



Mitchell E. Daniels, Jr.  
Governor

Thomas W. Easterly  
Commissioner

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

TO: Interested Parties / Applicant  
DATE: March 12, 2008  
RE: Whiting Clean Energy / 089-23668-00449  
FROM: Matthew Stuckey, Deputy Branch Chief  
Permits Branch  
Office of Air Quality

### Notice of Decision: Approval – Effective Immediately

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

If you wish to challenge this decision, IC 4-21.5-3-7 and IC 13-15-7-3 require that you file a petition for administrative review. This petition may include a request for stay of effectiveness and must be submitted to the Office Environmental Adjudication, 100 North Senate Avenue, Government Center North, Suite N 501E, Indianapolis, IN 46204, **within eighteen (18) days of the mailing of this notice**. The filing of a petition for administrative review is complete on the earliest of the following dates that apply to the filing:

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

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

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

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

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

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

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



INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

*We make Indiana a cleaner, healthier place to live.*

Mitchell E. Daniels, Jr.  
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100 North Senate Avenue  
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Indianapolis, Indiana 46204-2251  
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Mr. Kelly R. Carmichael  
Whiting Clean Energy, Inc.  
2155 Standard Avenue  
Whiting, Indiana 46394

March 12, 2008

Re: 089-23668-00449  
First Significant Permit Modification to  
Part 70 Permit No.: T089-16167-00449

Dear Mr. Carmichael:

IDEM, Office of Air Quality (OAQ) has modified Part 70 Permit No. T089-16167-00449 through a Significant Permit Modification (SPM) 089-23668-00449, based on the following facts:

- (a) Whiting Clean Energy, Inc. (Whiting) was issued a Part 70 Operating Permit No. T089-16167-00449 on August 16, 2006 for a stationary industrial steam and 545 MWe co-generation ("combined heat and power") plant owned and operated by Whiting and located at 2155 Standard Avenue, Whiting, Indiana 46394.
- (b) On September 14, 2006, Whiting filed a petition (Cause No. 06-A-J-3785) for administrative review of the Part 70 operating permit with the Office of Environmental Adjudication (OEA).
- (c) Negotiations between OAQ and Whiting resolved the appealed issues, and resulted in an agreement, which was signed on January 02, 2007, to modify certain terms and conditions of the permit.

The SPM 089-23668-00449 resolves the petition as agreed in the settlement. It does not permit any new equipment that would emit air pollutants; however, some conditions have been corrected, changed, or removed from the existing Part 70 Permit No. T089-16167-00449.

Pursuant to the provisions of 326 IAC 2-7-12(d), the SPM No. 089-23668-00449 to Permit No. T089-16167-00449 is hereby approved as described in the attached Technical Support Document. All other conditions of the permit shall remain unchanged and in effect. Please find the enclosed copy of the revised entire permit for Whiting.

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 Syed Jaffery, Senior Environmental Manager, via email [sjaffery@idem.IN.gov](mailto:sjaffery@idem.IN.gov) or call him directly at (317) 233-9327. He may also be contacted at toll free phone number (800) 451-6027 extension 3-9327.

Original signed by,

Matthew Stuckey, Deputy Branch Chief  
Permits Branch  
Office of Air Quality

Attachments:

Significant Permit Modification 089-23668-00449  
Technical Support Document

cc: File - Lake County  
U.S. EPA, Region V  
IDEM Northwest Regional Office  
Lake County Health Department  
Air Compliance Section Inspector - Rick Massoels  
Compliance Data Section  
Administrative and Development  
Technical Support and Modeling  
Office of Legal Counsel - April Lashbrook  
Attorney - Dan Deeb, Schiff Hardin, LLP, 6600 Sears Tower, Chicago, IL 60606



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## PART 70 OPERATING PERMIT OFFICE OF AIR QUALITY

**Whiting Clean Energy, Inc.  
2155 Standard Avenue  
Whiting, Indiana 46394**

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

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

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

Operation Permit No.: T089-16167-00449	
Issued by:  Nisha Sizemore, Chief Permits Branch Office of Air Quality	Issuance Date: August 16, 2006  Expiration Date: August 16, 2011

First Significant Permit Modification No.: 089-23668-00449	
Original signed by:  Matthew Stuckey, Deputy Branch Chief Permits Branch Office of Air Quality	Issuance Date: March 12, 2008  Expiration Date: August 16, 2011

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## SECTION A

## SOURCE SUMMARY

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

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

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The Permittee owns and operates a stationary industrial steam and 545 MWe co-generation ("combined heat and power") plant.

Source Address:	2155 Standard Avenue, Whiting, Indiana 46394
Mailing Address:	2155 Standard Avenue, Whiting, Indiana 46394
Source Telephone:	(219) 473-0653
SIC Code:	4911
County Location:	Lake
Source Location Status:	Nonattainment for SO <sub>2</sub> and Ozone Attainment for all other criteria pollutants
Source Status:	Part 70 Permit Program Major Source under PSD and Emission Offset Minor Source, Section 112 of the Clean Air Act 1 of 28 Source Categories (Fossil Fuel-Fired Steam Electric Plant of more than 250 MMBtu/hr heat input)

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

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

(a) Two (2) Combined-cycle Combustion Turbines (CT), each constructed in 2001:

Make/Model:	General Electric Frame 7FA (Model 7241)
Heat Input Capacity (HIC):	1,735 MMBtu per hour (HHV) @ ISO conditions, each
Electric Generating Capacity:	166 MW @ ISO conditions, each
Fuel Source:	Natural Gas
Control Technology:	Dry Low-NO <sub>x</sub> Burners
Stack ID:	CT1 exhausts through HRSG1 to stack 1 CT2 exhausts through HRSG2 to stack 2

(b) Two (2) Heat Recovery Steam Generators (HRSG), each with a Duct Burner set (DB), each constructed in 2001:

Steam Generating Capacity:	1300 psig
Duct Burner HIC:	821 MMBtu per hour (HHV), per set
Fuel Source:	Natural Gas
Control Technology:	Selective Catalytic Reduction (SCR) System for NO <sub>x</sub> control
Steam Production Capacity:	580,000 pounds per hour, each, without DBs 1,188,000 pounds per hour, each, with DBs
Stack ID:	DB1 exhausts to stack 1 DB2 exhausts to stack 2

(c) One (1) Condensing Steam Turbine Generator (CSTG), constructed in 2001:  
Electric Generating Capacity: 213 MW @ 1,600,000 pounds per hour steam

(d) One (1) Induced Draft Non-Contact Cooling Tower, constructed in 2001:

System Technology:	5 cycle, 10 cell, induced draft cooling tower
Water Circulation Rate:	160,000 gallons per minute non-contact cooling water
Control Technology:	Drift Eliminator for particulate control
Stack ID:	Stacks C1 through C10

Note that the Condensing Steam Turbine Generator (CSTG) is not a source of emissions. It utilizes the steam produced from the Heat Recovery Steam Generators (HRSGs) to produce electricity. The CSTG has been included for clarity because it is a part of the entire source and operates in conjunction with the HRSGs and cooling tower (which is a source of emissions). As a result, the CSTG is not mentioned further in this document.

Also note that the Heat Recovery Steam Generators (HRSGs) are not a source of emissions. They have been included for clarity as they are a part of the entire source and operate in conjunction with the Duct Burner Sets (which are a source of emissions). As a result, the HRSGs are not mentioned further in this document.

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

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

- (a) Degreasing operations that do not exceed 145 gallons per 12 months, except if subject to 326 IAC 20-6: One (1) cold cleaning degreaser. [326 IAC 8-3-2][326 IAC 8-3-5]
- (b) Paved and unpaved roads and parking lots with public access. [326 IAC 6-4]

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

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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); and
- (c) It is an affected source under Title IV (Acid Deposition Control) of the Clean Air Act, as defined in 326 IAC 2-7-1(3).

## SECTION B GENERAL CONDITIONS

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

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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)]

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(a) This permit, T089-16167-00449, is issued for a fixed term of five (5) years from the issuance date of this permit, as determined in accordance with IC 4-21.5-3-5(f) and IC 13-15-5-3. Subsequent revisions, modifications, or amendments of this permit do not affect the expiration date of this permit or of permits issued pursuant to Title IV of the Clean Air Act and 326 IAC 21 (Acid Deposition Control).

(b) If IDEM, OAQ upon receiving a timely and complete renewal permit application, fails to issue or deny the permit renewal prior to the expiration date of this permit, this existing permit shall not expire and all terms and conditions shall continue in effect, including any permit shield provided in 326 IAC 2-17-15, until the renewal permit has been issued or denied.

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

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

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

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

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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)]

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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)]

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(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)]

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

- (b) One (1) certification shall be included, using the attached Certification Form, with each submittal requiring certification. One (1) certification can cover multiple forms in one (1) submittal.
- (c) A responsible official is defined at 326 IAC 2-7-1(34).

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

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- (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<sup>st</sup> of each year to:

Indiana Department of Environmental Management  
Compliance Branch, Office of Air Quality  
MC 61-53, IGCN 1003  
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; and
  - (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);

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]**

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- (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  
MC 61-53, IGCN 1003  
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 63 to have an Operation, Maintenance, and Monitoring (OMM) Plan for a unit, such Plan is deemed to satisfy the PMP requirements of 326 IAC 1-6-3 for that unit.

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

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

Northwest Regional Office  
Telephone Number: 1-888-209-8892 or 1-219-881-6712  
Facsimile Number: 1-219-881-6745

- (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  
MC 61-53, IGCN 1003  
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.

- (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]**

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- (a) All terms and conditions of permits established prior to T089-16167-00449 and issued pursuant to permitting programs approved into the state implementation plan have been either
- (1) incorporated as originally stated,

- (2) revised under 326 IAC 2-7-10.5, or
- (3) deleted under 326 IAC 2-7-10.5.
- (b) Provided that all terms and conditions are accurately reflected in this permit, all previous registrations and permits are superseded by this Part 70 operating permit, except for permits issued pursuant to Title IV of the Clean Air Act and 326 IAC 21 (Acid Deposition Control).

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

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- (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  
MC 61-53, IGCN 1003  
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.15 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]**

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- (a) This permit may be modified, reopened, revoked and reissued, or terminated for cause. The filing of a request by the Permittee for a Part 70 permit modification, revocation and reissuance, or termination, or of a notification of planned changes or anticipated noncompliance does not stay any condition of this permit. [326 IAC 2-7-5(6)(C)] The notification by the Permittee does require the certification by the "responsible official" as defined by 326 IAC 2-7-1(34).
- (b) This permit shall be reopened and revised under any of the circumstances listed in IC 13-15-7-2 or if IDEM, OAQ, determines any of the following:
  - (1) That this permit contains a material mistake.
  - (2) That inaccurate statements were made in establishing the emissions standards or other terms or conditions.
  - (3) That this permit must be revised or revoked to assure compliance with an applicable requirement. [326 IAC 2-7-9(a)(3)]
- (c) Proceedings by IDEM, OAQ, to reopen and revise this permit shall follow the same procedures as apply to initial permit issuance and shall affect only those parts of this permit for which cause to reopen exists. Such reopening and revision shall be made as expeditiously as practicable. [326 IAC 2-7-9(b)]
- (d) The reopening and revision of this permit, under 326 IAC 2-7-9(a), shall not be initiated before notice of such intent is provided to the Permittee by IDEM, OAQ at least thirty (30)

days in advance of the date this permit is to be reopened, except that IDEM, OAQ, may provide a shorter time period in the case of an emergency. [326 IAC 2-7-9(c)]

B.16 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  
MC 61-53, IGCN 1003  
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 a reasonable deadline specified in writing by IDEM, OAQ, any additional information identified as being needed to process the application. [326 IAC 2-7-4(a)(2)(D) and (E)]

B.17 Source Modification [326 IAC 1-2-42] [326 IAC 2-7-10.5]

- (a) The Permittee shall obtain approval as required by 326 IAC 2-7-10.5 from the IDEM, OAQ prior to making any modification to the source. Pursuant to 326 IAC 1-2-42, "Modification" means one (1) or more of the following activities at an existing source:
- (1) A physical change or change in the method of operation of any existing emissions unit that increases the potential to emit any regulated pollutant that could be emitted from the emissions unit, or that results in emissions of any regulated pollutant not previously emitted.
  - (2) Construction of one (1) or more new emissions units that have the potential to emit regulated air pollutants.
  - (3) Reconstruction of one (1) or more existing emission units that increases the potential to emit of any regulated air pollutant.

