this subpart, items 7 through 10, at an existing, reconstructed, or new affected source.~~	~~a. Reduce total organic HAP (or, upon approval, TOC) emissions during the loading of organic liquids from the closed vent system and control device by 98 weight-percent or greater, or as an option to 20 ppmv or less of total organic HAP (or, upon approval,~~ ~~TOC) in the exhaust of combustion~~ ~~devices.~~	~~i. Performing CMS monitoring and collecting data according to §§ 63.2366, 63.2374, and 63.2378 during the loading of organic liquids; AND~~ ~~ii. Maintaining the operating limits established during the design evaluation or performance test that demonstrated compliance with the emission limit during the loading of organic liquids.~~

~~Table 9 to Subpart EEEE of Part 63—Continuous Compliance With Operating Limits—High Throughput Transfer Racks~~

~~As stated in § 63.2378(a) and (b) and 63.2390(b), you must show continuous compliance with the operating limits for existing, reconstructed, or new affected sources according to the following table:~~

~~For each existing, reconstructed, and each new affected source using~~	~~For the following operating limit~~	~~You must demonstrate continuous compliance by~~
~~1. A thermal oxidizer to comply with an emission limit in Table 2 to this subpart.~~	~~a. Maintain the daily average fire box or combustion zone, as applicable, temperature greater than or equal to the reference temperature established during the design evaluation or performance test that demonstrated compliance with the emission limit.~~	~~i. Continuously monitoring and recording fire box or combustion zone, as applicable, temperature every 15 minutes and maintaining the daily average fire box temperature greater than or equal to the reference temperature established during the design evaluation or performance test that demonstrated compliance with the emission limit; AND~~ ~~ii. Keeping the applicable records required in § 63.998.~~
~~2. A catalytic oxidizer to comply with an emission limit in Table 2 to this subpart.~~	~~a. Replace the existing catalyst bed before the age of the bed exceeds the maximum allowable age established during the design evaluation or performance test that demonstrated compliance with the emission limit; AND~~	~~i. Replacing the existing catalyst bed before the age of the bed exceeds the maximum allowable age established during the design evaluation or performance test that demonstrated~~ ~~compliance with the emission~~ ~~limit; AND~~ ~~ii. Keeping the applicable records required in § 63.998.~~
	~~b. Maintain the daily average temperature at the inlet of the catalyst bed greater than or equal to~~	~~i. Continuously monitoring and recording the temperature at the inlet of the catalyst bed at least every 15 minutes and maintaining the daily average~~

~~For each existing, reconstructed, and each new affected source using~~	~~For the following operating limit~~	~~You must demonstrate continuous compliance by~~
	~~the reference temperature established during the design evaluation or performance test that demonstrated compliance with the emission limit; AND~~	~~temperature at the inlet of the catalyst bed greater than or equal to the reference temperature established during the design evaluation or performance test that demonstrated compliance with the emission limit; AND~~ ~~ii. Keeping the applicable records required in § 63.998.~~
	~~c. Maintain the daily average temperature difference across the catalyst bed greater than or equal to the minimum temperature difference established during the design evaluation or performance test that demonstrated compliance with the emission limit.~~	~~i. Continuously monitoring and recording the temperature at the outlet of the catalyst bed every 15 minutes and maintaining the daily average temperature difference across the catalyst bed greater than or equal to the minimum temperature difference established during the design evaluation or performance test that demonstrated compliance with the~~ ~~emission limit; AND~~ ~~ii. Keeping the applicable records required in § 63.998.~~
~~3. An absorber to comply with an emission limit in Table 2 to this subpart.~~	~~a. Maintain the daily average concentration level of organic compounds in the absorber exhaust less than or equal to the reference concentration established during the design evaluation or performance test that demonstrated~~ ~~compliance with the emission~~ ~~limit; OR~~	~~i. Continuously monitoring the organic concentration in the absorber exhaust and~~ ~~maintaining the daily average concentration less than or equal to the reference concentration established during the design evaluation or performance test that demonstrated compliance with the emission limit; AND~~ ~~ii. Keeping the applicable records required in § 63.998.~~
	~~b. Maintain the daily average scrubbing liquid temperature less than or equal to the reference temperature established during the design evaluation or performance test that demonstrated compliance with the emission limit; AND~~ ~~Maintain the difference between the specific gravities of the saturated and fresh scrubbing fluids greater than or equal to the difference established during the design evaluation or performance test that demonstrated compliance with the emission limit.~~	~~i. Continuously monitoring the scrubbing liquid temperature and maintaining the daily average temperature less than or equal to the reference temperature established during the design evaluation or performance test that demonstrated compliance with the emission limit; AND~~ ~~ii. Maintaining the difference between the specific gravities greater than or equal to the difference established during the design evaluation or performance test that demonstrated compliance with the emission limit; AND~~ ~~iii. Keeping the applicable records required in § 63.998.~~
~~4. A condenser to comply with an emission limit in~~	~~a. Maintain the daily average concentration~~	~~i. Continuously monitoring the organic concentration at the condenser exit and~~

~~For each existing, reconstructed, and each new affected source using~~	~~For the following operating limit~~	~~You must demonstrate continuous compliance by~~
~~Table 2 to this subpart.~~	~~level of organic compounds at the exit of the condenser less than or equal to the reference concentration established during the design evaluation or performance test that demonstrated compliance with the emission limit; OR~~	~~maintaining the daily average concentration less than or equal to the reference concentration established during the design evaluation or performance test that demonstrated compliance with the emission limit; AND~~
		~~ii. Keeping the applicable records required in § 63.998.~~
	~~b. Maintain the daily average condenser exit temperature less than or equal to the reference temperature established during the design evaluation or performance test that demonstrated compliance with the emission limit.~~	~~i. Continuously monitoring and recording the temperature at the exit of the condenser at least every 15 minutes and maintaining the daily average temperature less than or equal to the reference temperature established during the design evaluation or performance test that demonstrated compliance with the emission limit; AND~~
		~~ii. Keeping the applicable records required in § 63.998.~~
~~5. An adsorption system with adsorbent regeneration to comply with an emission limit in Table 2 to this subpart.~~	~~a. Maintain the daily average concentration level of organic compounds in the adsorber exhaust less than or equal to the reference concentration established during the design evaluation or performance test that demonstrated~~	~~i. Continuously monitoring the daily average organic concentration in the adsorber exhaust and maintaining the concentration less than or equal to the reference concentration established during the design evaluation or performance test that demonstrated compliance with the emission limit; AND~~
	~~compliance with the emission limit; OR~~	~~ii. Keeping the applicable records required in § 63.998.~~
	~~b. Maintain the total regeneration stream mass flow during the adsorption bed regeneration cycle greater than or equal to the reference stream mass flow established during the design evaluation or performance test that demonstrated compliance with the emission limit; AND~~	~~i. Maintaining the total regeneration stream mass flow during the adsorption bed regeneration cycle greater than or equal to the reference stream mass flow established during the design evaluation or performance test that demonstrated compliance with the emission limit; AND~~
	~~Before the adsorption cycle commences,~~	~~ii. Maintaining the temperature of the adsorption bed after regeneration less than or equal to the reference temperature established during the design evaluation or performance test that demonstrated compliance with the emission limit; AND~~
	~~achieve and maintain the temperature of the adsorption bed after regeneration less than or equal to the reference temperature established during the design evaluation or performance test; AND~~	~~iii. Achieving greater than or equal to the pressure reduction during the regeneration cycle established during the design evaluation or performance test that demonstrated compliance with the emission limit; AND~~
		~~iv. Keeping the applicable records required in § 63.998.~~
	~~Achieve greater than or~~	

~~For each existing, reconstructed, and each new affected source using~~	~~For the following operating limit~~	~~You must demonstrate continuous compliance by~~
	~~equal to the pressure reduction during the adsorption bed regeneration cycle established during the design evaluation or performance test that demonstrated compliance with the emission limit.~~	
~~6. An adsorption system without adsorbent regeneration~~	~~a. Maintain the daily average concentration level of organic compounds in the adsorber exhaust less than or equal to the reference concentration established during the design evaluation or performance test that demonstrated~~	~~i. Continuously monitoring the organic concentration in the adsorber exhaust and~~
~~to comply with an emission limit~~		~~maintaining the concentration less than or~~
~~in Table 2 to this subpart.~~	~~compliance with the emission limit; OR~~	~~equal to the reference concentration established during the design evaluation or performance test that demonstrated compliance with the emission limit; AND~~
		~~ii. Keeping the applicable records required in § 63.998.~~
	~~b. Replace the existing adsorbent in each segment of the bed before the age of the adsorbent exceeds the maximum allowable age established during the design evaluation or performance test that demonstrated compliance with the emission limit; AND.~~	~~i. Replacing the existing adsorbent in each~~
		~~segment of the bed with an adsorbent that~~
		~~meets the replacement specifications established during the design evaluation or performance test before the age of the adsorbent exceeds the maximum allowable age established during the design evaluation or performance test that demonstrated compliance with the emission limit; AND~~
	~~Maintain the temperature of the adsorption bed less than or equal to the reference temperature established during the design evaluation or performance test that demonstrated compliance with the emission limit.~~	~~ii. Maintaining the temperature of the adsorption bed less than or equal to the reference temperature established during the design evaluation or performance test that demonstrated compliance with the emission limit; AND~~
		~~iii. Keeping the applicable records required in § 63.998.~~
~~7. A flare to comply with an emission limit in Table 2 to this subpart.~~	~~a. Maintain a pilot flame in the flare at all~~	~~i. Continuously operating a device that detects the presence of the pilot flame; AND~~
	~~times that vapors may be vented to the flare (§ 63.11(b)(5)); AND~~	~~ii. Keeping the applicable records required in § 63.998.~~
	~~b. Maintain a flare flame at all times that vapors are being vented to the flare~~	~~i. Maintaining a flare flame at all times that vapors are being vented to the flare; AND~~

~~For each existing, reconstructed, and each new affected source using~~	~~For the following operating limit~~	~~You must demonstrate continuous compliance by~~
	~~(§ 63.11(b)(5)); AND~~	~~ii. Keeping the applicable records required in § 63.998.~~
	~~c. Operate the flare with no visible emissions, except for up to 5 minutes in any 2 consecutive hours (§ 63.11(b)(4)); AND~~	~~i. Operating the flare with no visible emissions exceeding the amount allowed; AND~~ ~~ii. Keeping the applicable records required in § 63.998.~~
	~~d.1. Operate the flare with an exit velocity that is within the applicable limits in § 63.11(b)(7) and (8) and with a net heating value of the gas being combusted greater than the applicable minimum value in § 63.11(b)(6)(ii); OR~~	~~i. Operating the flare within the applicable exit velocity limits; AND~~ ~~ii. Operating the flare with the gas heating~~ ~~value greater than the applicable minimum value; AND~~ ~~iii. Keeping the applicable records required in § 63.998.~~
	~~d.2. Adhere to the requirements in~~ ~~§ 63.11(b)(6)(i).~~	~~i. Operating the flare within the applicable limits in 63.11(b)(6)(i); AND~~ ~~ii. Keeping the applicable records required in § 63.998.~~
~~8. Another type of control device to comply with an emission limit in Table 2 to this subpart.~~	~~Submit a monitoring plan as specified in~~ ~~§§ 63.995(c) and 63.2366(c), and monitor~~ ~~the control device in accordance with that~~ ~~plan.~~	~~Submitting a monitoring plan and monitoring the control device according to that plan.~~

~~Table 10 to Subpart EEEE of Part 63. Continuous Compliance With Work Practice Standards~~

~~As stated in §§ 63.2378(a) and (b) and 63.2386(c)(6), you must show continuous compliance with the work practice standards for existing, reconstructed, or new affected sources according to the following table:~~

~~For each~~	~~For the following standard~~	~~You must demonstrate continuous compliance by~~
~~1. Internal floating roof (IFR) storage tank at an existing, reconstructed, or new affected source meeting any set of tank capacity, and vapor pressure criteria specified in Table 2 to this subpart, items 1 through 5.~~	~~a. Install a floating roof designed and operated according to the applicable specifications in § 63.1063(a) and (b).~~	~~i. Visually inspecting the floating roof deck, deck fittings, and rim seals of each IFR once per year (§ 63.1063(d)(2)); AND~~ ~~ii. Visually inspecting the floating roof deck, deck fittings, and rim seals of~~

~~For each~~	~~For the following standard~~	~~You must demonstrate continuous compliance by~~
		~~each IFR either each time the storage tank is completely emptied and degassed or every 10 years, whichever occurs first~~ ~~(§ 63.1063(c)(1), (d)(1), and (e)); AND~~ ~~iii. Keeping the tank records required in~~ ~~§ 63.1065.~~
~~2. External floating roof (EFR) storage tank at an existing, reconstructed, or new affected source meeting any set of tank capacity and vapor pressure criteria specified in Table 2 to this subpart, items 1 through 5.~~	~~a. Install a floating roof designed and operated according to the applicable specifications in § 63.1063(a) and (b).~~	~~i. Visually inspecting the floating roof deck, deck fittings, and rim seals of each EFR either each time the storage tank is completely emptied and degassed or every 10 years, whichever occurs first~~ ~~(§ 63.1063(c)(2), (d), and (e)); AND~~ ~~ii. Performing seal gap measurements on the secondary seal of each EFR at least once every year, and on the primary seal of each EFR at least every 5 years (§ 63.1063(c)(2), (d), and (e)); AND~~ ~~iii. Keeping the tank records required in~~ ~~§ 63.1065.~~
~~3. IFR or EFR tank at an existing, reconstructed, or new affected source meeting any set of tank capacity and vapor pressure criteria specified in Table 2 to this subpart, items 1 through 5.~~	~~a. Repair the conditions causing storage tank inspection failures (§ 63.1063(c)).~~	~~i. Repairing conditions causing inspection failures: before refilling the storage tank with organic liquid, or within 45 days (or up to 105 days with extensions) for a tank containing organic liquid; AND~~ ~~ii. Keeping the tank records required in~~ ~~§ 63.1065(b).~~
~~4. Transfer rack that is subject to control~~ ~~based on the criteria specified in Table 2 to this subpart, items 7 through 10, at an existing, reconstructed, or new affected source.~~	~~a. Ensure that organic liquids are loaded into transport vehicles in accordance with the requirements in Table 4 to this subpart, items 5 or 6, as applicable.~~ ~~b. Install and, during the loading of organic liquids, operate a vapor balancing system.~~	~~i. Ensuring that organic liquids are loaded into transport vehicles in accordance with the requirements in Table 4 to this subpart, items 5 or 6, as applicable.~~ ~~i. Monitoring each potential source of vapor leakage in the system quarterly during the loading of a transport vehicle or the filling of a container using the methods and procedures described in~~

~~For each~~	~~For the following standard~~	~~You must demonstrate continuous compliance by~~
		~~the rule requirements selected for the work practice standard for equipment leak components as specified in Table 4 to this subpart, item 4. An instrument reading of 500 ppmv defines a leak. Repair of leaks is performed according to the repair requirements specified in your selected~~ ~~equipment leak standard~~
	~~c. Route emissions to a fuel gas system or~~ ~~back to a process.~~	~~i. Continuing to meet the requirements specified in § 63.984(b).~~
~~5. Equipment leak component, as defined in § 63.2406, that operates in organic liquids service at least 300 hours per year.~~	~~a. Comply with the requirements of 40 CFR part 63, subpart TT, UU, or H.~~	~~i. Carrying out a leak detection and repair program in accordance with the subpart selected from the list in item 5.a of this table.~~
~~6. Storage tank at an existing, reconstructed, or new affected source meeting any of the tank capacity and vapor pressure criteria specified in Table 2 to this subpart, items 1 through 6.~~	~~a. Route emissions to a fuel gas system or~~ ~~back to the process.~~	~~i. Continuing to meet the requirements specified in § 63.984(b).~~
	~~b. Install and, during the filling of the storage tank with organic liquids, operate a vapor balancing system.~~	~~i. Monitoring each potential source of vapor leakage in the system quarterly during the loading of a transport vehicle or the filling of a container using the methods and procedures described in the rule requirements selected for the work practice standard for equipment leak components as specified in Table 4 to this subpart, item 4. An instrument~~ ~~reading of 500 ppmv defines a leak.~~ ~~Repair of leaks is performed according to~~ ~~the repair requirements specified in your selected equipment leak standards.~~

~~Table 11 to Subpart EEEE of Part 63. Requirements for Reports~~

~~As stated in § 63.2386(a), (b), and (f), you must submit compliance reports and startup, shutdown, and malfunction reports according to the following table:~~

~~You must submit a(n)~~	~~The report must contain~~	~~You must submit the report~~
~~1. Compliance report or Periodic Report~~	~~a. The information specified in § 63.2386(c), (d), (e). If you had a SSM during the reporting period and you took actions consistent with your SSM plan, the report must also include the information in § 63.10(d)(5)(i);~~ ~~AND~~ ~~Semiannually, and it must be postmarked by January 31 or July 31, in accordance with § 63.2386(b).~~	~~Semiannually, and it must be postmarked by January 31 or July 31, in accordance with § 63.2386(b).~~
	~~b. The information required by 40 CFR part 63, subpart TT, UU, or H, as applicable, for pumps, valves, and sampling connections; AND~~	~~See the submission requirement in item 1.a of this table.~~
	~~c. The information required by § 63.999(c); AND~~	~~See the submission requirement in item 1.a of this table.~~
	~~d. The information specified in § 63.1066(b) including: Notification of inspection, inspection results, requests for alternate devices, and requests for extensions, as applicable.~~	~~See the submission requirement in item 1.a of this table.~~
~~2. Immediate SSM report if you had a SSM that resulted in an applicable emission standard in the relevant standard being exceeded, and you took an action that was not consistent with your SSM plan.~~	~~a. The information required in § 63.10(d)(5)(ii)~~	~~i. By letter within 7 working days after the end of the event unless you have made alternative arrangements with the permitting authority (§ 63.10(d)(5)(ii)).~~

COMMENTS ON TSD

Comment 1:

Item (d) (Page 4 of 94)

Daramic respectfully request IDEM to remove item (d) on page 4 of the TSD because Daramic has chosen not to remove reference to aerosol addition systems from the Conditions D.1.1, D.1.5, D.1.6 and D.1.7 in Title V permit.

Comment 2:

Item (f) (Page 4 of 94)

Based on comment 3 & 5 above, Daramic respectfully request IDEM to modify item (f) on page 4 of the TSD as shown below:

> "Modifying Title V Operating Permit T061-5983-00012 to include a BACT determination for **VOC emissions at die exits of the extruders serving SM Line 4 and SM Line 6 (Unit ID #8.2 and Unit ID #8.3, respectively)** ~~extruder for Sub-Micro (SM) Line 4 (Unit ID# 8.2) and the extruder for SM Line 6 (Unit ID# 8.3)~~ to satisfy Condition 18.D(i) of the March 28, 2006 EPA Administrative Consent Order (EPA-5-06-113(a)-IN-03) (ACO)."

Comment 3:

326 IAC 8-1-6 (New Facilities; General Reduction Requirements) (Page 7 of 94)

Based on comment 3 & 5 above, Daramic respectfully request IDEM to modify 326 IAC 8-1-6 on page 7 of the TSD as shown below:

> "SM-4 and SM-6 Lines **at die exits of** extruders are subject to 326 IAC 8-1-6 (New Facilities; General Reduction Requirements) because the facilities have potential to emit of VOC of more than 25 tons per year. Pursuant to this rule, the process shall reduce emissions using BACT. Control technology summaries for the SM-4 and SM-6 Lines **at the die exits** extruders are discussed in the BACT Analysis Report included in Appendix B."

Comment 4:

Subpart EEEE has been added to the permit as a part of this modification to the permit, therefore, the statement under part (b) of the Federal Rule Applicability Determination on page 5 of 94 of the TSD is not correct.

Responses 1, 2, 3 and 4:

The comments on the TSD have been documented in this addendum. However, OAQ does not make changes to the TSD since OAQ prefers to retain the TSD that was on public notice.

Upon further review IDEM, OAQ has made the following change to the Part 70 permit (additions in bold, deletions in ~~strikeout~~):

1. IDEM has determined that the test method, Method 24, listed in Condition D.1.3 is incorrect, and that the correct method is Method 25 / 25A. Therefore, Conditions D.1.3 (a) and D.1.3 (b) have been revised as shown below:

D.1.3 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, the Permittee shall perform VOC testing of the carbon adsorption system (CAS) utilizing Method ~~24~~ **25 / 25A** (40 CFR 60, Appendix A) or other 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. In addition to these requirements, IDEM may require compliance testing when necessary to determine if the facility is in compliance.

(b) Within 180 days after issuance of this permit, the Permittee shall perform VOC testing including the capture and control efficiencies of the precipitating coalescing filter (smog hog) utilizing Method ~~24~~ **25 / 25A** (40 CFR 60, Appendix A) or other 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.

APPENDIX B
REVISED BACT ANALYSIS REPORT

Source Background and Description

Source Name:	Daramic, LLC
Source Location:	3430 Cline Road, Corydon, 47112
County:	Harrison
SIC Code:	3089
Operation Permit No.:	T 061-5983-00012
Operation Permit Issuance Date:	September 7, 1999
Significant Source Modification No.:	061-23287-00012
Significant Permit Modification No.:	061-23800-00012
Permit Reviewer:	AB/EVP

BACT Assessment for VOC Emissions from the extruders serving SM Line 4 and SM Line 6

An analysis of Best Available Control Technology (BACT Analysis) has been completed for the extruders serving two of the three process lines within the plastic microporous membrane (battery separator) manufacturing plant at the Daramic facility to satisfy Condition 18.D(i) of the March 28, 2006 EPA Administrative Consent Order (EPA-5-06-113(a)-IN-03) (ACO). Daramic and EPA reached an agreement whereby Daramic may request that the IDEM modify Daramic's Title V Operating Permit T061-5983-00012 to remove from Conditions D.1.1, D.1.5, D.1.6 and D.1.7 references to the aerosol addition systems (mix towers) designated as Unit ID #s 10.1, 10.2 and 10.3 and the extruders identified as Unit ID #s 8.1, 8.2 and 8.3, provided that Daramic also requests a modification of its Title V Operating Permit to include a BACT determination for the extruder for Sub-Micro (SM) Line 4 (Unit ID# 8.2) and the extruder for SM Line 6 (Unit ID# 8.3). This BACT Analysis was performed for the extruders serving SM Line 4 and SM Line 6. The extruder for SM Line 4 was installed in 1984. The extruder for SM Line 6 was installed in 1991. Emissions from the extruders are primarily oil mist which is appropriately considered to be both particulate matter and a volatile organic compound (VOC).

This BACT Analysis was performed to evaluate the suitability of various air pollution control technologies for reducing oil mist emissions from the extruders. This BACT Analysis was completed in accordance with the format prescribed by the Indiana Department of Environmental Management (IDEM) pursuant to 326 IAC 8-1-6.

IDEM, OAQ conducts BACT analysis in accordance with the *"Top-Down" Best Available Control Technology Guidance Document* outlined in the 1990 draft USEPA *New Source Review Workshop Manual*, which outlines the steps for conducting a top-down BACT analysis. Those steps are listed below.

(1) Identify all potentially available control options;
(2) Eliminate technically infeasible control options;
(3) Rank remaining control technologies by control effectiveness;
(4) Evaluate the most effective controls and document the results; and
(5) Select BACT.

Also in accordance with the *"Top-Down" Best Available Control Technology Guidance Document* outlined in the 1990 draft USEPA *New Source Review Workshop Manual*, BACT analyses take into account the energy, environmental, and economic impacts on the source. Emission reductions may be determined through the application of available control techniques, process design, and/or operational limitations. Such reductions are necessary to demonstrate that the emissions remaining after application of BACT will not cause or contribute to air pollution thereby protecting public health and the environment.

The BACT Analysis entailed the following steps:

- Identifying options for reducing VOC (oil mist) emissions from the extruders including a review of existing BACT determinations contained in EPA's RACT/BACT/LAER Clearinghouse (RBLC) for extrusion equipment at other facilities and a review of air pollution controls required for extruders at other battery separator manufacturing facilities.

- Indicating which options are technically feasible for application to the extruders and ranking the technically feasible options based on emissions reduction efficiency.

- Performing economic, environmental, and energy impact analyses for the technically feasible options in a "top-down" approach starting with the option reflecting the highest level of emissions reduction and continuing until an option cannot be ruled out based on excessive impacts.

- Recommending BACT for the extruders.

