



*Mitchell E. Daniels, Jr.*  
Governor

*Thomas W. Easterly*  
Commissioner

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

TO: Interested Parties / Applicant  
DATE: February 12, 2007  
RE: Ironside Energy, LLC / 089-24128-00448  
FROM: Nisha Sizemore  
Chief, Permits Branch  
Office of Air Quality

### Notice of Decision – Approval

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 326 IAC 2, this approval was effective immediately upon submittal of the application.

If you wish to challenge this decision, IC 4-21.5-3-7 requires 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 from 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-AM.dot 03/23/06



INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

We make Indiana a cleaner, healthier place to live.

Mitchell E. Daniels, Jr.
Governor

Thomas W. Easterly
Commissioner

February 12, 2007

100 North Senate Avenue
Indianapolis, Indiana 46204-2251
(317) 232-8603
(800) 451-6027
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Mr. Ron Olson
Ironsides Energy, LLC
2000 York Road, Suite 129
Oak Brook, IL 60523

Re: 089-24128-00448
First Administrative Amendment to
T 089-11557-00448

Dear Mr. Olson:

Ironsides Energy, LLC, was issued a Title V permit for an electric generating station on November 4, 2004. A letter requesting a change of responsible official was received December 28, 2006. Pursuant to the provisions of 326 IAC 2-7-11(a)(1) and (2) the permit is hereby administratively amended as follows:

- 1. Mr. Ron Olson has been authorized by Ironsides Energy, LLC and its subsidiaries to complete and sign documents as the plant Responsible Official. Mr. Olson holds the General Manager position and is duly authorized representative responsible for the management of all operational and business affairs. Mr. Olson meets the requirements of 326 IAC 2-7-1(34)(A)(v). However, IDEM has begun implementing a new procedure and will no longer list the name or title of the Responsible Official in the permit document. This is expected to result in the need for fewer Administrative Amendments. Indiana Department of Environmental Management (IDEM) will continue to keep a record of the current Responsible Official on file.

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

The Permittee owns and operates a stationary electric generating station.

Responsible Official: John Prunkl General Manager
Source Address: 3001 Dickey Road, East Chicago, Indiana 46312-1610
Mailing Address: Ironsides Energy, L.L.C, 2000 York Road, Suite 129, Oak Brook, IL 60523
General Source Phone Number: (219)763-7426
SIC Code: 4911
County Location: Lake
Source Location Status: Nonattainment for SO2, 1-hour ozone and 8-hour ozone standard
Attainment for all other criteria pollutants
Source Status: Part 70 Permit Program
Major Source, under PSD, Emission Offset Rules and Nonattainment NSR;

- 2. A change in the IDEM mailing address was made throughout the permit. References to the old P.O. Box 6015 and zip code 46206-6015 were deleted. There was no post office box added to the new address and the zip code was changed to 46204-2251. Also the Compliance Data Branch, Office of Air Quality had changes to their main telephone and facsimile numbers. They

were changed to 317-233-~~5674~~ **0178** and the facsimile number changed to 317-233- ~~5967~~ **6865** throughout the permit.

All other conditions of the permit shall remain unchanged and in effect. Please find attached a copy of the revised permit.

This decision is subject to the Indiana Administrative Orders and Procedures Act - IC 4-21.5-3-5. If you have any questions on this matter, please contact Pam K. Way, at (317) 232-8427 or call (800) 451-6027, extension 2-8427.

Sincerely,

*Original document signed by*

Nisha Sizemore, Chief  
Permits Branch  
Office of Air Quality

Attachments: Revised Permit  
NS/pkw

cc: File – Porter County  
Porter County Health Department  
Air Compliance Section – Michael Hall  
IDEM Northern Regional Office  
Billing, Licensing and Training Section – Dan Stamatkin



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## PART 70 OPERATING PERMIT OFFICE OF AIR QUALITY

**Ironside Energy, LLC  
a contractor of ISG-Indiana Harbor, Inc.  
3001 Dickey Road  
East Chicago, Indiana 46312-1610**

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

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

This permit is issued in accordance with 326 IAC 2 and 40 CFR Part 70 Appendix A and contains the conditions and provisions specified in 326 IAC 2-7 as required by 42 U.S.C. 7401, et. seq. (Clean Air Act as amended by the 1990 Clean Air Act Amendments), 40 CFR Part 70.6, IC 13-15 and IC 13-17. This permit also addresses certain new source review requirements for existing equipment and is intended to fulfill the new source review procedures pursuant to 326 IAC 2-7-10.5, applicable to those conditions.

|   |  |
|---|--|
| Operation Permit No.: T089-11557-00448  |  |
| Issued by: Original signed by<br>Janet G. McCabe, Assistant Commissioner<br>Office of Air Quality | Issuance Date: November 12, 2004<br>Expiration Date: November 12, 2009 |

|   |  |
|---|--|
| First Administrative Amendment: 089-24128-00448   |  |
| Issued by:<br><i>Original document signed by</i><br>Nisha Sizemore<br>Permits Branch<br>Office of Air Quality | Issuance Date: February 12, 2007<br>Expiration Date: November 12, 2009 |

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## SECTION A

## SOURCE SUMMARY

This permit is based on information requested by the Indiana Department of Environmental Management (IDEM), Office of Air Quality (OAQ). The information describing the source contained in conditions A.1, A.3, and A.4 is descriptive information and does not constitute enforceable conditions. However, the Permittee should be aware that a physical change or a change in the method of operation that may render this descriptive information obsolete or inaccurate may trigger requirements for the Permittee to obtain additional permits or seek modification of this permit pursuant to 326 IAC 2, or change other applicable requirements presented in the permit application.

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

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The Permittee owns and operates an industrial steam and electric power cogeneration plant.

|                         |  |
|-------------------------|--|
| Source Address:         | 3001 Dickey Road, East Chicago, Indiana 46312-1610   |
| Mailing Address:        | Ironside Energy, LLC, 2000 York Road, Suite 129, Oak Brook, IL 60523   |
| Phone Number:           | (219) 397-3976   |
| SIC Code:               | 4911   |
| County Location:        | Lake   |
| Source Location Status: | Nonattainment for SO <sub>2</sub> , 1-hour ozone and 8-hour ozone standard<br>Attainment for all other criteria pollutants                           |
| Source Status:          | Part 70 Permit Program<br>Major Source, under PSD, Emission Offset Rules and<br>Nonattainment NSR;<br>Major Source, Section 112 of the Clean Air Act |

### A.2 Part 70 Source Definition [326 IAC 2-7-1(22)]

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ISG-Indiana Harbor, Inc. is a fully integrated steelmaking and finishing facility consists of a source with on-site contractors:

- (a) ISG-Indiana Harbor Inc., (089-00318) the primary operation, is located at, 3001 Dickey Road, East Chicago, Indiana 46312; and
- (b) Ironside Energy, LLC, (089-00448) the on-site contract operation (a cogeneration facility), is located at 3001 Dickey Road, East Chicago, Indiana.

IDEM has determined that ISG-Indiana Harbor Inc. and Ironside Energy, LLC are under the common control of ISG-Indiana Harbor Inc. These two plants are considered one source due to contractual control. Therefore, the term "source" in the Part 70 documents refers to ISG-Indiana Harbor Inc. and Ironside Energy, LLC as one source.

Separate Part 70 permits will be issued to ISG-Indiana Harbor Inc. and Ironside Energy, LLC solely for administrative purposes. For permitting purposes, ISG-Indiana Harbor Inc. is assigned Permit No. 089-7099-00318 and Ironside Energy, LLC is assigned Permit No. 089-11557-00448.

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

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Ironside Energy, LLC consists of the following permitted emission units and pollution control devices:

- (a) One industrial boiler, identified as Boiler No. 9, equipped with low-NOx burners, installed in 2001. The boiler has a nominal heat input rate of 657 MMBtu per hour and a continuous nominal steam production rate of 460,000 pounds of steam per hour. The primary fuel will be blast furnace gas (BFG) with natural gas as a backup/supplemental fuel.