- (b) Any application requesting a source modification shall be submitted to:

Indiana Department of Environmental Management  
Permits Branch, Office of Air Quality  
100 North Senate Avenue  
MC 61-53, IGCN 1003  
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 shall also comply with the applicable provisions of 326 IAC 2-7-11 (Administrative Permit Amendments) or 326 IAC 2-7-12 (Permit Modification) prior to operating the approved modification.

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) Pursuant to 326 IAC 2-7-11(b) and 326 IAC 2-7-12(a), administrative Part 70 permit amendments and permit modifications for purposes of the acid rain portion of a Part 70 permit shall be governed by regulations promulgated under Title IV of the Clean Air Act. [40 CFR 72]
- (c) 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  
MC 61-53, IGCN 1003  
Indianapolis, Indiana 46204-2251

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

- (d) 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  
MC 61-53, IGCN 1003  
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 emissions 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 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). The notification requirement per (a)(4) of this condition does not apply to emission trades of SO<sub>2</sub> or NO<sub>x</sub> under 326 IAC 21 or 326 IAC 10-4.
- (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.
- (f) This condition does not apply to emission trades of SO<sub>2</sub> or NO<sub>x</sub> under 326 IAC 21 or 326 IAC 10-4.

B.21 Inspection and Entry [326 IAC 2-7-6] [IC 13-14-2-2] [IC 13-17-3-2] [IC 13-30-3-1]

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

- (a) Enter upon the Permittee's premises where a Part 70 source is located, or emissions related activity is conducted, or where records must be kept under the conditions of this permit;
- (b) As authorized by the Clean Air Act, IC 13-14-2-2, IC 13-17-3-2, and IC 13-30-3-1, have access to and copy any records that must be kept under the conditions of this permit;
- (c) As authorized by the Clean Air Act, IC 13-14-2-2, IC 13-17-3-2, and IC 13-30-3-1, inspect any facilities, equipment (including monitoring and air pollution control equipment), practices, or operations regulated or required under this permit;
- (d) As authorized by the Clean Air Act, IC 13-14-2-2, IC 13-17-3-2, and IC 13-30-3-1, sample or monitor substances or parameters for the purpose of assuring compliance with this permit or applicable requirements; and
- (e) As authorized by the Clean Air Act, IC 13-14-2-2, IC 13-17-3-2, and IC 13-30-3-1, utilize any photographic, recording, testing, monitoring, or other equipment for the purpose of assuring compliance with this permit or applicable requirements.

B.22 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  
MC 61-53, IGCN 1003  
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.23 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.24** Term of Conditions [326 IAC 2-1.1-9.5]

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

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

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

## SECTION C SOURCE OPERATION CONDITIONS

Entire Source

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

#### C.1 Opacity [326 IAC 5-1]

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

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

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

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

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

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

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

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

#### C.5 Motor Vehicle Fugitive Dust Sources [326 IAC 6-4-4]

Pursuant to 326 IAC 6-4-4, no vehicle, shall be driven or moved on any public street, road, alley, highway, or other thoroughfare, unless such vehicle is so constructed as to prevent its contents from dripping, sifting, leaking, or otherwise escaping therefrom so as to create conditions which result in fugitive dust. This section applies only to the cargo any vehicle may be conveying and mud tracked by the vehicle.

#### 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]

The Permittee shall comply with the applicable requirements of 326 IAC 14-10, 326 IAC 18, and 40 CFR 61.140.

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

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

- (a) All required 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  
MC 61-53, IGCN 1003  
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]**

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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)]**

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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  
MC 61-53, IGCN 1003  
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]**

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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)]**

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- (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]**

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

- (a) The Permittee prepared and submitted written emergency reduction plans (ERPs) consistent with safe operating procedures on June 1, 2002.
- (b) 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]**

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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]**

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- (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]**

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

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- (a) In accordance with the compliance schedule specified in 326 IAC 2-6-3(b)(1), the Permittee shall submit, by July 1, an emission statement covering the previous calendar year as follows:
  - (1) By July 1, 2007, and by July 1 every three (3) years thereafter; and
  - (2) Any year not already required under (1) if the source emits volatile organic compounds or oxides of nitrogen into the ambient air at levels equal to or greater than twenty-five (25) tons during the previous calendar year.
- (b) 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  
MC 61-50, IGCN 1003  
Indianapolis, Indiana 46204-2251

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

- (c) 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]

- (a) Records of all required monitoring data, reports and support information required by this permit shall be retained for a period of at least five (5) years from the date of monitoring sample, measurement, report, or application. These records shall be physically present or electronically accessible at the source location for a minimum of three (3) years. The records may be stored elsewhere for the remaining two (2) years as long as they are available upon request. If the Commissioner makes a request for records to the Permittee, the Permittee shall furnish the records to the Commissioner within a reasonable time.
- (b) Unless otherwise specified in this permit, all record keeping requirements not already legally required shall be implemented within ninety (90) days of permit issuance.
- (c) If there is a reasonable possibility that a "project" (as defined in 326 IAC 2-2-1(qq) and 326 IAC 2-3-3(ll)) at an existing emissions unit, other than projects at a Clean Unit, which is not part of a "major modification" (as defined in 326 IAC 2-2-1(ee) and 326 IAC 2-3-1(z)) may result in significant emissions increase and the Permittee elects to utilize the "projected actual emissions" (as defined in 326 IAC 2-2-1(rr) and 326 IAC 2-3-3(mm)), the Permittee shall comply with following:
  - (1) Before beginning actual construction of the "project" (as defined in 326 IAC 2-2-1(qq) and 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 326 IAC 2-3-1(mm)(2)(A)(3); and
      - (iv) An explanation for why the amount was excluded, and any netting calculations, if applicable.

- (2) Monitor the emissions of any regulated NSR pollutant that could increase as a result of the project and that is emitted by any existing emissions unit identified in (1)(B) above; and
- (3) Calculate and maintain a record of the annual emissions, in tons per year on a calendar year basis, for a period of five (5) years following resumption of regular operations after the change, or for a period of ten (10) years following resumption of regular operations after the change if the project increases the design capacity of or the potential to emit that regulated NSR pollutant at the emissions unit.

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

- (a) The Permittee shall submit the attached Quarterly Deviation and Compliance Monitoring Report or its equivalent. Any deviation from permit requirements, the date(s) of each deviation, the cause of the deviation, and the response steps taken must be reported. This report shall be submitted within thirty (30) days of the end of the reporting period. The Quarterly Deviation and Compliance Monitoring Report shall include the certification by the "responsible official" as defined by 326 IAC 2-7-1(34).
- (b) The report required in (a) of this condition and reports required by conditions in Section D of this permit shall be submitted to:  
  
Indiana Department of Environmental Management  
Compliance Data Section, Office of Air Quality  
100 North Senate Avenue  
MC 61-53, IGCN 1003  
Indianapolis, Indiana 46204-2251
- (c) Unless otherwise specified in this permit, any notice, report, or other submission required by this permit shall be considered timely if the date postmarked on the envelope or certified mail receipt, or affixed by the shipper on the private shipping receipt, is on or before the date it is due. If the document is submitted by any other means, it shall be considered timely if received by IDEM, OAQ, on or before the date it is due.
- (d) Unless otherwise specified in this permit, all reports required in Section D of this permit shall be submitted within thirty (30) days of the end of the reporting period. All reports do require the certification by the "responsible official" as defined by 326 IAC 2-7-1(34).
- (e) The first report shall cover the period commencing on the date of issuance of this permit and ending on the last day of the reporting period. Reporting periods are based on calendar years, 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 326 IAC 2-3-1(ll)) then for that project the Permittee shall:
  - (1) Submit to IDEM, OAQ a copy of the information required by (c)(1) in Section C- General Record Keeping Requirements
  - (2) Submit a report to IDEM, OAQ within sixty (60) days after the end of each year during which records are generated in accordance with (c)(2) and (3) in Section C- General Record Keeping Requirements. The report shall contain all information and data describing the annual emissions for the emissions units during the calendar year that preceded the submission of 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  
MC 61-53, IGCN 1003  
Indianapolis, Indiana 46204-2251

- (g) 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 326 IAC 2-3-1(II)) at an existing Electric Utility Steam Generating Unit, then for that project the Permittee shall:
- (1) Submit to IDEM, OAQ a copy of the information required by (c)(1) in Section C- General Record Keeping Requirements
  - (2) Submit a report to IDEM, OAQ within sixty (60) days after the end of each year during which records are generated in accordance with (c)(2) and (3) in Section C- General Record Keeping Requirements. The report shall contain all information and data describing the annual emissions for the emissions units during the calendar year that preceded the submission of 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  
MC 61-53, IGCN 1003  
Indianapolis, Indiana 46204-2251

- (h) The report for project at an existing emissions unit shall be submitted within sixty (60) days after the end of the year and contain the following:
- (1) The name, address, and telephone number of the major stationary source.
  - (2) The annual emissions calculated in accordance with (c)(2) and (3) in Section C- General Record Keeping Requirements.
  - (3) The emissions calculated under the actual-to-projected actual test stated in 326 IAC 2-2-2(d)(3) and 326 IAC 2-3-2(c)(3).
  - (4) Any other information that the Permittee deems fit to include in this report,

Reports required in this part shall be submitted to:

Indiana Department of Environmental Management  
Air Compliance Section, Office of Air Quality  
100 North Senate Avenue  
MC 61-53, IGCN 1003  
Indianapolis, Indiana 46204-2251

- (i) 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**

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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.
- (d) Pursuant to 40 CFR 82, Subpart E (The Labeling of Products Using Ozone-Depleting Substances), all containers in which a Class I or Class II substance is stored or transported and all products containing a Class I substance shall be labeled as required under 40 CFR Part 82.

## SECTION D.1 FACILITY OPERATION CONDITIONS

### Facility Description [326 IAC 2-7-5(15)]: Turbines and Duct Burner Sets

- (a) Two (2) Combined-cycle Combustion Turbines (CT), each constructed in 2001:
- |                               |  |
|-------------------------------|--|
| Make/Model:                   | General Electric Frame 7FA (Model 7241)  |
| Heat Input Capacity (HIC):    | 1,735 MMBtu per hour (HHV) @ ISO conditions, each                              |
| Electric Generating Capacity: | 166 MW @ ISO conditions, each  |
| Fuel Source:                  | Natural Gas  |
| Control Technology:           | Dry Low-NO <sub>x</sub> Burners  |
| Stack ID:                     | CT1 exhausts through HRSG1 to stack 1<br>CT2 exhausts through HRSG2 to stack 2 |
- (b) Two (2) Heat Recovery Steam Generators (HRSG), each with a Duct Burner set (DB), each constructed in 2001:
- |                            |   |
|----------------------------|---|
| Steam Generating Capacity: | 1300 psig   |
| Duct Burner HIC:           | 821 MMBtu per hour (HHV), per set   |
| Fuel Source:               | Natural Gas   |
| Control Technology:        | Selective Catalytic Reduction (SCR) System for NO <sub>x</sub> control                  |
| Steam Production Capacity: | 580,000 pounds per hour, each, without DBs<br>1,188,000 pounds per hour, each, with DBs |
| Stack ID:                  | DB1 exhausts to stack 1<br>DB2 exhausts to stack 2                                      |
- (c) One (1) Condensing Steam Turbine Generator (CSTG), constructed in 2001:
- |                               |  |
|-------------------------------|--|
| Electric Generating Capacity: | 213 MW @ 1,600,000 pounds per hour steam |
|-------------------------------|--|

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

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

#### D.1.1 General Provisions Relating to NSPS [326 IAC 12-1][40 CFR Part 60, Subpart A]

- (a) The provisions of 40 CFR Part 60, Subpart A - General Provisions, which are incorporated by reference in 326 IAC 12-1, apply to the combustion turbines (CT1 and CT2) except when otherwise specified in 40 CFR Part 60, Subpart GG.
- (b) The provisions of 40 CFR Part 60, Subpart A - General Provisions, which are incorporated by reference in 326 IAC 12-1, apply to the duct burner sets (DB1 and DB2) except when otherwise specified in 40 CFR Part 60, Subpart Da.