Step 1 – Identify Control Options

The following technologies were evaluated to control VOC emissions:

- Thermal Afterburner (Oxidizer)
- Catalytic Oxidizer
- Thermal Oxidizer with Heat Exchanger
- Catalytic Oxidizer with Heat Exchanger
- Activated Carbon Adsorption
- Tray Type Gas Adsorption
- Packed Gas Adsorption Column
- Precipitative Coalescing Filter (Smog Hog)

Step 2 – Eliminate technically infeasible control options

Control Technology	Comments / Rationale
Thermal Afterburner (Oxidizer)	Not technically feasible due to the accumulation of oil mist in the bottom of the reservoir (poppet valve reservoir), which causes build-up in the heat transfer media and eventually leads to out of control temperatures (run away reaction) because the oxidation of build-up material is a highly exothermic reaction.
Catalytic Oxidizer	
Thermal Oxidizer with Heat Exchanger	
Catalytic Oxidizer with Heat Exchanger	
Activated Carbon Adsorption	Not technically feasible due to presence of polymer fumes and oil mist which would foul the carbon pore adsorption sites thus rendering this technology ineffective for VOC control.
Tray Type Gas Adsorption	Not technically feasible due to nature of oil mist being insoluble in water
Packed Gas Adsorption Column	Not technically feasible due to nature of oil mist being insoluble in water
Precipitative Coalescing Filter (Smog Hog)	Technically feasible option

The following table summarizes previous BACT determinations in RBLC and other requirements found in permits issued to similar operations:

Company / Location	Year Issued	Process Description	Emission Limits	Reference
Daramic, LLC – Owensboro, Kentucky	2004	Six Extruders	Control of emissions from extruders by Smog-Hogs. Control requirement not based on a BACT determination (emissions limited to process weight rate based levels of 3.36 – 4.62 lb/hr per extruder).	Kentucky Title V Operating Permit
Spartech Plastics – Los Angeles, California	2000	Plastic and Resin Extruders (ten extruders)	Control of extruder emissions by afterburner with 95% VOC emissions reduction.	RBLC ID: CA-1107
Markel Corporation – Montgomery, Pennsylvania	2000	Microporous Plastic Membrane Manufacturing Process Extruders	Control of emissions from horizontal extruder by catalytic oxidizer with a 9 tons/yr limit. This was identified as “other case-by-case determination” and not a BACT determination.	RBLC ID: PA-0168
Entek International, LLC – Lebanon, Oregon	2001	Plastic Battery Mat Extrusion Operation	No Controls Required	Oregon Title V Operating Permit
Microporous Products, LP – Piney Flats, Tennessee	2003	Plastic Battery Mat Extrusion Operation	No Control required	Tennessee Permit to Construct or Modify Air Source

A review of previous BACT determinations in RBLC and other requirements found in permits issued to similar operations revealed that the Spartech Plastics plant uses an afterburner with 95% VOC emissions reduction to control extruder emissions and the Markel Corporation plant uses a catalytic oxidizer with a nine (9) ton per year limit. The primary emissions from the Spartech Plastics plant and the Markel Corporation plant are VOC and HAP emissions resulting from the volatilization of free monomer or solvent in the primary polymer blend during processing. Oil is not used as raw material in any of the Spartech Plastics plant and the Markel Corporation plant processes.

Daramic uses oil as a raw material in the extrusion process. The emissions from the extruders at Daramic are oil mist VOC emissions, which are classified as both VOC and PM. If oil mist VOC emissions are controlled by thermal/catalytic oxidizer, the oil will eventually accumulate in the bottom of reservoir (poppet valve reservoir), causing build-up in the heat transfer media and will eventually lead to out of control temperatures (run away reaction) because the oxidation of build-up material is a highly exothermic reaction.

There are no oil emissions from the Spartech and Markel plants and the VOC emissions occur mainly due to volatilization of free monomer. Therefore, Spartech uses an afterburner and Markel uses a catalytic oxidizer because the VOC emissions steam is gaseous oil free stream where as it is not a feasible control option for Daramic, LLC because the VOC emissions stream is an oil mist particulate stream.

Based on the overall control efficiencies achieved by thermal/catalytic oxidizers and the problems due to oil build-up in the valves and heat transfer media, thermal/catalytic oxidizers are not feasible technologies to control oil mist VOC emissions.

Step 3 – Rank Remaining Control Technologies by Control Effectiveness

The remaining technically feasible approach for controlling VOC emissions from chemically bonded mold lines is:

Control Technology	Post-BACT Emissions Rate (tpy)	Emissions Reduction (tpy)*	Control Efficiency (%)
Precipitative Coalescing Filter (Smog Hog Demister)	10.4	33.0	76 (based on 80% capture & 95% control efficiencies)

Note: A maximum of 80% capture was assumed for the existing duct. The oil mist VOC emissions occur at the extruder exit. The duct over the extruder exit, operating at slightly negative pressure, is used to capture the oil mist VOC emissions. The battery separator material at the extruder exit dictates the quality of the material. The extruder exit area is a critical area for the operators to view and have physical access to monitor the battery separator material leaving the extruder, adjust the die bolts and make die changes. Therefore, it is not feasible to get 100% encapsulation at the extruder exit.

Step 4 - Evaluate the most effective controls and document the results

Daramic has proposed the precipitative coalescing filter (smog hog demister) as BACT therefore an economic analysis is not necessary.

Step 5 – Select BACT

IDEM has determined that BACT for extruders serving SM Line 4 and SM Line 6 will be 76% overall control by attaining 80% capture and 95% control efficiencies through the use of the precipitative coalescing filter (smog hog demister). This is equivalent to an emission reduction of 33.0 tons per year of VOC and a VOC limit of 2.38 pounds per hour.

Off-specification material that is removed from SM Lines 3, 4 and 6 as a result of start-ups, wet folds, or web breaks shall be placed in the trichloroethylene recovery system (smokehouse), Unit ID #9.4).

Indiana Department of Environmental Management
Office of Air Quality

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

Source Description and Location

Source Name:	**Daramic, LLC**
Source Location:	**3430 Cline Road, Corydon, 47112**
County:	**Harrison**
SIC Code:	**3089**
Operation Permit No.:	**T 061-5983-00012**
Operation Permit Issuance Date:	**September 7, 1999**
Significant Source Modification No.:	**061-23287-00012**
Significant Permit Modification No.:	**061-23800-00012**
Permit Reviewer:	**Alic Bent/EVP**

Existing Approvals

The source was issued Part 70 Operating Permit No. T 061-5983-00012 on September 7, 1999. The source has since received the following approvals:

(a) First Administrative Amendment 061-11737-00012, issued March 16, 2000;

(b) First Minor Source Modification 061-11905-00012, issued May 10, 2000;

(c) First Minor Permit Modification 061-12134-00012, issued July 31, 2000;

(d) First Reopening 061-13308-00012, issued February 7, 2002;

(e) First Significant Source Modification 061-18102-00012, issued February 5, 2004;

(f) First Significant Permit Modification 061-18443-00012, issued February 20, 2004; and

(g) Second Administrative Amendment 061-19696-00012, issued July 30, 2004.

County Attainment Status

The source is located in Harrison County.

Pollutant	Status
PM10	Attainment
PM2.5	Attainment
SO_2	Attainment
NO_2	Attainment
8-hour Ozone	Attainment
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 ozone. Harrison County has been designated as attainment or unclassifiable for ozone. Therefore, VOC and NOx emissions were reviewed pursuant to the requirements for Prevention of Significant Deterioration (PSD), 326 IAC 2-2.

(b) Harrison County has been classified as attainment for PM2.5. U.S. EPA has not yet established the requirements for Prevention of Significant Deterioration (PSD), 326 IAC 2-2 for PM2.5 emissions. Therefore, until the U.S.EPA adopts specific provisions for PSD review for PM2.5 emissions, it has directed states to regulate PM10 emissions as a surrogate for PM2.5 emissions.

(c) Harrison County has been classified as attainment or unclassifiable for all other criteria pollutants. Therefore, these emissions were reviewed pursuant to the requirements for Prevention of Significant Deterioration (PSD), 326 IAC 2-2.

(d) Fugitive Emissions
Since this type of operation is not one of the twenty-eight (28) listed source categories under 326 IAC 2-2, fugitive emissions are not counted toward the determination of PSD applicability.

(e) On October 25, 2006, the Indiana Air Pollution Control Board finalized a rule revision to 326 IAC 1-4-1 revoking the one-hour ozone standard in Indiana.

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	Greater 100, less than 250
PM10	Less than 100
SO_2	Less than 100
VOC	Greater than 250
CO	Less than 100
NO_x	Less than 100

(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 250 tons per year or more, and it is not one of the twenty-eight (28) listed source categories, as specified in 326 IAC 2-2-1(gg)(1).

(b) These emissions are based upon First Significant Permit Modification 061-18443-00012, issued February 20, 2004.

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)
Trichloroethylene	Greater than 10
TOTAL	Greater than 25

This existing source is a major source of HAPs, as defined in 40 CFR 63.41, because HAP emissions are greater than ten (10) tons per year for a single HAP and greater than twenty-five (25) tons per year for a combination of HAPs. Therefore, this source is a major 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 2003 OAQ emission data.

Pollutant	Actual Emissions (tons/year)
PM	No data
PM10	22
SO_2	0
VOC	529
CO	4
NO_x	5
HAP	No data

Description of Proposed Modification

The Office of Air Quality (OAQ) has reviewed a modification application, submitted by Daramic, LLC on June 28, 2006, in response to Administrative Consent Order EPA-5-06-113(a)-IN-03 issued by US EPA Region 5.

The following is a list of the proposed changes to the Title V operating permit T061-5983-00012 in response to Administrative Consent Order EPA-5-06-113(a)-IN-03:

(a) Adding a Leak Detection and Repair (LDAR) Plan for all equipment in trichloroethylene (TCE) service (containing more than 5% TCE which is in service more than 300 hours per calendar year). The LDAR Plan is included as an additional control requirement to meet the Best Available Control Technology as required by 326 IAC 8-1-6 in permit CP- 061-1935-00012.

(b) Adding a trichloroethylene (TCE) recovery room (smokehouse) that is vented to the existing carbon absorption system (S/V 17) to control emissions of VOC (TCE) from off-specification material that is removed from the extraction lines 3, 4 and 6 as a result of start-ups, wet folds, or web breaks.

(c) Daramic is requesting that the filter changing activities for the Miscella Tanks and the Distillation Equipment be listed as separate emission units in accordance with 326 IAC 2-7-4.

(d) Revising Conditions D.1.1, D.1.5, D.1.6 and D.1.7 to remove references to the aerosol addition systems (mix towers) identified as Unit ID #s 10.1 through 10.3 and extruders identified as 8.1 through 8.3.

(e) Daramic is requesting that the three (3) mixers on Line 3, Line 4 and Line 6 be recognized as emission units.

(f) Modifying Title V Operating Permit T061-5983-00012 to include a BACT determination for the extruder for Sub-Micro (SM) Line 4 (Unit ID# 8.2) and the extruder for SM Line 6 (Unit ID# 8.3) to satisfy Condition 18.D(i) of the March 28, 2006 EPA Administrative Consent Order (EPA-5-06-113(a)-IN-03) (ACO).

(g) Revising the compliance monitoring provisions for Section D.1.

(h) Revising Section D.1 – Recordkeeping Requirements to include sufficient recordkeeping requirements to establish compliance with the limits and the monitoring conditions of Section D.1.

(i) Incorporating the language for the National Emission Standards for Hazardous Air Pollutants, 40 CFR 63, Subpart EEEE into the Title V permit.

Enforcement Issues

There are no pending enforcement actions related to this modification.

Emission Calculations

See Appendix A of this document for detailed emission calculations.

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 due to the modification. Control equipment is not considered federally enforceable until it has been required in a federally enforceable permit.

Pollutant	Potential To Emit (tons/year)
PM	0.0
PM10	0.0
SO_2	0.0
VOC	11.42
CO	0.0
NO_x	0.0

HAPs	Potential To Emit (tons/year)
Trichloroethylene	11.42
TOTAL	11.42

The addition of the TCE recovery room is not subject to 326 IAC 8-1-6, based on the emissions in the table above. However, the source is requesting modification to include a BACT determination for the extruders serving Sub-Micro (SM) Line 4 (Unit ID# 8.2) and SM Line 6 (Unit ID# 8.3), and to revise the BACT determination made by OAQ pursuant to CP-061-1935-00012, issued on December 21, 1990. Therefore, this source modification is subject to 326 IAC 2-7-10.5 (f)(2), which states that any modification subject to the requirements of 326 IAC 8-1-6 (BACT) requires a significant source modification. Additionally, the modification will be incorporated into the Part 70 Operating Permit through a significant permit modification issued pursuant to 326 IAC 2-7-12 (d)(1) which states "every significant change in existing monitoring Part 70 permit terms or conditions and every relaxation of reporting or record keeping permit terms or conditions shall be considered significant."

Permit Level Determination – PSD

The table below summarizes the potential to emit, reflecting all limits, of the emission units. Any control equipment is considered federally enforceable only after issuance of this Part 70 source/permit modification, and only to the extent that the effect of the control equipment is made practically enforceable in the permit.

	Potential to Emit (tons/year)						
Process/Emission Unit	**PM**	**PM10**	**SO_2**	**VOC**	**CO**	**NO_X**	**HAPs**
Trichloroethylene Recovery Room (Unit #9.4)	0.0	0.0	0.0	11.42	0.0	0.0	11.42
Total for Modification	0.0	0.0	0.0	11.42	0.0	0.0	11.42
Significant Level	25	15	40	40	100	40	--

This modification to an existing major stationary source is not major because the emissions increase is less than the PSD significant levels. Therefore, pursuant to 326 IAC 2-2, the PSD requirements do not apply.

Federal Rule Applicability Determination

The following federal rules are applicable to the source due to this modification:

(a) There are no New Source Performance Standards (NSPS)(326 IAC 12 and 40 CFR Part 60) included in this proposed modification.

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

(c) This source is subject to the National Emission Standards for Hazardous Air Pollutants, 40 CFR 63, Subpart EEEE because the source is a major source of HAPs and they operate an organic liquid distribution operations. Therefore, the requirements of National Emission Standards for Hazardous Air Pollutants for for Organic Liquids Distribution (Non-Gasoline),

(40 CFR 63, Subpart EEEE) are included in the permit.

Pursuant to 40 CFR 63.2338, this source is an existing affected source because the construction of the source commenced prior to April 2, 2002 and the source is not reconstructed. The specific affected facilities include:

(1) Sub-Micro (SM) Lines 3, 4 and 6 support equipment, consisting of storage tanks (Unit ID #s 11.1 through 11.6) and a trichloroethylene (TCE) recovery system (smokehouse) Unit ID #9.4.

Nonapplicable portions of the NESHAP will not be included in the permit. This source is subject to the following portions of Subpart EEEE.

(1) 40 CFR 63.2330;

(2) 40 CFR 63.2334 (a), (b) and (c)(1)(2);

(3) 40 CFR 63.2338 (a), (b)(1)(2)(3)(4)(5) and (f);

(4) 40 CFR 63.2342 (b)(1)(2)(3)(i)(ii), (c) and (d);

(5) 40 CFR 63.2343 (a), (b)(1) through (3), (c)(1) through (3) and (d)(1) through (4);

(6) 40 CFR 63.2350 (a), (b) and (c);

(7) 40 CFR 63.2354;

(8) 40 CFR 63.2358 (a), (b)(1), (c)(1)(2) and (d);

(9) 40 CFR 63.2362 (a) and (b)(2);

(10) 40 CFR 63.2366;

(11) 40 CFR 63.2370 (a), (b) and (c);

(12) 40 CFR 63.2374 (a), (b) and (c);

(13) 40 CFR 63.2378 (a), (b)(1)(2)(3), (c) and (d);

(14) 40 CFR 63.2382 (a), (b)(1), (c), (d)(1)(2)(i) through (viii);

(15) 40 CFR 63.2386 (a), (b)(1)(i)(ii), (2)(i)(ii), (3), (c)(1) through (7), (d) and (e);

(16) 40 CFR 63.2390 (a), (b)(1)(2) and (d);

(17) 40 CFR 63.2394 (a), (b) and (c);

(18) 40 CFR 63.2396;

(19) 40 CFR 63.2398;

(20) 40 CFR 63.2402;

(21) 40 CFR 63.2406; and

(22) Tables 1 through 12.

The provisions of 40 CFR 63 Subpart A – General Provisions apply to the facility described in this section except when otherwise specified in 40 CFR 63 Subpart EEEE.

(d) Pursuant to 40 CFR 64.2, Compliance Assurance Monitoring (CAM) is applicable to new or modified emission units that involve a pollutant-specific emission unit and meet the following criteria:

(1) has a potential to emit before controls equal to or greater than the major source threshold for the pollutant involved;

(2) is subject to an emission limitation or standard for that pollutant; and

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

The following table is used to identify the applicability of each of the criteria, under 40 CFR 64.1, to each new or modified emission unit involved:

Emission Unit	Control Device Used	Emission Limitation (Y/N)	Uncontrolled PTE (tons/year)	Controlled PTE (tons/year)	Major Source Threshold (tons/year)	CAM Applicable (Y/N)	Large Unit (Y/N)
Trichloroethylene Recovery Room (Unit #9.4) – VOC and HAP	Carbon Adsorption System	Y	11.42	< 10	40 (VOC) 10 (HAP)	Y	N

The trichloroethylene recovery room (Unit #9.4), as a PSEU at this Part 70 source, has an uncontrolled PTE of a single HAP (trichloroethylene) of greater than 10 tons per year, and uses a control device (carbon adsorption system) to comply with an emission limitation or standard (i.e., 326 IAC 2-4.1). Therefore, the requirements of 40 CFR Part 64, Compliance Assurance Monitoring, are applicable to the trichloroethylene recovery room (Unit #9.4). The CAM plan, which was submitted by the Permittee for the carbon adsorption system, shall satisfy the 40 CFR 64 Compliance Assurance Monitoring requirements. The specific monitoring requirements for the associated carbon adsorption system are listed under the "Compliance Requirement" section.

State Rule Applicability Determination

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

326 IAC 2-2 (PSD)
PSD and Emission Offset applicability is discussed under the Permit Level Determination - PSD and Emission Offset section.

326 IAC 2-4.1 (Major Sources of Hazardous Air Pollutants (HAP))
The operation of Trichloroethylene Recovery Room (Unit #9.4) will emit greater than ten (10) tons per year for a single HAP (TCE). The operation of Unit #9.4 is controlled through the use of a carbon adsorption system with 95% VOC control efficiency, which will ensure that single HAP is limited to less than 10 tons per year. The carbon adsorption system was approved as BACT for TCE control in the existing Title V permit. Therefore, the requirements of 326 IAC 2-4.1 do not apply.

326 IAC 8-1-6 (New Facilities; General Reduction Requirements)
SM-4 and SM-6 Lines extruders are subject to 326 IAC 8-1-6 (New Facilities; General Reduction Requirements) because the facilities have potential to emit of VOC of more than 25 tons per year. Pursuant to this rule, the process shall reduce emissions using BACT. Control technology summaries for the SM-4 and SM-6 Lines extruders are discussed in the BACT Analysis Report

included in Appendix B.

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 monitoring requirements applicable to this modification are as follows:

(a) The SM-3, SM-4, and SM-6 oil extraction systems, storage tanks (Unit ID #s 11.1 through 11.6) and the trichloroethylene recovery system (smokehouse, Unit ID #9.4) have applicable compliance monitoring conditions as specified below:

(1) The carbon adsorption system (CAS) shall be equipped with a continuous exhaust gas flow rate monitor. The Permittee shall take daily instantaneous measurement of the outlet VOC concentration of the CAS (using a handheld photo-ionization detector or comparable device) and at the same time record the value of the CAS exhaust gas flow rate. Provided the CAS exhaust gas flow rate is less than or equal to 2,500 cubic feet per minute (cfpm), then compliance is indicated if the CAS outlet VOC concentration is less than 100 ppmv , and no measurement of the CAS inlet VOC concentration nor the outlet CAS VOC concentration exceeds 100 ppmv. If the outlet CAS VOC concentration is greater than 100 ppmv, then a daily grab measurement of the CAS inlet VOC concentration (using a colorimetric tube analysis) shall also be taken and the CAS control efficiency calculated to provide an indication of compliance. CAS control efficiency shall be calculated using the VOC concentration data as follows:

$$\text{CAS Efficiency (\%)} = [(CAS_{inlet} - CAS_{outlet}) / (CAS_{inlet})] \times 100$$

Daily measurements of CAS exhaust gas flow rate and VOC inlet and outlet concentration(s) shall be taken within the final 30 minutes of a carbon bed cycle and shall be taken when the CAS cooling air blower is not operating. The CAS cooling air blower is not operating when the measured CAS exhaust gas flow rate is less than or equal to 2,500 cfpm. In the event that the outlet VOC concentration is greater than 100 ppmv and the CAS efficiency is less than 95%, the Permittee shall perform reasonable response steps to achieve 95% CAS efficiency. The Permittee shall continue to make daily CAS efficiency calculations until a CAS efficiency of 95% or more is achieved for seven (7) consecutive operating days. Upon achieving a CAS efficiency of 95% or more for seven (7) consecutive operating days, the Permittee may resume daily measurement of the outlet VOC concentration.

(2) The Permittee shall control trichloroethylene inventory losses by monitoring the trichloroethylene inventory, including but not limited to purchases, releases off - site, and emissions from startups, shutdowns, and process and air pollution control equipment malfunctions, so that the twelve consecutive month period sum of plant - wide trichloroethylene inventory loss does not exceed 141 tons per year. Losses of trichloroethylene resulting from events which are unrelated to process and air pollution control equipment operation and are sudden reasonably unforeseeable and beyond the Permittee's reasonable control, including but not limited to power failures, severe weather, and transportation-related accidents , shall not be included in the inventory loss calculation.

These monitoring conditions are necessary because the carbon adsorption system (CAS) for the SM-3, SM-4, and SM-6 oil extraction systems, storage tanks (Unit ID #s 11.1 through 11.6), aerosol addition systems for SM-3, SM-4 and SM-6, and the trichloroethylene recovery system (smokehouse, Unit ID #9.4) must operate properly to ensure compliance with 326 IAC 8-1-6 (BACT), 40 CFR Part 64 (CAM) and 326 IAC 2-7 (Part 70).

Proposed Changes

The changes listed below have been made to Part 70 Operating Permit No. T061-5983-00012. Deleted language appears as ~~strikethroughs~~ and new language appears in **bold**:

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. Condition B.1, Permit No Defense, has been removed from the permit since it is no longer required to be included in the permit.

3. Conditions B.3 (Permit Term) (now re-numbered B.2), B.4 (Enforceability), B.10 (Certification) (now re-numbered B.8), B.8 (Duty to Provide Information) (now re-numbered B.7) and B.18 (Permit Renewal) (now re-numbered B.17) have been revised for clarification purposes. Also, a new Condition B.3 (Terms of Permit) has been added.

4. Condition B.9 (Compliance with Permit Conditions) has been removed from the B section. This condition is now on the Part 70 title page.

5. Paragraph (a) of Condition B.11 (Annual Compliance Certification) (now re-numbered B.9) was revised for clarification purposes.

6. 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 (now re-numbered B.10), and has amended Condition B.13 – Emergency Provisions (now re-numbered B.11). Also, the requirements to keep records of the control device inspection in D.1.6 and D.7.6 have been deleted.

7. Condition B.13 (Emergency Provisions) (now re-numbered B.11) has been revised to correct the telephone and fax numbers.

8. Condition B.15, Multiple Exceedances, has been removed from the permit since it is no longer required to be included in the permit.

9. Condition B.21 [Changes Under Section 502(b)(10) of the Clean Air Act] was incorporated into paragraph (b) of Condition B.20 - Operational Flexibility.

10. For clarification purposes, Condition B.22 - Operational Flexibility (now re-numbered B.20) has been revised.

11. Condition B.23 (Construction Permit Requirement) was revised and re-named “Source Modification Requirement” (now re-numbered B.21).

12. Condition B.24 (Inspection and Entry) (now re-numbered B.22) was revised for clarification purposes.

13. Condition B.26 (Annual Fee Payment) (now re-numbered B.24) has been revised to correct the telephone number.

14. Indiana has incorporated the credible evidence provision in 326 IAC 1-1-6. This rule was effective March 16, 2005; therefore, Condition B.25 reflecting this rule is incorporated into the Part 70 permit.

15. The 326 IAC 6-3 revisions that became effective on June 12, 2002 were approved into the State Implementation Plan on September 23, 2005. These rules replace the previous version of 326 IAC 6-3 (Process Operations) that had been part of the SIP; therefore, the requirements of the previous version of 326 IAC 6-3-2 are no longer applicable to this source. Conditions C.1 and D.2.1 have been revised which contained these requirements.

16. IDEM, OAQ has decided that it is best to have the requirement of operating control equipment at all times be placed under compliance determination in the specific D conditions, and remove Condition C.6 (Operation of Equipment).

17. Condition C.12, Maintenance of Monitoring Equipment, has been removed from the permit since it is not required to be included in the permit.

18. IDEM, OAQ realizes that the specifications in Condition C.14 (Pressure Gauge and Other Instrument Specifications) (now re-numbered C.12) can only be practically applied to analog units, and has therefore clarified the condition to state that the condition only applies to analog units. IDEM, OAQ has also determined that the accuracy of the instruments is not nearly as important as whether the instrument has a range that is appropriate for the normal expected reading of the parameter. Therefore, the accuracy requirements have been removed from the condition.

19. IDEM has reconsidered the requirement to develop and follow a Compliance Response Plan. The Permittee will still be required to take reasonable response steps when a compliance monitoring parameter is determined to be out of range or abnormal. Replacing the requirement to develop and follow a Compliance Response Plan with a requirement to take reasonable response steps will ensure that the control equipment is returned to proper operation as soon as practicable, while still allowing the Permittee the flexibility to respond to situations that were not anticipated. 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).