- (b) One steam turbine electric generator with a nominal rate of 50 MW; and
- (c) One cooling tower.

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

---

Ironside Energy, LLC consists of the following insignificant activities, as defined in 326 IAC 2-7-1(21):

- (1) The following VOC and HAP storage containers:
  - (A) Storage tanks with capacity less than or equal to 1,000 gallons and annual throughput less than 12,000 gallons. [326 IAC 8-9]
- (2) The following equipment related to manufacturing activities not resulting in the emission of HAPs: brazing equipment, cutting torches, soldering equipment, welding equipment. [326 IAC 6-1-2]

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

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

- (a) It is a major source, as defined in 326 IAC 2-7-1(22);
- (b) It is a source in a source category designated by the United States Environmental Protection Agency (U.S. EPA) under 40 CFR 70.3 (Part 70 - Applicability).

## SECTION B

## GENERAL CONDITIONS

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

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

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

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

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

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

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

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

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

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

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

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

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

---

- (a) The Permittee shall furnish to IDEM, OAQ, within a reasonable time, any information that IDEM, OAQ, may request in writing to determine whether cause exists for modifying, revoking and reissuing, or terminating this permit, or to determine compliance with this permit. The submittal by the Permittee does require the certification by the "responsible official" as defined by 326 IAC 2-7-1(34). Upon request, the Permittee shall also furnish to IDEM, OAQ, copies of records required to be kept by this permit.
- (b) For information furnished by the Permittee to IDEM, OAQ, the Permittee may include a claim of confidentiality in accordance with 326 IAC 17.1. When furnishing copies of requested records directly to U. S. EPA, the Permittee may assert a claim of confidentiality in accordance with 40 CFR 2, Subpart B.

### B.8 Certification [326 IAC 2-7-4(f)] [326 IAC 2-7-6(1)] [326 IAC 2-7-5(3)(C)]

---

- (a) Where specifically designated by this permit or required by an applicable requirement, any application form, report, or compliance certification submitted shall contain certification by a responsible official of truth, accuracy, and completeness. This certification shall state that, based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate, and complete.
- (b) One (1) certification shall be included, using the attached Certification Form, with each submittal requiring certification.
- (c) A responsible official is defined at 326 IAC 2-7-1(34).

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

---

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

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

and

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

- (b) The annual compliance certification report required by this permit shall be considered timely if the date postmarked on the envelope or certified mail receipt, or affixed by the shipper on the private shipping receipt, is on or before the date it is due. If the document is submitted by any other means, it shall be considered timely if received by IDEM, OAQ, on or before the date it is due.
- (c) The annual compliance certification report shall include the following:
- (1) The appropriate identification of each term or condition of this permit that is the basis of the certification;
  - (2) The compliance status;
  - (3) Whether compliance was continuous or intermittent;
  - (4) The methods used for determining the compliance status of the source, currently and over the reporting period consistent with 326 IAC 2-7-5(3); and
  - (5) Such other facts, as specified in Sections D of this permit, as IDEM, OAQ, may require to determine the compliance status of the source.

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

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

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

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

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

Indiana Department of Environmental Management  
Compliance Data Branch, Office of Air Quality  
100 North Senate Avenue  
Indianapolis, Indiana 46206-2251

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

- (b) The Permittee shall implement the PMPs, including any required record keeping as necessary to ensure that failure to implement a PMP does not cause or contribute to an exceedance of any limitation on emissions or potential to emit.
- (c) A copy of the PMPs shall be submitted to IDEM, OAQ, upon request and within a reasonable time, and shall be subject to review and approval by IDEM, OAQ. IDEM, OAQ, may require the Permittee to revise its PMPs whenever lack of proper maintenance causes or is the primary contributor to an exceedance of any limitation on emissions or potential to emit. The PMP does not require the certification by the "responsible official" as defined by 326 IAC 2-7-1(34).
- (d) To the extent the Permittee is required by 40 CFR Part 60/63 to have an Operation Maintenance, and Monitoring (OMM) Plan for a unit, such Plan is deemed to satisfy the PMP requirements of 326 IAC 1-6-3 for that unit.

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

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

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

Telephone Number: 317-232-0178 (ask for Compliance Data Section)  
Facsimile Number: 317-233-6865  
Northwest Regional Office telephone number: 219-757-0265  
Northwest Regional Office Facsimile Number: 219-757-0267

- (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 Data Section, Office of Air Quality  
100 North Senate Avenue,  
Indianapolis, Indiana 46204-2251

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

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

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

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

- (6) The Permittee immediately took all reasonable steps to correct the emergency.
- (c) In any enforcement proceeding, the Permittee seeking to establish the occurrence of an emergency has the burden of proof.
  - (d) This emergency provision supersedes 326 IAC 1-6 (Malfunctions). This permit condition is in addition to any emergency or upset provision contained in any applicable requirement.
  - (e) IDEM, OAQ, may require that the Preventive Maintenance Plans required under 326 IAC 2-7-4(c)(9) be revised in response to an emergency.
  - (f) Failure to notify IDEM, OAQ, by telephone or facsimile of an emergency lasting more than one (1) hour in accordance with (b)(4) and (5) of this condition shall constitute a violation of 326 IAC 2-7 and any other applicable rules.
  - (g) If the emergency situation causes a deviation from a technology-based limit, the Permittee may continue to operate the affected emitting facilities during the emergency provided the Permittee immediately takes all reasonable steps to correct the emergency and minimize emissions.
  - (h) The Permittee shall include all emergencies in the Quarterly Deviation and Compliance Monitoring Report.

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

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

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

- (b) If, after issuance of this permit, it is determined that the permit is in nonconformance with an applicable requirement that applied to the source on the date of permit issuance, IDEM, OAQ, shall immediately take steps to reopen and revise this permit and issue a compliance order to the Permittee to ensure expeditious compliance with the applicable requirement until the permit is reissued. The permit shield shall continue in effect so long as the Permittee is in compliance with the compliance order.
- (c) No permit shield shall apply to any permit term or condition that is determined after issuance of this permit to have been based on erroneous information supplied in the permit application. Erroneous information means information that the Permittee knew to be false, or in the exercise of reasonable care should have been known to be false, at the time the information was submitted.
- (d) Nothing in 326 IAC 2-7-15 or in this permit shall alter or affect the following:
- (1) The provisions of Section 303 of the Clean Air Act (emergency orders), including the authority of the U.S. EPA under Section 303 of the Clean Air Act;
  - (2) The liability of the Permittee for any violation of applicable requirements prior to or at the time of this permit's issuance;
  - (3) The applicable requirements of the acid rain program, consistent with Section 408(a) of the Clean Air Act; and
  - (4) The ability of U.S. EPA to obtain information from the Permittee under Section 114 of the Clean Air Act.
- (e) This permit shield is not applicable to any change made under 326 IAC 2-7-20(b)(2) (Sections 502(b)(10) of the Clean Air Act changes) and 326 IAC 2-7-20(c)(2) (trading based on State Implementation Plan (SIP) provisions).
- (f) This permit shield is not applicable to modifications eligible for group processing until after IDEM, OAQ, has issued the modifications. [326 IAC 2-7-12(c)(7)]
- (g) This permit shield is not applicable to minor Part 70 permit modifications until after IDEM, OAQ, has issued the modification. [326 IAC 2-7-12(b)(8)]

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

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

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

- (a) Deviations from any permit requirements (for emergencies see Section B - Emergency Provisions), the probable cause of such deviations, and any response steps or preventive measures taken shall be reported to:
- Indiana Department of Environmental Management  
Compliance Data Section, Office of Air Quality  
100 North Senate Avenue  
Indianapolis, Indiana 46204-2251
- using the attached Quarterly Deviation and Compliance Monitoring Report, or its equivalent. A deviation required to be reported pursuant to an applicable requirement that exists independent of this permit, shall be reported according to the schedule stated in the applicable requirement and does not need to be included in this report.
- The Quarterly Deviation and Compliance Monitoring Report does require the certification by the "responsible official" as defined by 326 IAC 2-7-1(34).
- (b) A deviation is an exceedance of a permit limitation or a failure to comply with a requirement of the permit.

