



Mitchell E. Daniels, Jr.
Governor

Thomas W. Easterly
Commissioner

100 North Senate Avenue
Indianapolis, Indiana 46204
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TO: Interested Parties / Applicant
DATE: March 6, 2007
RE: Nestle USA, Inc. / 095-23798-00129
FROM: Nisha Sizemore
Chief, Permits Branch
Office of Air Quality

Notice of Decision: Approval - Effective Immediately

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

If you wish to challenge this decision, IC 4-21.5-3 and IC 13-15-6-1 require that you file a petition for administrative review. This petition may include a request for stay of effectiveness and must be submitted to the Office of Environmental Adjudication, 100 North Senate Avenue, Government Center North, Room 1049, Indianapolis, IN 46204, **within eighteen (18) calendar days of the mailing of this notice**. The filing of a petition for administrative review is complete on the earliest of the following dates that apply to the filing:

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

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

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

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

Enclosures
FNPER.dot 03/23/06



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New Source Construction and Federally Enforceable State Operating Permit OFFICE OF AIR QUALITY AND ANDERSON OFFICE OF AIR MANAGEMENT

**Nestle USA, Inc.
4300 West 73rd Street
Anderson, Indiana 46013**

(herein known as the Permittee) is hereby authorized to construct and 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. 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.

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

Operation Permit No.: F095-23798-00129	
Issued by: <i>Original document signed by</i> Nisha Sizemore, Chief Permits Branch Office of Air Quality	Issuance Date: March 6, 2007 Expiration Date: March 6, 2012

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SECTION A

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

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

The Permittee owns and operates a stationary food processing and bottling plant.

Authorized Individual:	Factory Manager
Source Address:	4300 West 73rd Street, Anderson, Indiana 46013
Mailing Address:	800 North Brand Blvd., Glendale, CA 91203
General Source Phone Number:	(818) 549-5746
SIC Code:	2026, 2023, 3085
County Location:	Madison
Source Location Status:	Nonattainment for 8-hour ozone standard Attainment for all other criteria pollutants
Source Status:	Federally Enforceable State Operating Permit Program Minor Source, under PSD and Emission Offset Rules Minor Source, Section 112 of the Clean Air Act Not 1 of 28 Source Categories

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

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

Nesquik Liquid and Coffeemate Liquid Production:

- (a) Two (2) pneumatic conveyance systems for transporting sugar from railcars to storage silos, identified as EU-1a and EU-1b, approved for construction in 2007, with a combined maximum throughput capacity of 66,000 pounds per hour, with emissions from each conveyance system controlled by an integral cyclone/filter (107a and 107b) and an integral vent filter (122a and 122b), respectively, with emissions exhausting inside the building.
- (b) Four (4) storage silos for storing sugar, identified as EU-2a through EU-2d, approved for construction in 2007, with a maximum combined storage capacity of 800 tons and a combined maximum throughput capacity of 66,000 pounds per hour, with emissions controlled by integral bag filters (211a and 211b) and integral vent filters (409a and 409b). 211a and 211b exhaust to stacks V211a and V211b, and 409a and 409b exhaust inside the building.
- (c) One (1) pneumatic conveyance system for transporting sugar from storage silos to the sugar dissolving operation, identified as EU-3, approved for construction in 2007, with a maximum throughput capacity of 66,000 pounds per hour, with emissions controlled by an integral bag filter (511), and exhausting inside the building.
- (d) One (1) cocoa dumping station, identified as EU-4, approved for construction in 2007, with a maximum throughput capacity of 6,000 pounds per hour, with emissions controlled by an integral bag filter (708), and exhausting inside the building.
- (e) One (1) pneumatic conveyance system for transporting cocoa from the cocoa dumping station to the cocoa dissolving operation, identified as EU-5, approved for construction in 2007, with a maximum throughput capacity of 8,820 pounds per hour, with emissions

controlled by an integral bag filter (723), and exhausting inside the building.

- (f) Six (6) minor ingredients dumping stations, identified as EU-6a through EU-6f, approved for construction in 2007, with a combined maximum throughput capacity of 19,800 pounds per hour, with emissions on each conveyance system controlled by an integral bag filter (1202a through 1202f, respectively), and exhausting inside the building.
- (g) Six (6) major ingredients receiving for transporting major ingredients from the dumping stations to a homogenization operation, identified as EU-8a through EU-8f, approved for construction in 2007, with a combined maximum throughput capacity of 60,000 pounds per hour, with emissions from each conveyance system controlled by an integral bag filter (1304a through 1304f, respectively), and exhausting to stacks V1304a through V1304f, respectively.
- (h) One (1) completely enclosed hydraulic transfer system for transporting vegetable oil from tankcars to vegetable oil storage tanks and then to the CML mixing, identified as VegOilTransfer, approved for construction in 2007, with a maximum throughput capacity of 6,500 pounds per hour, with uncontrolled emissions exhausting inside the building.

Container Production and Filling:

- (i) One (1) pneumatic conveyance system for transporting polyethylene terephthalate resin pellets (PET) from railcars to two (2) storage silos, identified as EU-9, approved for construction in 2007, with a maximum throughput capacity of 33,000 pounds per hour, with emissions controlled by an integral bag filter (1407) and an integral vent filter (1507), with emissions exhausting inside the building.
- (j) Two (2) storage silos for storing polyethylene terephthalate resin pellets (PET), identified as EU-10a and EU-10b, approved for construction in 2007, each with a maximum storage capacity of 200 tons, with a combined maximum throughput capacity of 33,000 pounds per hour, each with emissions controlled by an integral cyclone/filter (1515), and exhausting inside the building.
- (k) Four (4) PET drying hopper operations, identified as EU-11a through EU-11d, approved for construction in 2007, with a combined maximum throughput capacity of 10,666 pounds per hour, using electric heaters, with emissions from each hopper controlled by integral cyclone and bag filters (11a through 11d, respectively), and exhausting inside the building.
- (l) One (1) container preforming operation, identified as EU-12, approved for construction in 2007, with a maximum throughput capacity of 10,666 pounds of resin per hour, using electric heaters, with uncontrolled emissions exhausting inside the building.
- (m) One (1) container blowmolding operation, identified as EU-13, approved for construction in 2007, with a maximum throughput capacity of 10,666 pounds of resin per hour, using electric heaters, using compressed air as blowing agent, with uncontrolled emissions exhausting inside the building.
- (n) Six (6) container sterilization and filling facilities, identified as EU-14a through EU-14f, approved for construction in 2007, with a combined maximum throughput capacity of 10,666 pounds of plastic containers per hour, using a VOC/oxidizer rinse to sanitize containers prior to filling, with emissions from each sterilization and filling facility controlled by a wet scrubber (F1a through F1f, respectively), and exhausting to stacks VF1a through VF1f, respectively.
- (o) One (1) PET scrap grinding and transfer operation, identified as EU-15a and EU-15b, approved for construction in 2007, with a maximum grinding capacity of 2,000 pounds of plastic scrap per hour, with emissions controlled by integral cyclone/bag filters (2000a and

2000c and 2000d) and deduster (2000b), and exhausting inside the building.

Boilers:

- (p) Two (2) natural gas-fired boilers, identified as Boiler1 and Boiler2, approved for construction in 2007, each with a maximum heat input capacity of 99 MMBtu per hour, each equipped with ultra low-NOx burners (9 ppm NOx) and using flue gas recirculation for NOx control, with emissions exhausting to stacks VBoiler1 and VBoiler2, respectively. Under 40 CFR 60, Subpart Dc, Boiler1 and Boiler2 are considered to be Small Industrial-Commercial-Institutional Steam Generating Units.
- (q) One (1) natural gas-fired boiler, identified as Boiler3, approved for construction in 2007, with a maximum heat input capacity of 11.8 MMBtu per hour, equipped with low-NOx burners for NOx control, with emissions exhausting to stack VBoiler3. Under 40 CFR 60, Subpart Dc, Boiler3 is considered to be a Small Industrial-Commercial-Institutional Steam Generating Unit.

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

This stationary source also includes the following insignificant activities:

- (a) Natural gas-fired combustion sources with heat input equal to or less than ten (10) million BTU per hour, consisting of seventy-nine (79) space heaters and HVAC units with a combined heat input capacity of 60.5 MMBtu per hour.
- (b) VOC and HAP storage containers storing lubricating oils, hydraulic oils, machining oils, or machining fluids.
- (c) Closed loop heating and cooling systems.
- (d) Activities associated with the treatment of wastewater streams with an oil and grease content less than or equal to one percent (1%) by volume.
- (e) Noncontact cooling tower systems, consisting of natural draft cooling towers not regulated under a NESHAP.
- (f) Replacement or repair of electrostatic precipitators, bags in baghouses, and filters in other air filtration equipment.
- (g) Heat exchanger cleaning and repair.
- (h) Process vessel degassing and cleaning to prepare for internal repairs.
- (i) Paved roads and parking lots with public access.
- (j) Blowdown for the following: sight glass, boiler, cooling tower, compressors and/or pumps.
- (k) Emergency diesel generators not exceeding one thousand six hundred (1,600) horsepower, consisting of three (3) diesel-fueled generators, identified as Gen1, Gen2, and Gen3, approved for construction in 2007, each rated at 750 brake horsepower, each with a displacement of 14.9 liters, with emissions uncontrolled and exhausting to stacks VGen1, VGen2, and VGen3. Under 40 CFR 60, Subpart IIII, Gen1, Gen2, and Gen3 are considered to be stationary compression ignition internal combustion engines (CI ICE).
- (l) An emergency fire pump engine, consisting of one (1) diesel-fueled pump engine, identified as Pump1, approved for construction in 2007, rated at 183 horsepower, with a displacement of 6.8 liters, with emissions uncontrolled and exhausting to stack VPump1. Under 40 CFR 60, Subpart IIII, Pump1 is considered to be a stationary compression

ignition internal combustion engine (CI ICE).

(m) Emissions from three (3) laboratories, as defined in 326 IAC 2-7-1(21)(D).

(n) Emissions from research and development activities as defined in 326 IAC 2-7-1(21)(E).

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

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

SECTION B GENERAL CONDITIONS

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

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

B.2 Revocation of Permits [326 IAC 2-1.1-9(5)]

Pursuant to 326 IAC 2-1.1-9(5)(Revocation of Permits), the Commissioner may revoke this permit if construction is not commenced within eighteen (18) months after receipt of this approval or if construction is suspended for a continuous period of one (1) year or more.

B.3 Affidavit of Construction [326 IAC 2-5.1-3(h)] [326 IAC 2-5.1-4][326 IAC 2-8]

This document shall also become the approval to operate pursuant to 326 IAC 2-5.1-4 and [326 IAC 2-8] when prior to the start of operation, the following requirements are met:

- (a) The attached Affidavit of Construction shall be submitted to the Office of Air Quality (OAQ), verifying that the emission units were constructed as proposed in the application or the permit. The emission units covered in this permit may begin operating on the date the Affidavit of Construction is postmarked or hand delivered to IDEM if constructed as proposed.
- (b) If actual construction of the emission units differs from the construction proposed in the application, the source may not begin operation until the permit has been revised pursuant to 326 IAC 2 and an Operation Permit Validation Letter is issued.
- (c) The Permittee shall attach the Operation Permit Validation Letter received from the Office of Air Quality (OAQ) to this permit.

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

- (a) This permit, F095-23798-00129, is issued for a fixed term of five (5) years from the issuance date of this permit, as determined in accordance with IC 4-21.5-3-5(f) and IC 13-15-5-3. Subsequent revisions, modifications, or amendments of this permit do not affect the expiration date of this permit.
- (b) If IDEM, OAQ and AOAM, upon receiving a timely and complete renewal permit application, fails to issue or deny the permit renewal prior to the expiration date of this permit, this existing permit shall not expire and all terms and conditions shall continue in effect, until the renewal permit has been issued or denied.

B.5 Term of Conditions [326 IAC 2-1.1-9.5]

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

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

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

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

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

B.7 Severability [326 IAC 2-8-4(4)]

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

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

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

B.9 Duty to Provide Information [326 IAC 2-8-4(5)(E)]

- (a) The Permittee shall furnish to IDEM, OAQ and AOAM, within a reasonable time, any information that IDEM, OAQ and AOAM may request in writing to determine whether cause exists for modifying, revoking and reissuing, or terminating this permit, or to determine compliance with this permit. The submittal by the Permittee does require the certification by an "authorized individual" as defined by 326 IAC 2-1.1-1(1). Upon request, the Permittee shall also furnish to IDEM, OAQ and AOAM 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.10 Certification [326 IAC 2-8-3(d)][326 IAC 2-8-4(3)(C)(i)][326 IAC 2-8-5(1)]

- (a) Where specifically designated by this permit or required by an applicable requirement, any application form, report, or compliance certification submitted shall contain certification by an "authorized individual" of truth, accuracy, and completeness. This certification shall state that, based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate, and complete.
- (b) One (1) certification shall be included, using the attached Certification Form, with each submittal requiring certification. One (1) certification may cover multiple forms in one (1) submittal.
- (c) An "authorized individual" is defined at 326 IAC 2-1.1-1(1).

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

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

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

and

Anderson Office of Air Management
P.O. Box 2100
120 East 8th Street
Anderson, Indiana 46011

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

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

B.12 Compliance Order Issuance [326 IAC 2-8-5(b)]

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

B.13 Preventive Maintenance Plan [326 IAC 1-6-3][326 IAC 2-8-4(9)][326 IAC 2-8-5(a)(1)]

- (a) If required by specific condition(s) in Section D of this permit, the Permittee shall prepare and maintain Preventive Maintenance Plans (PMPs) within ninety (90) days after issuance of this permit, including the following information on each facility:
- (1) Identification of the individual(s) responsible for inspecting, maintaining, and repairing emission control devices;
 - (2) A description of the items or conditions that will be inspected and the inspection schedule for said items or conditions; and
 - (3) Identification and quantification of the replacement parts that will be maintained in inventory for quick replacement.

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

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

and

Anderson Office of Air Management
P.O. Box 2100
120 East 8th Street
Anderson, Indiana 46011

The PMP extension notification does not require the certification by an "authorized individual" as defined by 326 IAC 2-1.1-1(1).

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

B.14 Emergency Provisions [326 IAC 2-8-12]

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

Anderson Office of Air Management phone: (765) 648-6158; fax: (765) 648-5924

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

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

and

Anderson Office of Air Management
P.O. Box 2100
120 East 8th Street
Anderson, Indiana 46011

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

The notice fulfills the requirement of 326 IAC 2-8-4(3)(C)(ii) and must contain the following:

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

The notification which shall be submitted by the Permittee does not require the certification by an "authorized individual" as defined by 326 IAC 2-1.1-1(1).

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

- (A) The Permittee immediately takes all reasonable steps to correct the emergency situation and to minimize emissions; and
- (B) Continued operation of the facilities is necessary to prevent imminent injury to persons, severe damage to equipment, substantial loss of capital investment, or loss of product or raw material of substantial economic value.

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

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

B.15 Prior Permits Superseded [326 IAC 2-1.1-9.5]

- (a) All terms and conditions of permits established prior to F095-23798-00129 and issued pursuant to permitting programs approved into the state implementation plan have been either:
 - (1) incorporated as originally stated,
 - (2) revised, or
 - (3) deleted.
- (b) All previous registrations and permits are superseded by this permit.

B.16 Termination of Right to Operate [326 IAC 2-8-9][326 IAC 2-8-3(h)]

The Permittee's right to operate this source terminates with the expiration of this permit unless a timely and complete renewal application is submitted at least nine (9) months prior to the date of expiration of the source's existing permit, consistent with 326 IAC 2-8-3(h) and 326 IAC 2-8-9.

B.17 Deviations from Permit Requirements and Conditions [326 IAC 2-8-4(3)(C)(ii)]

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

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

and

Anderson Office of Air Management
P.O. Box 2100
120 East 8th Street
Anderson, Indiana 46011

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

The Quarterly Deviation and Compliance Monitoring Report does require the certification by an "authorized individual" as defined by 326 IAC 2-1.1-1(1).

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

B.18 Permit Modification, Reopening, Revocation and Reissuance, or Termination
[326 IAC 2-8-4(5)(C)][326 IAC 2-8-7(a)][326 IAC 2-8-8]

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

B.19 Permit Renewal [326 IAC 2-8-3(h)]

- (a) The application for renewal shall be submitted using the application form or forms prescribed by IDEM, OAQ and AOAM and shall include the information specified in 326 IAC 2-8-3. Such information shall be included in the application for each emission unit at this source, except those emission units included on the trivial or insignificant activities list contained in 326 IAC 2-7-1(21) and 326 IAC 2-7-1(40). The renewal application does require the certification by an "authorized individual" as defined by 326 IAC 2-1.1-1(1).

Request for renewal shall be submitted to:

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

and

Anderson Office of Air Management
P.O. Box 2100
120 East 8th Street
Anderson, Indiana 46011

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

B.20 Permit Amendment or Revision [326 IAC 2-8-10][326 IAC 2-8-11.1]

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

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

and

Anderson Office of Air Management
P.O. Box 2100
120 East 8th Street
Anderson, Indiana 46011

Any such application shall be certified by an "authorized individual" as defined by 326 IAC 2-1.1-1(1).
- (c) The Permittee may implement administrative amendment changes addressed in the request for an administrative amendment immediately upon submittal of the request. [326 IAC 2-8-10(b)(3)]

B.21 Operational Flexibility [326 IAC 2-8-15][326 IAC 2-8-11.1]

- (a) The Permittee may make any change or changes at the source that are described in 326 IAC 2-8-15(b) through (d) without a prior permit revision, if each of the following conditions is met:
 - (1) The changes are not modifications under any provision of Title I of the Clean Air Act;
 - (2) Any approval required by 326 IAC 2-8-11.1 has been obtained;
 - (3) The changes do not result in emissions which exceed the limitations provided in this permit (whether expressed herein as a rate of emissions or in terms of total emissions);

- (4) The Permittee notifies the:

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

and

Anderson Office of Air Management
P.O. Box 2100
120 East 8th Street
Anderson, Indiana 46011

and

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

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

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

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

- (b) Emission Trades [326 IAC 2-8-15(c)]
The Permittee may trade emissions increases and decreases at the source, where the applicable SIP provides for such emission trades without requiring a permit revision, subject to the constraints of Section (a) of this condition and those in 326 IAC 2-8-15(c).
- (c) Alternative Operating Scenarios [326 IAC 2-8-15(d)]
The Permittee may make changes at the source within the range of alternative operating scenarios that are described in the terms and conditions of this permit in accordance with 326 IAC 2-8-4(7). No prior notification of IDEM, OAQ, or U.S. EPA is required.
- (d) Backup fuel switches specifically addressed in, and limited under, Section D of this permit shall not be considered alternative operating scenarios. Therefore, the notification requirements of part (a) of this condition do not apply.

B.22 Source Modification Requirement [326 IAC 2-8-11.1]

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

B.23 Inspection and Entry [326 IAC 2-8-5(a)(2)][IC 13-14-2-2][IC 13-17-3-2][IC 13-30-3-1]

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

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

B.24 Transfer of Ownership or Operational Control [326 IAC 2-8-10]

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

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

and

Anderson Office of Air Management
P.O. Box 2100
120 East 8th Street
Anderson, Indiana 46011

The application which shall be submitted by the Permittee does require the certification by an "authorized individual" as defined by 326 IAC 2-1.1-1(1).
- (c) The Permittee may implement administrative amendment changes addressed in the request for an administrative amendment immediately upon submittal of the request. [326 IAC 2-8-10(b)(3)]

B.25 Annual Fee Payment [326 IAC 2-7-19] [326 IAC 2-8-4(6)] [326 IAC 2-8-16][326 IAC 2-1.1-7]

- (a) The Permittee shall pay annual fees to IDEM, OAQ and AOAM within thirty (30) calendar days of receipt of a billing. Pursuant to 326 IAC 2-7-19(b), if the Permittee does not receive a bill from IDEM, OAQ and AOAM the applicable fee is due April 1 of each year.
- (b) Failure to pay may result in administrative enforcement action or revocation of this permit.

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

B.26 Credible Evidence [326 IAC 2-8-4(3)][326 IAC 2-8-5][62 FR 8314] [326 IAC 1-1-6]

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

SECTION C SOURCE OPERATION CONDITIONS

Entire Source

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

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

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

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

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

(a) Pursuant to 326 IAC 2-8:

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

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

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

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

C.3 Opacity [326 IAC 5-1]

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

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

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

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

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

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

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

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

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

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

All required notifications shall be submitted to:

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

and

Anderson Office of Air Management
P.O. Box 2100
120 East 8th Street
Anderson, Indiana 46011

The notice shall include a signed certification from the owner or operator that the information provided in this notification is correct and that only Indiana licensed workers and project supervisors will be used to implement the asbestos removal project. The notifications do not require a certification by an "authorized individual" as defined by 326 IAC 2-1.1-1(1).

- (e) **Procedures for Asbestos Emission Control**
The Permittee shall comply with the applicable emission control procedures in 326 IAC 14-10-4 and 40 CFR 61.145(c). Per 326 IAC 14-10-1, emission control requirements are applicable for any removal or disturbance of RACM greater than three (3) linear feet on pipes or three (3) square feet on any other facility components or a total of at least 0.75 cubic feet on all facility components.
- (f) **Demolition and Renovation**
The Permittee shall thoroughly inspect the affected facility or part of the facility where the demolition or renovation will occur for the presence of asbestos pursuant to 40 CFR 61.145(a).
- (g) **Indiana Accredited Asbestos Inspector**
The Permittee shall comply with 326 IAC 14-10-1(a) that requires the owner or operator, prior to a renovation/demolition, to use an Indiana Accredited Asbestos Inspector to thoroughly inspect the affected portion of the facility for the presence of asbestos.

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

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

- (a) Compliance testing on new emissions units shall be conducted within 60 days after achieving maximum production rate, but no later than 180 days after initial start-up, if specified in Section D of this approval. All testing shall be performed according to the provisions of 326 IAC 3-6 (Source Sampling Procedures), except as provided elsewhere in this permit, utilizing any applicable procedures and analysis methods specified in 40 CFR 51, 40 CFR 60, 40 CFR 61, 40 CFR 63, 40 CFR 75, or other procedures approved by IDEM, OAQ.

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

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

and

Anderson Office of Air Management
P.O. Box 2100
120 East 8th Street
Anderson, Indiana 46011

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

- (b) The Permittee shall notify IDEM, OAQ of the actual test date at least fourteen (14) days prior to the actual test date. The notification submitted by the Permittee does not require certification by an "authorized individual" as defined by 326 IAC 2-1.1-1(1).
- (c) Pursuant to 326 IAC 3-6-4(b), all test reports must be received by IDEM, OAQ and AOAM not later than forty-five (45) days after the completion of the testing. An extension may be granted by IDEM, OAQ and AOAM if the Permittee submits to IDEM, OAQ, a reasonable written explanation not later than five (5) days prior to the end of the initial forty-five (45) day period.