#### D.1.2 New Source Performance Standards (NSPS) for Stationary Gas Turbines [40 CFR Part 60, Subpart GG][326 IAC 12]

Pursuant to 326 IAC 12-1 and 40 CFR Part 60, Subpart GG (Stationary Gas Turbines), the Permittee shall, except during periods of startup, shutdown, and malfunction:

- (a) Limit nitrogen oxides (NO<sub>x</sub>) emissions from the turbines, as required by 40 CFR 60.332, to:

$$\text{STD} = 0.0075 \frac{(14.4)}{Y} + F$$

Where: STD = allowable NO<sub>x</sub> emissions (percent by volume at 15 percent oxygen on a dry basis).

Y = manufacturer's rated heat rate at manufacturer's rated load (kilojoules per watt hour) or, actual measured heat rate based on lower heating value of fuel as measured at actual peck load for the facility. The value of Y shall not exceed 14.4 kilojoules per watt hour.

F = NO<sub>x</sub> emission allowance for fuel-bound nitrogen as defined in paragraph (a)(3) of 40 CFR 60.332.

(b) Limit sulfur dioxide (SO<sub>2</sub>) emissions from the turbines, as required by 40 CFR 60.333, to 0.015 percent by volume at 15 percent oxygen on a dry basis, or use natural gas fuel with a sulfur content less than or equal to eight-tenths percent (0.8%) by weight.

(c) Combust only pipeline natural gas, as defined by 40 CFR 72.2, in the turbines.

D.1.3 New Source Performance Standards (NSPS) for Fossil-Fuel-Fired Steam Generators for Which Construction is Commenced After September 18, 1978 [40 CFR Part 60, Subpart Da][326 IAC 12] Pursuant to 40 CFR Part 60, Subpart Da and 326 IAC 12:

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(a) Pursuant to 40 CFR 60.42a(a)(1), particulate matter (PM) emissions from DB1 and DB2 shall not exceed 0.03 pounds per MMBtu heat input.

(b) Pursuant to 40 CFR 60.42a(b), the opacity from each combustion turbine stack (stacks 1 and 2), when its associated duct burner set is operating, shall not exceed twenty percent (20%) in a 6-minute average, except for one 6-minute period per hour of not more than 27 percent. The opacity standards apply at all times, except during periods of startup, shutdown or malfunction.

(c) Pursuant to 40 CFR 60.43a(b)(1) and (2), sulfur dioxide (SO<sub>2</sub>) emissions from DB1 and DB2 shall not exceed 0.20 pounds per MMBtu heat input and one hundred percent (100%) of the potential combustion concentration (zero percent (0%) reduction). Compliance shall be determined in accordance with Condition D.1.16.

(d) Pursuant to 40 CFR 60.44a(d)(1), nitrogen oxide (NO<sub>x</sub>) emissions from each duct burner set (DB1 and DB2) shall not exceed 1.6 pounds/MW-hr gross energy output. Compliance shall be determined in accordance with Condition D.1.16.

D.1.4 Particulate (PM and PM<sub>10</sub>) Emission and Opacity Limitations [326 IAC 2-2][326 IAC 2-3][326 IAC 6.5-1-2]

---

(a) Pursuant to SPR 089-15716-00449, issued May 2, 2003, PSD/EO CP 089-11194-00449, issued July 20, 2000, and 326 IAC 2-2:

(1) The PM emissions from each combustion turbine stack (stacks 1 and 2), when only the respective turbine is operating, shall not exceed 0.0045 pounds per MMBtu (equivalent to less than or equal to 7.8 pounds per hour).

(2) The PM emissions from each combustion turbine stack (stacks 1 and 2), when the turbine and its associated duct burner set (DB1 and DB2) is operating, shall not exceed 0.0045 pounds per MMBtu (equivalent to less than or equal to 11.5 pounds per hour).

(3) The opacity from each combustion turbine stack (stacks 1 and 2) shall not exceed twenty percent (20%) in a 6-minute average, except for one 6-minute period per hour of not more than 27 percent. The opacity standards apply at all times, except during periods of startup, shutdown or malfunction. Compliance with this limit will satisfy the requirements of 326 IAC 5-1 (Condition C.1).

Compliance with these limits will satisfy the requirements of 326 IAC 2-2 with respect to PM.

- (b) Pursuant to SPR 089-15716-00449, issued May 2, 2003, MPR 089-12600-00449, issued December 11, 2000, PSD/EO CP 089-11194-00449, issued July 20, 2000:
- (1) The opacity from each combustion turbine stack (stacks 1 and 2) shall not exceed twenty percent (20%) in a 6-minute average, except for one 6-minute period per hour of not more than 27 percent. The opacity standards apply at all times, except during periods of startup, shutdown or malfunction.
  - (2) The PM<sub>10</sub> (filterable + condensable) emissions from each combustion turbine stack (stacks 1 and 2) shall not exceed 11.5 pounds per hour when its associated duct burner set (DB1 and DB2) is operating.

Compliance with these limits will render the requirements of 326 IAC 2-3 not applicable with respect to PM<sub>10</sub>.

- (c) Pursuant to 326 IAC 6.5-1-2(a) and 326 IAC 6.5-1-2(b)(3):
- (1) When only the respective turbine is operating, the particulate matter emissions from each combustion turbine stack (stacks 1 and 2) shall not exceed 0.03 grains per dry standard cubic foot (gr/dscf).
  - (2) When its associated duct burner set is operating, the particulate matter emissions from each combustion turbine stack (stacks 1 and 2) shall not exceed 0.01 grains per dry standard cubic foot (gr/dscf).

#### D.1.5 Sulfur Dioxide (SO<sub>2</sub>) Emission Limitations [326 IAC 2-3]

Pursuant to SPR 089-15716-00449, issued May 2, 2003, MPR 089-12600-00449, issued December 11, 2000, and PSD/EO CP 089-11194-00449, issued July 20, 2000, the total combined SO<sub>2</sub> emissions from the combustion turbines (CT1 and CT2) and duct burner sets (DB1 and DB2) shall not exceed 22.8 pounds per hour and 99.8 tons per year.

Compliance with these limits will render the requirements of 326 IAC 2-3 not applicable with respect to SO<sub>2</sub>.

#### D.1.6 Volatile Organic Compound (VOC) [326 IAC 2-3][326 IAC 8-1-6]

Pursuant to SPR 089-15716-00449, issued May 2, 2003, MPR 089-12600-00449, issued December 11, 2000, PSD/EO CP 089-11194-00449, issued July 20, 2000, 326 IAC 2-3 and 326 IAC 8-1-6:

- (a) When only the respective turbine is operating, the VOC emissions from each combustion turbine stack (stacks 1 and 2), shall not exceed 0.0016 pounds per MMBtu (equivalent to less than or equal to 2.8 pounds VOC per hour).
- (b) The VOC emissions from each combustion turbine stack (stacks 1 and 2), when its associated duct burner set (DB1 and DB2) is operating, shall not exceed 0.0046 pounds per MMBtu (equivalent to less than or equal to 11.8 pounds VOC per hour).
- (c) Good combustion practices shall be implemented to minimize VOC emissions from the combustion turbines (CT1 and CT2) and duct burner sets (DB1 and DB2).

Compliance with these limits will satisfy the requirements of 326 IAC 8-1-6 and 326 IAC 2-3.

#### D.1.7 Nitrogen Oxides (NO<sub>x</sub>) Emission Limitations [326 IAC 2-2][326 IAC 2-3]

Pursuant to SPR 089-15716-00449, issued May 2, 2003, MPR 089-12600-00449, issued December 11, 2000, PSD/EO CP 089-11194-00449, issued July 20, 2000, 326 IAC 2-2 and 326 IAC 2-3:

- (a) During normal operation, the NO<sub>x</sub> emissions from each combustion turbine stack (stacks 1 and 2), when only the respective turbine is operating, shall not exceed 3.0 ppmvd at 15

percent oxygen, based on a 3-hour rolling average (which is equivalent to less than or equal to 19.5 pounds NO<sub>x</sub> per hour at ISO conditions).

- (b) During normal operation, the NO<sub>x</sub> emissions from each combustion turbine stack (stacks 1 and 2), when the turbine and its associated duct burner is operating, shall not exceed 3.0 ppmvd at 15 percent oxygen, based on a 3-hour rolling average (equivalent to less than or equal to 38.0 pounds NO<sub>x</sub> per hour at ISO conditions).
- (c) The duct burners shall not be operated until normal operation begins.
- (d) Each combustion turbine shall be equipped with dry low-NO<sub>x</sub> burners and operated using good combustion practices to control NO<sub>x</sub> emissions.
- (e) A selective catalytic reduction (SCR) system shall be operated at all times, except during periods of startup/shutdown, to control NO<sub>x</sub> emissions.
- (f) The annual emissions from the combustion turbines (CT1 and CT2) and duct burner sets (DB1 and DB2), including emissions from startup and shutdown operations, shall not exceed 262 tons of NO<sub>x</sub> per twelve consecutive month period with compliance determined at the end of each month.

Compliance with these limits will satisfy the requirements of 326 IAC 2-2 with respect to NO<sub>x</sub> and 326 IAC 2-3 with respect to ozone.

#### D.1.8 Carbon Monoxide (CO) Emission Limitations [326 IAC 2-2]

---

Pursuant to SPR 089-15716-00449, issued May 2, 2003, PSD/EO CP 089-11194-00449, issued July 20, 2000, and 326 IAC 2-2:

- (a) During normal operation, the CO emissions from each combustion turbine stack (stacks 1 and 2), when only the respective turbine is operating, shall not exceed 0.016 pounds per MMBtu (equivalent to less than or equal to 28.0 pounds of CO per hour).
- (b) During normal operation, the CO emissions from each combustion turbine stack (stacks 1 and 2), when the turbine and its associated duct burner is operating, shall not exceed 0.037 pounds per MMBtu (equivalent to less than or equal to 93.7 pounds of CO per hour).
- (c) Good combustion practices shall be applied to minimize CO emissions.
- (d) The annual emissions from the combustion turbines (CT1 and CT2) and duct burner sets (DB1 and DB2), including emissions from startup and shutdown operations, shall not exceed 571 tons of CO per twelve consecutive month period with compliance determined at the end of each month.

Compliance with these limits will satisfy the requirements of 326 IAC 2-2 with respect to CO.

#### D.1.9 Operation Limitations [326 IAC 2-2][326 IAC 2-3]

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Pursuant to SPR 089-15716-00449, issued May 2, 2003, and PSD/EO CP 089-11194-00449, issued July 20, 2000:

- (a) The combined natural gas fuel usage from the duct burner sets (DB1 and DB2) shall not exceed 8,052 million standard cubic feet (MMSCF) per twelve consecutive month period with compliance determined at the end of each month.

Compliance with this limit, the PM<sub>10</sub> emissions from the combustion turbines and the controlled PM<sub>10</sub> emissions from the cooling tower is equivalent to source-wide PM<sub>10</sub> emissions of less than 100 tons per year and will render the requirements of 326 IAC 2-3 not applicable with respect to PM<sub>10</sub>.

- (b) Each combustion turbine (CT1 and CT2) shall not exceed an heat input rate of 1735 MMBtu per hour (based on HHV at ISO conditions), determined on a 30-day rolling average basis. The averaging time shall only account for those periods that the respective combustion turbine is in operation.

D.1.10 Hazardous Air Pollutant (HAP) Emission Limitations [40 CFR Part 60, Subpart YYYYY]

Pursuant to SPR 089-15716-00449, issued May 2, 2003, and CP 089-11194-00449, issued July 20, 2000:

- (a) The formaldehyde emissions from the combustion turbine stacks (stacks 1 and 2) shall not exceed 0.0005 pounds per MMBtu and 10 tons per year.
- (b) The hexane emissions from the combustion turbine stacks (stacks 1 and 2) shall not exceed 0.0005 pounds per MMBtu and 10 tons per year.

