INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
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Mitchell E. Daniels, Jr.
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Thomas W. Easterly
Commissioner

100 North Senate Avenue
Indianapolis, Indiana 46204
MC 61-53 IGCN 1003
(317) 232-8603
(800) 451-6027
www.IN.gov/idem

TO: Interested Parties / Applicant

DATE: June 26, 2007

RE: Frito-Lay/ 023-24265-00020

FROM: Nisha Sizemore
Chief, Permits Branch
Office of Air Quality

Notice of Decision: Approval – Effective Immediately

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

If you wish to challenge this decision, IC 4-21.5-3-7 and IC 13-15-7-3 require that you file a petition for administrative review. This petition may include a request for stay of effectiveness and must be submitted to the Office Environmental Adjudication, 100 North Senate Avenue, Government Center North, Room 1049, Indianapolis, IN 46204, **within eighteen (18) days of the mailing of this notice**. The filing of a petition for administrative review is complete on the earliest of the following dates that apply to the filing:

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

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

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

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

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

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

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

Enclosures
FNTV-PMOD.doc 03/23/06

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June 26, 2007

Mr. Mark Gilliland
Frito-Lay, Inc.
323 South County Road 300 West
Frankfort, IN 46041

Re: 023-24265-00020
Second Significant Permit Modification to
Part 70 No.: T023-7721-00020

Dear Mr. Gilliland:

Frito-Lay, Inc. was issued a permit on April 12, 2001 for the operation of a stationary manufacturing operation of various snackfood products. A letter requesting changes to this permit was received on December 1, 2007. Pursuant to the provisions of 326 IAC 2-7-12 a significant permit modification to this permit is hereby approved as described in the attached Technical Support Document.

The modification consists of construction of a new chip production line consisting of two raw material storage silos, one natural gas fired primary oven and one natural gas fired final dryer to their existing plant, and adding PSD minor and 326 IAC 6-3-2 particulate limitations for the proposed storage silos.

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 Julia Handley, c/o OAQ, 100 North Senate Avenue, Indianapolis, Indiana, 46204-2251, or call at (973) 575-2555, ext. 3269, or dial (800) 451-6027, and ask for extension 3-6878.

Sincerely,
Original signed by

Nisha Sizemore, Chief
Permits Branch
Office of Air Quality

Attachments
Technical Support Document (TSD)
Revised Part 70 permit
JH/EVP

cc: File - Frankfort County
Frankfort County Health Department
Air Compliance Section Inspector - Dave Rice
Compliance Data Section
Permit Administrative and Development

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PART 70 OPERATING PERMIT
OFFICE OF AIR QUALITY

Frito-Lay, Inc.
323 South CR 300 West,
Frankfort, Indiana 46041

(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.: T023-7721-00020	
Issued by: Janet D. McCabe, Assistant Commissioner Office of Air Quality	Issuance Date: April 12, 2001 Expiration Date: April 12, 2006

First Administrative Amendment	023-14229-00020,	issued on May 31, 2001
Second Administrative Amendment	023-16101-00020,	issued on September 12, 2002
First Minor Source Modification	023-16054-00020,	issued on November 15, 2002
First Significant Permit Modification	023-16204-00020,	issued on February 4, 2003
Third Administrative Amendment	023-20251-00020,	Issued on July 20, 2005

Second Significant Permit Modification No. 023-24265-00020	Pages affected: entire permit
Issued by: Original signed by Nisha Sizemore, Chief Permits Branch Office of Air Quality	Issuance Date: June 26, 2007

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

B. GENERAL CONDITIONS 11
B.1 Definitions [326 IAC 2-7-1]
B.2 Permit Term [326 IAC 2-7-5(2)][326 IAC 2-1.1-9.5][326 IAC 2-7-4(a)(1)(D)] [IC 13-15-3-6(a)]
B.3 Term of Conditions [326 IAC 2-1.1-9.5]
B.4 Enforceability [326 IAC 2-7-7]
B.5 Severability [326 IAC 2-7-5(5)]
B.6 Property Rights or Exclusive Privilege [326 IAC 2-7-5(6)(D)]
B.7 Duty to Provide Information [326 IAC 2-7-5(6)(E)]
B.8 Certification [326 IAC 2-7-4(f)][326 IAC 2-7-6(1)][326 IAC 2-7-5(3)(C)]
B.9 Annual Compliance Certification [326 IAC 2-7-6(5)]
B.10 Preventive Maintenance Plan [326 IAC 2-7-5(1),(3) and (13)][326 IAC 2-7-6(1) and (6)] [326 IAC 1-6-3]
B.11 Emergency Provisions [326 IAC 2-7-16]
B.12 Permit Shield [326 IAC 2-7-15][326 IAC 2-7-20][326 IAC 2-7-12]
B.13 Prior Permits Superseded [326 IAC 2-1.1-9.5][326 IAC 2-7-10.5]
B.14 Termination of Right to Operate [326 IAC 2-7-10][326 IAC 2-7-4(a)]
B.15 Deviations from Permit Requirements and Conditions [326 IAC 2-7-5(3)(C)(ii)]
B.16 Permit Modification, Reopening, Revocation and Reissuance, or Termination [326 IAC 2-7-5(6)(C)][326 IAC 2-7-8(a)][326 IAC 2-7-9]
B.17 Permit Renewal [326 IAC 2-7-3][326 IAC 2-7-4][326 IAC 2-7-8(e)]
B.18 Permit Amendment or Modification [326 IAC 2-7-11][326 IAC 2-7-12][40 CFR 72]
B.19 Permit Revision Under Economic Incentives and Other Programs [326 IAC 2-7-5(8)] [326 IAC 2-7-12(b)(2)]
B.20 Operational Flexibility [326 IAC 2-7-20][326 IAC 2-7-10.5]
B.21 Source Modification Requirement [326 IAC 2-7-10.5]
B.22 Inspection and Entry [326 IAC 2-7-6][IC 13-14-2-2][IC 13-30-3-1][IC 13-17-3-2]
B.23 Transfer of Ownership or Operational Control [326 IAC 2-7-11]
B.24 Annual Fee Payment [326 IAC 2-7-19] [326 IAC 2-7-5(7)][326 IAC 2-1.1-7]
B.25 Credible Evidence [326 IAC 2-7-5(3)][326 IAC 2-7-6][62 FR 8314] [326 IAC 1-1-6]

C. SOURCE OPERATION CONDITIONS 22

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

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

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

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

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

Corrective Actions and Response Steps [326 IAC 2-7-5][326 IAC 2-7-6]
C.13 Emergency Reduction Plans [326 IAC 1-5-2] [326 IAC 1-5-3]
C.14 Risk Management Plan [326 IAC 2-7-5(12)] [40 CFR 68]
C.15 Response to Excursions or Exceedances [326 IAC 2-7-5] [326 IAC 2-7-6]
C.16 Actions Related to Noncompliance Demonstrated by a Stack Test [326 IAC 2-7-5] [326 IAC 2-7-6]

Record Keeping and Reporting Requirements [326 IAC 2-7-5(3)] [326 IAC 2-7-19]
C.18 General Record Keeping Requirements [326 IAC 2-7-5(3)] [326 IAC 2-7-6] [326 IAC 2-2] [326 IAC 2-3]
C.19 General Reporting Requirements [326 IAC 2-7-5(3)(C)] [326 IAC 2-1.1-11] [326 IAC 2-2] [326 IAC 2-3]

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

D.1 FACILITY OPERATION CONDITIONS - CORE PLANT 31

Emission Limitations and Standards [326 IAC 2-7-5(1)]
D.1.1 Particulate Matter (PM) [326 IAC 6-3-2]
D.1.2 Preventive Maintenance Plan [326 IAC 2-7-5(13)]
D.1.3 Particulate Matter Emissions

Compliance Determination Requirements
D.1.4 Particulate Matter (PM)

D.2 FACILITY OPERATION CONDITIONS - EAST PLANT 34

Emission Limitations and Standards [326 IAC 2-7-5(1)]
D.2.1 Particulate [326 IAC 6-3-2]
D.2.2 Particulate [326 IAC 6-3-2]
D.2.3 Particulate [326 IAC 2-7-10.5(d)(5)(C)]
D.2.4 Particulate Matter (PM) [326 IAC 2-2]
D.2.5 Preventive Maintenance Plan [326 IAC 2-7-5(13)]
D.2.6 Particulate Matter Emissions

Compliance Determination Requirements
D.2.6 Particulate Matter (PM)

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

D.3 FACILITY OPERATION CONDITIONS - COAL BOILER 39

Emission Limitations and Standards [326 IAC 2-7-5(1)]
D.3.1 Sulfur Dioxide Emissions Limitations [326 IAC 2-2]
D.3.2 Particulate Matter (PM)
D.3.3 Sulfur Dioxide (SO_2) [326 IAC 7-1.1-1]
D.3.4 Preventive Maintenance Plan [326 IAC 2-7-5(13)]

Compliance Determination Requirements
D.3.5 Sulfur Dioxide Emissions and Sulfur Content [326 IAC 2-7-5(3)(A)] [326 IAC 2-7-6]
D.3.6 Particulate Matter (PM)

Compliance Monitoring Requirements [326 IAC 2-7-6(1)] [326 IAC 2-7-5(1)]
D.3.7 Visible Emissions Notations
D.3.8 Parametric Monitoring
D.3.9 Broken or Failed Bag Detection

Record Keeping and Reporting Requirement [326 IAC 2-7-5(3)] [326 IAC 2-7-19]
D.3.10 Record Keeping Requirements
D.3.11 Reporting Requirements

D.4 FACILITY OPERATION CONDITIONS - BOILER 43

Emission Limitations and Standards [326 IAC 2-7-5(1)]
D.4.1 Sulfur Dioxide Emissions Limitations [326 IAC 2-2]
D.4.2 Particulate Matter (PM) [326 IAC 6-2]
D.4.3 Sulfur Dioxide (SO_2) [326 IAC 7-1.1-1]
D.4.4 Nitrogen Oxide Emission Limitations [326 IAC 2-2]
D.4.5 Volatile Organic Compound Emission Limitations [326 IAC 2-2]
D.4.6 Preventive Maintenance Plan [326 IAC 2-7-5(13)]

Compliance Determination Requirements
D.4.7 Sulfur Dioxide Emissions and Sulfur Content

Compliance Monitoring Requirements [326 IAC 2-7-6(1)] [326 IAC 2-7-5(1)]
D.4.8 Visible Emissions Notations

Record Keeping and Reporting Requirement [326 IAC 2-7-5(3)] [326 IAC 2-7-19]
D.4.9 Record Keeping Requirements
D.4.10 Reporting Requirements

Certification 48
Emergency/Deviation Occurrence Report 49
Natural Gas Fired Boiler Certification 51
Quarterly Report-Boiler CP10A 52
Quarterly Report-Boiler CP28 53
Quarterly Report-CP1A 54
Quarterly Report-CP1B 55
Quarterly Report-NBP26 56
Semi-Annual Report-Line #7 Ovens and Line #8 Ovens 57
Quarterly Compliance Monitoring Report 58

SECTION A SOURCE SUMMARY

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

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

The Permittee owns and operates a stationary manufacturing operation of various snackfood products.

Source Address:	323 S. County Road 300 W., Frankfort, IN 46041
Mailing Address:	323 S. County Road 300 W., Frankfort, IN 46041
General Source Phone Number:	317-659-1831
SIC Code:	2096
County Location:	Clinton
Source Location Status:	Attainment for all criteria pollutants
Source Status:	Part 70 Operating Permit Program Major Source, under PSD

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

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

(a) Core plant, consisting of the following:
- (1) Production line #1, consisting of:
  - (A) one (1) PC#1 (Line#1) Fryer, identified as CP2A, constructed in 1980 utilizing an oil mist eliminator to control particulate matter and exhausting to stack CP2A;
  - (B) one (1) PC#1 (Line#1) Conditioning Unit, identified as CP2B, constructed in 1995 utilizing an oil mist eliminator to control particulate matter and exhausting to stack CP2B;
- (2) Production line #2, consisting of:
  - (A) one (1) PC #2 (Line #2) Fryer, identified as CP11, constructed in 1986 utilizing an oil mist eliminator to control particulate matter, and exhausting to stacks CP11A&B;
- (3) Production line #3, consisting of:
  - (A) one (1) FCC (Line#3) Fryer, identified as CP3A, constructed in 1980, exhausting to stack CP3A;
- (4) Production line #4, consisting of:
  - (A) one (1) DTC #1 (Line#4) Fryer, identified as CP5A, constructed in 1980 and exhausting to stack CP5A;
  - (B) one (1) natural gas fired DTC #1 (Line#4) oven, using propane as a backup fuel, rated at 4.2 mmBtu/hr, identified as CP5C and constructed in 1980 exhausting to stack CP5C1&2;
  - (C) one (1) DTC #1 (Line #4) Ambient Air Cooler, identified as CP5D, constructed in 2000, and exhausting to stack CP5D;

(5) Production line #5, consisting of:
- (A) one (1) DTC #2 (Line#5) Fryer, identified as CP6A, constructed in 1980 and exhausting to stack CP6A;
- (B) one (1) natural gas fired DTC #2 (Line#5) oven, using propane as a backup fuel, rated at 4.2 mmBtu/hr, identified as CP6C, constructed in 1980 and exhausting to stack CP6C1&2;
- (B) one (1) DTC #2 (Line #5) Ambient Air Cooler, identified as CP6D, constructed in 2000, and exhausting to stack CP6D;

(6) Production line #6, consisting of:
- (A) one (1) UTC/RSTC #1 (Line#6) Fryer, identified as CP7A, constructed in 1980 and exhausting to stack CP7A;
- (B) one (1) natural gas fired UTC/RSTC #1 (Line#6) oven, using propane as a backup fuel, rated at 3.1 mmBtu/hr, identified as CP7C, constructed in 1980 and exhausting to stack CP7C1&2;
- (C) one (1) natural gas fired UTC/RSTC #1 (Line#6) oven, using propane as a backup fuel, rated at 3.1 mmBtu/hr, identified as CP7D, constructed in 1980 and exhausting to stack CP7D1&2;
- (D) One (1) UTC/RSTC #1 (Line #6) Ambient Air Cooler, identified as CP7E, constructed in 2000, and exhausting to stack CP7E;

(7) Production line #7, consisting of:
- (A) one (1) UTC (Line #7) Fryer, identified as CP13A, constructed in 1980 and exhausting to stack CP13A;
- (B) one (1) natural gas fired UTC (Line #7) oven, using propane as a backup fuel, rated at 4.2 mmBtu/hr, identified as CP14, constructed in 1980 and exhausting to stack CP14;

(8) Production line #8, consisting of:
- (A) one (1) UTC/RSTC #2 (Line#8) Fryer, identified as CP8A, constructed in 1980 and exhausting to stack CP8A;
- (B) one (1) natural gas fired UTC/RSTC #2 (Line#8) oven, using propane as a backup fuel, rated at 4.2 mmBtu/hr, identified as CP8C, constructed in 2000 and exhausting to stack CP8C;

(9) Production line #9, consisting of:
- (A) one (1) FCP (Line #9) cooker, identified as CP4A, constructed in 1980 and exhausting to stack CP4A;
- (B) one (1) FCP (Line#9) Extruder w/Rotoclone, identified as CP4C, constructed in 1980 and exhausting to stack CP4C;
- (C) one (1) FCP (Line #9) bulk corn meal unloading #1, identified as CP4D, constructed in 1980 utilizing a fabric filter to control particulate emissions and exhausting to stack CP4D;
- (D) one (1) FCP (Line #9) bulk corn meal storage (2 silos), identified as CP4E, constructed in 1998 utilizing a fabric filter to control particulate emissions and exhausting to stack CP4E;
- (E) one (1) FCP (Line #9) bulk corn meal transfer, identified as CP4F, constructed in 1998 utilizing a fabric filter to control particulate emissions and exhausting indoors as fugitive dust;

(10) Storage and transfer operations, consisting of:
- (A) four (4) Corn Receiving/Storage (4 silos), identified as CP9A(F), constructed in 1980 and exhausting to stack CP9A(F);
- (B) one (1) Corn Internal Ops (Cleaner A), identified as CP9B1(F), constructed in 1980, utilizing a fabric filter for particulate control and exhausting indoors as fugitive dust: CP9B1(F);
- (C) one (1) Corn Internal Ops (Cleaner B), identified as CP9B2, constructed in 1980, utilizing a cyclone for particulate control and exhausting to stack CP9B2;

(D) one (1) Corn Cleaner Rejects, identified as CP9B3, constructed in 1980, utilizing a fabric filter for particulate control and exhausting to stack CP9B3;

(E) one (1) Coal Handling System, identified as CP10B, constructed in 1984, utilizing a bag filter for particulate control and exhausting to stack CP10B;

(F) one (1) Ash Handling system, identified as CP10C, constructed in 1984, utilizing a fabric filter for particulate control and exhausting to stack CP10C;

(G) one (1) LBCSS Transfer, identified as CP16, constructed in 1999, utilizing a fabric filter for particulate matter control and exhausting to stack CP16;

(H) one (1) Lime Handling, identified as CP17, constructed in 1999, utilizing a fabric filter for particulate matter control and exhausting to stack CP17;

(11) Miscellaneous operations, consisting of:

(A) one (1) natural gas fired Auxiliary Burner (Sidewall), using propane as a backup fuel, identified as CP10A, constructed in 1984, with a maximum rated heat input of 28 mmBtu per hour and exhausting to stack CP10A;

(B) one (1) natural gas fired starch dryer, using propane as a backup fuel, rated at 1.5 mmBtu/hr, identified as CP12, constructed in 1986 and exhausting to stack CP12;

(b) East plant, consisting of the following:

(1) Production line #1, consisting of:

(A) one (1) BPC#1 Receiving/Storage (Silo 1), identified as NBP37, constructed in 1995, utilizing a fabric filter for particulate control and exhausting to stack NBP37;

(B) one (1) BPP#1 Receiving/Storage (Silo 2), identified as NBP38, constructed in 1995, utilizing a fabric filter for particulate control and exhausting to stack NBP38;

(C) one (1) BPC#1 Material Transfer, identified as NBP41(F), constructed in 1995 utilizing a fabric filter for particulate control and exhausting indoors as fugitive dust;

(D) one (1) natural gas fired BPC#1 primary dryer (Line #1), using propane as a backup fuel, rated at 9.6 mmBtu/hr, identified as NBP42, constructed in 1995 and exhausting to stack NBP42&43;

(E) one (1) natural gas fired BPC#1 secondary dryer (Line #1), using propane as a backup fuel, rated at 3.0 mmBtu/hr, identified as NBP44, constructed in 1995 and exhausting to stack NBP44&45;

(2) Production line #2, consisting of:

(A) one (1) natural gas fired RSTC oven (Line #2), using propane as a backup fuel, rated at 9.9 mmBtu/hr, identified as NBP65, constructed in 2000 and exhausting to stack NBP65;

(B) one (1) RSTC cooker (Line #2), identified as NBP66, utilizing an oil mist eliminator for particulate matter control, constructed in 2000 and exhausting to stack NBP66;

(C) one (1) RSTC cooler (Line #2), identified as NBP67, constructed in 2000 and exhausting to stack NBP67;

(3) Production line #3, consisting of:

(A) one (1) natural gas fired BTC#2 baking oven (Line #3), using propane as a backup fuel, rated at 9.73 mmBtu/hr, identified as NBP34, constructed in 2001 and exhausting to stack NBP34;

(B) one (1) natural gas fired BTC#2 primary dryer (Line #3), using propane as a backup fuel, rated at 10.0 mmBtu/hr, identified as NBP35, modified in 2001 and exhausting to stack NBP35;

(C) one (1) steam-heated BTC #2 cooker (Line #3) utilizing an oil mist eliminator for particulate control, identified as NBP36, constructed in 2001 and exhausting to stack NBP36;

(4) Production line #4, consisting of:
(A) one (1) natural gas fired Sunchips dryer (Line #4), using propane as a backup fuel, rated at 1.5 mmBtu/hr, identified as NBP3, constructed in 1990 and exhausting to stack NBP3;
(B) one (1) Sunchips Fryer (Line #4), identified as NBP5, constructed in 1990 and exhausting to stack NBP5;
(C) one (1) Sunchips Sifter (Line #4), identified as NBP7, constructed in 1990 and exhausting to stack NBP7;
(D) one (1) Sunchips Cooler (Line #4), identified as NBP8, constructed in 1990 and exhausting to stack NBP8;