Compliance Requirements [326 IAC 2-1.1-11]

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

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

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

C.10 Compliance Monitoring [326 IAC 2-8-4(3)][326 IAC 2-8-5(a)(1)]

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

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

and

Anderson Office of Air Management
P.O. Box 2100
120 East 8th Street
Anderson, Indiana 46011

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

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

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

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

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

C.12 Instrument Specifications [326 IAC 2-1.1-11] [326 IAC 2-8-4(3)][326 IAC 2-8-5(1)]

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

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

C.13 Risk Management Plan [326 IAC 2-8-4] [40 CFR 68]

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

C.14 Response to Excursions or Exceedances [326 IAC 2-8-4] [326 IAC 2-8-5]

- (a) Upon detecting an excursion or exceedance, the Permittee shall restore operation of the emissions unit (including any control device and associated capture system) to its normal or usual manner of operation as expeditiously as practicable in accordance with good air pollution control practices for minimizing emissions.
- (b) The response shall include minimizing the period of any startup, shutdown or malfunction and taking any necessary corrective actions to restore normal operation and prevent the likely recurrence of the cause of an excursion or exceedance (other than those caused by excused startup or shutdown conditions). Corrective actions may include, but are not limited to, the following:
 - (1) initial inspection and evaluation;
 - (2) recording that operations returned to normal without operator action (such as through response by a computerized distribution control system); or
 - (3) any necessary follow-up actions to return operation to within the indicator range, designated condition, or below the applicable emission limitation or standard, as applicable.
- (c) A determination of whether the Permittee has used acceptable procedures in response to an excursion or exceedance will be based on information available, which may include, but is not limited to, the following:
 - (1) monitoring results;
 - (2) review of operation and maintenance procedures and records; and/or
 - (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.15 Actions Related to Noncompliance Demonstrated by a Stack Test [326 IAC 2-8-4][326 IAC 2-8-5]

- (a) When the results of a stack test performed in conformance with Section C - Performance Testing, of this permit exceed the level specified in any condition of this permit, the Permittee shall take appropriate response actions. The Permittee shall submit a description of these response actions to IDEM, OAQ, within thirty (30) days of receipt of the test results. The Permittee shall take appropriate action to minimize excess emissions from the affected facility while the response actions are being implemented.
- (b) A retest to demonstrate compliance shall be performed within one hundred twenty (120) days of receipt of the original test results. Should the Permittee demonstrate to IDEM, OAQ that retesting in one-hundred and twenty (120) days is not practicable, IDEM, OAQ may extend the retesting deadline.
- (c) IDEM, OAQ reserves the authority to take any actions allowed under law in response to noncompliant stack tests.

The response action documents submitted pursuant to this condition do require the certification by an "authorized individual" as defined by 326 IAC 2-1.1-1(1).

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

C.16 General Record Keeping Requirements [326 IAC 2-8-4(3)] [326 IAC 2-8-5]

- (a) Records of all required monitoring data, reports and support information required by this permit shall be retained for a period of at least five (5) years from the date of monitoring sample, measurement, report, or application. These records shall be physically present or electronically accessible at the source location for a minimum of three (3) years. The records may be stored elsewhere for the remaining two (2) years as long as they are available upon request. If the Commissioner or AOAM makes a request for records to the Permittee, the Permittee shall furnish the records to the Commissioner or AOAM 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.17 General Reporting Requirements [326 IAC 2-8-4(3)(C)] [326 IAC 2-1.1-11]

- (a) The Permittee shall submit the attached Quarterly Deviation and Compliance Monitoring Report or its equivalent. Any deviation from permit requirements, the date(s) of each deviation, the cause of the deviation, and the response steps taken must be reported. This report shall be submitted within thirty (30) days of the end of the reporting period. The Quarterly Deviation and Compliance Monitoring Report shall include the certification by an "authorized individual" as defined by 326 IAC 2-1.1-1(1).
- (b) The report required in (a) of this condition and reports required by conditions in Section D of this permit shall be submitted to:

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

and

Anderson Office of Air Management
P.O. Box 2100
120 East 8th Street
Anderson, Indiana 46011

- (c) Unless otherwise specified in this permit, any notice, report, or other submission required by this permit shall be considered timely if the date postmarked on the envelope or certified mail receipt, or affixed by the shipper on the private shipping receipt, is on or before the date it is due. If the document is submitted by any other means, it shall be considered timely if received by IDEM, OAQ and AOAM on or before the date it is due.
- (d) Unless otherwise specified in this permit, all reports required in Section D of this permit shall be submitted within thirty (30) days of the end of the reporting period. All reports do require the certification by an "authorized individual" as defined by 326 IAC 2-1.1-1(1).
- (e) 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) The Permittee shall make the information required to be documented and maintained in accordance with (c) in Section C- General Record Keeping Requirements available for review upon a request for inspection by IDEM, OAQ and AOAM. The general public may request this information from the IDEM, OAQ and AOAM under 326 IAC 17.1.

Stratospheric Ozone Protection

C.18 Compliance with 40 CFR 82 and 326 IAC 22-1

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

- (a) Persons opening appliances for maintenance, service, repair, or disposal must comply with the required practices pursuant to 40 CFR 82.156.
- (b) Equipment used during the maintenance, service, repair, or disposal of appliances must comply with the standards for recycling and recovery equipment pursuant to 40 CFR 82.158.
- (c) Persons performing maintenance, service, repair, or disposal of appliances must be certified by an approved technician certification program pursuant to 40 CFR 82.161.

SECTION D.1 EMISSIONS UNIT OPERATION CONDITIONS

Emissions Unit Description: Nesquik Liquid and Coffeemate Liquid Production

- (a) Two (2) pneumatic conveyance systems for transporting sugar from railcars to storage silos, identified as EU-1a and EU-1b, approved for construction in 2007, with a combined maximum throughput capacity of 66,000 pounds per hour, with emissions from each conveyance system controlled by an integral cyclone/filter (107a and 107b) and an integral vent filter (122a and 122b), respectively, with emissions exhausting inside the building.
- (b) Four (4) storage silos for storing sugar, identified as EU-2a through EU-2d, approved for construction in 2007, with a maximum combined storage capacity of 800 tons and a combined maximum throughput capacity of 66,000 pounds per hour, with emissions controlled by integral bag filters (211a and 211b) and integral vent filters (409a and 409b). 211a and 211b exhaust to stacks V211a and V211b, and 409a and 409b exhaust inside the building.
- (c) One (1) pneumatic conveyance system for transporting sugar from storage silos to the sugar dissolving operation, identified as EU-3, approved for construction in 2007, with a maximum throughput capacity of 66,000 pounds per hour, with emissions controlled by an integral bag filter (511), and exhausting inside the building.
- (d) One (1) cocoa dumping station, identified as EU-4, approved for construction in 2007, with a maximum throughput capacity of 6,000 pounds per hour, with emissions controlled by an integral bag filter (708), and exhausting inside the building.
- (e) One (1) pneumatic conveyance system for transporting cocoa from the cocoa dumping station to the cocoa dissolving operation, identified as EU-5, approved for construction in 2007, with a maximum throughput capacity of 8,820 pounds per hour, with emissions controlled by an integral bag filter (723), and exhausting inside the building.
- (f) Six (6) minor ingredients dumping stations, identified as EU-6a through EU-6f, approved for construction in 2007, with a combined maximum throughput capacity of 19,800 pounds per hour, with emissions on each conveyance system controlled by an integral bag filter (1202a through 1202f, respectively), and exhausting inside the building.
- (g) Six (6) major ingredients receiving for transporting major ingredients from the dumping stations to a homogenization operation, identified as EU-8a through EU-8f, approved for construction in 2007, with a combined maximum throughput capacity of 60,000 pounds per hour, with emissions from each conveyance system controlled by an integral bag filter (1304a through 1304f, respectively), and exhausting to stacks V1304a through V1304f, respectively.
- (h) One (1) completely enclosed hydraulic transfer system for transporting vegetable oil from tankcars to vegetable oil storage tanks and then to the CML mixing, identified as VegOilTransfer, approved for construction in 2007, with a maximum throughput capacity of 6,500 pounds per hour, with uncontrolled emissions exhausting inside the building.

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

THIS SECTION OF THE PERMIT IS BEING ISSUED UNDER THE PROVISIONS OF 326 IAC 2 AND 326 IAC 2-8-11.1, WITH CONDITIONS LISTED BELOW.

Construction Conditions

General Construction Conditions

D.1.1 Permit No Defense

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

Effective Date of the Permit

D.1.2 Effective Date of the Permit [IC 13-15-5-3]

Pursuant to IC 13-15-5-3, this section of this permit becomes effective upon its issuance.

D.1.3 Modification to Construction Conditions [326 IAC 2]

All requirements of these construction conditions shall remain in effect unless modified in a manner consistent with procedures established for revisions pursuant to 326 IAC 2.

Operation Conditions

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

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

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

Compliance Determination Requirements

D.1.5 Particulate Control

The Permittee shall operate the integral cyclones, vent filters and baghouses on these facilities (EU-1a, EU-1b, EU-2a, EU-2b, EU-2c, EU-2d, EU-3, EU-4, EU-5, EU-6a through EU-6f, and EU-8a through EU-8f) and control emissions from these facilities at all times that these facilities are in operation.

SECTION D.2 EMISSIONS UNIT OPERATION CONDITIONS

Emissions Unit Description: Container Production and Filling

- (i) One (1) pneumatic conveyance system for transporting polyethylene terephthalate resin pellets (PET) from railcars to two (2) storage silos, identified as EU-9, approved for construction in 2007, with a maximum throughput capacity of 33,000 pounds per hour, with emissions controlled by an integral bag filter (1407) and an integral vent filter (1507), with emissions exhausting inside the building.
- (j) Two (2) storage silos for storing polyethylene terephthalate resin pellets (PET), identified as EU-10a and EU-10b, approved for construction in 2007, each with a maximum storage capacity of 200 tons, with a combined maximum throughput capacity of 33,000 pounds per hour, each with emissions controlled by an integral cyclone/filter (1515), and exhausting inside the building.
- (k) Four (4) PET drying hopper operations, identified as EU-11a through EU-11d, approved for construction in 2007, with a combined maximum throughput capacity of 10,666 pounds per hour, using electric heaters, with emissions from each hopper controlled by integral cyclone and bag filters (11a through 11d, respectively), and exhausting inside the building.
- (l) One (1) container preforming operation, identified as EU-12, approved for construction in 2007, with a maximum throughput capacity of 10,666 pounds of resin per hour, using electric heaters, with uncontrolled emissions exhausting inside the building.
- (m) One (1) container blowmolding operation, identified as EU-13, approved for construction in 2007, with a maximum throughput capacity of 10,666 pounds of resin per hour, using electric heaters, using compressed air as blowing agent, with uncontrolled emissions exhausting inside the building.
- (n) Six (6) container sterilization and filling facilities, identified as EU-14a through EU-14f, approved for construction in 2007, with a combined maximum throughput capacity of 10,666 pounds of plastic containers per hour, using a VOC/oxidizer rinse to sanitize containers prior to filling, with emissions from each sterilization and filling facility controlled by a wet scrubber (F1a through F1f, respectively), and exhausting to stacks VF1a through VF1f, respectively.
- (o) One (1) PET scrap grinding and transfer operation, identified as EU-15a and EU-15b, approved for construction in 2007, with a maximum grinding capacity of 2,000 pounds of plastic scrap per hour, with emissions controlled by integral cyclone/bag filters (2000a and 2000c and 2000d) and deduster (2000b), and exhausting inside the building.

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

THIS SECTION OF THE PERMIT IS BEING ISSUED UNDER THE PROVISIONS OF 326 IAC 2 AND 326 IAC 2-8-11.1, WITH CONDITIONS LISTED BELOW.

Construction Conditions

General Construction Conditions

D.2.1 Permit No Defense

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

Effective Date of the Permit

D.2.2 Effective Date of the Permit [IC13-15-5-3]

Pursuant to IC 13-15-5-3, this section of this permit becomes effective upon its issuance.

D.2.3 Modification to Construction Conditions [326 IAC 2]

All requirements of these construction conditions shall remain in effect unless modified in a manner consistent with procedures established for revisions pursuant to 326 IAC 2.

Operation Conditions

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

D.2.4 VOC Limit [326 IAC 2-8] [326 IAC 2-2] [326 IAC 2-3]

- (a) Pursuant to 326 IAC 2-8-4, the Permittee shall limit the VOC usage at each of the container sterilization and filling facilities (EU-14a, EU-14b, EU-14c, EU-14d, EU-14e, and EU-14f) to less than 229,315 pounds per twelve month consecutive period, with compliance determined at the end of each month.
- (b) Pursuant to 326 IAC 2-8-4, the Permittee shall operate the scrubbers on each of the container sterilization and filling facilities (EU-14a, EU-14b, EU-14c, EU-14d, EU-14e, and EU-14f) and the overall VOC control (collection and removal) efficiency for each of the scrubbers shall be equal to or greater than 90%.
- (c) Pursuant to 326 IAC 2-8-4, the VOC emissions from each of the wet scrubbers (F1a through F1f) controlling VOC emissions from the container sterilization and filling facilities (EU-14a through EU-14f) shall not exceed 2.62 pounds per hour.

Combined with the VOC emissions from other units, the VOC emissions from the entire source are limited to less than 100 tons per year. Therefore, the requirements of 326 IAC 2-7 (Part 70 Program), 326 IAC 2-2 (PSD), and 326 IAC 2-3 (Emission Offset) are not applicable to this source.

D.2.5 Best Available Control Technology (BACT) [326 IAC 8-1-6]

Pursuant to 326 IAC 8-1-6 (General Reduction Requirements for VOC Emissions), the container sterilization and filling facilities (EU-14a, EU-14b, EU-14c, EU-14d, EU-14e, and EU-14f) are required to control VOC emissions using the Best Available Control Technology (BACT), which has been determined to be the following:

- (a) The VOC emissions from the container sterilization and filling facilities (EU-14a through EU-14f) shall be controlled by wet scrubbers (F1a through F1f, respectively).
- (b) The overall VOC control efficiency for each of the wet scrubbers (F1a through F1f) (including the capture efficiency and control efficiency) shall be at least 90%.
- (c) The VOC emissions from each of the wet scrubbers (F1a through F1f) controlling VOC emissions from the container sterilization and filling facilities (EU-14a through EU-14f) shall not exceed 2.62 pounds per hour.

D.2.6 Preventive Maintenance Plan [326 IAC 2-8-4(9)]

A Preventive Maintenance Plan, in accordance with Section B - Preventive Maintenance Plan, of this permit, is required for EU-14a through EU-14f and their control devices (F1a through F1f).

Compliance Determination Requirements

D.2.7 VOC Control

In order to comply with Conditions D.2.4 and D.2.5, the wet scrubbers F1a through F1f shall be in operation and control emissions from the container sterilization and filling facilities EU-14a through EU-14f at all times that these processes are in operation.

D.2.8 Testing Requirements [326 IAC 2-8-5(a)(1), (4)] [326 IAC 2-1.1-11]

In order to verify compliance with Conditions D.2.4 and D.2.5, the Permittee shall perform VOC emission testing for one (1) of the wet scrubbers F1a through F1f within 60 days after achieving the maximum capacity, but not later than 180 days after initial startup, utilizing methods as approved by the Commissioner. These tests shall be repeated at least once every five (5) years from the date of this valid compliance demonstration. Subsequent tests shall be performed on a unit that has not been previously tested. Testing shall be conducted in accordance with Section C - Performance Testing.

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

D.2.9 Parametric Monitoring

The Permittee shall monitor and record the pressure drop and flow rate of the wet scrubbers (F1a through F1f) controlling the container sterilization and filling facilities (EU-14a through EU-14f) at least once per day when the associated process is in operation. When for any one reading, the pressure drop across the scrubber is outside the normal range of 1.5 and 6.5 inches of water, or a range established during the latest stack test, the Permittee shall take reasonable response steps in accordance with Section C - Response to Excursions or Exceedances. When for any one reading, the flow rate of any of the scrubbers is less than the minimum of 7.0 gallons per minute, or a minimum established during the latest stack test, the Permittee shall take reasonable response steps in accordance with Section C - Response to Excursions or Exceedances. A pressure reading that is outside the above mentioned range or a flow rate that is below the above mentioned minimum is not a deviation from this permit. Failure to take response steps in accordance with Section C - Response to Excursions or Exceedances shall be considered a deviation from this permit.

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

D.2.10 Scrubber Malfunction

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

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

D.2.11 Record Keeping Requirements

- (a) To document compliance with Condition D.2.9, the Permittee shall maintain daily records of pressure drop and flow rate for the wet scrubbers (F1a through F1f) during normal operation.
- (b) To document compliance with Condition D.2.4, the Permittee shall maintain monthly records in accordance with (1) through (3) below. Records maintained for (1) through (3) shall be taken monthly and shall be complete and sufficient to establish compliance with

the VOC usage limits established in Condition D.2.4. Records necessary to demonstrate compliance shall be available within 30 days of the end of each compliance period.

- (1) The amount and VOC content of each sterilizing solution used on a monthly basis in each container sterilization and filling facility (EU-14a, EU-14b, EU-14c, EU-14d, EU-14e, and EU-14f). Records shall include purchase orders, invoices, and material safety data sheets (MSDS) necessary to verify the type and amount used.
 - (2) The weight of VOCs used during each compliance period in each container sterilization and filling facility.
 - (3) The weight of VOCs emitted during each compliance period from each container sterilization and filling facility.
- (c) All records shall be maintained in accordance with Section C - General Record Keeping Requirements, of this permit.

D.2.12 Reporting Requirements

A quarterly summary of the information to document compliance with Condition D.2.4 shall be submitted to the addresses listed in Section C - General Reporting Requirements, of this permit, using the reporting forms located at the end of this permit, or their equivalent, within thirty (30) days after the end of the quarter being reported. The report submitted by the Permittee does require the certification by an "authorized individual" as defined by 326 IAC 2-1.1-1(1).

SECTION D.3 EMISSIONS UNIT OPERATION CONDITIONS

Emissions Unit Description: Boilers

- (p) Two (2) natural gas-fired boilers, identified as Boiler1 and Boiler2, approved for construction in 2007, each with a maximum heat input capacity of 99 MMBtu per hour, each equipped with ultra low-NOx burners (9 ppm NOx) and using flue gas recirculation for NOx control, with emissions exhausting to stacks VBoiler1 and VBoiler2, respectively. Under 40 CFR 60, Subpart Dc, Boiler1 and Boiler2 are considered to be Small Industrial-Commercial-Institutional Steam Generating Units.

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

THIS SECTION OF THE PERMIT IS BEING ISSUED UNDER THE PROVISIONS OF 326 IAC 2 AND 326 IAC 2-8-11.1, WITH CONDITIONS LISTED BELOW.

Construction Conditions

General Construction Conditions

D.3.1 Permit No Defense

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

Effective Date of the Permit

D.3.2 Effective Date of the Permit [IC13-15-5-3]

Pursuant to IC 13-15-5-3, this section of this permit becomes effective upon its issuance.

D.3.3 Modification to Construction Conditions [326 IAC 2]

All requirements of these construction conditions shall remain in effect unless modified in a manner consistent with procedures established for revisions pursuant to 326 IAC 2.

Operation Conditions

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

D.3.4 Particulate [326 IAC 6-2-4]

Pursuant to 326 IAC 6-2-4 (PM Emissions for Sources of Indirect Heating), the particulate emissions from the boilers (Boiler1 and Boiler2) shall each be limited to less than 0.27 pounds per million Btu heat input.

This emission limit was calculated using the following equation:

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

Where Pt = emission rate limit (lbs/MMBtu)
Q = total source heat input capacity (MMBtu/hr)

D.3.5 CO Limit [326 IAC 2-8]

- (a) Pursuant to 326 IAC 2-8-4, the CO emissions from Boiler1 shall not exceed 8.15 pounds per hour.

- (b) Pursuant to 326 IAC 2-8-4, the CO emissions from Boiler 2 shall not exceed 8.15 pounds per hour.

Combined with the CO emissions from other units, the CO emissions from the entire source are limited to less than 100 tons per year. Therefore, the requirements of 326 IAC 2-7 (Part 70 Program) are not applicable to this source.

D.3.6 Preventive Maintenance Plan [326 IAC 2-8-4(9)]

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

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

D.3.7 Record Keeping Requirements [326 IAC 12]

- (a) Pursuant to 326 IAC 12, the Permittee shall maintain daily records of the amount of fuel used in Boiler1 and Boiler2. This requirement is not federally enforceable.
- (b) Pursuant to 40 CFR 60, Subpart Dc, the Permittee shall maintain monthly records of the amount of fuel used in Boiler1 and Boiler2.
- (c) All records shall be maintained in accordance with Section C - General Record Keeping Requirements, of this permit.

New Source Performance Standards (NSPS) Requirements [326 IAC 2-8-4(1)]

D.3.8 General Provisions Relating to New Source Performance Standards [326 IAC 12-1] [40 CFR Part 60, Subpart A]

- (a) Pursuant to 40 CFR 60.1, the Permittee shall comply with the provisions of 40 CFR Part 60 Subpart A – General Provisions, which are incorporated by reference as 326 IAC 12-1 for Boiler1 and Boiler2, except as otherwise specified in 40 CFR Part 60, Subpart Dc.
- (b) Pursuant to 40 CFR 60.19, the Permittee shall submit all required notifications and reports to:

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

and

Anderson Office of Air Management
P.O. Box 2100
120 East 8th Street
Anderson, Indiana 46011

D.3.9 Standard of Performance for Small Industrial-Commercial-Institutional Steam Generating Units Requirements [40 CFR Part 60, Subpart Dc]

Pursuant to 40 CFR Part 60, Subpart Dc, the Permittee shall comply with the provisions of Standard of Performance for Small Industrial-Commercial-Institutional Steam Generating Units, which are incorporated by reference as 326 IAC 12, for Boiler1 and Boiler2 as follows:

New Source Performance Standards for Small Industrial-Commercial-Institutional Steam Generating Units

§ 60.40c Applicability and delegation of authority.

(a) Except as provided in paragraph (d) of this section, the affected facility to which this subpart applies is each steam generating unit for which construction, modification, or reconstruction is commenced after June 9, 1989 and that has a maximum design heat input capacity of 29 megawatts (MW) (100 million Btu per hour (Btu/hr)) or less, but greater than or equal to 2.9 MW (10 million Btu/hr).

(b) In delegating implementation and enforcement authority to a State under section 111(c) of the Clean Air Act, §60.48c(a)(4) shall be retained by the Administrator and not transferred to a State.

