



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: March 6, 2007
RE: Mid-Continent Coal and Coke / 089-24203-05224
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



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PART 70 OPERATING PERMIT OFFICE OF AIR QUALITY

Mid-Continent Coal and Coke Company
Initially located at
3001 Dickey Road
East Chicago, Indiana 46312
(Portable Source)

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

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

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

Operation Permit No.: T089-21729-05224	
Issued by: Original Signed By: Paul Dubenetzky, Assistant Commissioner Office of Air Quality	Issuance Date: March 14, 2006 Expiration Date: March 14, 2011

Relocation No.: 089-22757-05224, issued on March 23, 2006
Significant Permit Modification No.: 089-22956-05224, issued July 25, 2006

First Administrative Amendment No.: 089-24203-05224	
Original signed by: Matthew W. Stuckey, Deputy Branch Chief Permits Branch Office of Air Quality	Issuance Date: March 6, 2007 Expiration Date: March 14, 2011

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SECTION A SOURCE SUMMARY

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

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

The Permittee owns and operates a portable screening plant.

Source Address:	Portable
Mailing Address:	915 West 175 th Street, Homewood, Illinois 60430
General Source Phone Number:	(708) 798-1110
SIC Code:	5052, 3312
County Location:	Portable
Source Location Status:	Portable
Source Status:	Part 70 Permit Program Major Source, under PSD and Emission Offset Rules, Major Source, Section 112 of the Clean Air Act 1 of 28 Source Categories

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

Mid-Continent Coal and Coke Company, operates a portable screening plant. At each location that this portable screening plant locates, it will be considered an on-site contractor and co-located with the primary operation. Therefore, Mid-Continent Coal and Coke and the primary operation will be considered a single source, as defined by 326 IAC 2-7-1(22), based on this contractual control.

Separate Part 70 Operating permits are issued to each primary operation and Mid-Continent Coal and Coke Company, solely for administrative purposes.

The Part 70 Operating Permit (089-21729-05224) is written generically in order to allow the portable screening plant to relocate to any source that is major under the Title V, Emission Offset and/or Prevention of Significant Deterioration (PSD) programs.

This source was initially located at 3001 Dickey Road, East Chicago, IN 46312, as a contractor for ISG Indiana Harbor, Inc., (plant ID: 089-00318). This source is currently located at 3210 Watling Street, East Chicago, Lake County, IN 46312, as a contractor for Ispat-Inland, Inc., (plant ID: 089-00316).

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

This portable source consists of the following emission units:

- (a) One (1) Kolman Portable Screening Operation, constructed in 2005, identified as 101-XHD, with a maximum capacity of sixty (60) tons, and consisting of the following equipment:
 - (1) One (1) 8 foot by 12 foot feed hopper;
 - (2) One (1) 5 foot by 12 foot dual deck vibrating screen;
 - (3) One (1) 30 inch x 60 foot rubber conveyor;

- (4) Three (3) 30 inch x 30 foot rubber conveyors
- (b) One (1) reciprocating internal engine, identified 63R07006, with a maximum heat input capacity of 458,100 British Thermal Units (BTUs) per hour; and,
- (c) One (1) reciprocating internal engine, identified 1NJ00789, with a maximum output rating of 90 kilo watts (KVA) per hour.
- (d) A petroleum fuel, other than gasoline, dispensing facility, having a storage capacity of less than or equal to 10,500 gallons, and dispensing less than or equal to 230,000 gallons per month.
- (e) Coke storage piles with a maximum total maximum area of 10.11 acres.
- (f) Paved and unpaved roadways.

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

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

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

SECTION B GENERAL CONDITIONS

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

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

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

- (a) This permit, T089-21729-05224, is issued for a fixed term of five (5) years from the issuance date of this permit, as determined in accordance with IC 4-21.5-3-5(f) and IC 13-15-5-3. Subsequent revisions, modifications, or amendments of this permit do not affect the expiration date of this permit.
- (b) If IDEM, OAQ, and any applicable Local Air Pollution Control Agency (as described in Condition B.4 of this permit), upon receiving a timely and complete renewal permit application, fails to issue or deny the permit renewal prior to the expiration date of this permit, this existing permit shall not expire and all terms and conditions shall continue in effect, including any permit shield provided in 326 IAC 2-7-15, until the renewal permit has been issued or denied.

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

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

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

B.4 Local Air Pollution Control Agencies

- (a) If the portable screening plant seeks to move to an area under the jurisdiction of any applicable Local Air Pollution Control Agency (LAPCA), the LAPCA may enact additional air pollution control requirements. The Permittee should contact the LAPCA when planning to relocate into an applicable jurisdiction.
- (b) The Local Air Pollution Control Agencies are:

Anderson

Jurisdiction: Madison County

Anderson Office of Air Management
P.O. Box 2100
120 East 8th Street, Anderson, IN 46011
(765) 648-6158 (765) 648-5924 (FAX)

Evansville

Jurisdiction: City of Evansville plus four (4) miles beyond the corporate limits but not outside Vanderburgh County

City of Evansville EPA
101 Court St, Room 205, Evansville, IN 47708
(812) 435-6145 (812) 435-6155 (FAX)

Hammond

Jurisdiction: City of Hammond

Hammond Department of Environmental Management
5925 Calumet Ave, Floor 3, Hammond, IN 46324
(219) 853-6306 (219) 853-6343 (FAX)

Indianapolis

Jurisdiction: Marion County

Indianapolis Office of Environmental Services
Administration Building, 2700 South Belmont Ave, Indianapolis, IN 46221
(317) 327-2234 (317) 274-2274 (FAX)

Vigo County

Jurisdiction: Vigo County

Vigo County Air Pollution Control
103 S. 3rd St., Terre Haute, IN 47807
(812) 462-3433 (812) 462-3433(FAX)

Hammond

Jurisdiction: City of Hammond

Hammond Department of Environmental Management
5925 Calumet Avenue
Hammond, IN 46320
(219) 853-6306; (219) 853-6343 (FAX)

Gary

Jurisdiction: City of Gary

Gary Department of Environmental Affairs
839 Broadway, Second Floor NE
Gary, IN 46402
(219) 882-3000; (219) 882-3012 (FAX)

B.5 Enforceability [326 IAC 2-7-7]

- (a) Unless otherwise stated, all terms and conditions in this permit, including any provisions designed to limit the source's potential to emit, are enforceable by IDEM and any applicable Local Air Pollution Control Agency (as described in Condition B.4 of this permit), the United States Environmental Protection Agency (U.S. EPA) and by citizens in accordance with the Clean Air Act.
- (b) Unless otherwise stated, all terms and conditions in this permit that are local requirements, including any provisions designed to limit the source's potential to emit, are enforceable by any applicable Local Air Pollution Control Agency (as described in Condition B.4 of this permit).