(5) Production line #5, consisting of:
(A) one (1) natural gas fired BCP oven (Line #5), using propane as a backup fuel, rated at 2.5 mmBtu/hr, identified as NBP11A, constructed in 1991 and exhausting to stack NBP11A;
(B) one (1) BCP Extruder (Line #5), identified as NBP11B, constructed in 1991 and exhausting to stack NBP11B;

(6) Production line #6, consisting of:
(A) one (1) natural gas fired popcorn oven (Line #6), using propane as a backup fuel, rated at 0.8 mmBtu/hr, identified as NBP12, constructed in 1992 and exhausting to stack NBP12;

(7) Production line #7, consisting of:
(A) one (1) natural gas fired PRTZ#1 cooker (Line #7), using propane as a backup fuel, rated at 0.3 mmBtu/hr, identified as NBP53, constructed in 1995 and exhausting to stack NBP53;
(B) one (1) natural gas fired PRTZ#1 ovens A-E (Line #7), using propane as backup fuel, rated at 4.6 mmBtu/hr, identified as NBP54, constructed in 1995 and exhausting to stacks NBP54-58;

(8) Production line #8, consisting of:
(A) one (1) natural gas fired PRTZ#2 cooker (Line #8), using propane as a backup fuel, rated at 0.3 mmBtu/hr, identified as NBP59, constructed in 1995 and exhausting to stack NBP59;
(B) one (1) natural gas fired PRTZ#2 ovens A-E (Line #8), using propane as a backup fuel, rated at 4.6 mmBtu/hr, identified as NBP60, constructed in 1995 and exhausting to stacks NBP60-64;

(9) Production Line #9, consisting of:
(A) One (1) natural gas fired primary oven, identified as NBP68, approved for construction in 2007, with a rated capacity of 27.5 MMBtu/hr, using propane as a backup fuel, exhausting to stack NBP68;
(B) One (1) natural gas fired final dryer, identified as unit NBP69, approved for construction in 2007, with a rated capacity of 4.4 MMBtu/hr, using propane as a backup fuel, exhausting to stack NBP69;

(10) Storage and transfer operations, consisting of:
(A) three (3) Corn Receiving/Storage (3 silos), identified as NBP9A(F) constructed in 1990 and exhausting to stack NBP9A(F);
(B) corn Internal Ops (Cleaner), identified as NBP9B(F), constructed in 1990, utilizing a fabric filter for particulate control and exhausting indoors as fugitive dust: NBP9B(F);
(C) one (1) Wheat Grain Receiving/Storage (Silo 1), identified as NBP18, constructed in 1994, utilizing a fabric filter for particulate control and exhausting to stack NBP18;
(D) one (1) Wheat Grain Receiving/Storage (Silo 2), identified as NBP19, constructed in 1994, utilizing a fabric filter for particulate control and exhausting to stack NBP19;

(E) whole Grain Cleaner, identified as NBP17(F), constructed in 1994, utilizing a fabric filter for particulate control and exhausting indoors as fugitive dust: NBP17(F);

(F) one (1) Corn Meal Receiving/Storage (Silo 1), identified as NBP20, constructed in 1991, utilizing a fabric filter for particulate control and exhausting to stack NBP20;

(G) one (1) Corn Meal Receiving/Storage (Silo 2), identified as NBP21, constructed in 1991, utilizing a fabric filter for particulate control and exhausting to stack NBP21;

(H) one (1) Corn Meal Transfer, identified as NBP22(F), constructed in 1991, utilizing a fabric filter and exhausting indoors as fugitive dust: NBP22(F);

(I) one (1) Wheat Meal Receiving/Storage (Silo 1), identified as NBP23, constructed in 1991, utilizing a fabric filter for particulate control and exhausting to stack NBP23;

(J) one (1) Wheat Meal Receiving/Storage (Silo 2), identified as NBP24, constructed in 1991, utilizing a fabric filter for particulate control and exhausting to stack NBP24;

(K) one (1) Wheat Meal Transfer, identified as NBP25(F), constructed in 1991, utilizing a fabric filter for particulate control and exhausting indoors as fugitive dust: NBP25(F);

(L) corn Unloading/Storage Silo #4 , identified as NBP9C, constructed in 2003, utilizing a fabric filter for particulate control and exhausting to stack NBP9C;

(M) corn Unloading/Storage Silo #5, identified as NBP9D, constructed in 2003, utilizing a fabric filter for particulate control and exhausting to stack NBP9D;

(N) corn Transfer/Cleaner, identified as NBP9E, constructed in 2003, utilizing a fabric filter for particulate control and exhausting to stack NBP9E;

(O) cornmeal Unloading Silo #3, identified as NBP22A, constructed in 2003, utilizing a fabric filter for particulate control and exhausting to stack NBP22A; and

(P) two (2) raw material storage silos, identified as NBP70A and NBP70B, approved for construction in 2007, each with a maximum throughput of material of 4,000 lbs/hour, each equipped with a bin vent filter for particulate control, and exhausting to stacks NBP70A and NBP70B, respectively.

(c) Coal Fired boiler, consisting of:

(1) one (1) Coal fired Boiler, identified as CP10A, constructed in 1984, with a maximum rated heat input of 56.25 mmBtu per hour, utilizing a baghouse for particulate control and exhausting to stack CP10A;

(d) Fuel Oil combustion devices, consisting of:

(1) one (1) natural gas fired boiler, using propane, #2 or #6 fuel oil as backup fuels, rated at 61 mmBtu/hr, identified as CP1A, constructed in 1980 and exhausting to stack CP1;

(2) one (1) natural gas fired boiler, using propane, #2 or #6 fuel oil as backup fuels, rated at 61 mmBtu/hr, identified as CP1B, constructed in 1980 and exhausting to stack CP1;

(3) one (1) FCP (Line #9) natural gas burner, using propane or #2 fuel oil as backup fuels, rated at 1.1 mmBtu/hr, identified as CP4B, constructed in 1980 and exhausting to stack CP4B

(4) one (1) natural gas fired UTC/RSTC #2 (Line #8) Burner, using propane or #2 fuel oil as backup fuels, identified as CP8B, constructed in 1980, with a maximum rated heat input of 4.0 mmBtu/hour and exhausting to stack CP8B;

(5) one (1) natural gas fired UTC (Line #7) burner, using propane or #2 fuel oil as backup fuels, rated at 4.0 mmBtu/hr, identified as CP13B, constructed in 1991 and exhausting to CP13B;

(6) one (1) natural gas fired auxiliary boiler, using propane or #2 fuel oil as backup fuels, rated at 6.75 mmBtu/hr, identified as CP15, constructed in 1988 and exhausting to stack CP15;

(7) East Plant natural gas fired boiler, using propane or #2 fuel oil as backup fuels, rated at 33.5 mmBtu/hr, identified as NBP26, constructed in 1986 and exhausting to stack NBP26.

A.3 Part 70 Permit Applicability [326 IAC 2-7-2]

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

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

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

SECTION B GENERAL CONDITIONS

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

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

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

(a) This permit, T023-7721-00020, is issued for a fixed term of five (5) years from the issuance date of this permit, as determined in accordance with IC 4-21.5-3-5(f) and IC 13-15-5-3. Subsequent revisions, modifications, or amendments of this permit do not affect the expiration date of this permit.

(b) If IDEM, OAQ, upon receiving a timely and complete renewal permit application, fails to issue or deny the permit renewal prior to the expiration date of this permit, this existing permit shall not expire and all terms and conditions shall continue in effect, including any permit shield provided in 326 IAC 2-7-15, until the renewal permit has been issued or denied.

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

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

(a) the condition is modified in a subsequent permit action pursuant to Title I of the Clean Air Act; or

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

B.4 Enforceability [326 IAC 2-7-7]

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

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

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

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

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

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

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

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

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

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

(b) One (1) certification shall be included, using the attached Certification Form, with each submittal requiring certification. One (1) certification may cover multiple forms in one (1) submittal.

(c) The "responsible official" is defined at 326 IAC 2-7-1(34).

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

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

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

and

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

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

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

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

(2) The compliance status;

(3) Whether compliance was continuous or intermittent;

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

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

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

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

(a) If required by specific condition(s) in Section D of this permit, the Permittee shall maintain and implement Preventive Maintenance Plans (PMPs) including the following information on each facility:

(1) Identification of the individual(s) by job title 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 do not require the certification by the "responsible official" as defined by 326 IAC 2-7-1(34).

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

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

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

(b) An emergency, as defined in 326 IAC 2-7-1(12), constitutes an affirmative defense to an action brought for noncompliance with a technology-based emission limitation if the affirmative defense of an emergency is demonstrated through properly signed, contemporaneous operating logs or other relevant evidence that describe the following:

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

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

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

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

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

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

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

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

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

(A) A description of the emergency;

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

(C) Corrective actions taken.

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

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

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

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

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

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

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

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

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

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

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

(b) If, after issuance of this permit, it is determined that the permit is in nonconformance with an applicable requirement that applied to the source on the date of permit issuance, IDEM, OAQ, shall immediately take steps to reopen and revise this permit and issue a compliance order to the Permittee to ensure expeditious compliance with the applicable requirement until the permit is reissued. The permit shield shall continue in effect so long as the Permittee is in compliance with the compliance order.

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

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

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

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

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

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

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

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

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

B.13 Prior Permits Superseded [326 IAC 2-1.1-9.5][326 IAC 2-7-10.5]

(a) All terms and conditions of permits established prior to T023-7721-00020 and issued pursuant to permitting programs approved into the state implementation plan have been either:

(1) incorporated as originally stated,

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

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

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

B.14 Termination of Right to Operate [326 IAC 2-7-10][326 IAC 2-7-4(a)]

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

B.15 Deviations from Permit Requirements and Conditions [326 IAC 2-7-5(3)(C)(ii)]

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

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

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

The Quarterly Deviation and Compliance Monitoring Report does require the certification by the "responsible official" as defined by 326 IAC 2-7-1(34).

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

B.16 Permit Modification, Reopening, Revocation and Reissuance, or Termination [326 IAC 2-7-5(6)(C)][326 IAC 2-7-8(a)][326 IAC 2-7-9]

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

(b) This permit shall be reopened and revised under any of the circumstances listed in IC 13-15-7-2 or if IDEM, OAQ determines any of the following:

(1) That this permit contains a material mistake.

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

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

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

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

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

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

Request for renewal shall be submitted to:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(4) The Permittee notifies the:

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

and

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

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

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

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

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

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

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

(3) Any change in emissions; and

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

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

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

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

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

B.21 Source Modification Requirement [326 IAC 2-7-10.5]

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

B.22 Inspection and Entry [326 IAC 2-7-6][IC 13-14-2-2][IC 13-30-3-1][IC 13-17-3-2]

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

(a) Enter upon the Permittee's premises where a Part 70 source is located, or emissions related activity is conducted, or where records must be kept under the conditions of this permit;

(b) As authorized by the Clean Air Act, IC 13-14-2-2, IC 13-17-3-2, and IC 13-30-3-1, have access to and copy any records that must be kept under the conditions of this permit;

(c) As authorized by the Clean Air Act, IC 13-14-2-2, IC 13-17-3-2, and IC 13-30-3-1, inspect any facilities, equipment (including monitoring and air pollution control equipment), practices, or operations regulated or required under this permit;

(d) As authorized by the Clean Air Act, IC 13-14-2-2, IC 13-17-3-2, and IC 13-30-3-1, sample or monitor substances or parameters for the purpose of assuring compliance with this permit or applicable requirements; and

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

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

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

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

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

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

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

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

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

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

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

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

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

SECTION C **SOURCE OPERATION CONDITIONS**

Entire Source

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

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

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

C.2 Opacity [326 IAC 5-1]

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

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

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

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

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

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

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

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

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

C.6 Stack Height [326 IAC 1-7]

The Permittee shall comply with the applicable provisions of 326 IAC 1-7 (Stack Height Provisions), for all exhaust stacks through which a potential (before controls) of twenty-five (25) tons per year or more of particulate matter or sulfur dioxide is emitted.

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

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

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

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

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

(A) Asbestos removal or demolition start date;

(B) Removal or demolition contractor; or

(C) Waste disposal site.

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

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

All required notifications shall be submitted to:

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

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

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

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

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

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

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

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

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

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

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

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

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

Compliance Requirements [326 IAC 2-1.1-11]

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

The ERP does not require the certification by the “responsible official” as defined by 326 IAC 2-7-1(34).

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

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

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

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

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

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

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

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

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

(1) initial inspection and evaluation;

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

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

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

(1) monitoring results;

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

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

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

(e) The Permittee shall maintain the following records:

(1) monitoring data;

(2) monitor performance data, if applicable; and

(3) corrective actions taken.

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

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

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

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

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

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

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

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

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

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

The statement must be submitted to:

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

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

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

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

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

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

(c) If there is a “project” (as defined in 326 IAC 2-2-1 (qq)) at an existing emissions unit, other than projects at a source with Plant-wide Applicability Limitation (PAL), which is not part of a “major modification” (as defined in 326 IAC 2-2-1 (ee)) and the Permittee elects to utilize the “projected actual emissions” (as defined in 326 IAC 2-2-1 (rr) and/or IAC 2-3-1 (mm)), the Permittee shall comply with following:

(1) Before beginning actual construction of the “project” (as defined in 326 IAC 2-2-1 (qq) and/or 326 IAC 2-3-1 (ll)) at an existing emissions unit, document and maintain the following records:
- (A) A description of the project.
- (B) Identification of any emissions unit whose emissions of a regulated new source review pollutant could be affected by the project.
- (C) A description of the applicability test used to determine that the project is not a major modification for any regulated NSR pollutant, including:
  - (i) Baseline actual emissions;
  - (ii) Projected actual emissions;
  - (iii) Amount of emissions excluded under section 326 IAC 2-2-1(rr)(2)(A)(iii) and/or 326 IAC 2-3-1 (mm)(2)(A)(iii); and
  - (iv) An explanation for why the amount was excluded, and any netting calculations, if applicable.

(2) Monitor the emissions of any regulated NSR pollutant that could increase as a result of the project and that is emitted by any existing emissions unit identified in (1)(B) above; and

(3) Calculate and maintain a record of the annual emissions, in tons per year on a calendar year basis, for a period of five (5) years following resumption of regular operations after the change, or for a period of ten (10) years following resumption of regular operations after the change if the project increases the design capacity of or the potential to emit that regulated NSR pollutant at the emissions unit.

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

(a) The Permittee shall submit the attached Quarterly Deviation and Compliance Monitoring Report or its equivalent. Any deviation from permit requirements, the date(s) of each deviation, the cause of the deviation, and the response steps taken must be reported. This report shall be submitted within thirty (30) days of the end of the reporting period. The Quarterly Deviation and Compliance Monitoring Report shall include the certification by the "responsible official" as defined by 326 IAC 2-7-1(34).

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

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

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

(d) Unless otherwise specified in this permit, all reports required in Section D of this permit shall be submitted within thirty (30) days of the end of the reporting period. All reports do require the certification by the "responsible official" as defined by 326 IAC 2-7-1(34).

(e) The first report shall cover the period commencing on the date of issuance of this permit and ending on the last day of the reporting period. Reporting periods are based on calendar years, unless otherwise specified in this permit. For the purpose of this permit "calendar year" means the twelve (12) month period from January 1 to December 31 inclusive.

(f) If the Permittee is required to comply with the recordkeeping provisions of (c) in Section C - General Record Keeping Requirements for any "project" (as defined in 326 IAC 2-2-1 (qq) and/or 326 IAC 2-3-1 (ll)) at an existing emissions unit, and the project meets the following criteria, then the Permittee shall submit a report to IDEM, OAQ:

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

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

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

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

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

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

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

Reports required in this part shall be submitted to:

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

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

Stratospheric Ozone Protection

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

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

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

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

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

SECTION D.1 FACILITY OPERATION CONDITIONS

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

Core plant, consisting of the following:

(1) Production line #1, consisting of:
- (A) one (1) PC#1 (Line#1) Fryer, identified as CP2A, constructed in 1980 utilizing an oil mist eliminator to control particulate matter and exhausting to stack CP2A;
- (B) one (1) PC#1 (Line#1) Conditioning Unit, identified as CP2B, constructed in 1995 utilizing an oil mist eliminator to control particulate matter and exhausting to stack CP2B;

(2) Production line #2, consisting of:
- (A) one (1) PC #2 (Line #2) Fryer, identified as CP11, constructed in 1986 utilizing an oil mist eliminator to control particulate matter, and exhausting to stacks CP11A&B;

(3) Production line #3, consisting of:
- (A) one (1) FCC (Line#3) Fryer, identified as CP3A, constructed in 1980, exhausting to stack CP3A;

(4) Production line #4, consisting of:
- (A) one (1) DTC #1 (Line#4) Fryer, identified as CP5A, constructed in 1980 and exhausting to stack CP5A;
- (B) one (1) natural gas fired DTC #1 (Line#4) oven, using propane as a backup fuel, rated at 4.2 mmBtu/hr, identified as CP5C and constructed in 1980 exhausting to stack CP5C1&2;
- (C) one (1) DTC #1 (Line #4) Ambient Air Cooler, identified as CP5D, constructed in 2000, and exhausting to stack CP5D;

(5) Production line #5, consisting of:
- (A) one (1) DTC #2 (Line#5) Fryer, identified as CP6A, constructed in 1980 and exhausting to stack CP6A;
- (B) one (1) natural gas fired DTC #2 (Line#5) oven, using propane as a backup fuel, rated at 4.2 mmBtu/hr, identified as CP6C, constructed in 1980 and exhausting to stack CP6C1&2;
- (C) one (1) DTC #2 (Line #5) Ambient Air Cooler, identified as CP6D, constructed in 2000, and exhausting to stack CP6D;

(6) Production line #6, consisting of:
- (A) one (1) UTC/RSTC #1 (Line#6) Fryer, identified as CP7A, constructed in 1980 and exhausting to stack CP7A;
- (B) one (1) natural gas fired UTC/RSTC #1 (Line#6) oven, using propane as a backup fuel, rated at 3.1 mmBtu/hr, identified as CP7C, constructed in 1980 and exhausting to stack CP7C1&2;
- (C) one (1) natural gas fired UTC/RSTC #1 (Line#6) oven, using propane as a backup fuel, rated at 3.1 mmBtu/hr, identified as CP7D, constructed in 1980 and exhausting to stack CP7D1&2;
- (D) One (1) UTC/RSTC #1 (Line #6) Ambient Air Cooler, identified as CP7E, constructed in 2000, and exhausting to stack CP7E;

(7) Production line #7, consisting of:
- (A) one (1) UTC (Line #7) Fryer, identified as CP13A, constructed in 1980 and exhausting to stack CP13A;
- (B) one (1) natural gas fired UTC (Line #7) oven, using propane as a backup fuel, rated at 4.2 mmBtu/hr, identified as CP14, constructed in 1980 and exhausting to stack CP14;

(8) Production line #8, consisting of:
- (A) one (1) UTC/RSTC #2 (Line#8) Fryer, identified as CP8A, constructed

in 1980 and exhausting to stack CP8A;

(B) one (1) natural gas fired UTC/RSTC #2 (Line#8) oven, using propane as a backup fuel, rated at 4.2 mmBtu/hr, identified as CP8C, constructed in 2000 and exhausting to stack CP8C;

(9) Production line #9, consisting of:

(A) one (1) FCP (Line #9) cooker, identified as CP4A, constructed in 1980 and exhausting to stack CP4A;

(B) one (1) FCP (Line#9) Extruder w/Rotoclone, identified as CP4C, constructed in 1980 and exhausting to stack CP4C;

(C) one (1) FCP (Line #9) bulk corn meal unloading #1, identified as CP4D, constructed in 1980 utilizing a fabric filter to control particulate emissions and exhausting to stack CP4D;

(D) one (1) FCP (Line #9) bulk corn meal storage (2 silos), identified as CP4E, constructed in 1998 utilizing a fabric filter to control particulate emissions and exhausting to stack CP4E;

(E) one (1) FCP (Line #9) bulk corn meal transfer, identified as CP4F, constructed in 1998 utilizing a fabric filter to control particulate emissions and exhausting indoors as fugitive dust;

(10) Storage and transfer operations, consisting of:

(A) four (4) Corn Receiving/Storage (4 silos), identified as CP9A(F), constructed in 1980 and exhausting to stack CP9A(F);

(B) one (1) Corn Internal Ops (Cleaner A), identified as CP9B1(F), constructed in 1980, utilizing a fabric filter for particulate control and exhausting indoors as fugitive dust: CP9B1(F);

(B) one (1) Corn Internal Ops (Cleaner B), identified as CP9B2, constructed in 1980, utilizing a cyclone for particulate control and exhausting to stack CP9B2;

(C) one (1) Corn Cleaner Rejects, identified as CP9B3, constructed in 1980, utilizing a fabric filter for particulate control and exhausting to stack CP9B3;

(D) one (1) Coal Handling System, identified as CP10B, constructed in 1984, utilizing a bag filter for particulate control and exhausting to stack CP10B;

(E) one (1) Ash Handling system, identified as CP10C, constructed in 1984, utilizing a fabric filter for particulate control and exhausting to stack CP10C;

(F) one (1) LBCSS Transfer, identified as CP16, constructed in 1999, utilizing a fabric filter for particulate matter control and exhausting to stack CP16;

(G) one (1) Lime Handling, identified as CP17, constructed in 1999, utilizing a fabric filter for particulate matter control and exhausting to stack CP17;

(11) Miscellaneous operations, consisting of:

(A) one (1) natural gas fired Auxiliary Burner (Sidewall), using propane as a backup fuel, identified as CP10A, constructed in 1984, with a maximum rated heat input of 28 mmBtu per hour and exhausting to stack CP10A;

(B) one (1) natural gas fired starch dryer, using propane as a backup fuel, rated at 1.5 mmBtu/hr, identified as CP12, constructed in 1986 and exhausting to stack CP12;

(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 Particulate Matter (PM) [326 IAC 6-3-2]

Pursuant to 326 IAC 6-3-2 (Particulate Emission Limitations for Manufacturing Processes), the particulate matter (PM) from the snackfood manufacturing operation shall be limited by the following:

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

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

The calculations for 326 IAC 6-3-2 (Particulate Emission Limitations for Manufacturing Processes) are contained in a confidential file.