[55 FR 37683, Sept. 12, 1990, as amended at 61 FR 20736, May 8, 1996; 71 FR 9884, Feb. 27, 2006]

§ 60.41c Definitions.

As used in this subpart, all terms not defined herein shall have the meaning given them in the Clean Air Act and in subpart A of this part.

Annual capacity factor means the ratio between the actual heat input to a steam generating unit from an individual fuel or combination of fuels during a period of 12 consecutive calendar months and the potential heat input to the steam generating unit from all fuels had the steam generating unit been operated for 8,760 hours during that 12-month period at the maximum design heat input capacity. In the case of steam generating units that are rented or leased, the actual heat input shall be determined based on the combined heat input from all operations of the affected facility during a period of 12 consecutive calendar months.

Coal means all solid fuels classified as anthracite, bituminous, subbituminous, or lignite by the American Society of Testing and Materials in ASTM D388–77, 90, 91, 95, or 98a, Standard Specification for Classification of Coals by Rank (IBR—see §60.17), coal refuse, and petroleum coke. Coal-derived synthetic fuels derived from coal for the purposes of creating useful heat, including but not limited to solvent refined coal, gasified coal, coal-oil mixtures, and coal-water mixtures, are also included in this definition for the purposes of this subpart.

Coal refuse means any by-product of coal mining or coal cleaning operations with an ash content greater than 50 percent (by weight) and a heating value less than 13,900 kilojoules per kilogram (kJ/kg) (6,000 Btu per pound (Btu/lb) on a dry basis.

Cogeneration steam generating unit means a steam generating unit that simultaneously produces both electrical (or mechanical) and thermal energy from the same primary energy source.

Combined cycle system means a system in which a separate source (such as a stationary gas turbine, internal combustion engine, or kiln) provides exhaust gas to a steam generating unit.

Combustion research means the experimental firing of any fuel or combination of fuels in a steam generating unit for the purpose of conducting research and development of more efficient combustion or more effective prevention or control of air pollutant emissions from combustion, provided that, during these periods of research and development, the heat generated is not used for any purpose other than preheating combustion air for use by that steam generating unit (i.e., the heat generated is released to the atmosphere without being used for space heating, process heating, driving pumps, preheating combustion air for other units, generating electricity, or any other purpose).

Conventional technology means wet flue gas desulfurization technology, dry flue gas desulfurization technology, atmospheric fluidized bed combustion technology, and oil hydrodesulfurization technology.

Distillate oil means fuel oil that complies with the specifications for fuel oil numbers 1 or 2, as defined by the American Society for Testing and Materials in ASTM D396–78, 89, 90, 92, 96, or 98, “Standard Specification for Fuel Oils” (incorporated by reference—see §60.17).

Dry flue gas desulfurization technology means a sulfur dioxide (SO₂) control system that is located between the steam generating unit and the exhaust vent or stack, and that removes sulfur oxides from the combustion gases of the steam generating unit by contacting the combustion gases with an alkaline

slurry or solution and forming a dry powder material. This definition includes devices where the dry powder material is subsequently converted to another form. Alkaline reagents used in dry flue gas desulfurization systems include, but are not limited to, lime and sodium compounds.

Duct burner means a device that combusts fuel and that is placed in the exhaust duct from another source (such as a stationary gas turbine, internal combustion engine, kiln, etc.) to allow the firing of additional fuel to heat the exhaust gases before the exhaust gases enter a steam generating unit.

Emerging technology means any SO₂ control system that is not defined as a conventional technology under this section, and for which the owner or operator of the affected facility has received approval from the Administrator to operate as an emerging technology under §60.48c(a)(4).

Federally enforceable means all limitations and conditions that are enforceable by the Administrator, including the requirements of 40 CFR Parts 60 and 61, requirements within any applicable State implementation plan, and any permit requirements established under 40 CFR 52.21 or under 40 CFR 51.18 and 40 CFR 51.24.

Fluidized bed combustion technology means a device wherein fuel is distributed onto a bed (or series of beds) of limestone aggregate (or other sorbent materials) for combustion; and these materials are forced upward in the device by the flow of combustion air and the gaseous products of combustion. Fluidized bed combustion technology includes, but is not limited to, bubbling bed units and circulating bed units.

Fuel pretreatment means a process that removes a portion of the sulfur in a fuel before combustion of the fuel in a steam generating unit.

Heat input means heat derived from combustion of fuel in a steam generating unit and does not include the heat derived from preheated combustion air, recirculated flue gases, or exhaust gases from other sources (such as stationary gas turbines, internal combustion engines, and kilns).

Heat transfer medium means any material that is used to transfer heat from one point to another point.

Maximum design heat input capacity means the ability of a steam generating unit to combust a stated maximum amount of fuel (or combination of fuels) on a steady state basis as determined by the physical design and characteristics of the steam generating unit.

Natural gas means (1) a naturally occurring mixture of hydrocarbon and nonhydrocarbon gases found in geologic formations beneath the earth's surface, of which the principal constituent is methane, or (2) liquefied petroleum (LP) gas, as defined by the American Society for Testing and Materials in ASTM D1835–86, 87, 91, or 97, "Standard Specification for Liquefied Petroleum Gases" (incorporated by reference—see §60.17).

Noncontinental area means the State of Hawaii, the Virgin Islands, Guam, American Samoa, the Commonwealth of Puerto Rico, or the Northern Mariana Islands.

Oil means crude oil or petroleum, or a liquid fuel derived from crude oil or petroleum, including distillate oil and residual oil.

Potential sulfur dioxide emission rate means the theoretical SO₂ emissions (nanograms per joule [ng/J], or pounds per million Btu [lb/million Btu] heat input) that would result from combusting fuel in an uncleaned state and without using emission control systems.

Process heater means a device that is primarily used to heat a material to initiate or promote a chemical reaction in which the material participates as a reactant or catalyst.

Residual oil means crude oil, fuel oil that does not comply with the specifications under the definition of distillate oil, and all fuel oil numbers 4, 5, and 6, as defined by the American Society for Testing and Materials in ASTM D396–78, 89, 90, 92, 96, or 98, "Standard Specification for Fuel Oils" (incorporated by

reference—see §60.17).

Steam generating unit means a device that combusts any fuel and produces steam or heats water or any other heat transfer medium. This term includes any duct burner that combusts fuel and is part of a combined cycle system. This term does not include process heaters as defined in this subpart.

Steam generating unit operating day means a 24-hour period between 12:00 midnight and the following midnight during which any fuel is combusted at any time in the steam generating unit. It is not necessary for fuel to be combusted continuously for the entire 24-hour period.

Wet flue gas desulfurization technology means an SO₂ control system that is located between the steam generating unit and the exhaust vent or stack, and that removes sulfur oxides from the combustion gases of the steam generating unit by contacting the combustion gases with an alkaline slurry or solution and forming a liquid material. This definition includes devices where the liquid material is subsequently converted to another form. Alkaline reagents used in wet flue gas desulfurization systems include, but are not limited to, lime, limestone, and sodium compounds.

Wet scrubber system means any emission control device that mixes an aqueous stream or slurry with the exhaust gases from a steam generating unit to control emissions of particulate matter (PM) or SO₂.

Wood means wood, wood residue, bark, or any derivative fuel or residue thereof, in any form, including but not limited to sawdust, sanderdust, wood chips, scraps, slabs, millings, shavings, and processed pellets made from wood or other forest residues.

[55 FR 37683, Sept. 12, 1990, as amended at 61 FR 20736, May 8, 1996; 65 FR 61752, Oct. 17, 2000; 71 FR 9884, Feb. 27, 2006]

§ 60.43c Standard for particulate matter.

(d) The PM and opacity standards under this section apply at all times, except during periods of startup, shutdown, or malfunction.

(e)(1) On or after the date on which the initial performance test is completed or is required to be completed under §60.8, whichever date comes first, no owner or operator of an affected facility that commences construction, reconstruction, or modification after February 28, 2005, and that combusts coal, oil, gas, wood, a mixture of these fuels, or a mixture of these fuels with any other fuels and has a heat input capacity of 8.7 MW (30 MMBtu/h) or greater shall cause to be discharged into the atmosphere from that affected facility any gases that contain particulate matter emissions in excess of 13 ng/J (0.030 lb/MMBtu) heat input, except as provided in paragraphs (e)(2) and (e)(3) of this section. Affected facilities subject to this paragraph, are also subject to the requirements of paragraphs (c) and (d) of this section.

[55 FR 37683, Sept. 12, 1990, as amended at 65 FR 61753, Oct. 17, 2000; 71 FR 9885, Feb. 27, 2006]

§ 60.45c Compliance and performance test methods and procedures for particulate matter.

(c) Units that burn only oil containing no more than 0.5 weight percent sulfur or liquid or gaseous fuels with potential sulfur dioxide emission rates of 230 ng/J (0.54 lb/MMBtu) heat input or less are not required to conduct emissions monitoring if they maintain fuel supplier certifications of the sulfur content of the fuels burned.

[55 FR 37683, Sept. 12, 1990, as amended at 65 FR 61753, Oct. 17, 2000; 71 FR 9885, Feb. 27, 2006]

§ 60.47c Emission monitoring for particulate matter.

(c) Units that burn only oil that contains no more than 0.5 weight percent sulfur or liquid or gaseous fuels with potential sulfur dioxide emission rates of 230 ng/J (0.54 lb/MMBtu) heat input or less are not required to conduct PM emissions monitoring if they maintain fuel supplier certifications of the sulfur content of the fuels burned.

[55 FR 37683, Sept. 12, 1990, as amended at 65 FR 61753, Oct. 17, 2000; 71 FR 9886, Feb. 27, 2006]

§ 60.48c Reporting and recordkeeping requirements.

(a) The owner or operator of each affected facility shall submit notification of the date of construction or reconstruction, anticipated startup, and actual startup, as provided by §60.7 of this part. This notification shall include:

(1) The design heat input capacity of the affected facility and identification of fuels to be combusted in the affected facility.

(2) If applicable, a copy of any Federally enforceable requirement that limits the annual capacity factor for any fuel or mixture of fuels under §60.42c, or §60.43c.

(3) The annual capacity factor at which the owner or operator anticipates operating the affected facility based on all fuels fired and based on each individual fuel fired.

(4) Notification if an emerging technology will be used for controlling SO₂ emissions. The Administrator will examine the description of the control device and will determine whether the technology qualifies as an emerging technology. In making this determination, the Administrator may require the owner or operator of the affected facility to submit additional information concerning the control device. The affected facility is subject to the provisions of §60.42c(a) or (b)(1), unless and until this determination is made by the Administrator.

(b) The owner or operator of each affected facility subject to the SO₂ emission limits of §60.42c, or the PM or opacity limits of §60.43c, shall submit to the Administrator the performance test data from the initial and any subsequent performance tests and, if applicable, the performance evaluation of the CEMS and/or COMS using the applicable performance specifications in appendix B.

(g) The owner or operator of each affected facility shall record and maintain records of the amounts of each fuel combusted during each day. The owner or operator of an affected facility that only burns very low sulfur fuel oil or other liquid or gaseous fuels with potential sulfur dioxide emissions rate of 140 ng/J (0.32 lb/MMBtu) heat input or less shall record and maintain records of the fuels combusted during each calendar month.

(i) All records required under this section shall be maintained by the owner or operator of the affected facility for a period of two years following the date of such record.

[55 FR 37683, Sept. 12, 1990, as amended at 64 FR 7465, Feb. 12, 1999; 65 FR 61753, Oct. 17, 2000; 71 FR 9886, Feb. 27, 2006]

D.3.10 One Time Deadlines Relating to NSPS Subpart Dc

The Permittee shall comply with the following requirements by the dates listed below:

- (a) Pursuant to 40 CFR 60.7(a)(1), submit notification of the date of construction of Boiler1 and Boiler2 no later than 30 days after commencement of construction.
- (b) Pursuant to 40 CFR 60.7(a)(3), submit notification of the date of initial startup of Boiler1 and Boiler2 within 15 days of startup. This notification shall include the design heat input capacity of the affected facility and identification of fuels to be combusted in the affected facility, if applicable, a copy of any Federally enforceable requirement that limits the annual capacity factor for any fuel or mixture of fuels under §60.42c, or §60.43c, and the annual capacity factor at which the owner or operator anticipates operating the affected facility based on all fuels fired and based on each individual fuel fired.

SECTION D.4 EMISSIONS UNIT OPERATION CONDITIONS

Emissions Unit Description: Boilers

- (q) One (1) natural gas-fired boiler, identified as Boiler3, approved for construction in 2007, with a maximum heat input capacity of 11.8 MMBtu per hour, equipped with low-NOx burners for NOx control, with emissions exhausting to stack VBoiler3. Under 40 CFR 60, Subpart Dc, Boiler3 is considered to be a Small Industrial-Commercial-Institutional Steam Generating Unit.

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

THIS SECTION OF THE PERMIT IS BEING ISSUED UNDER THE PROVISIONS OF 326 IAC 2 AND 326 IAC 2-8-11.1, WITH CONDITIONS LISTED BELOW.

Construction Conditions

General Construction Conditions

D.4.1 Permit No Defense

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

Effective Date of the Permit

D.4.2 Effective Date of the Permit [IC13-15-5-3]

Pursuant to IC 13-15-5-3, this section of this permit becomes effective upon its issuance.

D.4.3 Modification to Construction Conditions [326 IAC 2]

All requirements of these construction conditions shall remain in effect unless modified in a manner consistent with procedures established for revisions pursuant to 326 IAC 2.

Operation Conditions

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

D.4.4 Particulate [326 IAC 6-2-4]

Pursuant to 326 IAC 6-2-4 (PM Emissions for Sources of Indirect Heating), the particulate emissions from Boiler3 shall be limited to less than 0.27 pounds per million Btu heat input.

This emission limit was calculated using the following equation:

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

Where Pt = emission rate limit (lbs/MMBtu)
Q = total source heat input capacity (MMBtu/hr)

D.4.5 CO Limit [326 IAC 2-8]

Pursuant to 326 IAC 2-8-4, the CO emissions from Boiler3 shall not exceed 0.97 pounds per hour.

Combined with the CO emissions from other units, the CO emissions from the entire source are limited to less than 100 tons per year. Therefore, the requirements of 326 IAC 2-7 (Part 70 Program) are not applicable to this source.

D.4.6 Preventive Maintenance Plan [326 IAC 2-8-4(9)]

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

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

D.4.7 Record Keeping Requirements [326 IAC 12]

- (a) Pursuant to 326 IAC 12, the Permittee shall maintain daily records of the amount of fuel used in Boiler3. This requirement is not federally enforceable.
- (b) Pursuant to 40 CFR 60, Subpart Dc, the Permittee shall maintain monthly records of the amount of fuel used in Boiler3.
- (c) All records shall be maintained in accordance with Section C - General Record Keeping Requirements, of this permit.

New Source Performance Standards (NSPS) Requirements [326 IAC 2-8-4(1)]

D.4.8 General Provisions Relating to New Source Performance Standards [326 IAC 12-1] [40 CFR Part 60, Subpart A]

- (a) Pursuant to 40 CFR 60.1, the Permittee shall comply with the provisions of 40 CFR Part 60 Subpart A – General Provisions, which are incorporated by reference as 326 IAC 12-1 for Boiler3, except as otherwise specified in 40 CFR Part 60, Subpart Dc.
- (b) Pursuant to 40 CFR 60.19, the Permittee shall submit all required notifications and reports to:

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

and

Anderson Office of Air Management
P.O. Box 2100
120 East 8th Street
Anderson, Indiana 46011

D.4.9 Standard of Performance for Small Industrial-Commercial-Institutional Steam Generating Units Requirements [40 CFR Part 60, Subpart Dc]

Pursuant to 40 CFR Part 60, Subpart Dc, the Permittee shall comply with the provisions of Standard of Performance for Small Industrial-Commercial-Institutional Steam Generating Units, which are incorporated by reference as 326 IAC 12, for Boiler3 as follows:

New Source Performance Standards for Small Industrial-Commercial-Institutional Steam Generating Units

§ 60.40c Applicability and delegation of authority.

(a) Except as provided in paragraph (d) of this section, the affected facility to which this subpart applies is each steam generating unit for which construction, modification, or reconstruction is commenced after June 9, 1989 and that has a maximum design heat input capacity of 29 megawatts (MW) (100 million Btu per hour (Btu/hr)) or less, but greater than or equal to 2.9 MW (10 million Btu/hr).

(b) In delegating implementation and enforcement authority to a State under section 111(c) of the Clean Air Act, §60.48c(a)(4) shall be retained by the Administrator and not transferred to a State.

[55 FR 37683, Sept. 12, 1990, as amended at 61 FR 20736, May 8, 1996; 71 FR 9884, Feb. 27, 2006]

§ 60.41c Definitions.

As used in this subpart, all terms not defined herein shall have the meaning given them in the Clean Air Act and in subpart A of this part.

Annual capacity factor means the ratio between the actual heat input to a steam generating unit from an individual fuel or combination of fuels during a period of 12 consecutive calendar months and the potential heat input to the steam generating unit from all fuels had the steam generating unit been operated for 8,760 hours during that 12-month period at the maximum design heat input capacity. In the case of steam generating units that are rented or leased, the actual heat input shall be determined based on the combined heat input from all operations of the affected facility during a period of 12 consecutive calendar months.

Coal means all solid fuels classified as anthracite, bituminous, subbituminous, or lignite by the American Society of Testing and Materials in ASTM D388-77, 90, 91, 95, or 98a, Standard Specification for Classification of Coals by Rank (IBR—see §60.17), coal refuse, and petroleum coke. Coal-derived synthetic fuels derived from coal for the purposes of creating useful heat, including but not limited to solvent refined coal, gasified coal, coal-oil mixtures, and coal-water mixtures, are also included in this definition for the purposes of this subpart.

Coal refuse means any by-product of coal mining or coal cleaning operations with an ash content greater than 50 percent (by weight) and a heating value less than 13,900 kilojoules per kilogram (kJ/kg) (6,000 Btu per pound (Btu/lb) on a dry basis.

Cogeneration steam generating unit means a steam generating unit that simultaneously produces either electrical (or mechanical) and thermal energy from the same primary energy source.

Combined cycle system means a system in which a separate source (such as a stationary gas turbine, internal combustion engine, or kiln) provides exhaust gas to a steam generating unit.

Combustion research means the experimental firing of any fuel or combination of fuels in a steam generating unit for the purpose of conducting research and development of more efficient combustion or more effective prevention or control of air pollutant emissions from combustion, provided that, during these periods of research and development, the heat generated is not used for any purpose other than preheating combustion air for use by that steam generating unit (i.e., the heat generated is released to the atmosphere without being used for space heating, process heating, driving pumps, preheating combustion air for other units, generating electricity, or any other purpose).

Conventional technology means wet flue gas desulfurization technology, dry flue gas desulfurization technology, atmospheric fluidized bed combustion technology, and oil hydrodesulfurization technology.

Distillate oil means fuel oil that complies with the specifications for fuel oil numbers 1 or 2, as defined by the American Society for Testing and Materials in ASTM D396-78, 89, 90, 92, 96, or 98, "Standard Specification for Fuel Oils" (incorporated by reference—see §60.17).

Dry flue gas desulfurization technology means a sulfur dioxide (SO₂) control system that is located between the steam generating unit and the exhaust vent or stack, and that removes sulfur oxides from the combustion gases of the steam generating unit by contacting the combustion gases with an alkaline slurry or solution and forming a dry powder material. This definition includes devices where the dry powder material is subsequently converted to another form. Alkaline reagents used in dry flue gas desulfurization systems include, but are not limited to, lime and sodium compounds.

Duct burner means a device that combusts fuel and that is placed in the exhaust duct from another

source (such as a stationary gas turbine, internal combustion engine, kiln, etc.) to allow the firing of additional fuel to heat the exhaust gases before the exhaust gases enter a steam generating unit.

Emerging technology means any SO₂ control system that is not defined as a conventional technology under this section, and for which the owner or operator of the affected facility has received approval from the Administrator to operate as an emerging technology under §60.48c(a)(4).

Federally enforceable means all limitations and conditions that are enforceable by the Administrator, including the requirements of 40 CFR Parts 60 and 61, requirements within any applicable State implementation plan, and any permit requirements established under 40 CFR 52.21 or under 40 CFR 51.18 and 40 CFR 51.24.

Fluidized bed combustion technology means a device wherein fuel is distributed onto a bed (or series of beds) of limestone aggregate (or other sorbent materials) for combustion; and these materials are forced upward in the device by the flow of combustion air and the gaseous products of combustion. Fluidized bed combustion technology includes, but is not limited to, bubbling bed units and circulating bed units.

Fuel pretreatment means a process that removes a portion of the sulfur in a fuel before combustion of the fuel in a steam generating unit.

Heat input means heat derived from combustion of fuel in a steam generating unit and does not include the heat derived from preheated combustion air, recirculated flue gases, or exhaust gases from other sources (such as stationary gas turbines, internal combustion engines, and kilns).

Heat transfer medium means any material that is used to transfer heat from one point to another point.

Maximum design heat input capacity means the ability of a steam generating unit to combust a stated maximum amount of fuel (or combination of fuels) on a steady state basis as determined by the physical design and characteristics of the steam generating unit.

Natural gas means (1) a naturally occurring mixture of hydrocarbon and nonhydrocarbon gases found in geologic formations beneath the earth's surface, of which the principal constituent is methane, or (2) liquefied petroleum (LP) gas, as defined by the American Society for Testing and Materials in ASTM D1835–86, 87, 91, or 97, "Standard Specification for Liquefied Petroleum Gases" (incorporated by reference—see §60.17).

Noncontinental area means the State of Hawaii, the Virgin Islands, Guam, American Samoa, the Commonwealth of Puerto Rico, or the Northern Mariana Islands.

Oil means crude oil or petroleum, or a liquid fuel derived from crude oil or petroleum, including distillate oil and residual oil.

Potential sulfur dioxide emission rate means the theoretical SO₂ emissions (nanograms per joule [ng/J], or pounds per million Btu [lb/million Btu] heat input) that would result from combusting fuel in an uncleaned state and without using emission control systems.

Process heater means a device that is primarily used to heat a material to initiate or promote a chemical reaction in which the material participates as a reactant or catalyst.

Residual oil means crude oil, fuel oil that does not comply with the specifications under the definition of distillate oil, and all fuel oil numbers 4, 5, and 6, as defined by the American Society for Testing and Materials in ASTM D396–78, 89, 90, 92, 96, or 98, "Standard Specification for Fuel Oils" (incorporated by reference—see §60.17).

Steam generating unit means a device that combusts any fuel and produces steam or heats water or any other heat transfer medium. This term includes any duct burner that combusts fuel and is part of a combined cycle system. This term does not include process heaters as defined in this subpart.