Compliance with these limits is equivalent to source-wide emissions of less than 10 tons (of a single HAP) per year and less than 25 tons (of any combination of HAPs) per year and will render the requirements of 40 CFR Part 60, Subpart YYYYY, not applicable.

D.1.11 Ammonia Emission Limitations [326 IAC 2-1.1-5]

Pursuant to SPR 089-15716-00449, issued May 2, 2003, and CP 089-11194-00449, issued July 20, 2000, and 326 IAC 2-1.1-5, the ammonia emissions from each combustion turbine stack (stacks 1 and 2) shall not exceed 10 ppm.

D.1.12 Startup and Shutdown Limitations [326 IAC 2-2][326 IAC 2-3]

Pursuant to SPR 089-15716-00449, issued May 2, 2003, PSD/EO CP 089-11194-00449, issued July 20, 2000, 326 IAC 2-2 and 326 IAC 2-3, each combustion turbine (CT1 and CT2) shall comply with the following startup and shutdown limitations:

- (a) A startup is defined as the operation in the period of time from the initiation of combustion until either: the turbine reaches a minimum load of seventy percent (70%), or the instantaneous outlet SCR NO<sub>x</sub> concentration reaches a level less than 3.0 ppmvd at 15% O<sub>2</sub> for a period of 5 minutes, whichever occurs earlier.
- (b) A shutdown is defined as operation at less than fifty percent (50%) load and descending to flame out.
- (c) A startup or shutdown period shall not exceed four (4) hours. Each turbine shall not exceed 473 hours per year for startups and 260 hours per year for shutdowns with compliance demonstrated at the end of each month.
- (d) The NO<sub>x</sub> emissions from each combustion turbine stack (stacks 1 and 2) shall not exceed 510 pounds per startup and 49 pounds per shutdown. Each combustion turbine shall not exceed 41.5 tons of NO<sub>x</sub> per year of startup and shutdown emissions.
- (e) The CO emissions from each combustion turbine stack (stacks 1 and 2) shall not exceed 1,571 pounds per startup, and 220 pounds per shutdown. Each combustion turbine (CT1 and CT2) shall not exceed 168.7 tons per year of startup and shutdown emissions.

Compliance with these requirements will satisfy the requirements of 326 IAC 2-2 with respect to NO<sub>x</sub> and CO and 326 IAC 2-3 with respect to ozone.

D.1.13 Preventive Maintenance Plan [326 IAC 1-6-3]

A Preventive Maintenance Plan, in accordance with Section B - Preventive Maintenance Plan, of this permit, is required for the turbines (CT1 and CT2), the duct burner sets (DB1 and DB2) and their pollution control devices.

## Compliance Determination Requirements

### D.1.14 Testing Requirements [326 IAC 2-7-6(1),(6)][326 IAC 2-1.1-11]

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- (a) In order to demonstrate compliance with Condition D.1.4, the Permittee shall perform PM, PM<sub>10</sub>, and opacity testing no later than September 30, 2007 utilizing methods approved by the Commissioner. This test shall be performed on one combustion turbine at maximum load, shall be repeated on alternating combustion turbines at least once every five (5) years from the date of valid compliance demonstration, and shall be conducted in accordance with Section C- Performance Testing. PM<sub>10</sub> includes filterable and condensable PM<sub>10</sub>. EPA Method 9 opacity tests shall be performed concurrently with the PM and PM<sub>10</sub> compliance tests, unless meteorological conditions require rescheduling the opacity tests to another date.
- (b) In order to demonstrate compliance with Condition D.1.6, the Permittee shall perform VOC testing no later than September 30, 2007 utilizing methods approved by the Commissioner. This test shall be performed on one combustion turbine at maximum load, shall be repeated on alternating combustion turbines at least once every five (5) years from the date of valid compliance demonstration, and shall be conducted in accordance with Section C- Performance Testing.
- (c) In order to demonstrate compliance with Condition D.1.10, in the event significant adjustments are made to any of the burners or in the event any burners are replaced with a different type of burner, the Permittee shall perform hexane and formaldehyde testing no later than 90 days after resuming operations after such adjustment or replacement, utilizing methods approved by the Commissioner. When required due to a significant adjustment to any burner or a replacement of any burner with a different burner type, the testing shall be performed on one affected combustion turbine at maximum load, when its associated duct burners are in operation, and shall be repeated on alternating affected combustion turbine/duct burner sets in accordance with Section C- Performance Testing.
- (d) In order to demonstrate compliance with Condition D.1.11, the Permittee shall perform ammonia testing no later than September 30, 2007 utilizing methods approved by the Commissioner. This test shall be performed on one combustion turbine at maximum load, shall be repeated on alternating combustion turbines at least once every five (5) years from the date of valid compliance demonstration, and shall be conducted in accordance with Section C- Performance Testing.
- (e) The Permittee shall also complete the testing required by conditions (a), (b), (c) and (d) above for the respective combustion turbine (at maximum load) when its associated duct burner is in operation.

### D.1.15 Compliance Demonstration - Nitrogen Oxides (NO<sub>x</sub>)

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- (a) The Permittee may use NO<sub>x</sub> CEMS data to demonstrate compliance with Conditions D.1.2(a), D.1.3(d), D.1.7(a), (b), and (f), and D.1.12(d). Any performance test for the NO<sub>x</sub> CEMS must be taken after startup, not during startup, as required under 40 CFR 60.8.
- (b) Pursuant to 40 CFR 60.46a(k)(2), the Permittee shall use continuous fuel flowmeters, only when DB1 or DB2 are operating, following the appropriate measurement procedures specified in Appendix D to 40 CFR Part 75 to demonstrate compliance with Condition D.1.3(d). The hourly NO<sub>x</sub> mass rate will be calculated using equation three (Eq. 3) of 40 CFR 60.46a(k)(2)(iv).
  - (1) The compliance provision under 40 CFR 60.46a(k)(3) requires measurement of NO<sub>x</sub> emissions at a point where emissions from the duct burner sets combine with the emissions from the combustion turbines, connected to a stack. This will allow measurement of NO<sub>x</sub> from the entire system.
  - (2) The equation in Appendix D to 40 CFR Part 72 shall be used to calculate the actual gross electrical output, using the actual heat input instead of the maximum

design heat input. The hourly emissions (lb/hr) from the NO<sub>x</sub> CEMS will be divided by the actual gross electrical output to yield values in terms of the standard (lb NO<sub>x</sub>/Mwh). The performance test for the NO<sub>x</sub> CEMS must be conducted after startup, as required under 40 CFR 60.8.

#### D.1.16 NSPS Compliance Provisions [40 CFR Part 60, Subpart Da][326 IAC 12]

Pursuant to 40 CFR Part 60, Subpart Da:

- (a) Compliance with the NO<sub>x</sub> emission limitation in Condition D.1.3 constitutes compliance with the percent reduction requirements for NO<sub>x</sub> in 40 CFR 60.46a(b).
- (b) Compliance with the pound per megawatt hour (lb/MW-hr) NO<sub>x</sub> emission limitation in Condition D.1.3 shall be determined in accordance with 40 CFR 60.46a(k).
- (c) The PM and NO<sub>x</sub> emission limitations in Condition D.1.3 apply at all times except during periods of startup, shutdown, or malfunction. [40 CFR 60.46a(c)]
- (d) The SO<sub>2</sub> emission limitation in Condition D.1.3 applies at all times except during periods of startup, shutdown, or when emergency conditions exist and the procedures under 40 CFR 40.46a(d) are implemented. [40 CFR 60.46a(c)]
- (e) Pursuant to 40 CFR Part 60.46a(e), compliance with the SO<sub>2</sub> and NO<sub>x</sub> emission limitations and SO<sub>2</sub> percent reduction requirements in Condition D.1.3 shall be based on the average emission rate for thirty (30) successive boiler operating days. Compliance is determined by calculating the arithmetic average of all hourly emission rates for SO<sub>2</sub> and NO<sub>x</sub> for the 30 successive boiler operating days, except for data obtained during startup, shutdown, malfunction (NO<sub>x</sub> only), or emergency conditions (SO<sub>2</sub> only). Compliance with the percentage reduction requirements for SO<sub>2</sub> is determined based on the average inlet and average outlet SO<sub>2</sub> emission rates for the 30 successive boiler operating days.
- (f) Compliance with the visible emission limitation in Condition D.1.3 shall be determined by 40 CFR Part 60, Appendix A, Method 9 and 40 CFR 60.11.

#### D.1.17 Clean Units [326 IAC 2-2.2]

- (a) Pursuant to 326 IAC 2-2.2, each combustion turbine-duct burner system (CT1/DB1 and CT2/DB2) are designated as Clean Units for nitrogen oxides (NO<sub>x</sub>).
- (b) The Clean Unit designation for CT1/DB1 and CT2/DB2 shall be in effect from September 9, 2004 until April 1, 2011.
- (c) In order to maintain the Clean Unit designation for CT1/DB1 and CT2/DB2:
  - (1) The Permittee shall comply with the PSD BACT limits established for these units and their NO<sub>x</sub> control systems found in Conditions D.1.7 and D.1.12.
  - (2) No physical change or change in the method of operation shall be made for CT1/DB1 and CT2/DB2 that will allow them to be operated that is inconsistent with their original physical or operational characteristic.
  - (3) The Permittee shall not make a replacement of the specific air pollution control technology that has a lower control efficiency than the original control that was established as BACT.
- (d) Any project at these emission units for which actual construction begins after the effective date of the clean units designation and before the expiration date shall be considered to have occurred while the emissions units were clean units.
- (e) If a project at these emission units does not cause the need for a change in the emission limitations in this permit for these units that were adopted in conjunction with BACT and

the project would not alter any physical or operational characteristics that formed the basis for the BACT determination, the clean unit designations remain unchanged.

- (f) If a project causes the need for a change in the emission limitations in this permit for these units that were adopted in conjunction with BACT or the project would alter any physical or operational characteristics that formed the basis for the BACT determination, then the clean unit designations shall expire upon issuance of the necessary permit modifications, unless the units requalify as clean units. If the Permittee begins actual construction on the project without first applying to modify the emissions unit's permit, the clean unit designations shall expire immediately prior to the time when actual construction of this project begins.
- (g) Emission limits required for CT1/DB1 and CT2/DB2 in conjunction with the PSD BACT shall stay the same upon expiration of the Clean Unit designation.
- (h) A change that causes emission units to lose their clean unit designation shall be subject to the applicability requirement of 326 IAC 2-2-2(d)(1) through 326 IAC 2-2-2(d)(4) and 326 IAC 2-2-2(d)(6).

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

#### **D.1.18 Continuous Emission Monitoring System (CEMS) [326 IAC 3-5][40 CFR Part 60, Subpart GG][40 CFR Part 60, Subpart Da]**

- (a) Pursuant to 326 IAC 3-5-1(b)(1), (b)(2) and (d)(1), and in order to comply with 326 IAC 2-2, 326 IAC 2-3, 40 CFR 60.334(a), and 40 CFR 60.47a(c) and (d), the Permittee is required to calibrate, certify, operate and maintain a continuous emission monitoring system (CEMS) for measuring O<sub>2</sub>, NO<sub>x</sub> and CO emissions rates from the combustion turbine stacks (stacks 1 and 2) in accordance with 326 IAC 3-5 and 40 CFR Part 60 to demonstrate compliance with Conditions D.1.2(a), D.1.3(d), D.1.7, and D.1.12.
- (b) The Permittee shall perform the required record keeping, pursuant to 326 IAC 3-5-6, and reporting, pursuant to 326 IAC 3-5-7.
- (c) In instances of CEMS downtime, the Permittee shall report the NO<sub>x</sub> mass emissions in accordance with the procedures regulated by 40 CFR Part 75, Appendix D (Optional SO<sub>2</sub> Emissions Data Protocol) for fuel flow meters requirements, 40 CFR Part 75, Appendix E (Optional NO<sub>x</sub> Emissions Estimation Protocol) for emission rate curve establishment, and Appendix G (Determination of CO<sub>2</sub> Emissions). NO<sub>x</sub> mass emissions reported shall be based on the fuel-and-unit-specific NO<sub>x</sub> emission rates ("load curve") established during the latest and most representative CEMS data.