B.15 Permit Modification, Reopening, Revocation and Reissuance, or Termination [326 IAC 2-7-5(6)(C)] [326 IAC 2-7-8(a)] [326 IAC 2-7-9]

- (a) This permit may be modified, reopened, revoked and reissued, or terminated for cause. The filing of a request by the Permittee for a Part 70 permit modification, revocation and reissuance, or termination, or of a notification of planned changes or anticipated noncompliance does not stay any condition of this permit. [326 IAC 2-7-5(6)(C)] The notification by the Permittee does require the certification by the "responsible official" as defined by 326 IAC 2-7-1(34).
- (b) This permit shall be reopened and revised under any of the circumstances listed in IC 13-15-7-2 or if IDEM, OAQ, determines any of the following:
- (1) That this permit contains a material mistake.
  - (2) That inaccurate statements were made in establishing the emissions standards or other terms or conditions.
  - (3) That this permit must be revised or revoked to assure compliance with an applicable requirement. [326 IAC 2-7-9(a)(3)]

- (c) Proceedings by IDEM, OAQ, to reopen and revise this permit shall follow the same procedures as apply to initial permit issuance and shall affect only those parts of this permit for which cause to reopen exists. Such reopening and revision shall be made as expeditiously as practicable. [326 IAC 2-7-9(b)]
- (d) The reopening and revision of this permit, under 326 IAC 2-7-9(a), shall not be initiated before notice of such intent is provided to the Permittee by IDEM, OAQ, at least thirty (30) days in advance of the date this permit is to be reopened, except that IDEM, OAQ, may provide a shorter time period in the case of an emergency. [326 IAC 2-7-9(c)]

**B.16 Permit Renewal [326 IAC 2-7-4]**

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

Request for renewal shall be submitted to:

Indiana Department of Environmental Management  
Permits Branch, Office of Air Quality  
100 North Senate Avenue  
Indianapolis, Indiana 46206-2251

- (b) Timely Submittal of Permit Renewal [326 IAC 2-7-4(a)(1)(D)]
  - (1) A timely renewal application is one that is:
    - (A) Submitted at least nine (9) months prior to the date of the expiration of this permit; and
    - (B) If the date postmarked on the envelope or certified mail receipt, or affixed by the shipper on the private shipping receipt, is on or before the date it is due. If the document is submitted by any other means, it shall be considered timely if received by IDEM, OAQ, on or before the date it is due.
  - (2) If IDEM, OAQ, upon receiving a timely and complete permit application, fails to issue or deny the permit renewal prior to the expiration date of this permit, this existing permit shall not expire and all terms and conditions shall continue in effect, including any permit shield provided in 326 IAC 2-7-15, until the renewal permit has been issued or denied.
- (c) Right to Operate After Application for Renewal [326 IAC 2-7-3]

If the Permittee submits a timely and complete application for renewal of this permit, the source's failure to have a permit is not a violation of 326 IAC 2-7 until IDEM, OAQ, takes final action on the renewal application, except that this protection shall cease to apply if, subsequent to the completeness determination, the Permittee fails to submit by the deadline specified in writing by IDEM, OAQ, any additional information identified as being needed to process the application.
- (d) United States Environmental Protection Agency Authority [326 IAC 2-7-8(e)]

If IDEM, OAQ, fails to act in a timely way on a Part 70 permit renewal, the U.S. EPA may invoke its authority under Section 505(e) of the Clean Air Act to terminate or revoke and reissue a Part 70 permit.

**B.17 Permit Amendment or Modification [326 IAC 2-7-11] [326 IAC 2-7-12]**

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- (a) Permit amendments and modifications are governed by the requirements of 326 IAC 2-7-11 or 326 IAC 2-7-12 whenever the Permittee seeks to amend or modify this permit.
- (b) Any application requesting an amendment or modification of this permit shall be submitted to:  
  
Indiana Department of Environmental Management  
Permits Branch, Office of Air Quality  
100 North Senate Avenue  
Indianapolis, Indiana 46204-2251  
  
Any such application shall be certified by the "responsible official" as defined by 326 IAC 2-7-1(34).
- (c) The Permittee may implement administrative amendment changes addressed in the request for an administrative amendment immediately upon submittal of the request. [326 IAC 2-7-11(c)(3)]
- (d) No permit amendment or modification is required for the addition, operation or removal of a nonroad engine, as defined in 40 CFR 89.2.

**B.18 Permit Revision Under Economic Incentives and Other Programs [326 IAC 2-7-5(8)] [326 IAC 2-7-12 (b)(2)]**

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- (a) No Part 70 permit revision shall be required under any approved economic incentives, marketable Part 70 permits, emissions trading, and other similar programs or processes for changes that are provided for in a Part 70 permit.
- (b) Notwithstanding 326 IAC 2-7-12(b)(1) and 326 IAC 2-7-12(c)(1), minor Part 70 permit modification procedures may be used for Part 70 modifications involving the use of economic incentives, marketable Part 70 permits, emissions trading, and other similar approaches to the extent that such minor Part 70 permit modification procedures are explicitly provided for in the applicable State Implementation Plan (SIP) or in applicable requirements promulgated or approved by the U.S. EPA.

**B.19 Operational Flexibility [326 IAC 2-7-20] [326 IAC 2-7-10.5]**

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- (a) The Permittee may make any change or changes at the source that are described in 326 IAC 2-7-20(b), (c), or (e), without a prior permit revision, if each of the following conditions is met:
  - (1) The changes are not modifications under any provision of Title I of the Clean Air Act;
  - (2) Any preconstruction approval required by 326 IAC 2-7-10.5 has been obtained;
  - (3) The changes do not result in emissions which exceed the emissions allowable under this permit (whether expressed herein as a rate of emissions or in terms of total emissions);
  - (4) The Permittee notifies the:

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

and

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

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

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

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

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

- (1) A brief description of the change within the source;
- (2) The date on which the change will occur;
- (3) Any change in emissions; and
- (4) Any permit term or condition that is no longer applicable as a result of the change.

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

- (c) Emission Trades [326 IAC 2-7-20(c)]  
The Permittee may trade increases and decreases in emissions in the source, where the applicable SIP provides for such emission trades without requiring a permit revision, subject to the constraints of Section (a) of this condition and those in 326 IAC 2-7-20(c).
- (d) Alternative Operating Scenarios [326 IAC 2-7-20(d)]  
The Permittee may make changes at the source within the range of alternative operating scenarios that are described in the terms and conditions of this permit in accordance with 326 IAC 2-7-5(9). No prior notification of IDEM, OAQ, or U.S. EPA is required.

**B.20 Source Modification Requirement [326 IAC 2-7-10.5]**

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

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

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

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

B.22 Transfer of Ownership or Operational Control [326 IAC 2-7-11]

- (a) The Permittee must comply with the requirements of 326 IAC 2-7-11 whenever the Permittee seeks to change the ownership or operational control of the source and no other change in the permit is necessary.
- (b) Any application requesting a change in the ownership or operational control of the source shall contain a written agreement containing a specific date for transfer of permit responsibility, coverage and liability between the current and new Permittee. The application shall be submitted to:  
  
Indiana Department of Environmental Management  
Permits Branch, Office of Air Quality  
100 North Senate Avenue  
Indianapolis, Indiana 46204-2251  
  
The application, which shall be submitted by the Permittee, does require the certification by the "responsible official" as defined by 326 IAC 2-7-1(34).
- (c) The Permittee may implement administrative amendment changes addressed in the request for an administrative amendment immediately upon submittal of the request. [326 IAC 2-7-11(c)(3)]

B.23 Annual Fee Payment [326 IAC 2-7-19] [326 IAC 2-7-5(7)][326 IAC 2-1.1-7]

- (a) The Permittee shall pay annual fees to IDEM, OAQ, within thirty (30) calendar days of receipt of a billing. In the event that the source is a sub-contractor and is combined with a larger Part 70 source, the larger Part 70 source may pay the Permittees' annual fees as part of the larger source billing and subject to the fee cap of the larger source. If, however, the larger Part 70 source does not pay its annual Part 70 permit fee, IDEM, OAQ will assess a separate fee in accordance with 326 IAC 2-7-19(c) to be paid by the Permittee. Pursuant to 326 IAC 2-7-19(b), if the Permittee does not receive a bill from

IDEM, OAQ, the applicable fee is due April 1 of each year.