Steam generating unit operating day means a 24-hour period between 12:00 midnight and the following midnight during which any fuel is combusted at any time in the steam generating unit. It is not necessary for fuel to be combusted continuously for the entire 24-hour period.

Wet flue gas desulfurization technology means an SO₂ control system that is located between the steam generating unit and the exhaust vent or stack, and that removes sulfur oxides from the combustion gases of the steam generating unit by contacting the combustion gases with an alkaline slurry or solution and forming a liquid material. This definition includes devices where the liquid material is subsequently converted to another form. Alkaline reagents used in wet flue gas desulfurization systems include, but are not limited to, lime, limestone, and sodium compounds.

Wet scrubber system means any emission control device that mixes an aqueous stream or slurry with the exhaust gases from a steam generating unit to control emissions of particulate matter (PM) or SO₂.

Wood means wood, wood residue, bark, or any derivative fuel or residue thereof, in any form, including but not limited to sawdust, sanderdust, wood chips, scraps, slabs, millings, shavings, and processed pellets made from wood or other forest residues.

[55 FR 37683, Sept. 12, 1990, as amended at 61 FR 20736, May 8, 1996; 65 FR 61752, Oct. 17, 2000; 71 FR 9884, Feb. 27, 2006]

§ 60.48c Reporting and recordkeeping requirements.

(a) The owner or operator of each affected facility shall submit notification of the date of construction or reconstruction, anticipated startup, and actual startup, as provided by §60.7 of this part. This notification shall include:

(1) The design heat input capacity of the affected facility and identification of fuels to be combusted in the affected facility.

(g) The owner or operator of each affected facility shall record and maintain records of the amounts of each fuel combusted during each day. The owner or operator of an affected facility that only burns very low sulfur fuel oil or other liquid or gaseous fuels with potential sulfur dioxide emissions rate of 140 ng/J (0.32 lb/MMBtu) heat input or less shall record and maintain records of the fuels combusted during each calendar month.

(i) All records required under this section shall be maintained by the owner or operator of the affected facility for a period of two years following the date of such record.

[55 FR 37683, Sept. 12, 1990, as amended at 64 FR 7465, Feb. 12, 1999; 65 FR 61753, Oct. 17, 2000; 71 FR 9886, Feb. 27, 2006]

D.4.10 One Time Deadlines Relating to NSPS Subpart Dc

The Permittee shall comply with the following requirements by the dates listed below:

- (a) Pursuant to 40 CFR 60.7(a)(1), submit notification of the date of construction of Boiler3, no later than 30 days after commencement of construction.
- (b) Pursuant to 40 CFR 60.7(a)(3), submit notification of the date of initial startup of Boiler3, within 15 days of startup. This notification shall include the design heat input capacity of the affected facility and identification of fuels to be combusted in the affected facility, if applicable, a copy of any Federally enforceable requirement that limits the annual capacity factor for any fuel or mixture of fuels under §60.42c, or §60.43c, and the annual capacity factor at which the owner or operator anticipates operating the affected facility based on all fuels fired and based on each individual fuel fired.

SECTION D.5

EMISSIONS UNIT OPERATION CONDITIONS

Emissions Unit Description:

Insignificant Activities: Emergency Generators and Emergency Fire Pump Engine

- (k) Emergency diesel generators not exceeding one thousand six hundred (1,600) horsepower, consisting of three (3) diesel-fueled generators, identified as Gen1, Gen2, and Gen3, approved for construction in 2007, each rated at 591 brake horsepower, each with a displacement of 14.9 liters, with emissions uncontrolled and exhausting to stacks VGen1, VGen2, and VGen3. Under 40 CFR 60, Subpart IIII, Gen1, Gen2, and Gen3 are considered to be stationary compression ignition internal combustion engines (CI ICE).
- (l) A emergency fire pump engine, consisting of one (1) diesel-fueled pump engine, identified as Pump1, approved for construction in 2007, rated at 183 horsepower, with a displacement of 6.8 liters, with emissions uncontrolled and exhausting to stack VPump1. Under 40 CFR 60, Subpart IIII, Pump1 is considered to be a stationary compression ignition internal combustion engine (CI ICE).

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

THIS SECTION OF THE PERMIT IS BEING ISSUED UNDER THE PROVISIONS OF 326 IAC 2 AND 326 IAC 2-8-11.1, WITH CONDITIONS LISTED BELOW.

Construction Conditions

General Construction Conditions

D.5.1 Permit No Defense

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

Effective Date of the Permit

D.5.2 Effective Date of the Permit [IC13-15-5-3]

Pursuant to IC 13-15-5-3, this section of this permit becomes effective upon its issuance.

D.5.3 Modification to Construction Conditions [326 IAC 2]

All requirements of these construction conditions shall remain in effect unless modified in a manner consistent with procedures established for revisions pursuant to 326 IAC 2.

Operation Conditions

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

D.5.4 VOC and CO Limit [326 IAC 2-8] [326 IAC 2-2] [326 IAC 2-3]

- (a) Pursuant to 326 IAC 2-8-4, the emergency generators (Gen1, Gen2, and Gen3) and the emergency fire pump engine (Pump1) shall each be limited to 500 hours of operation per twelve consecutive month period.
- (b) Pursuant to 326 IAC 2-8-4, the VOC emissions from each of the emergency generators (Gen1, Gen2, and Gen3) shall not exceed 0.10 pounds per hour.

- (c) Pursuant to 326 IAC 2-8-4, the CO emissions from each of the emergency generators (Gen1, Gen2, and Gen3) shall not exceed 1.2 pounds per hour.

Combined with the VOC and CO emissions from other units, the VOC and CO emissions from the entire source are limited to less than 100 tons per year. Therefore, the requirements of 326 IAC 2-7 (Part 70 Program), 326 IAC 2-2 (PSD), and 326 IAC 2-3 (Emission Offset) are not applicable to this source.

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

D.5.5 Record Keeping Requirement

- (a) To document compliance with Condition D.5.4, the Permittee shall maintain records of the hours of operation of the emergency generators (Gen1, Gen2, and Gen3) and fire pump engine (Pump1).
- (b) All records shall be maintained in accordance with Section C - General Record Keeping Requirements, of this permit

D.5.6 Reporting Requirement

A quarterly summary of the information to document compliance with Condition D.5.4 shall be submitted to the addresses listed in Section C - General Reporting Requirements, of this permit, using the reporting forms located at the end of this permit, or their equivalent, within thirty (30) days after the end of the quarter being reported. The report submitted by the Permittee does require the certification by an "authorized individual" as defined by 326 IAC 2-1.1-1(1).

New Source Performance Standards (NSPS) Requirements [326 IAC 2-7-5(1)]

D.5.7 General Provisions Relating to New Source Performance Standards [326 IAC 12-1] [40 CFR Part 60, Subpart A]

- (a) Pursuant to 40 CFR 60.1, the Permittee shall comply with the provisions of 40 CFR Part 60 Subpart A – General Provisions, which are incorporated by reference as 326 IAC 12-1 for the emergency generators (Gen1, Gen2, and Gen3) and the emergency fire pump engine (Pump1), except as otherwise specified in 40 CFR Part 60, Subpart IIII.
- (b) Pursuant to 40 CFR 60.19, the Permittee shall submit all required notifications and reports to:

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

and

Anderson Office of Air Management
P.O. Box 2100
120 East 8th Street
Anderson, Indiana 46011

D.5.8 Standards of Performance for Stationary Compression Ignition Internal Combustion Engines [40 CFR Part 60, Subpart IIII] [326 IAC 12]

Pursuant to 40 CFR Part 60, Subpart IIII, the Permittee shall comply with the provisions of Standards of Performance for Stationary Compression Ignition Internal Combustion Engines, which are incorporated by reference as 326 IAC 12, for the emergency generators (Gen1, Gen2, and Gen3) and the emergency fire pump engine (Pump1), as follows:

Subpart III—Standards of Performance for Stationary Compression Ignition Internal Combustion Engines

§ 60.4200 Am I subject to this subpart?

(a) The provisions of this subpart are applicable to manufacturers, owners, and operators of stationary compression ignition (CI) internal combustion engines (ICE) as specified in paragraphs (a)(1) through (3) of this section. For the purposes of this subpart, the date that construction commences is the date the engine is ordered by the owner or operator.

(2) Owners and operators of stationary CI ICE that commence construction after July 11, 2005 where the stationary CI ICE are:

(i) Manufactured after April 1, 2006 and are not fire pump engines, or

(ii) Manufactured as a certified National Fire Protection Association (NFPA) fire pump engine after July 1, 2006.

Emission Standards for Owners and Operators

§ 60.4205 What emission standards must I meet for emergency engines if I am an owner or operator of a stationary CI internal combustion engine?

(a) Owners and operators of pre-2007 model year emergency stationary CI ICE with a displacement of less than 10 liters per cylinder that are not fire pump engines must comply with the emission standards in table 1 to this subpart. Owners and operators of pre-2007 model year non-emergency stationary CI ICE with a displacement of greater than or equal to 10 liters per cylinder and less than 30 liters per cylinder that are not fire pump engines must comply with the emission standards in 40 CFR 94.8(a)(1).

(b) Owners and operators of 2007 model year and later emergency stationary CI ICE with a displacement of less than 30 liters per cylinder that are not fire pump engines must comply with the emission standards for new nonroad CI engines in §60.4202, for all pollutants, for the same model year and maximum engine power for their 2007 model year and later emergency stationary CI ICE.

(c) Owners and operators of fire pump engines with a displacement of less than 30 liters per cylinder must comply with the emission standards in table 4 to this subpart, for all pollutants.

§ 60.4206 How long must I meet the emission standards if I am an owner or operator of a stationary CI internal combustion engine?

Owners and operators of stationary CI ICE must operate and maintain stationary CI ICE that achieve the emission standards as required in §§60.4204 and 60.4205 according to the manufacturer's written instructions or procedures developed by the owner or operator that are approved by the engine manufacturer, over the entire life of the engine.

Fuel Requirements for Owners and Operators

§ 60.4207 What fuel requirements must I meet if I am an owner or operator of a stationary CI internal combustion engine subject to this subpart?

(a) Beginning October 1, 2007, owners and operators of stationary CI ICE subject to this subpart that use diesel fuel must use diesel fuel that meets the requirements of 40 CFR 80.510(a).

(b) Beginning October 1, 2010, owners and operators of stationary CI ICE subject to this subpart with a displacement of less than 30 liters per cylinder that use diesel fuel must use diesel fuel that meets the requirements of 40 CFR 80.510(b) for nonroad diesel fuel.

(c) Owners and operators of pre-2011 model year stationary CI ICE subject to this subpart may petition the Administrator for approval to use remaining non-compliant fuel that does not meet the fuel requirements of paragraphs (a) and (b) of this section beyond the dates required for the purpose of using up existing fuel inventories. If approved, the petition will be valid for a period of up to 6 months. If

additional time is needed, the owner or operator is required to submit a new petition to the Administrator.

Other Requirements for Owners and Operators

§ 60.4208 What is the deadline for importing or installing stationary CI ICE produced in the previous model year?

(a) After December 31, 2008, owners and operators may not install stationary CI ICE (excluding fire pump engines) that do not meet the applicable requirements for 2007 model year engines.

(b) After December 31, 2009, owners and operators may not install stationary CI ICE with a maximum engine power of less than 19 KW (25 HP) (excluding fire pump engines) that do not meet the applicable requirements for 2008 model year engines.

(c) After December 31, 2014, owners and operators may not install non-emergency stationary CI ICE with a maximum engine power of greater than or equal to 19 KW (25 HP) and less than 56 KW (75 HP) that do not meet the applicable requirements for 2013 model year non-emergency engines.

(d) After December 31, 2013, owners and operators may not install non-emergency stationary CI ICE with a maximum engine power of greater than or equal to 56 KW (75 HP) and less than 130 KW (175 HP) that do not meet the applicable requirements for 2012 model year non-emergency engines.

(e) After December 31, 2012, owners and operators may not install non-emergency stationary CI ICE with a maximum engine power of greater than or equal to 130 KW (175 HP), including those above 560 KW (750 HP), that do not meet the applicable requirements for 2011 model year non-emergency engines.

(f) After December 31, 2016, owners and operators may not install non-emergency stationary CI ICE with a maximum engine power of greater than or equal to 560 KW (750 HP) that do not meet the applicable requirements for 2015 model year non-emergency engines.

(g) In addition to the requirements specified in §§60.4201, 60.4202, 60.4204, and 60.4205, it is prohibited to import stationary CI ICE with a displacement of less than 30 liters per cylinder that do not meet the applicable requirements specified in paragraphs (a) through (f) of this section after the dates specified in paragraphs (a) through (f) of this section.

(h) The requirements of this section do not apply to owners or operators of stationary CI ICE that have been modified, reconstructed, and do not apply to engines that were removed from one existing location and reinstalled at a new location.

§ 60.4209 What are the monitoring requirements if I am an owner or operator of a stationary CI internal combustion engine?

If you are an owner or operator, you must meet the monitoring requirements of this section. In addition, you must also meet the monitoring requirements specified in §60.4211.

(a) If you are an owner or operator of an emergency stationary CI internal combustion engine, you must install a non-resettable hour meter prior to startup of the engine.

Compliance Requirements

§ 60.4211 What are my compliance requirements if I am an owner or operator of a stationary CI internal combustion engine?

(a) If you are an owner or operator and must comply with the emission standards specified in this subpart, you must operate and maintain the stationary CI internal combustion engine and control device according to the manufacturer's written instructions or procedures developed by the owner or operator that are approved by the engine manufacturer. In addition, owners and operators may only change those settings that are permitted by the manufacturer. You must also meet the requirements of 40 CFR parts 89, 94 and/or 1068, as they apply to you.

(b) If you are an owner or operator of a pre-2007 model year stationary CI internal combustion engine and must comply with the emission standards specified in §§60.4204(a) or 60.4205(a), or if you are an owner or operator of a CI fire pump engine that is manufactured prior to the model years in table 3 to this subpart and must comply with the emission standards specified in §60.4205(c), you must demonstrate compliance according to one of the methods specified in paragraphs (b)(1) through (5) of this section.

(1) Purchasing an engine certified according to 40 CFR part 89 or 40 CFR part 94, as applicable, for the same model year and maximum engine power. The engine must be installed and configured according to the manufacturer's specifications.

(2) Keeping records of performance test results for each pollutant for a test conducted on a similar engine. The test must have been conducted using the same methods specified in this subpart and these methods must have been followed correctly.

(3) Keeping records of engine manufacturer data indicating compliance with the standards.

(4) Keeping records of control device vendor data indicating compliance with the standards.

(5) Conducting an initial performance test to demonstrate compliance with the emission standards according to the requirements specified in §60.4212, as applicable.

(c) If you are an owner or operator of a 2007 model year and later stationary CI internal combustion engine and must comply with the emission standards specified in §60.4204(b) or §60.4205(b), or if you are an owner or operator of a CI fire pump engine that is manufactured during or after the model year that applies to your fire pump engine power rating in table 3 to this subpart and must comply with the emission standards specified in §60.4205(c), you must comply by purchasing an engine certified to the emission standards in §60.4204(b), or §60.4205(b) or (c), as applicable, for the same model year and maximum (or in the case of fire pumps, NFPA nameplate) engine power. The engine must be installed and configured according to the manufacturer's specifications.

(e) Emergency stationary ICE may be operated for the purpose of maintenance checks and readiness testing, provided that the tests are recommended by Federal, State, or local government, the manufacturer, the vendor, or the insurance company associated with the engine. Maintenance checks and readiness testing of such units is limited to 100 hours per year. There is no time limit on the use of emergency stationary ICE in emergency situations. Anyone may petition the Administrator for approval of additional hours to be used for maintenance checks and readiness testing, but a petition is not required if the owner or operator maintains records indicating that Federal, State, or local standards require maintenance and testing of emergency ICE beyond 100 hours per year. For owners and operators of emergency engines meeting standards under §60.4205 but not §60.4204, any operation other than emergency operation, and maintenance and testing as permitted in this section, is prohibited.

Testing Requirements for Owners and Operators

§ 60.4212 What test methods and other procedures must I use if I am an owner or operator of a stationary CI internal combustion engine with a displacement of less than 30 liters per cylinder?

Owners and operators of stationary CI ICE with a displacement of less than 30 liters per cylinder who conduct performance tests pursuant to this subpart must do so according to paragraphs (a) through (d) of this section.

(a) The performance test must be conducted according to the in-use testing procedures in 40 CFR part 1039, subpart F.

(b) Exhaust emissions from stationary CI ICE that are complying with the emission standards for new CI engines in 40 CFR part 1039 must not exceed the not-to-exceed (NTE) standards for the same model year and maximum engine power as required in 40 CFR 1039.101(e) and 40 CFR 1039.102(g)(1), except as specified in 40 CFR 1039.104(d). This requirement starts when NTE requirements take effect for nonroad diesel engines under 40 CFR part 1039.

(c) Exhaust emissions from stationary CI ICE that are complying with the emission standards for new CI engines in 40 CFR 89.112 or 40 CFR 94.8, as applicable, must not exceed the NTE numerical requirements, rounded to the same number of decimal places as the applicable standard in 40 CFR 89.112 or 40 CFR 94.8, as applicable, determined from the following equation:

$$\text{NTE requirement for each pollutant} = (1.25) \times (\text{STD}) \quad (\text{Eq. 1})$$

Where:

STD = The standard specified for that pollutant in 40 CFR 89.112 or 40 CFR 94.8, as applicable.

Alternatively, stationary CI ICE that are complying with the emission standards for new CI engines in 40 CFR 89.112 or 40 CFR 94.8 may follow the testing procedures specified in §60.4213 of this subpart, as appropriate.

(d) Exhaust emissions from stationary CI ICE that are complying with the emission standards for pre-2007 model year engines in §60.4204(a), §60.4205(a), or §60.4205(c) must not exceed the NTE numerical requirements, rounded to the same number of decimal places as the applicable standard in §60.4204(a), §60.4205(a), or §60.4205(c), determined from the equation in paragraph (c) of this section.

Where:

STD = The standard specified for that pollutant in §60.4204(a), §60.4205(a), or §60.4205(c).

Alternatively, stationary CI ICE that are complying with the emission standards for pre-2007 model year engines in §60.4204(a), §60.4205(a), or §60.4205(c) may follow the testing procedures specified in §60.4213, as appropriate.

Notification, Reports, and Records for Owners and Operators

§ 60.4214 What are my notification, reporting, and recordkeeping requirements if I am an owner or operator of a stationary CI internal combustion engine?

(b) If the stationary CI internal combustion engine is an emergency stationary internal combustion engine, the owner or operator is not required to submit an initial notification. Starting with the model years in table 5 to this subpart, if the emergency engine does not meet the standards applicable to non-emergency engines in the applicable model year, the owner or operator must keep records of the operation of the engine in emergency and non-emergency service that are recorded through the non-resettable hour meter. The owner must record the time of operation of the engine and the reason the engine was in operation during that time.

General Provisions

§ 60.4218 What parts of the General Provisions apply to me?

Table 8 to this subpart shows which parts of the General Provisions in §§60.1 through 60.19 apply to you.

Definitions

§ 60.4219 What definitions apply to this subpart?

As used in this subpart, all terms not defined herein shall have the meaning given them in the CAA and in subpart A of this part.

Combustion turbine means all equipment, including but not limited to the turbine, the fuel, air, lubrication and exhaust gas systems, control systems (except emissions control equipment), and any ancillary components and sub-components comprising any simple cycle combustion turbine, any regenerative/recuperative cycle combustion turbine, the combustion turbine portion of any cogeneration cycle combustion system, or the combustion turbine portion of any combined cycle steam/electric

generating system.

Compression ignition means relating to a type of stationary internal combustion engine that is not a spark ignition engine.

Diesel fuel means any liquid obtained from the distillation of petroleum with a boiling point of approximately 150 to 360 degrees Celsius. One commonly used form is number 2 distillate oil.

Diesel particulate filter means an emission control technology that reduces PM emissions by trapping the particles in a flow filter substrate and periodically removes the collected particles by either physical action or by oxidizing (burning off) the particles in a process called regeneration.

Emergency stationary internal combustion engine means any stationary internal combustion engine whose operation is limited to emergency situations and required testing and maintenance. Examples include stationary ICE used to produce power for critical networks or equipment (including power supplied to portions of a facility) when electric power from the local utility (or the normal power source, if the facility runs on its own power production) is interrupted, or stationary ICE used to pump water in the case of fire or flood, etc. Stationary CI ICE used to supply power to an electric grid or that supply power as part of a financial arrangement with another entity are not considered to be emergency engines.

Engine manufacturer means the manufacturer of the engine. See the definition of "manufacturer" in this section.

Fire pump engine means an emergency stationary internal combustion engine certified to NFPA requirements that is used to provide power to pump water for fire suppression or protection.

Manufacturer has the meaning given in section 216(1) of the Act. In general, this term includes any person who manufactures a stationary engine for sale in the United States or otherwise introduces a new stationary engine into commerce in the United States. This includes importers who import stationary engines for sale or resale.

Maximum engine power means maximum engine power as defined in 40 CFR 1039.801.

Model year means either:

(1) The calendar year in which the engine was originally produced, or

(2) The annual new model production period of the engine manufacturer if it is different than the calendar year. This must include January 1 of the calendar year for which the model year is named. It may not begin before January 2 of the previous calendar year and it must end by December 31 of the named calendar year. For an engine that is converted to a stationary engine after being placed into service as a nonroad or other non-stationary engine, model year means the calendar year or new model production period in which the engine was originally produced.

Other internal combustion engine means any internal combustion engine, except combustion turbines, which is not a reciprocating internal combustion engine or rotary internal combustion engine.

Reciprocating internal combustion engine means any internal combustion engine which uses reciprocating motion to convert heat energy into mechanical work.

Rotary internal combustion engine means any internal combustion engine which uses rotary motion to convert heat energy into mechanical work.

Spark ignition means relating to a gasoline, natural gas, or liquefied petroleum gas fueled engine or any other type of engine with a spark plug (or other sparking device) and with operating characteristics significantly similar to the theoretical Otto combustion cycle. Spark ignition engines usually use a throttle to regulate intake air flow to control power during normal operation. Dual-fuel engines in which a liquid

fuel (typically diesel fuel) is used for CI and gaseous fuel (typically natural gas) is used as the primary fuel at an annual average ratio of less than 2 parts diesel fuel to 100 parts total fuel on an energy equivalent basis are spark ignition engines.

Stationary internal combustion engine means any internal combustion engine, except combustion turbines, that converts heat energy into mechanical work and is not mobile. Stationary ICE differ from mobile ICE in that a stationary internal combustion engine is not a nonroad engine as defined at 40 CFR 1068.30 (excluding paragraph (2)(ii) of that definition), and is not used to propel a motor vehicle or a vehicle used solely for competition. Stationary ICE include reciprocating ICE, rotary ICE, and other ICE, except combustion turbines.