20. IDEM, OAQ has revised Condition C.19 (Emission Statement) (now re-numbered C.16) for clarification purposes.

21. Paragraph (a) of the Broken or Failed Baghouse condition has been deleted. For multi-compartment baghouses, the permit will not specify what actions the Permittee needs to take in response to a broken bag. However, a requirement has been added to Conditions D.2.4, D.5.4 and D.6.3 requiring the Permittee to notify IDEM if a broken bag is detected and the control device will not be repaired for more than ten (10) days. This notification allows IDEM to take any appropriate actions if the emission unit will continue to operate for a long period of time while the control device is not operating in optimum condition.

    Paragraph (b) of this condition has been revised for those processes that operate in batch mode. The condition required an emission unit to be shut down immediately in case of baghouse failure. However, IDEM is aware there can be safety issues with shutting down a process in the middle of a batch. IDEM also realizes that in some situations, shutting down an emissions unit mid-process can cause equipment damage. Therefore, since it is not always possible to shut down a process with material remaining in the equipment, IDEM has revised the condition to state that in the case of baghouse failure, the feed to the process must be shut off immediately, and the process shall be shut down as soon as practicable.

22. IDEM has determined that once per day visible emission notations and the monitoring of control devices is generally sufficient to ensure proper operation of the control device. IDEM has also determined that monitoring these parameters once per day is sufficient to satisfy the requirements of the Part 70 rules at 326 IAC 2-7-5 and 326 IAC 2-7-6. Conditions D.2.5, D.2.6, D.6.4 and D.6.5 have been revised which contained these requirements.

23. Upon further review, IDEM has determined that it is the Permittee's responsibility to include routine control device inspection requirements in the applicable preventive maintenance plan. Since the Permittee is in the best position to determine the appropriate frequency of control device inspections and the details regarding which components of the control device should be inspected, the conditions requiring control device inspections have been removed from the permit. In addition, the requirement to keep records of the inspections has been removed.

24. The descriptive information in Sections A.2 and D.1 have been revised to reflect the addition of a precipitative coalescing filter (smog hog) as a VOC control device to the three (3) extruders (Unit ID #s 8.1, 8.2 and 8.3) and the addition of Lines 3, 4 and 6 support equipment, consisting of storage tanks (Unit ID #s 11.1 through 11.6 from the previous Section D.5) and a trichloroethylene (TCE) recovery system (smokehouse) Unit ID #9.4 for the control of VOC emissions from off-specification material from SM Lines 3, 4 and 6.

25. Conditions D.1.1, D.1.5, D.1.6 and D.1.7 have been revised to remove references to the extruders identified as 8.1 through 8.3.

26. A leak detection and repair (LDAR) program has been added to the Title V operating permit (Condition D.1.2) for all equipment in trichloroethylene service as an additional control requirement to meet the Best Available Control Technology as required by 326 IAC 8-1-6 in Condition D.1.1.

27. A new Condition D.1.3 (BACT for VOC) has been added to the Title V operating permit for the extruders for SM Lines 4 and 6.

28. New compliance monitoring provisions for Conditions D.1.1 and D.1.2 have been added to the Title V operating permit in Condition D.1.7.

29. Condition D.1.8 (now re-numbered D.1.9) has been revised to include sufficient recordkeeping requirements to establish compliance with the limits in Conditions D.1.1 and D.1.2, and the monitoring conditions in Condition D.1.7.

30. The six (6) storage tanks (Unit ID #s 11.1 through 11.6) have been moved from Section 5 and incorporated into Section 1 of the permit.

    The requirements of the New Source Performance Standard, 326 IAC 12, (40 CFR 60.110b, Subpart Kb) have been deleted from the permit for the six (6) storage tanks (Unit ID #s 11.1 through 11.6), because their capacities are each less than seventy-five (75) cubic meters.

31. Condition D.6.1 (now re-numbered D.5.1) has been revised to include the correct equation for a process weight rate up to 60,000 pounds per hour.

32. A new Section E.1 has been added to Title V permit for the organic liquids distribution operations at the source that are subject to the National Emission Standards for Hazardous Air Pollutants, 40 CFR 63, Subpart EEEE.

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) Sub-Micro (SM) Line 3, installed in 1979, and Sub-Micro (SM) Line 4, installed in 1984, consist of the following equipment:

(5) Two (2) oil extraction systems, identified as Unit ID #s 9.1 and 9.2, each system includes oil extraction pans, a solvent drying oven, a water drying oven, and a distillation unit, utilizing a carbon adsorber to control volatile organic compounds and trichloroethylene, exhausting through one (1) stack, identified as S/V ID # 17;

~~(6) Three (3) tanks, identified as Unit ID #'s 11.1, 11.2, and 11.3, each constructed in 1979, each used to store trichloroethylene, miscella and process oil, respectively, each with a maximum storage capacity of 10,576 gallons, each utilizing a carbon adsorber to control volatile organic compounds and trichloroethylene, exhausting through one (1) stack, identified as S/V ID #17;~~

~~(7)~~**(6)** Two (2) extruders, identified as Unit ID #s 8.1 and 8.2**, each controlled by a precipitative coalescing filter (smog hog) and exhausting through individual stacks identified as S/V ID #14 and S/V ID #15**;

~~(8)~~**(7)** Two (2) aerosol addition systems **(mix towers)**, identified as Unit ID #s 10.1, 10.2**, exhausting inside the building**;

(b) Sub-Micro (SM) Line 6, installed in 1991, consists of the following equipment:

(3) One (1) oil extraction system, identified as Unit ID # 9.3, system includes oil extraction pans, a solvent drying oven, a water drying oven, and a distillation unit, utilizing a carbon adsorber to control volatile organic compounds and trichloroethylene, exhausting through one (1) stack, identified as S/V ID # 17;

~~(4) Three (3) tanks, identified as Unit ID #'s 11.4, 11.5, and 11.6, each constructed in 1991, each used to store trichloroethylene, miscella and process oil, respectively, each with a maximum storage capacity of 9,989 gallons, each utilizing a carbon adsorber to control volatile organic compounds and trichloroethylene, exhausting through one (1) stack, identified as S/V ID #17;~~

~~(5)~~**(4)** One (1) extruder, identified as Unit ID # 8.3**, controlled by a precipitative coalescing filter (smog hog) and exhausting through one (1) stack identified as S/V ID #16**;

~~(6)~~**(5)** One (1) aerosol addition system **(mix tower)**, identified as Unit ID # 10.3**, exhausting inside the building**.

(c) Sub-Micro (SM) Lines 3, 4 and 6 support equipment, consisting of storage tanks (Unit ID #s 11.1 through 11.6) and a trichloroethylene (TCE) recovery system (smokehouse) Unit ID #9.4.

~~**SECTION B GENERAL CONDITIONS**~~

~~B.1 Permit No Defense [326 IAC 2-1-10] [IC 13]~~

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

~~(b) This prohibition shall not apply to alleged violations of applicable requirements for which the Commissioner has granted a permit shield in accordance with 326 IAC 2-1-3.2 or 326 IAC 2-7-15, as set out in this permit in the Section B condition entitled "Permit Shield."~~

~~B.2 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, any applicable definitions found in IC 13-11, 326 IAC 1-2 and 326 IAC 2-7 shall prevail.~~

~~B.3 Permit Term [326 IAC 2-7-5(2)]~~

~~This permit is issued for a fixed term of five (5) years from the effective date, as determined in accordance with IC 4-21.5-3-5(f) and IC 13-15-5-3.~~

~~B.4 Enforceability [326 IAC 2-7-7(a)]~~

~~(a) All terms and conditions in this permit, including any provisions designed to limit the source's potential to emit, are enforceable by IDEM.~~

~~(b) Unless otherwise stated, terms and conditions of this permit, including any provisions to limit the source's potential to emit, are enforceable by the United States Environmental Protection Agency (U.S. EPA) and citizens under the Clean Air Act.~~

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

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

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

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

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

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

~~B.8 Duty to Supplement and Provide Information [326 IAC 2-7-4(b)] [326 IAC 2-7-5(6)(E)]~~

~~(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 Management~~
~~100 North Senate Avenue, P. O. Box 6015~~
~~Indianapolis, Indiana 46206-6015~~

~~(b) The Permittee shall furnish to IDEM, OAM, within a reasonable time, any information that IDEM, OAM 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.~~

~~(c) Upon request, the Permittee shall also furnish to IDEM, OAM copies of records required to be kept by this permit. If the Permittee wishes to assert a claim of confidentiality over any of the furnished records, the Permittee must furnish such records to IDEM, OAM along with a claim of confidentiality under 326 IAC 17. If requested by IDEM, OAM, or the U.S. EPA, to furnish copies of requested records directly to U. S. EPA, and if the Permittee is making a claim of confidentiality regarding the furnished records, then the Permittee must furnish such confidential records directly to the U.S. EPA along with a claim of confidentiality under 40 CFR 2, Subpart B.~~

~~B.9 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 provisions of this permit constitutes a violation of the Clean Air Act and is grounds for:~~

~~(1) Enforcement action;~~

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

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

~~(b) 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.~~

~~B.10 Certification [326 IAC 2-7-4(f)] [326 IAC 2-7-6(1)]~~

~~(a) Any application form, report, or compliance certification submitted under this permit shall contain certification by a responsible official of truth, accuracy, and completeness. This certification, and any other certification required under this permit, 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, on the attached Certification Form, with each submittal.~~

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

~~B.11 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 certification shall cover the time period from January 1 to December 31 of the previous year, and shall be submitted in letter form no later than July 1 of each year to:~~

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

~~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, OAM on or before the date it is due.~~

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

~~(1) The 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 compliance of the source, currently and over the reporting period consistent with 326 IAC 2-7-5(3);~~

~~(5) Any insignificant activity that has been added without a permit revision; and~~

~~(6) Such other facts, as specified in Sections D of this permit, as IDEM, OAM may require to determine the compliance status of the source.~~

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

~~B.12 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 (PMP) 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 its control, the PMP 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 Management~~
~~100 North Senate Avenue, P. O. Box 6015~~
~~Indianapolis, Indiana 46206-6015~~

~~(b) The Permittee shall implement the Preventive Maintenance Plans as necessary to ensure that lack of proper maintenance does not cause or contribute to a violation of any limitation on emissions or potential to emit.~~

~~(c) PMP's shall be submitted to IDEM, OAM upon request and shall be subject to review and approval by IDEM, OAM.~~

~~B.13 Emergency Provisions [326 IAC 2-7-16]~~

~~(a) An emergency, as defined in 326 IAC 2-7-1(12), is not an affirmative defense for an action brought for noncompliance with a federal or state health-based emission limitation, except as provided in 326 IAC 2-7-16.~~

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

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

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

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

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

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

~~(5) For each emergency lasting one (1) hour or more, the Permittee submitted notice, either in writing or facsimile, of the emergency to:~~

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

~~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 Aresponsible 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) for sources subject to this rule after the effective date of this rule. This permit condition is in addition to any emergency or upset provision contained in any applicable requirement.~~

~~(e) IDEM, OAM 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, OAM by telephone or facsimile of an emergency lasting more than one (1) hour in compliance with (b)(4) and (5) of this condition shall constitute a violation of 326 IAC 2-7 and any other applicable rules.~~

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

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

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

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

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

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

~~B.14 Permit Shield [326 IAC 2-7-15]~~

~~(a) This condition provides a permit shield as addressed in 326 IAC 2-7-15.~~

~~(b) This permit shall be used as the primary document for determining compliance with~~

~~applicable requirements established by previously issued permits. 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:~~

~~(1) The applicable requirements are included and specifically identified in this permit; or~~

~~(2) The permit contains an explicit determination or concise summary of a determination that other specifically identified requirements are not applicable.~~

~~(c) 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, including any term or condition from a previously issued construction or operation permit, IDEM, OAM 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.~~

~~(d) 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.~~

~~(e) 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.~~

~~(f) 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).~~

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

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

~~B.15 Multiple Exceedances [326 IAC 2-7-5(1)(E)]~~
~~Any exceedance of a permit limitation or condition contained in this permit, which occurs contemporaneously with an exceedance of an associated surrogate or operating parameter established to detect or assure compliance with that limit or condition, both arising out of the same act or occurrence, shall constitute a single potential violation of this permit.~~

~~B.16 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 Branch, Office of Air Management~~
~~100 North Senate Avenue, P.O. Box 6015~~
~~Indianapolis, Indiana 46206-6015~~

~~within ten (10) calendar days from the date of the discovery of the deviation.~~

~~(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) An emergency as defined in 326 IAC 2-7-1(12); or~~

~~(3) Failure to implement elements of the Preventive Maintenance Plan unless lack of maintenance has caused or contributed to a deviation.~~

~~(4) Failure to make or record information required by the compliance monitoring provisions of Section D unless such failure exceeds 5% of the required data in any calendar quarter.~~

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

~~(c) Written notification shall be submitted on the attached Emergency/Deviation Occurrence Reporting Form or its substantial equivalent. The notification does not need to be certified by the responsible official as defined by 326 IAC 2-7-1(34).~~

~~(d) Proper notice submittal under 326 IAC 2-7-16 satisfies the requirement of this subsection.~~

~~B.17 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)]~~

~~(b) This permit shall be reopened and revised under any of the circumstances listed in IC 13-15-7-2 or if IDEM, OAM 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, OAM 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, OAM at least thirty (30)~~

~~days in advance of the date this permit is to be reopened, except that IDEM, OAM, may provide a shorter time period in the case of an emergency. [326 IAC 2-7-9(c)]~~

~~B.18 Permit Renewal [326 IAC 2-7-4]~~

~~(a) The application for renewal shall be submitted using the application form or forms prescribed by IDEM, OAM 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).~~

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

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

~~(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, OAM on or before the date it is due. [326 IAC 2-5-3]~~

~~(2) If IDEM, OAM, 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, OAM, 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, OAM, 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, OAM 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.19 Permit Amendment or Modification [326 IAC 2-7-11] [326 IAC 2-7-12]~~

~~(a) The Permittee must comply with 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 Management~~
~~100 North Senate Avenue, P.O. Box 6015~~
~~Indianapolis, Indiana 46206-6015~~

~~Any such application should be certified by the "responsible official" as defined by 326 IAC 2-7-1(34) only if a certification is required by the terms of the applicable rule.~~

~~(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.20 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.21 Changes Under Section 502(b)(10) of the Clean Air Act [326 IAC 2-7-20(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) and the following additional conditions:~~

~~(a) For each such change, the required written notification shall include a brief description of the change within the source, the date on which the change will occur, any change in emissions, and any permit term or condition that is no longer applicable as a result of the change.~~

~~(b) The permit shield, described in 326 IAC 2-7-15, shall not apply to any change made under 326 IAC 2-7-20(b).~~

~~B.22 Operational Flexibility [326 IAC 2-7-20]~~

~~(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 approval required by 326 IAC 2-1 has been obtained;~~

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

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

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

~~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, OAM, in the notices specified in 326 IAC 2-7-20(b), (c)(1), and (e)(2).~~

~~(b) 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 by the Permittee does not require the certification by the Aresponsible 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, OAM, 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.23 Construction Permit Requirement [326 IAC 2]~~
~~Except as allowed by Indiana P.L. 130-1996 Section 12, as amended by P.L. 244-1997, modification, construction, or reconstruction shall be approved as required by and in accordance with 326 IAC 2.~~

~~B.24 Inspection and Entry [326 IAC 2-7-6(2)]~~

~~Upon presentation of proper identification cards, credentials, and other documents as may be required by law, the Permittee shall allow IDEM, OAM, 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, at reasonable times, any records that must be kept under the conditions of this permit;~~

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

~~(d) Sample or monitor, at reasonable times, 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. [326 IAC 2-7-6(6)]~~

~~(1) The Permittee may assert a claim that, in the opinion of the Permittee, information removed or about to be removed from the source by IDEM, OAM, or an authorized representative, contains information that is confidential under IC 5-14-3-4(a). The claim shall be made in writing before or at the time the information is removed from the source. In the event that a claim of confidentiality is so asserted, neither IDEM, OAM, nor an authorized representative, may disclose the information unless and until IDEM, OAM, makes a determination under 326 IAC 17-1-7 through 326 IAC 17-1-9 that the information is not entitled to confidential treatment and that determination becomes final. [IC 5-14-3-4; IC 13-14-11-3; 326 IAC 17-1-7 through 326 IAC 17-1-9]~~

~~(2) The Permittee, and IDEM, OAM acknowledge that the federal law applies to claims of confidentiality made by the Permittee with regard to information removed or about to be removed from the source by U.S. EPA. [40 CFR Part 2, Subpart B]~~

~~B.25 Transfer of Ownership or Operation [326 IAC 2-1-6] [326 IAC 2-7-11]~~
~~Pursuant to 326 IAC 2-1-6 and 326 IAC 2-7-11:~~

~~(a) In the event that ownership of this source is changed, the Permittee shall notify IDEM, OAM, Permits Branch, within thirty (30) days of the change. Notification shall include a written agreement containing a specific date for transfer of permit responsibility, coverage, and liability between the Permittee and the new owner.~~

~~(b) The written notification shall be sufficient to transfer the permit to the new owner by an administrative amendment pursuant to 326 IAC 2-7-11. 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).~~

~~(c) IDEM, OAM shall reserve the right to issue a new permit.~~

~~B.26 Annual Fee Payment [326 IAC 2-7-19] [326 IAC 2-7-5(7)]~~
~~(a) The Permittee shall pay annual fees to IDEM, OAM, within thirty (30) calendar days of receipt of a billing. If the Permittee does not receive a bill from IDEM, OAM the applicable fee is due April 1 of each year.~~

~~(b) Failure to pay may result in administrative enforcement action, or revocation of this permit.~~

~~(c) The Permittee may call the following telephone numbers: 1-800-451-6027 or 317-233-0425 (ask for OAM, Technical Support and Modeling Section), to determine the appropriate permit fee.~~

~~SECTION C SOURCE OPERATION CONDITIONS~~

~~Entire Source~~

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

~~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 Exemptions), opacity shall meet the following, unless otherwise stated in this permit:~~

~~(a) Opacity shall not exceed an average of forty percent (40%) in any one (1) six (6) minute averaging period, as determined in 326 IAC 5-1-4.~~

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

~~C.3 Open Burning [326 IAC 4-1] [IC 13-17-9]~~
~~The Permittee shall not open burn any material except as provided in 326 IAC 4-1-3, 326 IAC 4-1-4 or 326 IAC 4-1-6. The previous sentence notwithstanding, the Permittee may open burn in accordance with an open burning approval issued by the Commissioner under 326 IAC 4-1-4.1. 326 IAC 4-1-3 (a)(2)(A) and (B) are not federally enforceable.~~

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

~~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)]~~
~~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.~~

~~C.8 Asbestos Abatement Projects [326 IAC 14-10] [326 IAC 18] [40 CFR 61.140]~~

~~(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 Management~~
~~100 North Senate Avenue, P.O. Box 6015~~
~~Indianapolis, Indiana 46206-6015~~

~~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 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 mandatory 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 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 methods approved by IDEM, OAM.~~

~~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 Management~~
~~100 North Senate Avenue, P. O. Box 6015~~
~~Indianapolis, Indiana 46206-6015~~

~~no later than thirty-five (35) days prior to the intended test date. The Permittee shall submit a notice of the actual test date to the above address so that it is received at least two weeks prior to the test date.~~

~~(b) All test reports must be received by IDEM, OAM within forty-five (45) days after the completion of the testing. An extension may be granted by the Commissioner, if the source submits to IDEM, OAM, a reasonable written explanation within five (5) days prior to the end of the initial forty-five (45) day period.~~

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

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

~~C.10 Compliance Schedule [326 IAC 2-7-6(3)]~~
~~The Permittee:~~

~~(a) Has certified that all facilities at this source are in compliance with all applicable requirements; and~~

~~(b) Has submitted a statement that the Permittee will continue to comply with such requirements; and~~

~~(c) Will comply with such applicable requirements that become effective during the term of this permit.~~

~~C.11 Compliance Monitoring [326 IAC 2-7-5(3)] [326 IAC 2-7-6(1)]~~

~~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, no more than ninety (90) days after receipt of this permit. If due to circumstances beyond its control, this schedule cannot be met, the Permittee may extend compliance schedule an additional ninety (90) days provided the Permittee notifies:~~

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

~~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).~~

~~C.12 Maintenance of Monitoring Equipment [326 IAC 2-7-5(3)(A)(iii)]~~

~~(a) In the event that a breakdown of the monitoring equipment occurs, a record shall be made of the times and reasons of the breakdown and efforts made to correct the problem. To the extent practicable, supplemental or intermittent monitoring of the parameter should be implemented at intervals no less frequent than required in Section D of this permit until such time as the monitoring equipment is back in operation. In the case of continuous monitoring, supplemental or intermittent monitoring of the parameter should be implemented at intervals no less than one (1) hour until such time as the continuous monitor is back in operation.~~

~~(b) The Permittee shall install, calibrate, quality assure, maintain, and operate all necessary monitors and related equipment. In addition, prompt corrective action shall be initiated whenever indicated.~~

~~C.13 Monitoring Methods [326 IAC 3]~~

~~Any monitoring or testing performed to meet the applicable requirements of this permit shall be performed according to the provisions of 326 IAC 3, 40 CFR 60, Appendix A, or other approved methods as specified in this permit.~~

~~C.14 Pressure Gauge Specifications~~

~~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.~~

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

~~C.15 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 Management~~
~~100 North Senate Avenue, P.O. Box 6015~~
~~Indianapolis, Indiana 46206-6015~~

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

~~The ERP does not require the certification by the Aresponsible official@ as defined by 326 IAC 2-7-1(34).~~

~~(c) If the ERP is disapproved by IDEM, OAM, 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, OAM, 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.16 Risk Management Plan [326 IAC 2-7-5(12)] [40 CFR 68.215]~~
~~If a regulated substance, subject to 40 CFR 68, is present in a process in more than the threshold quantity, 40 CFR 68 is an applicable requirement and the Permittee shall:~~

~~(a) Submit:~~

~~(1) A compliance schedule for meeting the requirements of 40 CFR 68 by the date provided in 40 CFR 68.10(a); or~~

~~(2) As a part of the 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); and~~

~~(3) A verification to IDEM, OAM that a RMP or a revised plan was prepared and submitted as required by 40 CFR 68.~~

~~(b) Provide annual certification to IDEM, OAM that the Risk Management Plan is being properly implemented.~~

~~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.17 Compliance Monitoring Plan - Failure to Take Response Steps [326 IAC 2-7-5][326 IAC 2-7-6] [326 IAC 1-6]~~
~~(a) The Permittee is required to implement a compliance monitoring plan to ensure that reasonable information is available to evaluate its continuous compliance with applicable requirements. This compliance monitoring plan is comprised of:~~

~~(1) This condition;~~

~~(2) The Compliance Determination Requirements in Section D of this permit;~~

~~(3) The Compliance Monitoring Requirements in Section D of this permit;~~

~~(4) The Record Keeping and Reporting Requirements in Section C (Monitoring Data Availability, General Record Keeping Requirements, and General Reporting Requirements) and in Section D of this permit; and~~

~~(5) A Compliance Response Plan (CRP) for each compliance monitoring condition of this permit. CRP's shall be submitted to IDEM, OAM upon request and shall be subject to review and approval by IDEM, OAM. The CRP shall be prepared within ninety (90) days after issuance of this permit by the Permittee and maintained on site, and is comprised of :~~

~~(A) Response steps that will be implemented in the event that compliance related information indicates that a response step is needed pursuant to the requirements of Section D of this permit; and~~

~~(B) A time schedule for taking such response steps including a schedule for devising additional response steps for situations that may not have been predicted.~~

~~(b) For each compliance monitoring condition of this permit, appropriate response steps shall be taken when indicated by the provisions of that compliance monitoring condition. Failure to perform the actions detailed in the compliance monitoring conditions or failure to take the response steps within the time prescribed in the Compliance Response Plan, shall constitute a violation of the permit unless taking the response steps set forth in the Compliance Response Plan would be unreasonable.~~

~~(c) After investigating the reason for the excursion, the Permittee is excused from taking further response steps for any of the following reasons:~~

~~(1) The monitoring equipment malfunctioned, giving a false reading. This shall be an excuse from taking further response steps providing that prompt action was taken to correct the monitoring equipment.~~

~~(2) The Permittee has determined that the compliance monitoring parameters established in the permit conditions are technically inappropriate, has previously submitted a request for an administrative amendment to the permit, and such request has not been denied or;~~

~~(3) An automatic measurement was taken when the process was not operating; or~~

~~(4) The process has already returned to operating within Anormal@ parameters and no response steps are required.~~

~~(d) Records shall be kept of all instances in which the compliance related information was not met and of all response steps 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.~~

~~C.18 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 corrective actions. The Permittee shall submit a description of these corrective actions to IDEM, OAM, within thirty (30) days of receipt of the test results. The Permittee shall take appropriate action to minimize emissions from the affected facility while the corrective actions are being implemented. IDEM, OAM shall notify the Permittee within thirty (30) days, if the corrective actions taken are deficient.~~

~~The Permittee shall submit a description of additional corrective actions taken to IDEM, OAM within thirty (30) days of receipt of the notice of deficiency. IDEM, OAM reserves the authority to use enforcement activities to resolve noncompliant stack tests.~~

~~(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, OAM that retesting in one-hundred and twenty (120) days is not practicable, IDEM, OAM may extend the retesting deadline. Failure of the second test to demonstrate compliance with the appropriate permit conditions may be grounds for immediate revocation of the permit to operate the affected facility.~~