- (b) Except as provided in 326 IAC 2-7-19(e), failure to pay may result in administrative enforcement action or revocation of this permit.
- (c) The Permittee may call the following telephone numbers: 1-800-451-6027 or 317-233-0178 (ask for Billing, Licensing, and Training Section (BLT)), to determine the appropriate permit fee.

**B.24 Credible Evidence [326 IAC 2-7-5(3)][326 IAC 2-7-6][62 FR 8314]**

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Notwithstanding the conditions of this permit that state specific methods that may be used to demonstrate compliance with, or a violation of, applicable requirements, any person (including the Permittee) may also use other credible evidence to demonstrate compliance with, or a violation of, any term or condition of this permit.

## SECTION C

## SOURCE OPERATION CONDITIONS

Entire Source

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

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

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

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

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

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

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

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

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

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

#### C.5 Fugitive Dust Emissions [326 IAC 6-1-11.1]

- (a) Pursuant to 326 IAC 6-1-11.1 (Lake County Fugitive Particulate Matter Control Requirements), the particulate matter emissions from source wide activities shall meet the following requirements:
  - (1) The average instantaneous opacity of fugitive particulate emissions from a paved road shall not exceed ten percent (10%).
  - (2) The average instantaneous opacity of fugitive particulate emissions from an unpaved road shall not exceed ten percent (10%).
  - (3) The average instantaneous opacity of fugitive particulate emissions from batch transfer shall not exceed ten percent (10%).
  - (4) The opacity of fugitive particulate emissions from continuous transfer of material onto and out of storage piles shall not exceed ten percent (10%) on a three (3) minute average.
  - (5) The opacity of fugitive particulate emissions from storage piles shall not exceed ten percent (10%) on a six (6) minute average.

- (6) There shall be a zero (0) percent frequency of visible emission observations of a material during the inplant transportation of material by truck or rail at any time.
  - (7) The opacity of fugitive particulate emissions from the inplant transportation of material by front end loaders and skip hoists shall not exceed ten percent (10%).
  - (8) There shall be a zero (0) percent frequency of visible emission observations from a building enclosing all or part of the material processing equipment, except from a vent in the building.
  - (9) The PM10 emissions from building vents shall not exceed twenty-two thousandths (0.022) grains per dry standard cubic foot and ten percent (10%) opacity.
  - (10) The opacity of particulate emissions from dust handling equipment shall not exceed ten percent (10%).
  - (11) Any facility or operation not specified in 326 IAC 6-1-11.1(d) shall meet a twenty percent (20%), three (3) minute average opacity standard.
- (b) The source is subject to 326 IAC 6-1-11.2 because it is subject to the requirements of 326 IAC 6-1-11.1 and 326 IAC 6-1-10.1(d). Pursuant to this rule, the source shall comply with parts (h), (i), (k), (l), (m), (o), (p) and (q) of this rule.

C.6 Operation of Equipment [326 IAC 2-7-6(6)]

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

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

The Permittee shall comply with the applicable provisions of 326 IAC 1-7 (Stack Height Provisions), for all exhaust stacks through which a potential (before controls) of twenty-five (25) tons per year or more of particulate matter or sulfur dioxide is emitted. The provisions of 326 IAC 1-7-1(3), 326 IAC 1-7-2, 326 IAC 1-7-3(c) and (d), 326 IAC 1-7-4, and 326 IAC 1-7-5(a), (b), and (d) are not federally enforceable.

C.8 Asbestos Abatement Projects [326 IAC 14-10] [326 IAC 18] [40 CFR 61, Subpart M]

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

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

All required notifications shall be submitted to:

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

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

- (e) **Procedures for Asbestos Emission Control**  
The Permittee shall comply with the applicable emission control procedures in 326 IAC 14-10-4 and 40 CFR 61.145(c). Per 326 IAC 14-10-1, emission control requirements are applicable for any removal or disturbance of RACM greater than three (3) linear feet on pipes or three (3) square feet on any other facility components or a total of at least 0.75 cubic feet on all facility components.
- (f) **Demolition and renovation**  
The Permittee shall thoroughly inspect the affected facility or part of the facility where the demolition or renovation will occur for the presence of asbestos pursuant to 40 CFR 61.145(a).
- (g) **Indiana Accredited Asbestos Inspector**  
The Permittee shall comply with 326 IAC 14-10-1(a) that requires the owner or operator, prior to a renovation/demolition, to use an Indiana Accredited Asbestos Inspector to thoroughly inspect the affected portion of the facility for the presence of asbestos. The requirement to use an Indiana Accredited Asbestos inspector is not federally enforceable.

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

#### **C.9 Performance Testing [326 IAC 3-6]**

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

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

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

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

- (b) The Permittee shall notify IDEM, OAQ of the actual test date at least fourteen (14) days prior to the actual test date. The notification submitted by the Permittee does not require certification by the "responsible official" as defined by 326 IAC 2-7-1(34).
- (c) Pursuant to 326 IAC 3-6-4(b), all test reports must be received by IDEM, OAQ, not later than forty-five (45) days after the completion of the testing. An extension may be granted by IDEM, OAQ, if the Permittee submits to IDEM, OAQ, a reasonable written explanation not later than five (5) days prior to the end of the initial forty-five (45) day period.

### **Compliance Requirements [326 IAC 2-1.1-11]**

#### **C.10 Compliance Requirements [326 IAC 2-1.1-11]**

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

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

#### **C.11 Compliance Monitoring [326 IAC 2-7-5(3)] [326 IAC 2-7-6(1)]**

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

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

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

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

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

#### **C.12 Monitoring Methods [326 IAC 3] [40 CFR 60] [40 CFR 63]**

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

#### **C.13 Pressure Gauge and Other Instrument Specifications [326 IAC 2-1.1-11] [326 IAC 2-7-5(3)] [326 IAC 2-7-6(1)]**

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- (a) Whenever a condition in this permit requires the measurement of pressure drop across any part of the unit or its control device, the gauge employed shall have a scale such that

the expected normal reading shall be no less than twenty percent (20%) of full scale and be accurate within plus or minus two percent (2%) of full scale reading.

- (b) Whenever a condition in this permit requires the measurement of a flow rate, the instrument employed shall have a scale such that the expected normal reading shall be no less than twenty percent (20%) of full scale and be accurate within plus or minus two percent (2%) of full scale reading.
- (c) The Permittee may request the IDEM, OAQ approve the use of a pressure gauge or other instrument that does not meet the above specifications provided the Permittee can demonstrate an alternative pressure gauge or other instrument specification will adequately ensure compliance with permit conditions requiring the measurement of pressure drop or other parameters.