Subpart means 40 CFR part 60, subpart IIII.

Useful life means the period during which the engine is designed to properly function in terms of reliability and fuel consumption, without being remanufactured, specified as a number of hours of operation or calendar years, whichever comes first. The values for useful life for stationary CI ICE with a displacement of less than 10 liters per cylinder are given in 40 CFR 1039.101(g). The values for useful life for stationary CI ICE with a displacement of greater than or equal to 10 liters per cylinder and less than 30 liters per cylinder are given in 40 CFR 94.9(a).

Tables to Subpart IIII of Part 60

Table 1 to Subpart IIII of Part 60. Emission Standards for Stationary Pre-2007 Model Year Engines With a Displacement of <10 Liters per Cylinder and 2007-2010 Model Year Engines >2,237 KW (3,000 HP) and With a Displacement of <10 Liters per Cylinder

[As stated in §§ 60.4201(b), 60.4202(b), 60.4204(a), and 60.4205(a), you must comply with the following emission standards]

Emission standards for stationary pre-2007 model year engines with a displacement of <10 liters per cylinder and 2007-2010 model year engines >2,237 KW (3,000 HP) and with a Maximum engine power displacement of <10 liters per cylinder in g/KW-hr (g/HP-hr)					
	NMHC + NOX	HC	NOX	CO	PM
KW<8 (HP<11)	10.5 (7.8)			8.0 (6.0)	1.0 (0.75)
8[le]KW<19 (11[le]HP<25)	9.5 (7.1)			6.6 (4.9)	0.80 (0.60)
19[le]KW<37 (25[le]HP<50)	9.5 (7.1)			5.5 (4.1)	0.80 (0.60)
37[le]KW<56 (50[le]HP<75)			9.2 (6.9)		
56[le]KW<75 (75[le]HP<100)			9.2 (6.9)		
75[le]KW<130 (100[le]HP<175)			9.2 (6.9)		
130[le]KW<225 (175[le]HP<300)		1.3 (1.0)	9.2 (6.9)	11.4 (8.5)	0.54 (0.40)
225[le]KW<450 (300[le]HP<600)		1.3 (1.0)	9.2 (6.9)	11.4 (8.5)	0.54 (0.40)
450[le]KW[le]560 (600[le]HP[le]750)		1.3 (1.0)	9.2 (6.9)	11.4 (8.5)	0.54 (0.40)
KW>560 (HP>750)		1.3 (1.0)	9.2 (6.9)	11.4 (8.5)	0.54 (0.40)

Table 4 to Subpart IIII of Part 60. Emission Standards for Stationary Fire Pump Engines

[As stated in §§ 60.4202(d) and 60.4205(c), you must comply with the following emission standards for stationary fire pump engines]

Maximum engine power	Model year(s)	NMHC + NOX	CO	PM
KW<8 (HP<11)	2010 and earlier	10.5 (7.8)	8.0 (6.0)	1.0 (0.75)
	2011+	7.5 (5.6)	.....	0.40 (0.30)
8[le]KW<19 (11[le]HP<25)	2010 and earlier	9.5 (7.1)	6.6 (4.9)	0.80 (0.60)
	2011+	7.5 (5.6)	.....	0.40 (0.30)
19[le]KW<37 (25[le]HP<50)	2010 and earlier	9.5 (7.1)	5.5 (4.1)	0.80 (0.60)
	2011+	7.5 (5.6)	.....	0.30 (0.22)
37[le]KW<56 (50[le]HP<75)	2010 and earlier	10.5 (7.8)	5.0 (3.7)	0.80 (0.60)

	2011+ \1\	4.7 (3.5)	.....	0.40 (0.30)
56[le]KW<75 (75[le]HP<100)	2010 and earlier	10.5 (7.8)	5.0 (3.7)	0.80 (0.60)
	2011+ \1\	4.7 (3.5)	.....	0.40 (0.30)
75[le]KW<130 (100[le]HP<175)	2009 and earlier	10.5 (7.8)	5.0 (3.7)	0.80 (0.60)
	2010+ \2\	4.0 (3.0)	.....	0.30 (0.22)
130[le]KW<225 (175[le]HP<300)	2008 and earlier	0.5 (7.8)	3.5 (2.6)	0.54 (0.40)
	2009+ \3\	4.0 (3.0)	.....	0.20 (0.15)
225[le]KW<450 (300[le]HP<600)	2008 and earlier	0.5 (7.8)	3.5 (2.6)	0.54 (0.40)
	2009+ \3\	4.0 (3.0)	.....	0.20 (0.15)
450[le]KW[le]560 (600[le]HP[le]750)	2008 and earlier	0.5 (7.8)	3.5 (2.6)	0.54 (0.40)
	2009+	4.0 (3.0)	.....	0.20 (0.15)
KW>560 (HP>750)	2007 and earlier	0.5 (7.8)	3.5 (2.6)	0.54 (0.40)
	2008+	6.4 (4.8)	.....	0.20 (0.15)

\1\ For model years 2011-2013, manufacturers, owners and operators of fire pump stationary CI ICE in this engine power category with a rated speed of greater than 2,650 revolutions per minute (rpm) may comply with the emission limitations for 2010 model year engines.

\2\ For model years 2010-2012, manufacturers, owners and operators of fire pump stationary CI ICE in this engine power category with a rated speed of greater than 2,650 rpm may comply with the emission limitations for 2009 model year engines.

\3\ In model years 2009-2011, manufacturers of fire pump stationary CI ICE in this engine power category with a rated speed of greater than 2,650 rpm may comply with the emission limitations for 2008 model year engines.

Table 5 to Subpart IIII of Part 60. Labeling and Recordkeeping Requirements for New Stationary Emergency Engines

[You must comply with the labeling requirements in § 60.4210(f) and the recordkeeping requirements in § 60.4214(b) for new emergency stationary CI ICE beginning in the following model years:]

Engine power	Starting model year
19[le]KW<56 (25[le]HP<75)	2013
56[le]KW<130 (75[le]HP<175)	2012
KW>=130 (HP>=175)	2011

**INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
OFFICE OF AIR QUALITY
and Anderson Office of Air Management**

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

Source Name: Nestle USA, Inc.
Source Address: 4300 West 73rd Street, Anderson, Indiana 46013
Mailing Address: 800 North Brand Blvd., Glendale, CA 91203
FESOP Permit No.: F095-23798-00129

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

Please check what document is being certified:

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

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

Signature:

Printed Name:

Title/Position:

Date:

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

and Anderson Office of Air Management

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

Source Name: Nestle USA, Inc.
Source Address: 4300 West 73rd Street, Anderson, Indiana 46013
Mailing Address: 800 North Brand Blvd., Glendale, CA 91203
FESOP Permit No.: F095-23798-00129

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) <ul style="list-style-type: none">• The Permittee must notify the Office of Air Quality (OAQ), within four (4) business hours (1-800-451-6027 or 317-233-0178, ask for Compliance Section); and• The Permittee must submit notice in writing or by facsimile within two (2) working days (Facsimile Number: 317-233-6865), and follow the other requirements of 326 IAC 2-7-16 |
|---|

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

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

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

Page 2 of 2

Date/Time Emergency started:
Date/Time Emergency was corrected:
Was the facility being properly operated at the time of the emergency? Y N Describe:
Type of Pollutants Emitted: TSP, PM-10, SO ₂ , VOC, NO _x , CO, Pb, other:
Estimated amount of pollutant(s) emitted during emergency:
Describe the steps taken to mitigate the problem:
Describe the corrective actions/response steps taken:
Describe the measures taken to minimize emissions:
If applicable, describe the reasons why continued operation of the facilities are necessary to prevent imminent injury to persons, severe damage to equipment, substantial loss of capital investment, or loss of product or raw materials of substantial economic value:

Form Completed by: _____

Title / Position: _____

Date: _____

Phone: _____

A certification is not required for this report.

**INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
 OFFICE OF AIR QUALITY
 COMPLIANCE DATA SECTION
 and Anderson Office of Air Management**

FESOP Quarterly Report

Source Name: Nestle USA, Inc.
 Source Address: 4300 West 73rd Street, Anderson, Indiana 46013
 Mailing Address: 800 North Brand Blvd., Glendale, CA 91203
 FESOP Permit No.: F095-23798-00129
 Facility: Filling Operations (EU-14a, EU-14b, EU-14c, EU-14d, EU-14e, and EU-14f)
 Parameter: VOC usage in each facility
 Limit: Less than 229,315 pounds in each facility per twelve (12) month consecutive period, with compliance determined at the end of each month.

QUARTER: _____ YEAR: _____

Month	Facility	Column 1	Column 2	Column 1 + Column 2
		This Month	Previous 11 Months	12 Month Total
Month 1	EU-14a			
	EU-14b			
	EU-14c			
	EU-14d			
	EU-14e			
	EU-14f			
Month 2	EU-14a			
	EU-14b			
	EU-14c			
	EU-14d			
	EU-14e			
	EU-14f			
Month 3	EU-14a			
	EU-14b			
	EU-14c			
	EU-14d			
	EU-14e			
	EU-14f			

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

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

Attach a signed certification to complete this report.

**INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
 OFFICE OF AIR QUALITY
 COMPLIANCE DATA SECTION
 and Anderson Office of Air Management**

FESOP Quarterly Report

Source Name: Nestle USA, Inc.
 Source Address: 4300 West 73rd Street, Anderson, Indiana 46013
 Mailing Address: 800 North Brand Blvd., Glendale, CA 91203
 FESOP Permit No.: F095-23798-00129
 Facility: Gen1, Gen2, Gen3, and Pump1
 Parameter: Hours of Operation
 Limit: Less than 500 hours of operation each per twelve (12) month consecutive period,
 with compliance determined at the end of each month.

YEAR: _____

Month	Facility	Column 1	Column 2	Column 1 + Column 2
		This Month	Previous 11 Months	12 Month Total
Month 1	Gen1			
	Gen2			
	Gen3			
	Pump1			
Month 2	Gen1			
	Gen2			
	Gen3			
	Pump1			
Month 3	Gen1			
	Gen2			
	Gen3			
	Pump1			

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

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

Attach a signed certification to complete this report.

**INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
 OFFICE OF AIR QUALITY
 COMPLIANCE DATA SECTION
 and Anderson Office of Air Management
 FEDERALLY ENFORCEABLE STATE OPERATING PERMIT (FESOP)
 QUARTERLY DEVIATION AND COMPLIANCE MONITORING REPORT**

Source Name: Nestle USA, Inc.
 Source Address: 4300 West 73rd Street, Anderson, Indiana 46013
 Mailing Address: 800 North Brand Blvd., Glendale, CA 91203
 FESOP Permit No.: F095-23798-00129

Months: _____ to _____ Year: _____

<p>This report shall be submitted quarterly based on a calendar year. Any deviation from the requirements, the date(s) of each deviation, the probable cause of the deviation, and the response steps taken must be reported. A deviation required to be reported pursuant to an applicable requirement that exists independent of the permit, shall be reported according to the schedule stated in the applicable requirement and does not need to be included in this report. Additional pages may be attached if necessary. If no deviations occurred, please specify in the box marked ∆No deviations occurred this reporting period@.</p>	
<input type="checkbox"/> NO DEVIATIONS OCCURRED THIS REPORTING PERIOD.	
<input type="checkbox"/> THE FOLLOWING DEVIATIONS OCCURRED THIS REPORTING PERIOD	
Permit Requirement (specify permit condition #)	
Date of Deviation:	Duration of Deviation:
Number of Deviations:	
Probable Cause of Deviation:	
Response Steps Taken:	
Permit Requirement (specify permit condition #)	
Date of Deviation:	Duration of Deviation:
Number of Deviations:	
Probable Cause of Deviation:	
Response Steps Taken:	

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

Form Completed by: _____

Title / Position: _____

Date: _____

Phone: _____

Attach a signed certification to complete this report.

100 North Senate Avenue
Indianapolis, Indiana 46204-2251

Nestle USA, Inc.
4300 West 73rd Street
Anderson, Indiana 46013

Affidavit of Construction

I, _____, being duly sworn upon my oath, depose and say:
(Name of the Authorized Representative)

1. I live in _____ County, Indiana and being of sound mind and over twenty-one (21) years of age, I am competent to give this affidavit.
2. I hold the position of _____ for Nestle USA, Inc.
(Title)
3. By virtue of my position with Nestle USA, Inc., I have personal knowledge of the representations contained in this affidavit and am authorized to make these representations on behalf of Nestle USA, Inc.
4. I hereby certify that Nestle USA, Inc., 4300 West 73rd Street, Anderson, Indiana 46013, completed construction of the food manufacturing and bottling facility on _____ in conformity with the requirements and intent of the construction permit application received by the Office of Air Quality on March 29, 2005 and as permitted pursuant to New Source Construction Permit and Federally Enforceable State Operating Permit No. 095-22798-00129, Plant ID No. 095-00129 issued on _____.

Further Affiant said not.

I affirm under penalties of perjury that the representations contained in this affidavit are true, to the best of my information and belief.

Signature _____

Date _____

STATE OF INDIANA)
)SS

COUNTY OF _____)

Subscribed and sworn to me, a notary public in and for _____ County and State of
Indiana on this _____ day of _____, 20 _____ .

My Commission expires:

Signature _____

Name (typed or printed)

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

Technical Support Document (TSD) for a New Source Construction
and Federally Enforceable State Operating Permit (FESOP)

Source Background and Description

Source Name:	Nestle USA, Inc.
Source Location:	4300 West 73rd Street, Anderson, Indiana 46013
County:	Madison
SIC Code:	2026, 2023, 3085
Operation Permit No.:	095-23798-00129
Permit Reviewer:	ERG/ST

The Office of Air Quality (OAQ) has reviewed a New Source Construction and FESOP application from Nestle USA, Inc. relating to the operation of a food processing and bottling plant.

Permitted Emission Units and Pollution Control Equipment

There are no permitted emission units at this source during this review process.

Unpermitted Emission Units and Pollution Control Equipment

There are no unpermitted emission units operating at this source during this review process.

New Emission Units and Pollution Control Equipment

The application includes information relating to the prior approval for the construction and operation of the following equipment pursuant to 326 IAC 2-8:

Nesquik Liquid and Coffeemate Liquid Production:

- (a) Two (2) pneumatic conveyance systems for transporting sugar from railcars to storage silos, identified as EU-1a and EU-1b, approved for construction in 2007, with a combined maximum throughput capacity of 66,000 pounds per hour, with emissions from each conveyance system controlled by an integral cyclone/filter (107a and 107b) and an integral vent filter (122a and 122b), respectively, with emissions exhausting inside the building.
- (b) Four (4) storage silos for storing sugar, identified as EU-2a through EU-2d, approved for construction in 2007, with a maximum combined storage capacity of 800 tons and a combined maximum throughput capacity of 66,000 pounds per hour, with emissions controlled by integral bag filters (211a and 211b) and integral vent filters (409a and 409b). 211a and 211b exhaust to stacks V211a and V211b, and 409a and 409b exhaust inside the building.
- (c) One (1) pneumatic conveyance system for transporting sugar from storage silos to the sugar dissolving operation, identified as EU-3, approved for construction in 2007, with a maximum throughput capacity of 66,000 pounds per hour, with emissions controlled by an integral bag filter (511), and exhausting inside the building.

- (d) One (1) cocoa dumping station, identified as EU-4, approved for construction in 2007, with a maximum throughput capacity of 6,000 pounds per hour, with emissions controlled by an integral bag filter (708), and exhausting inside the building.
- (e) One (1) pneumatic conveyance system for transporting cocoa from the cocoa dumping station to the cocoa dissolving operation, identified as EU-5, approved for construction in 2007, with a maximum throughput capacity of 8,820 pounds per hour, with emissions controlled by an integral bag filter (723), and exhausting inside the building.
- (f) Six (6) minor ingredients dumping stations, identified as EU-6a through EU-6f, approved for construction in 2007, with a combined maximum throughput capacity of 19,800 pounds per hour, with emissions on each conveyance system controlled by an integral bag filter (1202a through 1202f, respectively), and exhausting inside the building.
- (g) Six (6) major ingredients receiving for transporting major ingredients from the dumping stations to a homogenization operation, identified as EU-8a through EU-8f, approved for construction in 2007, with a combined maximum throughput capacity of 60,000 pounds per hour, with emissions from each conveyance system controlled by an integral bag filter (1304a through 1304f, respectively), and exhausting to stacks V1304a through V1304f, respectively.
- (h) One (1) completely enclosed hydraulic transfer system for transporting vegetable oil from tankcars to vegetable oil storage tanks and then to the CML mixing, identified as VegOilTransfer, approved for construction in 2007, with a maximum throughput capacity of 6,500 pounds per hour, with uncontrolled emissions exhausting inside the building.

Container Production, Sterilization and Filling:

- (i) One (1) pneumatic conveyance system for transporting polyethylene terephthalate resin pellets (PET) from railcars to two (2) storage silos, identified as EU-9, approved for construction in 2007, with a maximum throughput capacity of 33,000 pounds per hour, with emissions controlled by an integral bag filter (1407) and an integral vent filter (1507), with emissions exhausting inside the building.
- (j) Two (2) storage silos for storing polyethylene terephthalate resin pellets (PET), identified as EU-10a and EU-10b, approved for construction in 2007, each with a maximum storage capacity of 200 tons, with a combined maximum throughput capacity of 33,000 pounds per hour, each with emissions controlled by an integral cyclone/filter (1515), and exhausting inside the building.
- (k) Four (4) PET drying hopper operations, identified as EU-11a through EU-11d, approved for construction in 2007, with a combined maximum throughput capacity of 10,666 pounds per hour, using electric heaters, with emissions from each hopper controlled by integral cyclone and bag filters (11a through 11d, respectively), and exhausting inside the building.
- (l) One (1) container preforming operation, identified as EU-12, approved for construction in 2007, with a maximum throughput capacity of 10,666 pounds of resin per hour, using electric heaters, with uncontrolled emissions exhausting inside the building.
- (m) One (1) container blowmolding operation, identified as EU-13, approved for construction in 2007, with a maximum throughput capacity of 10,666 pounds of resin per hour, using electric heaters, using compressed air as blowing agent, with uncontrolled emissions exhausting inside the building.
- (n) Six (6) container sterilization and filling facilities, identified as EU-14a through EU-14f, approved for construction in 2007, with a combined maximum throughput capacity of 10,666 pounds of plastic containers per hour, using a VOC/oxidizer rinse to sanitize

containers prior to filling, with emissions from each sterilization and filling facility controlled by a wet scrubber (F1a through F1f, respectively), and exhausting to stacks VF1a through VF1f, respectively.

- (o) One (1) PET scrap grinding and transfer operation, identified as EU-15a and EU-15b, approved for construction in 2007, with a maximum grinding capacity of 2,000 pounds of plastic scrap per hour, with emissions controlled by integral cyclone/bag filters (2000a and 2000c and 2000d) and deduster (2000b), and exhausting inside the building.

Boilers:

- (p) Two (2) natural gas-fired boilers, identified as Boiler1 and Boiler2, approved for construction in 2007, each with a maximum heat input capacity of 99 MMBtu per hour, each equipped with ultra low-NOx burners (9 ppm NOx) and using flue gas recirculation for NOx control, with emissions exhausting to stacks VBoiler1 and VBoiler2, respectively. Under 40 CFR 60, Subpart Dc, Boiler1 and Boiler2 are considered to be Small Industrial-Commercial-Institutional Steam Generating Units.
- (q) One (1) natural gas-fired boiler, identified as Boiler3, approved for construction in 2007, with a maximum heat input capacity of 11.8 MMBtu per hour, equipped with low-NOx burners for NOx control, with emissions exhausting to stack VBoiler3. Under 40 CFR 60, Subpart Dc, Boiler3 is considered to be a Small Industrial-Commercial-Institutional Steam Generating Unit.

Insignificant Activities

The source will also consist of the following insignificant activities, as defined in 326 IAC 2-7-1(21):

- (a) Natural gas-fired combustion sources with heat input equal to or less than ten (10) million BTU per hour, consisting of seventy-nine (79) space heaters and HVAC units with a combined heat input capacity of 60.5 MMBtu per hour.
- (b) VOC and HAP storage containers storing lubricating oils, hydraulic oils, machining oils, or machining fluids.
- (c) Closed loop heating and cooling systems.
- (d) Activities associated with the treatment of wastewater streams with an oil and grease content less than or equal to one percent (1%) by volume.
- (e) Noncontact cooling tower systems, consisting of natural draft cooling towers not regulated under a NESHAP.
- (f) Replacement or repair of electrostatic precipitators, bags in baghouses, and filters in other air filtration equipment.
- (g) Heat exchanger cleaning and repair.
- (h) Process vessel degassing and cleaning to prepare for internal repairs.
- (i) Paved roads and parking lots with public access.
- (j) Blowdown for the following: sight glass, boiler, cooling tower, compressors and/or pumps.
- (k) Emergency diesel generators not exceeding one thousand six hundred (1,600) horsepower, consisting of three (3) diesel-fueled generators, identified as Gen1, Gen2, and Gen3, approved for construction in 2007, each rated at 750 brake horsepower, each with a displacement of 14.9 liters, with emissions uncontrolled and exhausting to stacks

VGen1, VGen2, and VGen3. Under 40 CFR 60, Subpart IIII, Gen1, Gen2, and Gen3 are considered to be stationary compression ignition internal combustion engines (CI ICE).

- (l) An emergency fire pump engine, consisting of one (1) diesel-fueled pump engine, identified as Pump1, approved for construction in 2007, rated at 183 horsepower, with a displacement of 6.8 liters, with emissions uncontrolled and exhausting to stack VPump1. Under 40 CFR 60, Subpart IIII, Pump1 is considered to be a stationary compression ignition internal combustion engine (CI ICE).
- (m) Emissions from three (3) laboratories, as defined in 326 IAC 2-7-1(21)(D).
- (n) Emissions from research and development activities as defined in 326 IAC 2-7-1(21)(E).

Existing Approvals

This is the first approval to be issued to this source.