B.6 Severability [326 IAC 2-7-5(5)]

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

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

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

B.8 Duty to Provide Information [326 IAC 2-7-5(6)(E)]

- (a) The Permittee shall furnish to IDEM, OAQ, and any applicable Local Air Pollution Control Agency (as described in Condition B.4 of this permit) within a reasonable time, any information that IDEM, OAQ, and any applicable Local Air Pollution Control Agency (as described in Condition B.4 of this permit) may request in writing to determine whether cause exists for modifying, revoking and reissuing, or terminating this permit, or to determine compliance with this permit. The submittal by the Permittee does require the certification by the "responsible official" as defined by 326 IAC 2-7-1(34). Upon request, the Permittee shall also furnish to IDEM, OAQ, and any applicable Local Air Pollution Control Agency (as described in Condition B.4 of this permit) 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.9 Certification [326 IAC 2-7-4(f)] [326 IAC 2-7-6(1)] [326 IAC 2-7-5(3)(C)]

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

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

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

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

and any applicable Local Air Pollution Control Agency (as described in Condition B.4 of this permit)

and

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

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

is submitted by any other means, it shall be considered timely if received by IDEM, OAQ, and any applicable Local Air Pollution Control Agency (as described in Condition B.4 of this permit) on or before the date it is due.

- (c) The annual compliance certification report shall include the following:
- (1) The appropriate identification of each term or condition of this permit that is the basis of the certification;
 - (2) The compliance status;
 - (3) Whether compliance was continuous or intermittent;
 - (4) The methods used for determining the compliance status of the source, currently and over the reporting period consistent with 326 IAC 2-7-5(3); and
 - (5) Such other facts, as specified in Sections D of this permit, as IDEM, OAQ, and any applicable Local Air Pollution Control Agency (as described in Condition B.4 of this permit) may require to determine the compliance status of the source.

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

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

- (a) If required by specific condition(s) in Section D of this permit, the Permittee shall prepare and maintain Preventive Maintenance Plans (PMPs) within ninety (90) days after issuance of this permit, including the following information on each facility:
- (1) Identification of the individual(s) responsible for inspecting, maintaining, and repairing emission control devices;
 - (2) A description of the items or conditions that will be inspected and the inspection schedule for said items or conditions; and
 - (3) Identification and quantification of the replacement parts that will be maintained in inventory for quick replacement.
- (b) A copy of the PMPs shall be submitted to IDEM, OAQ, upon request and within a reasonable time, and shall be subject to review and approval by IDEM, OAQ. IDEM, OAQ, may require the Permittee to revise its PMPs whenever lack of proper maintenance causes or is the primary contributor to an exceedance of any limitation on emissions or potential to emit. The PMPs does require the certification by the "responsible official" as defined by 326 IAC 2-7-1(34).
- (c) To the extent the Permittee is required by 40 CFR Part 60/63 to have an Operation Maintenance, and Monitoring (OMM) Plan for a unit, such Plan is deemed to satisfy the PMP requirements of 326 IAC 1-6-3 for that unit.

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

- (a) An emergency, as defined in 326 IAC 2-7-1(12), is not an affirmative defense for an action brought for noncompliance with a federal or state health-based emission limitation.
- (b) An emergency, as defined in 326 IAC 2-7-1(12), constitutes an affirmative defense to an action brought for noncompliance with a technology-based emission limitation if the affirmative defense of an emergency is demonstrated through properly signed, contemporaneous operating logs or other relevant evidence that describe the following:

- (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 any applicable Local Air Pollution Control Agency (as described in Condition B.4 of this permit) and any applicable regional office (as described in Condition B.12(a)(1)(B)) within four (4) daytime business hours after the beginning of the emergency, or after the emergency was discovered or reasonably should have been discovered;

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

and any applicable Local Air Pollution Control Agency (as described in Condition B.4 of this permit)

(A) Local Air Pollution Control Agencies:

Anderson Office of Air Management
(765) 648-6158 (765) 648-5924 (FAX)

City of Evansville EPA
(812) 435-6145 (812) 435-6155 (FAX)

Indianapolis Office of Environmental Services
(317) 327-2234 (317) 274-2274 (FAX)

Vigo County Air Pollution Control
(812) 462-3433 (812) 462-3447 (FAX)

Hammond Department of Environmental Management
(219) 853-6306 (219) 853-6343 (FAX)

Gary Department of Environmental Affairs
(219) 882-3000 (219) 882-3012 (FAX)

(B) IDEM's Regional Offices

Northern Regional Office
Jurisdiction: Dekalb, Elkhart, Fulton, Kosciucko, LaGrange, Marshall,
Noble, St. Joseph, Starke and Steuben Counties
Toll Free (800) 753-5519
Local (574) 245-4870 (574) 245-4877 (FAX)

Northwest Regional Office
Jurisdiction: Lake, LaPorte and Porter Counties
Toll Free (888) 209-8892
Local (219) 757-0265 (219) 757-0267 (FAX)

Southwest Regional Office

Jurisdiction: Crawford, Daviess, DuBois, Gibson, Knox, Martin, Orange,
Perry, Pike, Posey, Spencer, Vanderburgh, and Warrick Counties
Toll Free (888) 672-8323
Local (812) 380-2305 (812) 380-2304 (FAX)

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

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

and any applicable Local Air Pollution Control Agency (as described in Condition B.4 of this permit)

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

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

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

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

- (6) The Permittee immediately took all reasonable steps to correct the emergency.
- (c) In any enforcement proceeding, the Permittee seeking to establish the occurrence of an emergency has the burden of proof.
 - (d) This emergency provision supersedes 326 IAC 1-6 (Malfunctions). This permit condition is in addition to any emergency or upset provision contained in any applicable requirement.
 - (e) The Permittee seeking to establish the occurrence of an emergency shall make records available upon request to ensure that failure to implement a PMP did not cause or contribute to an exceedance of any limitations on emissions. However, IDEM, OAQ, may require that the Preventive Maintenance Plans required under 326 IAC 2-7-4(c)(9) be revised in response to an emergency.
 - (f) Failure to notify IDEM, OAQ, and any applicable Local Air Pollution Control Agency (as described in Condition B.4 of this permit) 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.13 Permit Shield [326 IAC 2-7-15] [326 IAC 2-7-20] [326 IAC 2-7-12]