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

#### **C.14 Emergency Reduction Plans [326 IAC 1-5-2] [326 IAC 1-5-3]**

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

- (a) The Permittee shall prepare written emergency reduction plans (ERPs) consistent with safe operating procedures.
- (b) These ERPs shall be submitted for approval to:

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

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

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

- (c) If the ERP is disapproved by IDEM, OAQ, the Permittee shall have an additional thirty (30) days to resolve the differences and submit an approvable ERP.
- (d) These ERPs shall state those actions that will be taken, when each episode level is declared, to reduce or eliminate emissions of the appropriate air pollutants.
- (e) Said ERPs shall also identify the sources of air pollutants, the approximate amount of reduction of the pollutants, and a brief description of the manner in which the reduction will be achieved.
- (f) Upon direct notification by IDEM, OAQ, that a specific air pollution episode level is in effect, the Permittee shall immediately put into effect the actions stipulated in the approved ERP for the appropriate episode level. [326 IAC 1-5-3]

#### **C.15 Risk Management Plan [326 IAC 2-7-5(12)] [40 CFR 68]**

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

#### **C.16 Compliance Response Plan - Preparation, Implementation, Records, and Reports [326 IAC 2-7-5] [326 IAC 2-7-6]**

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- (a) The Permittee is required to prepare a Compliance Response Plan (CRP) for each compliance monitoring condition of this permit. If a Permittee is required to have an

Operation, Maintenance and Monitoring (OMM) Plan (or Parametric Monitoring Plan and Start-up, Shutdown, and Malfunction (SSM) Plan) under 40 CFR 60/63, such plans shall be deemed to satisfy the requirements for a CRP for those compliance monitoring conditions. A CRP shall be submitted to IDEM, OAQ upon request. The CRP shall be prepared within ninety (90) days after issuance of this permit by the Permittee, supplemented from time to time by the Permittee, maintained on site, and comprised of:

- (1) Reasonable response steps that may be implemented in the event that a response step is needed pursuant to the requirements of Section D of this permit; and an expected timeframe for taking reasonable response steps.
- (2) If, at any time, the Permittee takes reasonable response steps that are not set forth in the Permittee's current Compliance Response Plan [or Operation, Maintenance and Monitoring (OMM) Plan (or Parametric Monitoring Plan and Start-up, Shutdown, and Malfunction (SSM) Plan)] and the Permittee documents such response in accordance with subsection (e) below, the Permittee shall amend its Compliance Response Plan or Operation, Maintenance and Monitoring (OMM) Plan (or Parametric Monitoring Plan and Start-up, Shutdown, and Malfunction (SSM) Plan) to include such response steps taken.

The OMM Plan (or Parametric Monitoring and SSM Plan) shall be submitted within the time frames specified by the applicable 40 CFR60/63 requirements.

- (b) For each compliance monitoring condition of this permit, reasonable response steps shall be taken when indicated by the provisions of that compliance monitoring condition as follows:
  - (1) Reasonable response steps shall be taken as set forth in the Permittee's current Compliance Response Plan [or Operation, Maintenance and Monitoring (OMM) Plan (or Parametric Monitoring Plan and Start-up, Shutdown, and Malfunction (SSM) Plan)]; or
  - (2) If none of the reasonable response steps listed in the Compliance Response Plan or Operation, Maintenance and Monitoring (OMM) Plan (or Parametric Monitoring Plan and Start-up, Shutdown, and Malfunction (SSM) Plan) is applicable or responsive to the excursion, the Permittee shall devise and implement additional response steps as expeditiously as practical. Taking such additional response steps shall not be considered a deviation from this permit so long as the Permittee documents such response steps in accordance with this condition.
  - (3) If the Permittee determines that additional response steps would necessitate that the emissions unit or control device be shut down, and it will be ten (10) days or more until the unit or device will be shut down, the Permittee shall promptly notify the IDEM, OAQ of the expected date of the shut down. The notification shall also include the status of the applicable compliance monitoring parameter with respect to normal, and the results of the response actions taken up to the time of notification.
  - (4) Failure to take reasonable response steps shall be considered a deviation from the permit.
- (c) The Permittee is not required to take any further response steps for any of the following reasons:
  - (1) A false reading occurs due to the malfunction of the monitoring equipment and prompt action was taken to correct the monitoring equipment.

- (2) The Permittee has determined that the compliance monitoring parameters established in the permit conditions are technically inappropriate, has previously submitted a request for a minor permit modification to the permit, and such request has not been denied.
- (3) An automatic measurement was taken when the process was not operating.
- (4) The process has already returned or is returning to operating within "normal" parameters and no response steps are required.
- (d) When implementing reasonable steps in response to a compliance monitoring condition, if the Permittee determines that an exceedance of an emission limitation has occurred, the Permittee shall report such deviations pursuant to Section B-Deviations from Permit Requirements and Conditions.
- (e) The Permittee shall record all instances when, in accordance with Section D, response steps are taken. In the event of an emergency, the provisions of 326 IAC 2-7-16 (Emergency Provisions) requiring prompt corrective action to mitigate emissions shall prevail.
- (f) Except as otherwise provided by a rule or provided specifically in Section D, all monitoring as required in Section D shall be performed when the emission unit is operating, except for time necessary to perform quality assurance and maintenance activities.

**C.17 Actions Related to Noncompliance Demonstrated by a Stack Test [326 IAC 2-7-5]  
[326 IAC 2-7-6]**

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

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

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

**C.18 Emission Statement [326 IAC 2-7-5(3)(C)(iii)][326 IAC 2-7-5(7)][326 IAC 2-7-19(c)][326 IAC 2-6]**

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- (a) Pursuant to 326 IAC 2-6-3(a)(1), the Permittee shall submit by July 1 of each year an emission statement covering the previous calendar year. The emission statement shall contain, at a minimum, the information specified in 326 IAC 2-6-4(c) and shall meet the following requirements:
  - (1) Indicate estimated actual emissions of all pollutants listed in 326 IAC 2-6-4(a);

- (2) Indicate estimated actual emissions of regulated pollutants (as defined by 326 IAC 2-7-1(32)) ("Regulated pollutant which is used only for purposes of Section 19 of this rule") from the source, for purposes of Part 70 fee assessment.

The statement must be submitted to:

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

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

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

C.19 General Record Keeping Requirements [326 IAC 2-7-5(3)] [326 IAC 2-7-6]

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

C.20 General Reporting Requirements [326 IAC 2-7-5(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 the "responsible official" as defined by 326 IAC 2-7-1(34).
- (b) The report required in (a) of this condition and reports required by conditions in Section D of this permit shall be submitted to:
- Indiana Department of Environmental Management  
Compliance Data Section, Office of Air Quality  
100 North Senate Avenue  
Indianapolis, Indiana 46204-2251
- (c) Unless otherwise specified in this permit, any notice, report, or other submission required by this permit shall be considered timely if the date postmarked on the envelope or certified mail receipt, or affixed by the shipper on the private shipping receipt, is on or before the date it is due. If the document is submitted by any other means, it shall be considered timely if received by IDEM, OAQ, on or before the date it is due.

- (d) Unless otherwise specified in this permit, all reports required in Section D of this permit shall be submitted within thirty (30) days of the end of the reporting period. All reports do require the certification by the "responsible official" as defined by 326 IAC 2-7-1(34).
- (e) The first report shall cover the period commencing on the date of issuance of this permit and ending on the last day of the reporting period. Reporting periods are based on calendar years.

### **Stratospheric Ozone Protection**

#### **C.21 Compliance with 40 CFR 82 and 326 IAC 22-1**

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

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

## SECTION D.1

## FACILITY OPERATION CONDITIONS

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

Ironside Energy, LLC consists of the following permitted emission units and pollution control devices:

- (a) One industrial boiler, identified as Boiler No. 9, equipped with low-NOx burners, installed in 2001. The boiler has a nominal heat input rate of 657 MMBtu per hour and a continuous nominal steam production rate of 460,000 pounds of steam per hour. The primary fuel will be blast furnace gas (BFG) with natural gas as a backup/supplemental fuel;
- (b) One steam turbine electric generator with a nominal rate of 50 MW; and
- (c) One cooling tower.

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

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

#### D.1.1 General Provisions Relating to NESHAP [326 IAC 20-1][40 CFR Part 63, Subpart A]

- (a) The provisions of 40 CFR 63 Subpart A - General Provisions, which are incorporated as 326 IAC 20-1-1, apply to the affected source, as designated by 40 CFR 63.7506(b). The Permittee must comply with these requirements on and after the effective date of 40 CFR 63, Subpart DDDDD.
- (b) Since the applicable requirements associated with the compliance options are not included and specifically identified in this permit, the permit shield authorized by the B section of this permit in the condition titled Permit Shield, and set out in 326 IAC 2-7-15 does not apply to paragraph (a) of this condition. The permit shield applies to Condition D.1.14, National Emission Standards for Hazardous Air Pollutants for Industrial, Commercial, and Institutional Boilers and Process Heaters, 40 CFR Part 63, Subpart DDDDD-Notification Requirements.