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

A Preventive Maintenance Plan, in accordance with Section B - Preventive Maintenance Plan, of this permit, is required for the fabric filter control devices venting to the atmosphere associated with the equipment identified as CP4D, CP4E, CP9B3, CP-10B, CP- 10C CP 16, and CP17.

D.1.3 Particulate Matter Emissions

(a) Pursuant to OP12-11-88-0121, issued on December 17, 1984, all corn shall be precleaned before being received at the plant.
(b) Pursuant to OP12-11-92-0130, issued on March 25, 1987, all particulate matter emissions from the potato starch dryer (CP-12) shall not exceed 1.48 pounds per hour.
(c) Pursuant to CP12-11-88-0124, the coal receiving hopper, ash handling loadout, and coal storage fabric filter vent (CP10B) and the ash storage fabric filter vent (CP10C) shall have no visible emissions crossing the property line or exceeding 10% opacity over a six minute averaging period at the equipment site.

Compliance Determination Requirements

D.1.4 Particulate Matter (PM)

The fabric filters for PM control shall be in operation and control emissions from the equipment identified in condition D.1.2 at all times that the equipment is in operation.

SECTION D.2 FACILITY OPERATION CONDITIONS

Facility Description [326 IAC 2-7-5(15)]:
East plant, consisting of the following:

(1) Production line #1, consisting of:
- (A) one (1) BPC#1 Receiving/Storage (Silo 1), identified as NBP37, constructed in 1995, utilizing a fabric filter for particulate control and exhausting to stack NBP37;
- (B) one (1) BPP#1 Receiving/Storage (Silo 2), identified as NBP38, constructed in 1995, utilizing a fabric filter for particulate control and exhausting to stack NBP38;
- (C) one (1) BPC#1 Material Transfer, identified as NBP41(F), constructed in 1995 utilizing a fabric filter for particulate control and exhausting indoors as fugitive dust
- (D) one (1) natural gas fired BPC#1 primary dryer (Line #1), using propane as a backup fuel, rated at 9.6 mmBtu/hr, identified as NBP42, constructed in 1995 and exhausting to stack NBP42&43;
- (E) one (1) natural gas fired BPC#1 secondary dryer (Line #1), using propane as a backup fuel, rated at 3.0 mmBtu/hr, identified as NBP44, constructed in 1995 and exhausting to stack NBP44&45;

(2) Production line #2, consisting of:
- (A) one (1) natural gas fired RSTC oven (Line #2), using propane as a backup fuel, rated at 9.9 mmBtu/hr, identified as NBP65, constructed in 2000 and exhausting to stack NBP65;
- (B) one (1) RSTC cooker (Line #2), identified as NBP66, utilizing an oil mist eliminator for particulate matter control, constructed in 2000 and exhausting to stack NBP66;
- (C) one (1) RSTC cooler (Line #2), identified as NBP67, constructed in 2000 and exhausting to stack NBP67;

(3) Production line #3, consisting of:
- (A) one (1) natural gas fired BTC#2 baking oven (Line #3), using propane as a backup fuel, rated at 9.73 mmBtu/hr, identified as NBP34, constructed in 2001 and exhausting to stack NBP34;
- (B) one (1) natural gas fired BTC#2 primary dryer (Line #3), using propane as a backup fuel, rated at 10.0 mmBtu/hr, identified as NBP35, modified in 2001 and exhausting to stack NBP35;
- (C) one (1) steam-heated BTC #2 cooker (Line #3) utilizing an oil mist eliminator for particulate control, identified as NBP36, constructed in 2001 and exhausting to stack NBP36;

(4) Production line #4, consisting of:
- (A) one (1) natural gas fired Sunchips dryer (Line #4), using propane as a backup fuel, rated at 1.5 mmBtu/hr, identified as NBP3, constructed in 1990 and exhausting to stack NBP3;
- (B) one (1) Sunchips Fryer (Line #4), identified as NBP5, constructed in 1990 and exhausting to stack NBP5;
- (C) one (1) Sunchips Sifter (Line #4), identified as NBP7, constructed in 1990 and exhausting to stack NBP7;
- (D) one (1) Sunchips Cooler (Line #4), identified as NBP8, constructed in 1990 and exhausting to stack NBP8;

(5) Production line #5, consisting of:
- (A) one (1) natural gas fired BCP oven (Line #5), using propane as a backup fuel, rated at 2.5 mmBtu/hr, identified as NBP11A, constructed in 1991 and exhausting to stack NBP11A;
- (B) one (1) BCP Extruder (Line #5), identified as NBP11B, constructed in 1991 and exhausting to stack NBP11B;

(6) Production line #6, consisting of:
- (A) one (1) natural gas fired popcorn oven (Line #6), using propane as a backup fuel, rated at 0.8 mmBtu/hr, identified as NBP12, constructed in 1992 and exhausting to stack NBP12;

(7) Production line #7, consisting of:
- (A) one (1) natural gas fired PRTZ#1 cooker (Line #7), using propane as a backup fuel, rated at 0.3 mmBtu/hr, identified as NBP53, constructed in 1995 and exhausting to stack NBP53;
- (B) one (1) natural gas fired PRTZ#1 ovens A-E (Line #7), using propane as backup fuel, rated at 4.6 mmBtu/hr, identified as NBP54, constructed in 1995 and exhausting to stacks NBP54-58;

(8) Production line #8, consisting of:
- (A) one (1) natural gas fired PRTZ#2 cooker (Line #8), using propane as a backup fuel, rated at 0.3 mmBtu/hr, identified as NBP59, constructed in 1995 and exhausting to stack NBP59;
- (B) one (1) natural gas fired PRTZ#2 ovens A-E (Line #8), using propane as a backup fuel, rated at 4.6 mmBtu/hr, identified as NBP60, constructed in 1995 and exhausting to stacks NBP60-64;

(9) Production Line #9, consisting of:
- (A) One (1) natural gas fired primary oven, identified as NBP68, approved for construction in 2007, with a rated capacity of 27.5 MMBtu/hr, using propane as a backup fuel, exhausting to stack NBP68;
- (B) One (1) natural gas fired final dryer, identified as unit NBP69, approved for construction in 2007, with a rated capacity of 4.4 MMBtu/hr, using propane as a backup fuel, exhausting to stack NBP69;

(10) Storage and transfer operations, consisting of:
- (A) three (3) Corn Receiving/Storage (3 silos), identified as NBP9A(F) constructed in 1990 and exhausting to stack NBP9A(F);
- (B) corn Internal Ops (Cleaner), identified as NBP9B(F), constructed in 1990, utilizing a fabric filter for particulate control and exhausting indoors as fugitive dust: NBP9B(F);
- (C) one (1) Wheat Grain Receiving/Storage (Silo 1), identified as NBP18, constructed in 1994, utilizing a fabric filter for particulate control and exhausting to stack NBP18;
- (D) one (1) Wheat Grain Receiving/Storage (Silo 2), identified as NBP19, constructed in 1994, utilizing a fabric filter for particulate control and exhausting to stack NBP19;
- (E) whole Grain Cleaner, identified as NBP17(F), constructed in 1994, utilizing a fabric filter for particulate control and exhausting indoors as fugitive dust: NBP17(F);
- (F) one (1) Corn Meal Receiving/Storage (Silo 1), identified as NBP20, constructed in 1991, utilizing a fabric filter for particulate control and exhausting to stack NBP20;
- (G) one (1) Corn Meal Receiving/Storage (Silo 2), identified as NBP21, constructed in 1991, utilizing a fabric filter for particulate control and exhausting to stack NBP21;
- (H) one (1) Corn Meal Transfer, identified as NBP22(F), constructed in 1991, utilizing a fabric filter and exhausting indoors as fugitive dust: NBP22(F);
- (I) one (1) Wheat Meal Receiving/Storage (Silo 1), identified as NBP23, constructed in 1991, utilizing a fabric filter for particulate control and exhausting to stack NBP23;
- (J) one (1) Wheat Meal Receiving/Storage (Silo 2), identified as NBP24, constructed in 1991, utilizing a fabric filter for particulate control and exhausting to stack NBP24;

(K) one (1) Wheat Meal Transfer, identified as NBP25(F), constructed in 1991, utilizing a fabric filter for particulate control and exhausting indoors as fugitive dust: NBP25(F);

(L) corn Unloading/Storage Silo #4 , identified as NBP9C, constructed in 2003, utilizing a fabric filter for particulate control and exhausting to stack NBP9C;

(M) corn Unloading/Storage Silo #5, identified as NBP9D, constructed in 2003, utilizing a fabric filter for particulate control and exhausting to stack NBP9D;

(N) corn Transfer/Cleaner, identified as NBP9E, constructed in 2003, utilizing a fabric filter for particulate control and exhausting to stack NBP9E;

(O) cornmeal Unloading Silo #3, identified as NBP22A, constructed in 2003, utilizing a fabric filter for particulate control and exhausting to stack NBP22A; and

(P) two (2) raw material storage silos, identified as NBP70A and NBP70B, approved for construction in 2007, each with a maximum throughput of material of 4,000 lbs/hour, each equipped with a bin vent filter for particulate control, and exhausting to stacks NBP70A and NBP70B, respectively.

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

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

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

Pursuant to 326 IAC 6-3-2 (Particulate Emission Limitations for Manufacturing Processes), the allowable particulate emission rate from the snackfood manufacturing operation shall be limited by the following:

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

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

The calculations for 326 IAC 6-3-2 (Particulate Emission Limitations for Manufacturing Processes) are contained in a confidential file.

D.2.2 Particulate [326 IAC 6-3-2]

Pursuant to 326 IAC 6-3-2 (Particulate Emission Limitations for Manufacturing Processes), particulate emitted from the facilities listed below shall be limited as stated, based on the following:

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

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

Emission Unit/Activity	Process Weight Rate (lbs/hr)	Allowable Emissions (326 IAC 6-3-2) (lb/hr)
storage silos NBP70A	4,000	6.52
storage silos NBP70B	4,000	6.52

D.2.3 Particulate [326 IAC 2-7-10.5(d)(4)(C)]

Pursuant to 326 IAC 2-7-10.5(d)(4)(C) the following shall apply:

(a) PM emissions from storage silos NBP-9C, NBP-9D, NBP-9E, and NBP-22B shall be less than 5.68 pounds per hour.

(b) PM10 emissions from storage silos NBP-9C, NBP-9D, NBP-9E, and NBP-22B shall be less than 3.40 pounds per hour.

(c) Each of the fabric filter control devices associated with NBP-9C, NBP-9D, NBP-9E, and NBP-22B shall achieve and maintain ninety-nine percent (99%) control efficiency.

(d) Each of the fabric filter control devices associated with NBP-9C, NBP-9D, NBP-9E, and NBP-22B shall comply with a no visible emission standard.

D.2.4 Particulate Matter [326 IAC 2-2]

(a) PM emissions from storage silos NBP70A and NBP70B shall be less than 5.48 pounds per hour.

(b) PM10 emissions from storage silos NBP70A and NBP70B shall be less than 3.15 pounds per hour.

Compliance with the above limits shall render the requirements of 326 IAC 2-2 (Prevention of Significant Deterioration (PSD)) not applicable to these units.

D.2.5 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 the fabric filter control devices venting to the atmosphere associated with the equipment identified as NBP9C, NBP9D, NBP9E, NBP18, NBP19, NBP20, NBP21, NBP22A, NBP23, NBP24, NBP37, NBP38**,** NBP70A, and NBP70B.

D.2.6 Particulate Matter Emissions

(a) Pursuant to OP12-11-88-0121, issued on December 17, 1984, all corn shall be precleaned before being received at the plant.

(b) Pursuant to CP023-0020-0142, the corn cleaning and sizing fabric filter (NBP-9B) shall have no visible emissions crossing the proper line or exceeding 10% opacity over a six minute averaging period at the equipment site.

Compliance Determination Requirements

D.2.7 Particulate Matter (PM)

The fabric filters for PM control shall be in operation and control emissions from the emission units identified in Condition D.2.5 at all times that the emission units are in operation.

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

D.2.8 Record Keeping Requirements

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

SECTION D.3 FACILITY OPERATION CONDITIONS

Facility Description [326 IAC 2-7-5(15)]
Coal Fired boiler, consisting of:
(1) one (1) Coal fired Boiler, identified as CP10A, constructed in 1984, with a maximum rated heat input of 56.25 mmBtu per hour, utilizing a baghouse for particulate control and exhausting to stack CP10A;

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

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

D.3.1 Sulfur Dioxide Emissions Limitations [326 IAC 2-2]

Pursuant to 326 IAC 2-2-3(a)(3), the sulfur dioxide (SO_2) emissions from the following process shall be limited as follows: (Note: Permit Condition D.3.1 is included in the First Amended Joint Stipulation for Stay between Frito-Lay and IDEM, dated May 3, 2006):

Process	Process ID	Stack ID	Fuel Usage Limitation Per 12-Month Consecutive Period	Equivalent Emission Rate	Permit
Boiler	CP10A	CP10A	21,652,000 pounds of coal	250 tpy	OP-12-11-88-0121

D.3.2 Particulate Matter (PM) [326 IAC 6-2-4]

Pursuant to 326 IAC 6-2-4 (Particulate Matter Emission Limitations for Sources of Indirect Heating), the PM emissions from the boiler identified as CP10A shall be limited to 0.28 pounds per MMBtu heat input.

D.3.3 Sulfur Dioxide (SO_2) [326 IAC 7-1.1-1]

Pursuant to OP12-11-88-0123, issued on October 30, 1985, and 326 IAC 7-1.1 (SO_2 Emissions Limitations), the SO_2 emissions from the one (1) coal boiler identified as CP10A, rated at 56.25 mmBtu/hr, shall not exceed two (2.0) pounds per million Btu heat input for coal combustion, and the sulfur content of the coal shall not exceed one and two-tenths percent (1.2%) (Note: Permit Condition D.3.3 is included in the Joint Stipulation for Stay between Frito-Lay and IDEM, dated August 28, 2001) by weight at a heating value of 11,500 Btu's per pound on an "as received" basis, or any combination of these producing an equivalent emissions rate to ensure compliance with the 3-hour and 24-hour National Ambient Air Quality Standards (NAAQS) for SO_2.

D.3.4 Preventive Maintenance Plan [326 IAC 2-7-5(13)]

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

Compliance Determination Requirements

D.3.5 Sulfur Dioxide Emissions and Sulfur Content [326 IAC 2-7-5(3)(A)] [326 IAC 2-7-6] [326 IAC 2-1.1-11]

Pursuant to 326 IAC 7-2, the Permittee shall demonstrate that the sulfur dioxide emissions do not exceed two (2.0) pounds per MMBtu. Pursuant to 326 IAC 2-1.1-11, compliance shall be determined utilizing the following options:

(a) Providing vendor analysis of coal delivered, if accompanied by a certification from the fuel supplier as described under 40 CFR 60.48c(f)(3). The certification shall include:

(1) The name of the coal supplier; and

(2) The location of the coal when the sample was collected for analysis to determine the properties of the coal, specifically including whether the coal was sampled as delivered to the affected facility or whether the coal was collected from coal in storage at the mine, at a coal preparation plant, at a coal supplier's facility, or at another location. The certification shall include the name of the coal mine (and coal seam), coal storage facility, or coal preparation plant (where the sample was collected); and

(3) The results of the analysis of the coal from which the shipment came (or of the shipment itself) including the sulfur content, moisture content, ash content, and heat content; and

(4) The methods used to determine the properties of the coal; and

(b) Sampling and analyzing the coal from the permittee's coil fired boiler facility using one of the following procedures:

(1) Minimum Coal Sampling Requirements and Analysis Methods:

(A) The coal sample acquisition point shall be at a location where representative samples of the total coal flow to be combusted by the facility or facilities may be obtained. A single as-bunkered or as-burned sampling station may be used to represent the coal to be combusted by multiple facilities using the same stockpile feed system;

(B) Coal shall be sampled at least one (1) time per day;

(C) Minimum sample size shall be five hundred (500) grams;

(D) Samples shall be composited and analyzed at the end of each calendar quarter;

(E) Preparation of the coal sample, heat content analysis, and sulfur content analysis shall be determined pursuant to 326 IAC 3-7-2(c), (d), (e); or

(2) Sample and analyze the coal pursuant to 326 IAC 3-7-3; or

(c) Compliance may also be determined by conducting a stack test for sulfur dioxide emissions from the boiler, using 40 CFR 60, Appendix A, Method 6 in accordance with the procedures in 326 IAC 3-6, which is conducted with such frequency as to generate the amount of information required by (a) or (b) above. [326 IAC 7-2-1(b)]

A determination of noncompliance pursuant to any of the methods specified in (a), (b), or (c) above shall not be refuted by evidence of compliance pursuant to the other method.

D.3.6 Particulate Matter (PM)

Pursuant to OP12-11-88-0123, issued on October 30, 1985, the baghouse for PM control shall be in operation and control emissions from the one (1) Coal fired Boiler, identified as CP10A, with a stated control efficiency of at least 95%, at all times that the one (1) Coal fired Boiler, identified as CP10A, is in operation.

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

D.3.7 Visible Emissions Notations

(a) Daily visible emission notations of the CP10A stack exhaust shall be performed during normal daylight operations when exhausting to the atmosphere. A trained employee shall record whether emissions are normal or abnormal.

(b) For processes operated continuously, "normal" means those conditions prevailing, or expected to prevail, eighty percent (80%) of the time the process is in operation, not counting startup or shut down time.

(c) In the case of batch or discontinuous operations, readings shall be taken during that part of the operation that would normally be expected to cause the greatest emissions.

(d) A trained employee is an employee who has worked at the plant at least one (1) month and has been trained in the appearance and characteristics of normal visible emissions for that specific process.

(e) If abnormal emissions are observed, the Permittee shall take reasonable response steps in accordance with Section C- Response to Excursions or Exceedances. Failure to take response steps in accordance with Section C - Response to Excursions or Exceedances shall be considered a deviation from this permit.