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

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

~~C.19 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) The Permittee shall submit an annual emission statement certified pursuant to the requirements of 326 IAC 2-6, that must be received by July 1 of each year and must comply with the minimum requirements specified in 326 IAC 2-6-4. The annual emission statement shall meet the following requirements:~~

~~(1) Indicate actual emissions of criteria pollutants from the source, in compliance with 326 IAC 2-6 (Emission Reporting);~~

~~(2) Indicate actual emissions of other regulated pollutants from the source, for purposes of Part 70 fee assessment.~~

~~(b) The annual emission statement covers the twelve (12) consecutive month time period starting January 1 and ending December 31. The annual emission statement must be submitted to:~~

~~Indiana Department of Environmental Management~~
~~Technical Support and Modeling Section, Office of Air Management~~
~~100 North Senate Avenue, P. O. Box 6015~~
~~Indianapolis, Indiana 46206-6015~~

~~(c) The annual 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, OAM on or before the date it is due.~~

~~C.20 Monitoring Data Availability [326 IAC 2-7-6(1)] [326 IAC 2-7-5(3)]~~

~~(a) With the exception of performance tests conducted in accordance with Section C-Performance Testing, all observations, sampling, maintenance procedures, and record keeping, required as a condition of this permit shall be performed at all times the equipment is operating at normal representative conditions.~~

~~(b) As an alternative to the observations, sampling, maintenance procedures, and record keeping of subsection (a) above, when the equipment listed in Section D of this permit is~~

~~not operating, the Permittee shall either record the fact that the equipment is shut down or perform the observations, sampling, maintenance procedures, and record keeping that would otherwise be required by this permit.~~

~~(c) If the equipment is operating but abnormal conditions prevail, additional observations and sampling should be taken with a record made of the nature of the abnormality.~~

~~(d) If for reasons beyond its control, the operator fails to make required observations, sampling, maintenance procedures, or record keeping, reasons for this must be recorded.~~

~~(e) At its discretion, IDEM may excuse such failure providing adequate justification is documented and such failures do not exceed five percent (5%) of the operating time in any quarter.~~

~~(f) Temporary, unscheduled unavailability of staff qualified to perform the required observations, sampling, maintenance procedures, or record keeping shall be considered a valid reason for failure to perform the requirements stated in (a) above.~~

~~C.21 General Record Keeping Requirements [326 IAC 2-7-5(3)][326 IAC 2-7-6]~~

~~(a) Records of all required monitoring data 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 and available upon the request of an IDEM, OAM representative. 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 written request for records to the Permittee, the Permittee shall furnish the records to the Commissioner within a reasonable time.~~

~~(b) Records of required monitoring information shall include, where applicable:~~

~~(1) The date, place, and time of sampling or measurements;~~

~~(2) The dates analyses were performed;~~

~~(3) The company or entity performing the analyses;~~

~~(4) The analytic techniques or methods used;~~

~~(5) The results of such analyses; and~~

~~(6) The operating conditions existing at the time of sampling or measurement.~~

~~(c) Support information shall include, where applicable:~~

~~(1) Copies of all reports required by this permit;~~

~~(2) All original strip chart recordings for continuous monitoring instrumentation;~~

~~(3) All calibration and maintenance records;~~

~~(4) Records of preventive maintenance shall be sufficient to demonstrate that improper maintenance did not cause or contribute to a violation of any limitation on emissions or potential to emit. To be relied upon subsequent to any such violation, these records may include, but are not limited to: work orders, parts inventories, and operator=s standard operating procedures. Records of response~~

~~steps taken shall indicate whether the response steps were performed in accordance with the Compliance Response Plan required by Section C - Compliance Monitoring Plan - Failure to take Response Steps, of this permit, and whether a deviation from a permit condition was reported. All records shall briefly describe what maintenance and response steps were taken and indicate who performed the tasks.~~

~~(d) All record keeping requirements not already legally required shall be implemented within ninety (90) days of permit issuance.~~

~~C.22 General Reporting Requirements [326 IAC 2-7-5(3)(C)]~~

~~(a) To affirm that the source has met all the compliance monitoring requirements stated in this permit the source shall submit a Semi-Annual Compliance Monitoring Report. Any deviation from the requirements and the date(s) of each deviation must be reported.~~

~~(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 Management~~
~~100 North Senate Avenue, P. O. Box 6015~~
~~Indianapolis, Indiana 46206-6015~~

~~(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, OAM, on or before the date it is due.~~

~~(d) Unless otherwise specified in this permit, any semi-annual report shall be submitted within thirty (30) days of the end of the reporting period.~~

~~(e) All instances of deviations as described in Section B- Deviations from Permit Requirements Conditions must be clearly identified in such reports.~~

~~(f) Any corrective actions or response steps taken as a result of each deviation must be clearly identified in such reports.~~

~~(g) 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.~~

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

~~Stratospheric Ozone Protection~~

~~C.23 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, T061-5983-00012, 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]

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

B.5 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, within a reasonable time, any information that IDEM, OAQ may request in writing to determine whether cause exists for modifying, revoking and reissuing, or terminating this permit, or to determine compliance with this permit. The submittal by the Permittee does

require the certification by the "responsible official" as defined by 326 IAC 2-7-1(34). Upon request, the Permittee shall also furnish to IDEM, OAQ copies of records required to be kept by this permit.

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

B.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 July 1 of each year to:

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

and

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

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

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

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

(2) The compliance status;

(3) Whether compliance was continuous or intermittent;

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

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

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

B.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

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

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

B.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 health-based or technology-based emission limitation if the affirmative defense of an emergency is demonstrated through properly signed, contemporaneous operating logs or other relevant evidence that describe the following:

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

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

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

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

Telephone Number: 1-800-451-6027 (ask for Office of Air Quality, Compliance Section), or
Telephone Number: 317-233-0178 (ask for Compliance Section)
Facsimile Number: 317-233-6865

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

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

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

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

(A) A description of the emergency;

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

(C) Corrective actions taken.

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

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

(c) In any enforcement proceeding, the Permittee seeking to establish the occurrence

of an emergency has the burden of proof.

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

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

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

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

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

B.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, shall immediately take steps to reopen and revise this permit and issue a compliance order to the Permittee to ensure expeditious compliance with the applicable requirement until the permit is reissued. The permit shield shall continue in effect so long as the Permittee is in compliance with the compliance order.

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

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

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

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

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

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

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

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

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

B.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 T061-5983-00012 and issued pursuant to permitting programs approved into the state implementation plan have been either:

(1) incorporated as originally stated,

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

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

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

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

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, determines any of the following:

(1) That this permit contains a material mistake.

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

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

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

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

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

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

Request for renewal shall be submitted to:

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

(b) A timely renewal application is one that is:

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

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

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

B.18 Permit Amendment or Modification [326 IAC 2-7-11][326 IAC 2-7-12][40 CFR 72]

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

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

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

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

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

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

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

(b) Notwithstanding 326 IAC 2-7-12(b)(1) and 326 IAC 2-7-12(c)(1), minor Part 70 permit modification procedures may be used for Part 70 modifications involving the use of economic incentives, marketable Part 70 permits, emissions trading, and other similar approaches to the extent that such minor Part 70 permit modification

procedures are explicitly provided for in the applicable State Implementation Plan (SIP) or in applicable requirements promulgated or approved by the U.S. EPA.

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

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

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

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

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

(4) The Permittee notifies the:

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

and

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

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

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

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

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

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

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

(3) Any change in emissions; and

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

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

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

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

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

B.21 Source Modification Requirement [326 IAC 2-7-10.5] [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 and/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, 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 at reasonable times, substances or parameters for the purpose

of assuring compliance with this permit or applicable requirements; and

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

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

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

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

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

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

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

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

(a) The Permittee shall pay annual fees to IDEM, OAQ, within thirty (30) calendar days of receipt of a billing. Pursuant to 326 IAC 2-7-19(b), if the Permittee does not receive a bill from IDEM, OAQ, the applicable fee is due April 1 of each year.

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

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

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

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

SECTION C SOURCE OPERATION CONDITIONS

Entire Source

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

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

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

C.2 Opacity [326 IAC 5-1]

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

(a) Opacity shall not exceed an average of forty percent (40%) in any one (1) six (6) minute averaging period as determined in 326 IAC 5-1-4.

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

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

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

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.

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).

C.6 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.7 Asbestos Abatement Projects [326 IAC 14-10] [326 IAC 18] [40 CFR 61, Subpart M]

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

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

(1) When the amount of affected asbestos containing material increases or decreases by at least twenty percent (20%); or

(2) If there is a change in the following:

(A) Asbestos removal or demolition start date;

(B) Removal or demolition contractor; or

(C) Waste disposal site.

(c) The Permittee shall ensure that the notice is postmarked or delivered according to the guidelines set forth in 326 IAC 14-10-3(2).

(d) The notice to be submitted shall include the information enumerated in 326 IAC 14-10-3(3).

All required notifications shall be submitted to:

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

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

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

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

(g) Indiana Accredited Asbestos Inspector

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

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

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

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

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

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

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

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

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

Compliance Requirements [326 IAC 2-1.1-11]

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

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

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

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

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

Indiana Department of Environmental Management

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(1) initial inspection and evaluation;

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

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

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

(1) monitoring results;

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

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

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

(e) The Permittee shall maintain the following records:

(1) monitoring data;

(2) monitor performance data, if applicable; and

(3) corrective actions taken.

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

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

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

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

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

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

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

(a) Pursuant to 326 IAC 2-6-3(b)(2), starting in 2005 and every three (3) years thereafter, the Permittee shall submit by July 1 an emission statement covering the previous calendar year. The emission statement shall contain, at a minimum, the information specified in 326 IAC 2-6-4(c) and shall meet the following requirements:

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

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

The statement must be submitted to:

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

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

(b) The emission statement required by this permit shall be considered timely if the date 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.18 General Record Keeping Requirements [326 IAC 2-7-5(3)] [326 IAC 2-7-6] [326 IAC 2-2] [326 IAC 2-3]

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

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

(c) If there is a "project" (as defined in 326 IAC 2-2-1 (qq) and/or 326 IAC 2-3-1 (ll)) at an existing emissions 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)) and the Permittee elects to utilize the "projected actual emissions" (as defined in 326 IAC 2-2-1 (rr) and/or 326 IAC 2-3-1 (mm)), the Permittee shall comply with following:

(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 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 Aresponsible official@ as defined by 326 IAC 2-7-1(34).

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

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

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

(d) Unless otherwise specified in this permit, any quarterly report required in Section D of this permit shall be submitted within thirty (30) days of the end of the reporting period. The reports do require the certification by the Aresponsible 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 :

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

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

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

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

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

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

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

Reports required in this part shall be submitted to:

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

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

Stratospheric Ozone Protection

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

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

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

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

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

SECTION D.1 FACILITY OPERATION CONDITIONS

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

(a) Sub-Micro (SM) Line 3, installed in 1979, and Sub-Micro (SM) Line 4, installed in 1984, consist of the following equipment:

(1) Two (2) oil extraction systems, identified as Unit ID #s 9.1 and 9.2, each system includes oil extraction pans, a solvent drying oven, a water drying oven, and a distillation unit, utilizing a carbon adsorber to control volatile organic compounds and trichloroethylene, exhausting through one (1) stack, identified as S/V ID # 17;

(2) Two (2) extruders, identified as Unit ID #s 8.1 and 8.2**, each controlled by a precipitative coalescing filter (smog hog) and exhausting through individual stacks identified as S/V ID #14 and S/V ID #15**;

(3) Two (2) aerosol addition systems **(mix towers)**, identified as Unit ID #s 10.1, 10.2**, exhausting inside the building**;

(b) Sub-Micro (SM) Line 6, installed in 1991, consists of the following equipment:

(1) One (1) oil extraction system, identified as Unit ID # 9.3, system includes oil extraction pans, a solvent drying oven, a water drying oven, and a distillation unit, utilizing a carbon adsorber to control volatile organic compounds and trichloroethylene, exhausting through one (1) stack, identified as S/V ID # 17;

(2) One (1) extruder, identified as Unit ID # 8.3**, controlled by a precipitative coalescing filter (smog hog) and exhausting through one (1) stack identified as S/V ID #16**;

(3) One (1) aerosol addition system **(mix tower)**, identified as Unit ID # 10.3**, exhausting inside the building**.

(c) Sub-Micro (SM) Lines 3, 4 and 6 support equipment, consisting of storage tanks (Unit ID #s 11.1 through 11.6) and a trichloroethylene (TCE) recovery system (smokehouse) Unit ID #9.4.

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

D.1.1 BACT Analysis [326 IAC 8-1-6]

(a) Pursuant to CP-061-1935-00012, issued on December 21, 1990, a carbon adsorption ~~unit~~ **system (CAS)** with 95% control efficiency has been determined by ~~OAM~~ **OAQ** to be the Best Available Control Technology for SM-3, SM-4, and SM-6. The control system shall be operated at all times that ~~extruders for SM-3, SM-4, and SM-6;~~ oil extraction systems for SM-3, SM-4, and SM-6; aerosol addition systems for SM-3, SM-4, and SM-6; and tanks (ID #s 11.1 through 11.6) are used. For the purpose of determining compliance, the overall control efficiency of the control system shall be considered to be 95% provided the carbon adsorption unit is operating in compliance with the monitoring provisions specified in Condition D.1.5.

(b) Pursuant to 326 IAC 8-1-6 (BACT):

(1) A leak detection and repair (LDAR) program as described below has been determined by OAQ to be included as Best Available Control Technology for all equipment in trichloroethylene service (i.e., containing more than 5% trichloroethylene and in service more than 300 hours per calendar year). Within 30 days of the issuance of the Significant Permit Modification 061-23800-00012, the Permittee shall develop a written leak detection and repair

(LDAR) program requiring leak checks of all equipment in trichloroethylene service. The LDAR plan shall be consistent with the following provisions of 40 CFR Part 63, Subpart H - National Emission Standards for Organic Hazardous Air Pollutants for Equipment Leaks.

(A) Definitions: § 63.161;

(B) Standards: §§ 63.162-63.163, 63.165-63.169, 63.171, and 63.174;

(C) Quality Improvement Program for Valves and Pumps: §§ 63.175 and 63.176 (when applicable);

(D) Test Methods and Procedures: § 63.180;

(E) Recordkeeping: § 63.181;

(F) Reporting: § 63.182 (a), (b) & (d); and

(G) Implementation: § 63.183.

The Permittee shall implement the LDAR plan by no later than the close of the second calendar month following the month the 12 consecutive month period of the plant-wide trichloroethylene inventory loss first equals or exceeds 125 tons per year. For the purposes of the LDAR plan, the compliance date for determining the applicability of Subpart H Phase 1, Phase II or Phase III requirements shall be the date of implementation of the LDAR plan.

(2) In the event the requirement to implement LDAR Plan is triggered as described in Condition D.1.1(b)(1), the Permittee shall continue to implement the LDAR plan until the 12 month consecutive period sum of source-wide trichloroethylene inventory loss remains less than 125 tons per year for three consecutive calendar months, at which time it may cease implementation of the LDAR Plan for all subsequent time periods during which the 12 consecutive month period sum of source-wide trichloroethylene inventory loss remains less than 125 tons per year.

(c) Pursuant to Significant Permit Modification 061-23800-00012 and 326 IAC 8-1-6 (BACT):

(1) The extruders serving SM Line 4 and SM Line 6 (Unit ID #8.2 and Unit ID #8.3, respectively) shall be controlled by a precipitating coalescing filter (smog hog demister) with a minimum overall control efficiency of 76%, by attaining 80% capture efficiency and 95% destruction efficiency. The VOC emissions from the smog hog demister for the extruders serving SM Line 4 and SM Line 6 shall not exceed 2.38 pounds per hour.

(2) Off-specification material that is removed from SM Lines 4 and 6 as a result of start-ups, wet folds, or web breaks shall be placed in the trichloroethylene recovery system (smokehouse), Unit ID #9.4.

D.1.2 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~~ **these facilities** and ~~its~~ **their** control device**s**.

D.1.3 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, the Permittee

shall perform VOC testing **of the carbon adsorption system (CAS)** utilizing Method 24 (40 CFR 60, Appendix A) or other 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. In addition to these requirements, IDEM may require compliance testing when necessary to determine if the facility is in compliance.

(b) Within 180 days after issuance of this permit, the Permittee shall perform VOC testing including the capture and control efficiencies of the precipitating coalescing filter (smog hog) utilizing Method 24 (40 CFR 60, Appendix A) or other 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.

D.1.4 Volatile Organic Compounds (VOC)

~~The carbon adsorption unit for VOC control shall be in operation at all times when the extruders for SM-3, SM-4, and SM-6; oil extraction systems for SM-3, SM-4, and SM-6; aerosol addition systems for SM-3, SM-4, and SM-6; and tanks (ID #'s 11.1 through 11.6) are in operation.~~

(a) The CAS shall be operated at all times when the oil extraction systems for SM-3, SM-4, and SM-6 (ID #s 9.1, 9.2 and 9.3), storage tanks (ID #s 11.1 through 11.6), aerosol addition systems for SM-3, SM-4, and SM-6, and the trichloroethylene recovery system (smokehouse, Unit ID #9.4) are operated.

(b) The smog hogs shall be operated at all times that the associated extruders (Unit ID #s 8.2 and 8.3) are operated.

~~D.1.5 Carbon Adsorbers~~

~~At all times that the control system for the extruders for SM-3, SM-4, and SM-6; oil extraction systems for SM-3, SM-4, and SM-6; aerosol addition systems for SM-3, SM-4, and SM-6; and tanks (ID #s 11.1 through 11.6) are in operation and being utilized to demonstrate compliance with the limitations set forth in Condition D.1.1. The control system shall be operated such that:~~

~~(a) The pressure drop across the carbon adsorption unit shall not be less than the pressure drop required to achieve the overall control efficiency of 95%, or a more appropriate pressure drop as determined by the most recent stack test data.~~

~~(b) The carbon adsorption unit shall operate above the minimum operating temperature as determined by the most recent stack test data, which has been demonstrated to achieve the overall control efficiency of 95%.~~

~~(c) The sensors and recording equipment measuring the pressure drop and temperature are operating.~~

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

D.1.5 Process Emissions and Carbon Adsorption System Emissions [40 CFR Part 64]

Pursuant to 40 CFR Part 64 (CAM) and to ensure compliance with Conditions D.1.1(a) and D.1.1(b) the following compliance monitoring is required:

(a) The CAS shall be equipped with a continuous exhaust gas flow rate monitor. The Permittee shall take daily instantaneous measurement of the outlet VOC concentration of the CAS (using a handheld photo- ionization detector or comparable device) and at the same time record the value of the CAS exhaust gas flow rate. Provided the CAS exhaust gas flow rate is less than or equal to 2,500 cubic feet per minute (cfpm), then compliance is indicated if the CAS outlet VOC concentration is less than 100 ppmv , and no measurement of the CAS inlet VOC concentration nor the outlet CAS VOC concentration exceeds 100 ppmv. If the

outlet CAS VOC concentration is greater than 100 ppmv, then a daily grab measurement of the CAS inlet VOC concentration (using a colorimetric tube analysis) shall also be taken and the CAS control efficiency calculated to provide an indication of compliance. CAS control efficiency shall be calculated using the VOC concentration data as follows:

CAS Efficiency (%) = $[(CAS_{inlet} - CAS_{outlet}) / (CAS_{inlet})] \times 100$

Daily measurements of CAS exhaust gas flow rate and VOC inlet and outlet concentration(s) shall be taken within the final 30 minutes of a carbon bed cycle and shall be taken when the CAS cooling air blower is not operating. The CAS cooling air blower is not operating when the measured CAS exhaust gas flow rate is less than or equal to 2,500 cfpm. In the event that the outlet VOC concentration is greater than 100 ppmv and the CAS efficiency is less than 95%, the Permittee shall perform reasonable response steps to achieve 95% CAS efficiency. The Permittee shall continue to make daily CAS efficiency calculations until a CAS efficiency of 95% or more is achieved for seven (7) consecutive operating days. Upon achieving a CAS efficiency of 95% or more for seven (7) consecutive operating days, the Permittee may resume daily measurement of the outlet VOC concentration.

(b) The Permittee shall control trichloroethylene inventory losses by monitoring the trichloroethylene inventory, including but not limited to purchases, releases off - site , and emissions from startups, shutdowns, and process and air pollution control equipment malfunctions, so that the twelve consecutive month period sum of plant - wide trichloroethylene inventory loss does not exceed 141 tons per year. Losses of trichloroethylene resulting from events which are unrelated to process and air pollution control equipment operation and are sudden reasonably unforeseeable and beyond the Permittee's reasonable control, including but not limited to power failures, severe weather, and transportation-related accidents, shall not be included in the inventory loss calculation.

Compliance with the above monitoring conditions shall also satisfy the requirements of 40 CFR 64, Compliance Assurance Monitoring for the trichloroethylene recovery room (Unit #9.4).

~~D.1.6 Carbon Adsorption Unit Inspections~~
~~An inspection shall be performed each calender quarter of the carbon adsorption unit controlling the extruders for SM-3, SM-4, and SM-6; oil extraction systems for SM-3, SM-4, and SM-6; aerosol addition systems for SM-3, SM-4, and SM-6; and tanks (ID #'s 11.1 through 11.6). All defective beds shall be replaced.~~

~~D.1.7~~ **D.1.6** Carbon Adsorption Failure Detection **[40 CFR Part 64]**

~~In the event that a failure on the carbon adsorber has been observed:~~

~~(a) The affected compartments will be shut down immediately until the failed units have been repaired or replaced. For the carbon adsorber, failed units and the associated process will be shut down immediately until the failed units have been repaired or replaced.~~

~~(b) Within eight (8) hours of the determination of failure, response steps according to the timetable described in the Compliance Response Plan shall be initiated. For any failure with corresponding response steps and timetable not described in the Compliance Response Plan, response steps shall be devised within eight (8) hours of discovery of the failure and shall include a timetable for completion.~~

In the event that carbon adsorber failure has been observed:

Failed units and the associated process will be shut down immediately until the failed units

have been repaired or replaced. Operations may continue only if the event qualifies as an emergency and the Permittee satisfies the requirements of the emergency provisions of this permit (Section B - Emergency Provisions). Failure to take response steps in accordance with Section C - Response to Excursions or Exceedances, shall be considered a deviation from this permit.

Compliance with the above monitoring condition shall also satisfy the requirements of 40 CFR 64, Compliance Assurance Monitoring for the trichloroethylene recovery room (Unit #9.4).

~~D.1.8~~ **D.1.7** Record Keeping Requirements

(a) To document compliance with Conditions D.1.1**(a)** and D.1.5, the Permittee shall maintain records in accordance with (1) **through (5)**. ~~Records maintained for (1) shall be taken monthly and shall be complete and sufficient to establish compliance with the VOC usage limits and/or the VOC emission limits established in Condition D.1.1 and temperature limit established in Condition D.1.5.~~ **Records of all data and operating parameters shall be complete and sufficient to establish compliance with the limits established in Condition D.1.1(a) and the monitoring conditions established in Condition D.1.5.**

~~(1) Operating temperature and pressure drops for the carbon adsorption units.~~

(1) Daily measurement of CAS outlet VOC concentration;

(2) Daily measurement of CAS exhaust gas flow rate;

(3) All measurements of CAS inlet VOC concentrations and calculations of CAS control efficiency made pursuant to Condition D.1.5(a);

(4) Records of monthly source-wide trichloroethylene inventory losses made pursuant to Condition D.1.5(b); and

(5) Records of the date, quantity and cause of each such loss of trichloroethylene excluded from the inventory loss calculation pursuant to Condition D.1.5(b).

~~(b) To document compliance with Condition D.1.6, the Permittee shall maintain records of the results of the inspections required under Condition D.1.6.~~

(b) To document compliance with Condition D.1.1(b)(2), the Permittee shall maintain the records required by the LDAR.

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

D.2.1 Particulate ~~Matter (PM)~~ [326 IAC 6-3-**2**]

Pursuant to 326 IAC 6-3-**2** (~~Process Operations~~ **Particulate Emission Limitations for Manufacturing Processes**), the allowable PM emission rate from the five (5) silos, four (4) day bins, and two (2) transporters shall not exceed the following pounds per hour when operating at the following appropriate process weight rate in tons per hour:

(a) The allowable particulate matter emissions from the four (4) silos (ID #4.1 - 4.4), two (2) day bins (ID #6.1 and 6.2), the silo dense phase transporter and the SM 3/4 silica transporter for SM-3 and SM-4 shall not exceed 22.91 pounds per hour, when operating at a process weight rate of 13.04 pounds per hour.

(b) Pursuant to CP-061-1935-00012, issued on December 21, 1990, the allowable particulate matter emissions from the one (1) silo (ID #4.5) and two (2) day bins (ID #7.1 and 7.2) for SM-6 shall not exceed 5.09 pounds per hour, when operating at a process weight rate of 1.38 pounds per hour.

The pounds per hour limitation was calculated with the following equation:

Interpolation ~~and extrapolation~~ of the data for the process weight rate up to 60,000 pounds per hour shall be accomplished by use of the equation:

$E = 4.10\ P^{0.67}$ where E = rate of emission in pounds per hour; and
P = process weight rate in tons per hour

D.2.4 Particulate ~~Matter (PM)~~ **Control**

(a) The bin filters for the five (5) silos and four (4) day bins, the baghouses for the two (2) transporters for PM control shall be in operation at all times when are in operation and exhausting to the outside atmosphere.