#### **D.1.19 Natural Gas Monitoring [40 CFR Part 60, Subpart GG] [326 IAC 12]**

The Permittee shall do the following to determine compliance with Conditions D.1.6, D.1.8, D.1.9, and D.1.10:

- (a) Monitor the hourly natural gas flowrate to each combustion turbine and duct burner; and
- (b) Use a natural gas heating value (dry HHV) of 1050 Btu per standard cubic foot.

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

#### **D.1.20 Record Keeping Requirements**

- (a) To document compliance with Conditions D.1.9 and D.1.19(a), the Permittee shall record the:
  - (1) Hourly natural gas flowrate to each combustion turbine and duct burner; and
  - (2) Heat input rate of each combustion turbine.

- (b) To document compliance with Conditions D.1.2, D.1.3, D.1.7, D.1.8, and D.1.12, the Permittee shall maintain records of all CEMS data as required under 326 IAC 3-5-6 at the source in a manner so that they may be inspected by the IDEM, OAQ, or the U.S. EPA, if so requested or required. Records necessary to demonstrate compliance shall be available within 30 days of the end of each compliance period.
- (c) To document compliance with Condition D.1.12, the Permittee shall maintain records of the following:
  - (1) The type of operation (i.e. startup or shutdown) with supporting operational data.
  - (2) The duration of all startup and shutdown events and total hours of startup and shutdown.
  - (3) The CEMS data, fuel flow meter data, and Method 19 calculations corresponding to each startup and shutdown period.
- (d) All records shall be maintained in accordance with Section C - General Record Keeping Requirements, of this permit.

#### D.1.21 Reporting Requirements

The Permittee shall submit the following:

- (a) An excess emissions report based on the continuous emissions monitor system (CEMS) data for NO<sub>x</sub> and CO pursuant to 326 IAC 3-5-7. These reports shall be submitted within thirty (30) calendar days following the end of each calendar quarter and in accordance with Section C - General Reporting Requirements of this permit. The report submitted by the Permittee does require the certification by the "responsible official" as defined by 326 IAC 2-7-1(34).
- (b) A summary report of the information to document compliance with Condition D.1.9(a) shall be submitted to the address listed in Section C - General Reporting Requirements, of this permit, using the reporting forms located at the end of this permit, or their equivalent, within thirty (30) days after the end of the quarter being reported. The report submitted by the Permittee does require the certification by the "responsible official" as defined by 326 IAC 2-7-1(34).
- (c) A summary report of the information to document compliance with Condition D.1.12 shall be submitted to the address listed in Section C - General Reporting Requirements, of this permit, using the reporting forms located at the end of this permit, or their equivalent, within thirty (30) days after the end of the quarter being reported. The report submitted by the Permittee does require the certification by the "responsible official" as defined by 326 IAC 2-7-1(34).
- (d) A summary report of the information to document compliance with Conditions D.1.7(f) and D.1.8(d) shall be submitted to the address listed in Section C - General Reporting Requirements, of this permit, using the reporting forms located at the end of this permit, or their equivalent, within thirty (30) days after the end of the quarter being reported. The report submitted by the Permittee does require the certification by the "responsible official" as defined by 326 IAC 2-7-1(34).
- (e) To document compliance with Condition D.1.3 and pursuant to 40 CFR 60.49a(i), the reports required under 40 CFR Part 60 Subpart Da and 40 CFR Part 60 Subpart A shall be submitted to the administrator semi-annually for each six month period in the calendar year. All semiannual reports shall be postmarked by the 30th day following the end of each six-month period. These reports shall be submitted to:

U.S. Environmental Protection Agency  
Director, Air and Radiation Division

77 West Jackson Boulevard  
Chicago, IL 60604-3590

and

Indiana Department of Environmental Management  
Compliance Data Section, Office of Air Quality  
100 North Senate Avenue  
MC 61-53, IGCN 1003  
Indianapolis, Indiana 46204-2251

The report submitted by the Permittee does require the certification by the “responsible official” as defined by 326 IAC 2-7-1(34).

- (f) Pursuant to 326 IAC 3-5-7(5), reporting of continuous monitoring system instrument downtime, except for zero (0) and span checks, which shall be reported separately, shall include the following:
- (1) Date of downtime.
  - (2) Time of commencement.
  - (3) Duration of each downtime.
  - (4) Reasons for each downtime.
  - (5) Nature of system repairs and adjustments.

The report submitted by the Permittee does require the certification by the “responsible official” as defined by 326 IAC 2-7-1(34).

## SECTION D.2

## FACILITY OPERATION CONDITIONS

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

(d) One (1) Induced Draft Non-Contact Cooling Tower, constructed in 2001:

System Technology:	5 cycle, 10 cell, induced draft cooling tower
Water Circulation Rate:	160,000 gallons per minute non-contact cooling water
Control Technology:	Drift Eliminator for particulate control
Stack ID:	Stacks C1 through C10

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

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

#### D.2.1 Particulate Matter (PM) [326 IAC 6.5-1-2]

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Pursuant to 326 IAC 6.5-1-2(a), the particulate matter (PM) emissions from the cooling tower shall not exceed 0.03 grains per dry standard cubic foot (dscf).

### Compliance Determination Requirements

#### D.2.2 Particulate Control

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The Permittee shall use the drift eliminator to control particulate emissions at all times the cooling tower is in operation.

## SECTION D.3

## FACILITY OPERATION CONDITIONS

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

- (a) Degreasing operations that do not exceed 145 gallons per 12 months, except if subject to 326 IAC 20-6: One (1) cold cleaning degreaser. [326 IAC 8-3-2][326 IAC 8-3-5]
- (b) Paved and unpaved roads and parking lots with public access. [326 IAC 6-4]

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

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

#### D.3.1 Volatile Organic Compounds (VOC)

Pursuant to 326 IAC 8-3-2 (Cold Cleaner Operations) for cold cleaning operations constructed after January 1, 1980, the Permittee shall:

- (a) Equip the cleaner with a cover;
- (b) Equip the cleaner with a facility for draining cleaned parts;
- (c) Close the degreaser cover whenever parts are not being handled in the cleaner;
- (d) Drain cleaned parts for at least fifteen (15) seconds or until dripping ceases;
- (e) Provide a permanent, conspicuous label summarizing the operation requirements;
- (f) Store waste solvent only in covered containers and not dispose of waste solvent or transfer it to another party, in such a manner that greater than twenty percent (20%) of the waste solvent (by weight) can evaporate into the atmosphere.

#### D.3.2 Volatile Organic Compounds (VOC)

(a) Pursuant to 326 IAC 8-3-5(a) (Cold Cleaner Degreaser Operation and Control), the Permittee of a cold cleaner degreaser facility, construction of which commenced after July 1, 1990, shall ensure that the following requirements are met:

- (1) Equip the degreaser with a cover. The cover must be designed so that it can be easily operated with one (1) hand if:
  - (A) The solvent volatility is greater than two (2) kiloPascals (fifteen (15) millimeters of mercury or three-tenths (0.3) pounds per square inch measured at thirty-eight degrees Celsius (38EC)(one hundred degrees Fahrenheit (100EF));
  - (B) The solvent is agitated; or
  - (C) The solvent is heated.
- (2) Equip the degreaser with a facility for draining cleaned articles. If the solvent volatility is greater than four and three-tenths (4.3) kiloPascals (thirty-two (32) millimeters of mercury or six-tenths (0.6) pounds per square inch measured at thirty-eight degrees Celsius (38EC) (one hundred degrees Fahrenheit (100EF)), then the drainage facility must be internal such that articles are enclosed under the cover while draining. The drainage facility may be external for applications where an internal type cannot fit into the cleaning system.

- (3) Provide a permanent, conspicuous label which lists the operating requirements outlined in subsection (b).
  - (4) The solvent spray, if used, must be a solid, fluid stream and shall be applied at a pressure which does not cause excessive splashing.
  - (5) Equip the degreaser with one (1) of the following control devices if the solvent volatility is greater than four and three-tenths (4.3) kiloPascals (thirty-two (32) millimeters of mercury or six-tenths (0.6) pounds per square inch) measured at thirty-eight degrees Celsius (38EC) (one hundred degrees Fahrenheit (100EF)), or if the solvent is heated to a temperature greater than forty-eight and nine-tenths degrees Celsius (48.9EC) (one hundred twenty degrees Fahrenheit (120EF)):
    - (A) A freeboard that attains a freeboard ratio of seventy-five hundredths (0.75) or greater.
    - (B) A water cover when the solvent used is insoluble in, and heavier than, water.
    - (C) Other systems of demonstrated equivalent control such as a refrigerated chiller or carbon adsorption. Such systems shall be submitted to the U.S. EPA as a SIP revision.
- (b) Pursuant to 326 IAC 8-3-5(b) (Cold Cleaner Degreaser Operation and Control), the owner or operator of a cold cleaning facility construction of which commenced after July 1, 1990, shall ensure that the following operating requirements are met:
- (1) Close the cover whenever articles are not being handled in the degreaser.
  - (2) Drain cleaned articles for at least fifteen (15) seconds or until dripping ceases.
  - (3) Store waste solvent only in covered containers and prohibit the disposal or transfer of waste solvent in any manner in which greater than twenty percent (20%) of the waste solvent by weight could evaporate.

**SECTION E**

**TITLE IV CONDITIONS**

**Facility Description [326 IAC 2-7-5(15)]: Acid Rain units**

(a) Two (2) Combined-cycle Combustion Turbines (CT), each constructed in 2001:

Make/Model:	General Electric Frame 7FA (Model 7241)
Heat Input Capacity (HIC):	1,735 MMBtu per hour (HHV) @ ISO conditions, each
Electric Generating Capacity:	166 MW @ ISO conditions, each
Fuel Source:	Natural Gas
Control Technology:	Dry Low-NO <sub>x</sub> Burners
Stack ID:	CT1 exhausts through HRSG1 to stack 1 CT2 exhausts through HRSG2 to stack 2

(b) Two (2) Heat Recovery Steam Generators (HRSG), each with a Duct Burner set (DB), each constructed in 2001:

Steam Generating Capacity:	1300 psig
Duct Burner HIC:	821 MMBtu per hour (HHV), per set
Fuel Source:	Natural Gas
Control Technology:	Selective Catalytic Reduction (SCR) System for NO <sub>x</sub> control
Steam Production Capacity:	580,000 pounds per hour, each, without DBs 1,188,000 pounds per hour, each, with DBs
Stack ID:	DB1 exhausts to stack 1 DB2 exhausts to stack 2

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

**Acid Rain Program**

E.1 Acid Rain Permit [326 IAC 2-7-5(1)(C)] [326 IAC 21] [40 CFR 72 through 40 CFR 78]

Pursuant to 326 IAC 21 (Acid Deposition Control), the Permittee shall comply with all provisions of the Acid Rain permit for this source (AR 089-11912-00449, issued July 2, 2001), and any other applicable requirements contained in 40 CFR 72 through 40 CFR 78. A copy of AR 089-11912-00449, issued July 2, 2001, is attached to this permit as Appendix A, and is incorporated by reference.

E.2 Title IV Emissions Allowances [326 IAC 2-7-5(4)] [326 IAC 21]

Emissions exceeding any allowances that the Permittee lawfully holds under the Title IV Acid Rain Program of the Clean Air Act are prohibited, subject to the following limitations:

- (a) No revision of this permit shall be required for increases in emissions that are authorized by allowances acquired under the Title IV Acid Rain Program, provided that such increases do not require a permit revision under any other applicable requirement.
- (b) No limit shall be placed on the number of allowances held by the Permittee. The Permittee may not use allowances as a defense to noncompliance with any other applicable requirement.
- (c) Any such allowance shall be accounted for according to the procedures established in regulations promulgated under Title IV of the Clean Air Act.