D.3.8 Parametric Monitoring [326 IAC 2-7-6(1)] [326 IAC 2-7-5(1)]

The Permittee shall record the pressure drop across the baghouse used in conjunction with the boiler identified as CP10A, at least once weekly when the boiler identified as CP10A is in operation when venting to the atmosphere. When for any one reading, the pressure drop across the baghouse is outside the normal range of 2.0 and 6.0 inches of water or a range established during the latest stack test, the Permittee shall take reasonable response steps in accordance with Section C - Response to Excursions or Exceedances. A pressure reading that is outside the above mentioned range is not a deviation from this permit. Failure to take response steps in accordance with Section C - Response to Excursions or Exceedances, shall be considered a deviation from this permit.

The instrument used for determining the pressure shall comply with Section C - Instrument Specifications, and shall be calibrated in accordance with the manufacturer's specifications. The specifications shall be available on site with the Preventive Maintenance Plan.

D.3.9 Broken or Failed Bag Detection [326 IAC 2-7-6(1)] [326 IAC 2-7-5(1)]

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

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

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

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

D.3.10 Record Keeping Requirements

(a) To document compliance with Conditions D.3.1, D.3.3 and D.3.5, the Permittee shall maintain records in accordance with (1) through (5) below. Records maintained for (1) through (5) shall be taken monthly and shall be complete and sufficient to establish compliance with the PM and SO_2 emission limits established in Conditions D.3.1, D.3.3 and D.3.5.

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

(2) Actual coal usage since last compliance determination period; and;

(3) Sulfur content, heat content, and ash content; and;

(4) Sulfur dioxide emission rates; and;

(5) Vendor analysis of coal and coal supplier certification.

(b) To document compliance with Condition D.3.7, the Permittee shall maintain daily records of visible emission notations of the boiler stack CP10A exhaust while combusting coal. The Permittee shall include in its daily record when a visible emission notation is not taken and the reason for the lack of visible emission notation (e.g. the process did not operate that day).

(c) To document compliance with Condition D.3.8, the Permittee shall maintain weekly records of the pressure drop across the baghouse controlling the Coal fired Boiler, identified as CP10A.

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

D.3.11 Reporting Requirements

A quarterly summary of the information to document compliance with Condition D.3.1 shall be submitted to the address listed in Section C - General Reporting Requirements, of this permit, using the reporting forms located at the end of this permit, or their equivalent, within thirty (30) days after the end of the quarter being reported. The report submitted by the Permittee does not require the certification by the “responsible official” as defined by 326 IAC 2-7-1(34).

SECTION D.4 FACILITY OPERATION CONDITIONS

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

Fuel Oil combustion devices, consisting of:

(1) one (1) natural gas fired boiler, using propane, #2 or #6 fuel oil as backup fuels, rated at 61 mmBtu/hr, identified as CP1A, constructed in 1980 and exhausting to stack CP1;

(2) one (1) natural gas fired boiler, using propane, #2 or #6 fuel oil as backup fuels, rated at 61 mmBtu/hr, identified as CP1B, constructed in 1980 and exhausting to stack CP1;

(3) one (1) FCP (Line #9) natural gas burner, using propane or #2 fuel oil as backup fuels, rated at 1.1 mmBtu/hr, identified as CP4B, constructed in 1980 and exhausting to stack CP4B

(4) one (1) natural gas fired UTC/RSTC #2 (Line #8) Burner, using propane or #2 fuel oil as backup fuels, identified as CP8B, constructed in 1980, with a maximum rated heat input of 4.0 mmBtu/hour and exhausting to stack CP8B;

(5) one (1) natural gas fired UTC (Line #7) burner, using propane or #2 fuel oil as backup fuels, rated at 4.0 mmBtu/hr, identified as CP13B, constructed in 1991 and exhausting to CP13B;

(6) one (1) natural gas fired auxiliary boiler, using propane or #2 fuel oil as backup fuels, rated at 6.75 mmBtu/hr, identified as CP15, constructed in 1988 and exhausting to stack CP15;

(7) East Plant natural gas fired boiler, using propane or #2 fuel oil as backup fuels, rated at 33.5 mmBtu/hr, identified as NBP26, constructed in 1986 and exhausting to stack NBP26.

(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.4.1 Sulfur Dioxide Emissions Limitations [326 IAC 2-2]

Pursuant to 326 IAC 2-2-3(a)(3), the sulfur dioxide (SO_2) emissions from the following processes shall be limited as follows (Note: Permit Condition D.4.1 is included in the Joint Stipulation for Stay between Frito-Lay and IDEM, dated August 28, 2001):

(a) the input of No. 2 distillate fuel oil with a maximum sulfur content of 0.5% No. 2 distillate fuel oil equivalents to the combustion operations shall be limited to the following below stated throughputs in U.S. gallons per 365 day period, so that SO2 emissions are limited.

(b) For purposes of determining compliance, the following shall apply (Note: Permit Condition D.4.1 is included in the Joint stipulation for Stay between Frito-Lay and IDEM, dated August 28, 2001):

(1) every 1,000 gallons of No. 6 distillate fuel oil burned shall be equivalent to 323 gallons of No. 2 distillate fuel oil based on SO_2 emissions and a maximum sulfur content of 0.5 percent such that the total gallons of No. 2 distillate fuel oil and No. 2 distillate fuel oil equivalent input does not exceed the limit specified.

(2) every 1,000 gallons of propane burned shall be equivalent to 250 gallons of No. 2 distillate fuel oil based on SO_2 emissions and a maximum sulfur content of 0.75 percent such that the total gallons of No. 2 distillate fuel oil and No. 2 distillate fuel oil equivalent input does not exceed the limit specified.

Process	Process ID	Stack ID	No.2 Fuel Oil Equivalent Usage Limitation Per 12-Month Consecutive Period	Equivalent Emission Rate (SO_2)	Permit
Boiler	CP1A	CP1A	2,901,000 gallons #2 fuel oil	206 tpy	OP-12-11-88-0121
Boiler	CP1B	CP1B	2,901,000 gallons #2 fuel oil		OP-12-11-88-0121
Boiler	NBP26	NBP26	658,600 gallons #2 fuel	25 tpy	OP 12-11-92-0130

D.4.2 Particulate Matter (PM) [326 IAC 6-2]

Pursuant to 326 IAC 6-2 (Particulate Emission Limitations for Sources of Indirect Heating) emissions from the following processes shall be limited as follows

(a) The two (2) boilers (EU ID#CP1A and CP1B) with No. 2 fuel oil back-up, rated at 61.00 and 61.00 million British thermal units per hour, respectively, are subject to the particulate matter limitations of 326 IAC 6-2-3. Pursuant to this rule, the two (2) boilers (EU ID#CP1A and CP1B) are each limited to 0.60 lbs PM/mmBtu.

(b) The two (2) boilers (EU ID# CP15 and NBP26) with No. 2 fuel oil and propane back-up, rated at 6.75 and 33.5 million British thermal units per hour, respectively, are subject to the particulate matter limitations of 326 IAC 6-2-4. Pursuant to this rule, the two (2) boilers (EU ID# CP15 and NBP26) (constructed after September 21, 1983) are each limited to 0.27 lbs PM/mmBtu.

D.4.3 Sulfur Dioxide (SO_2) [326 IAC 7-1.1-1]

(a) Pursuant to Permit OP-12-11-88-121, issued on December 17, 1984, and 326 IAC 7-1.1 (SO_2 Emissions Limitations):

(1) The SO_2 emissions from the two (2) natural gas fired boilers, using No. 2 fuel oil as a backup fuel, each rated at 61.0 mmBtu/hr, identified as CP1A and CP1B shall not exceed five tenths (0.5) pounds per million Btu heat input for distillate oil combustion; or

(2) The SO_2 emissions from the two (2) natural gas fired boilers, using No. 6 fuel oil as a backup fuel, each rated at 61.0 mmBtu/hr, identified as CP1A and CP1B shall not exceed one and six tenths (1.6) pounds per million Btu heat input for residual oil combustion.

(3) Pursuant to PC (12) 1405, that when adverse meteorological conditions exist that could cause potential downwash, only gas or No. 2 fuel oil will be used to fire these boilers identified as CP1A and CP1B. Pursuant to PC (12) 1405, that separate records will be kept of the total amounts and sulfur content of the No. 2, as well as the No. 6 fuel oil as burned in the boilers identified as CP1A and CP1B. These records shall be maintained for a running 24-month period.

(b) Pursuant to 326 IAC 7-1.1 (SO_2 Emissions Limitations):

The SO_2 emissions from the one (1) natural gas fired auxiliary boiler, using No. 2 fuel oil as a backup fuel, rated at 6.75 mmBtu/hr, identified as CP15 shall not exceed five tenths (0.5) pounds per million Btu heat input for distillate oil combustion.

(c) Pursuant to OP12-11-92-0130, issued on March 25, 1987, and 326 IAC 7-1.1 (SO_2 Emissions Limitations):

The SO_2 emissions from the one (1) natural gas fired boiler, using No. 2 fuel oil as a backup fuel, rated at 33.5 mmBtu/hr, identified as NBP26, shall not exceed five tenths (0.5) pounds per million Btu heat input for distillate oil combustion; or

D.4.4 Nitrogen Oxide Emission Limitations [326 IAC 2-2]

Pursuant to PSD (12) 1603, issued on April 4, 1986, the one (1) boiler rated at 33.5 mmBtu/hr, identified as NBP26, shall have nitrogen oxide emissions limited to 25 tons per month, which is equivalent to 300 tons per 12 month consecutive period. (Note: Permit Condition D.4.4 is included in the Joint Stipulation for Stay between Frito-Lay and IDEM, dated August 28, 2001):

(a) the input to the combustion operations shall be limited on a 12-month period, rolled on a monthly basis, so that NOx emissions are limited to 300 tons per year. .

(b) For purposes of determining compliance, the following shall apply

(1) every 1,000 gallons of No.2 fuel oil burned shall be equivalent to 825 gallons of propane based on NOx emissions such that the total gallons of propane and propane equivalent input does not exceed the limit specified.

(2) every 1,000 MMCF of natural gas burned shall be equivalent to 167 gallons of propane based on NOx emissions such that the total gallons of propane and propane equivalent input does not exceed the limit specified.

D.4.5 Volatile Organic Compound Emission Limitations [326 IAC 2-2]

(a) Pursuant to CP023-4562-00020, issued on October 3, 1986, the ovens for East Plant Lines #7 and #8 (ID NBP 54-58 and NBP 60-64), while performing dough leavening operations, have accepted a monthly limitation on hours of operation to keep its VOC emissions less than 25 tons per year. That the operation of the ovens for Lines #7 and #8 (ID NBP 54-58 and NBP 60-64), which includes dough leavening, shall be limited to 637 hours per month which assumes a confidential production rate limit based on hours of operation. Records of operating hours for the ovens for Lines #7 and #8 (ID NBP 54-58 and NBP 60-64) shall be maintained at the facility for at least the past 5 year period and be made available upon request to the Office of Air Quality. This limited operation will keep the VOC emissions from this facility to less than 25 tons per year, and therefore 326 IAC 8-1-6 BACT requirements do not apply.

(b) Pursuant to PSD (12) 1603, issued on April 4, 1986, the boiler identified as NBP26 must use a low excess air system, as described in the February 19, 1986 Permit Application.

D.4.6 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 [326 IAC 2-7-5(3)A)] [326 IAC 2-7-6]

D.4.7 Sulfur Dioxide Emissions and Sulfur Content [326 IAC 3-7-4]

Compliance with Condition D.4.3 shall be determined utilizing one of the following options:

(a) Pursuant to 326 IAC 3-7-4, the Permittee shall demonstrate that the sulfur dioxide emissions do not exceed five-tenths (0.5) pound per million Btu heat input by:

(1) Providing vendor analysis of #2 and #6 fuel delivered, if accompanied by a certification; or

(2) Analyzing the oil sample to determine the sulfur content of the oil via the procedures in 40 CFR 60, Appendix A, Method 19.

(A) Oil samples may be collected from the fuel tank immediately after the fuel tank is filled and before any oil is combusted; and

(B) If a partially empty fuel tank is refilled, a new sample and analysis would be required upon filling; or

(b) Compliance may also be determined by conducting a stack test for sulfur dioxide emissions from the boiler using 40 CFR 60, Appendix A, Method 6 in accordance with the procedures in 326 IAC 3-6.

A determination of noncompliance pursuant to either of the methods specified in (a) or (b) above shall not be refuted by evidence of compliance pursuant to the other method.

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

D.4.8 Visible Emissions Notations

(a) Daily visible emission notations of the boilers, identified as CP1A, CP1B, CP15 and NBP26, stack exhausts shall be performed during normal daylight operations while combusting fuel oil. A trained employee shall record whether emissions are normal or abnormal.

(b) For processes operated continuously, "normal" means those conditions prevailing, or expected to prevail, eighty percent (80%) of the time the process is in operation, not counting startup or shut down time.

(c) In the case of batch or discontinuous operations, readings shall be taken during that part of the operation that would normally be expected to cause the greatest emissions.

(d) A trained employee is an employee who has worked at the plant at least one (1) month and has been trained in the appearance and characteristics of normal visible emissions for that specific process.

(e) If abnormal emissions are observed, the Permittee shall take reasonable response steps in accordance with Section C- Response to Excursions or Exceedances. Failure to take response steps in accordance with Section C - Response to Excursions or Exceedances shall be considered a deviation from this permit.

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

D.4.9 Record Keeping Requirements

(a) To document compliance with Conditions D.4.1 and D.4.3, the Permittee shall maintain records in accordance with (1) through (6) below. Records maintained for (1) through (6) shall be taken monthly and shall be complete and sufficient to establish compliance with the SO_2 emission limit established in Conditions D.4.1 and D.4.3.

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

(2) Actual No. 2 fuel oil equivalent usage since last compliance determination period and equivalent sulfur dioxide emissions;

(3) A certification, signed by the owner or operator, that the records of the fuel supplier certifications represent all of the fuel combusted during the period, the natural gas fired boiler certification does not require the certification by the "responsible official" as defined by 326 IAC 2-7-1(34); and

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

(4) Fuel supplier certifications;

(5) The name of the fuel supplier; and

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

(b) To document compliance with Conditions D.4.4(b), the Permittee shall maintain records in accordance with (1) below. Records maintained for (1) shall be taken monthly and shall be complete and sufficient to establish compliance with the NOx emission limit established in Conditions D.4.4(a).

(1) Actual #2 fuel oil equivalent usage since last compliance determination period and equivalent nitrogen oxide emissions;

(c) To document compliance with Condition D.4.8(a), the Permittee shall maintain daily records of visible emission notations of the CP1A, CP1B, CP15 and NBP26 stack exhaust while combusting fuel oil. The Permittee shall include in its record when a visible emission notation is not taken and the reason for the lack of visible emission notation (e.g. the process did not operate that day).

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

D.4.10 Reporting Requirements

(a) A quarterly summary of the information to document compliance with Conditions D.4.1(a), D.4.4(a), and D.4.4(b) shall be submitted to the address listed in Section C - General Reporting Requirements, of this permit, using the reporting forms located at the end of this permit, or their equivalent, within thirty (30) days after the end of the quarter being reported. The report submitted by the Permittee does not require the certification by the "responsible official" as defined by 326 IAC 2-7-1(34).

(b) The Permittee shall certify, on the form provided, that natural gas was fired in the combustion units at all times during each quarter. Alternatively, the Permittee shall report the number of days during which an alternate fuel was burned during each quarter.

INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
OFFICE OF AIR QUALITY
PART 70 OPERATING PERMIT
CERTIFICATION

Source Name: Frito-Lay, Inc
Source Address: 323 S. County Road 300 W., Frankfort, IN 46041
Mailing Address: 323 S. County Road 300 W., Frankfort, IN 46041
Part 70 Permit No.: T023-7721-00020

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
MC 61-53 IGCN 1003
Indianapolis, Indiana 46204-2251
Phone: 317-233-0178
Fax: 317-233-6865

PART 70 OPERATING PERMIT
EMERGENCY OCCURRENCE REPORT

Source Name:	Frito-Lay, Inc
Source Address:	323 S. County Road 300 W., Frankfort, IN 46041
Mailing Address:	323 S. County Road 300 W., Frankfort, IN 46041
Part 70 Permit No.:	T023-7721-00020

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
SEMI-ANNUAL NATURAL GAS FIRED BOILER CERTIFICATION

Source Name: Frito-Lay, Inc
Source Address: 323 S. County Road 300 W., Frankfort, IN 46041
Mailing Address: 323 S. County Road 300 W., Frankfort, IN 46041
Part 70 Permit No.: T023-7721-00020

YEAR:_____
FROM:_____ TO:_____

_____Check if the facility only operated on Natural Gas for the entire period.

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

Complete the following table if Fuel Oil was used as a back-up.

Boiler	Fuel Oil	Days Burned From - To	% Sulfur (from Analysis)	Heating Value (lb/mmBtu) (from Analysis)
CP1A	#2			
CP1A	#6			
CP1B	#2			
CP1B	#6			
CP8B	#2			
CP13B	#2			
CP15	#2			
NBP26	#2			

REFER TO ATTACHED SPREADSHEET FOR 12-MONTH ROLLING SO_2 TON PER YEAR EMISSION SUMMARY.

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

Signature:

Printed Name:

Title/Position:

Date:

Attach a signed certification to complete this report.

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

Part 70 Quarterly Report

Source Name: Frito-Lay, Incorporated
Source Address: 323 S. County Road 300 W., Frankfort, IN 46041
Mailing Address: 323 S. County Road 300 W., Frankfort, IN 46041
Part 70 Permit No.: T023-7721-00020
Facility: Boiler CP10A
Parameter: Fuel Usage
Limit: Pursuant to 326 IAC 2-2-3(a)(3), the sulfur dioxide (SO_2) emissions from the following processes shall be limited as follows:

Process	Process ID	Stack ID	Fuel Usage Limitation Per 12-Month Consecutive Period
Boiler	CP10A	CP10A	21,652,000 pounds of coal

YEAR:_____

Month	Column 1	Column 2	Column 1 + Column 2
	Coal Usage This Month	Coal Usage Previous 11 Months	Coal Usage 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 Quarterly Report

Source Name: Frito-Lay, Incorporated
Source Address: 323 S. County Road 300 W., Frankfort, IN 46041
Mailing Address: 323 S. County Road 300 W., Frankfort, IN 46041
Part 70 Permit No.: T023-7721-00020
Facility: Boiler CP28
Parameter: Fuel Usage

Limit: Pursuant to 326 IAC 2-2-3(a)(3), the sulfur dioxide (SO_2) emissions from the following processes shall be limited as follows:

(a) the input of No. 2 distillate fuel oil with a maximum sulfur content of 0.5% No. 2 distillate fuel oil equivalents to the combustion operations shall be limited to the following below stated throughputs in U.S. gallons per 365 day period, rolled on a daily basis, so that SO_2 emissions are limited. During the first 365 days of operation under this permit, the input of No. 2 distillate fuel oil and No. 2 distillate fuel oil equivalents shall be limited such that the total gallons divided by the accumulated days of operation shall not exceed the below stated throughputs in U.S. gallons per day.

(b) For purposes of determining compliance, the following shall apply:

(1) every 1,000 gallons of No. 6 distillate fuel oil burned shall be equivalent to 323 gallons of No. 2 distillate fuel oil based on SO_2 emissions and a maximum sulfur content of 0.5 percent such that the total gallons of No. 2 distillate fuel oil and No. 2 distillate fuel oil equivalent input does not exceed the limit specified.

(2) every 1,000 gallons of propane burned shall be equivalent to 250 gallons of No. 2 distillate fuel oil based on SO_2 emissions and a maximum sulfur content of 0.75 percent such that the total gallons of No. 2 distillate fuel oil and No. 2 distillate fuel oil equivalent input does not exceed the limit specified.