(b) In the event that bag failure is observed in a multi-compartment baghouse, if operations will continue for ten (10) days or more after the failure is observed before the failed units will be repaired or replaced, the Permittee shall promptly notify the IDEM, OAQ of the expected date the failed units will be repaired or replaced. The notification shall also include the status of the applicable compliance monitoring parameters with respect to normal, and the results of any response actions taken up to the time of notification.

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

D.2.5 Visible Emissions Notations

(a) Daily visible emission notations of the five (5) silos, four (4) day bins, and two (2) transporters stack exhausts shall be performed once per day during normal daylight operations when exhausting to the atmosphere. A trained employee shall record whether emissions are normal or abnormal.

(b) For processes operated continuously, "normal" means those conditions prevailing, or expected to prevail, eighty percent (80%) of the time the process is in operation, not counting startup or shut down time.

(c) In the case of batch or discontinuous operations, readings shall be taken during that part of the operation that would normally be expected to cause the greatest emissions.

(d) A trained employee is an employee who has worked at the plant at least one (1) month and has been trained in the appearance and characteristics of normal visible emissions for that specific process.

(e) ~~The Compliance Response Plan for this unit shall contain troubleshooting contingency and response steps for when an abnormal emission is observed.~~

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.2.6 Parametric Monitoring

~~The Permittee shall record the total static pressure drops across the bin filters and baghouses~~

~~used in conjunction with the five (5) silos, four (4) day bins, and two (2) transporters, at least once weekly when the five (5) silos, four (4) day bins, and two (2) transporters are in operation when venting to the atmosphere. Unless operated under conditions for which the Compliance Response Plan specifies otherwise, the pressure drop across the bin filters and bahouses shall be maintained within the range of 1.0 and 7.0 inches of water or a range established during the latest stack test. 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.~~

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

The Permittee shall record the pressure drop across the bin filters and baghouses used in conjunction with the five (5) silos, four (4) day bins, and two (2) transporters, at least once per day when the five (5) silos, four (4) day bins, and two (2) transporters are in operation when venting to the atmosphere. When for any one reading, the pressure drop across the bin filters and baghouses is outside the normal range of 1.0 and 7.0 inches of water or a range established during the latest stack test, the Permittee shall take reasonable response steps in accordance with Section C- Response to Excursions or Exceedances. A pressure reading that is outside the above mentioned range is not a deviation from this permit. Failure to take response steps in accordance with Section C - Response to Excursions or Exceedances, shall be considered a deviation from this permit.

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

D.2.7 Broken or Failed Bag Detection

~~In the event that bag failure has been observed:~~

~~(a) The affected compartments will be shut down immediately until the failed units have been repaired or replaced. Within eight (8) hours of the determination of failure, response steps according to the timetable described in the Compliance Response Plan shall be initiated. For any failure with corresponding response steps and timetable not described in the Compliance Response Plan, response steps shall be devised within eight (8) hours of discovery of the failure and shall include a timetable for completion. Operations may continue only if the event qualifies as an emergency and the Permittee satisfies the requirements of the emergency provisions of this permit (Section B - Emergency Provisions).~~

~~(b) For single compartment baghouses and bin filters, failed units and the associated process will be shut down immediately until the failed units have been repaired or replaced. Operations may continue only if the event qualifies as an emergency and the Permittee satisfies the requirements of the emergency provisions of this permit (Section B - Emergency Provisions).~~

(a) For a single compartment baghouse controlling emissions from a process operated continuously, a failed unit and the associated process shall be shut down immediately until the failed unit has been repaired or replaced. Operations may continue only if the event qualifies as an emergency and the Permittee satisfies the requirements of the emergency provisions of this permit (Section B - Emergency Provisions).

(b) For a single compartment baghouse controlling emissions from a batch process, the feed to the process shall be shut down immediately until the failed unit has been repaired or replaced. The emissions unit shall be shut down no later than the completion of the processing of the material in the line. Operations may continue

only if the event qualifies as an emergency and the Permittee satisfies the requirements of the emergency provisions of this permit (Section B - Emergency Provisions).

Bag failure can be indicated by a significant drop in the baghouse's pressure reading with abnormal visible emissions, by an opacity violation, or by other means such as gas temperature, flow rate, air infiltration, leaks, dust traces or triboflows.

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

D.2.8 Record Keeping Requirements

(a) To document compliance with Condition D.2.5, the Permittee shall maintain records of daily visible emission notations of the five (5) silos, four (4) day bins, and two (2) transporters stack exhaust.

(b) To document compliance with Condition D.2.6, the Permittee shall maintain ~~the following records as specifically related to the bin filters and baghouses:~~ **daily records of the pressure drop during normal operation when venting to the atmosphere.**

~~(1) Daily records of the following operational parameters during normal operation when venting to the atmosphere:~~

~~(A) Inlet and outlet differential static pressure; and~~

~~(B) Cleaning cycle: frequency and differential pressure.~~

~~(2) Documentation of all response steps implemented, per event .~~

~~(3) Operation and preventive maintenance logs, including work purchases orders, shall be maintained.~~

~~(4) Quality Assurance/Quality Control (QA/QC) procedures.~~

~~(5) Operator standard operating procedures (SOP).~~

~~(6) Manufacturer's specifications or its equivalent.~~

~~(7) Equipment "troubleshooting" contingency plan.~~

~~(8) Documentation of the dates vents are redirected.~~

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

D.3.3 Visible Emissions Notations

(a) Daily visible emission notations of Boiler #1 stack exhaust shall be performed during normal daylight operations when exhausting to the atmosphere when burning 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) ~~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 - Response to Excursions or Exceedances shall be considered a deviation from this permit.

D.4.6 Visible Emissions Notations

(a) Daily visible emission notations of Boiler #2 stack exhaust shall be performed once per day during normal daylight operations when exhausting to the atmosphere when burning 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) ~~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 - Response to Excursions or Exceedances shall be considered a deviation from this permit.

~~SECTION D.5 FACILITY OPERATION CONDITIONS~~

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

~~(a) Three (3) tanks, identified as Unit ID #=s 11.1, 11.2, and 11.3, each constructed in 1979, each used to store trichloroethylene, miscella and process oil, respectively, each with a maximum storage capacity of 10,576 gallons, each utilizing a carbon adsorber to control volatile organic compounds and trichloroethylene, exhausting through one (1) stack, identified as S/V ID #17;~~

~~(b) Three (3) tanks, identified as Unit ID #=s 11.4, 11.5, and 11.6, each constructed in 1991, each~~

~~used to store trichloroethylene, miscella and process oil, respectively, each with a maximum storage capacity of 9,989 gallons, each utilizing a carbon adsorber to control volatile organic compounds and trichloroethylene, exhausting through one (1) stack, identified as S/V ID #17; and~~

~~(c) One (1) tank, identified as Unit #11.7, constructed in 1991, used to store virgin oil, with a maximum storage capacity of 14,384 gallons.~~

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

~~D.5.1 Volatile Organic Liquid Storage Vessel [326 IAC 12][40 CFR 60.110, Subpart Kb]~~
~~Pursuant to 40 CFR Part 60.110b, Subpart Kb (Standards of Performance for Volatile Organic Liquid Storage Vessels), the virgin oil tank (Unit #11.7), with a with a design capacity of less than 75 cubic meters, is subject to 40 CFR Part 60.116b, paragraphs (a) through (c) which requires record keeping.~~

~~D.5.2 Preventive Maintenance Plan [326 IAC 2-8-4(9)]~~
~~A Preventive Maintenance Plan, in accordance with Section B - Preventive Maintenance Plan, of this permit, is required for this facility.~~

~~Compliance Determination Requirements~~

~~D.5.3 Testing Requirements [326 IAC 2-8-5(1)]~~
~~The Permittee is not required to test this facility by this permit. However, IDEM may require compliance testing when necessary to determine if the facility is in compliance. If testing is required by IDEM, compliance with the limit specified in Condition D.5.1 shall be determined by a performance test conducted in accordance with Section C - Performance Testing.~~

~~Compliance Monitoring Requirements~~

~~D.5.4 Daily Visible Checks for Liquid Leaks~~

~~(a) Daily checks for liquid leaks during loading into tanks containing trichloroethylene and miscella, (ID #=s 11.1, 11.2, 11.4, 11.5) and the virgin oil tank shall be performed once per day when the facility is in operation. A trained employee will record any visible liquid leaks and the date of such leaks.~~

~~(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, checks shall be taken during that part of the operation that would normally be expected to cause the greatest potential for liquid leaks.~~

~~(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 liquid leaks for that specific process.~~

~~(e) The Compliance Response Plan for this unit shall contain troubleshooting contingency and response steps for when a liquid leak is observed.~~

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

~~D.5.5 Record Keeping Requirements [326 IAC 12]~~

~~(a) To document compliance with Condition D.5.1, the Permittee shall maintain permanent~~

~~records at the source in accordance with (1) and (2) below for the virgin oil tank (Unit # 11.7):~~

~~(1) The dimension of the storage vessel; and~~

~~(2) An analysis showing the capacity of the storage vessel;~~

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

~~D.6.1 Particulate Matter (PM) [326 IAC 6-3-2(c)]~~ **D.5.1 Particulate [326 IAC 6-3-2]**

~~Pursuant to 326 IAC 6-3-2(c), the particulate matter emissions shall not exceed the pound per hour emission rate established as E in the following formula:~~

~~Interpolation and extrapolation of the data for the process weight rate in excess of sixty thousand (60,000) pounds per hour shall be accomplished by use of the equation:~~

~~$E = 55.0 P^{0.11} - 40$ where E = rate of emission in pounds per hour; and P = process weight rate in tons per hour~~

~~For a process weight rate of 1.625 tons per hour, the equation sets a limit of 5.68 pounds of particulate per hour~~

Pursuant to 326 IAC 6-3-2 (Particulate Emission Limitations for Manufacturing Processes), the allowable particulate emission rate from the silo dilute phase transporter (Unit ID #13) shall not exceed 5.68 pounds per hour when operating at a process weight rate of 1.625 tons per hour.

The pounds per hour limitation was calculated with the following equation:

Interpolation of the data for the process weight rate up to 60,000 pounds per hour shall be accomplished by use of the equation:

$E = 4.10 P^{0.67}$ where E = rate of emission in pounds per hour; and P = process weight rate in tons per hour

~~D.6.4 Control Device Required for Particulate Matter (PM)~~

~~The control devices for PM control shall be functioning properly at all times when the facility is in operation.~~

D.5.4 Particulate Control

(a) The control devices for particulate control shall be in operation and control emissions from the facility at all times that the facility is in operation.

(b) In the event that bag failure is observed in a multi-compartment baghouse, if operations will continue for ten (10) days or more after the failure is observed before the failed units will be repaired or replaced, the Permittee shall promptly notify the IDEM, OAQ of the expected date the failed units will be repaired or replaced. The notification shall also include the status of the applicable compliance monitoring parameters with respect to normal, and the results of any response actions taken up to the time of notification.

~~D.6.5 Control Device Inspections~~

~~An inspection shall be performed of the control devices at least once each calender quarter. All defective parts shall be replaced.~~

~~D.6.6 Record Keeping Requirements~~

~~(a) To document compliance, the Permittee shall maintain a log of operation and preventive maintenance logs (including work purchases orders), and those additional inspections prescribed by the Preventative Maintenance Plan.~~

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

~~D.7.3~~ **D.6.3** Particulate ~~Matter (PM)~~ **Control**

(a) In order to comply with condition ~~D.7.1~~ **D.6.1**, the baghouses for particulate control identified as F05.1, F01.1, F05.2 and F01.2 shall be in operation and control emissions from the polyethylene and silica weigh bin lines 3 and 4 at all times that these facilities are in operation.

(b) In the event that bag failure is observed in a multi-compartment baghouse, if operations will continue for ten (10) days or more after the failure is observed before the failed units will be repaired or replaced, the Permittee shall promptly notify the IDEM, OAQ of the expected date the failed units will be repaired or replaced. The notification shall also include the status of the applicable compliance monitoring parameters with respect to normal, and the results of any response actions taken up to the time of notification.

~~D.7.4~~ **D.6.4** Visible Emissions Notations

(a) Visible emission notations of the F05.1, F01.1, F05.2, and F01.2 baghouse stack exhausts shall be performed once per ~~shift~~ **day** during normal daylight operations when exhausting to the atmosphere. A trained employee shall record whether emissions are normal or abnormal.

(b) For processes operated continuously, "normal" means those conditions prevailing, or expected to prevail, eighty percent (80%) of the time the process is in operation, not counting startup or shut down time.

(c) In the case of batch or discontinuous operations, readings shall be taken during that part of the operation that would normally be expected to cause the greatest emissions.

(d) A trained employee is an employee who has worked at the plant at least one (1) month and has been trained in the appearance and characteristics of normal visible emissions for that specific process.

(e) ~~The Compliance Response Plan for these units shall contain troubleshooting contingency and response steps for when an abnormal emission is observed. Failure to take response steps in accordance with Section C - Compliance Response Plan - Preparation, Implementation, Records, and Reports, shall be considered a deviation from this permit.~~

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.7.5~~ **D.6.5** Parametric Monitoring

~~The Permittee shall record the total static pressure drop across each of the baghouses identified as F05.1, F01.1, F05.2, and F01.2, at least once per shift when the systems are in operation. When for any one reading, the pressure drop across the baghouses (F05.1 and F05.2) is outside the normal range of 0.8 to 2.0 inches of water and the baghouses (F01.1 and F01.2) is outside the normal range of 2.53 to 4.0 or a range established during the latest stack test, the Permittee shall~~

~~take reasonable response steps in accordance with Section C- Compliance Response Plan - Preparation, Implementation, Records, and Reports. A pressure reading that is outside the above mentioned range is not a deviation from this permit. Failure to take response steps in accordance with Section C - Compliance Response Plan - Preparation, Implementation, Records, and Reports, shall be considered a deviation from this permit.~~

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

The Permittee shall record the pressure drop across each of the baghouses identified as F05.1, F01.1, F05.2, and F01.2, at least once per day when systems are in operation when venting to the atmosphere. When for any one reading, the pressure drop across the baghouses (F05.1 and F05.2) is outside the normal range of 0.8 to 2.0 inches of water and the baghouses (F01.1 and F01.2) is outside the normal range of 2.53 to 4.0 or a range established during the latest stack test, the Permittee shall take reasonable response steps in accordance with Section C- Response to Excursions or Exceedances. A pressure reading that is outside the above mentioned range is not a deviation from this permit. Failure to take response steps in accordance with Section C - Response to Excursions or Exceedances, shall be considered a deviation from this permit.

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

~~D.7.6 Baghouse Inspections~~

~~An inspection shall be performed each calender quarter of all bags controlling the weigh bin lines 3 and 4. All defective bags shall be replaced.~~

~~D.7.7~~ **D.6.6** Broken or Failed Bag Detection

~~In the event that bag failure has been observed:~~

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

~~(b) For single compartment baghouses, if failure is indicated by a significant drop in the baghouse's pressure readings with abnormal visible emissions or the failure is indicated by an opacity violation, or if bag failure is determined by other means, such as gas temperatures, flow rates, air infiltration, leaks, dust traces or triboflows, then failed units and the associated process will be shut down immediately until the failed units have been repaired or replaced. Operations may continue only if the event qualifies as an emergency and the Permittee satisfies the requirements of the emergency provisions of this permit (Section B - Emergency Provisions).~~

(a) For a single compartment baghouse controlling emissions from a process operated continuously, a failed unit and the associated process shall be shut down immediately until the failed unit has been repaired or replaced. Operations may continue only if the event qualifies as an emergency and the Permittee satisfies the requirements of the emergency provisions of this permit (Section B - Emergency Provisions).

(b) For a single compartment baghouse controlling emissions from a batch process, the feed to the process shall be shut down immediately until the failed unit has been repaired or replaced. The emissions unit shall be shut down no later than the completion of the processing of the material in the line. Operations may continue only if the event qualifies as an emergency and the Permittee satisfies the requirements of the emergency provisions of this permit (Section B - Emergency Provisions).

Bag failure can be indicated by a significant drop in the baghouse's pressure reading with abnormal visible emissions, by an opacity violation, or by other means such as gas temperature, flow rate, air infiltration, leaks, dust traces or triboflows.

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

~~D.7.8~~ **D.6.7** Record Keeping Requirements

(a) To document compliance with Condition ~~D.7.4~~ **D.6.4**, the Permittee shall maintain **daily** records of visible emission notations of the baghouse F05.1, F01.1, F05.2, and F01.2 stack exhausts ~~once per shift~~.

(b) To document compliance with Condition ~~D.7.5~~ **D.6.5**, the Permittee shall maintain ~~per shift~~ **daily** records of the ~~total static~~ pressure drop during normal operation for each baghouse.

~~(c) To document compliance with Condition D.7.6, the Permittee shall maintain records of the results of the inspections required under Condition D.7.6.~~

~~(d) To document compliance with Condition D.7.2, the Permittee shall maintain records of any additional inspections prescribed by the Preventive Maintenance Plan.~~

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

SECTION E.1 FACILITY OPERATION CONDITIONS

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

(a) Sub-Micro (SM) Lines 3, 4 and 6 support equipment, consisting of storage tanks (Unit ID #s 11.1 through 11.6) and a trichloroethylene (TCE) recovery system (smokehouse) Unit ID #9.4.

National Emission Standards for Hazardous Air Pollutants (NESHAP) Requirements [326 IAC 2-7-5(1)]

E.1.1 General Provisions Relating to NESHAP EEEE [40 CFR Part 63, Subpart A]

Pursuant to 40 CFR 63.2398, the Permittee shall comply with the provisions of 40 CFR Part 63, Subpart A – General Provisions, as specified in Table 12 of 40 CFR Part 63, Subpart EEEE in accordance with schedule in 40 CFR 63 Subpart EEEE.

E.1.2 NESHAP Subpart EEEE Requirements [40 CFR Part 63, Subpart EEEE]

Pursuant to 40 CFR Part 63, Subpart EEEE, the Permittee shall comply with the provisions of 40 CFR Part 63.2330, as specified as follows:

What This Subpart Covers

§ 63.2330 What is the purpose of this subpart?

This subpart establishes national emission limitations, operating limits, and work practice standards for organic hazardous air pollutants (HAP) emitted from organic liquids distribution (OLD) (non-gasoline) operations at major sources of HAP emissions. This subpart also establishes requirements to demonstrate initial and continuous compliance with the emission limitations, operating limits, and work practice standards.

§ 63.2334 Am I subject to this subpart?

(a) Except as provided for in paragraphs (b) and (c) of this section, you are subject to this subpart if you own or operate an OLD operation that is located at, or is part of, a major source of HAP emissions. An OLD operation may occupy an entire plant site or be collocated with other industrial (e.g., manufacturing) operations at the same plant site.

(b) Organic liquid distribution operations located at research and development facilities, consistent with section 112(c)(7) of the Clean Air Act (CAA), are not subject to this subpart.

(c) Organic liquid distribution operations do not include the activities and equipment, including product loading racks, used to process, store, or transfer organic liquids at facilities listed in paragraph (c) (1) and (2) of this section.

(1) Oil and natural gas production field facilities, as the term "facility" is defined in §63.761 of subpart HH.

(2) Natural gas transmission and storage facilities, as the term "facility" is defined in §63.1271 of subpart HHH.

§ 63.2338 What parts of my plant does this subpart cover?

(a) This subpart applies to each new, reconstructed, or existing OLD operation affected source.

(b) Except as provided in paragraph (c) of this section, the affected source is the collection of activities and equipment used to distribute organic liquids into, out of, or within a facility that is a major source of HAP. The affected source is composed of:
(1) All storage tanks storing organic liquids.

(2) All transfer racks at which organic liquids are loaded into or unloaded out of transport vehicles and/or containers.

(3) All equipment leak components in organic liquids service that are associated with:

(i) Storage tanks storing organic liquids;

(ii) Transfer racks loading or unloading organic liquids;

(iii) Pipelines that transfer organic liquids directly between two storage tanks that are subject to this subpart;

(iv) Pipelines that transfer organic liquids directly between a storage tank subject to this subpart and a transfer rack subject to this subpart; and

(v) Pipelines that transfer organic liquids directly between two transfer racks that are subject to this subpart.

(4) All transport vehicles while they are loading or unloading organic liquids at transfer racks subject to this subpart.

(5) All containers while they are loading or unloading organic liquids at transfer racks subject to this subpart.

(c) The equipment listed in paragraphs (c)(1) through (4) of this section and used in the identified operations is excluded from the affected source.

(1) Storage tanks, transfer racks, transport vehicles, containers, and equipment leak components that are part of an affected source under another 40 CFR part 63 national emission standards for hazardous air pollutants (NESHAP).

(2) Non-permanent storage tanks, transfer racks, transport vehicles, containers, and equipment leak components when used in special situation distribution loading and unloading operations (such as maintenance or upset liquids management).

(3) Storage tanks, transfer racks, transport vehicles, containers, and equipment leak components when used to conduct maintenance activities, such as stormwater management, liquid removal from tanks for inspections and maintenance, or changeovers to a different liquid stored in a storage tank.

(d) An affected source is a new affected source if you commenced construction of the affected source after April 2, 2002, and you meet the applicability criteria in §63.2334 at the time you commenced operation.

(e) An affected source is reconstructed if you meet the criteria for reconstruction as defined in §63.2.
(f) An affected source is existing if it is not new or reconstructed.

[69 FR 5063, Feb. 3, 2004, as amended at 71 FR 42904, July 28, 2006]

§ 63.2342 When do I have to comply with this subpart?

(b)(1) If you have an existing affected source, you must comply with the emission limitations, operating limits, and work practice standards for existing affected sources no later than February 5, 2007, except as provided in paragraphs (b)(2) and (3) of this section.

(2) Floating roof storage tanks at existing affected sources must be in compliance with the work practice standards in Table 4 to this subpart, item 1, at all times after the next degassing and cleaning activity or within 10 years after February 3, 2004, whichever occurs first. If the first degassing and cleaning activity occurs during the 3 years following February 3, 2004, the compliance date is February 5, 2007.

(3)(i) If an addition or change other than reconstruction as defined in §63.2 is made to an existing affected facility that causes the total actual annual facility-level organic liquid loading volume to exceed the criteria for control in Table 2 to this subpart, items 7 and 8, the owner or operator must comply with the transfer rack requirements specified in §63.2346(b) immediately; that is, be in compliance the first day of the period following the end of the 3-year period triggering the control criteria.

(ii) If the owner or operator believes that compliance with the transfer rack emission limits cannot be achieved immediately, as specified in paragraph (b)(3)(i) of this section, the owner or operator may submit a request for a compliance extension, as specified in paragraphs (b)(3)(ii)(A) through (I) of this section. Subject to paragraph (b)(3)(ii)(B) of this section, until an extension of compliance has been granted by the Administrator (or a State with an approved permit program) under this paragraph (b)(3)(ii), the owner or operator of the transfer rack subject to the requirements of this section shall comply with all applicable requirements of this subpart. Advice on requesting an extension of compliance may be obtained from the Administrator (or the State with an approved permit program).

(A) Submittal. The owner or operator shall submit a request for a compliance extension to the Administrator (or a State, when the State has an approved 40 CFR part 70 permit program and the source is required to obtain a 40 CFR part 70 permit under that program, or a State, when the State has been delegated the authority to implement and enforce the emission standard for that source) seeking an extension allowing the source up to 1 additional year to comply with the transfer rack standard, if such additional period is necessary for the installation of controls. The owner or operator of the affected source who has requested an extension of compliance under this paragraph (b)(3)(ii)(A) and who is otherwise required to obtain a title V permit shall apply for such permit, or apply to have the source's title V permit revised to incorporate the conditions of the extension of compliance. The conditions of an extension of compliance granted under this paragraph (b)(3)(ii)(A) will be incorporated into the affected source's title V permit according to the provisions of 40 CFR part 70 or Federal title V regulations in this chapter (42 U.S.C. 7661), whichever are applicable.

(B) When to submit. (1) Any request submitted under paragraph (b)(3)(ii)(A) of this section must be submitted in writing to the appropriate authority no later than 120 days prior to the affected source's compliance date (as specified in paragraph (b)(3)(i) of this section), except as provided for in paragraph (b)(3)(ii)(B)(2) of this section. Nonfrivolous requests submitted under this paragraph (b)(3)(ii)(B)(1) will stay the applicability of the rule as to the emission points in question until such time as the request is granted or denied. A denial will be effective as of the date of denial.

(2) An owner or operator may submit a compliance extension request after the date specified in paragraph (b)(3)(ii)(B)(1) of this section provided the need for the compliance extension arose after that date, and before the otherwise applicable compliance date and the need arose due to circumstances beyond reasonable control of the owner or operator. This request must include, in addition to the information required in paragraph (b)(3)(ii)(C) of this section, a statement of the reasons additional time is needed and the date when the owner or operator first learned of the problems. Nonfrivolous requests submitted under this paragraph (b)(3)(ii)(B)(2) will stay the applicability of the rule as to the emission points in question until such time as the request is granted or denied. A denial will be effective as of the original compliance date.