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

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

- (b) If, after issuance of this permit, it is determined that the permit is in nonconformance with an applicable requirement that applied to the source on the date of permit issuance, IDEM, OAQ, or any applicable Local Air Pollution Control Agency (as described in Condition B.4 of this permit) 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.
- (f) This permit shield is not applicable to any change made under 326 IAC 2-7-20(b)(2) (Sections 502(b)(10) of the Clean Air Act changes) and 326 IAC 2-7-20(c)(2) (trading based on State Implementation Plan (SIP) provisions).
- (g) This permit shield is not applicable to modifications eligible for group processing until after IDEM, OAQ, or any applicable Local Air Pollution Control Agency (as described in Condition B.4 of this permit) has issued the modifications. [326 IAC 2-7-12(c)(7)]

- (h) This permit shield is not applicable to minor Part 70 permit modifications until after IDEM, OAQ, or any applicable Local Air Pollution Control Agency (as described in Condition B.4 of this permit) has issued the modification. [326 IAC 2-7-12(b)(8)]

B.14 Prior Permits Superseded [326 IAC 2-1.1-9.5] [326 IAC 2-7-10.5]

- (a) All terms and conditions of permits established prior to T089-21729-05224 and issued pursuant to permitting programs approved into the state implementation plan have been either
- (1) incorporated as originally stated,
 - (2) revised under 326 IAC 2-7-10.5, or
 - (3) deleted under 326 IAC 2-7-10.5.
- (b) Provided that all terms and conditions are accurately reflected in this permit, all previous registrations and permits are superseded by this Part 70 operating permit.

B.15 Termination of Right to Operate [326 IAC 2-7-10] [326 IAC 2-7-4(a)]

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

B.16 Deviations from Permit Requirements and Conditions [326 IAC 2-7-5(3)(C)(ii)]

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

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

and any applicable Local Air Pollution Control Agency (as described in Condition B.4 of this permit)

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

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

- (b) This permit shall be reopened and revised under any of the circumstances listed in IC 13-15-7-2 or if IDEM, OAQ, or any applicable Local Air Pollution Control Agency (as described in Condition B.4 of this permit) determines any of the following:
 - (1) That this permit contains a material mistake.
 - (2) That inaccurate statements were made in establishing the emissions standards or other terms or conditions.
 - (3) That this permit must be revised or revoked to assure compliance with an applicable requirement. [326 IAC 2-7-9(a)(3)]
- (c) Proceedings by IDEM, OAQ, or any applicable Local Air Pollution Control Agency (as described in Condition B.4 of this permit) to reopen and revise this permit shall follow the same procedures as apply to initial permit issuance and shall affect only those parts of this permit for which cause to reopen exists. Such reopening and revision shall be made as expeditiously as practicable. [326 IAC 2-7-9(b)]
- (d) The reopening and revision of this permit, under 326 IAC 2-7-9(a), shall not be initiated before notice of such intent is provided to the Permittee by IDEM, OAQ, or any applicable Local Air Pollution Control Agency (as described in Condition B.4 of this permit) at least thirty (30) days in advance of the date this permit is to be reopened, except that IDEM, OAQ, or any applicable Local Air Pollution Control Agency (as described in Condition B.4 of this permit) may provide a shorter time period in the case of an emergency. [326 IAC 2-7-9(c)]

B.18 Permit Renewal [326 IAC 2-7-3] [326 IAC 2-7-4] [326 IAC 2-7-8(e)]

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

Request for renewal shall be submitted to:

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

and any applicable Local Air Pollution Control Agency (as described in Condition B.4 of this permit)

- (b) A timely renewal application is one that is:
 - (1) Submitted at least nine (9) months prior to the date of the expiration of this permit; and
 - (2) If the date postmarked on the envelope or certified mail receipt, or affixed by the shipper on the private shipping receipt, is on or before the date it is due. If the document is submitted by any other means, it shall be considered timely if received by IDEM, OAQ, and any applicable Local Air Pollution Control Agency (as described in Condition B.4 of this permit) on or before the date it is due.

- (c) If the Permittee submits a timely and complete application for renewal of this permit, the source's failure to have a permit is not a violation of 326 IAC 2-7 until IDEM, OAQ, and any applicable Local Air Pollution Control Agency (as described in Condition B.4 of this permit), takes final action on the renewal application, except that this protection shall cease to apply if, subsequent to the completeness determination, the Permittee fails to submit by the deadline specified in writing by IDEM, OAQ, and any applicable Local Air Pollution Control Agency (as described in Condition B.4 of this permit), any additional information identified as being needed to process the application.

B.19 Permit Amendment or Modification [326 IAC 2-7-11] [326 IAC 2-7-12]

- (a) Permit amendments and modifications are governed by the requirements of 326 IAC 2-7-11 or 326 IAC 2-7-12 whenever the Permittee seeks to amend or modify this permit.
- (b) Any application requesting an amendment or modification of this permit shall be submitted to:

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

and any applicable Local Air Pollution Control Agency (as described in Condition B.4 of this permit)

Any such application shall be certified by the "responsible official" as defined by 326 IAC 2-7-1(34).
- (c) The Permittee may implement administrative amendment changes addressed in the request for an administrative amendment immediately upon submittal of the request. [326 IAC 2-7-11(c)(3)]

B.20 Permit Revision Under Economic Incentives and Other Programs [326 IAC 2-7-5(8)] [326 IAC 2-7-12 (b)(2)]

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

B.21 Operational Flexibility [326 IAC 2-7-20] [326 IAC 2-7-10.5]

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

- (4) The Permittee notifies the:

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

and any applicable Local Air Pollution Control Agency (as described in Condition B.4 of this permit)

and

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

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

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

Such records shall consist of all information required to be submitted to IDEM, OAQ, and any applicable Local Air Pollution Control Agency (as described in Condition B.4 of this permit) in the notices specified in 326 IAC 2-7-20(b)(1), (c)(1), and (e)(2).