**SECTION F Nitrogen Oxides Budget Trading Program - NO<sub>x</sub> Budget Permit for NO<sub>x</sub> Budget Units Under 326 IAC 10-4-1(a)**

**ORIS Code:** 55259

**NO<sub>x</sub> Budget Source [326 IAC 2-7-5(15)]**

(a) Two (2) Combined-cycle Combustion Turbines (CT), each constructed in 2001:

Make/Model: General Electric Frame 7FA (Model 7241)  
Heat Input Capacity (HIC): 1,735 MMBtu per hour (HHV) @ ISO conditions, each  
Electric Generating Capacity: 166 MW @ ISO conditions, each  
Fuel Source: Natural Gas  
Control Technology: Dry Low-NO<sub>x</sub> Burners  
Stack ID: CT1 exhausts through HRSG1 to stack 1  
CT2 exhausts through HRSG2 to stack 2

(b) Two (2) Heat Recovery Steam Generators (HRSG), each with a Duct Burner set (DB), each constructed in 2001:

Steam Generating Capacity: 1300 psig  
Duct Burner HIC: 821 MMBtu per hour (HHV), per set  
Fuel Source: Natural Gas  
Control Technology: Selective Catalytic Reduction (SCR) System for NO<sub>x</sub> control  
Steam Production Capacity: 580,000 pounds per hour, each, without DBs  
1,188,000 pounds per hour, each, with DBs  
Stack ID: DB1 exhausts to stack 1  
DB2 exhausts to stack 2

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

**F.1 Automatic Incorporation of Definitions [326 IAC 10-4-7(e)]**

This NO<sub>x</sub> budget permit is deemed to incorporate automatically the definitions of terms under 326 IAC 10-4-2.

**F.2 Standard Permit Requirements [326 IAC 10-4-4(a)]**

(a) The owners and operators of the NO<sub>x</sub> budget source and each NO<sub>x</sub> budget unit shall operate each unit in compliance with this NO<sub>x</sub> budget permit.

(b) The NO<sub>x</sub> budget units subject to this NO<sub>x</sub> budget permit are:

- (1) CT1 and the associated Heat Recovery Steam Generator (HRSG) and Duct Burner set (DB); and
- (2) CT2 and the associated Heat Recovery Steam Generator (HRSG) and Duct Burner set (DB).

**F.3 Monitoring Requirements [326 IAC 10-4-4(b)]**

(a) The owners and operators and, to the extent applicable, the NO<sub>x</sub> authorized account representative of the NO<sub>x</sub> budget source and each NO<sub>x</sub> budget unit at the source shall comply with the monitoring requirements of 40 CFR 75 and 326 IAC 10-4-12.

(b) The emissions measurements recorded and reported in accordance with 40 CFR 75 and 326 IAC 10-4-12 shall be used to determine compliance by each unit with the NO<sub>x</sub> budget emissions limitation under 326 IAC 10-4-4(c) and Condition F.4, Nitrogen Oxides Requirements.

**F.4 Nitrogen Oxides Requirements [326 IAC 10-4-4(c)]**

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- (a) The owners and operators of the NO<sub>x</sub> budget source and each NO<sub>x</sub> budget unit at the source shall hold NO<sub>x</sub> allowances available for compliance deductions under 326 IAC 10-4-10(j), as of the NO<sub>x</sub> allowance transfer deadline, in each unit's compliance account and the source's overdraft account in an amount:
  - (1) Not less than the total NO<sub>x</sub> emissions for the ozone control period from the unit, as determined in accordance with 40 CFR 75 and 326 IAC 10-4-12;
  - (2) To account for excess emissions for a prior ozone control period under 326 IAC 10-4-10(k)(5); or
  - (3) To account for withdrawal from the NO<sub>x</sub> budget trading program, or a change in regulatory status of a NO<sub>x</sub> budget opt-in unit.
- (b) Each ton of NO<sub>x</sub> emitted in excess of the NO<sub>x</sub> budget emissions limitation shall constitute a separate violation of the Clean Air Act (CAA) and 326 IAC 10-4.
- (c) Each NO<sub>x</sub> budget unit shall be subject to the requirements under (a) above and 326 IAC 10-4-4(c)(1) starting on May 31, 2004.
- (d) NO<sub>x</sub> allowances shall be held in, deducted from, or transferred among NO<sub>x</sub> allowance tracking system accounts in accordance with 326 IAC 10-4-9 through 11, 326 IAC 10-4-13, and 326 IAC 10-4-14.
- (e) A NO<sub>x</sub> allowance shall not be deducted, in order to comply with the requirements under (a) above and 326 IAC 10-4-4(c)(1), for an ozone control period in a year prior to the year for which the NO<sub>x</sub> allowance was allocated.
- (f) A NO<sub>x</sub> allowance allocated under the NO<sub>x</sub> budget trading program is a limited authorization to emit one (1) ton of NO<sub>x</sub> in accordance with the NO<sub>x</sub> budget trading program. No provision of the NO<sub>x</sub> budget trading program, the NO<sub>x</sub> budget permit application, the NO<sub>x</sub> budget permit, or an exemption under 326 IAC 10-4-3 and no provision of law shall be construed to limit the authority of the U.S. EPA or IDEM, OAQ to terminate or limit the authorization.
- (g) A NO<sub>x</sub> allowance allocated under the NO<sub>x</sub> budget trading program does not constitute a property right.
- (h) Upon recordation by the U.S. EPA under 326 IAC 10-4-10, 326 IAC 10-4-11, or 326 IAC 10-4-13, every allocation, transfer, or deduction of a NO<sub>x</sub> allowance to or from each NO<sub>x</sub> budget unit's compliance account or the overdraft account of the source where the unit is located is deemed to amend automatically, and become a part of, this NO<sub>x</sub> budget permit of the NO<sub>x</sub> budget unit by operation of law without any further review.

**F.5 Excess Emissions Requirements [326 IAC 10-4-4(d)]**

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The owners and operators of each NO<sub>x</sub> budget unit that has excess emissions in any ozone control period shall do the following:

- (a) Surrender the NO<sub>x</sub> allowances required for deduction under 326 IAC 10-4-10(k)(5).
- (b) Pay any fine, penalty, or assessment or comply with any other remedy imposed under 326 IAC 10-4-10(k)(7).

**F.6 Record Keeping Requirements [326 IAC 10-4-4(e)] [326 IAC 2-7-5(3)]**

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Unless otherwise provided, the owners and operators of the NO<sub>x</sub> budget source and each NO<sub>x</sub> budget unit at the source shall keep, either on site at the source or at a central location within Indiana for those owners or operators with unattended sources, each of the following documents for a period of five (5) years:

- (a) The account certificate of representation for the NO<sub>x</sub> authorized account representative for the source and each NO<sub>x</sub> budget unit at the source and all documents that demonstrate the truth of the statements in the account certificate of representation, in accordance with 326 IAC 10-4-6(h). The certificate and documents shall be retained either on site at the source or at a central location within Indiana for those owners or operators with unattended sources beyond the five (5) year period until the documents are superseded because of the submission of a new account certificate of representation changing the NO<sub>x</sub> authorized account representative.
- (b) All emissions monitoring information, in accordance with 40 CFR 75 and 326 IAC 10-4-12, provided that to the extent that 40 CFR 75 and 326 IAC 10-4-12 provide for a three (3) year period for record keeping, the three (3) year period shall apply.
- (c) Copies of all reports, compliance certifications, and other submissions and all records made or required under the NO<sub>x</sub> budget trading program.
- (d) Copies of all documents used to complete a NO<sub>x</sub> budget permit application and any other submission under the NO<sub>x</sub> budget trading program or to demonstrate compliance with the requirements of the NO<sub>x</sub> budget trading program.

This period may be extended for cause, at any time prior to the end of five (5) years, in writing by IDEM, OAQ or the U.S. EPA. Records retained at a central location within Indiana shall be available immediately at the location and submitted to IDEM, OAQ or U.S. EPA within three (3) business days following receipt of a written request. Nothing in 326 IAC 10-4-4(e) shall alter the record retention requirements for a source under 40 CFR 75. Unless otherwise provided, all records shall be maintained in accordance with Section C - General Record Keeping Requirements, of this permit.

#### F.7 Reporting Requirements [326 IAC 10-4-4(e)]

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- (a) The NO<sub>x</sub> authorized account representative of the NO<sub>x</sub> budget source and each NO<sub>x</sub> budget unit at the source shall submit the reports and compliance certifications required under the NO<sub>x</sub> budget trading program, including those under 326 IAC 10-4-8, 326 IAC 10-4-12, or 326 IAC 10-4-13.
- (b) Pursuant to 326 IAC 10-4-4(e) and 326 IAC 10-4-6(e)(1), each submission shall include the following certification statement by the NO<sub>x</sub> authorized account representative: "I am authorized to make this submission on behalf of the owners and operators of the NO<sub>x</sub> budget sources or NO<sub>x</sub> budget units for which the submission is made. I certify under penalty of law that I have personally examined, and am familiar with, the statements and information submitted in this document and all its attachments. Based on my inquiry of those individuals with primary responsibility for obtaining the information, I certify that the statements and information are to the best of my knowledge and belief true, accurate, and complete. I am aware that there are significant penalties for submitting false statements and information or omitting required statements and information, including the possibility of fine or imprisonment."
- (c) Where 326 IAC 10-4 requires a submission to IDEM, OAQ, the NO<sub>x</sub> authorized account representative shall submit required information to:
  - Indiana Department of Environmental Management
  - Office of Air Quality
  - 100 North Senate Avenue
  - Indianapolis, Indiana 46204-2251
- (d) Where 326 IAC 10-4 requires a submission to U.S. EPA, the NO<sub>x</sub> authorized account representative shall submit required information to:

U.S. Environmental Protection Agency

Clean Air Markets Division  
1200 Pennsylvania Avenue, NW  
Mail Code 6204N  
Washington, DC 20460

F.8 Liability [326 IAC 10-4-4(f)]

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The owners and operators of each NO<sub>x</sub> budget source shall be liable as follows:

- (a) Any person who knowingly violates any requirement or prohibition of the NO<sub>x</sub> budget trading program, a NO<sub>x</sub> budget permit, or an exemption under 326 IAC 10-4-3 shall be subject to enforcement pursuant to applicable state or federal law.
- (b) Any person who knowingly makes a false material statement in any record, submission, or report under the NO<sub>x</sub> budget trading program shall be subject to criminal enforcement pursuant to the applicable state or federal law.
- (c) No permit revision shall excuse any violation of the requirements of the NO<sub>x</sub> budget trading program that occurs prior to the date that the revision takes effect.
- (d) Each NO<sub>x</sub> budget source and each NO<sub>x</sub> budget unit shall meet the requirements of the NO<sub>x</sub> budget trading program.
- (e) Any provision of the NO<sub>x</sub> budget trading program that applies to a NO<sub>x</sub> budget source, including a provision applicable to the NO<sub>x</sub> authorized account representative of a NO<sub>x</sub> budget source, shall also apply to the owners and operators of the source and of the NO<sub>x</sub> budget units at the source.
- (f) Any provision of the NO<sub>x</sub> budget trading program that applies to a NO<sub>x</sub> budget unit, including a provision applicable to the NO<sub>x</sub> authorized account representative of a NO<sub>x</sub> budget unit, shall also apply to the owners and operators of the unit. Except with regard to the requirements applicable to units with a common stack under 40 CFR 75 and 326 IAC 10-4-12, the owners and operators and the NO<sub>x</sub> authorized account representative of one (1) NO<sub>x</sub> budget unit shall not be liable for any violation by any other NO<sub>x</sub> budget unit of which they are not owners or operators or the NO<sub>x</sub> authorized account representative and that is located at a source of which they are not owners or operators or the NO<sub>x</sub> authorized account representative.

F.9 Effect on Other Authorities [326 IAC 10-4-4(g)]

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No provision of the NO<sub>x</sub> budget trading program, a NO<sub>x</sub> budget permit application, a NO<sub>x</sub> budget permit, or an exemption under 326 IAC 10-4-3 shall be construed as exempting or excluding the owners and operators and, to the extent applicable, the NO<sub>x</sub> authorized account representative of a NO<sub>x</sub> budget source or NO<sub>x</sub> budget unit from compliance with any other provision of the applicable, approved state implementation plan, a federally enforceable permit, or the CAA.

## INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT OFFICE OF AIR QUALITY

### PART 70 OPERATING PERMIT CERTIFICATION

Source Name: Whiting Clean Energy, Inc.  
Source Address: 2155 Standard Avenue, Whiting, Indiana 46394  
Mailing Address: 2155 Standard Avenue, Whiting, Indiana 46394  
Part 70 Permit No.: T089-16167-00449

**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:

Telephone:

Date:

**INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT  
OFFICE OF AIR QUALITY  
COMPLIANCE BRANCH  
100 North Senate Avenue  
MC 61-53, IGCN 1003  
Indianapolis, Indiana 46204-2251  
Phone: 317-233-0178  
Fax: 317-233-6865**

**PART 70 OPERATING PERMIT  
EMERGENCY OCCURRENCE REPORT**

Source Name: Whiting Clean Energy, Inc.  
Source Address: 2155 Standard Avenue, Whiting, Indiana 46394  
Mailing Address: 2155 Standard Avenue, Whiting, Indiana 46394  
Part 70 Permit No.: T089-16167-00449

**This form consists of 2 pages**

**Page 1 of 2**

<input type="checkbox"/> This is an emergency as defined in 326 IAC 2-7-1(12) 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 Describe:
Type of Pollutants Emitted: TSP, PM-10, SO <sub>2</sub> , VOC, NO <sub>x</sub> , 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:

Telephone:

A certification is not required for this report.

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

### Part 70 Quarterly Report

Source Name: Whiting Clean Energy, Inc.  
 Source Address: 2155 Standard Avenue, Whiting, Indiana 46394  
 Mailing Address: 2155 Standard Avenue, Whiting, Indiana 46394  
 Part 70 Permit No.: T089-16167-00449  
 Facilities: Duct Burner Sets 1 and 2 (DB1 and DB2)  
 Parameter: Combined natural gas usage  
 Limit: Less than 8,052 MMSCF per twelve consecutive month period with compliance determined at the end of each month.

YEAR: \_\_\_\_\_

Month	Natural Gas Usage (MMSCF)	Natural Gas Usage (MMSCF)	Natural Gas Usage (MMSCF)
	This Month	Previous 11 Months	12 Consecutive Month Total
Month 1			
Month 2			
Month 3			

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

Submitted by:

Title / Position:

Signature:

Date:

Telephone:

Attach a signed certification to complete this report.

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

### Part 70 Quarterly Report

Source Name: Whiting Clean Energy, Inc.  
 Source Address: 2155 Standard Avenue, Whiting, Indiana 46394  
 Mailing Address: 2155 Standard Avenue, Whiting, Indiana 46394  
 Part 70 Permit No.: T089-16167-00449  
 Facilities: Combustion Turbines (CT1 and CT2) and Duct Burner Sets (DB1 and DB2)  
 Parameter: Total NO<sub>x</sub> emissions, including emissions from startup and shutdown operations  
 Limit: Less than 262 tons of NO<sub>x</sub> per twelve consecutive month period with compliance determined at the end of each month

YEAR: \_\_\_\_\_

Month	NO <sub>x</sub> emissions	NO <sub>x</sub> emissions	NO <sub>x</sub> emissions
	This Month	Previous 11 Months	12 Consecutive Month Total
Month 1			
Month 2			
Month 3			

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

Submitted by:

Title / Position:

Signature:

Date:

Telephone:

Attach a signed certification to complete this report.

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

## Part 70 Quarterly Report

Source Name: Whiting Clean Energy, Inc.  
Source Address: 2155 Standard Avenue, Whiting, Indiana 46394  
Mailing Address: 2155 Standard Avenue, Whiting, Indiana 46394  
Part 70 Permit No.: T089-16167-00449  
Facilities: Combustion Turbines (CT1 and CT2) and Duct Burner Sets (DB1 and DB2)  
Parameter: Total CO emissions, including emissions from startup and shutdown operations  
Limit: Less than 571 tons of CO per twelve consecutive month period with compliance determined at the end of each month

YEAR: \_\_\_\_\_

Month	CO emissions	CO emissions	CO emissions
	This Month	Previous 11 Months	12 Consecutive Month Total
Month 1			
Month 2			
Month 3			

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

Submitted by:

Title / Position:

Signature:

Date:

Telephone:

Attach a signed certification to complete this report.

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

## Part 70 Quarterly Report

Source Name: Whiting Clean Energy, Inc.  
Source Address: 2155 Standard Avenue, Whiting, Indiana 46394  
Mailing Address: 2155 Standard Avenue, Whiting, Indiana 46394  
Part 70 Permit No.: T089-16167-00449  
Facilities: Combustion Turbine 1 (CT1)  
Parameter: Hours of startup and shutdown  
Limit: Less than 473 hours for startups and less than 260 hours for shutdowns per twelve consecutive month period with compliance determined at the end of each month

YEAR: \_\_\_\_\_

Month	Hours, this Month		Hours, previous 11 Months		Hours, 12 consecutive month period	
	Startup	Shutdown	Startup	Shutdown	Startup	Shutdown

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

Submitted by:

Title / Position:

Signature:

Date:

Telephone:

Attach a signed certification to complete this report.

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

## Part 70 Quarterly Report

Source Name: Whiting Clean Energy, Inc.  
Source Address: 2155 Standard Avenue, Whiting, Indiana 46394  
Mailing Address: 2155 Standard Avenue, Whiting, Indiana 46394  
Part 70 Permit No.: T089-16167-00449  
Facilities: Combustion Turbine 2 (CT2)  
Parameter: Hours of startup and shutdown  
Limit: Less than 473 hours for startups and less than 260 hours for shutdowns per twelve consecutive month period with compliance determined at the end of each month

YEAR: \_\_\_\_\_

Month	Hours, this Month		Hours, previous 11 Months		Hours, 12 consecutive month period	
	Startup	Shutdown	Startup	Shutdown	Startup	Shutdown

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

Submitted by:

Title / Position:

Signature:

Date:

Telephone:

Attach a signed certification to complete this report.

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

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

Source Name: Whiting Clean Energy, Inc.  
Source Address: 2155 Standard Avenue, Whiting, Indiana 46394  
Mailing Address: 2155 Standard Avenue, Whiting, Indiana 46394  
Part 70 Permit No.: T089-16167-00449

Months: \_\_\_\_\_ to \_\_\_\_\_ Year: \_\_\_\_\_

Page 1 of 2

This report shall be submitted quarterly based on a calendar year. For the purpose of this permit, "calendar year" means the twelve (12) month period from January 1 to December 31 inclusive. Any deviation from the requirements, the date(s) of each deviation, the probable cause of the deviation, and the response steps taken must be reported. A deviation required to be reported pursuant to an applicable requirement that exists independent of the permit, shall be reported according to the schedule stated in the applicable requirement and does not need to be included in this report. Additional pages may be attached if necessary. If no deviations occurred, please specify in the box marked "No deviations occurred this reporting period".

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:**

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

Form Completed By:

Title/Position:

Date:

Telephone:

Attach a signed certification to complete this report.

## Indiana Department of Environmental Management Office of Air Quality

### Addendum to the Technical Support Document (ATSD) for a Part 70 Significant Permit Modification

<b>Source Description and Location</b>
--

<b>Source Name:</b>	<b>Whiting Clean Energy, Inc.</b>
<b>Source Location:</b>	<b>2155 Standard Avenue, Whiting, Indiana 46394</b>
<b>County:</b>	<b>Lake</b>
<b>SIC Code:</b>	<b>4911</b>
<b>Operation Permit No.:</b>	<b>T089-16167-00449</b>
<b>Operation Permit Issuance Date:</b>	<b>August 16, 2006</b>
<b>Significant Permit Modification No.:</b>	<b>089-23668-00449</b>
<b>Permit Reviewer:</b>	<b>Syed Jaffery</b>

<b>Public Notice Information</b>
----------------------------------

On January 17, 2008, the Office of Air Quality (OAQ) had a notice published in The Post Tribune newspaper in Merrillville, Indiana, and The Times newspaper in Munster, Indiana. The notice stated that Whiting Clean Energy, Inc. (Whiting) had filed a petition for an administrative review of their Part 70 Operating Permit T089-16167-00449, and that subsequent negotiations between IDEM and Whiting resolved the appealed issues, and resulted in an agreement to modify certain terms and conditions of the permit. The notice further stated that in accordance with the agreement IDEM had developed a draft Significant Permit Modification (SPM) Number 089-23668-00449 along with the supporting documents. 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.

<b>Comments Received</b>
--------------------------

On February 11, 2008, OAQ received comments from Kelly R. Carmichael, Director Environmental, Health and Safety, Whiting Clean Energy, Inc. Kelly R. Carmichael submitted two (2) comments on the draft permit that was on public notice. His comments are summarized, here, with IDEM's corresponding responses.

The IDEM does not amend the Technical Support Document (TSD). The TSD is maintained to document the original review. This addendum to the TSD is used to document responses to comments and changes made from the time the permit was drafted until a final decision is made.

The summary of the comments and IDEM, OAQ responses, including changes to the permit (language deleted is shown in ~~strikeout~~ and language added is shown in **bold**) are as follows:

Comment 1:

The comment requested to change the source telephone number in Condition A.1 General Information.

IDEM Response 1:

IDEM accepted the request and changed the source telephone number in Condition A.1 General Information 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 industrial steam and 545 MWe co-generation ("combined heat and power") plant.

Source Address: 2155 Standard Avenue, Whiting, Indiana 46394  
Mailing Address: 2155 Standard Avenue, Whiting, Indiana 46394  
Source Telephone: ~~(219) 647-5252~~ **(219) 473-0653**  
SIC Code: 4911  
County Location: Lake

...

Comment 2:

The comment requested to update the forms on Pages 44, 45, 47, 48, 49, 50, 51 and 52 of the permit document to reflect the updated mailing address.

IDEM Response 2:

IDEM accepted the request and updated the reporting forms on Pages 44, 45, 47, 48, 49, 50, 51 and 52 of the permit document to reflect the updated mailing address, as illustrated below:

...

Source Name: Whiting Clean Energy, Inc.  
Source Address: 2155 Standard Avenue, Whiting, Indiana 46394  
Mailing Address: ~~Arthur E. Smith, 801 East 86th Avenue, Merrillville, IN 46410~~  
**2155 Standard Avenue, Whiting, Indiana 46394**

...

<b>IDEM Contact</b>
---------------------

Any comments and/or questions regarding the proposed SPM 089-23668-00449 and this Addendum to the Technical Support Document (ATSD) may be directed to:

Syed Jaffery  
Senior Environmental Manager  
Indiana Department of Environmental Management  
Office of Air Quality, Permits Branch  
100 North Senate Ave, MC 61-53 IGCN 1003  
Indianapolis, IN 46204-2251

Phone: (317) 233-9327  
Toll Free: (800) 451-6027 extension 39327  
Fax: 232-6749

Whiting Clean Energy, Inc.  
Whiting, Indiana  
Permit Reviewer: Syed Jaffery

Page 3 of 3  
ATSD for SPM No. 089-23668-00449

E-mail: [sjaffery@idem.IN.gov](mailto:sjaffery@idem.IN.gov)

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

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

**Source Description and Location**

Source Name:	Whiting Clean Energy, Inc.
Source Location:	2155 Standard Avenue, Whiting, Indiana 46394
County:	Lake
SIC Code:	4911
Operation Permit No.:	T089-16167-00449
Operation Permit Issuance Date:	August 16, 2006
Significant Permit Modification No.:	089-23668-00449
Permit Reviewer:	Syed Jaffery

**Existing Approvals**

The source was issued Part 70 Operating Permit No. T089-16167-00449 on August 16, 2006. Since then there have been no other approvals issued to this source.