(C) Information required. The request for a compliance extension under paragraph (b)(3)(ii)(A) of this section shall include the following information:

(1) The name and address of the owner or operator and the address of the existing source if it differs from the address of the owner or operator;

(2) The name, address, and telephone number of a contact person for further information;

(3) An identification of the organic liquid distribution operation and of the specific equipment for which additional compliance time is required;

(4) A description of the controls to be installed to comply with the standard;

(5) Justification for the length of time being requested; and

(6) A compliance schedule, including the date by which each step toward compliance will be reached. At a minimum, the list of dates shall include:

(i) The date by which on-site construction, installation of emission control equipment, or a process change is planned to be initiated;

(ii) The date by which on-site construction, installation of emission control equipment, or a process change is to be completed; and

(iii) The date by which final compliance is to be achieved.

(D) Approval of request for extension of compliance. Based on the information provided in any request made under paragraph (b)(3)(ii)(C) of this section, or other information, the Administrator (or the State with an approved permit program) may grant an extension of compliance with the transfer rack emission standard, as specified in paragraph (b)(3)(ii) of this section. The extension will be in writing and will—

(1) Identify each affected source covered by the extension;

(2) Specify the termination date of the extension;

(3) Specify the dates by which steps toward compliance are to be taken, if appropriate;

(4) Specify other applicable requirements to which the compliance extension applies (e.g., performance tests);

(5) Specify the contents of the progress reports to be submitted and the dates by which such reports are to be submitted, if required pursuant to paragraph (b)(3)(ii)(E) of this section.

(6) Under paragraph (b)(3)(ii) of this section, specify any additional conditions that the Administrator (or the State) deems necessary to assure installation of the necessary controls and protection of the health of persons during the extension period.

(E) Progress reports. The owner or operator of an existing source that has been granted an extension of compliance under paragraph (b)(3)(ii)(D) of this section may be required to submit to the Administrator (or the State with an approved permit program) progress reports indicating whether the steps toward compliance outlined in the compliance schedule have been reached.

(F) Notification of approval or intention to deny.

(1) The Administrator (or the State with an approved permit program) will notify the owner or operator in writing of approval or intention to deny approval of a request for an extension of compliance within 30 calendar days after receipt of sufficient information to evaluate a request submitted under paragraph (b)(3)(ii) of this section. The Administrator (or the State) will notify the owner or operator in writing of the status of his/her application; that is, whether the application contains sufficient information to make a determination, within 30 calendar days after receipt of the original application and within 30 calendar days after receipt of any supplementary information that is submitted. The 30-day approval or denial period will begin after the owner or operator has

been notified in writing that his/her application is complete. Failure by the Administrator to act within 30 calendar days to approve or disapprove a request submitted under paragraph (b)(3)(ii) of this section does not constitute automatic approval of the request.

(2) When notifying the owner or operator that his/her application is not complete, the Administrator will specify the information needed to complete the application and provide notice of opportunity for the applicant to present, in writing, within 30 calendar days after he/she is notified of the incomplete application, additional information or arguments to the Administrator to enable further action on the application.

(3) Before denying any request for an extension of compliance, the Administrator (or the State with an approved permit program) will notify the owner or operator in writing of the Administrator's (or the State's) intention to issue the denial, together with:

(i) Notice of the information and findings on which the intended denial is based; and

(ii) Notice of opportunity for the owner or operator to present in writing, within 15 calendar days after he/she is notified of the intended denial, additional information or arguments to the Administrator (or the State) before further action on the request.

(4) The Administrator's final determination to deny any request for an extension will be in writing and will set forth the specific grounds on which the denial is based. The final determination will be made within 30 calendar days after presentation of additional information or argument (if the application is complete), or within 30 calendar days after the final date specified for the presentation if no presentation is made.

(G) Termination of extension of compliance. The Administrator (or the State with an approved permit program) may terminate an extension of compliance at an earlier date than specified if any specification under paragraph (b)(3)(ii)(D)(3) or paragraph (b)(3)(ii)(D)(4) of this section is not met. Upon a determination to terminate, the Administrator will notify, in writing, the owner or operator of the Administrator's determination to terminate, together with:

(1) Notice of the reason for termination; and

(2) Notice of opportunity for the owner or operator to present in writing, within 15 calendar days after he/she is notified of the determination to terminate, additional information or arguments to the Administrator before further action on the termination.

(3) A final determination to terminate an extension of compliance will be in writing and will set forth the specific grounds on which the termination is based. The final determination will be made within 30 calendar days after presentation of additional information or arguments, or within 30 calendar days after the final date specified for the presentation if no presentation is made.

(H) The granting of an extension under this section shall not abrogate the Administrator's authority under section 114 of the CAA.

(I) Limitation on use of compliance extension. The owner or operator may request an extension of compliance under the provisions specified in paragraph (b)(3)(ii) of this section only once for each facility.

(c) If you have an area source that does not commence reconstruction but increases its emissions or its potential to emit such that it becomes a major source of HAP emissions and an existing affected source subject to this subpart, you must be in compliance by 3 years after the area source becomes a major source.

(d) You must meet the notification requirements in §§63.2343 and 63.2382(a), as applicable, according to the schedules in §63.2382(a) and (b)(1) through (3) and in subpart A of this part. Some of these notifications must be submitted before the compliance dates for the emission limitations, operating limits, and work practice standards in this subpart.

§ 63.2343 What are my requirements for emission sources not requiring control?

This section establishes the notification, recordkeeping, and reporting requirements for emission sources identified in §63.2338 that do not require control under this subpart (i.e., under paragraphs (a) through (e) of §63.2346). Such emission sources are not subject to any other notification, recordkeeping, or reporting sections in this subpart, including §63.2350(c), except as indicated in paragraphs (a) through (d) of this section.

(a) For each storage tank subject to this subpart having a capacity of less than 18.9 cubic meters (5,000 gallons) and for each transfer rack subject to this subpart that only unloads organic liquids (i.e., no organic liquids are loaded at any of the transfer racks), you must keep documentation that verifies that each storage tank and transfer rack identified in paragraph (a) of this section is not required to be controlled. The documentation must be kept up-to-date (i.e., all such emission sources at a facility are identified in the documentation regardless of when the documentation was last compiled) and must be in a form suitable and readily available for expeditious inspection and review according to §63.10(b)(1), including records stored in electronic form in a separate location. The documentation may consist of identification of the tanks and transfer racks identified in paragraph (a) of this section on a plant site plan or process and instrumentation diagram (P&ID).

(b) For each storage tank subject to this subpart having a capacity of 18.9 cubic meters (5,000 gallons) or more that is not subject to control based on the criteria specified in Table 2 to this subpart, items 1 through 6, you must comply with the requirements specified in paragraphs (b)(1) through (3) of this section.

(1)(i) You must submit the information in §63.2386(c)(1), (2), (3), and (10)(i) in either the Notification of Compliance Status, according to the schedule specified in Table 12 to this subpart, or in your first Compliance report, according to the schedule specified in §63.2386(b), whichever occurs first.

(ii)(A) If you submit your first Compliance report before your Notification of Compliance Status, the Notification of Compliance Status must contain the information specified in §63.2386(d)(3) and (4) if any of the changes identified in paragraph (d) of this section have occurred since the filing of the first Compliance report. If none of the changes identified in paragraph (d) of this section have occurred since the filing of the first Compliance report, you do not need to report the information specified in §63.2386(c)(10)(i) when you submit your Notification of Compliance Status.

(B) If you submit your Notification of Compliance Status before your first Compliance report, your first Compliance report must contain the information specified in §63.2386(d)(3) and (4) if any of the changes specified in paragraph (d) of this section have occurred since the filing of the Notification of Compliance Status.

(iii) If you are already submitting a Notification of Compliance Status or a first Compliance report under §63.2386(c), you do not need to submit a separate Notification of Compliance Status or first Compliance report for each storage tank that meets the conditions identified in paragraph (b) of this section (i.e., a single Notification of Compliance Status or first Compliance report should be submitted).

(2)(i) You must submit a subsequent Compliance report according to the schedule in §63.2386(b) whenever any of the events in paragraph (d) of this section occur, as applicable.

(ii) Your subsequent Compliance reports must contain the information in §63.2386(c)(1), (2), (3) and, as applicable, in §63.2386(d)(3) and (4). If you are already submitting a subsequent Compliance report under §63.2386(d), you do not need to submit a separate subsequent

Compliance report for each storage tank that meets the conditions identified in paragraph (b) of this section (i.e., a single subsequent Compliance report should be submitted).

(3) For each storage tank that meets the conditions identified in paragraph (b) of this section, you must keep documentation, including a record of the annual average true vapor pressure of the total Table 1 organic HAP in the stored organic liquid, that verifies the storage tank is not required to be controlled under this subpart. The documentation must be kept up-to-date and must be in a form suitable and readily available for expeditious inspection and review according to §63.10(b)(1), including records stored in electronic form in a separate location.

(c) For each transfer rack subject to this subpart that loads organic liquids but is not subject to control based on the criteria specified in Table 2 to this subpart, items 7 through 10, you must comply with the requirements specified in paragraphs (c)(1) through (3) of this section.

(1)(i) You must submit the information in §63.2386(c)(1), (2), (3), and (10)(i) in either the Notification of Compliance Status, according to the schedule specified in Table 12 to this subpart, or a first Compliance report, according to the schedule specified in §63.2386(b), whichever occurs first.

(ii)(A) If you submit your first Compliance report before your Notification of Compliance Status, the Notification of Compliance Status must contain the information specified in §63.2386(d)(3) and (4) if any of the changes identified in paragraph (d) of this section have occurred since the filing of the first Compliance report. If none of the changes identified in paragraph (d) of this section have occurred since the filing of the first Compliance report, you do not need to report the information specified in §63.2386(c)(10)(i) when you submit your Notification of Compliance Status.

(B) If you submit your Notification of Compliance Status before your first Compliance report, your first Compliance report must contain the information specified in §63.2386(d)(3) and (4) if any of the changes specified in paragraph (d) of this section have occurred since the filing of the Notification of Compliance Status.

(iii) If you are already submitting a Notification of Compliance Status or a first Compliance report under §63.2386(c), you do not need to submit a separate Notification of Compliance Status or first Compliance report for each transfer rack that meets the conditions identified in paragraph (b) of this section (i.e., a single Notification of Compliance Status or first Compliance report should be submitted).

(2)(i) You must submit a subsequent Compliance report according to the schedule in §63.2386(b) whenever any of the events in paragraph (d) of this section occur, as applicable.

(ii) Your subsequent Compliance reports must contain the information in §63.2386(c)(1), (2), (3) and, as applicable, in §63.2386(d)(3) and (4). If you are already submitting a subsequent Compliance report under §63.2386(d), you do not need to submit a separate subsequent Compliance report for each transfer rack that meets the conditions identified in paragraph (c) of this section (i.e., a single subsequent Compliance report should be submitted).

(3) For each transfer rack that meets the conditions identified in paragraph (c) of this section, you must keep documentation, including the records specified in §63.2390(d), that verifies the transfer rack is not required to be controlled under this subpart. The documentation must be kept up-to-date and must be in a form suitable and readily available for expeditious inspection and review according to §63.10(b)(1), including records stored in electronic form in a separate location.

(d) If one or more of the events identified in paragraphs (d)(1) through (4) of this section occur since the filing of the Notification of Compliance Status or the last Compliance report, you must submit a subsequent Compliance report as specified in paragraphs (b)(3) and (c)(3) of this section.

(1) Any storage tank or transfer rack became subject to control under this subpart EEEE; or

(2) Any storage tank equal to or greater than 18.9 cubic meters (5,000 gallons) became part of the affected source but is not subject to any of the emission limitations, operating limits, or work practice standards of this subpart; or

(3) Any transfer rack (except those racks at which only unloading of organic liquids occurs) became part of the affected source; or

(4) Any of the information required in §63.2386(c)(1), §63.2386(c)(2), or §63.2386(c)(3) has changed.

Emission Limitations, Operating Limits, and Work Practice Standards

§ 63.2346 What emission limitations, operating limits, and work practice standards must I meet?

(a) Storage tanks. For each storage tank storing organic liquids that meets the tank capacity and liquid vapor pressure criteria for control in Table 2 to this subpart, items 1 through 5, you must comply with paragraph (a)(1), (a)(2), (a)(3), or (a)(4) of this section. For each storage tank storing organic liquids that meets the tank capacity and liquid vapor pressure criteria for control in Table 2 to this subpart, item 6, you must comply with paragraph (a)(1), (a)(2), or (a)(4) of this section.

(1) Meet the emission limits specified in Table 2 to this subpart and comply with the applicable requirements specified in 40 CFR part 63, subpart SS, for meeting emission limits, except substitute the term "storage tank" at each occurrence of the term "storage vessel" in subpart SS.

(2) Route emissions to fuel gas systems or back into a process as specified in 40 CFR part 63, subpart SS.

(3) Comply with 40 CFR part 63, subpart WW (control level 2).

(4) Use a vapor balancing system that complies with the requirements specified in paragraphs (a)(4)(i) through (vii) of this section and with the recordkeeping requirements specified in §63.2390(e).

(i) The vapor balancing system must be designed and operated to route organic HAP vapors displaced from loading of the storage tank to the transport vehicle from which the storage tank is filled.

(ii) Transport vehicles must have a current certification in accordance with the United States Department of Transportation (U.S. DOT) pressure test requirements of 49 CFR part 180 for cargo tanks and 49 CFR 173.31 for tank cars.

(iii) Organic liquids must only be unloaded from cargo tanks or tank cars when vapor collection systems are connected to the storage tank's vapor collection system.

(iv) No pressure relief device on the storage tank, or on the cargo tank or tank car, shall open during loading or as a result of diurnal temperature changes (breathing losses).

(v) Pressure relief devices must be set to no less than 2.5 pounds per square inch guage (psig) at all times to prevent breathing losses. Pressure relief devices may be set at values less than 2.5 psig if the owner or operator provides rationale in the notification of compliance status report explaining why the alternative value is sufficient to prevent breathing losses at all times. The owner or operator shall comply with paragraphs (a)(4)(iv)(A) through (C) of this section for each pressure relief valve.

(A) The pressure relief valve shall be monitored quarterly using the method described in §63.180(b).

(B) An instrument reading of 500 parts per million by volume (ppmv) or greater defines a leak.

(C) When a leak is detected, it shall be repaired as soon as practicable, but no later than 5 days after it is detected, and the owner or operator shall comply with the recordkeeping requirements of §63.181(d)(1) through (4).

(vi) Cargo tanks and tank cars that deliver organic liquids to a storage tank must be reloaded or cleaned at a facility that utilizes the control techniques specified in paragraph (a)(4)(vi)(A) or (a)(4)(vi)(B) of this section.

(A) The cargo tank or tank car must be connected to a closed-vent system with a control device that reduces inlet emissions of total organic HAP by 95 percent by weight or greater or to an exhaust concentration less than or equal to 20 ppmv, on a dry basis corrected to 3 percent oxygen for combustion devices using supplemental combustion air.

(B) A vapor balancing system designed and operated to collect organic HAP vapor displaced from the cargo tank or tank car during reloading must be used to route the collected vapor to the storage tank from which the liquid being transferred originated or to another storage tank connected to a common header.

(vii) The owner or operator of the facility where the cargo tank or tank car is reloaded or cleaned must comply with paragraphs (a)(4)(vii)(A) through (D) of this section.

(A) Submit to the owner or operator of the storage tank and to the Administrator a written certification that the reloading or cleaning facility will meet the requirements of paragraph (a)(4)(vii)(A) through (C) of this section. The certifying entity may revoke the written certification by sending a written statement to the owner or operator of the storage tank giving at least 90 days notice that the certifying entity is rescinding acceptance of responsibility for compliance with the requirements of this paragraph (a)(4)(vii) of this section.

(B) If complying with paragraph (a)(4)(vi)(A) of this section, comply with the requirements for a closed vent system and control device as specified in this subpart EEEE. The notification requirements in §63.2382 and the reporting requirements in §63.2386 do not apply to the owner or operator of the offsite cleaning or reloading facility.

(C) If complying with paragraph (a)(4)(vi)(B) of this section, keep the records specified in §63.2390(e)(3) or equivalent recordkeeping approved by the Administrator.

(D) After the compliance dates specified in §63.2342, at an offsite reloading or cleaning facility subject to §63.2346(a)(4), compliance with the monitoring, recordkeeping, and reporting provisions of any other subpart of this part 63 that has monitoring, recordkeeping, and reporting provisions constitutes compliance with the monitoring, recordkeeping and reporting provisions of §63.2346(a)(4)(vii)(B) or §63.2346(a)(4)(vii)(C). You must identify in your notification of compliance status report required by §63.2382(d) the subpart of this part 63 with which the owner or operator of the offsite reloading or cleaning facility complies.

(b) Transfer racks. For each transfer rack that is part of the collection of transfer racks that meets the total actual annual facility-level organic liquid loading volume criterion for control in Table 2 to this subpart, items 7 through 10, you must comply with paragraph (b)(1), (b)(2), or (b)(3) of this section for each arm in the transfer rack loading an organic liquid whose organic HAP content meets the organic HAP criterion for control in Table 2 to this subpart, items 7 through 10. For existing affected sources, you must comply with paragraph (b)(1), (b)(2), or (b)(3)(i) of this section during the loading of organic liquids into transport vehicles. For new affected sources, you must comply with paragraph (b)(1), (b)(2), or (b)(3)(i) and (ii) of this section during the loading of organic liquids into transport vehicles and containers. If the total actual annual facility-level organic liquid loading volume at any affected source is equal to or greater than the loading volume criteria for

control in Table 2 to this subpart, but at a later date is less than the loading volume criteria for control, compliance with paragraph (b)(1), (b)(2), or (b)(3) of this section is no longer required. For new sources and reconstructed sources, as defined in §63.2338(d) and (e), if at a later date, the total actual annual facility-level organic liquid loading volume again becomes equal to or greater than the loading volume criteria for control in Table 2 to this subpart, the owner or operator must comply with paragraph (b)(1), (b)(2), or (b)(3)(i) and (ii) of this section immediately, as specified in §63.2342(a)(3). For existing sources, as defined in §63.2338(f), if at a later date, the total actual annual facility-level organic liquid loading volume again becomes equal to or greater than the loading volume criteria for control in Table 2 to this subpart, the owner or operator must comply with paragraph (b)(1), (b)(2), or (b)(3)(i) of this section immediately, as specified in §63.2342(b)(3)(i), unless an alternative compliance schedule has been approved under §63.2342(b)(3)(ii) and subject to the use limitation specified in §63.2342(b)(3)(ii)(I).

(1) Meet the emission limits specified in Table 2 to this subpart and comply with the applicable requirements for transfer racks specified in 40 CFR part 63, subpart SS, for meeting emission limits.

(2) Route emissions to fuel gas systems or back into a process as specified in 40 CFR part 63, subpart SS.

(3)(i) Use a vapor balancing system that routes organic HAP vapors displaced from the loading of organic liquids into transport vehicles to the storage tank from which the liquid being loaded originated or to another storage tank connected to a common header.

(ii) Use a vapor balancing system that routes the organic HAP vapors displaced from the loading of organic liquids into containers directly (e.g., no intervening tank or containment area such as a room) to the storage tank from which the liquid being loaded originated or to another storage tank connected to a common header.

(c) Equipment leak components. For each pump, valve, and sampling connection that operates in organic liquids service for at least 300 hours per year, you must comply with the applicable requirements under 40 CFR part 63, subpart TT (control level 1), subpart UU (control level 2), or subpart H. Pumps, valves, and sampling connectors that are insulated to provide protection against persistent sub-freezing temperatures are subject to the "difficult to monitor" provisions in the applicable subpart selected by the owner or operator. This paragraph only applies if the affected source has at least one storage tank or transfer rack that meets the applicability criteria for control in Table 2 to this subpart.

(d) Transport vehicles. For each transport vehicle equipped with vapor collection equipment that is loaded at a transfer rack that is subject to control based on the criteria specified in Table 2 to this subpart, items 7 through 10, you must comply with paragraph (d)(1) of this section. For each transport vehicle without vapor collection equipment that is loaded at a transfer rack that is subject to control based on the criteria specified in Table 2 to this subpart, items 7 through 10, you must comply with paragraph (d)(2) of this section.

(1) Follow the steps in 40 CFR 60.502(e) to ensure that organic liquids are loaded only into vapor-tight transport vehicles and comply with the provisions in 40 CFR 60.502(f) through (i), except substitute the term "transport vehicle" at each occurrence of the term "tank truck" or "gasoline tank truck" in those paragraphs.

(2) Ensure that organic liquids are loaded only into transport vehicles that have a current certification in accordance with the U.S. Department of Transportation (DOT) pressure test requirements in 49 CFR part 180 for cargo tanks or 49 CFR 173.31 for tank cars.

(e) Operating limits. For each high throughput transfer rack, you must meet each operating limit in Table 3 to this subpart for each control device used to comply with the provisions of this subpart

whenever emissions from the loading of organic liquids are routed to the control device. For each storage tank and low throughput transfer rack, you must comply with the requirements for monitored parameters as specified in subpart SS of this part for storage vessels and, during the loading of organic liquids, for low throughput transfer racks, respectively. Alternatively, you may comply with the operating limits in Table 3 to this subpart.

(f) If you elect to demonstrate compliance with a percent reduction requirement in Table 2 to this subpart using total organic compounds (TOC) rather than organic HAP, you must first demonstrate, subject to approval of the Administrator, that TOC is an appropriate surrogate for organic HAP in your case; that is, for your storage tank(s) and/or transfer rack(s), the percent destruction of organic HAP is equal to or higher than the percent destruction of TOC. This demonstration must be conducted prior to or during the initial compliance test.

(g) As provided in §63.6(g), you may request approval from the Administrator to use an alternative to the emission limitations, operating limits, and work practice standards in this section. You must follow the procedures in §63.177(b) through (e) in applying for permission to use such an alternative. If you apply for permission to use an alternative to the emission limitations, operating limits, and work practice standards in this section, you must submit the information described in §63.6(g)(2).

(h) [Reserved]

(i) Opening of a safety device is allowed at any time that it is required to avoid unsafe operating conditions.

(j) If you elect to comply with this subpart by combining emissions from different emission sources subject to this subpart in a single control device, then you must comply with the provisions specified in §63.982(f).

[69 FR 5063, Feb. 3, 2004, as amended at 71 FR 42908, July 28, 2006]

General Compliance Requirements

§ 63.2350 What are my general requirements for complying with this subpart?

(a) You must be in compliance with the emission limitations, operating limits, and work practice standards in this subpart at all times when the equipment identified in §63.2338(b)(1) through (4) is in OLD operation.

(b) You must always operate and maintain your affected source, including air pollution control and monitoring equipment, according to the provisions in §63.6(e)(1)(i).

(c) Except for emission sources not required to be controlled as specified in §63.2343, you must develop a written startup, shutdown, and malfunction (SSM) plan according to the provisions in §63.6(e)(3).

[69 FR 5063, Feb. 3, 2004, as amended at 71 FR 20463, Apr. 20, 2006; 71 FR 42909, July 28, 2006]

Testing and Initial Compliance Requirements

§ 63.2354 What performance tests, design evaluations, and performance evaluations must I conduct?

(a)(1) For each performance test that you conduct, you must use the procedures specified in subpart SS of this part and the provisions specified in paragraph (b) of this section.

(2) For each design evaluation you conduct, you must use the procedures specified in subpart SS of this part.

(3) For each performance evaluation of a continuous emission monitoring system (CEMS) you conduct, you must follow the requirements in §63.8(e).

(b)(1) For nonflare control devices, you must conduct each performance test according to the requirements in §63.7(e)(1), and either §63.988(b), §63.990(b), or §63.995(b), using the procedures specified in §63.997(e).

(2) You must conduct three separate test runs for each performance test on a nonflare control device as specified in §§63.7(e)(3) and 63.997(e)(1)(v). Each test run must last at least 1 hour, except as provided in §63.997(e)(1)(v)(A) and (B).

(3)(i) In addition to EPA Method 25 or 25A of 40 CFR part 60, appendix A, to determine compliance with the organic HAP or TOC emission limit, you may use EPA Method 18 of 40 CFR part 60, appendix A, as specified in paragraph (b)(3)(i) of this section. As an alternative to EPA Method 18, you may use ASTM D6420–99 (Reapproved 2004), Standard Test Method for Determination of Gaseous Organic Compounds by Direct Interface Gas Chromatography-Mass Spectrometry (incorporated by reference, see §63.14), under the conditions specified in paragraph (b)(3)(ii) of this section.

(A) If you use EPA Method 18 to measure compliance with the percentage efficiency limit, you must first determine which organic HAP are present in the inlet gas stream (i.e., uncontrolled emissions) using knowledge of the organic liquids or the screening procedure described in EPA Method 18. In conducting the performance test, you must analyze samples collected as specified in EPA Method 18, simultaneously at the inlet and outlet of the control device. Quantify the emissions for the same organic HAP identified as present in the inlet gas stream for both the inlet and outlet gas streams of the control device.

(B) If you use EPA Method 18 of 40 CFR part 60, appendix A, to measure compliance with the emission concentration limit, you must first determine which organic HAP are present in the inlet gas stream using knowledge of the organic liquids or the screening procedure described in EPA Method 18. In conducting the performance test, analyze samples collected as specified in EPA Method 18 at the outlet of the control device. Quantify the control device outlet emission concentration for the same organic HAP identified as present in the inlet or uncontrolled gas stream.