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

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

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

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

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

B.22 Source Modification Requirement [326 IAC 2-7-10.5]

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

B.23 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, and any applicable Local Air Pollution Control Agency (as described in Condition B.4 of this permit) 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.24 Transfer of Ownership or Operational Control [326 IAC 2-7-11]

- (a) The Permittee must comply with the requirements of 326 IAC 2-7-11 whenever the Permittee seeks to change the ownership or operational control of the source and no other change in the permit is necessary.
- (b) Any application requesting a change in the ownership or operational control of the source shall contain a written agreement containing a specific date for transfer of permit responsibility, coverage and liability between the current and new Permittee. The application shall be submitted to:

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

and any applicable Local Air Pollution Control Agency (as described in Condition B.4 of this permit)

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

- (a) The Permittee shall pay annual fees to IDEM, OAQ, and any applicable Local Air Pollution Control Agency (as described in Condition B.4 of this permit) within thirty (30) calendar days of receipt of a billing. Pursuant to 326 IAC 2-7-19(b), if the Permittee does not receive a bill from IDEM, OAQ, or any applicable Local Air Pollution Control Agency (as described in Condition B.4 of this permit) the applicable fee is due April 1 of each year.
- (b) Except as provided in 326 IAC 2-7-19(e), failure to pay may result in administrative enforcement action or revocation of this permit.
- (c) The Permittee may call the following telephone numbers: 1-800-451-6027 or 317-233-4230 (ask for OAQ, Billing, Licensing, and Training Section), to determine the appropriate permit fee.

B.26 Credible Evidence [326 IAC 2-7-5(3)][326 IAC 2-7-6][62 FR 8314][326 IAC 1-1-6]

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

SECTION C

SOURCE OPERATION CONDITIONS

Entire Source

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

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

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

C.2 Opacity [326 IAC 5-1]

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

- (a) Opacity in Clark, Dearborn, Dubois (Bainbridge Township), Marion, St. Joseph, Vanderburgh and Vigo counties shall not exceed an average of thirty percent (30%) in any one (1) six (6) minute averaging period as determined in 326 IAC 5-1-4.
- (b) Opacity in Lake County, 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.
- (c) Opacity in remaining counties, shall not exceed an average of forty percent (40%) in any one (1) six (6) minute averaging period as determined in 326 IAC 5-1-4.
- (d) Opacity shall not exceed sixty percent (60%) for more than a cumulative total of fifteen (15) minutes (sixty (60) readings as measured according to 40 CFR 60, Appendix A, Method 9, or fifteen (15) one (1) minute nonoverlapping integrated averages for a continuous opacity monitor) in a six (6) hour period..

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

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

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

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

C.5 Fugitive Dust Emissions [326 IAC 6-4]

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

C.6 Fugitive Dust Emissions [326 IAC 6.8-10-3]

Pursuant to 326 IAC 6-1-11.1 (Lake County Fugitive Particulate Matter Control Requirements), the particulate matter emissions from source wide activities, when operating in Lake County, shall meet the following requirements:

- (a) The average instantaneous opacity of fugitive particulate emissions from a paved road shall not exceed ten percent (10%).

- (b) The average instantaneous opacity of fugitive particulate emissions from an unpaved road shall not exceed ten percent (10%).
- (c) The average instantaneous opacity of fugitive particulate emissions from batch transfer shall not exceed ten percent (10%).
- (d) 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.
- (e) The opacity of fugitive particulate emissions from storage piles shall not exceed ten percent (10%) on a six (6) minute average.
- (f) 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.
- (g) 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%).
- (h) 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.
- (i) 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.
- (j) The opacity of particulate emissions from dust handling equipment shall not exceed ten percent (10%).
- (k) 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.

The Permittee shall achieve these limits by controlling fugitive particulate matter emissions according to the Fugitive Dust Control Plan, submitted on September 1, 2005

C.7 Fugitive Particulate Matter Emission Limitations [326 IAC 6-5]

Pursuant to 326 IAC 6-5 (Fugitive Particulate Matter Emission Limitations), fugitive particulate matter emissions shall be controlled according to the plan submitted on September 1, 2005. The plan is included as Attachment A.

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

and any applicable Local Air Pollution Control Agency (as described in Condition B.4 of this permit)

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]

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

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

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

and any applicable Local Air Pollution Control Agency (as described in Condition B.4 of this permit)

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

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

(c) Pursuant to 326 IAC 3-6-4(b), all test reports must be received by IDEM, OAQ, and any applicable Local Air Pollution Control Agency (as described in Condition B.4 of this permit) not later than forty-five (45) days after the completion of the testing. An extension may be granted by IDEM, OAQ, and any applicable Local Air Pollution Control Agency (as described in Condition B.4 of this permit), 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]

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)]

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

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

and any applicable Local Air Pollution Control Agency (as described in Condition B.4 of this permit)

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

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

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

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

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

C.13 Instrument Specifications [326 IAC 2-1.1-11] [326 IAC 2-7-5(3)] [326 IAC 2-7-6(1)]

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

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

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

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

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

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

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

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

(1) initial inspection and evaluation;

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

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

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

(1) monitoring results;

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

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

- (d) Failure to take reasonable response steps shall be considered a deviation from the permit.
- (e) The Permittee shall maintain the following records:
 - (1) monitoring data;
 - (2) monitor performance data, if applicable; and
 - (3) corrective actions taken.

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

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

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

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

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

- (a) In accordance with the compliance schedule specified in 326 IAC 2-6-3(b)(1), starting in 2007 and every three (3) years thereafter, the Permittee shall submit by July 1 an emission statement covering the previous calendar year. The emission statement shall contain, at a minimum, the information specified in 326 IAC 2-6-4(c) and shall meet the following requirements:
 - (1) Indicate estimated actual emissions of all pollutants listed in 326 IAC 2-6-4(a);
 - (2) Indicate estimated actual emissions of regulated pollutants as defined by 326 IAC 2-7-1 (32) ("Regulated pollutant, which is used only for purposes of Section 19 of this rule") from the source, for purpose of fee assessment.

The statement must be submitted to:

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

and

any applicable Local Air Pollution Control Agency (as described in Condition B.4 of this permit)

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

- (c) The emission statement required by this permit shall be considered timely if the date postmarked on the envelope or certified mail receipt, or affixed by the shipper on the private shipping receipt, is on or before the date it is due. If the document is submitted by any other means, it shall be considered timely if received by IDEM, OAQ, and any applicable Local Air Pollution Control Agency (as described in Condition B.4 of this permit) on or before the date it is due.