#### D.1.2 National Emission Standards for Hazardous Air Pollutants for Industrial, Commercial, and Institutional Boilers and Process Heaters [40 CFR Part 63, Subpart DDDDD]

- (a) The affected source is subject to the National Emission Standards for Hazardous Air Pollutants (NESHAP) for Industrial, Commercial, and Institutional Boilers and Process Heaters, (40 CFR 63, Subpart DDDDD), as of the effective date of 40 CFR 63, Subpart DDDDD. Pursuant to this rule, the Permittee must comply with 40 CFR 63, Subpart DDDDD on and after three years after the effective date of 40 CFR 63, Subpart DDDDD.
- (b) Since the applicable requirements associated with the compliance options are not included and specifically identified in this permit, the permit shield authorized by the B section of this permit in the condition titled Permit Shield, and set out in 326 IAC 2-7-15 does not apply to paragraph (a) of this condition.
- (c) The following emissions unit comprises the affected source for the large gaseous fuel subcategory: Boiler No. 9.
- (d) The definitions of 40 CFR 63, Subpart DDDDD at 40 CFR 63.7575 are applicable to the affected source.

#### D.1.3 General Provisions Relating to NSPS [326 IAC 12-1][40 CFR Part 60, Subpart A]

Boiler No. 9 shall comply with the provisions of 40 CFR 60, Subpart A (NSPS General Provisions) and 40 CFR 60, Subpart Db (NSPS for Industrial Steam Generating Units) which are incorporated by reference in 326 IAC 12-1.

#### D.1.4 PSD and Emissions Offset [326 IAC 2-2 and 326 IAC 2-3]

- (a) Pursuant to CP089-10842-00448 issued on February 2, 2000, the natural gas fuel usage of Boiler No. 9 shall not exceed 2080 MMBtu per twelve (12) month total, rolled on a monthly basis, the NO<sub>x</sub> emissions from natural gas combustion in Boiler No. 9 shall not exceed 56.3 tons per twelve (12) month total, rolled on monthly basis. This limitation renders the requirements of 326 IAC 2-2 (Prevention of Significant Deterioration (PSD)) not applicable.
- (b) Pursuant to CP089-10842-00448 issued on February 2, 2000, the existing Boiler No. 4 with a heat input rate of 260 MMBtu per hour, which is owned and operated by ISG-Indiana Harbor Works (formerly LTV) shall be permanently removed from service upon commercial operation of Boiler No. 9 to render the requirements of 326 IAC 2-3 (Emission Offset) and 326 IAC 2-2 (PSD) not applicable.

#### D.1.5 Nitrogen Oxides (NO<sub>x</sub>) Emission Limitations [326 IAC 12][40 CFR Part 60.44]

Pursuant to 40 CFR Part 60.44b(l) On and after the date on which the initial performance test is completed or is required to be completed under 40 CFR Part 60.8, whichever date comes first, no owner or operator of an affected facility which commenced construction or reconstruction after July 9, 1997 shall cause to be discharged into the atmosphere from that affected facility any gases that contain nitrogen oxides (expressed as NO<sub>2</sub>) in excess of the following limits:

- (1) If the affected facility combusts coal, oil, or natural gas, or a mixture of these fuels, or with any other fuels: A limit of 86 ng/JI (0.20 lb/million Btu) heat input; or
- (2) If the affected facility has a low heat release rate and combusts natural gas in excess of 30 percent of the heat input from the combustion of all fuels, a limit determined by use of the following formula:

$$En = [(0.10 * Hgo) + (0.20 * Hr)] / (Hgo + Hr)$$

Where:

En is the NO<sub>x</sub> emission limit, (lb/million Btu),  
Hgo is the heat input from combustion of natural gas or distillate oil, and  
Hr is the heat input from combustion of any other fuel. (for Ironside at ISG this is Blast Furnace Gas)

#### D.1.6 Particulate Matter (PM and PM<sub>10</sub>) Emission Limitations [326 IAC 6-1-2]

Pursuant to 326 IAC 6-1-2, the gaseous fuel-fired boiler is subject to the "fuel combustion steam generator" category requirements (326 IAC 6-1-2(b)(3)) which limits the particulate matter emissions from gaseous fuel-fired combustion to no more than 0.01 grains per dry standard cubic feet (dscf) as measured using 40 CFR 60, Appendix A, Method 5.

#### D.1.7 Nitrogen Oxide Emissions [326 IAC 10-3-1 (d), and (e)][326 IAC 10-3-2][326 IAC 10-3-3(c)]

Pursuant to 326 IAC 10-3 (Nitrogen Oxide Reduction Program for Specific Source Categories), beginning on May 31, 2004, the requirements of paragraphs (a) through (d) shall apply to each of the affected boilers, Boiler No.9, during the ozone control period of each year.

- (a) The Permittee shall limit nitrogen oxide (NO<sub>x</sub>) emissions to seventeen-hundredths pound of NO<sub>x</sub> per million British thermal units (0.17 lb/mmBtu) of heat input averaged over the ozone control period.
- (b) The Permittee shall ensure that greater than fifty percent (50%) of the heat input shall be derived from blast furnace gas averaged over an ozone control period.

- (c) During periods of blast furnace reline, startup, and period of malfunction, the affected boilers shall not be required to meet the requirement to derive fifty percent (50%) of the heat input from blast furnace gas.
- (d) If one or more of the affected boilers are subject to 326 IAC 10-3 and a New Source Performance Standard (NSPS), a National Emission Standard for Hazardous Air Pollutants (NESHAP), or an emission limit established under 326 IAC 2, the affected boilers shall comply with the limitations and requirements of the more stringent rule.

Pursuant to 326 IAC 10-3-2(10), the ozone control period is, for 2004, the period beginning on May 31 and ending on September 30, inclusive, and, for 2005 and each year thereafter, the period beginning May 1 of a year and ending on September 30 of the same year, inclusive.

#### D.1.8 Acid Rain Requirement [326 IAC 21][40CFR Part 72]

Pursuant to CP089-10842-00448 issued on February 2, 2000, Boiler No. 9 shall not, in any three calendar year period, sell to a utility power distribution system an annual average of more than one-third of its potential electrical output capacity and more than 219,000 MW-hrs actual electric output (on a gross basis). This renders the requirements of 326 IAC 21 and 40 CFR Part 72 (Acid Rain Requirements) not applicable.

#### D.1.9 Preventive Maintenance Plan [326 IAC 2-7-5(13)]

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

### **Compliance Determination Requirements**

#### D.1.10 Compliance and Performance Test Methods [40 CFR Part 60.46b]

Pursuant to 40 CFR Part 60.46b(e) (Compliance and Performance Test Methods and Procedures for Nitrogen Oxide), the boiler is subject to the following requirements:

- (a) The Permittee to determine compliance with the emission limits for nitrogen oxides required under 40 CFR Part 60.44b, shall conduct the performance test as required under 40 CFR Part 60.8 using the continuous system for monitoring nitrogen oxides under 40 CFR Part 60.48(b);
- (b) The initial compliance test shall be monitored for 30 successive steam generating unit operating days pursuant to 40 CFR Part 60.46b(e)(1). The 30-day average emission rate shall be calculated as the average of all hourly emissions data recorded by the monitoring system during the 30-day test period to demonstrate compliance with the NO<sub>x</sub> emission rate required by 40 CFR Part 60.44b(l); and
- (c) Following the date on which the initial performance test is completed, the Permittee shall determine compliance with the NO<sub>x</sub> emission rate required by 40 CFR Part 60.44b(l) on a continuous basis through the use of a 30-day rolling average emission rate pursuant to 40 CFR Part 60.46b(e)(3). A new 30-day rolling average emission rate is calculated each steam generating unit operating day as the average of all of the hourly NO<sub>x</sub> emission data for the preceding 30 steam generating unit operating days.