(ii) You may use ASTM D6420–99 (Reapproved 2004), Standard Test Method for Determination of Gaseous Organic Compounds by Direct Interface Gas Chromatography-Mass Spectrometry (incorporated by reference, see §63.14), as an alternative to EPA Method 18 if the target concentration is between 150 parts per billion by volume and 100 ppmv and either of the conditions specified in paragraph (b)(2)(ii)(A) or (B) of this section exists. For target compounds not listed in Section 1.1 of ASTM D6420–99 (Reapproved 2004) and not amenable to detection by mass spectrometry, you may not use ASTM D6420–99 (Reapproved 2004).

(A) The target compounds are those listed in Section 1.1 of ASTM D6420–99 (Reapproved 2004), Standard Test Method for Determination of Gaseous Organic Compounds by Direct Interface Gas Chromatography-Mass Spectrometry (incorporated by reference, see §63.14),; or

(B) For target compounds not listed in Section 1.1 of ASTM D6420–99 (Reapproved 2004), Standard Test Method for Determination of Gaseous Organic Compounds by Direct Interface Gas Chromatography-Mass Spectrometry (incorporated by reference, see §63.14), but potentially detected by mass spectrometry, the additional system continuing calibration check after each run, as detailed in ASTM D6420–99 (Reapproved 2004), Section 10.5.3, must be followed, met, documented, and submitted with the data report, even if there is no moisture condenser used or the compound is not considered water-soluble.

(4) If a principal component of the uncontrolled or inlet gas stream to the control device is formaldehyde, you may use EPA Method 316 of appendix A of this part instead of EPA Method 18 of 40 CFR part 60, appendix A, for measuring the formaldehyde. If formaldehyde is the predominant organic HAP in the inlet gas stream, you may use EPA Method 316 alone to measure formaldehyde either at the inlet and outlet of the control device using the formaldehyde control efficiency as a surrogate for total organic HAP or TOC efficiency, or at the outlet of a combustion device for determining compliance with the emission concentration limit.

(5) You may not conduct performance tests during periods of SSM, as specified in §63.7(e)(1).

(c) To determine the HAP content of the organic liquid, you may use EPA Method 311 of 40 CFR part 63, appendix A, or other method approved by the Administrator. In addition, you may use other means, such as voluntary consensus standards, material safety data sheets (MSDS), or certified product data sheets, to determine the HAP content of the organic liquid. If the method you select to determine the HAP content provides HAP content ranges, you must use the upper end of each HAP content range in determining the total HAP content of the organic liquid. The EPA may require you to test the HAP content of an organic liquid using EPA Method 311 or other method approved by the Administrator. If the results of the EPA Method 311 (or any other approved method) are different from the HAP content determined by another means, the EPA Method 311 (or approved method) results will govern.

[69 FR 5063, Feb. 3, 2004, as amended at 71 FR 42909, July 28, 2006]

§ 63.2358 By what date must I conduct performance tests and other initial compliance demonstrations?

(a) You must conduct initial performance tests and design evaluations according to the schedule in §63.7(a)(2), or by the compliance date specified in any applicable State or Federal new source review construction permit to which the affected source is already subject, whichever is earlier.

(b)(1) For storage tanks and transfer racks at existing affected sources complying with the emission limitations listed in Table 2 to this subpart, you must demonstrate initial compliance with the emission limitations within 180 days after February 5, 2007.

(2) For storage tanks and transfer racks at reconstructed or new affected sources complying with the emission limitations listed in Table 2 to this subpart, you must conduct your initial compliance demonstration with the emission limitations within 180 days after the initial startup date for the affected source or February 3, 2004, whichever is later.

(c)(1) For storage tanks at existing affected sources complying with the work practice standard in Table 4 to this subpart, you must conduct your initial compliance demonstration the next time the storage tank is emptied and degassed, but not later than 10 years after February 3, 2004.

(2) For transfer racks and equipment leak components at existing affected sources complying with the work practice standards in Table 4 to this subpart, you must conduct your initial compliance demonstration within 180 days after February 5, 2007.

(d) For storage tanks, transfer racks, and equipment leak components at reconstructed or new affected sources complying with the work practice standards in Table 4 to this subpart, you must conduct your initial compliance demonstration within 180 days after the initial startup date for the affected source.

§ 63.2362 When must I conduct subsequent performance tests?

(a) For nonflare control devices, you must conduct subsequent performance testing required in Table 5 to this subpart, item 1, at any time the EPA requests you to in accordance with section 114

of the CAA.

(b)(2) For transport vehicles that you own that do not have vapor collection equipment, you must maintain current certification in accordance with the U.S. DOT pressure test requirements in 49 CFR part 180 for cargo tanks or 49 CFR 173.31 for tank cars.

[69 FR 5063, Feb. 3, 2004, as amended at 71 FR 42910, July 28, 2006]

§ 63.2366 What are my monitoring installation, operation, and maintenance requirements?

(a) You must install, operate, and maintain a CMS on each control device required in order to comply with this subpart. If you use a continuous parameter monitoring system (CPMS) (as defined in §63.981), you must comply with the applicable requirements for CPMS in subpart SS of this part for the control device being used. If you use a continuous emissions monitoring system (CEMS), you must comply with the requirements in §63.8.

(b) For nonflare control devices controlling storage tanks and low throughput transfer racks, you must submit a monitoring plan according to the requirements in subpart SS of this part for monitoring plans.

§ 63.2370 How do I demonstrate initial compliance with the emission limitations, operating limits, and work practice standards?

(a) You must demonstrate initial compliance with each emission limitation and work practice standard that applies to you as specified in Tables 6 and 7 to this subpart.

(b) You demonstrate initial compliance with the operating limits requirements specified in §63.2346(e) by establishing the operating limits during the initial performance test or design evaluation.

(c) You must submit the results of the initial compliance determination in the Notification of Compliance Status according to the requirements in §63.2382(d).

[69 FR 5063, Feb. 3, 2004, as amended at 71 FR 42910, July 28, 2006]

Continuous Compliance Requirements

§ 63.2374 When do I monitor and collect data to demonstrate continuous compliance and how do I use the collected data?

(a) You must monitor and collect data according to subpart SS of this part and paragraphs (b) and (c) of this section.

(b) When using a control device to comply with this subpart, you must monitor continuously or collect data at all required intervals at all times that the emission source and control device are in OLD operation, except for CMS malfunctions (including any malfunction preventing the CMS from operating properly), associated repairs, and required quality assurance or control activities (including, as applicable, calibration checks and required zero and span adjustments).

(c) Do not use data recorded during CMS malfunctions, associated repairs, required quality assurance or control activities, or periods when emissions from organic liquids are not routed to the control device in data averages and calculations used to report emission or operating levels. Do not use such data in fulfilling a minimum data availability requirement, if applicable. You must use all of the data collected during all other periods, including periods of SSM, in assessing the operation of the control device.

§ 63.2378 How do I demonstrate continuous compliance with the emission limitations, operating limits, and work practice standards?

(a) You must demonstrate continuous compliance with each emission limitation, operating limit, and work practice standard in Tables 2 through 4 to this subpart that applies to you according to the methods specified in subpart SS of this part and in Tables 8 through 10 to this subpart, as applicable.

(b) You must follow the requirements in §63.6(e)(1) and (3) during periods of startup, shutdown, malfunction, or nonoperation of the affected source or any part thereof. In addition, the provisions of paragraphs (b)(1) through (3) of this section apply.

(1) The emission limitations in this subpart apply at all times except during periods of nonoperation of the affected source (or specific portion thereof) resulting in cessation of the emissions to which this subpart applies. The emission limitations of this subpart apply during periods of SSM, except as provided in paragraphs (b)(2) and (3) of this section. However, if a SSM, or period of nonoperation of one portion of the affected source does not affect the ability of a particular emission source to comply with the emission limitations to which it is subject, then that emission source is still required to comply with the applicable emission limitations of this subpart during the startup, shutdown, malfunction, or period of nonoperation.

(2) The owner or operator must not shut down control devices or monitoring systems that are required or utilized for achieving compliance with this subpart during periods of SSM while emissions are being routed to such items of equipment if the shutdown would contravene requirements of this subpart applicable to such items of equipment. This paragraph (b)(2) does not apply if the item of equipment is malfunctioning. This paragraph (b)(2) also does not apply if the owner or operator shuts down the compliance equipment (other than monitoring systems) to avoid damage due to a contemporaneous SSM of the affected source or portion thereof. If the owner or operator has reason to believe that monitoring equipment would be damaged due to a contemporaneous SSM of the affected source of portion thereof, the owner or operator must provide documentation supporting such a claim in the next Compliance report required in Table 11 to this subpart, item 1. Once approved by the Administrator, the provision for ceasing to collect, during a SSM, monitoring data that would otherwise be required by the provisions of this subpart must be incorporated into the SSM plan.

(3) During SSM, you must implement, to the extent reasonably available, measures to prevent or minimize excess emissions. For purposes of this paragraph (b)(3), the term “excess emissions” means emissions greater than those allowed by the emission limits that apply during normal operational periods. The measures to be taken must be identified in the SSM plan, and may include, but are not limited to, air pollution control technologies, recovery technologies, work practices, pollution prevention, monitoring, and/or changes in the manner of operation of the affected source. Back-up control devices are not required, but may be used if available.

(c) Periods of planned routine maintenance of a control device used to control storage tanks or transfer racks, during which the control device does not meet the emission limits in Table 2 to this subpart, must not exceed 240 hours per year.

(d) If you elect to route emissions from storage tanks or transfer racks to a fuel gas system or to a process, as allowed by §63.982(d), to comply with the emission limits in Table 2 to this subpart, the total aggregate amount of time during which the emissions bypass the fuel gas system or process during the calendar year without being routed to a control device, for all reasons (except SSM or product changeovers of flexible operation units and periods when a storage tank has been emptied and degassed), must not exceed 240 hours.

[69 FR 5063, Feb. 3, 2004, as amended at 71 FR 20463, Apr. 20, 2006]

Notifications, Reports, and Records

§ 63.2382 What notifications must I submit and when and what information should be submitted?

(a) You must submit each notification in subpart SS of this part, Table 12 to this subpart, and paragraphs (b) through (d) of this section that applies to you. You must submit these notifications according to the schedule in Table 12 to this subpart and as specified in paragraphs (b) through (d) of this section.

(b)(1) Initial Notification. If you startup your affected source before February 3, 2004, you must submit the Initial Notification no later than 120 calendar days after February 3, 2004.

(2) If you startup your new or reconstructed affected source on or after February 3, 2004, you must submit the Initial Notification no later than 120 days after initial startup.

(c) If you are required to conduct a performance test, you must submit the Notification of Intent to conduct the test at least 60 calendar days before it is initially scheduled to begin as required in §63.7(b)(1).

(d)(1) Notification of Compliance Status. If you are required to conduct a performance test, design evaluation, or other initial compliance demonstration as specified in Table 5, 6, or 7 to this subpart, you must submit a Notification of Compliance Status.

(2) The Notification of Compliance Status must include the information required in §63.999(b) and in paragraphs (d)(2)(i) through (viii) of this section.

(i) The results of any applicability determinations, emission calculations, or analyses used to identify and quantify organic HAP emissions from the affected source.

(ii) The results of emissions profiles, performance tests, engineering analyses, design evaluations, flare compliance assessments, inspections and repairs, and calculations used to demonstrate initial compliance according to Tables 6 and 7 to this subpart. For performance tests, results must include descriptions of sampling and analysis procedures and quality assurance procedures.

(iii) Descriptions of monitoring devices, monitoring frequencies, and the operating limits established during the initial compliance demonstrations, including data and calculations to support the levels you establish.

(iv) Descriptions of worst-case operating and/or testing conditions for the control device(s).

(v) Identification of emission sources subject to overlapping requirements described in §63.2396 and the authority under which you will comply.

(vi) The applicable information specified in §63.1039(a)(1) through (3) for all pumps and valves subject to the work practice standards for equipment leak components in Table 4 to this subpart, item 4.

(vii) If you are complying with the vapor balancing work practice standard for transfer racks according to Table 4 to this subpart, item 3.a, include a statement to that effect and a statement that the pressure vent settings on the affected storage tanks are greater than or equal to 2.5 psig.

(viii) The information specified in §63.2386(c)(10)(i), unless the information has already been submitted with the first Compliance report. If the information specified in §63.2386(c)(10)(i) has already been submitted with the first Compliance report, the information specified in §63.2386(d)(3) and (4), as applicable, shall be submitted instead.

[69 FR 5063, Feb. 3, 2004, as amended at 71 FR 42910, July 28, 2006]

§ 63.2386 What reports must I submit and when and what information is to be submitted in each?

(a) You must submit each report in subpart SS of this part, Table 11 to this subpart, Table 12 to this subpart, and in paragraphs (c) through (e) of this section that applies to you.

(b) Unless the Administrator has approved a different schedule for submission of reports under §63.10(a), you must submit each report according to Table 11 to this subpart and by the dates shown in paragraphs (b)(1) through (3) of this section, by the dates shown in subpart SS of this part, and by the dates shown in Table 12 to this subpart, whichever are applicable.

(1)(i) The first Compliance report must cover the period beginning on the compliance date that is specified for your affected source in §63.2342 and ending on June 30 or December 31, whichever date is the first date following the end of the first calendar half after the compliance date that is specified for your affected source in §63.2342.

(ii) The first Compliance report must be postmarked no later than July 31 or January 31, whichever date follows the end of the first calendar half after the compliance date that is specified for your affected source in §63.2342.

(2)(i) Each subsequent Compliance report must cover the semiannual reporting period from January 1 through June 30 or the semiannual reporting period from July 1 through December 31.

(ii) Each subsequent Compliance report must be postmarked no later than July 31 or January 31, whichever date is the first date following the end of the semiannual reporting period.

(3) For each affected source that is subject to permitting regulations pursuant to 40 CFR part 70 or 40 CFR part 71, if the permitting authority has established dates for submitting semiannual reports pursuant to 40 CFR 70.6(a)(3)(iii)(A) or 40 CFR 71.6(a)(3)(iii)(A), you may submit the first and subsequent Compliance reports according to the dates the permitting authority has established instead of according to the dates in paragraphs (b)(1) and (2) of this section.

(c) First Compliance report. The first Compliance report must contain the information specified in paragraphs (c)(1) through (10) of this section.

(1) Company name and address.

(2) Statement by a responsible official, including the official's name, title, and signature, certifying that, based on information and belief formed after reasonable inquiry, the statements and information in the report are true, accurate, and complete.

(3) Date of report and beginning and ending dates of the reporting period.

(4) Any changes to the information listed in §63.2382(d)(2) that have occurred since the submittal of the Notification of Compliance Status.

(5) If you had a SSM during the reporting period and you took actions consistent with your SSM plan, the Compliance report must include the information described in §63.10(d)(5)(i).

(6) If there are no deviations from any emission limitation or operating limit that applies to you and there are no deviations from the requirements for work practice standards, a statement that there were no deviations from the emission limitations, operating limits, or work practice standards during the reporting period.
(7) If there were no periods during which the CMS was out of control as specified in §63.8(c)(7), a statement that there were no periods during which the CMS was out of control during the reporting period.

(8) For closed vent systems and control devices used to control emissions, the information specified in paragraphs (c)(8)(i) and (ii) of this section for those planned routine maintenance activities that would require the control device to not meet the applicable emission limit.

(i) A description of the planned routine maintenance that is anticipated to be performed for the control device during the next 6 months. This description must include the type of maintenance necessary, planned frequency of maintenance, and lengths of maintenance periods.

(ii) A description of the planned routine maintenance that was performed for the control device during the previous 6 months. This description must include the type of maintenance performed and the total number of hours during those 6 months that the control device did not meet the applicable emission limit due to planned routine maintenance.

(9) A listing of all transport vehicles into which organic liquids were loaded at transfer racks that are subject to control based on the criteria specified in Table 2 to this subpart, items 7 through 10, during the previous 6 months for which vapor tightness documentation as required in §63.2390(c) was not on file at the facility.

(10)(i) A listing of all transfer racks (except those racks at which only unloading of organic liquids occurs) and of tanks greater than or equal to 18.9 cubic meters (5,000 gallons) that are part of the affected source but are not subject to any of the emission limitations, operating limits, or work practice standards of this subpart.

(ii) If the information specified in paragraph (c)(10)(i) of this section has already been submitted with the Notification of Compliance Status, the information specified in paragraphs (d)(3) and (4) of this section, as applicable, shall be submitted instead.

(d) Subsequent Compliance reports. Subsequent Compliance reports must contain the information in paragraphs (c)(1) through (9) of this section and, where applicable, the information in paragraphs (d)(1) through (4) of this section.

(1) For each deviation from an emission limitation occurring at an affected source where you are using a CMS to comply with an emission limitation in this subpart, you must include in the Compliance report the applicable information in paragraphs (d)(1)(i) through (xii) of this section. This includes periods of SSM.

(i) The date and time that each malfunction started and stopped.

(ii) The dates and times that each CMS was inoperative, except for zero (low-level) and high-level checks.

(iii) For each CMS that was out of control, the information in §63.8(c)(8).

(iv) The date and time that each deviation started and stopped, and whether each deviation occurred during a period of SSM, or during another period.

(v) A summary of the total duration of the deviations during the reporting period, and the total duration as a percentage of the total emission source operating time during that reporting period.

(vi) A breakdown of the total duration of the deviations during the reporting period into those that are due to startup, shutdown, control equipment problems, process problems, other known causes, and other unknown causes.

(vii) A summary of the total duration of CMS downtime during the reporting period, and the total duration of CMS downtime as a percentage of the total emission source operating time during that reporting period.

(viii) An identification of each organic HAP that was potentially emitted during each deviation based on the known organic HAP contained in the liquid(s).

(ix) A brief description of the emission source(s) at which the CMS deviation(s) occurred.

(x) A brief description of each CMS that was out of control during the period.

(xi) The date of the latest certification or audit for each CMS.

(xii) A brief description of any changes in CMS, processes, or controls since the last reporting period.

(2) Include in the Compliance report the information in paragraphs (d)(2)(i) through (iii) of this section, as applicable.

(i) For each storage tank and transfer rack subject to control requirements, include periods of planned routine maintenance during which the control device did not comply with the applicable emission limits in Table 2 to this subpart.

(ii) For each storage tank controlled with a floating roof, include a copy of the inspection record (required in §63.1065(b)) when inspection failures occur.

(iii) If you elect to use an extension for a floating roof inspection in accordance with §63.1063(c)(2)(iv)(B) or (e)(2), include the documentation required by those paragraphs.

(3)(i) A listing of any storage tank that became subject to controls based on the criteria for control specified in Table 2 to this subpart, items 1 through 6, since the filing of the last Compliance report.

(ii) A listing of any transfer rack that became subject to controls based on the criteria for control specified in Table 2 to this subpart, items 7 through 10, since the filing of the last Compliance report.

(4)(i) A listing of tanks greater than or equal to 18.9 cubic meters (5,000 gallons) that became part of the affected source but are not subject to any of the emission limitations, operating limits, or work practice standards of this subpart, since the last Compliance report.

(ii) A listing of all transfer racks (except those racks at which only the unloading of organic liquids occurs) that became part of the affected source but are not subject to any of the emission limitations, operating limits, or work practice standards of this subpart, since the last Compliance report.

(e) Each affected source that has obtained a title V operating permit pursuant to 40 CFR part 70 or 40 CFR part 71 must report all deviations as defined in this subpart in the semiannual monitoring report required by 40 CFR 70.6(a)(3)(iii)(A) or 71.6(a)(3)(iii)(A). If an affected source submits a Compliance report pursuant to Table 11 to this subpart along with, or as part of, the semiannual monitoring report required by 40 CFR 70.6(a)(3)(iii)(A) or 71.6(a)(3)(iii)(A), and the Compliance report includes all required information concerning deviations from any emission limitation in this subpart, we will consider submission of the Compliance report as satisfying any obligation to report the same deviations in the semiannual monitoring report. However, submission of a Compliance report will not otherwise affect any obligation the affected source may have to report deviations from permit requirements to the applicable title V permitting authority.

[69 FR 5063, Feb. 3, 2004, as amended at 71 FR 42910, July 28, 2006]

§ 63.2390 What records must I keep?

(a) For each emission source identified in §63.2338 that does not require control under this subpart, you must keep all records identified in §63.2343.

(b) For each emission source identified in §63.2338 that does require control under this subpart:

(1) You must keep all records identified in subpart SS of this part and in Table 12 to this subpart that are applicable, including records related to notifications and reports, SSM, performance tests, CMS, and performance evaluation plans; and

(2) You must keep the records required to show continuous compliance, as required in subpart SS of this part and in Tables 8 through 10 to this subpart, with each emission limitation, operating limit, and work practice standard that applies to you.

(d) You must keep records of the total actual annual facility-level organic liquid loading volume as defined in §63.2406 through transfer racks to document the applicability, or lack thereof, of the emission limitations in Table 2 to this subpart, items 7 through 10.

§ 63.2394 In what form and how long must I keep my records?

(a) Your records must be in a form suitable and readily available for expeditious inspection and review according to §63.10(b)(1), including records stored in electronic form at a separate location.

(b) As specified in §63.10(b)(1), you must keep your files of all information (including all reports and notifications) for at least 5 years following the date of each occurrence, measurement, maintenance, corrective action, report, or record.

(c) You must keep each record on site for at least 2 years after the date of each occurrence, measurement, maintenance, corrective action, report, or record, according to §63.10(b)(1). You may keep the records off site for the remaining 3 years.

[69 FR 5063, Feb. 3, 2004, as amended at 71 FR 42911, July 28, 2006]

Other Requirements and Information

§ 63.2396 What compliance options do I have if part of my plant is subject to both this subpart and another subpart?

(a) Compliance with other regulations for storage tanks. (1) After the compliance dates specified in §63.2342, you are in compliance with the provisions of this subpart for any storage tank that is assigned to the OLD affected source and that is both controlled with a floating roof and is in compliance with the provisions of either 40 CFR part 60, subpart Kb, or 40 CFR part 61, subpart Y, except that records shall be kept for 5 years rather than 2 years for storage tanks that are assigned to the OLD affected source.

(2) After the compliance dates specified in §63.2342, you are in compliance with the provisions of this subpart for any storage tank with a fixed roof that is assigned to the OLD affected source and that is both controlled with a closed vent system and control device and is in compliance with either 40 CFR part 60, subpart Kb, or 40 CFR part 61, subpart Y, except that you must comply with the monitoring, recordkeeping, and reporting requirements in this subpart.

(3) As an alternative to paragraphs (a)(1) and (2) of this section, if a storage tank assigned to the OLD affected source is subject to control under 40 CFR part 60, subpart Kb, or 40 CFR part 61, subpart Y, you may elect to comply only with the requirements of this subpart for storage tanks meeting the applicability criteria for control in Table 2 to this subpart.

(b) Compliance with other regulations for transfer racks. After the compliance dates specified in §63.2342, if you have a transfer rack that is subject to 40 CFR part 61, subpart BB, and that transfer rack is in OLD operation, you must meet all of the requirements of this subpart for that transfer rack when the transfer rack is in OLD operation during the loading of organic liquids.

(c) Compliance with other regulations for equipment leak components. (1) After the compliance dates specified in §63.2342, if you have pumps, valves, or sampling connections that are subject to a 40 CFR part 60 subpart, and those pumps, valves, and sampling connections are in OLD operation and in organic liquids service, as defined in this subpart, you must comply with the provisions of each subpart for those equipment leak components.

(2) After the compliance dates specified in §63.2342, if you have pumps, valves, or sampling connections subject to 40 CFR part 63, subpart GGG, and those pumps, valves, and sampling connections are in OLD operation and in organic liquids service, as defined in this subpart, you may elect to comply with the provisions of this subpart for all such equipment leak components. You must identify in the Notification of Compliance Status required by §63.2382(b) the provisions with which you will comply.

(d) [Reserved]

(e) Overlap with other regulations for monitoring, recordkeeping, and reporting. (1) Control devices. After the compliance dates specified in §63.2342, if any control device subject to this subpart is also subject to monitoring, recordkeeping, and reporting requirements of another 40 CFR part 63 subpart, the owner or operator must be in compliance with the monitoring, recordkeeping, and reporting requirements of this subpart EEEE. If complying with the monitoring, recordkeeping, and reporting requirements of the other subpart satisfies the monitoring, recordkeeping, and reporting requirements of this subpart, the owner or operator may elect to continue to comply with the monitoring, recordkeeping, and reporting requirements of the other subpart. In such instances, the owner or operator will be deemed to be in compliance with the monitoring, recordkeeping, and reporting requirements of this subpart. The owner or operator must identify the other subpart being complied with in the Notification of Compliance Status required by §63.2382(b).

(2) Equipment leak components. After the compliance dates specified in §63.2342, if you are applying the applicable recordkeeping and reporting requirements of another 40 CFR part 63 subpart to the valves, pumps, and sampling connection systems associated with a transfer rack subject to this subpart that only unloads organic liquids directly to or via pipeline to a non-tank process unit component or to a storage tank subject to the other 40 CFR part 63 subpart, the owner or operator must be in compliance with the recordkeeping and reporting requirements of this subpart EEEE. If complying with the recordkeeping and reporting requirements of the other subpart satisfies the recordkeeping and reporting requirements of this subpart, the owner or operator may elect to continue to comply with the recordkeeping and reporting requirements of the other subpart. In such instances, the owner or operator will be deemed to be in compliance with the recordkeeping and reporting requirements of this subpart. The owner or operator must identify the other subpart being complied with in the Notification of Compliance Status required by §63.2382(b).