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

- (a) Records of all required monitoring data, reports and support information required by this permit shall be retained for a period of at least five (5) years from the date of monitoring sample, measurement, report, or application. These records shall be physically present or electronically accessible at the source location for a minimum of three (3) years. The records may be stored elsewhere for the remaining two (2) years as long as they are available upon request. If the Commissioner or any applicable Local Air Pollution Control Agency (as described in Condition B.4 of this permit) makes a request for records to the Permittee, the Permittee shall furnish the records to the Commissioner or any applicable Local Air Pollution Control Agency (as described in Condition B.4 of this permit) within a reasonable time.
- (b) Unless otherwise specified in this permit, all record keeping requirements not already legally required shall be implemented within ninety (90) days of permit issuance.
- (c) If there is a reasonable possibility that a “project” (as defined in 326 IAC 2-2-1 (qq) and/or 326 IAC 2-3-1 (ll)) at an existing emissions unit, other than projects at a Clean Unit, which is not part of a “major modification” (as defined in 326 IAC 2-2-1 (ee) and 326 IAC 2-3-1 (z)) may result in significant emissions increase and the Permittee elects to utilize the “projected actual emissions” (as defined in 326 IAC 2-2-1 (rr) and/or 326 IAC 2-3-1 (mm)), the Permittee shall comply with following:
- (1) Before beginning actual construction of the “project” (as defined in 326 IAC 2-2-1 (qq) and/or 326 IAC 2-3-1 (ll)) at an existing emissions unit, document and maintain the following records:
 - (A) A description of the project.
 - (B) Identification of any emissions unit whose emissions of a regulated new source review pollutant could be affected by the project.
 - (C) A description of the applicability test used to determine that the project is not a major modification for any regulated NSR pollutant, including:
 - (i) Baseline actual emissions;
 - (ii) Projected actual emissions;
 - (iii) Amount of emissions excluded under section 326 IAC 2-2-1(rr)(2)(A)(iii) and/or 326 IAC 2-3-1(mm)(2)(A)(3); and
 - (iv) An explanation for why the amount was excluded, and any netting calculations, if applicable.
 - (2) Monitor the emissions of any regulated NSR pollutant that could increase as a result of the project and that is emitted by any existing emissions unit identified in (1)(B) above; and
 - (3) Calculate and maintain a record of the annual emissions, in tons per year on a calendar year basis, for a period of five (5) years following resumption of regular operations after the change, or for a period of ten (10) years following resumption of regular operations after the change if the project increases the design capacity of or the potential to emit that regulated NSR pollutant at the emissions unit.

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

- (a) The Permittee shall submit the attached Quarterly Deviation and Compliance Monitoring Report or its equivalent. Any deviation from permit requirements, the date(s) of each deviation, the cause of the deviation, and the response steps taken must be reported. This report shall be submitted within thirty (30) days of the end of the reporting period. The Quarterly Deviation and Compliance Monitoring Report shall include the certification by the "responsible official" as defined by 326 IAC 2-7-1(34).
- (b) The report required in (a) of this condition and reports required by conditions in Section D of this permit shall be submitted to:
- Indiana Department of Environmental Management
Compliance Data Section, Office of Air Quality
100 North Senate Avenue
Indianapolis, Indiana 46204-2251
- and
- any applicable Local Air Pollution Control Agency (as described in Condition B.4 of this permit)
- (c) Unless otherwise specified in this permit, any notice, report, or other submission required by this permit shall be considered timely if the date postmarked on the envelope or certified mail receipt, or affixed by the shipper on the private shipping receipt, is on or before the date it is due. If the document is submitted by any other means, it shall be considered timely if received by IDEM, OAQ, and any applicable Local Air Pollution Control Agency (as described in Condition B.4 of this permit) on or before the date it is due.
- (d) Unless otherwise specified in this permit, all reports required in Section D of this permit shall be submitted within thirty (30) days of the end of the reporting period. All reports do require the certification by the "responsible official" as defined by 326 IAC 2-7-1(34).
- (e) The first report shall cover the period commencing on the date of issuance of this permit and ending on the last day of the reporting period. Reporting periods are based on calendar years, unless otherwise specified in this permit. For the purpose of this permit "calendar year" means the twelve (12) month period from January 1 to December 31 inclusive.
- (f) If the Permittee is required to comply with the recordkeeping provisions of (c) in Section C- General Record Keeping Requirements for any "project" (as defined in 326 IAC 2-2-1 (qq) and/or 326 IAC 2-3-1 (ll)) at an existing emissions unit, and the project meets the following criteria, then the Permittee shall submit a report to IDEM, OAQ and any applicable Local Air Pollution Control Agency (as described in Condition B.4 of this permit):
- (1) The annual emissions, in tons per year, from the project identified in (c)(1) in Section C- General Record Keeping Requirements exceed the baseline actual emissions, as documented and maintained under Section C- General Record Keeping Requirements (c)(1)(C)(i), by a significant amount, as defined in 326 IAC 2-2-1 (xx) and/or 326 IAC 2-3-1 (qq)), for that regulated NSR pollutant, and
 - (2) The emissions differ from the preconstruction projection as documented and maintained under Section C- General Record Keeping Requirements (c)(1)(C)(ii).
- (g) The report for project at an existing emissions unit shall be submitted within sixty (60)

days after the end of the year and contain the following:

- (1) The name, address, and telephone number of the major stationary source.
- (2) The annual emissions calculated in accordance with (c)(2) and (3) in Section C- General Record Keeping Requirements.
- (3) The emissions calculated under the actual-to-projected actual test stated in 326 IAC 2-2-2(d)(3) and/or 326 IAC 2-3-2(c)(3).
- (4) Any other information that the Permittee deems fit to include in this report,

Reports required in this part shall be submitted to:

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

and

any applicable Local Air Pollution Control Agency (as described in Condition B.4 of this permit)

- (f) The Permittee shall make the information required to be documented and maintained in accordance with (c) in Section C- General Record Keeping Requirements available for review upon a request for inspection by IDEM, OAQ and any applicable Local Air Pollution Control Agency (as described in Condition B.4 of this permit). The general public may request this information from the IDEM, OAQ and any applicable Local Air Pollution Control Agency (as described in Condition B.4 of this permit) under 326 IAC 17.1.