Air Pollution Control Justification as an Integral Part of the Process

As part of their FESOP application, Nestle USA, Inc. submitted the following justification such that the cyclone/filters, vent filters, and bag filters (Cyclone/ Filters #107a-b, Vent Filters #122a-b, Bag Filters #211a-b, Vent Filters #409a-b, Bag Filter #511, Bag Filter #708, Bag Filter #723, Bag Filters #1202a-f, Bag Filters #1304a-f, Bag Filter #1407, Vent Filter #1507, Cyclone/Filter #1515, Cyclone/Bag Filters #11a, #11b, #11c, #11d, #2000a, #2000c, and #2000d, and Deduster #2000b controlling particulate emissions from EU-1a, EU1b, EU-2a, EU-2b, EU-2c, EU-2d, EU-3, EU-4, EU-5, EU-6a, EU-6b, EU-6c, EU-6d, EU-6e, EU-6f, EU-8a, EU-8b, EU-8c, EU-8d, EU-8e, EU-8f, EU-9, EU-10a, EU-10b, EU-11a, EU-11b, EU-11c, EU-11d, and EU-15 be considered as an integral part of the food processing and bottling processes:

During unloading, conveying, storage, and mixing, the raw materials for this food processing and bottling operation (sugar, cocoa, milk powder, premix, caseinate powder, and PET plastic pellets) are pneumatically conveyed from the railcars or supersacks to the silos or dumping stations. The materials are then pneumatically transported to dissolving operations, mixing operations, or, in the case of plastic resin, a drying and preforming operation. The pneumatic conveyance systems are closed systems. The cyclone/filters, vent filters, and bag filters separate materials from air when the material has reached its destination. The primary function of the pneumatic conveyance systems and the cyclone/filters, vent filters, and bag filters is to transport raw materials and separate raw materials from air when the materials have reached their destinations. The pneumatic transfer process cannot function without these filters.

Economic Benefit for Sugar Handling:

[Control Device IDs: #116a-b, #122a-b, #211a-b, #409a-b, and #511]

	Amount	Units
Sugar Throughput	250,800,800	lbs/year
Filter Recovery Efficiency ¹	90	%
Sugar Recovered	225,720,000	lbs/year
Cost of Sugar	\$ 0.34	per lb
Expense With No Filter	\$ 76,744,800	per year
Annualized Cost of Filters (9)	\$ 200,000	per year
Economic Benefit of Filter Systems	\$ 76,544,800	per year

¹ The source estimates that at least 90% of material would be lost or wasted without the use of the integral filters.

Economic Benefit for Cocoa Dumping and Handling:
[Control Device IDs: #708, and #723]

	Amount	Units
Cocoa Throughput	25,080,080	lbs/year
Filter Recovery Efficiency ¹	90	%
Cocoa Recovered	22,572,000	lbs/year
Cost of Cocoa	\$ 1.00	per lb
Expense With No Filter	\$ 22,572,000	per year
Annualized Cost of Filters (2)	\$ 80,000	per year
Economic Benefit of Filter Systems	\$ 22,492,000	per year

¹ The source estimates that at least 90% of material would be lost or wasted without the use of the integral filters.

Economic Benefit for Minor Ingredient Dumping and Handling and Major Ingredient Handling:
[Control Device IDs: #1202a-f, and #1304a-f]

	Amount	Units
Minor/Major Ingredient Throughput	85,272,272	lbs/year
Filter Recovery Efficiency ¹	90	%
Minor/Major Ingredient Recovered	76,744,800	lbs/year
Cost of Minor/Major Ingredient	\$ 0.60	per lb
Expense With No Filter	\$ 46,046,880	per year
Annualized Cost of Filters (2)	\$ 80,000	per year
Economic Benefit of Filter Systems	\$ 45,966,880	per year

¹ The source estimates that at least 90% of material would be lost or wasted without the use of the integral filters.

Economic Benefit for PET Resin and Scrap Handling:
[Control Device IDs: #1407, #1507, #1515, #11a, #11b, #11c, #11d, #2000a, #2000b, #2000c, and #2000d]

	Amount	Units
PET Resin Throughput	55,300,000	lbs/year
Filter Recovery Efficiency ¹	90	%
PET Resin Recovered	49,770,000	lbs/year
Cost of PET Resin	\$ 0.75	per lb
Expense With No Filter	\$ 37,327,000	per year
Annualized Cost of Filters (4)	\$ 120,000	per year
Economic Benefit of Filter Systems	\$ 37,207,000	per year

¹ The source estimates that at least 90% of material would be lost or wasted without the use of the integral filters.

IDEM, OAQ has evaluated these justifications and determined that the cyclone/filters, vent filters and bag filters (Cyclone/ Filters #107a-b, Vent Filters #122a-b, Bag Filters #211a-b, Vent Filters #409a-b, Bag Filter #511, Bag Filter #708, Bag Filter #723, Bag Filters #1202a-f, Bag Filters #1304a-f, Bag Filter #1407, Vent Filter #1507, Cyclone/Filter #1515, Cyclone/Bag Filters #11a, #11b, #11c, #11d, #2000a, #2000c, and #2000d, and Deduster #2000b) controlling particulate emissions from the pneumatic conveyors (EU-1a and EU-1b, EU-3, EU-4, EU-5, EU-6a through EU-6f, and EU-8a through EU-8f), the silos/hoppers (EU-2a through EU-2d, EU-9, EU-10a, EU-10b, EU-11a, EU-11b, EU-11c, EU-11d), and the PET scrap grinding and transfer (EU-15) are an integral part of the process. Therefore, the permitting level will be determined using the potential to emit after the filters. Operating conditions in the proposed permit will specify that the filters shall operate at all times when the food processing facilities are in operation.

Enforcement Issue

There are no enforcement actions pending.

Stack Summary

Stack ID	Operation	Height (ft)	Diameter (ft)	Flow Rate (acfm)	Temperature (°F)
V211a	EU-2a - EU-2d	35	1.5	1177	ambient
V211b	EU-2a - EU-2d	35	1.5	1177	ambient
V1304a	EU-8a - EU-8f	35	1.5	300	ambient
V1304b	EU-8a - EU-8f	35	1.5	300	ambient
V1304c	EU-8a - EU-8f	35	1.5	300	ambient
V1304d	EU-8a - EU-8f	35	1.5	300	ambient
V1304e	EU-8a - EU-8f	35	1.5	300	ambient
V1304f	EU-8a - EU-8f	35	1.5	300	ambient
VF1a - VF1f	EU-14a - EU-14f	35	1.5	4,120	88
VBoiler1	Boiler1	60	3.5	24,000	300
VBoiler2	Boiler2	60	3.5	24,000	300
VBoiler3	Boiler3	44	2.2	2,600	270
VGen1	Gen1	45	1	3,000	820
VGen2	Gen2	45	1	3,000	820
VGen3	Gen3	45	1	3,000	820
VPump1	Pump1	35	1	924	1140

Recommendation

The staff recommends to the Commissioner that the New Source Construction and FESOP be approved. This recommendation is based on the following facts and conditions:

Unless otherwise stated, information used in this review was derived from the application and additional information submitted by the applicant.

An administratively complete New Source Construction and FESOP application for the purposes of this review was received on October 23, 2006. Additional information was received on December 12, 2006 and January 15, 2007.

Emission Calculations

See Appendix A of this document for detailed emission calculations (pages 1 through 6). The source has provided manufacturer's data for using alternative emission factors for NOx and CO for the boilers (Boiler1, Boiler2, and Boiler3). However, the calculations (Appendix A) use AP 42 emission factors for these boilers. The source has provided manufacturer's data for using alternative emission factors for PM, PM10, VOC, NOx and CO for the emergency generators (Gen1, Gen2, and Gen3) and the emergency fire pump engine (Pump1). However, the calculations (Appendix A) only use these alternative emission factors for VOC and CO for the emergency generators. AP 42 emission factors are used for other pollutants in the emergency generators and for all pollutants in the emergency fire pump engine. The source-wide potential to emit of NOx and CO is limited to less than 100 tons per year.

Air Quality Impacts from Minor Sources

Modeling Overview: Pursuant to 326 IAC 2-1.1-5, IDEM, OAQ, has conducted a modeling analysis of the Limited Potential to Emit (PTE) criteria pollutants from this proposed source to estimate whether the Limited PTE of criteria pollutants will cause or contribute to a violation of any National Ambient Air Quality Standard (NAAQS).

Modeling Results – Criteria Pollutants: The modeling results indicate that the Limited PTE of criteria pollutants from this source will not result in an exceedance of the National Ambient Air Quality Standards (NAAQS).

Potential to Emit

Pursuant to 326 IAC 2-1.1-1(16), Potential to Emit is defined as “the maximum capacity of a stationary source or emissions 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, the department, or the appropriate local air pollution control agency.”

Pollutant	Potential to Emit (tons/year)
PM	7.68
PM-10	14.3
SO ₂	1.70
VOC	747
CO	100.8
NO _x	70.9

HAPs	Potential to Emit (tons/year)
Hexane	2.09
All Others	0.13
Total	2.22

- (a) The potential to emit (as defined in 326 IAC 2-7-1(29)) of VOC and CO is equal to or greater than 100 tons per year. This source, which would otherwise be subject to the provisions of 326 IAC 2-7, will be issued a FESOP because the source will limit its emissions below the Title V levels.
- (b) The potential to emit (as defined in 326 IAC 2-7-1(29)) of any single HAP is less than ten (10) tons per year and the potential to emit (as defined in 326 IAC 2-7-1(29)) of a combination of HAPs is less than twenty-five (25) tons per year.
- (c) Fugitive Emissions
 Since this type of operation is not one of the twenty-eight (28) listed source categories under 326 IAC 2-2 and since there are no applicable New Source Performance Standards that were in effect on August 7, 1980, the fugitive particulate matter (PM) and volatile organic compound (VOC) emissions are not counted toward determination of PSD and Emission Offset applicability.

Potential to Emit After Issuance

The source has opted to become a FESOP source. The table below summarizes the potential to emit, reflecting all limits of the emission units. Any control equipment is considered enforceable only after issuance of this FESOP and only to the extent that the effect of the control equipment is made practically enforceable in the permit.

Process/emission unit	Limited Potential To Emit (tons/year)						
	PM	PM-10	SO ₂	VOC	CO	NO _x	HAPs
Pneumatic Transfer (EU-1 - EU-11, EU-15)	3.15	3.15	0.0	0.0	0.0	0.0	0.0
Forming (EU-12 - EU-13)	1.24	1.24	0.0	23.4	0.0	0.0	0.0
Sterilization and Filling (EU-14)	0.0	0.0	0.0	68.8	0.0	0.0	0.0
Emergency Generators (Gen1 - Gen3)	0.98	0.98	0.91	0.08	0.90	13.7	0.02
Fire Pump Engine (Pump1)	0.10	0.10	0.09	0.11	0.31	1.42	0.01
Boilers (Boiler1 - Boiler3)	1.71	6.85	0.54	4.95	75.7	29.7	1.70
Heaters, HVAC	0.49	1.97	0.16	1.43	21.8	26.0	0.49
Total Emissions	7.68	14.3	1.70	98.7	98.7	70.9	2.22

VOC emissions from EU-14 are limited by conditions in the permit.
 VOC and CO emissions from Gen1 - Gen3 are limited by conditions in the permit.

County Attainment Status

The source is located in Madison County.

Pollutant	Status
PM-10	Attainment
PM2.5	Attainment
SO ₂	Attainment
NO ₂	Attainment
8-hour Ozone	Nonattainment
CO	Attainment
Lead	Attainment

- (a) Madison County has been classified as attainment for PM2.5. U.S. EPA has not yet established the requirements for Prevention of Significant Deterioration (PSD), 326 IAC 2-2 for PM 2.5 emissions. Therefore, until the U.S.EPA adopts specific provisions for PSD review for PM2.5 emissions, it has directed states to regulate PM10 emissions as surrogate for PM2.5 emissions. See the State Rule Applicability - Entire Source section.
- (b) Volatile organic compounds (VOC) and Nitrogen Oxides (NOx) are regulated under the Clean Air Act (CAA) for the purposes of attaining and maintaining the National Ambient Air Quality Standards (NAAQS) for ozone. Therefore, VOC and NOx emissions are considered when evaluating the rule applicability relating to the ozone standards. Madison County has been designated as nonattainment for the 8-hour ozone standard. Therefore, VOC and NOx emissions were reviewed pursuant to the requirements for Emission Offset, 326 IAC 2-3. See the State Rule Applicability - Entire Source section.
- (c) Madison County has been classified as attainment or unclassifiable in Indiana for all other criteria pollutants. Therefore, these emissions were reviewed pursuant to the requirements for Prevention of Significant Deterioration (PSD), 326 IAC 2-2. See the State Rule Applicability - Entire Source section.

Source Status

New Source PSD and Emission Offset Definition (emissions after controls, based on 8760 hours of operation per year at rated capacity and/or as otherwise limited):

Pollutant	Emissions (tons/year)
PM	7.68
PM10	14.3
SO ₂	1.70
VOC	Less than 100
CO	Less than 100
NO _x	70.9

This new source is not a major stationary source (under 326 IAC 2-2 (PSD) or 326 IAC 2-3 (Emission Offset)) because no attainment regulated pollutant is emitted at a rate of 250 tons per year or greater, no nonattainment regulated pollutant is emitted at a rate of 100 tons per year or greater, and this new source is not in one of the 28 listed source categories.

Federal Rule Applicability

- (a) The requirements of the New Source Performance Standards for Industrial-Commercial-Institutional Steam Generating Units, (326 IAC 12, 40 CFR 60, Subpart Db) are not included in this permit for Boiler1, Boiler2, and Boiler3. These boilers have a heat input capacity less than 100 MMBtu per hour.
- (b) The natural gas-fired boilers identified as Boiler1, Boiler2, and Boiler3 are subject to the requirements of the New Source Performance Standard for Small Industrial-Commercial-Institutional Steam Generating Units (40 CFR 60, Subpart Dc, 326 IAC 12) because these boilers will be constructed after June 9, 1989, are defined as a "steam generating unit" pursuant to 40 CFR 60.41c, and each boiler has a heat input capacity greater than 10 MMBtu per hour and less than 100 MMBtu per hour. Boiler1 and Boiler2 have a heat input capacity greater than 30 MMBtu per hour.

Non-applicable portions of the NSPS will not be included in the permit.

Boiler1 and Boiler2 are subject to the following portions of 40 CFR 60, Subpart Dc:

40 CFR 60.40c(a), (b)
40 CFR 60.41c
40 CFR 60.43c(d), (e)(1)
40 CFR 60.45c(c)
40 CFR 60.47c(c)
40 CFR 60.48c(a)(1), (b), (g), (i)

Boiler3 is subject to the following portions of 40 CFR 60, Subpart Dc:

40 CFR 60.40c(a), (b)
40 CFR 60.41c
40 CFR 60.48c(a)(1), (g), (i)

The provisions of 40 CFR 60, Subpart A – General Provisions, which are incorporated as 326 IAC 12-1-1, apply to Boiler1, Boiler2, and Boiler3 except when otherwise specified in 40 CFR 60, Subpart Dc.

- (c) The diesel-fired emergency generators, identified as Gen1, Gen2, and Gen3, and the diesel-fired emergency fire pump engine (Pump1), will commence construction after July 11, 2005, will be manufactured after April 1, 2006, and are compression ignition engines. The fire pump engine will be manufactured after July 1, 2006 and will be a certified National Fire Protection Association (NFPA) fire pump engine. Therefore, the emergency generators and emergency fire pump engine are subject to the New Source Performance Standards for Stationary Compression Ignition Internal Combustion Engines (326 IAC 12, 40 CFR 60.4200 - 4209, Subpart IIII).

Non-applicable portions of the NSPS will not be included in the permit. The proposed emergency generators and fire pump engine are subject to the following portions of 40 CFR 60, Subpart IIII:

40 CFR 60.4200(a)(2)
40 CFR 60.4205(a), (b), (c)
40 CFR 60.4206

40 CFR 60.4207(a), (b), (c)
40 CFR 60.4208
40 CFR 60.4209(a)
40 CFR 60.4211(a), (b), (c), (e)
40 CFR 60.4212
40 CFR 60.4214(b)
40 CFR 60.4218
40 CFR 60.4219
40 CFR 60, Subpart IIII Tables 1, 4, 5, 8

The provisions of 40 CFR 60, Subpart A – General Provisions, which are incorporated as 326 IAC 12-1, apply to this source, except when otherwise specified in 40 CFR 60, Subpart IIII.

- (d) The requirements of the National Emissions Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines (40 CFR 63, Subpart ZZZZ) are not included in this permit for the emergency diesel generators (Gen1, Gen2, Gen3) and the emergency diesel fire pump engine (Pump1) because the source is not a major source of hazardous air pollutants (HAP).
- (e) The requirements of the National Emissions Standards for Industrial/Commercial/Institutional Boilers and Process Heaters (40 CFR 63, Subpart DDDDD) are not included in this permit for the boilers (Boiler1, Boiler2, and Boiler3) because the source is not a major source of hazardous air pollutants (HAP).

State Rule Applicability – Entire Source

326 IAC 1-5-3 (Emergency Reduction Plan)

The source has accepted federally enforceable limits on source-wide emissions of VOC such that the potential to emit of PM, PM10, PM2.5, CO, NO_x, and SO₂, along with the limited potential to emit of VOC from the entire source will be less than 100 tons per year. Therefore, the requirements of 326 IAC 1-5 are not applicable to this source.

326 IAC 2-2 (Prevention of Significant Deterioration)

This source will be constructed in 2007. This source is not in 1 of the 28 source categories and there are no applicable New Source Performance Standards that were in effect on August 7, 1980. Therefore, fugitive emissions of VOC and PM are not counted towards applicability of PSD.

The potential to emit of PM, PM10, PM2.5, SO₂, NO₂, and CO for the entire source are less than 250 tons per year. The PTE of VOC for the entire source is greater than 250 tons per year. However, the source has accepted federally enforceable limits on the usage of VOC and the control efficiency of the wet scrubbers used to control VOC emissions from the container sterilization and filling facilities. With these limits, the potential to emit of the entire source is limited to less than 100 tons per year of VOC. Therefore, this source is a minor source under PSD. [For a description of the specific PSD minor limit, see the discussion of the FESOP Limitations below.]

326 IAC 2-3 Emission Offset

This source is located in Madison County. Madison County was designated as a non-attainment for the 8-hour ozone standard on June 15, 2004. The potential to emit of VOC of this source is greater than 100 tons per year. However, the source has accepted federally enforceable limits on the control efficiency of the wet scrubbers used to control VOC emissions from the container sterilization and filling facilities. With these limits, the potential to emit of the source is limited to less than 100 tons per year of VOC. Therefore, this source is a minor source under Emission Offset. [For a description of the specific Emission Offset minor limit, see the discussion of the FESOP Limitations below.]

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

The potential to emit of the entire source is less than 10 tons per year of a single HAP and less than 25 tons per year of a combination of HAPs. Therefore, the requirements of 326 IAC 2-4.1 do not apply to this source.

326 IAC 2-6 (Emission Reporting)

This source is located in Madison County and has voluntarily agreed to limit the potential to emit of VOC to less than major source levels. Therefore, the source is not required to operate under a Part 70 (Title V) permit. This source has potential lead emissions of less than five (5) tons per year. Therefore, pursuant to 326 IAC 2-6-1(b), the source is only subject to additional information requests as provided in 326 IAC 2-6-5.

326 IAC 2-8 (FESOP)

The potential to emit of VOC and CO from the entire source is greater than 100 tons per year. However, the source has accepted limits such that the source will be a minor source under Part 70. The FESOP limits for this source are as follows:

- (a) Pursuant to 326 IAC 2-8-4, the Permittee shall limit the VOC usage at each of the container sterilization and filling facilities (EU-14a, EU-14b, EU-14c, EU-14d, EU-14e, and EU-14f) to less than 229,315 pounds per twelve month consecutive period, with compliance determined at the end of each month.
- (b) Pursuant to 326 IAC 2-8-4, the Permittee shall operate the scrubbers on each of the container sterilization and filling facilities (EU-14a, EU-14b, EU-14c, EU-14d, EU-14e, and EU-14f) and the overall VOC control (collection and removal) efficiency for each of the scrubbers shall be equal to or greater than 90%.
- (c) Pursuant to 326 IAC 2-8-4, the VOC emissions from each of the wet scrubbers (F1a through F1f) controlling VOC emissions from the container sterilization and filling facilities (EU-14a through EU-14f) shall not exceed 2.62 pounds per hour.
- (d) Pursuant to 326 IAC 2-8-4, the emergency generators (Gen1, Gen2, and Gen3) and the emergency fire pump engine (Pump1) shall each be limited to 500 hours of operation per twelve consecutive month period.
- (e) Pursuant to 326 IAC 2-8-4, the VOC emissions from each of the emergency generators (Gen1, Gen2, and Gen3) shall not exceed 0.10 pounds per hour.
- (f) Pursuant to 326 IAC 2-8-4, the CO emissions from each of the emergency generators (Gen1, Gen2, and Gen3) shall not exceed 1.2 pounds per hour.
- (g) Pursuant to 326 IAC 2-8-4, the CO emissions from Boiler1 and Boiler 2 shall each not exceed 8.15 pounds per hour.
- (h) Pursuant to 326 IAC 2-8-4, the CO emissions from Boiler3 shall not exceed 0.97 pounds per hour.

This limit is structured such that, when including the emissions from the other emission units at this source, the source-wide VOC and CO emissions are limited to less than one hundred (100) tons per twelve (12) consecutive month period. This limit will render the requirements of 326 IAC 2-7 (Part 70 Permit Program), 326 IAC 2-2 (PSD), and 326 IAC 2-3 (Emission Offset) not applicable to this source.

326 IAC 5-1 (Opacity Limitations)

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 the permit:

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

326 IAC 6-4 (Fugitive Dust Emissions)

The source is subject to 326 IAC 6-4 (Fugitive Dust Emissions) because the source maintains paved roads and parking lots with public access. The Permittee shall not allow fugitive dust to escape beyond the property line or boundaries of the property, right-of-way, or easement on which the source is located, in a manner that would violate 326 IAC 6-4 (Fugitive Dust Emissions).

326 IAC 6-5 (Fugitive Particulate Matter Emission Limitations)

The source is located in Madison County.

- (a) This source is not located in any of the areas listed in 326 IAC 6-5-1(a). Therefore, this source is not subject to the requirements of 326 IAC 6-5.
- (b) This source did not receive all of the necessary preconstruction approvals prior to December 13, 1985. However, the fugitive particulate emissions from the paved roads and parking lots are negligible. Pursuant to 326 IAC 6-5-7(d), this source is not subject to the requirements of 326 IAC 6-5.

326 IAC 8-6 (Organic Solvent Emission Limitations)

The source is not subject to 326 IAC 8-6 (Organic Solvent Emission Limitations) because it was constructed after January 1, 1980, and the source has accepted federally enforceable limits on emissions of VOC such that the potential to emit of VOC is less than 100 tons per year.