Process	Process ID	Stack ID	No.2 Fuel Oil Equivalent Usage Limitation Per 12-Month Consecutive Period
Boiler	CP28	CP28	1,112,400 gallons #2 fuel oil

YEAR:_____

Month	Column 1	Column 3	Column 1 + Column 3
	No. 2 Fuel Oil Equivalent Usage This Month	No. 2 Fuel Oil Equivalent Usage Previous 11 Months	No. 2 Fuel Oil Equivalent Usage 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 Quarterly Report

Source Name: Frito-Lay, Incorporated
Source Address: 323 S. County Road 300 W., Frankfort, IN 46041
Mailing Address: 323 S. County Road 300 W., Frankfort, IN 46041
Part 70 Permit No.: T023-7721-00020
Facility: Boiler CP1A
Parameter: Fuel Usage

Limit: Pursuant to 326 IAC 2-2-3(a)(3), the sulfur dioxide (SO_2) emissions from the following processes shall be limited as follows:

(a) the input of No. 2 distillate fuel oil with a maximum sulfur content of 0.5% No. 2 distillate fuel oil equivalents to the combustion operations shall be limited to the following below stated throughputs in U.S. gallons per 365 day period, rolled on a daily basis, so that SO_2 emissions are limited. During the first 365 days of operation under this permit, the input of No. 2 distillate fuel oil and No. 2 distillate fuel oil equivalents shall be limited such that the total gallons divided by the accumulated days of operation shall not exceed the below stated throughputs in U.S. gallons per day.

(b) For purposes of determining compliance, the following shall apply:

(1) every 1,000 gallons of No. 6 distillate fuel oil burned shall be equivalent to 323 gallons of No. 2 distillate fuel oil based on SO_2 emissions and a maximum sulfur content of 0.5 percent such that the total gallons of No. 2 distillate fuel oil and No. 2 distillate fuel oil equivalent input does not exceed the limit specified.

(2) every 1,000 gallons of propane burned shall be equivalent to 250 gallons of No. 2 distillate fuel oil based on SO_2 emissions and a maximum sulfur content of 0.75 percent such that the total gallons of No. 2 distillate fuel oil and No. 2 distillate fuel oil equivalent input does not exceed the limit specified.

Process	Process ID	Stack ID	No.2 Fuel Oil Equivalent Usage Limitation Per 12-Month Consecutive Period
Boiler	CP1A	CP1A	2,901,000 gallons #2 fuel oil

YEAR:_____

Month	Column 1	Column 3	Column 1 + Column 3
	No. 2 Fuel Oil Equivalent Usage This Month	No. 2 Fuel Oil Equivalent Usage Previous 11 Months	No. 2 Fuel Oil Equivalent Usage 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 Quarterly Report

Source Name: Frito-Lay, Incorporated
Source Address: 323 S. County Road 300 W., Frankfort, IN 46041
Mailing Address: 323 S. County Road 300 W., Frankfort, IN 46041
Part 70 Permit No.: T023-7721-00020
Facility: Boiler CP1B
Parameter: Fuel Usage

Limit: Pursuant to 326 IAC 2-2-3(a)(3), the sulfur dioxide (SO_2) emissions from the following processes shall be limited as follows:

(a) the input of No. 2 distillate fuel oil with a maximum sulfur content of 0.5% No. 2 distillate fuel oil equivalents to the combustion operations shall be limited to the following below stated throughputs in U.S. gallons per 365 day period, rolled on a daily basis, so that SO_2 emissions are limited. During the first 365 days of operation under this permit, the input of No. 2 distillate fuel oil and No. 2 distillate fuel oil equivalents shall be limited such that the total gallons divided by the accumulated days of operation shall not exceed the below stated throughputs in U.S. gallons per day.

(b) For purposes of determining compliance, the following shall apply:

(1) every 1,000 gallons of No. 6 distillate fuel oil burned shall be equivalent to 323 gallons of No. 2 distillate fuel oil based on SO_2 emissions and a maximum sulfur content of 0.5 percent such that the total gallons of No. 2 distillate fuel oil and No. 2 distillate fuel oil equivalent input does not exceed the limit specified.

(2) every 1,000 gallons of propane burned shall be equivalent to 250 gallons of No. 2 distillate fuel oil based on SO_2 emissions and a maximum sulfur content of 0.75 percent such that the total gallons of No. 2 distillate fuel oil and No. 2 distillate fuel oil equivalent input does not exceed the limit specified.

Process	Process ID	Stack ID	No.2 Fuel Oil Equivalent Usage Limitation Per 12-Month Consecutive Period
Boiler	CP1B	CP1B	2,901,000 gallons #2 fuel oil

YEAR:_____

Month	Column 1	Column 3	Column 1 + Column 3
	No. 2 Fuel Oil Equivalent Usage This Month	No. 2 Fuel Oil Equivalent Usage Previous 11 Months	No. 2 Fuel Oil Equivalent Usage 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 Quarterly Report

Source Name: Frito-Lay, Incorporated
Source Address: 323 S. County Road 300 W., Frankfort, IN 46041
Mailing Address: 323 S. County Road 300 W., Frankfort, IN 46041
Part 70 Permit No.: T023-7721-00020
Facility: Boiler NBP 26
Parameter: Fuel Usage

Limit: Pursuant to 326 IAC 2-2-3(a)(3), the sulfur dioxide (SO_2) emissions from the following processes shall be limited as follows:

(a) the input of No. 2 distillate fuel oil with a maximum sulfur content of 0.5% No. 2 distillate fuel oil equivalents to the combustion operations shall be limited to the following below stated throughputs in U.S. gallons per 365 day period, rolled on a daily basis, so that SO_2 emissions are limited. During the first 365 days of operation under this permit, the input of No. 2 distillate fuel oil and No. 2 distillate fuel oil equivalents shall be limited such that the total gallons divided by the accumulated days of operation shall not exceed the below stated throughputs in U.S. gallons per day.

(b) For purposes of determining compliance, the following shall apply:

(1) every 1,000 gallons of No. 6 distillate fuel oil burned shall be equivalent to 323 gallons of No. 2 distillate fuel oil based on SO_2 emissions and a maximum sulfur content of 0.5 percent such that the total gallons of No. 2 distillate fuel oil and No. 2 distillate fuel oil equivalent input does not exceed the limit specified.

(2) every 1,000 gallons of propane burned shall be equivalent to 250 gallons of No. 2 distillate fuel oil based on SO_2 emissions and a maximum sulfur content of 0.75 percent such that the total gallons of No. 2 distillate fuel oil and No. 2 distillate fuel oil equivalent input does not exceed the limit specified.

Process	Process ID	Stack ID	No.2 Fuel Oil Equivalent Usage Limitation Per 12-Month Consecutive Period
Boiler	NBP26	NBP26	658,600 gallons #2 fuel
Boiler	NBP26	NBP26	2,630,100 gallons propane

YEAR:_____

Month	Column 1	Column 3	Column 1 + Column 3
	No. 2 Fuel Oil Equivalent Usage This Month	No. 2 Fuel Oil Equivalent Usage Previous 11 Months	No. 2 Fuel Oil Equivalent Usage 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 Semi-Annual Report

Source Name: Frito-Lay, Incorporated
Source Address: 323 S. County Road 300 W., Frankfort, IN 46041
Mailing Address: 323 S. County Road 300 W., Frankfort, IN 46041
Part 70 Permit No.: T023-7721-00020
Facility: Line #7 Ovens and Line #8 Ovens
Parameter: Dough Leavening Operation Hourly Usage Limited to 637 hours/month

Process	Process ID	Stack ID
Line #7 Ovens	NBP-54 to 58	NBP-54 to 58
Line #8 Ovens	NBP-60 to 64	NBP-60 to 64

YEAR: _____
FROM:_____ TO:_____

Month	Hours of Dough Leavening Operation		
	Line #7 Ovens NBP-54 to 58 (Hrs)	Line #8 Ovens NBP-60 to 64 (Hrs)	Total of Lines #7 and #8 (Hrs)
Month 1			
Month 2			
Month 3			
Month 4			
Month 5			
Month 6			

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: Frito-Lay, Inc
Source Address: 323 S. County Road 300 W., Frankfort, IN 46041
Mailing Address: 323 S. County Road 300 W., Frankfort, IN 46041
Part 70 Permit No.: T023-7721-00020

Months: ____ to _____ Year: _____

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

☐ 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
Office of Air Quality

Addendum to the
Technical Support Document for a Part 70 Operating Permit Renewal

Source Name:	Frito-Lay Inc.
Source Location:	323 South CR 300 West, Frankfort IN 46041
County:	Clinton
SIC Code:	2096
Significant Source Modification No.:	023-24026-00020
Significant Permit Modification No.:	023-24265-00020
Permit Reviewer:	Julia Handley/EVP

On April 26, 2007, the Office of Air Quality (OAQ) had a notice published in the Times, Frankfort, Indiana, stating that Frito-Lay Inc. had applied for a Significant Source Modification and Significant Permit Modification to their Part 70 Operating Permit to construct and operate a new chip production line at their stationary snackfood manufacturing plant. The notice also stated that OAQ proposed to issue a permit for this operation and provided information on how the public could review the proposed permit and other documentation. Finally, the notice informed interested parties that there was a period of thirty (30) days to provide comments on whether or not this permit should be issued as proposed.

On May 15, 2007, Frito-Lay Inc. submitted comments on the proposed permit. The summary of the comments and corresponding responses is as follows (additions in bold, deletions in ~~strikeout~~):

Comment 1:

Conditions C.18(c), General Recordkeeping and C.19(f) and (g), General Reporting Requirements. These new conditions appear to be intended to incorporate new provisions of the Prevention of Significant Deterioration (PSD) rules as they may relate to projects which rely on an Actual to Projected Actual (ATPA) or Plant-wide Applicability Limit (PAL) provision of the PSD rules. We request that these new provisions either be eliminated from this modification or amended to merely reference the requirements of the PSD rules. We do not believe that the proposed language is consistent with the requirements found in the PSD rules.

Response 1:

IDEM, OAQ agrees that Condition C.18 - General Record Keeping Requirements should be revised to accurately reflect with the requirements found in the PSD rules. No changes will be made to Condition C.19. Condition C.18 has been revised as shown below.

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]

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(c) If there is a "project" (as defined in 326 IAC 2-2-1 (qq)) at an existing emissions unit**, other than projects** ~~or~~ at a source with Plant-wide Applicability Limitation (PAL), which is not part of a "major modification" (as defined in 326 IAC 2-2-1 (ee)) and the Permittee elects to utilize the "projected actual emissions" (as defined in 326 IAC 2-2-1 (rr) and/or IAC 2-3-1 (mm)), the Permittee shall comply with following:

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Change 2:

Condition D.2.3 Particulate. This is a new condition that adds new emission limitations to storage silos NBP-9c, NBP-9D, NBP-9E and NBP-22B. These are all existing emission units that are not being modified as part of this modification, and we believe it is inappropriate to add new requirements for these existing sources. The minor source modification issued approving the construction of these emission units concluded that the modification should be issued as a minor source modification because the controlled Potential to Emit was less than 25 tons/year. We believe that this remains a correct conclusion. If this determination warrants re-consideration, this should be addressed in the Title V renewal process. Frito-Lay requests that condition D.2.3 be removed from this permit modification.

Response 2:

Pursuant to 326 IAC 2-7-10.5(d)(4)(C) silos NBP-9C, NBP-9D NBP-9E, and NBP-22B, were authorized for construction under Minor Source Modification No. 023-16054-00020, issued November 25, 2002. Condition D.2.2 was added to the permit as part of Significant Permit Modification No. 023-16204-00020, issued on February 4, 2003. This condition required that silos NBP-9C, NBP-9D NBP-9E, and NBP-22B comply with the no visible emissions standard requirements for minor source modifications for which the potential to emit of a regulated pollutant is limited to less than twenty-five (25) tons per year pursuant to 326 IAC 2-7-10.5(d)(4)(C). IDEM, OAQ agrees that the units in question are subject to the requirements of 326 IAC 2-7-10.5(d)(4)(c). And for this reason, the permit condition D.2.2 (renumbered D.2.3) was revised to more accurately reflect the requirements of 326 IAC 2-7-10.5(d)(4)(c). No changes have been made to this condition as a result of this comment.

Comment 3:

Condition D.3.8 Parametric Monitoring, and Condition D.3.10(c), Recordkeeping Requirements. These conditions required pressure drop readings for the baghouse controlling the coal fired boiler. This emission unit was not addressed by the requested modification. The permit condition has been modified to require that pressure drop readings be taken once per day, rather than once per week as required by the current Title V permit. Frito-Lay had considerable discussions with IDEM when the Title V permit was issued regarding the appropriate monitoring frequency for this unit and it was determined that readings once per week were adequate. We would further note that Condition B.15(d), required IDEM to provide a specific notice of intent to reopen and revise a permit if it has determined that the permit should be modified. We are unaware that any such notice has been issued by IDEM. We request that these permit conditions not be modified and that the requirement for weekly readings be maintained in the permit.

Response 3:

IDEM, OAQ agrees that the pressure drop readings should be taken once per week rather than once per day. In addition, the record keeping requirements associated with the baghouse parametric monitoring have been clarified. Conditions D.3.8 and D.3.10 has been revised as shown below.

D.3.8 Parametric Monitoring [326 IAC 2-7-6(1)] [326 IAC 2-7-5(1)]

The Permittee shall record the pressure drop across the baghouse used in conjunction with the boiler identified as CP10A, at least once ~~per day~~ **weekly** when the boiler identified as CP10A is in operation when venting to the atmosphere. When for any one reading, the pressure drop across the baghouse is outside the normal range of 2.0 and 6.0 inches of water or a range established during the latest stack test, the Permittee shall take reasonable response steps in accordance with Section C - Response to Excursions or Exceedances. A pressure reading that is outside the above mentioned range is not a deviation from this permit. Failure to take response steps in accordance with Section C - Response to Excursions or Exceedances, shall be considered a deviation from this permit.

The instrument used for determining the pressure shall comply with Section C - Instrument Specifications, and shall be calibrated in accordance with the manufacturer's specifications. The specifications shall be available on site with the Preventive Maintenance Plan.

D.3.10 Record Keeping Requirements

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(c) To document compliance with Condition D.3.8, the Permittee shall maintain ~~daily~~ **weekly** records of the pressure drop **across the baghouse controlling the Coal fired Boiler, identified as CP10A.**

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Upon further review IDEM, OAQ has made the following changes to the Part 70 permit (additions in bold, deletions in ~~strikeout~~):

Revision 1:

All occurrences of IDEM's mailing addresses have been updated in the permit. All addresses have been revised to include a mail code (MC) as follows:

Asbestos Section:	**MC 61-52 IGCN 1003**
Compliance Branch:	**MC 61-53 IGCN 1003**
Permits Branch:	**MC 61-53 IGCN 1003**
Technical Support and Modeling Section:	**MC 61-50 IGCN 1003**

Revision 2:

Conditions D.3.10 and D.4.9 has been revised to clarify the record keeping requirements associated with daily visible emission notations.

D.4.9 Record Keeping Requirements

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(c) To document compliance with Condition D.4.8(a), the Permittee shall maintain **daily** records of visible emission notations of the CP1A, CP1B, CP15 and NBP26 stack exhaust while combusting fuel oil. **The Permittee shall include in its record when a visible emission notation is not taken and the reason for the lack of visible emission notation (e.g. the process did not operate that day).**

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D.3.10 Record Keeping Requirements

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(b) To document compliance with Condition D.3.7, the Permittee shall maintain **daily** records of visible emission notations of the boiler stack CP10A exhaust while combusting coal. **The Permittee shall include in its record when a visible emission notation is not taken and the reason for the lack of visible emission notation (e.g. the process did not operate that day).**

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Indiana Department of Environmental Management
Office of Air Quality

Technical Support Document (TSD) for a
Part 70 Significant Source Modification (SSM)
and
Part 70 Significant Permit Modification (SPM)

Source Description and Location

Source Name:	Frito-Lay Inc.
Source Location:	323 South CR 300 West, Frankfort IN 46041
County:	Clinton
SIC Code:	2096
Operation Permit No.:	T023-7721-00020
Operation Permit Issuance Date:	April 12, 2001
Significant Source Modification No.:	023-24026-00020
Significant Permit Modification No.:	023-24265-00020
Permit Reviewer:	Julia Handley/EVP

Existing Approvals

Frito-Lay, Inc. has been operating under the following previous approvals:

(a) Part 70 Operating Permit 023-7721-00020, issued on April 12, 2001;

(b) First Administrative Amendment 023-14229-00020, issued on May 31, 2001;

(c) Second Administrative Amendment 023-16101-00020, issued on September 12, 2002;

(d) First Minor Source Modification 023-16054-00020, issued on November 15, 2002;

(e) First Significant Permit Modification 023-16204-00020, issued on February 4, 2003; and

(f) Third Administrative Amendment 023-20251-00020, issued on July 20, 2005.

An application for the renewal of Part 70 Operating Permit for this source was submitted on July 11, 2005.

County Attainment Status

The source is located in Clinton County.

Pollutant	Status
PM10	attainment
PM2.5	attainment
SO_2	attainment
NO_2	attainment
8-hour Ozone	attainment
CO	attainment
Lead	attainment

(a) Volatile organic compounds (VOC) and nitrogen oxides (NOx) are regulated under the Clean Air Act (CAA) for the purposes of attaining and maintaining the National Ambient Air Quality Standards (NAAQS) for ozone. Therefore, VOC and NOx emissions are considered when evaluating the rule applicability relating to ozone. Clinton County has been designated as attainment or unclassifiable for ozone. Therefore, VOC and NOx emissions were reviewed pursuant to the requirements for Prevention of Significant Deterioration (PSD), 326 IAC 2-2.

(b) On October 25, 2006, the Indiana Air Pollution Control Board finalized a rule revision to 326 IAC 1-4-1 redesignating Delaware, Greene, Jackson, Vanderburgh, Vigo and Warrick Counties to attainment for the eight-hour ozone standard, redesignating Lake County to attainment for the sulfur dioxide standard, and revoking the one-hour ozone standard in Indiana.

(c) Clinton County has been classified as attainment for PM2.5. U.S. EPA has not yet established the requirements for Prevention of Significant Deterioration (PSD), 326 IAC 2-2 for PM2.5 emissions. Therefore, until the U.S. EPA adopts specific provisions for PSD review for PM2.5 emissions, it has directed states to regulate PM10 emissions as a surrogate for PM2.5 emissions.

(d) Clinton County has been classified as attainment or unclassifiable for criteria pollutants. Therefore, these emissions were reviewed pursuant to the requirements for Prevention of Significant Deterioration (PSD), 326 IAC 2-2.

(e) Fugitive Emissions
Since this type of operation is not one of the twenty-eight (28) listed source categories under 326 IAC 2-2 or 326 IAC 2-3, fugitive emissions are not counted toward the determination of PSD and Emission Offset applicability.

Source Status

The table below summarizes the potential to emit of the entire source, prior to the proposed modification, after consideration of all enforceable limits established in the effective permits:

Pollutant	Emissions (tons/year)
PM	193.62
PM10	193.4
SO_2	511.93
VOC	35.62
CO	98.10
NO_x	413.16

This existing source is a major stationary source, under PSD (326 IAC 2-2), because NO_x and SO_2 are emitted at a rate of 250 tons per year or more, and it is not one of the twenty-eight (28) listed source categories, as specified in 326 IAC 2-2-1(gg)(1).

The table below summarizes the potential to emit HAPs for the entire source, prior to the proposed modification, after consideration of all enforceable limits established in the effective permits:

HAPs	Potential To Emit (tons/year)
Single HAP	less than 10
TOTAL HAP	less than 25

This existing source is not a major source of HAPs, as defined in 40 CFR 63.41, because HAPs emissions are less than ten (10) tons per year for any single HAP and less than twenty-five (25) tons per year of a combination of HAPs. Therefore, this source is an area source under Section 112 of the Clean Air Act (CAA).

Actual Emissions

The following table shows the actual emissions from the source. This information reflects the 2002 OAQ emission data.