Portable Source Requirement

C.20 Relocation of Portable Sources [326 IAC 2-1.1-1(15)] [326 IAC 2-14-4]

- (a) This permit is approved for operation in all attainment and nonattainment areas for ozone in Indiana. This determination is based on the requirements of Prevention of Significant Deterioration in 326 IAC 2-2, and Emission Offset requirements in 326 IAC 2-3. Prior to locating in any severe nonattainment area, the Permittee must submit a request and obtain a permit revision.
- (b) A request to relocate shall be submitted to IDEM, OAQ at least thirty (30) days prior to the intended date of relocation. This submittal shall include the following:
 - (1) A list of governmental officials entitled to receive notice of application to relocate. IC 13-15-3-1
 - (2) A list of adjacent landowners that the Permittee will send written notice to not more than ten (10) days after submission of the request to relocate. IC 13-15-8

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

- (c) "Relocation Site Approval" letter shall be obtained prior to relocating.
- (d) The Permittee shall also notify the applicable local air pollution control agency when relocating to, or from, one the following:

- (1) Madison County - (Anderson Office of Air Management)
 - (2) City of Evansville plus four (4) miles beyond the corporate limits but not outside Vanderburgh County - (Evansville EPA)
 - (3) City of Hammond - (Hammond Department of Environmental Management)
 - (4) Marion County - (Indianapolis Office of Environmental Services)
 - (5) Vigo County - (Vigo County Air Pollution Control)
- (e) A valid operation permit consists of this document and any subsequent "Relocation Site Approval" letter specifying the current location of the portable plant.
- (f) IDEM has determined that for an operation to be considered portable, the emissions from the operation shall be temporary, as defined in 326 IAC 1-2-81, to any site where the operation is located. Pursuant to 326 IAC 1-2-81 ("Temporary Emissions" Definitions), temporary operations shall not exceed two (2) years in duration at one (1) location.

Stratospheric Ozone Protection

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

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

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

SECTION D.1 FACILITY OPERATION CONDITIONS

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

- (a) One (1) Kolman Portable Screening Operation, constructed in 2005, identified as 101-XHD, with a maximum capacity of sixty (60) tons, and consisting of the following equipment:
 - (1) One (1) 8 foot by 12 foot feed hopper;
 - (2) One (1) 5 foot by 12 foot dual deck vibrating screen;
 - (3) One (1) 30 inch x 60 foot rubber conveyor;
 - (4) Three (3) 30 inch x 30 foot rubber conveyors
- (b) One (1) reciprocating internal engine, identified 63R07006, with a maximum heat input capacity of 458,1000 British Thermal Units (BTUs) per hour; and,
- (c) One (1) reciprocating internal engine, identified 1NJ00789, with a maximum output rating of 90 kilo watts (KVA) per hour.
- (d) A petroleum fuel, other than gasoline, dispensing facility, having a storage capacity of less than or equal to 10,500 gallons, and dispensing less than or equal to 230,000 gallons per month.
- (e) Coke storage piles with a maximum total maximum area of 10.11 acres.
- (f) Paved and unpaved roadways.

(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 PSD and Emission Offset Minor Limits [326 IAC 2-2] [326 IAC 2-3] [326 IAC 2-7-10.5]

In order to render the requirements of 326 IAC 2-2 (PSD), 326 IAC 2-3 (Emission Offset), and 326 IAC 2-7-10.5(g) (Major Source Modification) when relocating and co-locating, not applicable, the following conditions shall apply:

- (a) the NOx emissions from the internal combustion diesel generator (63R07006) and the front-end loader (1NJ00789) shall not exceed 0.62 pounds per gallon of fuel combusted; and,
- (b) the Permittee shall limit the diesel fuel usage by the internal combustion diesel generator (63R07006) and the front-end loader (1NJ00789) to less than eighty thousand (80,000) gallons per twelve (12) consecutive month period with compliance determined at the end of each month.

Compliance with D.1.1(a) and (b) ensures that the NOx emissions from the internal combustion diesel generator (63R07006) and the front-end loader (1NJ00789) are less than twenty-five tons per twelve (12) consecutive month period.

- (c) The PM and PM10 emission rates shall be limited as follows:

Emission Unit	PM	PM10
Fugitives	0.19 (lbs/tons of coal)	0.10 (lbs/tons of coal)

Emission Unit	PM	PM10
Combustion	0.044 (lbs/gal fuel combusted)	0.044 (lbs/gal fuel combusted)

- (d) The Permittee shall limit the throughput of coke to the portable screening plant to less than one hundred thirty four thousand (134,000) tons per twelve (12) consecutive month period with compliance determined at the end of each month.

Compliance with D.1.1(b), (c), and (d) ensures that the PM emissions are less than twenty-five (25) tons of PM per twelve (12) consecutive month period and less than fifteen (15) tons of PM10 per twelve (12) consecutive month period

Compliance with these limits will ensure that the potential to emit from this proposed portable screening plant is less than twenty-five (25) tons of NOx per year, less than twenty-five (25) tons of PM per year and less than fifteen (15) tons of PM10 per year. Therefore, the requirements of 326 IAC 2-2 (PSD), 326 IAC 2-3 (Emission Offset), and 326 IAC 2-7-10.5(g) (Major Source Modifications) when relocating and co-locating, are rendered not applicable.

D.1.2 Particulate Emission Limitations [326 IAC 6-3-2]

When the portable screening plant is not subject to 326 IAC 6.5 (Particulate Matter Limitations Except Lake County) or 326 IAC 6.8 (Particulate Matter Emission Limitations for Lake County) and pursuant to 326 IAC 6-3-2, the particulate matter (PM) from the portable screening plant shall not exceed 46.29 pounds per hour when operating at a process weight of 60 tons per hour. The pound per hour limitation was calculated with the following equation:

Interpolation and extrapolation of the data for the process weight in excess of sixty thousand (60,000) pounds per hour shall be accomplished by use of the equation:

$$E = 55.0P^{0.11} - 40 \quad \text{where } E = \text{rate of emission in pounds per hour; and} \\ P = \text{process weight in tons per hour}$$

D.1.3 Particulate Emission Limitations [326 IAC 6.5-1-2]

When the portable screening plant is located in Clark, Dearborn, Dubois, Howard, Marion, St. Joseph, Vanderburgh, Vigo, or Wayne Counties and pursuant to 326 6.5-1-2(a), the particulate matter emissions shall not exceed seven-hundredths (0.07) gram per dry standard cubic meter (g/dscm) (three-hundredths (0.03) grain per dry standard cubic foot (dscf)).