State Rule Applicability – Nesquik Liquid and Coffeemate Liquid Production

326 IAC 6-3-2 (Particulate Emission Limitations for Manufacturing Processes)

The pneumatic conveyance systems, storage silos, and production facilities identified as EU-1a, EU-1b, EU-2a, EU-2b, EU-2c, EU-2d, EU-3, EU-4, EU-5, EU-6a, EU-6b, EU6c, EU-6d, EU6e, EU-6f, EU-8a, EU-8b, EU-8c, EU-8d, EU-8e, and EU-8f have the potential to emit particulate. However, pursuant to 326 IAC 6-3-1(b)(14), these facilities are exempt from the requirements of 326 IAC 6-3-2 because the potential to emit of these facilities is less than 0.551 pounds per hour. Potential to emit is calculated after the effect of the integral control devices.

State Rule Applicability – Container Production, Sterilization and Filling

326 IAC 6-3-2 (Particulate Emission Limitations for Manufacturing Processes)

The PET resin pneumatic conveyance systems, PET storage silos, container preforming, container blowmolding and plastic scrap grinding facilities identified as EU-9, EU-10a, EU-10b, EU-11a, EU-11b, EU-11c, EU-11d, EU-12, EU-13, and EU-15 have the potential to emit particulate. However, pursuant to 326 IAC 6-3-1(b)(14), these facilities are exempt from the requirements of 326 IAC 6-3-2 because the potential to emit of these facilities is less than 0.551 pounds per hour. Potential to emit is calculated after the effect of the integral control devices.

326 IAC 8-1-6 (General Reduction Requirements for VOC Emissions)

The six (6) container sterilization and filling facilities, identified as EU-14a through EU-14f, will be constructed after January 1, 1980. Each of these facilities has potential VOC emissions greater than 25 tons per year. These facilities operate in parallel and independently of one another. There are no other rules in 326 IAC 8 applicable to these units. Therefore, the six (6) container sterilization and filling facilities (EU-14a through EU-14f) are subject to 326 IAC 8-1-6 and the Permittee is required to control VOC emissions using the Best Available Control Technology

(BACT). Based on the information in Appendix B, BACT for the six (6) container sterilization and filling facilities has been determined to be the following:

- (a) The VOC emissions from the container sterilization and filling facilities (EU-14a through EU-14f) shall be controlled by wet scrubbers (F1a through F1f, respectively).
- (b) The overall VOC control efficiency for each of the wet scrubbers (F1a through F1f) (including the capture efficiency and control efficiency) shall be at least 90%.
- (c) The VOC emissions from each of the wet scrubbers (F1a through F1f) controlling VOC emissions from the container sterilization and filling facilities (EU-14a through EU-14f) shall not exceed 2.62 pounds per hour.

State Rule Applicability – Boilers

326 IAC 6-2-4 (PM Emissions for Sources of Indirect Heating)

The boilers (Boiler1, Boiler2, and Boiler3) are sources of indirect heating and were constructed after September 12, 1983. Pursuant to 326 IAC 6-2-4(a), these indirect heating facilities shall be limited by the following equation:

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

Where Pt = emission rate limit (lbs/MMBtu)
Q = total source heat input capacity (MMBtu/hr)

The emission rate limit calculated from the equation above equals:

$$Pt = \frac{1.09}{(99 + 99 + 11.8)^{0.26}} = 0.27 \text{ lbs/MMBtu}$$

Therefore, the PM emission limit for each of the boilers is 0.27 lbs/MMBtu. Based on AP 42 emission factors, the source will be able to comply with this limit.

326 IAC 7-1.1 (Sulfur Dioxide Emission Limitations)

This source is located in Madison County. The potential to emit of sulfur dioxide from each of the boilers is less than twenty-five (25) tons per year and less than ten (10) pounds per hour. Therefore, the requirements of 326 IAC 7-1.1-2, 326 IAC 7-2, and 326 IAC 7-4-2 do not apply.

326 IAC 10 (Nitrogen Oxides)

The boilers are not located in Clark or Floyd Counties, are not in a source category described in 326 IAC 10-3, are not used for generating electricity, and are not "large affected units", as that term is described in 326 IAC 10-4. Therefore, the requirements of 326 IAC 10 do not apply.

326 IAC 12 (New Source Performance Standards)

Boiler1, Boiler2, and Boiler3 are subject to the recordkeeping requirements of 326 IAC 12 because they each have a heat input capacity greater than 10 MMBtu per hour but less than 100 MMBtu per hour, are approved for construction after June 9, 1989, and are defined as a "steam generating unit" pursuant to 40 CFR 60.41c. Pursuant to this rule, the Permittee shall keep daily records of the fuel burned in the boilers. 326 IAC 12 incorporates by reference a version of 40 CFR 60, Subpart Dc that predates the revisions made to 40 CFR 60, Subpart Dc on February 27, 2006.

State Rule Applicability – Emergency Generators and Emergency Fire Pump Engine

326 IAC 6-2 (Particulate Emission Limitations for Sources of Indirect Heating)

The emergency generators (Gen1, Gen2, and Gen3) and emergency fire pump engine (Pump1) are not subject to the requirements of 326 IAC 6-2 because they are not a source of indirect heating.

326 IAC 6-3 (Particulate Emission Limitations for Manufacturing Processes)

Pursuant to 326 IAC 6-3-1(b)(14), the emergency generators (Gen1, Gen2, Gen3) and emergency fire pump engine (Pump1) are not subject to the requirements of 326 IAC 6-3 because they have potential particulate emissions less than five hundred fifty-one thousandths (0.551) pound per hour.

326 IAC 7-1.1 (Sulfur Dioxide Emission Limitations)

This source is located in Madison County. The potential to emit of sulfur dioxide from the emergency generators (Gen1, Gen2, Gen3) and emergency fire pump engine (Pump1) is less than twenty-five (25) tons per year and less than ten (10) pounds per hour. Therefore, the requirements of 326 IAC 7-1.1-2, 326 IAC 7-2, and 326 IAC 7-4-2 do not apply.

326 IAC 10-5 (Nitrogen Oxide Reduction Program for Internal Combustion Engines (ICE))

The emergency generators (Gen1, Gen2, Gen3) and emergency fire pump engine (Pump1) are not subject to the requirements of 326 IAC 10-5 because these engines are not large NOx SIP Call engines, as that term is defined in 326 IAC 10-5.

State Rule Applicability – Insignificant Heaters

326 IAC 6-2 (Particulate Emission Limitations for Sources of Indirect Heating)

The insignificant heaters and HVAC units are not subject to the requirements of 326 IAC 6-2 because they are not a source of indirect heating.

326 IAC 6-3 (Particulate Emission Limitations for Manufacturing Processes)

Pursuant to 326 IAC 6-3-1(b)(14), the insignificant heaters and HVAC units are not subject to the requirements of 326 IAC 6-3 because they have potential particulate emissions less than five hundred fifty-one thousandths (0.551) pound per hour.

Testing Requirements

Filling Facilities (EU14a-f):

During the period within one-hundred and eighty (180) days of the start of operations and within sixty (60) days of reaching full capacity, the Permittee shall test the VOC emissions of the container sterilization and filling facilities (EU-14a through EU-14f) to verify that the VOC emissions are in compliance with the FESOP and BACT limits in this permit. This test must be repeated every five (5) years using a different filling facility each time the test is performed. Since each of the six (6) filling facilities is identical, the Permittee is only required to test one of the units to verify compliance.

Boilers:

The emission factors used in calculating PM, PM10, SO₂, VOC, NOx and CO emissions are AP 42 emission factors. Since these emission factors are considered reliable, no stack testing is required to demonstrate compliance.

Emergency Generators:

Testing is not required for the emergency generators. The Permittee may be required to test the emergency generators to demonstrate compliance with 40 CFR 60, Subpart IIII. For specific requirements, see 40 CFR 60.4212.

Fire Pump Engine:

The emission factors used in calculating PM, PM10, SO₂, VOC, NOx and CO emissions are AP 42 emission factors. Since these emission factors are considered reliable, no stack testing is required to demonstrate compliance. The Permittee may be required to test the fire pump engine to

demonstrate compliance with 40 CFR 60, Subpart IIII. For specific requirements, see 40 CFR 60.4212.

Pneumatic Transfer:

There is no testing required for the integral filters controlling the pneumatic transfer of materials within the plant. Each of these emission points accounts for a small portion of the overall potential particulate emissions from this source. The majority of these emission units exhaust inside the building.

Compliance Requirements

Permits issued under 326 IAC 2-8 are required to ensure that sources can demonstrate compliance with applicable state and federal rules on a more or less 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 2-8-4. As a result, compliance requirements are divided into two sections: Compliance Determination Requirements and Compliance Monitoring Requirements.

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

The compliance monitoring requirements applicable to this source are as follows:

1. The wet scrubbers (F1a through F1f) controlling the container sterilization and filling facilities (EU-14a through EU-14f) have applicable compliance monitoring conditions as specified below:
 - (a) The Permittee shall monitor and record the pressure drop and flow rate of the wet scrubbers (F1a through F1f) controlling the container sterilization and filling facilities (EU-14a through EU-14f) at least once per day when the associated process is in operation. When for any one reading, the pressure drop across the scrubber is outside the normal range of 1.5 and 6.5 inches of water, or a range established during the latest stack test, the Permittee shall take reasonable response steps in accordance with Section C - Response to Excursions or Exceedances. When for any one reading, the flow rate of any of the scrubbers is less than the minimum of 7.0 gallons per minute, or a minimum established during the latest stack test, the Permittee shall take reasonable response steps in accordance with Section C - Response to Excursions or Exceedances. A pressure reading that is outside the above mentioned range or a flow rate that is below the above mentioned minimum is not a deviation from this permit. Failure to take response steps in accordance with Section C - Response to Excursions or Exceedances shall be considered a deviation from this permit.
 - (b) The instruments used for determining the pressure drop and flow rate shall comply with Section C - Instrument Specifications, of this permit, shall be subject to approval by IDEM, OAQ, and shall be calibrated at least once every six (6) months.
 - (c) In the event that a scrubber malfunction has been observed, failed units and the associated process will be shut down immediately until the failed units have been repaired or replaced. Operations may continue only if the event qualifies as an

emergency and the Permittee satisfies the requirements of the emergency provisions of this permit (Section B - Emergency Provisions). Failure to take response steps in accordance with Section C - Response to Excursions or Exceedances shall be considered a deviation from this permit.

These monitoring conditions are necessary because the wet scrubbers for the container sterilization and filling facilities must operate properly to ensure compliance with 326 IAC 2-8 (FESOP), 326 IAC 2-2 (PSD), 326 IAC 2-3 (Emission Offset), and 326 IAC 8-1-6 (BACT).

Conclusion

The construction and operation of this food processing and bottling plant shall be subject to the conditions of the New Source Construction and FESOP 095-23798-00129.

Appendix A: Emission Calculations
Particulate Emissions From Pneumatic Conveyance of Materials Between Emissions Units

Company Name: Nestle USA, Inc.
 Address: 4300 West 73rd Street, Anderson, Indiana 46013
 NSC and FESOP: 095-23798-00129
 Reviewer: ERG/ST
 Date: January 24, 2007

Emissions from Materials Transfer Between Emission Units. Control Devices are Integral to Process.

Emission Unit (ID#) (Control Device)	Maximum Throughput (lbs/hour)	Control Device	Air Flow Rate (acfm)	Number of Control Devices	Outlet Grain Loading* (g/ascf)	Control Efficiency (%)	PTE of PM/PM10 Before Control (lbs/hour)	PTE of PM/PM10 Before Control (tons/year)	PTE of PM/PM10 After Control (lbs/hour)	PTE of PM/PM10 After Control (tons/year)	326 IAC 6-3-2 Allowable PM Emission Rate (lbs/hour)
Sugar Vacuum Transfer (EU-1a) (Fabric Filters)	66,000	Cyclone/ Filter #107a	1766	1	4.4E-03	99.9%	66	290	0.07	0.29	40.8
		Vent Filter #122a	118	1	4.4E-03	99.9%	4	19	0.00	0.02	
Sugar Vacuum Transfer (EU-1b) (Fabric Filters)	66,000	Cyclone/ Filter #107b	1766	1	4.4E-03	99.9%	44	193	0.04	0.19	40.8
		Vent Filter #122b	118	1	4.4E-03	99.9%	4	19	0.00	0.02	
Sugar Storage Silos (EU-2a-b) (Fabric Filters)	66,000	Bag Filter #211a	1177	1	4.4E-03	99.9%	44	193	0.04	0.19	40.8
		Vent Filter #409a	118	1	4.4E-03	99.9%	4	19	0.00	0.02	
Sugar Storage Silos (EU-2c-d) (Fabric Filters)	66,000	Bag Filter #211b	1177	1	4.4E-03	99.9%	44	193	0.04	0.19	40.8
		Vent Filter #409b	118	1	4.4E-03	99.9%	11	49	0.01	0.05	
Sugar Dissolving (EU-3) (Fabric Filter)	66,000	Bag Filter #511	1177	1	4.4E-03	99.9%	44	193	0.04	0.19	40.8
Cocoa Dumping (EU-4) (Fabric Filter)	6,000	Bag Filter #708	300	1	4.4E-03	99.9%	11.2	49	0.01	0.05	8.56
Cocoa Receiving (EU-5) (Fabric Filter)	8,820	Bag Filter #723	707	1	4.4E-03	99.9%	26	116	0.03	0.12	11.1
Minor Ingredients Dumping (EU-6a-f) (Fabric Filters)	19,800	Bag Filters #1202a-f	300	6	4.4E-03	99.9%	67	295	0.07	0.30	19.0
Minor Ingredients Receiving (EU-8a-f) (Fabric Filters)	39,600	Bag Filters #1304a-f	300	6	4.4E-03	99.9%	67	295	0.07	0.30	30.3
PET Vacuum Transfer (EU-9) (Fabric Filter)	33,000	Bag Filter #1407	1766	1	4.4E-03	99.9%	66	290	0.07	0.29	26.8
	33,000	Vent Filter #1507	118	1	4.4E-03	99.9%	4.4	19	0.00	0.02	26.8
PET Storage Silos (EU-10a-b) (Fabric Filters)	33,000	Cyclone/ Filters #1519a-b	300	2	4.4E-03	99.9%	22	98	0.02	0.10	26.8
PET Dryer Hopper (EU-11a-d) (Fabric Filters)	10,666	Cyclone/ Bag Filters #11a-d	1177	4	4.4E-03	99.9%	176	772	0.18	0.77	12.6
PET Scrap Grinding/Transfer (EU-15) (Fabric Filters)	2,000	Cyclone/Bag Filter #2000a	300	1	4.4E-03	99.9%	11	49	0.01	0.05	4.10
		Deduster #2000b	1100	1	4.4E-03	99.9%	41	180	0.04	0.18	4.10
		Cyclone/Bag Filter #2000c	590	1	4.4E-03	99.9%	22	97	0.02	0.10	4.10
		Bag Filter #2000d	862	1	4.4E-03	99.9%	32	141	0.03	0.14	4.10
Total										3.15	

Outlet Grain Loading is conservatively estimated by source to be 4.4E-3 g/ascf based on manufacturer's specifications for these control devices.

Emissions after controls represents the potential to emit for pneumatic conveyance of materials because these devices are deemed integral to process.

Methodology

PTE of PM/PM10 Controlled (lbs/hour) = Air Flow Rate (acfm) x Outlet Grain Loading (gr/ascf) x Number of Control Devices x 60 (min/hour) x 1/7000 (lb/gr)

PTE of PM/PM10 Controlled (tons/year) = Air Flow Rate (acfm) x Outlet Grain Loading (gr/ascf) x Number of Control Devices x 60 (min/hour) x 1/7000 (lb/gr) x 8760 (hour/year) x 1 ton/2000 lbs

PTE of PM/PM10 Uncontrolled (lbs/hour) = PTE of PM/PM10 Controlled (lbs/hour) x 1/(1-Control Eff. (%))

PTE of PM/PM10 Uncontrolled (tons/year) = PTE of PM/PM10 Controlled (tons/year) x 1/(1-Control Eff. (%))

326 IAC 6-3-2 Allowable PM Emission Rate (lbs/hour) = 55 x (Maximum Throughput (lbs/hour) x 1 ton/2,000 lbs)^0.11-40 OR 4.1 x (Maximum Throughput (lbs/hour) x 1 ton/2,000 lbs)^0.67

Appendix A: Emission Calculations
Particulate, VOC, and HAP Emissions From the PET Preforming (EU-12) and Blowmolding (EU-13)

Company Name: Nestle USA, Inc.
 Address: 4300 West 73rd Street, Anderson, Indiana 46013
 NSC and FESOP: 095-23798-00129
 Reviewer: ERG/ST
 Date: January 24, 2007

Emissions Unit ID	Material Type	Maximum Throughput Rate (lbs/hour)	VOC Emission Factor (lbs/MMlb)	PM/PM10 Emission Factor (lbs/MMlb)	Aldehyde Emission Factor (lbs/MMlb)	PTE of VOC (tons/year)	PTE of PM/PM10 (tons/year)	PTE of Aldehydes (tons/year)
EU-12	PET	10,666	500	26.6	0.15	23.4	1.24	0.007
EU-13								
Totals						23.4	1.24	0.007

Emission factors represent emissions before controls. VOC, HAP, and particulate emissions are uncontrolled. Emission factor for VOC is from Wisconsin DNR, December 5, 1997.

Emission factors for PM/PM10 and Aldehydes are from "Development of Emission Factors for Polyethylene Processing", Journal of Air and Waste Management Association, June, 1996.

METHODOLOGY

PTE (tons/year) = Maximum Process Rate (lbs/hour) x Emission Factor (lbs/1,000,000 lb) x 8760 hours/year x 1 ton/2000 lbs

Appendix A: Emission Calculations
VOC Emissions From the Container Sterilization and Filling Operations (EU-14a-f)

Company Name: Nestle USA, Inc.
 Address: 4300 West 73rd Street, Anderson, Indiana 46013
 NSC and FESOP: 095-23798-00129
 Reviewer: ERG/ST
 Date: January 24, 2007

Emission Unit (ID#)	Material	Maximum Usage Rate (gal/year)	Density (lbs/gal)	Weight % VOC	PTE of VOC Before Controls (tons/year)	Control Device	Required Control Efficiency (%)	Limited Usage Rate (gal/year)	PTE of VOC After Controls and Limits (tons/year)
Filling (EU-14a)	ENVIRO SAN	55,546	9.30	46.2%	119	Scrubber F1a	90%	53,390	11.5
Filling (EU-14b)	ENVIRO SAN	55,546	9.30	46.2%	119	Scrubber F1b	90%	53,390	11.5
Filling (EU-14c)	ENVIRO SAN	55,546	9.30	46.2%	119	Scrubber F1c	90%	53,390	11.5
Filling (EU-14d)	ENVIRO SAN	55,546	9.30	46.2%	119	Scrubber F1d	90%	53,390	11.5
Filling (EU-14e)	ENVIRO SAN	55,546	9.30	46.2%	119	Scrubber F1e	90%	53,390	11.5
Filling (EU-14f)	ENVIRO SAN	55,546	9.30	46.2%	119	Scrubber F1f	90%	53,390	11.5
Totals					716			320,338	68.8

MSDS for ENVIRO SAN shows that this product is 31% Acetic Acid and 15.2% Peroxyacetic Acid by weight. Emissions from the container sterilization and filling facilities will be controlled with wet scrubbers (F1a - F1f) and vent outside the building (VF1a - VF1f). Container sterilization and filling operations will be limited to a total of 320,338 gallons of sterilant per year.

METHODOLOGY

PTE of VOC Before Controls (tons/year) = Maximum Usage Rate (gal/year) x Density (lbs/gal) x Weight % VOC x 1 ton/2000 lbs

PTE of VOC After Controls and Limits (tons/year) = Limited Usage Rate (gal/year) x Density (lbs/gal) x Weight % VOC x 1 ton/2000 lbs x (1 - Control Efficiency %)

Appendix A: Emission Calculations
Three (3) Emergency Generator Engines - Diesel Fuel
One (1) Fire Pump Engine - Diesel Fuel

Note: As defined in the September 6, 1995 memorandum from John S. Seitz of US EPA on the subject of "Calculating Potential to Emit for Emergency Generators", an emergency generator's sole function is to provide back-up power when power from the local utility is interrupted. The only circumstances under which an emergency generator would operate when utility power is available are during operator training or brief maintenance checks. The generator's potential to emit is based on an operating time of 500 hours per year as set forth in the EPA memo.

Company Name: Nestle USA, Inc.
 Address: 4300 West 73rd Street, Anderson, Indiana 46013
 NSC and FESOP: 095-23798-00129
 Reviewer: ERG/ST
 Date: January 24, 2007

Emission Unit ID	Maximum Heat Input Capacity (each) Horsepower (hp)	Maximum Potential Throughput (all) hp-hours/year	Hours of Operation (each) hours/year	Potential Throughput hp-hours/year
Gen1 - Gen3	591	15,531,480	500	886,500
Pump1	183	1,603,080	500	91,500

Emission Unit ID	Pollutant Emission Factor (lbs/hp-hour)						Total HAPs
	PM*	PM10*	SO ₂	NOx	VOC	CO	
Gen1 - Gen3	0.0022	0.0022	0.0021	0.031	0.00013	0.00095	4.52E-05
Pump1	0.0022	0.0022	0.0021	0.031	0.0025	0.0067	4.52E-05

Emission Unit ID	Potential to Emit (tons/year)						Total HAPs
	PM*	PM10*	SO ₂	NOx	VOC	CO	
Gen1 - Gen3	0.98	0.98	0.91	13.74	0.06	0.42	0.02
Pump1	0.10	0.10	0.09	1.42	0.11	0.31	0.002

Emissions factors for VOC and CO for the emergency generators are guaranteed stack emission factors from the manufacturer.