Pollutant	Actual Emissions (tons/year)
PM	8.0
PM10	8.0
SO_2	246.0
VOC	1.0
CO	52.0
NO_x	105.0
HAP (Lead)	0.11

Description of Proposed Modification

The Office of Air Quality (OAQ) has reviewed a modification application, submitted by Frito-Lay, Inc. on December 1, 2006, relating to the construction of a new chip production line. The following is a list of the proposed emission units and pollution control devices:

(a) Two (2) raw material storage silos, identified as NBP70A and NBP70B, each with a maximum throughput of material of 4,000 lbs/hour, each equipped with a bin vent filter for particulate control, and exhausting to stacks NBP70A and NBP70B, respectively;

(b) One (1) natural gas fired primary oven, identified as NBP68, with a rated capacity of 27.5 MMBtu/hr, using propane as a backup fuel, exhausting to stack NBP68; and

(c) One (1) natural gas fired final dryer, identified as unit NBP69, with a rated capacity of 4.4 MMBtu/hr, using propane as a backup fuel, exhausting to stack NBP69.

"Integral Part of the Process" Determination

The Permittee has submitted the following information to justify why the bin vent filters associated with proposed raw material storage silos NBP70A and NBP70B should be considered an integral part of the storage process:

The primary purpose of the filters is product recovery and the use of the filters results in an overwhelming positive net economic effect. Due to the use of the filters, 95% of the final product produced in the production line is made up of recovered raw product. The cost savings associated with the product recovery far outweighs of the cost of installation, operation and maintenance of the filters. Based on the submitted cost analysis, the filters would be installed even if no air regulations were in place.

IDEM, OAQ has evaluated the information submitted and agrees that the bin vent filters should be considered an integral part of storage silos NBP70 A and NBP70B. Therefore, the permitting level will be determined using the potential to emit after the filters. Operating conditions in the proposed permit will specify that this bin vent filters shall operate at all times when the storage process is in operation.

Enforcement Issues

There are no pending enforcement actions related to this modification.

Stack Summary

Stack ID	Operation	Height (feet)	Diameter (feet)	Flow Rate (acfm)	Temperature (^{0}F)
NBP70A	Storage	N/A	N/A	1000	ambient
NBP70B	Storage	N/A	N/A	1000	ambient
NBP68	Primary Oven	N/A	N/A	N/A	N/A
NBP69	Final Dryer	N/A	N/A	N/A	N/A

Emission Calculations

See Appendix A of this document for detailed emission calculations.

Permit Level Determination – Part 70

Pursuant to 326 IAC 2-1.1-1(16), Potential to Emit is defined as "the maximum capacity of a stationary source or emission unit to emit any air pollutant under its physical and operational design. Any physical or operational limitation on the capacity of a source to emit an air pollutant, including air pollution control equipment and restrictions on hours of operation or type or amount of material combusted, stored, or processed shall be treated as part of its design if the limitation is enforceable by the U. S. EPA, IDEM, or the appropriate local air pollution control agency."

The following table is used to determine the appropriate permit level under 326 IAC 2-7-10.5. This table reflects the PTE before controls. Control equipment is not considered federally enforceable until it has been required in a federally enforceable permit.

Pollutant	Potential To Emit (tons/year)
PM	2.00
PM10	2.19
SO_2	0.08
VOC	0.76
CO	51.98
NO_x	28.13

HAPs	Potential To Emit (tons/year)
Hexane	Less than 10
TOTAL	Less than 25

This source modification is subject to 326 IAC 2-7-10.5(f)(4) because the potential to emit of NO_x is greater than 25 tons per year. Additionally, the modification will be incorporated into the Part 70 Operating Permit through a significant permit modification issued pursuant to 326 IAC 2-7-12(d) because new compliance monitoring conditions are required to be added to the existing title V permit.

Permit Level Determination – PSD

The table below summarizes the potential to emit, reflecting all limits, of the emission units. Any control equipment is considered federally enforceable only after issuance of this Part 70 significant source modification and significant permit modification, and only to the extent that the effect of the control equipment is made practically enforceable in the permit.

	Potential to Emit (tons/year)						
Process/Emission Unit	**PM**	**PM10**	**SO_2**	**VOC**	**CO**	**NO_X**	**HAPs**
Primary Oven NBP68	0.79	0.92	0.07	0.66	44.81	25.01	0.23
Final Dryer NBP69	0.08	0.15	0.01	0.11	7.17	3.12	0.04
Storage Silos NBP70A and NBP70B	24.03*	13.83*	-	-	-	-	-
Total for Modification	24.90	14.90	0.08	0.76	51.98	28.13	0.26
PSD Significant Level	25.00	15.00	40.00	40.00	100.00	40.00	N/A

***** Maximum allowable PM and PM10 emissions for 326 IAC 2-2 (PSD) avoidance.

This modification to an existing major stationary source is not a major modification because the emissions increase is less than the PSD significant levels. Therefore, pursuant to 326 IAC 2-2, the PSD requirements do not apply.

Federal Rule Applicability Determination

The following federal rules are applicable to the source due to this modification:

(a) There are no New Source Performance Standards (NSPS)(326 IAC 12 and 40 CFR Part 60) applicable to this proposed modification.

(b) There are no National Emission Standards for Hazardous Air Pollutants (NESHAPs) (326 IAC 14, 326 IAC 20 and 40 CFR Part 63) applicable to this proposed modification.

(c) Pursuant to 40 CFR 64.2, Compliance Assurance Monitoring (CAM) is applicable to new or modified emission units that involve a pollutant-specific emission unit and meet the following criteria:

(1) has a potential to emit before controls equal to or greater than the major source threshold for the pollutant involved;

(2) is subject to an emission limitation or standard for that pollutant; and

(3) uses a control device, as defined in 40 CFR 64.1, to comply with that emission limitation or standard.

The proposed primary oven NBP68 and final dryer NBP69 are each uncontrolled. The storage silos NBP70A and NBP70B are subject to an emission limitation for PM pursuant to 326 IAC 6-3-2. However, the bin vent filters associated with these units are considered integral to the process and do not qualify as control devices under 40 CFR 64.1. Therefore, the requirements of 40 CFR Part 64, CAM are not applicable to any of the new units proposed as part of this modification.

State Rule Applicability Determination

The following state rules are applicable to the source due to the modification:

326 IAC 2-2 and 2-3 (PSD)

The potential to emit before bin vent filter control of each of the two proposed storage silos, NBP70A and NBP70B, is greater than the PSD minor threshold of 25 tpy PM and 15 tpy PM10. The source will limit emissions from the silos to less than 24.03 tons PM per year and less than 13.83 tons PM10 per year via the use of the bin vent filters. PM emissions from storage silos NBP70A and NBP70B shall not exceed 5.48 pounds per hour. PM10 emissions from storage silos NBP70A and NBP70B shall not exceed 3.15 pounds per hour. This will limit total emissions from this modification to less than 25 tons PM per year and less than 15 tons PM10 per year. Therefore, the requirements of 326 IAC 2-2 (PSD) are not applicable to NBP70A or NBP70B.

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

The operation of this snackfood production plant will emit less than ten (10) tons per year for a single HAP and less than twenty-five (25) tons per year for a combination of HAPs. Therefore, 326 IAC 2-4.1 does not apply.

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

Pursuant to 326 IAC 6-3-2 (Particulate Emission Limitations for Manufacturing Processes), the allowable particulate emission rate from each of the storage silos NBP70A and NBP70B shall not exceed 6.5 pounds per hour when operating at a process weight rate of 4,000 pounds per hour.

The pounds per hour limitations were calculated with the following equation:

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

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

The bin vent filters shall be in operation at all times the storage silos are in operation, in order to comply with this limit.

326 IAC 7-1.1 (Sulfur Dioxide Emission Limitations)

The requirements of 326 IAC 7-1.1 are not applicable to the proposed primary oven NBP68 and final dryer NBP69, since each has potential emissions less than 25 tons per year. Therefore, the requirements of this rule have not been included in this modification.

Compliance Determination and Monitoring Requirements

Permits issued under 326 IAC 2-7 are required to ensure that sources can demonstrate compliance with all applicable state and federal rules on a continuous basis. All state and federal rules contain compliance provisions, however, these provisions do not always fulfill the requirement for a continuous demonstration. When this occurs IDEM, OAQ, in conjunction with the source, must develop specific conditions to satisfy 326 IAC 2-7-5. As a result, Compliance Determination Requirements are included in the permit. The Compliance Determination Requirements in Section D of the permit are those conditions that are found directly within state and federal rules and the violation of which serves as grounds for enforcement action.

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

There are no compliance determination requirements or compliance monitoring requirements applicable to this modification.

Proposed Changes

The changes listed below have been made to Part 70 Operating Permit No. 023-7721-00020. Deleted language appears as ~~strikethroughs~~ and new language appears in **bold**:

(1) The Table of Contents was revised according to the proposed changes.

(2) Subsequent conditions were renumbered if conditions were either added or deleted.

(3) The IDEM, OAQ contact information (address, phone number and fax number) referenced throughout the permit was updated as follows without replication herein:

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

Telephone Number: 1-800-451-6027 (ask for Office of Air Quality,
Compliance Section), or
Telephone Number: ~~317-233-5674~~ **317-233-0178** (ask for Compliance Section)
Facsimile Number: ~~317-233-5967~~ **317-233-6865**

(4) Upon further review, IDEM has determined that it is no longer necessary to identify the Responsible Official (R.O.) and Authorized Individual (A.I.) in permits. Therefore, condition A.1 has been revised.

(5) The emission units listed in condition A.2 have been revised to incorporate the equipment proposed as part of this modification.

(6) Condition B.2 - Permit Term has been revised for clarity.

(7) Condition B.3 - Terms of Conditions has been added.

(8) In an IDEM Nonrule Policy Document, a table is given as an example for how sources can submit annual compliance certifications. B.10 Annual Compliance Certification was revised to remove “in letter form” so that it does not contradict the guidance. The annual compliance condition (renumbered B.10) has been revised.

(9) Condition B.11 (renumbered B.10) - Preventive Maintenance Plan and Condition B.12 (renumbered B.11) - Emergency Provision have been revised because IDEM has determined that the Permittee is not required to keep records of all preventive maintenance. However, where the Permittee seeks to demonstrate that an emergency has occurred, the Permittee must provide, upon request, records of preventive maintenance in order to establish that the lack of proper maintenance did not cause or contribute to the deviation.

(10) Condition B.13 - Prior Permits Superseded has been added.

(11) Condition B.17 - Permit Renewal has been updated for clarity.

(12) For clarification purposes, Condition B.20 - Operational Flexibility was revised.

(13) Condition B.22 – Inspection and Entry was revised to clearly reference applicable regulations.

(14) Condition B.24 - Annual Fee Payment has been updated to reflect the correct name of the section.

(15) Condition B.25 - Credible Evidence has been added.

(16) Condition C.1 - Particulate Matter Emission Limitations For Processes with Process Weight Rates, has been revised to reflect the current rule.

(17) Condition C.6 - Operation of Equipment has been deleted because this condition is a duplicate of section D conditions with the same requirement.

(18) Condition C.13 – Pressure Gauge and Other Instrument Specifications was renamed Instrument Specifications and has been revised to clarify the requirements of this condition. IDEM realizes that these specifications can only be practically applied to analog units, and has therefore clarified the condition to state that the condition only applies to analog units. Upon further review, IDEM has also determined that the accuracy of the instruments is not nearly as important as whether the instrument has a range that is appropriate for the normal expected reading of the parameter. Therefore, the accuracy requirements have been removed from the condition. The Section D conditions that refer to this condition have been revised to reflect the new condition title.

(19) Condition C.11 - Compliance Response Plan has been replaced with C.15 - Response to Excursions or Exceedances. IDEM has reconsidered the requirement to develop and follow a Compliance Response Plan. The Permittee will still be required to take reasonable response steps when a compliance monitoring parameter is determined to be out of range or abnormal. Replacing the requirement to develop and follow a Compliance Response Plan with a requirement to take reasonable response steps will ensure that the control equipment is returned to proper operation as soon as practicable, while still allowing the Permittee the flexibility to respond to situations that were not anticipated. The Section D conditions that refer to this condition have been revised to reflect the new condition title.

(20) The Section C - Recordkeeping and Reporting requirements have been revised to include NSR Reform provisions for major PSD sources.

(21) Upon further review, IDEM has determined that it is the Permittee's responsibility to include routine control device inspection requirements in the applicable preventive maintenance plan. Since the Permittee is in the best position to determine the appropriate frequency of control device inspections and the details regarding which components of the control device should be inspected, the conditions requiring control device inspections have been removed from the permit. In addition, the requirement to keep records of the inspections has been removed.

(22) Conditions D.1.1 and D.2.1 have been revised to reference the current 326 IAC 6-3-2 rule name.

(23) Condition D.1.2 has been revised for clarity and to reduce redundancy.

(24) Condition D.1.3 has been revised to reflect a short term pound per hour emission limitation. Conditions D.1.5 and D.1.6 and the quarterly reporting form have been removed since the revised limitation in condition D.1.3 no longer requires the source to record and report the amount of starch dried and the hours of operation of the starch dryer.

(25) The emission unit descriptions listed in the facility description box under Permit section D.2 have been revised.

(26) Condition D.2.2 has been revised to reflect the revised rule citation based on August 10, 2004 rule amendments to 326 IAC 2-7-10.5 and clarify applicable requirements.

(27) Condition D.2.3 has been revised to incorporate the proposed equipment.

(28) Condition D.2.5 has been revised to incorporate the proposed equipment.

(29) Condition D.3.1 has been revised to reference the First Amended Joint Stipulation for Stay between Frito-Lay and IDEM, dated May 3. 2006.

(30) Condition D.4.4 has been revised to more accurately reflect the Stay between Frio-Lay and IDEM on August 28, 2001.

(31) 40 CFR 60.110b, Subpart Kb, which was amended October 15, 2003, exempts storage vessels with a design capacity less than 75 cubic meters. The two 15,000 gallon diesel storage tanks and one 15,000 gallon No. 2 or No. 6 fuel oil storage tank, each listed in Condition A.3 and Section D.5, are no longer subject to the requirements of New Source Performance Standard, 326 IAC 12, (40 CFR Part 60.110b, Subpart Kb) Standards of Performance for Volatile Organic Liquid Storage Vessels because each has a storage capacity less than 75 cubic meters. Therefore, condition A.3 - Specifically Regulated Insignificant Activities and Section D.5 have been removed from the permit.

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

The Permittee owns and operates a stationary manufacturing operation of various snackfood products.

~~Responsible Official:~~	~~Director of Operations~~
Source Address:	323 S. County Road 300 W., Frankfort, IN 46041
Mailing Address:	323 S. County Road 300 W., Frankfort, IN 46041
Phone Number:	317-659-1831
SIC Code:	2096
County Location:	Clinton
Source Location Status:	Attainment for all criteria pollutants
Source Status:	Part 70 Permit Program Major Source, under PSD

A.2 Emission Units and Pollution Control Equipment Summary [326 IAC 2-8-3(c)(3)] [326 IAC 2-7-5(15)]

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

***

(b) East plant, consisting of the following:

***

(9) Production Line #9, consisting of:

(A) One (1) natural gas fired primary oven, identified as NBP68, approved for construction in 2007, with a rated capacity of 27.5 MMBtu/hr, using propane as a backup fuel, exhausting to stack NBP68;

(B) One (1) natural gas fired final dryer, identified as unit NBP69, approved for construction in 2007, with a rated capacity of 4.4 MMBtu/hr, using propane as a backup fuel, exhausting to stack NBP69;

~~(9)~~**(10)** Storage and transfer operations, consisting of:

(A) three (3) Corn Receiving/Storage (3 silos), identified as NBP9A(F) constructed in 1990 and exhausting to stack NBP9A(F);

(B) corn Internal Ops (Cleaner), identified as NBP9B(F), constructed in 1990, utilizing a fabric filter for particulate control and exhausting indoors as

fugitive dust: NBP9B(F);

(C) one (1) Wheat Grain Receiving/Storage (Silo 1), identified as NBP18, constructed in 1994, utilizing a fabric filter for particulate control and exhausting to stack NBP18;

(D) one (1) Wheat Grain Receiving/Storage (Silo 2), identified as NBP19, constructed in 1994, utilizing a fabric filter for particulate control and exhausting to stack NBP19;

(E) whole Grain Cleaner, identified as NBP17(F), constructed in 1994, utilizing a fabric filter for particulate control and exhausting indoors as fugitive dust: NBP17(F);

(F) one (1) Corn Meal Receiving/Storage (Silo 1), identified as NBP20, constructed in 1991, utilizing a fabric filter for particulate control and exhausting to stack NBP20;

(G) one (1) Corn Meal Receiving/Storage (Silo 2), identified as NBP21, constructed in 1991, utilizing a fabric filter for particulate control and exhausting to stack NBP21;

(H) one (1) Corn Meal Transfer, identified as NBP22(F), constructed in 1991, utilizing a fabric filter and exhausting indoors as fugitive dust: NBP22(F);

(I) one (1) Wheat Meal Receiving/Storage (Silo 1), identified as NBP23, constructed in 1991, utilizing a fabric filter for particulate control and exhausting to stack NBP23;

(J) one (1) Wheat Meal Receiving/Storage (Silo 2), identified as NBP24, constructed in 1991, utilizing a fabric filter for particulate control and exhausting to stack NBP24;

(I) one (1) Wheat Meal Transfer, identified as NBP25(F), constructed in 1991, utilizing a fabric filter for particulate control and exhausting indoors as fugitive dust: NBP25(F);

(L) corn Unloading/Storage Silo #4, identified as NBP9C, constructed in 2003, utilizing a fabric filter for particulate control and exhausting to stack NBP9C;

(M) corn Unloading/Storage Silo #5, identified as NBP9D, constructed in 2003, utilizing a fabric filter for particulate control and exhausting to stack NBP9D;

(N) corn Transfer/Cleaner, identified as NBP9E, constructed in 2003, utilizing a fabric filter for particulate control and exhausting to stack NBP9E;

(O) cornmeal Unloading Silo #3, identified as NBP22A, constructed in 2003, utilizing a fabric filter for particulate control and exhausting to stack NBP22A;

(P) two (2) raw material storage silos, identified as NBP70A and NBP70B, approved for construction in 2007, each with a maximum throughput of material of 4,000 lbs/hour, each equipped with a bin vent filter for particulate control, and exhausting to stacks NBP70A and NBP70B, respectively;

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

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

~~(a) Diesel Storage Tanks (UST)- Subject to 40 CFR 60.116b(a) and (b) [2-15,000 gallon@Traffic], [326 IAC 12][40 CFR 60.110, Subpart Kb]~~

~~(b) #2 or #6 Fuel Oil Storage Tank (UST) - subject to 40 CFR60.116b(a) and (b) [1-15,000 gallon @core], [326 IAC 12][40 CFR 60.110, Subpart Kb]~~

~~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)]~~

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

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

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

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

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

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

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

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

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

~~B.7 Duty to Supplement and Provide Information [326 IAC 2-7-4(b)] [326 IAC 2-7-5(6)(E)] [326 IAC 2-7-6(6)]~~

~~(a) The Permittee, upon becoming aware that any relevant facts were omitted or incorrect information was submitted in the permit application, shall promptly submit such supplementary facts or corrected information to:~~

~~Indiana Department of Environmental Management~~
~~Permits Branch, Office of Air Quality~~
~~100 North Senate Avenue, P. O. Box 6015~~
~~Indianapolis, Indiana 46206-6015~~

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

~~(b) The Permittee shall furnish to IDEM, OAQ, within a reasonable time, any information that IDEM, OAQ, may request in writing to determine whether cause exists for modifying, revoking and reissuing, or terminating this permit, or to determine compliance with this permit. The submittal by the Permittee does require the certification by the "responsible official" as defined by 326 IAC 2-7-1(34). Upon request, the Permittee shall also furnish to IDEM, OAQ, copies of records required to be kept by this permit or, for information claimed to be confidential, the Permittee may furnish such records directly to the U. S. EPA along with a claim of confidentiality. [326 IAC 2-7-5(6)(E)]~~

~~(c) The Permittee may include a claim of confidentiality in accordance with 326 IAC 17. When furnishing copies of requested records directly to U. S. EPA. The Permittee may assert a claim of confidentiality in accordance with 40 CFR 2, Subpart B.~~

~~B.8 Compliance with Permit Conditions [326 IAC 2-7-5(6)(A)] [326 IAC 2-7-5(6)(B)]~~

~~(a) The Permittee must comply with all conditions of this permit. Noncompliance with any provisions of this permit, except those specifically designated as not federally enforceable, constitutes a violation of the Clean Air Act and is grounds for:~~