D.1.4 Particulate Emission Limitations [326 IAC 6.8-1-2]

When the portable screening plant is located in Lake County and pursuant to 326 IAC 6.8-1-2(a), particulate matter emissions from the portable screening plant shall not exceed seven-hundredths (0.07) gram per dry standard cubic meter (g/dscm) (three-hundredths (0.03) grain per dry standard cubic foot (dscf)).

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

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

Compliance Determination Requirements

D.1.6 Particulate Matter (PM and PM-10)

The Permittee shall use wet suppression to control emissions of PM and PM10 from the vibrating screen, conveyors, stock piles, and roads as necessary to ensure that the coke processed has a moisture content greater than 10 percent. The suppressant shall be applied in a manner and at a frequency sufficient to ensure compliance with Condition D.1.1. If weather conditions preclude the use of wet suppression, the Permittee shall perform moisture content analysis on the coke material to ensure it has a moisture content equal to or greater than ten (10) percent. The method for the moisture content analysis shall be approved by IDEM, OAQ.

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

D.1.7 Visible Emissions Notations

- (a) Visible emission notations of the process emission points shall be performed once per day during normal daylight operations when exhausting to the atmosphere. A trained employee shall record whether emissions are normal or abnormal.
- (b) For processes operated continuously, "normal" means those conditions prevailing, or expected to prevail, eighty percent (80%) of the time the process is in operation, not counting startup or shut down time.
- (c) In the case of batch or discontinuous operations, readings shall be taken during that part of the operation that would normally be expected to cause the greatest emissions.
- (d) A trained employee is an employee who has worked at the plant at least one (1) month and has been trained in the appearance and characteristics of normal visible emissions for that specific process.
- (e) If abnormal emissions are observed, the Permittee shall take reasonable response steps in accordance with Section C- Response to Excursions or Exceedances. Failure to take response steps in accordance with Section C - Response to Excursions or Exceedances shall be considered a deviation from this permit.

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

D.1.8 Record Keeping Requirements

- (a) To document compliance with Condition D.1.7, the Permittee shall maintain records of daily visible emission notations of the process emission points.
- (b) To document compliance with Condition D.1.6, the Permittee shall maintain records of moisture content analysis, as needed.
- (c) In order to demonstrate compliance with Condition D.1.1(d), the Permittee shall maintain records of metallurgical coke processed at the portable screening plant.
- (d) In order to demonstrate compliance with Condition D.1.1(b), the Permittee shall maintain records of the diesel fuel usage by the internal combustion diesel generator (63R07006) and the front-end loader (1NJ00789).
- (e) All records shall be maintained in accordance with Section C - General Record Keeping Requirements, of this permit.

D.1.9 Reporting Requirements

A quarterly summary of the information to document compliance with Condition D.1.1 shall be submitted to the addresses listed in Section C - General Reporting Requirements, of this permit, using the reporting forms located at the end of this permit, or their equivalent, within thirty (30) days after the end of the quarter being reported. The report submitted by the Permittee does require the certification by the "responsible official" as defined by 326 IAC 2-7-1(34).

These reports shall be submitted within thirty (30) calendar days following the end of each calendar quarter and in accordance with Section C - General Reporting Requirements of this permit.

**INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
OFFICE OF AIR QUALITY**

**PART 70 OPERATING PERMIT
CERTIFICATION**

Source Name: Mid-Continent Coal and Coke Company
Source Address: Portable Source
Mailing Address: 915 West 175th Street, Homewood, IL 60430
Part 70 Permit No.: 089-21729-05224

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

Please check what document is being certified:

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

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

Signature:

Printed Name:

Title/Position:

Phone:

Date:

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

**PART 70 OPERATING PERMIT
EMERGENCY OCCURRENCE REPORT**

Source Name: Mid-Continent Coal and Coke Company
Source Address: Portable Source
Mailing Address: 915 West 175th Street, Homewood, IL 60430
Part 70 Permit No.: 089-21729-05224

This form consists of 2 pages

Page 1 of 2

- This is an emergency as defined in 326 IAC 2-7-1(12)
- The Permittee must notify the Office of Air Quality (OAQ), within four (4) business hours (1-800-451-6027 or 317-233-0178, ask for Compliance Section); and
 - The Permittee must submit notice in writing or by facsimile within two (2) working days (Facsimile Number: 317-233-6865), and follow the other requirements of 326 IAC 2-7-16.

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

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

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

Page 2 of 2

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

Form Completed by: _____

Title / Position: _____

Date: _____

Phone: _____

A certification is not required for this report.

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

Part 70 Operating Permit Quarterly Report

Source Name: Mid-Continent Coal and Coke Company
Source Address: Portable Source
Mailing Address: 915 West 175th Street, Homewood, IL 60430
Part 70 Permit No.: 089-21729-05224
Facility: Screening Plant
Parameter: Coke throughput
Limit: Less than 134,000 tons per twelve (12) consecutive month period with compliance determined at the end of each month

YEAR: _____

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

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

Submitted By: _____

Title/Position: _____

Signature: _____

Date: _____

Phone: _____

Attach a signed certification to complete this report.

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

Part 70 Operating Permit Quarterly Report

Source Name: Mid-Continent Coal and Coke Company
Source Address: Portable Source
Mailing Address: 915 West 175th Street, Homewood, IL 60430
Part 70 Permit No.: 089-21729-05224
Facility: Screening Plant
Parameter: Diesel Fuel Usage
Limit: No greater than eight (80) kilo gallons per twelve (12) consecutive month period with compliance determined at the end of each month.

YEAR: _____

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

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

Submitted By: _____

Title/Position: _____

Signature: _____

Date: _____

Phone: _____

Attach a signed certification to complete this report.

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

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

Source Name: Mid-Continent Coal and Coke Company
 Source Address: Portable Source
 Mailing Address: 915 West 175th Street, Homewood, IL 60430
 Part 70 Permit No.: 089-21729-05224

Months: _____ **to** _____ **Year:** _____

Page 1 of 2

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

NO DEVIATIONS OCCURRED THIS REPORTING PERIOD.

THE FOLLOWING DEVIATIONS OCCURRED THIS REPORTING PERIOD

Permit Requirement (specify permit condition #)

Date of Deviation:

Duration of Deviation:

Number of Deviations:

Probable Cause of Deviation:

Response Steps Taken:

Permit Requirement (specify permit condition #)

Date of Deviation:

Duration of Deviation:

Number of Deviations:

Probable Cause of Deviation:

Response Steps Taken:

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

Form Completed By: _____

Title/Position: _____

Date: _____

Phone: _____

Attach a signed certification to complete this report.



INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

We make Indiana a cleaner, healthier place to live.

Mitchell E. Daniels, Jr.
Governor

Thomas W. Easterly
Commissioner

100 North Senate Avenue
Indianapolis, Indiana 46204-2251
(317) 232-8603
(800) 451-6027
www.IN.gov/idem

March 6, 2007

Mr. Carl Horst
Mid-Continent Coal and Coke Company
915 W. 175th Street
Homewood, IL 60430

Re: 089-24203-05224
First Administrative Amendment
Part 70 Permit No.: T089-21729-05224

Dear Mr. Horst:

Mid-Continent Coal and Coke Company was issued Part 70 permit No. T089-21729-05224 on March 14, 2006 for the operation of a portable screening plant. A letter requesting an amendment to Part 70 permit No. T089-21729-05224 to change the title of the responsible official from Manager of Operations to District Manager was received on January 16, 2007.

IDEM has decided to make a change to procedures related to the Responsible Official and Authorized Individual. IDEM will no longer list the names or titles of Responsible Official or Authorized Individual in permits. Also, on all permits for portable sources IDEM will now list the Source Address, County Location and Source Location Status as "Portable". In addition, Condition B.4 Local Air Pollution Control Agencies and B.12 Emergency Provisions have been modified to include Hammond Department of Environmental Management and Gary Department of Environmental Affairs that were inadvertently left out of the previous modification. Also Condition C.20 Relocation of Portable Sources has been modified to reflect changes in the nonattainment status of Lake and Porter County.

Pursuant to the provisions of 2-7-11 the permit is hereby administratively amended as follows (deleted language appears as strikethroughs and new language appears in bold):

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

The Permittee owns and operates a portable screening plant.

Responsible Official: Manager of Operations
Initial Source Address: 3001 Dickey Road, East Chicago, Indiana 46312
Portable
Mailing Address: 915 West 175th Street, Homewood, Illinois 60430
General Source Phone Number: (708) 798-1110
SIC Code: 5052, 3312
Initial County Location: Lake Portable
Source Location Status: Nonattainment for Ozone, PM2.5, PM10 and SO2
Attainment for all other criteria pollutants Portable
Source Status: Part 70 Permit Program
Major Source, under PSD and Emission Offset Rules,
Major Source, Section 112 of the Clean Air Act
1 of 28 Source Categories

B.4 Local Air Pollution Control Agencies

(a) If the portable asphalt plant seeks to move to an area under the jurisdiction of any applicable Local Air Pollution Control Agency (LAPCA), the LAPCA may enact additional air pollution control requirements. The Permittee should contact the LAPCA when planning to relocate into an applicable jurisdiction.

(b) The Local Air Pollution Control Agencies are:

Anderson
Jurisdiction: Madison County

Anderson Office of Air Management
P.O. Box 2100
120 East 8th Street, Anderson, IN 46011
(765) 648-6158; (765) 648-5924 (FAX)

Evansville
Jurisdiction: City of Evansville plus four (4) miles beyond the corporate limits but not outside Vanderburgh County

City of Evansville EPA
101 Court St, Room 205, Evansville, IN 47708
(812) 435-6145; (812) 435-6155 (FAX)

Indianapolis
Jurisdiction: Marion County

Environmental Resources Management Division
Administration Building, 2700 South Belmont Ave, Indianapolis, IN 46221
(317) 327-2234; (317) 274-2274 (FAX)

Vigo County
Jurisdiction: Vigo County

Vigo County Air Pollution Control
103 S. 3rd St., Terre Haute, IN 47807
(812) 462-3433; (812) 462-3433(FAX)

Hammond
Jurisdiction: City of Hammond

Hammond Department of Environmental Management
5925 Calumet Avenue
Hammond, IN 46320
(219) 853-6306; (219) 853-6343 (FAX)

Gary
Jurisdiction: City of Gary

Gary Department of Environmental Affairs
839 Broadway, Second Floor NE
Gary, IN 46402
(219) 882-3000; (219) 882-3012 (FAX)

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

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

- (b) An emergency, as defined in 326 IAC 2-7-1(12), constitutes an affirmative defense to an action brought for noncompliance with a technology-based emission limitation if the affirmative defense of an emergency is demonstrated through properly signed, contemporaneous operating logs or other relevant evidence that describe the following:
 - (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 any applicable Local Air Pollution Control Agency (as described in Condition B.4 of this permit) and any applicable regional office (as described in Condition B.12(a)(1)(B)) within four (4) daytime business hours after the beginning of the emergency, or after the emergency was discovered or reasonably should have been discovered;

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

and any applicable Local Air Pollution Control Agency (as described in Condition B.4 of this permit)

(A) Local Air Pollution Control Agencies:

Anderson Office of Air Management
(765) 648-6158 (765) 648-5924 (FAX)

City of Evansville EPA
(812) 435-6145 (812) 435-6155 (FAX)

Indianapolis Office of Environmental Services
(317) 327-2234 (317) 274-2274 (FAX)

Vigo County Air Pollution Control
(812) 462-3433 (812) 462-3447 (FAX)

**Hammond Department of Environmental Management
(219) 853-6306 (219) 853-6343 (FAX)**

**Gary Department of Environmental Affairs
(219) 882-3000 (219) 882-3012 (FAX)**

C.20 Relocation of Portable Sources [326 IAC 2-1.1-1(15)] [326 IAC 2-14-4]

- (a) This permit is approved for operation in all attainment **and nonattainment** areas for ozone in Indiana ~~and in Lake and Porter Counties, which are classified as severe nonattainment for ozone.~~ This determination is based on the requirements of Prevention of Significant Deterioration in 326 IAC 2-2, and Emission Offset requirements in 326 IAC 2-3. Prior to locating in any ~~other~~ severe nonattainment area, the Permittee must submit a request and obtain a permit revision.

All other conditions of the permit shall remain unchanged and in effect. Please find enclosed the entire 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 Walter Habeeb, OAQ, 100 North Senate Avenue, Indianapolis, Indiana, 46204, or call at (800) 451-6027, and ask for Walter Habeeb or extension (2 - 8422), or dial (317) 232-8422.

Sincerely,

Original signed by
Matthew W. Stuckey, Deputy Branch Chief
Permits Branch
Office of Air Quality

WH

cc: File - Lake County
Lake County Health Department
Air Compliance Section – Rick Massoels
IDEM Northwest Regional Office
Compliance Data Section