#### D.1.11 Nitrogen Oxide Emissions Monitoring Requirements [326 IAC 2-7-6(1),(6)] [326 IAC 10-3-3 and 10-3-4(c)]

- (a) Pursuant to 326 IAC 10-3-4, beginning May 31, 2004 and each ozone control period thereafter, compliance with the requirement in Condition D.1.7 that greater than fifty percent (50%) of the heat input is derived from blast furnace gas shall be demonstrated by monitoring fuel usage and percentage of heat input derived from each fuel combusted.

- (b) Pursuant to 326 IAC 10-3-3(d)(4), to demonstrate compliance with the NO<sub>x</sub> emissions limit in Condition D.1.7 the Permittee shall determine baseline ozone control period emissions as described in the site specific compliance plan for Boiler No. 9, approved by IDEM on June 20, 2003.

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

#### **D.1.12 Fuel Usage**

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In order to demonstrate compliance with D.1.4, D.1.5 and D.1.6, the source shall burn only blast furnace gas and natural gas in the No. 9 Boiler.

#### **D.1.13 NO<sub>x</sub> Emission Monitoring [40 CFR 60.48b][326 IAC 3-5]**

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Pursuant to 40 CFR Part 60.48b (Emission Monitoring), the boiler is subject to the following requirements:

- (a) The Permittee shall calibrate, maintain, and operate a continuous monitoring system for measuring NO<sub>x</sub> emissions discharged to the atmosphere and record the output of the system;
- (b) The CEM shall be operated and data recorded during all periods of operation of the boiler except for continuous monitoring system breakdowns and repairs. Data is recorded during calibration checks, and zero and span adjustments;
- (c) The 1-hour average NO<sub>x</sub> emission rates measured by the continuous NO<sub>x</sub> monitor shall be expressed in ng/J or lb/MMBtu heat input and shall be used to calculate the average emission rate. The 1-hour averages shall be calculated using the data points required by 40 CFR Part 60.13(b). At least 4 data points must be used to calculate each 1-hour average;
- (d) The procedures under 40 CFR Part 60.13 shall be followed for installation, evaluation, and operation of the CEM.
- (e) When NO<sub>x</sub> emission data are not obtained because of CEM breakdowns, repairs, calibration checks and zero and span adjustments, emission data will be obtained by using standby monitoring systems, Method 7, Method 7A, or other approved reference methods to provide emission data for a minimum of 75 percent of the operating hours in each steam generating unit operating day, in at least 22 out of 30 successive steam generating unit operating days.
- (f) Pursuant to 326 IAC 3-5-1(c)(2)(D), the percent O<sub>2</sub> in the flue gas is required to convert NO<sub>x</sub> CEM data to units of the emission limitation for the particular facility.
- (g) For NO<sub>x</sub> and O<sub>2</sub>, the Permittee shall install, calibrate, certify, operate and maintain a continuous monitoring system for each steam generating unit in accordance with 326 IAC 3-5:
  - (1) The CEM shall measure NO<sub>x</sub> and O<sub>2</sub> emissions rates in pounds per hour and parts per million (ppmvd). The use of CEMs to measure and record the NO<sub>x</sub> and O<sub>2</sub> hourly limits, is sufficient to demonstrate compliance. The source shall maintain records of the parts per million and pounds per hour.
  - (2) The Permittee shall record the output of the system and shall perform the required record keeping, pursuant to 326 IAC 3-5-6, and reporting, pursuant to 326 IAC 3-5-7.

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

### **D.1.14 National Emission Standards for Hazardous Air Pollutants for Industrial, Commercial, and Institutional Boilers and Process Heaters - Notification Requirements [40 CFR 63, Subpart DDDDD]**

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- (a) Pursuant to 40 CFR 63.7545, the Permittee shall submit the notifications in 40 CFR 63.9(b)(2) that apply to the affected sources for the large gaseous fuel subcategory and chosen compliance methods by the dates specified. These notifications include, but are not limited to, the following:
- (1) An Initial Notification containing the information specified in 40 CFR 63.9(b)(2) not later than 120 days after the effective date of 40 CFR 63, Subpart DDDDD as required by 40 CFR 63.7545(b).
  - (2) If required to conduct a performance test, a notification of intent to conduct a performance test at least 60 days before the performance test is scheduled to begin as required by 40 CFR 63.7(b)(1) and 40 CFR 63.7545(d).
  - (3) If required to conduct an initial compliance demonstration as specified in 40 CFR 63.7530(a), a Notification of Compliance Status containing the information required by 40 CFR 63.9(h)(2)(ii) in accordance with 40 CFR 62.7545(e).
    - (A) For each initial compliance demonstration, the Permittee shall submit the Notification of Compliance Status, including all performance test results and fuel analyses, before the close of business on the 60th day following the completion of the performance test and/or other initial compliance demonstrations according to 40 CFR 63.10(d)(2).
    - (B) The Notification of Compliance Status shall contain the items in 40 CFR 63.7545(e)(1) through (9), as applicable.
  - (4) If required to use a continuous monitoring system (CMS), notification of a performance evaluation, if required, as specified in 40 CFR 63.9(g), by the date of submission of the notification of intent to conduct a performance test.
- (b) The notifications required by paragraph (a) shall be submitted to:

Indiana Department of Environmental Management  
Compliance Data Section, Office of Air Quality  
100 North Senate Avenue  
Indianapolis, Indiana 46206-2251

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

### **D.1.15 Recordkeeping Requirement [40 CFR Part 60.49b]**

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- (a) Pursuant to 40 CFR Part 60.49b, the boiler is subject to the following recordkeeping requirements:
- (1) The Permittee shall record and maintain records of the amounts of each fuel combusted during each day and calculate the annual capacity factor for each fuel for each calendar quarter. The annual capacity factor is determined on a 12-month rolling average basis with a new annual capacity factor calculated at the end of each calendar month.

- (2) The Permittee shall maintain records of the following information for each steam generating unit operating day:
  - (A) Calendar date;
  - (B) Average hourly NO<sub>x</sub> emission rates (expressed as NO<sub>2</sub>) (ng/J or lb/MMBtu heat input) measured or predicted.
  - (C) The 30-day average NO<sub>x</sub> emission rates (ng/J or lb/MMBtu heat input) calculated at the end of each steam generating unit operating day from the measured or predicted hourly NO<sub>x</sub> emission rates for the preceding 30 steam generating unit operating days.
  - (D) Identification of the steam generating unit operating days when the calculated 30-day average NO<sub>x</sub> emission rates are in excess of the NO<sub>x</sub> emission standard under 40 CFR Part 60.44b, with the reasons for such excess emissions as well as a description of corrective actions taken.
  - (E) Identification of the steam generating unit operating days for which pollutant data have not been obtained, including reasons for not obtaining sufficient data and a description of corrective actions taken.
  - (F) Identification of the times when emission data have been excluded from the calculation of average emission rates and the reasons for excluding data.
  - (G) Identification of "F" factor used for calculations, method of determination, and type of fuel combusted.
  - (H) Identification of the times when the pollutant concentration exceeded full span of the continuous monitoring system.
  - (I) Description of any modifications to the continuous monitoring system that could affect the ability of the continuous monitoring system to comply with Performance Specification 2 or 3.
  - (J) Results of daily CEMS drift tests and quarterly accuracy assessments as required under 40 CFR 60, Appendix F, Procedure 1.
- (b) All records shall be maintained in accordance with Section C - General Record Keeping Requirements, of this permit.