~~(1) Enforcement action;~~

~~(2) Permit termination, revocation and reissuance, or modification; or~~

~~(3) Denial of a permit renewal application.~~

~~(b) It shall not be a defense for the Permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit.~~

~~(c) An emergency does constitute an affirmative defense in an enforcement action provided the Permittee complies with the applicable requirements set forth in condition B, Emergency Provisions.~~

~~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.~~

~~(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 July 1 of each year to:~~

~~Indiana Department of Environmental Management~~
~~Compliance Data Section, Office of Air Quality~~
~~100 North Senate Avenue, P. O. Box 6015~~
~~Indianapolis, Indiana 46206-6015~~

~~and~~

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

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

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

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

~~(2) The compliance status;~~

~~(3) Whether compliance was continuous or intermittent;~~

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

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

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

~~B.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) by job title responsible for inspecting, maintaining, and repairing emission control devices;~~

~~(2) A description of the items or conditions that will be inspected and the inspection schedule for said items or conditions; and~~

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

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

~~Indiana Department of Environmental Management~~
~~Compliance Branch, Office of Air Quality~~
~~100 North Senate Avenue, P. O. Box 6015~~
~~Indianapolis, Indiana 46206-6015~~

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

~~(b) The Permittee shall implement the PMPs as necessary to ensure that failure to implement a PMP does not cause or contribute to a violation of any limitation on emissions or potential to emit.~~

~~(c) A copy of the PMP's 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 contributes to any violation. The PMP does not require the certification by the "responsible official" as defined by 326 IAC 2-7-1(34).~~

~~(d) Records of preventive maintenance shall be retained for a period of at least five (5) years. These records shall be kept at the source location for a minimum of three (3) years. The records may be stored elsewhere for the remaining two (2) years as long as they are available upon request. If the Commissioner makes a request for records to the Permittee, the Permittee shall furnish the records to the Commissioner within a reasonable time.~~

~~B.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, except as provided in 326 IAC 2-7-16.~~

~~(b) An emergency, as defined in 326 IAC 2-7-1(12), constitutes an affirmative defense to an action brought for noncompliance with a health-based or technology-based emission limitation if the affirmative defense of an emergency is demonstrated through properly signed, contemporaneous operating logs or other relevant evidence that describe the following:~~

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

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

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

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

~~Telephone Number: 1-800-451-6027 (ask for Office of Air Quality, Compliance Section), or~~
~~Telephone Number: 317-233-5674 (ask for Compliance Section)~~
~~Facsimile Number: 317-233-5967~~

~~(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, P. O. Box 6015~~
~~Indianapolis, Indiana 46206-6015~~

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

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

~~(A) A description of the emergency;~~

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

~~(C) Corrective actions taken.~~

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

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

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

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

~~(e) IDEM, OAQ, may require that the Preventive Maintenance Plans required under 326 IAC 2-7-4 (c)(10) be revised in response to an emergency.~~

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

~~(g) Operations may continue during an emergency only if the following conditions are met:~~

~~(1) If the emergency situation causes a deviation from a technology-based limit, the Permittee may continue to operate the affected emitting facilities during the emergency provided the Permittee immediately takes all reasonable steps to correct the emergency and minimize emissions.~~

~~(2) If an emergency situation causes a deviation from a health-based limit, the Permittee may not continue to operate the affected emissions facilities unless:~~

~~(A) The Permittee immediately takes all reasonable steps to correct the emergency situation and to minimize emissions; and~~

~~(B) Continued operation of the facilities is necessary to prevent imminent injury to persons, severe damage to equipment, substantial loss of capital investment, or loss of product or raw materials of substantial economic value.~~

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

~~B.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 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.~~

~~(b) This permit shall be used as the primary document for determining compliance with applicable requirements established by previously issued permits. All previously issued operating permits and other IDEM, OAQ approvals incorporated into this document are are superseded by this permit.~~

~~(c) In addition to the nonapplicability determinations set forth in Sections D of this permit, the IDEM, OAQ has made the following determinations regarding this source:~~

~~(1) CP023-4562-00020, issued on October 3, 1995,~~

~~Condition 7: That the operation of the Line #4 oven, which includes dough leavening, shall be limited to 637 hours per month which assumes a confidential production rate limit based on hours of operation. Records of operating hours for the Line #4 oven shall be maintained at the facility for at least the past 24 month period and be made available upon request to the Office of Air Quality. This limited operation will keep the VOC emissions from this facility to less than 25 tons per year, and therefore 326 IAC 8-1-6 BACT requirements do not apply.~~

~~Reason not incorporated: The BACT condition has been revised to require that records be maintained at the facility for at least the past 5 year period and be made available upon request to the Office of Air Quality. The applicable units are now identified as the ovens for East Plant Lines #7 and #8 (ID NBP 54-58 and NBP 60-64). The new condition is listed as Condition D.4.4(a) of this permit.~~

~~(2) OP12-11-88-0123, issued on October 30, 1985,~~

~~Condition 7: That the coal-fired boiler (CP10A) sulfur dioxide emissions shall be limited to 2.0 pound per million Btu's and 249 tons per year by burning low sulfur coal. Any exceedance of the 2.0 pounds per million Btu allowable sulfur dioxide emission limit will be reported within seven days to the Board. That for purposes of compliance demonstration, the estimated SO_2 emission for each 7-day period in average pounds per mmBtu shall be calculated using the following equation:~~

$$\text{Weekly average lb } SO_2\text{/mmBtu} = \frac{(0.019)*(\%S\text{, as received})*(1{,}000{,}000)}{(\text{Btu/lb, as received})}$$

~~Reason not incorporated: The weekly average lb SO_2/mmBtu calculation has been replaced with the record keeping requirements listed as Condition D.3.5 of this permit.~~

~~(d) If, after issuance of this permit, it is determined that the permit is in nonconformance with an applicable requirement that applied to the source on the date of permit issuance, IDEM, OAQ, shall immediately take steps to reopen and revise this permit and issue a compliance order to the Permittee to ensure expeditious compliance with the applicable requirement until the permit is reissued. The permit shield shall continue in effect so long as the Permittee is in compliance with the compliance order.~~

~~(e) 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.~~

~~(f) 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.~~

~~(g) 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).~~

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

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

~~B.14 Multiple Exceedances [326 IAC 2-7-5(1)(E)]~~

~~Any exceedance of a permit limitation or condition contained in this permit, which occurs contemporaneously with an exceedance of an associated surrogate or operating parameter established to detect or assure compliance with that limit or condition, both arising out of the same act or occurrence, shall constitute a single potential violation of this permit.~~

~~B.15 Deviations from Permit Requirements and Conditions [326 IAC 2-7-5(3)(C)(ii)]~~

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

~~Indiana Department of Environmental Management
Compliance Data Section, Office of Air Quality
100 North Senate Avenue, P.O. Box 6015
Indianapolis, Indiana 46206-6015~~

~~using the attached Quarterly Deviation and Compliance Monitoring Report, or its equivalent. Deviations that are required to be reported by an applicable requirement shall be reported according to the schedule stated in the applicable requirement and do not need to be included in this report.~~

~~The notification by the Permittee 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 or a rule. It does not include:~~

~~(1) An excursion from compliance monitoring parameters as identified in Section D of this permit unless tied to an applicable rule or limit; or~~

~~(2) Failure to implement elements of the Preventive Maintenance Plan unless such failure has caused or contributed to a deviation.~~

~~A Permittee's failure to take the appropriate response step when an excursion of a compliance monitoring parameter has occurred is a deviation.~~

~~(c) Emergencies shall be included in the Quarterly Deviation and Compliance Monitoring Report.~~

~~B.16 Permit Modification, Reopening, Revocation and Reissuance, or Termination [326 IAC 2-7-5(6)(C)] [326 IAC 2-7-8(a)] [326 IAC 2-7-9]~~

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

~~(b) This permit shall be reopened and revised under any of the circumstances listed in IC 13-15-7-2 or if IDEM, OAQ, determines any of the following:~~

~~(1) That this permit contains a material mistake.~~

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

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

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

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

~~B.17 Permit Renewal [326 IAC 2-7-4]~~

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

~~Request for renewal shall be submitted to:~~

~~Indiana Department of Environmental Management~~
~~Permits Branch, Office of Air Quality~~
~~100 North Senate Avenue, P.O. Box 6015~~
~~Indianapolis, Indiana 46206-6015~~

~~(b) Timely Submittal of Permit Renewal [326 IAC 2-7-4(a)(1)(D)]~~

~~(1) A timely renewal application is one that is:~~

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

~~(B) If the date postmarked on the envelope or certified mail receipt, or affixed by the shipper on the private shipping receipt, is on or~~

~~before the date it is due. If the document is submitted by any other means, it shall be considered timely if received by IDEM, OAQ, on or before the date it is due.~~

~~(2) If IDEM, OAQ, upon receiving a timely and complete permit application, fails to issue or deny the permit renewal prior to the expiration date of this permit, this existing permit shall not expire and all terms and conditions shall continue in effect, including any permit shield provided in 326 IAC 2-7-15, until the renewal permit has been issued or denied.~~

~~(c) Right to Operate After Application for Renewal [326 IAC 2-7-3]~~
~~If the Permittee submits a timely and complete application for renewal of this permit, the source's failure to have a permit is not a violation of 326 IAC 2-7 until IDEM, OAQ, takes final action on the renewal application, except that this protection shall cease to apply if, subsequent to the completeness determination, the Permittee fails to submit by the deadline specified in writing by IDEM, OAQ, any additional information identified as being needed to process the application.~~

~~(d) United States Environmental Protection Agency Authority [326 IAC 2-7-8(e)]~~
~~If IDEM, OAQ, fails to act in a timely way on a Part 70 permit renewal, the U.S. EPA may invoke its authority under Section 505(e) of the Clean Air Act to terminate or revoke and reissue a Part 70 permit.~~

~~B.18 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, P.O. Box 6015~~
~~Indianapolis, Indiana 46206-6015~~

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

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

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

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

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

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

~~(a) The Permittee may make any change or changes at the source that are described in 326~~

~~IAC 2-7-20(b), (c), or (e), without a prior permit revision, if each of the following conditions is met:~~

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

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

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

~~(4) The Permittee notifies the:~~

~~Indiana Department of Environmental Management~~
~~Permits Branch, Office of Air Quality~~
~~100 North Senate Avenue, P. O. Box 6015~~
~~Indianapolis, Indiana 46206-6015~~

~~and~~

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

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

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

~~Such records shall consist of all information required to be submitted to IDEM, OAQ, in the notices specified in 326 IAC 2-7-20(b), (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 by the Permittee does not require the certification by the "responsible official" as defined by 326 IAC 2-7-1(34).~~

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

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

~~B.21 Source Modification Requirement [326 IAC 2-7-10.5]~~

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

~~B.22 Inspection and Entry [326 IAC 2-7-6] [IC 13-14-2-2]~~

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

~~(a) Enter upon the Permittee's premises where a Part 70 source is located, or emissions related activity is conducted, or where records must be kept under the conditions of this permit;~~

~~(b) Have access to and copy, any records that must be kept under the conditions of this permit;~~

~~(c) Inspect, any facilities, equipment (including monitoring and air pollution control equipment), practices, or operations regulated or required under this permit;~~

~~(d) Sample or monitor, substances or parameters for the purpose of assuring compliance with this permit or applicable requirements; and~~

~~(e) Utilize any photographic, recording, testing, monitoring, or other equipment for the purpose of assuring compliance with this permit or applicable requirements.~~

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

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

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

~~Indiana Department of Environmental Management~~
~~Permits Branch, Office of Air Quality~~
~~100 North Senate Avenue, P.O. Box 6015~~
~~Indianapolis, Indiana 46206-6015~~

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

~~(c) The Permittee may implement administrative amendment changes addressed in the request for an administrative amendment immediately upon submittal of the request. [326~~

~~IAC 2-7-11(c)(3)]~~

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

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

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

~~(c) The Permittee may call the following telephone numbers: 1-800-451-6027 or 317-233-0425 (ask for OAQ, Technical Support and Modeling Section), to determine the appropriate permit fee.~~

~~SECTION C SOURCE OPERATION CONDITIONS~~

~~Entire Source~~

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

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

~~Pursuant to 326 IAC 6-3-2(c), the allowable particulate matter emissions rate from any process not already regulated by 326 IAC 6-1 or any New Source Performance Standard, and which has a maximum process weight rate less than 100 pounds per hour shall not exceed 0.551 pounds per hour.~~

~~C.2 Opacity [326 IAC 5-1]~~

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

~~(a) Opacity shall not exceed an average of forty percent (40%) in any one (1) six (6) minute averaging period. If required by the commissioner by a condition in this permit, compliance will be determined per 326 IAC 5-1-4.~~

~~(b) Opacity shall not exceed sixty percent (60%) for more than a cumulative total of fifteen (15) minutes (sixty (60) readings as measured according to 40 CFR 60, Appendix A, Method 9 or fifteen (15) one (1) minute nonoverlapping integrated averages for a continuous opacity monitor) in a six (6) hour period. If required by the Commissioner or by a condition in this permit, compliance will be determined per 326 IAC 5-1-4.~~

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

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

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

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

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

~~The Permittee shall not allow fugitive dust to escape beyond the property line or boundaries of the property, right-of-way, or easement on which the source is located, in a manner that would violate 326 IAC 6-4 (Fugitive Dust Emissions). 326 IAC 6-4-2(4) is not federally enforceable.~~

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

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

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

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

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

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

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

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

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

~~(A) Asbestos removal or demolition start date;~~

~~(B) Removal or demolition contractor; or~~

~~(C) Waste disposal site.~~

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

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

~~All required notifications shall be submitted to:~~

~~Indiana Department of Environmental Management~~
~~Asbestos Section, Office of Air Quality~~
~~100 North Senate Avenue, P.O. Box 6015~~
~~Indianapolis, Indiana 46206-6015~~

~~The notifications do not require a certification by the "responsible official" as defined by 326 IAC 2-7-1(34).~~

~~(e) Procedures for Asbestos Emission Control~~

~~The Permittee shall comply with the applicable emission control procedures in 326 IAC 14-10-4 and 40 CFR 61.145(c). Per 326 IAC 14-10-4, emission control requirements are 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) Indiana Accredited Asbestos Inspector~~
~~The Permittee shall comply with 326 IAC 14-10-1(a) that requires the owner or operator, prior to a renovation/demolition, to use an Indiana Accredited Asbestos Inspector to thoroughly inspect the affected portion of the facility for the presence of asbestos. The requirement that the inspector be accredited is federally enforceable, however, the requirement that the inspector be accredited by Indiana 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, P. O. Box 6015~~
~~Indianapolis, Indiana 46206-6015~~

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

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

~~(c) Pursuant to 326 IAC 3-6-4(b), all test reports must be received by IDEM, OAQ not later than forty-five (45) days after the completion of the testing. An extension may be granted by IDEM, OAQ, if the source 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. 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) days of permit issuance. If required by Section D, the Permittee shall be responsible for installing any necessary equipment and initiating any required monitoring related to that equipment. If due to circumstances beyond its control, that equipment cannot be installed and operated within ninety (90) days, the Permittee may extend the compliance schedule related to the equipment for an additional ninety (90) days provided the Permittee notifies:~~

~~Indiana Department of Environmental Management~~
~~Compliance Branch, Office of Air Quality~~
~~100 North Senate Avenue, P. O. Box 6015~~
~~Indianapolis, Indiana 46206-6015~~

~~in writing, prior to the end of the initial ninety (90) day compliance schedule, with full justification of the reasons for the inability to meet this date.~~
~~The notification which shall be submitted by the Permittee does require the certification by the "responsible official" as defined by 326 IAC 2-7-1(34).~~

~~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 Pressure Gauge and Other Instrument Specifications [326 IAC 2-1.1-11] [326 IAC 2-7-5(3)] [326 IAC 2-7-6(1)]~~

~~(a) Whenever a condition in this permit requires the measurement of pressure drop across any part of the unit or its control device, the gauge employed shall have a scale such that the expected normal reading shall be no less than twenty percent (20%) of full scale and be accurate within plus or minus two percent (±2%) of full scale reading.~~

~~(b) Whenever a condition in this permit requires the measurement of a flow rate the instrument employed shall have a scale such that the expected normal reading shall be no less than twenty percent (20%) of full scale and be accurate within plus or minus two percent (±2%) of full scale reading.~~

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

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

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

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

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

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

~~Indiana Department of Environmental Management~~
~~Compliance Branch, Office of Air Quality~~
~~100 North Senate Avenue, P.O. Box 6015~~
~~Indianapolis, Indiana 46206-6015~~

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

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

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

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

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

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

~~C.15 Risk Management Plan [326 IAC 2-7-5(12)] [40 CFR 68.215]~~

~~If a regulated substance, subject to 40 CFR 68, is present at a source in more than a threshold quantity, 40 CFR 68 is an applicable requirement and the Permittee shall submit:~~

~~(a) A compliance schedule for meeting the requirements of 40 CFR 68; or~~

~~(b) As a part of the annual compliance certification submitted under 326 IAC 2-7-6(5), a certification statement that the source is in compliance with all the requirements of 40 CFR 68, including the registration and submission of a Risk Management Plan (RMP).~~

~~All documents submitted pursuant to this condition shall include the certification by the "responsible official" as defined by 326 IAC 2-7-1(34).~~

~~C.16 Compliance Response Plan - Preparation, Implementation, Records, and Reports - Response to Excursions or Exceedances [326 IAC 2-7-5] [326 IAC 2-7-6]~~

~~(a) The Permittee is required to prepare a Compliance Response Plan (CRP) for each compliance monitoring condition of this permit. A CRP shall be submitted to IDEM request. The CRP shall be prepared within ninety (90) days after issuance of this permit by the Permittee, supplemented from time to time by the Permittee, maintained on site, and comprised of:~~

~~(1) Reasonable response steps that may be implemented in the event that a response step is needed pursuant to the requirements of Section D of this permit; and an expected timeframe for taking reasonable response steps.~~

~~(2) If, at any time, the Permittee takes reasonable response steps that are not set forth in the Permittee's current Compliance Response Plan and the Permittee documents such response in accordance with subsection (e) below, the Permittee shall amend its Compliance Response Plan to include such response steps taken.~~

~~(b) For each compliance monitoring condition of this permit, reasonable response steps shall be taken when indicated by the provisions of that compliance monitoring condition as follows:~~

~~(1) Reasonable response steps shall be taken as set forth in the Permittee's current Compliance Response Plan; or~~

~~(2) If none of the reasonable response steps listed in the Compliance Response Plan is applicable or responsive to the excursion, the Permittee shall devise and implement additional response steps as expeditiously as practical. Taking such additional response steps shall not be considered a deviation from this permit so long as the Permittee documents such response steps in accordance with this condition.~~

~~(3) If the Permittee determines that additional response steps would necessitate that the emissions unit or control device be shut down, and it will be ten (10) days or more until the unit or device will be shut down, then the Permittee shall promptly notify the IDEM, OAQ of the expected date of the shut down. The notification shall also include the status of the applicable compliance monitoring parameter with respect to normal, and the results of the response actions taken up to the time of notification.~~

~~(4) Failure to take reasonable response steps shall be considered a deviation from the permit.~~

~~(c) The Permittee is not required to take any further response steps for any of the following reasons:~~

~~(1) A false reading occurs due to the malfunction of the monitoring equipment and prompt action was taken to correct the monitoring equipment.~~

~~(2) The Permittee has determined that the compliance monitoring parameters established in the permit conditions are technically inappropriate, has previously submitted a request for a minor permit modification to the permit, and such request has not been denied.~~

~~(3) An automatic measurement was taken when the process was not operating.~~

~~(4) The process has already returned or is returning to operating within "normal" parameters and no response steps are required.~~

~~(d) When implementing reasonable steps in response to a compliance monitoring condition, if the Permittee determines that an exceedance of an emission limitation has occurred, the Permittee shall report such deviations pursuant to Section B-Deviations from Permit Requirements and Conditions.~~

~~(e) The Permittee shall record all instances when, in accordance with Section D, response steps are taken. In the event of an emergency, the provisions of 326 IAC 2-7-16 (Emergency Provisions) requiring prompt corrective action to mitigate emissions shall prevail.~~

~~(f) Except as otherwise provided by a rule or provided specifically in Section D, all monitoring as required in Section D shall be performed when the emission unit is operating, except for time necessary to perform quality assurance and maintenance activities.~~

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

~~(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 documents submitted pursuant to this condition do not require the certification by the "responsible official" as defined by 326 IAC 2-7-1(34).~~

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

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

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

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

~~C.20 General Reporting Requirements [326 IAC 2-7-5(3)(C)] [326 IAC 2-1.1-11]~~

~~(a) The source shall submit the attached quarterly Deviation and Compliance Monitoring Report or its equivalent. Any deviation from permit requirements, the date(s) of each deviation, the cause of the deviation, and the response steps taken must be reported. This report shall be submitted within thirty (30) days of the end of the reporting period. The Quarterly Deviation and Compliance Monitoring Report shall include the certification by the "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, P. O. Box 6015~~
~~Indianapolis, Indiana 46206-6015~~

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

~~(d) Unless otherwise specified in this permit, any quarterly report required in Section D of this permit shall be submitted within thirty (30) days of the end of the reporting period. The reports do require the certification by the "responsible official" as defined by 326 IAC 2-7-1(34).~~

~~(e) The first report shall cover the period commencing on the date of issuance of this permit and ending on the last day of the reporting period. Reporting periods are based on calendar years.~~

~~**Stratospheric Ozone Protection**~~

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

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

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

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

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

SECTION B GENERAL CONDITIONS

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

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

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

(a) This permit, T023-7721-00020, is issued for a fixed term of five (5) years from the issuance date of this permit, as determined in accordance with IC 4-21.5-3-5(f) and IC 13-15-5-3. Subsequent revisions, modifications, or amendments of this permit do not affect the expiration date of this permit.