§ 63.2398 What parts of the General Provisions apply to me?

Table 12 to this subpart shows which parts of the General Provisions in §§63.1 through 63.15 apply to you.

§ 63.2402 Who implements and enforces this subpart?

(a) This subpart can be implemented and enforced by the U.S. Environmental Protection Agency (U.S. EPA) or a delegated authority such as your State, local, or eligible tribal agency. If the EPA Administrator has delegated authority to your State, local, or eligible tribal agency, then that agency, as well as the EPA, has the authority to implement and enforce this subpart. You should contact your EPA Regional Office (see list in §63.13) to find out if this subpart is delegated to your State, local, or eligible tribal agency.
(b) In delegating implementation and enforcement authority for this subpart to a State, local, or eligible tribal agency under 40 CFR part 63, subpart E, the authorities contained in paragraphs (b)(1) through (4) of this section are retained by the EPA Administrator and are not delegated to the State, local, or eligible tribal agency.

(1) Approval of alternatives to the nonopacity emission limitations, operating limits, and work practice standards in §63.2346(a) through (c) under §63.6(g).

(2) Approval of major changes to test methods under §63.7(e)(2)(ii) and (f) and as defined in §63.90.

(3) Approval of major changes to monitoring under §63.8(f) and as defined in §63.90.

(4) Approval of major changes to recordkeeping and reporting under §63.10(f) and as defined in §63.90.

[69 FR 5063, Feb. 3, 2004, as amended at 71 FR 42911, July 28, 2006]

§ 63.2406 What definitions apply to this subpart?

Terms used in this subpart are defined in the CAA, in §63.2, 40 CFR part 63, subparts H, PP, SS, TT, UU, and WW, and in this section. If the same term is defined in another subpart and in this section, it will have the meaning given in this section for purposes of this subpart. Notwithstanding the introductory language in §63.921, the terms "container" and "safety device" shall have the meaning found in this subpart and not in §63.921.

***Actual annual average temperature*, for organic liquids, means the temperature determined using the following methods:**

(1) For heated or cooled storage tanks, use the calculated annual average temperature of the stored organic liquid as determined from a design analysis of the storage tank.

(2) For ambient temperature storage tanks:

(i) Use the annual average of the local (nearest) normal daily mean temperatures reported by the National Climatic Data Center; or

(ii) Use any other method that the EPA approves.

***Annual average true vapor pressure* means the equilibrium partial pressure exerted by the total Table 1 organic HAP in the stored or transferred organic liquid. For the purpose of determining if a liquid meets the definition of an organic liquid, the vapor pressure is determined using standard conditions of 77 degrees F and 29.92 inches of mercury. For the purpose of determining whether an organic liquid meets the applicability criteria in Table 2, items 1 through 6, to this subpart, use the actual annual average temperature as defined in this subpart. The vapor pressure value in either of these cases is determined:**

(1) In accordance with methods described in American Petroleum Institute Publication 2517, Evaporative Loss from External Floating-Roof Tanks (incorporated by reference, see §63.14);

(2) Using standard reference texts;

(3) By the American Society for Testing and Materials Method D2879–83, 96 (incorporated by reference, see §63.14); or

(4) Using any other method that the EPA approves.

***Bottoms receiver* means a tank that collects distillation bottoms before the stream is sent for storage or for further processing downstream.**

***Cargo tank* means a liquid-carrying tank permanently attached and forming an integral part of a motor vehicle or truck trailer. This term also refers to the entire cargo tank motor vehicle or trailer. For the purpose of this subpart, vacuum trucks used exclusively for maintenance or spill response are not considered cargo tanks.**

***Closed vent system* means a system that is not open to the atmosphere and is composed of piping, ductwork, connections, and, if necessary, flow-inducing devices that transport gas or vapors from an emission point to a control device. This system does not include the vapor collection system that is part of some transport vehicles or the loading arm or hose that is used for vapor return. For transfer racks, the closed vent system begins at, and includes, the first block valve on the downstream side of the loading arm or hose used to convey displaced vapors.**

***Combustion device* means an individual unit of equipment, such as a flare, oxidizer, catalytic oxidizer, process heater, or boiler, used for the combustion of organic emissions.**

***Container* means a portable unit in which a material can be stored, transported, treated, disposed of, or otherwise handled. Examples of containers include, but are not limited to, drums and portable cargo containers known as "portable tanks" or "totes."**

***Control device* means any combustion device, recovery device, recapture device, or any combination of these devices used to comply with this subpart. Such equipment or devices include, but are not limited to, absorbers, adsorbers, condensers, and combustion devices. Primary condensers, steam strippers, and fuel gas systems are not considered control devices.**

***Crude oil* means any of the naturally occurring liquids commonly referred to as crude oil, regardless of specific physical properties. Only those crude oils downstream of the first point of custody transfer after the production field are considered crude oils in this subpart.**

***Custody transfer* means the transfer of hydrocarbon liquids after processing and/or treatment in the producing operations, or from storage tanks or automatic transfer facilities to pipelines or any other forms of transportation.**
***Design evaluation* means a procedure for evaluating control devices that complies with the requirements in §63.985(b)(1)(i).**

***Deviation* means any instance in which an affected source subject to this subpart, or portion thereof, or an owner or operator of such a source:**

(1) Fails to meet any requirement or obligation established by this subpart including, but not limited to, any emission limitation (including any operating limit) or work practice standard;

(2) Fails to meet any term or condition that is adopted to implement an applicable requirement in this subpart, and that is included in the operating permit for any affected source required to obtain such a permit; or

(3) Fails to meet any emission limitation (including any operating limit) or work practice standard

in this subpart during SSM.

Emission limitation **means an emission limit, opacity limit, operating limit, or visible emission limit.**

Equipment leak component **means each pump, valve, and sampling connection system used in organic liquids service at an OLD operation. Valve types include control, globe, gate, plug, and ball. Relief and check valves are excluded.**

Gasoline **means any petroleum distillate or petroleum distillate/alcohol blend having a Reid vapor pressure of 27.6 kilopascals (4.0 pounds per square inch absolute (psia)) or greater which is used as a fuel for internal combustion engines. Aviation gasoline is included in this definition.**

High throughput transfer rack **means those transfer racks that transfer into transport vehicles (for existing affected sources) or into transport vehicles and containers (for new affected sources) a total of 11.8 million liters per year or greater of organic liquids.**

In organic liquids service **means that an equipment leak component contains or contacts organic liquids having 5 percent by weight or greater of the organic HAP listed in Table 1 to this subpart.**

Low throughput transfer rack **means those transfer racks that transfer into transport vehicles (for existing affected sources) or into transport vehicles and containers (for new affected sources) less than 11.8 million liters per year of organic liquids.**

On-site or on site **means, with respect to records required to be maintained by this subpart or required by another subpart referenced by this subpart, that records are stored at a location within a major source which encompasses the affected source. On-site includes, but is not limited to, storage at the affected source to which the records pertain, storage in central files elsewhere at the major source, or electronically available at the site.**

Organic liquid **means:**

(1) Any non-crude oil liquid or liquid mixture that contains 5 percent by weight or greater of the organic HAP listed in Table 1 to this subpart, as determined using the procedures specified in §63.2354(c).

(2) Any crude oils downstream of the first point of custody transfer.

(3) Organic liquids for purposes of this subpart do not include the following liquids:

(i) Gasoline (including aviation gasoline), kerosene (No. 1 distillate oil), diesel (No. 2 distillate oil), asphalt, and heavier distillate oils and fuel oils;

(ii) Any fuel consumed or dispensed on the plant site directly to users (such as fuels for fleet refueling or for refueling marine vessels that support the operation of the plant);

(iii) Hazardous waste;

(iv) Wastewater;

(v) Ballast water: or

(vi) Any non-crude oil liquid with an annual average true vapor pressure less than 0.7 kilopascals (0.1 psia).

Organic liquids distribution (OLD) operation **means the combination of activities and equipment used to store or transfer organic liquids into, out of, or within a plant site regardless of the specific activity being performed. Activities include, but are not limited to, storage, transfer, blending,**

compounding, and packaging.

Permitting authority **means one of the following:**

(1) The State Air Pollution Control Agency, local agency, or other agency authorized by the EPA Administrator to carry out a permit program under 40 CFR part 70; or

(2) The EPA Administrator, in the case of EPA-implemented permit programs under title V of the CAA (42 U.S.C. 7661) and 40 CFR part 71.

Plant site **means all contiguous or adjoining surface property that is under common control, including surface properties that are separated only by a road or other public right-of-way. Common control includes surface properties that are owned, leased, or operated by the same entity, parent entity, subsidiary, or any combination.**

Research and development facility **means laboratory and pilot plant operations whose primary purpose is to conduct research and development into new processes and products, where the operations are under the close supervision of technically trained personnel, and which are not engaged in the manufacture of products for commercial sale, except in a de minimis manner.**

Responsible official **means responsible official as defined in 40 CFR 70.2 and 40 CFR 71.2, as applicable.**

Safety device **means a closure device such as a pressure relief valve, frangible disc, fusible plug, or any other type of device that functions exclusively to prevent physical damage or permanent deformation to a unit or its air emission control equipment by venting gases or vapors directly to the atmosphere during unsafe conditions resulting from an unplanned, accidental, or emergency event.**

Shutdown **means the cessation of operation of an OLD affected source, or portion thereof (other than as part of normal operation of a batch-type operation), including equipment required or used to comply with this subpart, or the emptying and degassing of a storage tank. Shutdown as defined here includes, but is not limited to, events that result from periodic maintenance, replacement of equipment, or repair.**

Startup **means the setting in operation of an OLD affected source, or portion thereof (other than as part of normal operation of a batch-type operation), for any purpose. Startup also includes the placing in operation of any individual piece of equipment required or used to comply with this subpart including, but not limited to, control devices and monitors.**

Storage tank **means a stationary unit that is constructed primarily of nonearthen materials (such as wood, concrete, steel, or reinforced plastic) that provide structural support and is designed to hold a bulk quantity of liquid. Storage tanks do not include:**

(1) Units permanently attached to conveyances such as trucks, trailers, rail cars, barges, or ships;

(2) Pressure vessels designed to operate in excess of 204.9 kilopascals and without emissions to the atmosphere;

(3) Bottoms receivers;

(4) Surge control vessels;

(5) Vessels storing wastewater; or

(6) Reactor vessels associated with a manufacturing process unit.

Tank car **means a car designed to carry liquid freight by rail, and including a permanently attached tank.**

Total actual annual facility-level organic liquid loading volume **means the total facility-level actual volume of organic liquid loaded for transport within or out of the facility through transfer racks that are part of the affected source into transport vehicles (for existing affected sources) or into transport vehicles and containers (for new affected sources) based on a 3-year rolling average, calculated annually.**

(1) For existing affected sources, each 3-year rolling average is based on actual facility-level loading volume during each calendar year (January 1 through December 31) in the 3-year period. For calendar year 2004 only (the first year of the initial 3-year rolling average), if an owner or operator of an affected source does not have actual loading volume data for the time period from January 1, 2004, through February 2, 2004 (the time period prior to the effective date of the OLD NESHAP), the owner or operator shall compute a facility-level loading volume for this time period as follows: At the end of the 2004 calendar year, the owner or operator shall calculate a daily average facility-level loading volume (based on the actual loading volume for February 3, 2004, through December 31, 2004) and use that daily average to estimate the facility-level loading volume for the period of time from January 1, 2004, through February 2, 2004. The owner or operator shall then sum the estimated facility-level loading volume from January 1, 2004, through February 2, 2004, and the actual facility-level loading volume from February 3, 2004, through December 31, 2004, to calculate the annual facility-level loading volume for calendar year 2004.

(2)(i) For new affected sources, the 3-year rolling average is calculated as an average of three 12-month periods. An owner or operator must select as the beginning calculation date with which to start the calculations as either the initial startup date of the new affected source or the first day of the calendar month following the month in which startup occurs. Once selected, the date with which the calculations begin cannot be changed.

(ii) The initial 3-year rolling average is based on the projected maximum facility-level annual loading volume for each of the 3 years following the selected beginning calculation date. The second 3-year rolling average is based on actual facility-level loading volume for the first year of operation plus a new projected maximum facility-level annual loading volume for second and third years following the selected beginning calculation date. The third 3-year rolling average is based on actual facility-level loading volume for the first 2 years of operation plus a new projected maximum annual facility-level loading volume for the third year following the beginning calculation date. Subsequent 3-year rolling averages are based on actual facility-level loading volume for each year in the 3-year rolling average.

Transfer rack **means a single system used to load organic liquids into, or unload organic liquids out of, transport vehicles or containers. It includes all loading and unloading arms, pumps, meters, shutoff valves, relief valves, and other piping and equipment necessary for the transfer operation. Transfer equipment and operations that are physically separate (i.e., do not share common piping, valves, and other equipment) are considered to be separate transfer racks.**

Transport vehicle **means a cargo tank or tank car.**

Vapor balancing system **means: (1) A piping system that collects organic HAP vapors displaced from transport vehicles or containers during loading and routes the collected vapors to the storage tank from which the liquid being loaded originated or to another storage tank connected to a common header. For containers, the piping system must route the displaced vapors directly to the appropriate storage tank or to another storage tank connected to a common header in order to qualify as a vapor balancing system; or (2) a piping system that collects organic HAP vapors displaced from the loading of a storage tank and routes the collected vapors to the transport vehicle from which the storage tank is filled.**

Vapor collection system **means any equipment located at the source (i.e., at the OLD operation)**

that is not open to the atmosphere; that is composed of piping, connections, and, if necessary, flow-inducing devices; and that is used for:

(1) Containing and conveying vapors displaced during the loading of transport vehicles to a control device;

(2) Containing and directly conveying vapors displaced during the loading of containers; or

(3) Vapor balancing. This does not include any of the vapor collection equipment that is installed on the transport vehicle.

***Vapor-tight transport vehicle* means a transport vehicle that has been demonstrated to be vapor-tight. To be considered vapor-tight, a transport vehicle equipped with vapor collection equipment must undergo a pressure change of no more than 250 pascals (1 inch of water) within 5 minutes after it is pressurized to 4,500 pascals (18 inches of water). This capability must be demonstrated annually using the procedures specified in EPA Method 27 of 40 CFR part 60, appendix A. For all other transport vehicles, vapor tightness is demonstrated by performing the U.S. DOT pressure test procedures for tank cars and cargo tanks.**

***Work practice standard* means any design, equipment, work practice, or operational standard, or combination thereof, that is promulgated pursuant to section 112(h) of the CAA.**

E.1.3 One Time Deadlines Relating to NESHAP EEEE

(a) The Permittee submitted Initial Notification on November 9, 2006 [40 CFR 63.2382(b)].

(b) The Permittee shall conduct initial compliance demonstrations no later than February 3, 2007 [40 CFR 63.2342].

(c) The Permittee shall submit first Semi-annual Compliance Report no later than July 31, 2007 [40 CFR 63.2386(b)(1)(ii)].

Conclusion and Recommendation

The construction and operation of this proposed modification shall be subject to the conditions of the attached proposed Part 70 Significant Source Modification No. 061-23287-00012 and Significant Permit Modification No. 061-23800-00012. The staff recommends to the Commissioner that this Part 70 Significant Source and Significant Permit Modification be approved.

Appendix A: Emission Calculations
VOC/HAP Emission Calculations for the Trichloroethylene Recovery Room (Unit# 9.4)

Company Name: Daramic, LLC
Address City IN Zip: 3430 Cline Road, Corydon, IN 47112
Significant Source Modification #: 061-23287-00012
Significant Permit Modification #: 061-23800-00012
Permit Reviewer: Alic Bent/EVP

Unrestricted Potential Emissions for Trichloroethylene (TCE) Usage

Pollutant	Emission Rate (lb/hr)	Total Potential Emissions (ton/yr)
VOC (TCE)	2.6	11.4

METHODOLOGY

Unrestricted Potential Emissions (tons/yr) = Emission Rate (lb/hr) * 8760 hrs/yr * 1 ton/2000 lbs
Emission Rates based on material balance conducted by the source.

APPENDIX B
BACT ANALYSIS REPORT

Source Background and Description

Source Name:	Daramic, LLC
Source Location:	3430 Cline Road, Corydon, 47112
County:	Harrison
SIC Code:	3089
Operation Permit No.:	T 061-5983-00012
Operation Permit Issuance Date:	September 7, 1999
Significant Source Modification No.:	061-23287-00012
Significant Permit Modification No.:	061-23800-00012
Permit Reviewer:	AB/EVP

BACT Assessment for VOC Emissions from the extruders serving SM Line 4 and SM Line 6

An analysis of Best Available Control Technology (BACT Analysis) has been completed for the extruders serving two of the three process lines within the plastic microporous membrane (battery separator) manufacturing plant at the Daramic facility to satisfy Condition 18.D(i) of the March 28, 2006 EPA Administrative Consent Order (EPA-5-06-113(a)-IN-03) (ACO). Daramic and EPA reached an agreement whereby Daramic may request that the IDEM modify Daramic's Title V Operating Permit T061-5983-00012 to remove from Conditions D.1.1, D.1.5, D.1.6 and D.1.7 references to the aerosol addition systems (mix towers) designated as Unit ID #s 10.1, 10.2 and 10.3 and the extruders identified as Unit ID #s 8.1, 8.2 and 8.3, provided that Daramic also requests a modification of its Title V Operating Permit to include a BACT determination for the extruder for Sub-Micro (SM) Line 4 (Unit ID# 8.2) and the extruder for SM Line 6 (Unit ID# 8.3). This BACT Analysis was performed for the extruders serving SM Line 4 and SM Line 6. The extruder for SM Line 4 was installed in 1984. The extruder for SM Line 6 was installed in 1991. Emissions from the extruders are primarily oil mist which is appropriately considered to be both particulate matter and a volatile organic compound (VOC).

This BACT Analysis was performed to evaluate the suitability of various air pollution control technologies for reducing oil mist emissions from the extruders. This BACT Analysis was completed in accordance with the format prescribed by the Indiana Department of Environmental Management (IDEM) pursuant to 326 IAC 8-1-6.

IDEM, OAQ conducts BACT analysis in accordance with the *"Top-Down" Best Available Control Technology Guidance Document* outlined in the 1990 draft USEPA *New Source Review Workshop Manual*, which outlines the steps for conducting a top-down BACT analysis. Those steps are listed below.

(1) Identify all potentially available control options;
(2) Eliminate technically infeasible control options;
(3) Rank remaining control technologies by control effectiveness;
(4) Evaluate the most effective controls and document the results; and
(5) Select BACT.

Also in accordance with the *"Top-Down" Best Available Control Technology Guidance Document* outlined in the 1990 draft USEPA *New Source Review Workshop Manual*, BACT analyses take into account the energy, environmental, and economic impacts on the source. Emission reductions may be determined through the application of available control techniques, process design, and/or operational limitations. Such reductions are necessary to demonstrate that the emissions remaining after application of BACT will not cause or contribute to air pollution thereby protecting public health and the environment.

The BACT Analysis entailed the following steps:

- Identifying options for reducing VOC (oil mist) emissions from the extruders including a review of existing BACT determinations contained in EPA's RACT/BACT/LAER Clearinghouse (RBLC) for extrusion equipment at other facilities and a review of air pollution controls required for extruders at other battery separator manufacturing facilities.

- Indicating which options are technically feasible for application to the extruders and ranking the technically feasible options based on emissions reduction efficiency.

- Performing economic, environmental, and energy impact analyses for the technically feasible options in a "top-down" approach starting with the option reflecting the highest level of emissions reduction and continuing until an option cannot be ruled out based on excessive impacts.

- Recommending BACT for the extruders.

Step 1 – Identify Control Options

The following technologies were evaluated to control VOC emissions:

- Thermal Afterburner (Oxidizer)
- Catalytic Oxidizer
- Thermal Oxidizer with Heat Exchanger
- Catalytic Oxidizer with Heat Exchanger
- Activated Carbon Adsorption
- Tray Type Gas Adsorption
- Packed Gas Adsorption Column
- Precipitative Coalescing Filter (Smog Hog)

Step 2 – Eliminate technically infeasible control options

Control Technology	Comments / Rationale
Thermal Afterburner (Oxidizer)	Not technically feasible due to the accumulation of oil mist in the bottom of the reservoir (poppet valve reservoir), which causes build-up in the heat transfer media and eventually leads to out of control temperatures (run away reaction) because the oxidation of build-up material is a highly exothermic reaction.
Catalytic Oxidizer	
Thermal Oxidizer with Heat Exchanger	
Catalytic Oxidizer with Heat Exchanger	
Activated Carbon Adsorption	Not technically feasible due to presence of polymer fumes and oil mist which would foul the carbon pore adsorption sites thus rendering this technology ineffective for VOC control.
Tray Type Gas Adsorption	Not technically feasible due to nature of oil mist being insoluble in water
Packed Gas Adsorption Column	Not technically feasible due to nature of oil mist being insoluble in water
Precipitative Coalescing Filter (Smog Hog)	Technically feasible option

The following table summarizes previous BACT determinations in RBLC and other requirements found in permits issued to similar operations:

Company / Location	Year Issued	Process Description	Emission Limits	Reference
Daramic, LLC – Owensboro, Kentucky	2004	Six Extruders	Control of emissions from extruders by Smog-Hogs. Control requirement not based on a BACT determination (emissions limited to process weight rate based levels of 3.36 – 4.62 lb/hr per extruder).	Kentucky Title V Operating Permit
Spartech Plastics – Los Angeles, California	2000	Plastic and Resin Extruders (ten extruders)	Control of extruder emissions by afterburner with 95% VOC emissions reduction.	RBLC ID: CA-1107
Markel Corporation – Montgomery, Pennsylvania	2000	Microporous Plastic Membrane Manufacturing Process Extruders	Control of emissions from horizontal extruder by catalytic oxidizer with a 9 tons/yr limit. This was identified as “other case-by-case determination” and not a BACT determination.	RBLC ID: PA-0168
Entek International, LLC – Lebanon, Oregon	2001	Plastic Battery Mat Extrusion Operation	No Controls Required	Oregon Title V Operating Permit
Microporous Products, LP – Piney Flats, Tennessee	2003	Plastic Battery Mat Extrusion Operation	No Control required	Tennessee Permit to Construct or Modify Air Source

A review of previous BACT determinations in RBLC and other requirements found in permits issued to similar operations revealed that the Spartech Plastics plant uses an afterburner with 95% VOC emissions reduction to control extruder emissions and the Markel Corporation plant uses a catalytic oxidizer with a nine (9) ton per year limit. The primary emissions from the Spartech Plastics plant and the Markel Corporation plant are VOC and HAP emissions resulting from the volatilization of free monomer or solvent in the primary polymer blend during processing. Oil is not used as raw material in any of the Spartech Plastics plant and the Markel Corporation plant processes.

Daramic uses oil as a raw material in the extrusion process. The emissions from the extruders at Daramic are oil mist VOC emissions, which are classified as both VOC and PM. If oil mist VOC emissions are controlled by thermal/catalytic oxidizer, the oil will eventually accumulate in the bottom of reservoir (poppet valve reservoir), causing build-up in the heat transfer media and will eventually lead to out of control temperatures (run away reaction) because the oxidation of build-up material is a highly exothermic reaction.

There are no oil emissions from the Spartech and Markel plants and the VOC emissions occur mainly due to volatilization of free monomer. Therefore, Spartech uses an afterburner and Markel uses a catalytic oxidizer because the VOC emissions steam is gaseous oil free stream where as it is not a feasible control option for Daramic, LLC because the VOC emissions stream is an oil mist particulate stream.

Based on the overall control efficiencies achieved by thermal/catalytic oxidizers and the problems due to oil build-up in the valves and heat transfer media, thermal/catalytic oxidizers are not feasible technologies to control oil mist VOC emissions.

Step 3 – Rank Remaining Control Technologies by Control Effectiveness

The remaining technically feasible approach for controlling VOC emissions from chemically bonded mold lines is:

Control Technology	Post-BACT Emissions Rate (tpy)	Emissions Reduction (tpy)*	Control Efficiency (%)
Precipitative Coalescing Filter (Smog Hog Demister)	10.4	33.0	76 (based on 80% capture & 95% destruction efficiencies)

Note: A maximum of 80% capture was assumed for the existing duct. The oil mist VOC emissions occur at the extruder exit. The duct over the extruder exit, operating at slightly negative pressure, is used to capture the oil mist VOC emissions. The battery separator material at the extruder exit dictates the quality of the material. The extruder exit area is a critical area for the operators to view and have physical access to monitor the battery separator material leaving the extruder, adjust the die bolts and make die changes. Therefore, it is not feasible to get 100% encapsulation at the extruder exit.

Step 4 - Evaluate the most effective controls and document the results

Daramic has proposed the precipitative coalescing filter (smog hog demister) as BACT therefore an economic analysis is not necessary.

Step 5 – Select BACT

IDEM has determined that BACT for extruders serving SM Line 4 and SM Line 6 will be 76% overall control by attaining 80% capture and 95% destruction efficiencies through the use of the precipitative coalescing filter (smog hog demister). This is equivalent to an emission reduction of 33.0 tons per year of VOC and a VOC limit of 2.38 pounds per hour.

Off-specification material that is removed from SM Lines 3, 4 and 6 as a result of start-ups, wet folds, or web breaks shall be placed in the trichloroethylene recovery system (smokehouse), Unit ID #9.4).