#### D.1.16 Record Keeping Requirements

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- (a) Pursuant to 326 IAC 10-3-5(a), to document compliance with Conditions D.1.7 and D.1.11, beginning on May 31, 2004 and each ozone control period thereafter, the Permittee shall maintain records required under permit conditions D.1.13(g)(1) and D.1.15(a)(1) along with the results of any performance testing. These records shall be complete and sufficient to establish compliance with the NO<sub>x</sub> emission limits and heat input requirements established in Condition D.1.7.
  - (1) The date, time, and duration of any startup, shutdown, or malfunction in the operation of the boilers or emissions monitoring equipment.
  - (2) The results of any performance testing.
  - (3) If a unit is equipped with a CEMS, identification of time periods:

- (A) during which NO<sub>x</sub> standards are exceeded, the reason for the exceedance, and action taken to correct the exceedance and to prevent similar future exceedances; and
  - (B) for which operating conditions and pollutant data were not obtained including reasons for not obtaining sufficient data and a description of corrective actions taken.
- (4) All records required to be produced or maintained shall be retained on site for a period of five (5) years. The records shall be made available to IDEM, OAQ or the U.S. EPA upon request.

D.1.17 Reporting Requirements[326 IAC 10-3-5(e)]

Pursuant to 326 IAC 10-3-5(e), for the ozone control period of each year by October 31, beginning in 2004 and each year thereafter, the Permittee shall submit a report to IDEM, OAQ documenting compliance with all applicable requirements of 326 IAC 10-3 in accordance with the site specific compliance plan detailed under 326 IAC 10-3-3(c). The report submitted by the Permittee requires the certification by the "responsible official" as defined by 326 IAC 2-7-1(34).

D.1.18 Reporting Requirement

A quarterly summary of the information to document compliance with Condition D.1.4 (a) shall be submitted to the address listed in Section C - General Reporting Requirements, of this permit within thirty (30) days after the end of the quarter being reported.

D.1.19 Requirement to Submit a Significant Permit Modification Application [326 IAC 2-7-12]  
[326 IAC 2-7-5]

The Permittee shall submit an application for a significant permit modification to IDEM, OAQ to include information regarding which compliance option or options will be chosen in the Part 70 permit for the affected source for the large solid fuel subcategory.

- (a) The significant permit modification application shall be consistent with 326 IAC 2-7-12, including information sufficient for IDEM, OAQ to incorporate into the Part 70 permit the applicable requirements of 40 CFR 63, Subpart DDDDD, a description of the affected sources and activities subject to the standard, and a description of how the Permittee will meet the applicable requirements of the standard.
- (b) The significant permit modification application shall be submitted no later than nine months prior to the compliance date as specified in 40 CFR 63.7495(b).
- (c) The significant permit modification application shall be submitted to:

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

**SECTION D.2 FACILITY OPERATION CONDITIONS**

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

**Insignificant Activities:**

- (1) The following VOC and HAP storage containers:
  - (A) Storage tanks with capacity less than or equal to 1,000 gallons and annual throughput less than 12,000 gallons. [326 IAC 8-9]
- (2) The following equipment related to manufacturing activities not resulting in the emission of HAPs: brazing equipment, cutting torches, soldering equipment, welding equipment. [326 IAC 6-1-2]

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

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

**D.2.1 Volatile Organic Compounds (VOC) [326 IAC 8-9]**

Pursuant to 326 IAC 8-9-1, the Permittee is required to keep records on the information in 326 IAC 8-9-6(a)-(b) for all storage vessels.

**D.2.2 Particulate Matter (PM and PM<sub>10</sub>) Emission Limitations [326 IAC 6-1-2]**

- (a) Pursuant to 326 IAC 6-1-2 (Nonattainment Area Particulate Limitations), the particulate matter emissions from the brazing equipment, cutting torches, soldering equipment, welding equipment shall not exceed 0.03 grains per dry standard cubic foot (gr/dscf).

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

**D.2.3 Record Keeping Requirements**

Pursuant to 326 IAC 8-9, the Permittee must keep records of the following:

- (a) The vessel identification number;
- (b) The vessel dimensions; and
- (c) The vessel capacity.

Records shall be maintained for the life of the vessel.

## INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT OFFICE OF AIR QUALITY

### PART 70 OPERATING PERMIT CERTIFICATION

Source Name: Ironside Energy LLC, a contractor of ISG-Indiana Harbor Inc  
Source Address: 3001 Dickey Road, East Chicago, IN 46312-1610  
Mailing Address: Primary Energy Steel LLC, 2000 York Road, Suite 129, Oak Brook, IL 60523  
Part 70 Permit No.: T089-11557-00448

**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:

- 9 Annual Compliance Certification Letter
- 9 Test Result (specify) \_\_\_\_\_
- 9 Report (specify) \_\_\_\_\_
- 9 Notification (specify) \_\_\_\_\_
- 9 Affidavit (specify) \_\_\_\_\_
- 9 Other (specify) \_\_\_\_\_

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

Signature:

Printed Name:

Title/Position:

Phone:

Date:

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

**PART 70 OPERATING PERMIT  
EMERGENCY OCCURRENCE REPORT**

Source Name: Ironside Energy LLC, a contractor of ISG-Indiana Harbor Inc  
Source Address: 3001 Dickey Road, East Chicago, IN 46312-1610  
Mailing Address: Primary Energy Steel LLC, 2000 York Road, Suite 129, Oak Brook, IL 60523  
Part 70 Permit No.: T089-11557-00448

**This form consists of 2 pages**

**Page 1 of 2**

|  |
|--|
| <p><b>9</b> This is an emergency as defined in 326 IAC 2-7-1(12)</p> <ul style="list-style-type: none"><li>X The Permittee must notify the Office of Air Quality (OAQ), within four (4) business hours (1-800-451-6027 or 317-233-0178, ask for Compliance Data Section); and</li><li>X The Permittee must submit notice in writing or by facsimile within two (2) working days (Facsimile Number: 317-233-6865), and follow the other requirements of 326 IAC 2-7-16.</li></ul> |
|--|

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

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

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

**Page 2 of 2**

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

Form Completed by: \_\_\_\_\_

Title / Position: \_\_\_\_\_

Date: \_\_\_\_\_

Phone: \_\_\_\_\_

A certification is not required for this report.

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

## Part 70 Quarterly Report

Source Name: Ironside Energy LLC, a contractor of ISG-Indiana Harbor Inc  
Source Address: 3001 Dickey Road, East Chicago, IN 46312-1610  
Mailing Address: Primary Energy Steel LLC, 2000 York Road, Suite 129, Oak Brook, IL 60523  
Part 70 Permit No.: T089-11557-00448  
Facility: Boiler No. 9  
Parameter: Natural Gas Usage  
Limit: 2080 MMCF per twelve (12) month total, rolled on a monthly basis

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

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

- 9 No deviation occurred in this quarter.
- 9 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**

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

Source Name: Ironside Energy LLC, a contractor of ISG-Indiana Harbor Inc  
 Source Address: 3001 Dickey Road, East Chicago, IN 46312-1610  
 Mailing Address: Primary Energy Steel LLC, 2000 York Road, Suite 129, Oak Brook, IL 60523  
 Part 70 Permit No.: T089-11557-00448

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

|  |                               |
|--|-------------------------------|
| 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". |                               |
| 9 NO DEVIATIONS OCCURRED THIS REPORTING PERIOD.  |                               |
| 9 THE FOLLOWING DEVIATIONS OCCURRED THIS REPORTING PERIOD  |                               |
| <b>Permit Requirement</b> (specify permit condition #)   |                               |
| <b>Date of Deviation:</b>  | <b>Duration of Deviation:</b> |
| <b>Number of Deviations:</b>   |                               |
| <b>Probable Cause of Deviation:</b>  |                               |
| <b>Response Steps Taken:</b>   |                               |
| <b>Permit Requirement</b> (specify permit condition #)   |                               |
| <b>Date of Deviation:</b>  | <b>Duration of Deviation:</b> |
| <b>Number of Deviations:</b>   |                               |
| <b>Probable Cause of Deviation:</b>  |                               |
| <b>Response Steps Taken:</b>   |                               |

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

Form Completed By: \_\_\_\_\_

Title/Position: \_\_\_\_\_

Date: \_\_\_\_\_

Phone: \_\_\_\_\_

Attach a signed certification to complete this report.