**County Attainment Status**

The source is located in Lake County

Pollutant	Status
PM-10	attainment
SO <sub>2</sub>	attainment
NO <sub>2</sub>	attainment
Ozone	severe nonattainment
CO	attainment
Lead	attainment

- (a) Volatile organic compounds (VOC) and Nitrogen Oxides (NO<sub>x</sub>) are regulated under the Clean Air Act (CAA) for the purposes of attaining and maintaining the National Ambient Air Quality Standards (NAAQS) for ozone.
- (1) On December 22, 2006 the United States Court of Appeals, District of Columbia issued a decision that served to partially vacate and remand the U.S. EPA's final rule for implementation of the eight-hour National Ambient Air quality Standard for ozone. *South Coast Air Quality Mgmt. Dist. v. EPA*, 472 F.3d 882 (D.C. Cir., December 22, 2006), *rehearing denied* 2007 U.S. App. LEXIS 13748 (D.C. Cir., June 8, 2007). The U.S. EPA has instructed IDEM to issue permits in accordance with its interpretation of the *South Coast* decision as follows: Gary-Lake-Porter County was previously designated as a severe non-attainment area prior to revocation of the one-hour ozone standard, therefore, pursuant to the

anti-backsliding provisions of the Clean Air Act, any new or existing source must be subject to the major source applicability cut-offs and offset ratios under the area's previous one-hour standard designation. This means that a source must achieve the Lowest Achievable Emission Rate (LAER) if it exceeds 25 tons per year of VOC emissions and must offset any increase in VOC emissions by a decrease of 1.3 times that amount.

On January 26, 1996 in 40 CFR 52.777(i), the U.S. EPA granted a waiver of the requirements of Section 182(f) of the CAA for Lake and Porter Counties, including the lower NO<sub>x</sub> threshold for nonattainment new source review. Therefore, VOC emissions alone are considered when evaluating the rule applicability relating to the 1-hour ozone standards. Therefore, VOC emissions were reviewed pursuant to the requirements for nonattainment new source review. See the State Rule Applicability for the source section.

- (2) VOC and NO<sub>x</sub> emissions are considered when evaluating the rule applicability relating to the 8-hour ozone standard. Lake County has been designated as nonattainment for the 8-hour ozone standard. Therefore, VOC and NO<sub>x</sub> emissions were reviewed pursuant to the requirements for Emission Offset, 326 IAC 2-3. See the State Rule Applicability – Entire Source section.
- (b) Lake County has been classified as attainment or unclassifiable for PM<sub>10</sub>, SO<sub>2</sub>, NO<sub>2</sub>, CO, and lead. Therefore, these emissions were reviewed pursuant to the requirements of 326 IAC 2-2 (Prevention of Significant Deterioration (PSD)).
- (c) Fugitive Emissions  
Since this type of operation is one of the twenty-eight (28) listed source categories under 326 IAC 2-2 ("a fossil fuel-fired steam electric plant of more than 250 MMBtu per hour") and since there are applicable New Source Performance Standards that were in effect on August 7, 1980 (40 CFR Part 60 Subpart GG), the fugitive emissions are counted toward determination of PSD and Emission Offset applicability.

#### Description of Proposed Modification

On January 2, 2007, the Office of Air Quality (OAQ) and Whiting Clean Energy, Inc. reached a settlement that would resolve a petition for administrative review (Cause No. 06-A-J-3785). This Significant Permit Modification resolves the petition as agreed in the settlement. As a result of this permit modification, changes to the permit have been made as detailed below in the Proposed Changes section of this TSD.

A draft permit along with supporting documents was submitted to the source for the Applicant review prior to the public notice. The source submitted their review comments on January 9, 2008 and proposed two (2) additional changes for condition A.1 General Information, and condition D.1.14 Testing Requirements. These additional changes have also been incorporated as illustrated in the Proposed Changes section of this TSD.

#### Enforcement Issues

There are no pending enforcement actions related to this modification.

### 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.”

There is not an increase in the potential to emit associated with this modification.

This modification to the Part 70 operating permit is performed as a Significant Permit Modification (SPM) issued pursuant to 326 IAC 2-7-12 (d), because the modification results in significant changes in existing monitoring Part 70 permit terms or conditions, and/or results in relaxation of reporting or record keeping permit terms or conditions.

### Federal Rule Applicability Determination

There are no new federal rules included in this TSD for this modification. There are also no changes to the existing applicable federal rules.

### State Rule Applicability Determination

There are no new state rules included in this TSD for this modification. There are also no changes to the existing applicable state rules.

### Compliance Determination and Monitoring Requirements

Permits issued under 326 IAC 2-7 are required to ensure that sources can demonstrate compliance with 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 more or less 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 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. 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.

Changes to the compliance determination and monitoring requirements are detailed below in the Proposed Changes section of this TSD.

### Proposed Changes

The changes listed below have been made to Part 70 Operating Permit No. 089-16167-00449 in order to resolve the petition for administrative review (Cause No. 06-A-J-3785). Deleted language appears as ~~strikethroughs~~ and new language appears in **bold**:

#### Changes based on the

1. The condition A.1 General Information is revised as follows:

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 industrial steam and 545 MWe co-generation ("combined heat and power") plant.

Responsible Official: ~~Vice President~~

Source Address: 2155 Standard Avenue, Whiting, Indiana 46394

Mailing Address: 2155 Standard Avenue, Whiting, Indiana 46394

Source Telephone: (219) 647-5252, (219) 473-0653

SIC Code: 4911

County Location: Lake

Source Location Status: Nonattainment for SO<sub>2</sub> and Ozone

Attainment for all other criteria pollutants

Source Status: Part 70 Permit Program

Major Source under PSD and Emission Offset

Minor Source, Section 112 of the Clean Air Act

1 of 28 Source Categories (Fossil Fuel-Fired Steam Electric Plant of more than 250 MMBtu/hr heat input)

2. The condition C.17 Emission Statement is revised as follows:

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) In accordance with the compliance schedule specified in 326 IAC 2-6-3(b)(1), the Permittee shall submit, by July 1, an emission statement covering the previous calendar year as follows:

(1) ~~Starting in~~ **By July 1, 2007, and by July 1** every three (3) years thereafter; and

...

3. The condition D.1.14 Testing Requirements is revised as follows: (Note: The condition D.1.14 (c) has been further modified based on the Applicant Review comments of January 9, 2008)

D.1.14 Testing Requirements [326 IAC 2-7-6(1),(6)][326 IAC 2-1.1-11]

(a) In order to demonstrate compliance with Condition D.1.4, the Permittee shall perform PM, PM<sub>10</sub>, and opacity testing no later than ~~April 23~~ **September 30**, 2007 utilizing methods approved by the Commissioner. This test shall be performed on one combustion turbine at maximum load, shall be repeated on alternating combustion turbines at least once every five (5) years from the date of valid compliance demonstration, and shall be conducted in accordance with Section C- Performance Testing. PM<sub>10</sub> includes filterable and condensable PM<sub>10</sub>. EPA Method 9 opacity tests shall be performed concurrently with the PM and PM<sub>10</sub> compliance tests, unless meteorological conditions require rescheduling the opacity tests to another date.

- (b) In order to demonstrate compliance with Condition D.1.6, the Permittee shall perform VOC testing no later than ~~April 23~~**September 30**, 2007 utilizing methods approved by the Commissioner. This test shall be performed on one combustion turbine at maximum load, shall be repeated on alternating combustion turbines at least once every five (5) years from the date of valid compliance demonstration, and shall be conducted in accordance with Section C- Performance Testing.
- (c) In order to demonstrate compliance with Condition D.1.10, **in the event significant adjustments are made to any of the burners or in the event any burners are replaced with a different type of burner**, the Permittee shall perform hexane and formaldehyde testing no later than ~~August 22, 2008~~**90 days after resuming operations after such adjustment or replacement**, utilizing methods approved by the Commissioner. **When required due to a significant adjustment to any burner or a replacement of any burner with a different burner type, the testing** This test shall be performed on one **affected** combustion turbine at maximum load, when its associated duct burners are in operation, and shall be repeated on alternating **affected** combustion turbine/duct burner sets ~~at least once every five (5) years from the date of valid compliance demonstration, and shall be conducted~~ in accordance with Section C- Performance Testing.
- (d) In order to demonstrate compliance with Condition D.1.11, the Permittee shall perform ammonia testing no later than ~~April 23~~**September 30**, 2007 utilizing methods approved by the Commissioner. This test shall be performed on one combustion turbine at maximum load, shall be repeated on alternating combustion turbines at least once every five (5) years from the date of valid compliance demonstration, and shall be conducted in accordance with Section C- Performance Testing.

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4. The condition D.1.20 Record Keeping Requirements is revised as follows:

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D.1.20 Record Keeping Requirements

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- (a) To document compliance with Conditions D.1.9 and D.1.19~~(a)~~, the Permittee shall record the:
- (1) Hourly natural gas flowrate to each combustion turbine and duct burner; and
  - (2) Heat input rate of each combustion turbine.

...

- ~~(d) To document compliance with Condition D.1.19(a), the source shall maintain records of the natural gas analyses for sulfur.~~
- (ed)** All records shall be maintained in accordance with Section C - General Record Keeping Requirements, of this permit.

5. The condition D.1.21 Reporting Requirements is revised as follows:

D.1.21 Reporting Requirements

The Permittee shall submit the following:

...

- ~~(b) — An excess emissions report for SO<sub>2</sub> pursuant to 40 CFR 60.334(c)(2) to document compliance with Condition D.1.2(b). This report shall be submitted within thirty (30) calendar days following the end of each calendar quarter and in accordance with Section C—General Reporting Requirements of this permit. The report submitted by the Permittee does require the certification by the “responsible official” as defined by 326 IAC 2-7-1(34).~~

...

<b>OTHER CHANGES</b>
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(a) Responsible Official (RO) / Authorized Individual Section A changes

To minimize future amendments to the issued Part 70 Permits, the OAQ decided to delete the name and/or title of the Responsible Official (RO) in Section A.1, General Information, of the permit. However, OAQ will still be evaluating if a change in RO meets the criteria specified in 326 IAC 2-7-1(34). The revised permit condition is shown in the previous section of this TSD.

(b) IDEM Mail Codes

The IDEM addresses have been updated throughout the permit as follows to include the mail code specific to each section/branch of the Office of Air Quality:

Indiana Department of Environmental Management  
Technical Support and Modeling Section, Office of Air Quality  
100 North Senate Avenue  
**MC 61-50, IGCN 1003**  
Indianapolis, Indiana 46204-2251

Indiana Department of Environmental Management  
Asbestos Section, Office of Air Quality  
100 North Senate Avenue  
**MC 61-52, IGCN 1003**  
Indianapolis, Indiana 46204-2251

Indiana Department of Environmental Management  
Compliance Branch, Office of Air Quality  
100 North Senate Avenue  
**MC 61-53, IGCN 1003**  
Indianapolis, Indiana 46204-2251

Indiana Department of Environmental Management  
Air Compliance Section, Office of Air Quality  
100 North Senate Avenue  
**MC 61-53, IGCN 1003**  
Indianapolis, Indiana 46204-2251

Indiana Department of Environmental Management  
Compliance Branch, Office of Air Quality  
100 North Senate Avenue  
**MC 61-53, IGCN 1003**  
Indianapolis, Indiana 46204-2251

Indiana Department of Environmental Management  
Compliance Data Section, Office of Air Quality  
100 North Senate Avenue  
**MC 61-53, IGCN 1003**  
Indianapolis, Indiana 46204-2251

Indiana Department of Environmental Management  
Permits Branch, Office of Air Quality  
100 North Senate Avenue  
**MC 61-53, IGCN 1003**  
Indianapolis, Indiana 46204-2251

#### Recommendation and Conclusion

- (1) Based on the facts, conditions and evaluations made, OAQ recommends to the IDEM Commissioner that the SPM 089-23668-00449 be approved.
- (2) A copy of the preliminary findings is also available on the Internet at: [www.in.gov/idem/permits/air/pending.html](http://www.in.gov/idem/permits/air/pending.html).
- (3) For additional information about air permits and how the public and interested parties can participate, refer to the IDEM's Guide for Citizen Participation and Permit Guide on the Internet at: [www.in.gov/idem/permits/guide/](http://www.in.gov/idem/permits/guide/).

#### IDEM Contact

Any comments and/or questions regarding the proposed SPM T099-22407-00100 and this Technical Support Document (TSD) may be directed to:

Syed Jaffery  
Senior Environmental Manager  
Indiana Department of Environmental Management  
Office of Air Quality, Permits Branch  
100 North Senate Ave, MC 61-53 IGCN 1003  
Indianapolis, IN 46204-2251

Phone: (317) 233-9327  
Toll Free: (800) 451-6027 extension 39327  
Fax: 232-6749

E-mail: [sjaffery@idem.IN.gov](mailto:sjaffery@idem.IN.gov)