All other emission factors are from AP 42 Table 3.3-1 (SCC 2-02-001-02, 2-03-001-01) [10/96]

* Assume PM = PM10

Methodology

Maximum Potential Throughput (hp-hours/year) = Heat Input Capacity (hp) x 8760 hours/year

Limited Potential Throughput (hp-hours/year) = Heat Input Capacity (hp) x Limited Hours of Operation (hours/year) x Number of Units

Potential to Emit (tons/year) = Limited Potential Throughput (hp-hours/year) x Emission Factor (lbs/hp-hour) x 1 ton/2,000 lbs

Appendix A: Emission Calculations
Emissions for Natural Gas Combustion

Company Name: Nestle USA, Inc.
 Address: 4300 West 73rd Street, Anderson, Indiana 46013
 NSC and FESOP: 095-23798-00129
 Reviewer: ERG/ST
 Date: January 24, 2007

Emission Unit Description	Heat Input Capacity (MMBtu/hour)	Maximum Potential Throughput (MMSCF/year)
Boiler 1	99	850
Boiler 2	99	850
Boiler 3	11.8	101
Heaters and HVAC Units	60.5	520

	Pollutant Emission Factors (lbs/MMSCF)						
	PM	PM10	SO ₂	NOx	CO	VOC	HAPs
Boiler 1 and Boiler 2	1.9	7.6	0.6	32.0	84.0	5.5	1.89
Boiler 3	1.9	7.6	0.6	50.0	84.0	5.5	1.89
Heaters and HVAC Units	1.9	7.6	0.6	100	84.0	5.5	1.89

Emission Unit ID	Potential To Emit (tons/year)						
	PM	PM10	SO ₂	NOx	CO	VOC	HAPs
Boiler 1	0.81	3.23	0.26	13.6	35.7	2.34	0.80
Boiler 2	0.81	3.23	0.26	13.6	35.7	2.34	0.80
Boiler 3	0.10	0.39	0.03	2.53	4.26	0.28	0.10
Heaters and HVAC units	0.49	1.97	0.16	26.0	21.8	1.43	0.49
TOTALS	2.21	8.82	0.70	55.7	97.5	6.38	2.19

Boiler1 and Boiler 2 use ultra low-NOx burners (9 ppm NOx) and flue gas recirculation to control NOx emissions. Boiler 3 uses low-NOx burners. All emission factors are from AP-42, Chapter 1.4 - Natural Gas Combustion, Tables 1.4-1, 1.4-2, 1.4-3 and 1.4-4. SCC 1-01-006-02, 1-02-006-02, 1-03-006-02, and 1-03-006-03. (AP-42 Supplement D 7/98) PM emission factor for Heaters and HVAC units is for filterable PM only. PM10 emission factor for Heaters and HVAC units is for filterable and condensable PM combined.

Methodology

Maximum Potential Throughput (MMSCF/year) = Heat Input Capacity (MMBtu/hour) x 8,760 hours/year x 1 MMSCF/1,020 MMBtu
 PTE (tons/year) = Max. Potential Throughput (MMSCF/year) x Emission Factor (lbs/MMSCF) x 1 ton/2,000 lbs

**Appendix A: Emission Calculations
Summary**

Company Name: Nestle USA, Inc.
 Address: 4300 West 73rd Street, Anderson, Indiana 46013
 NSC and FESOP: 095-23798-00129
 Reviewer: ERG/ST
 Date: January 24, 2007

Emission Unit	Potential to Emit Before Limits and Controls (tons/year)						
	PM	PM10	SO ₂	NOx	CO	VOC	HAPs
Pneumatic Transfer (EU-1 - EU-11, EU-15)	3.15	3.15	0.0	0.0	0.0	0.0	0.0
Forming (EU-12 - EU-13)	1.24	1.24	0.0	0.0	0.0	23.4	0.007
Container Sterilization and Filling (EU-14)	0.0	0.0	0.0	0.0	0.0	716	0.0
Emergency Generators (Gen1 - Gen3)	0.98	0.98	0.91	13.74	2.96	1.11	0.02
Fire Pump Engine (Pump1)	0.10	0.10	0.09	1.42	0.31	0.11	0.00
Boilers (Boiler1 - Boiler3)	1.71	6.85	0.54	29.7	75.7	4.95	1.70
Heaters, HVAC	0.49	1.97	0.16	26.0	21.8	1.43	0.49
Totals	7.68	14.3	1.70	70.9	100.8	747	2.22

Emission Unit	Potential to Emit After Limits and Controls (tons/year)						
	PM	PM10	SO ₂	NOx	CO	VOC	HAPs
Pneumatic Transfer (EU-1 - EU-11, EU-15)	3.15	3.15	0.0	0.0	0.0	0.0	0.00
Forming (EU-12 - EU-13)	1.24	1.24	0.0	0.0	0.0	23.4	0.01
Container Sterilization and Filling (EU-14)	0.0	0.0	0.0	0.0	0.0	68.8	0.00
Emergency Generators (Gen1 - Gen3)	0.98	0.98	0.91	13.7	0.90	0.08	0.02
Fire Pump Engine (Pump1)	0.10	0.10	0.09	1.42	0.31	0.11	0.00
Boilers (Boiler1 - Boiler3)	1.71	6.85	0.54	29.7	75.7	4.95	1.70
Heaters, HVAC	0.49	1.97	0.16	26.0	21.8	1.43	0.49
Totals	7.68	14.3	1.70	70.9	98.7	98.7	2.22

Appendix B

Best Available Control Technology (BACT) Determination

Source Background and Description

Source Name:	Nestle USA, Inc.
Source Location:	4300 West 73rd Street, Anderson, Indiana 46013
County:	Madison
SIC Code:	2026, 2023, 3085
Operation Permit No.:	095-23798-00129
Permit Reviewer:	ERG/ST

The Indiana Department of Environmental Management (IDEM), Office of Air Quality (OAQ) has performed the following Best Available Control Technology (BACT) reviews for a new food processing and bottling plant. Pursuant to 326 IAC 8-1-6 (New Facilities; General Reduction Requirements), BACT is required for all facilities constructed after January 1, 1980 that have potential VOC emissions of equal to or greater than twenty-five (25) tons per year and are not regulated by other rules in 326 IAC 8. Based on the calculations (see Appendix A) and the analysis of applicable state regulations (see State Rule Applicability section of TSD), the following facilities are subject to the requirements of 326 IAC 8-1-6:

- (a) Six (6) container sterilization and filling facilities, identified as EU-14a through EU-14f, approved for construction in 2007, with a combined maximum throughput capacity of 10,666 pounds of plastic containers per hour, using a VOC/oxidizer rinse to sanitize containers prior to filling, with emissions from each sterilization and filling facility controlled by a wet scrubber (F1a through F1f, respectively), and exhausting to stacks VF1a through VF1f, respectively.

IDEM, OAQ conducts BACT analyses in accordance with the *“Top-Down” Best Available Control Technology Guidance Document* outlined in the 1990 draft US EPA *New Source Review Workshop Manual*, which outlines the steps for conducting a top-down BACT analysis. Those steps are listed below:

- (a) Identify all potentially available control options;
- (b) Eliminate technically infeasible control options;
- (c) Rank remaining control technologies by control effectiveness;
- (d) Evaluate the most effective controls and document the results as necessary; and
- (e) Select BACT.

In accordance with EPA guidance, the BACT analysis should take into account the energy, environmental, and economic impacts. Emission reductions may be achieved through the application of available control techniques, changes in process design, and/or operational limitations.

This BACT determination is based on the following information:

- (a) The EPA RACT/BACT/LAER (RBLCL) Clearinghouse;
- (b) State and local air quality permits; and
- (c) The BACT analysis submitted by the Permittee on January 15, 2007.

VOC BACT:

Nestle USA, Inc. will use a VOC/oxidizer rinse in six (6) automated container filling facilities to sanitize containers prior to filling. The potential VOC emissions from each of these facilities are estimated to be greater than 25 tons per year. Since these facilities will be constructed after the January 1, 1980

applicability date and there are no other 326 IAC 8 rules applicable to this process, Nestle USA, Inc. is required to control the VOC emissions from the container sanitizing and filling facilities with BACT, pursuant to 326 IAC 8-1-6.

Step 1 – Identify Control Options

The following available technologies were identified and evaluated to control VOC emissions from the container sanitizing and filling facilities:

(a) IDEM, OAQ reviewed the following six control technologies:

1. Carbon Adsorption:

Carbon adsorption is a process by which VOC is retained on a granular carbon surface, which is highly porous and has a very large surface-to-volume ratio. Organic vapors retained on the adsorbent are thereafter desorbed and both the adsorbate and adsorbent are recovered. Carbon adsorption systems operate in two phases: adsorption and desorption. Adsorption is rapid and removes most of the VOC in the stream. Eventually, the adsorbent becomes saturated with the vapors and the system's efficiency drops. Regulatory considerations dictate that the adsorbent be regenerated or replaced soon after efficiency begins to decline. In regenerative systems, the adsorbent is reactivated with steam or hot air and the adsorbate (solvent) is recovered for reuse or disposal. Non-regenerative systems require the removal of the adsorbent and replacement with fresh or previously regenerated carbon.

2. Wet Scrubbers:

A wet scrubber removes pollutants by reacting them with a sorbent/reagent or by dissolving them in a solvent by passing the waste stream through a medium containing the solvent. Water is the most commonly used solvent, although alkaline compounds may be added to enhance absorption and neutralization of acidic waste streams. A wet scrubber functions by maximizing the contact of the solvent with the waste stream. This is typically done by spraying solvent droplets onto the waste stream, or by passing the waste stream through a fiber matrix or packed media that are wetted by the solvent. Wet scrubbers have VOC removal efficiencies of 90%, depending upon pollutant/solvent characteristics and pollutant concentration in the inlet waste stream.

3. Thermal Oxidation:

Thermal Oxidation is a process by which volatile organic compounds are destroyed through oxidation at very high temperatures (greater than 1400 degrees Fahrenheit). An efficient thermal oxidizer design must provide adequate residence time for complete combustion, sufficiently high temperatures for VOC destruction, and adequate velocities to ensure proper mixing without quenching combustion. The type of burners and their arrangement affect combustion rates and residence time. The more thorough the contact between the flame and VOC, the shorter the time required for complete combustion. Natural gas is required to ignite the flue gas mixtures and maintain combustion temperatures. Typically, a heat exchanger upstream of the oxidizer uses the heat content of the oxidizer flue gas to preheat the incoming VOC-laden stream to improve the efficiency of the oxidizer. In some systems, a concentrator is used prior to the thermal oxidizer inlet in order to concentrate the incoming gases such that less volume of gas is routed to the thermal oxidizer. Concentrators are useful when the volume of incoming gas is large but the VOC concentration is low. In addition to the energy penalty associated with thermal oxidization, NO_x emissions will be generated from the combustion of natural gas used to fuel the oxidizer.

4. Catalytic Oxidation:

Catalytic oxidation is a process in which volatile compounds are destroyed through oxidation at a much lower temperature (550 degrees Fahrenheit) than thermal oxidation. In a catalytic oxidizer, a catalyst is used to lower the activation energy for oxidation; the oxidation reaction occurs at a much lower temperature. When a preheated gas stream is passed through a catalytic oxidizer, the catalyst bed initiates and promotes the oxidation of the VOC without being permanently altered itself. In catalytic oxidization, combustion occurs at significantly lower temperatures than that of direct flame units and can also achieve a destruction efficiency of 95%. However, steps must be taken to ensure complete combustion. The types of catalysts used include platinum, platinum alloys, copper chromate, copper oxide, chromium, manganese, and nickel. Catalytic oxidizers may use regenerative or recuperative processes to reuse waste heat to preheat the incoming gas stream. Catalytic oxidizers may also use a concentrator to concentrate the inlet gas stream, thereby reducing the energy requirements. The lower combustion temperature requires less supplemental fuel and results in lower levels of NOx emissions.

5. Flare:

Flares can be used to control almost any VOC stream and can handle fluctuations in VOC concentration, flow rate, heat content, and inert content. Flaring is appropriate for continuous, batch, and variable flow vent stream application. Some streams, such as those containing halogenated or sulfur-containing compounds, are usually not flared because they corrode the flare tip or cause formation of secondary pollutants (such as acid gases or sulfur dioxide). A flare normally provides a VOC destruction efficiency greater than 98% when flaring a high concentration VOC stream.

6. Refrigeration Condenser:

Condensation is the process by which the temperature of the waste stream is lowered to below the boiling points of the waste constituents. A refrigeration condenser normally provides VOC control efficiency greater than 90%.

7. Use of Alternative Materials:

The use of lower concentrations of acetic acid/peroxyacetic acid sanitizer solutions or a purely peroxide (H₂O₂) sanitizer formulation with lower VOC content is a potential alternative to reduce VOC emissions from the Nestle USA container sanitizing and filling facilities.

8. Use of Alternative Application Techniques:

The use of lower-emitting application techniques could reduce VOC emissions from the Nestle USA plant's container sanitizing and filling facilities. Nestle USA is proposing to use automated application methods to reduce material usage and associated VOC emissions to the lowest feasible level while ensuring complete sterilization of the containers prior to filling.

9. Use of Operating Limitations:

The use of a production limitation on the Nestle USA plant is another potential strategy to reduce VOC emissions. However, Nestle USA is requesting a federally-enforceable facility-wide VOC limit to be a minor source under 326 IAC 2-3 (Emission Offset) in order to avoid major new source review in an ozone non-attainment area. Nestle USA prefers to have no production limitations.

- (b) The search for the food/beverage product container sterilization process in EPA's RACT/BACT/LAER Clearinghouse (RBLC) and state air permits identified the following:

Plant	RBLC ID or Permit #	Date Issued and State	Facility	BACT/Control Technology
Tropicana Products, Inc.	0810007-016-AV (FDEQ)	9/22/06 (FL)	Citrus Processing and Juice Packaging	Wet scrubber w/ 90% overall control efficiency.
Aseptic Solutions USA	F75097 (SCAQMD)	4/28/05 (CA)	Bottling Facility	Wet scrubber w/ 90% overall control efficiency.
Quaker Gatorade Southeast Facility	2086-060-12365 (GDNR)	09/20/04 (GA)	Beverage Manufacturing and Bottling Facility	No control technology for peroxide sterilant.
Quaker Tropicana Gatorade	010188 (Maricopa Co. AQD)	04/25/02 (AZ)	Beverage Manufacturing and Bottling Facility	No control technology for peroxide sterilant.
Nakano Foods, Inc.	444-99 (MDEQ) MI-0316 (RBLC)	04/26/01 (MI)	Vinegar Manufacturing	Wet scrubber w/ 90% overall control efficiency.
Florida Distillers	490-93-C (KY) KY-0059 (RBLC)	04/13/94 (KY)	Vinegar Manufacturing	Single stage condenser plus wet scrubber w/ 80% overall control efficiency.

Step 2 – Eliminate Technically Infeasible Control Options

The waste stream from the container sterilization facilities is characterized by its high moisture content, low VOC concentration (less than 1,000 ppmv), and the acidic, corrosive nature of the gases.

After reviewing the above technologies, IDEM, OAQ eliminated the following control technologies as not technically feasible for this type of operation:

- (a) The use of carbon adsorption is not technically feasible. The reasons for eliminating carbon adsorption are as follows:
 Acetic acid/peroxyacetic acid exhibits only moderate adsorption to activated charcoal. The carbon adsorbent media is susceptible to interference with adsorption and fouling by the high moisture content of the waste stream. As these materials reach saturation, removal efficiency decreases, at which point, they must be replaced or regenerated. The VOC-laden adsorption elements would then require regeneration or offsite disposal. Zeolite adsorption would be technically infeasible for similar reasons.

- (b) The use of thermal incineration is not technically feasible. The reasons for eliminating thermal incineration are as follows:
 The waste stream from the container sterilization facilities is highly corrosive, leading to rapid corrosion of the duct work and control devices used to vent and oxidize the VOC in the waste stream. The low VOC concentration of the inlet waste stream would require additional natural gas usage for complete destruction of the VOC, because there would be an insufficient VOC concentration to sustain combustion. Stand alone thermal and catalytic oxidation systems are capable of control efficiencies of greater than 98% when burning waste streams with relatively high concentrations of VOC (2,000 ppmv – 20,000 ppmv). However, the container sterilization facilities at Nestle USA will produce a waste stream with a low concentration of VOC, estimated at a maximum of 1,000 ppmv of VOC. Based on a study conducted for USEPA, VOC destruction efficiencies ranging from 85% to 95% are possible when burning waste streams with a low VOC concentration.¹ Also, the high moisture content of the waste stream would require additional natural gas usage to heat the waste gas to the temperature needed for complete combustion.

- (c) The use of catalytic incineration is not technically feasible for the same reasons that thermal incineration is not technically feasible. Additional reasons for eliminating catalytic incineration are as follows:
 The corrosivity of the waste stream gases would lead to rapid destruction of the catalyst. The high moisture content of the waste stream would interfere with the action of the catalyst.

- (d) The use of a flare is not technically feasible. The reasons for eliminating a flare are as follows:
The low VOC concentration of the waste gases would result in low destruction efficiencies. The corrosivity of the waste stream gases would lead to rapid corrosion of the duct work and flare tip.
- (e) The use of a refrigeration condenser is not technically feasible. The reasons for eliminating a refrigeration condenser are as follows:
The corrosivity of the waste stream gases would lead to rapid corrosion of the duct work and condenser coils. The high moisture content of the waste stream would require extra cooling input to remove both the VOC and H₂O content of the waste gases.
- (e) The use of alternative materials, such as lower concentrations of acetic acid/peroxyacetic acid sanitizer solutions or a peroxide (H₂O₂) sanitizer formulation with lower VOC content, is not technically feasible. The reasons for eliminating alternative materials are as follows:
Nestle cannot use a lower concentration of acetic acid/peroxyacetic acid sanitizer solution because of FDA regulations. Nestle cannot use a purely peroxide sanitizer formulation in their facilities as currently designed because a purely peroxide sanitizer formulation is not as effective as the proposed acetic acid/peroxyacetic acid sanitizer solution. Use of a purely peroxide sanitizer formulation would result in inadequate sterilization of the containers and peroxide is not compatible with the PET container plastic at the high concentrations necessary for sterilization.

¹ USEPA Air Docket No. A-91-31 Subcategory II-B "Thermal incinerator Performance for NSPS", D. Mascone (1980).

Step 3 – Rank Remaining Control Technologies by Control Effectiveness

Using the control efficiencies reported for similar sources, IDEM, OAQ has ranked the remaining control technologies as follows:

Control Technology	Emissions Reduction/Control Efficiency (%)
Wet Scrubber	90%
Application Techniques	10%

Step 4 – Evaluate the Most Effective Controls and Document Results

The waste stream collected from the Nestle USA container sterilization facilities will have high moisture content, low VOC concentration, and be both acidic and corrosive. The acetic acid in the waste stream is highly hydrophilic (dissolves in water easily). The control device must be able to function continuously under these conditions.

The control efficiency requirement found in two (2) permits for similar container sterilization facilities (Tropicana Products, Inc., Aseptic Solutions USA) and in the permit for facilities controlling VOC from an acetic acid process (Nakano Foods, Inc.) supports control efficiency of 90% using a wet scrubber as BACT for this industry.

Step 5 – Select BACT

The Permittee proposes to construct automated container sterilization and filling facilities using a solution of acetic acid and peroxyacetic acid to sterilize the containers prior to filling. Facility enclosures will result in near 100% capture efficiency, and the resulting waste gases will be controlled with a wet scrubber containing a solution that will neutralize the acid content of the waste stream while simultaneously absorbing the VOC content. The neutralized wastewater will then be disposed via the publicly owned treatment works (POTW), where the removed mass of VOC will become an organic load. The use of a wet scrubber and enclosed production areas represents BACT for this industry. Since the use of an enclosed work area, automated application techniques, and control by wet scrubber has the lowest environmental impact and provides the highest ranked control efficiency for a process of this type, the Permittee proposes to use these technologies as BACT. Pursuant to 326 IAC 8-1-6, IDEM, OAQ has

determined that the following requirements represent BACT for the container sterilization and filling facilities at this source:

- (a) The VOC emissions from the container sterilization and filling facilities (EU-14a through EU-14f) shall be controlled by wet scrubbers (F1a through F1f, respectively).
- (b) The overall VOC control efficiency for each of the wet scrubbers (F1a through F1f) (including the capture efficiency and control efficiency) shall be at least 90%.
- (c) The VOC emissions from each of the wet scrubbers (F1a through F1f) controlling VOC emissions from the container sterilization and filling facilities (EU-14a through EU-14f) shall not exceed 2.62 pounds per hour.

OFFICE OF AIR QUALITY

Minor Source Criteria Pollutant Modeling Screening Form - Raw Data

General Permit Information

Permit Number: 095-23798-00129
 Company Name: Nestle USA
 City: Anderson, Indiana
 County: Madison
 Permit Reviewer: ERG/ST
 Date results are needed: _____

Source Specific Information

TABLE 1 - Criteria Pollutant Emission Rates (lb/hr) - based on the highest allowable emissions rate

Stack ID	CO	NO _x	PM ₁₀	Pb	SO ₂
Boiler1	8.15	3.1			
Boiler2	8.15	3.1			
Boiler3	0.97	0.57			
Gen1 - 3	1.68	18.96			
Pump1	0.2	1.97			
HVAC	4.98	5.93			

Totals:

24.13	33.63	0	0	0
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TABLE 2 - Hazardous Air Pollutant Emission Rates (lb/hr) - based on the highest allowable emissions rate

Stack ID	HAP Name	HAP Name	HAP Name	HAP Name	HAP Name	HAP Name
Boiler1						
Boiler2						
Boiler3						
Gen1 - 3						
Pump1						
HVAC						
0						

Totals:

0	0	0	0	0	0
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**TABLE 3 - Stack Information: (All heights are from ground level)
For non-circular stacks, take the average of the stack dimensions as the stack diameter.**

Stack ID	Stack Height (ft)	Flow Rate (acfm)	Stack Temp. (°F)	Stack Diameter (ft)	Closest building related to stack:		
					Height (ft)	Width (ft)	Length (ft)
Boiler1	60	24000	300	3.5			
Boiler2	60	24000	300	3.5			
Boiler3	44	2600	270	2.2			
Gen1 - 3	45 each	3000 each	500 each	1			
Pump1	45	3000	500	1			
HVAC	45	3000	500	1			
0							

Closest Property Line (Distance in feet): 800 No building (Please check if this applies)

OFFICE OF AIR QUALITY

Minor Source Criteria Pollutant Modeling

Screening Form - Modeling Results

General Permit Information

Permit Number: 095-23798-00129

Company Name: Nestle USA Model Used (Please check one):

City: Anderson, Indiana SCREEN ISCST

County: Madison Date Modeling Completed: 1/24/2007

Permit Reviewer: ERG/ST Modeler: ERG/ST

Date results are needed: 0

Modeling Results

TABLE 4 - Criteria Pollutants - Maximum Concentration (ug/m3):

Averaging Period	CO	NOX	PM10	Pb	SO2
1-hour modeled concentration	99.9				
NAAQ Standard	40000				
PASS or FAIL	PASS				
3-hour modeled concentration					
NAAQ Standard					1300
PASS or FAIL					
8-hour modeled concentration	70				
NAAQ Standard	10000				
PASS or FAIL	PASS				
24-hour modeled concentration					
NAAQ Standard			150		365
PASS or FAIL					
Quarterly modeled concentration					
NAAQ Standard				1.5	
PASS or FAIL					
Annual modeled concentration		27.7			
NAAQ Standard		100	50		80
PASS or FAIL		PASS			

TABLE 5 - HAPs - Maximum Concentration (ug/m3):

Averaging Period	HAP Name	HAP Name	HAP Name	HAP Name	HAP Name	HAP Name
8-hour modeled concentration						
PEL Standard						
PASS or FAIL						
Annual modeled concentration						
NATA Standard						
PASS or FAIL						