(b) If IDEM, OAQ, upon receiving a timely and complete renewal permit application, fails to issue or deny the permit renewal prior to the expiration date of this permit, this existing permit shall not expire and all terms and conditions shall continue in effect, including any permit shield provided in 326 IAC 2-7-15, until the renewal permit has been issued or denied.

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

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

(a) the condition is modified in a subsequent permit action pursuant to Title I of the Clean Air Act; or

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

B.4 Enforceability [326 IAC 2-7-7]

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

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

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

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

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

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

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

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

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

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

(b) One (1) certification shall be included, using the attached Certification Form, with each submittal requiring certification. One (1) certification may cover multiple forms in one (1) submittal.

(c) The "responsible official" is defined at 326 IAC 2-7-1(34).

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

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

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

and

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

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

is due. If the document is submitted by any other means, it shall be considered timely if received by IDEM, OAQ on or before the date it is due.

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

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

(2) The compliance status;

(3) Whether compliance was continuous or intermittent;

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

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

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

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

(a) If required by specific condition(s) in Section D of this permit, the Permittee shall maintain and implement Preventive Maintenance Plans (PMPs) 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 do not require the certification by the "responsible official" as defined by 326 IAC 2-7-1(34).

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

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

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

(b) An emergency, as defined in 326 IAC 2-7-1(12), constitutes an affirmative defense to an action brought for noncompliance with a technology-based emission limitation if the affirmative defense of an emergency is demonstrated through properly signed,

contemporaneous operating logs or other relevant evidence that describe the following:

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

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

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

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

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

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

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

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

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

(A) A description of the emergency;

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

(C) Corrective actions taken.

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

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

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

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

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

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

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

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

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

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

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

(b) **If, after issuance of this permit, it is determined that the permit is in nonconformance with an applicable requirement that applied to the source on the date of permit issuance, IDEM, OAQ, shall immediately take steps to reopen and revise this permit and issue a compliance order to the Permittee to ensure expeditious compliance with the applicable requirement until the permit is reissued. The permit shield shall continue in effect so long as the Permittee is in compliance with the compliance order.**

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

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

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

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

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

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

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

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

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

B.13 Prior Permits Superseded [326 IAC 2-1.1-9.5][326 IAC 2-7-10.5]

(a) All terms and conditions of permits established prior to T023-7721-00020 and issued pursuant to permitting programs approved into the state implementation plan have been either:

(1) incorporated as originally stated,

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

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

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

B.14 Termination of Right to Operate [326 IAC 2-7-10][326 IAC 2-7-4(a)]

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

B.15 Deviations from Permit Requirements and Conditions [326 IAC 2-7-5(3)(C)(ii)]

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

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

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

The Quarterly Deviation and Compliance Monitoring Report does require the certification by the "responsible official" as defined by 326 IAC 2-7-1(34).

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

B.16 Permit Modification, Reopening, Revocation and Reissuance, or Termination [326 IAC 2-7-5(6)(C)][326 IAC 2-7-8(a)][326 IAC 2-7-9]

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

(b) This permit shall be reopened and revised under any of the circumstances listed in IC 13-15-7-2 or if IDEM, OAQ determines any of the following:

(1) That this permit contains a material mistake.

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

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

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

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

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

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

Request for renewal shall be submitted to:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(4) The Permittee notifies the:

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

and

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

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

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

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

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

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

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

(3) Any change in emissions; and

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

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

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

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

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

B.21 Source Modification Requirement [326 IAC 2-7-10.5]

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

B.22 Inspection and Entry [326 IAC 2-7-6][IC 13-14-2-2][IC 13-30-3-1][IC 13-17-3-2]

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

(a) Enter upon the Permittee's premises where a Part 70 source is located, or emissions related activity is conducted, or where records must be kept under the conditions of this permit;

(b) As authorized by the Clean Air Act, IC 13-14-2-2, IC 13-17-3-2, and IC 13-30-3-1, have access to and copy any records that must be kept under the conditions of this permit;

(c) As authorized by the Clean Air Act, IC 13-14-2-2, IC 13-17-3-2, and IC 13-30-3-1, inspect any facilities, equipment (including monitoring and air pollution control equipment), practices, or operations regulated or required under this permit;

(d) As authorized by the Clean Air Act, IC 13-14-2-2, IC 13-17-3-2, and IC 13-30-3-1, sample or monitor substances or parameters for the purpose of assuring compliance with this permit or applicable requirements; and

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

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

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

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

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

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

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

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

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

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

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

B.25 Advanced Source Modification Approval [326 IAC 2-7-5(16)] [326 IAC 2-7-10.5]

(a) The requirements to obtain a source modification approval under 326 IAC 2-7-10.5 or a permit modification under 326 IAC 2-7-12 are satisfied by this permit for the proposed emission units, control equipment or insignificant activities in Sections A.2 and A.3.

(b) Pursuant to 326 IAC 2-1.1-9 any permit authorizing construction may be revoked if construction of the emission unit has not commenced within eighteen (18) months from the date of issuance of the permit, or if during the construction, work is suspended for a continuous period of one (1) year or more.

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

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

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

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

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

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

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

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

C.6 Stack Height [326 IAC 1-7]

The Permittee shall comply with the applicable provisions of 326 IAC 1-7 (Stack Height Provisions), for all exhaust stacks through which a potential (before controls) of twenty-five (25) tons per year or more of particulate matter or sulfur dioxide is emitted.

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

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

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

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

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

(A) Asbestos removal or demolition start date;

(B) Removal or demolition contractor; or

(C) Waste disposal site.

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

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

All required notifications shall be submitted to:

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

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

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

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

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

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

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

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

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

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

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

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

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

Compliance Requirements [326 IAC 2-1.1-11]

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(1) initial inspection and evaluation;

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

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

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

(1) monitoring results;

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

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

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

(e) The Permittee shall maintain the following records:

(1) monitoring data;

(2) monitor performance data, if applicable; and

(3) corrective actions taken.

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

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

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

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

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

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

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

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

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

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

The statement must be submitted to:

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

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

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

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

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

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

(c) If there is a "project" (as defined in 326 IAC 2-2-1 (qq)) at an existing emissions unit or at a source with Plant-wide Applicability Limitation (PAL), which is not part of a "major modification" (as defined in 326 IAC 2-2-1 (ee)) and the Permittee elects to utilize the "projected actual emissions" (as defined in 326 IAC 2-2-1 (rr) and/or IAC 2-3-1 (mm)), the Permittee shall comply with following:

(1) Before beginning actual construction of the "project" (as defined in 326 IAC 2-2-1 (qq) and/or 326 IAC 2-3-1 (ll)) at an existing emissions unit, document and maintain the following records:
- **(A) A description of the project.**
- **(B) Identification of any emissions unit whose emissions of a regulated new source review pollutant could be affected by the project.**
- **(C) A description of the applicability test used to determine that the project is not a major modification for any regulated NSR pollutant, including:**
  - **(i) Baseline actual emissions;**
  - **(ii) Projected actual emissions;**
  - **(iii) Amount of emissions excluded under section 326 IAC 2-2-1(rr)(2)(A)(iii) and/or 326 IAC 2-3-1 (mm)(2)(A)(iii); and**
  - **(iv) An explanation for why the amount was excluded, and any netting calculations, if applicable.**

(2) Monitor the emissions of any regulated NSR pollutant that could increase as a result of the project and that is emitted by any existing emissions unit identified in (1)(B) above; and

(3) Calculate and maintain a record of the annual emissions, in tons per year on a calendar year basis, for a period of five (5) years following resumption of regular operations after the change, or for a period of ten (10) years following resumption of regular operations after the change if the project increases the design capacity of or the potential to emit that regulated NSR pollutant at the emissions unit.

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

(a) The Permittee shall submit the attached Quarterly Deviation and Compliance Monitoring Report or its equivalent. Any deviation from permit requirements, the date(s) of each deviation, the cause of the deviation, and the response steps taken must be reported. This report shall be submitted within thirty (30) days of the end of the reporting period. The Quarterly Deviation and Compliance Monitoring Report shall include the certification by the "responsible official" as defined by 326 IAC 2-7-1(34).

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

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

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

(d) Unless otherwise specified in this permit, all reports required in Section D of this permit shall be submitted within thirty (30) days of the end of the reporting period. All reports do require the certification by the "responsible official" as defined by 326 IAC 2-7-1(34).

(e) The first report shall cover the period commencing on the date of issuance of this permit and ending on the last day of the reporting period. Reporting periods are based on calendar years, unless otherwise specified in this permit. For the purpose of this permit "calendar year" means the twelve (12) month period from January 1 to December 31 inclusive.

(f) If the Permittee is required to comply with the recordkeeping provisions of (c) in Section C - General Record Keeping Requirements for any "project" (as defined in 326 IAC 2-2-1 (qq) and/or 326 IAC 2-3-1 (ll)) at an existing emissions unit, and the project meets the following criteria, then the Permittee shall submit a report to IDEM, OAQ:

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

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

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

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

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

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

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

Reports required in this part shall be submitted to:

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

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

Stratospheric Ozone Protection

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

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

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

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

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

***

D.1.1 Particulate Matter (PM) [326 IAC 6-3-2]

Pursuant to 326 IAC 6-3-2 (~~Process Operations~~ **Particulate Emission Limitations for Manufacturing Processes**), the particulate matter (PM) from the snackfood manufacturing operation shall be limited by the following:

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

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

~~The source is complying with the limits and the compliance~~ **The** calculations for 326 IAC 6-3-2 (~~Process Operations~~ **Particulate Emission Limitations for Manufacturing Processes**) are contained in a confidential file.

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

A Preventive Maintenance Plan, in accordance with Section B - Preventive Maintenance Plan, of this permit, is required for the fabric filter control devices venting to the atmosphere associated with the equipment identified as CP4D, CP4E, CP9B3, CP-10B, CP- 10C CP 16, and CP17**.** ~~and their control devices.~~

D.1.3 Particulate Matter Emissions

(a) Pursuant to OP12-11-88-0121, issued on December 17, 1984, all corn shall be precleaned before being received at the plant.

(b) Pursuant to OP12-11-92-0130, issued on March 25, 1987, all particulate matter emissions from the potato starch dryer (CP-12) shall ~~be limited to 0.54 tons per month, which is equivalent to 6.45 tons during any consecutive 12 month period~~ **not exceed 1.48 pounds per hour**.

(c) Pursuant to CP12-11-88-0124, the coal receiving hopper, ash handling loadout, and coal storage fabric filter vent (CP10B) and the ash storage fabric filter vent (CP10C) shall have no visible emissions crossing the ~~proper~~ **property** line or exceeding 10% opacity over a six minute averaging period at the equipment site.

***

~~D.1.5 Record Keeping Requirements~~

~~(a) To document compliance with D.1.3, the Permittee shall maintain records of the amount of starch dried and the hours of operation of the starch dryer required under Condition D.1.3.~~

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

~~D.1.6 Reporting Requirements~~

~~(a) A quarterly summary of the information to document compliance with Condition D.1.3 shall be submitted to the address listed in Section C - General Reporting Requirements, of this permit, using the reporting forms located at the end of this permit, or their equivalent, within thirty (30) days after the end of the quarter being reported. The report submitted by the Permittee does not require the certification by the "responsible official" as defined by 326 IAC 2-7-1(34).~~

SECTION D.2 FACILITY OPERATION CONDITIONS

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

(b) East plant, consisting of the following:

***

(9) Production Line #9, consisting of:

(A) One (1) natural gas fired primary oven, identified as NBP68, approved for construction in 2007, with a rated capacity of 27.5 MMBtu/hr, using propane as a backup fuel, exhausting to stack NBP68;

(B) One (1) natural gas fired final dryer, identified as unit NBP69, approved for construction in 2007, with a rated capacity of 4.4 MMBtu/hr, using propane as a backup fuel, exhausting to stack NBP69;

~~(9)~~**(10)** Storage and transfer operations, consisting of:

(A) three (3) Corn Receiving/Storage (3 silos), identified as NBP9A(F) constructed in 1990 and exhausting to stack NBP9A(F);

(B) corn Internal Ops (Cleaner), identified as NBP9B(F), constructed in 1990, utilizing a fabric filter for particulate control and exhausting indoors as fugitive dust: NBP9B(F);

(C) one (1) Wheat Grain Receiving/Storage (Silo 1), identified as NBP18, constructed in 1994, utilizing a fabric filter for particulate control and exhausting to stack NBP18;

(D) one (1) Wheat Grain Receiving/Storage (Silo 2), identified as NBP19, constructed in 1994, utilizing a fabric filter for particulate control and exhausting to stack NBP19;

(E) whole Grain Cleaner, identified as NBP17(F), constructed in 1994, utilizing a fabric filter for particulate control and exhausting indoors as fugitive dust:: NBP17(F);

(F) one (1) Corn Meal Receiving/Storage (Silo 1), identified as NBP20, constructed in 1991, utilizing a fabric filter for particulate control and exhausting to stack NBP20;

(G) one (1) Corn Meal Receiving/Storage (Silo 2), identified as NBP21, constructed in 1991, utilizing a fabric filter for particulate control and exhausting to stack NBP21;

(H) one (1) Corn Meal Transfer, identified as NBP22(F), constructed in 1991, utilizing a fabric filter and exhausting indoors as fugitive dust: NBP22(F);

(I) one (1) Wheat Meal Receiving/Storage (Silo 1), identified as NBP23, constructed in 1991, utilizing a fabric filter for particulate control and exhausting to stack NBP23;

(J) one (1) Wheat Meal Receiving/Storage (Silo 2), identified as NBP24, constructed in 1991, utilizing a fabric filter for particulate control and exhausting to stack NBP24;

(K) one (1) Wheat Meal Transfer, identified as NBP25(F), constructed in 1991, utilizing a fabric filter for particulate control and exhausting indoors as fugitive dust: NBP25(F);

(L) corn Unloading/Storage Silo #4 , identified as NBP9C, constructed in 2003, utilizing a fabric filter for particulate control and exhausting to stack NBP9C;

(M) corn Unloading/Storage Silo #5, identified as NBP9D, constructed in

	2003, utilizing a fabric filter for particulate control and exhausting to stack NBP9D;
(N)	corn Transfer/Cleaner, identified as NBP9E, constructed in 2003, utilizing a fabric filter for particulate control and exhausting to stack NBP9E;
(O)	cornmeal Unloading Silo #3, identified as NBP22A, constructed in 2003, utilizing a fabric filter for particulate control and exhausting to stack NBP22A; **and**
(P)	**two (2) raw material storage silos, identified as NBP70A and NBP70B, approved for construction in 2007, with a combined maximum throughput of material of 4,000 lbs/hour, each equipped with a bin vent filter for particulate control, and exhausting to stacks NBP70A and NBP70B, respectively;**

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

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

Pursuant to 326 IAC 6-3-2 (Particulate Emission Limitations for Manufacturing Processes), the allowable particulate emission rate from the snackfood manufacturing operation shall be limited by the following:

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

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

~~The source is complying with the limits and the compliance~~ **The** calculations for 326 IAC 6-3-2 (Particulate Emission Limitations for Manufacturing Processes) are contained in a confidential file.

D.2.2 Particulate [326 IAC 6-3-2]

Pursuant to 326 IAC 6-3-2 (Particulate Emission Limitations for Manufacturing Processes), particulate emitted from the facilities listed below shall be limited as stated, based on the following:

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

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

Emission Unit/Activity	**Process Weight Rate (lbs/hr)**	**Allowable Emissions (326 IAC 6-3-2) (lb/hr)**
storage silos NBP70A	**4,000**	**6.5**
storage silos NBP70B	**4,000**	**6.5**

D.2.~~2~~**3** ~~Visible Emissions [326 IAC 2-7-10.5(d)(5)(C)]~~ **Particulate [326 IAC 2-7-10.5(d)(4)(C)]**

~~Pursuant to 326 IAC 2-7-10.5(d)(5)(C)(ii) the operation of units NBP-9C, NBP-9D, NBP-9E, and NBP-22B may continue only if there are no visible emissions.~~ **Pursuant to 326 IAC 2-7-10.5(d)(4)(C) the following shall apply:**

(a) PM emissions from storage silos NBP-9C, NBP-9D, NBP-9E, and NBP-22B shall be less than 5.68 pounds per hour.

(b) PM10 emissions from storage silos NBP-9C, NBP-9D, NBP-9E, and NBP-22B shall be less than 3.40 pounds per hour.

(c) Each of the fabric filter control devices associated with NBP-9C, NBP-9D, NBP-9E, and NBP-22B shall achieve and maintain ninety-nine percent (99%) control efficiency.

(d) Each of the fabric filter control devices associated with NBP-9C, NBP-9D, NBP-9E, and NBP-22B shall comply with a no visible emission standard.

D.2.4 Particulate Matter (PM) [326 IAC 2-2]

(a) PM emissions from storage silos NBP70A and NBP70B shall be less than 5.48 pounds per hour.

(b) PM10 emissions from storage silos NBP70A and NBP70B shall be less than 3.15 pounds per hour.

Compliance with the above limits shall render the requirements of 326 IAC 2-2 (Prevention of Significant Deterioration (PSD)) not applicable to these units.

D.2.~~3~~**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 the fabric filter control devices venting to the atmosphere associated with the equipment identified as NBP9C, NBP9D, NBP9E, NBP18, NBP19, NBP20, NBP21, NBP22A, NBP23, NBP24, NBP37, ~~and~~ NBP38**, NBP70A, and NBP70B**.

***

D.2.~~5~~**7** Particulate Matter (PM)

The fabric filters for PM control shall be in operation and control emissions from the ~~equipments~~ **emission units** identified in Condition D.2.~~2~~**5** at all times that the ~~equipments~~ **emission units** are in operation.

***

D.3.1 Sulfur Dioxide Emissions Limitations [326 IAC 2-2]

Pursuant to 326 IAC 2-2-3(a)(3), the sulfur dioxide (SO_2) emissions from the following process shall be limited as follows: (Note: Permit Condition D.3.1 is included in the ~~Joint Stipulation for Stay between Frito-Lay and IDEM, dated August 28, 2001~~ **First Amended Joint Stipulation for Stay between Frito-Lay and IDEM, dated May 3, 2006**):

***

D.3.2 Particulate Matter (PM) [326 IAC 6-2-4]

Pursuant to 326 IAC 6-2-4 (Particulate Matter Emission Limitations for Sources of Indirect Heating**)**, the PM emissions from the boiler identified as CP10A shall be limited to 0.28 pounds per MMBtu heat input.

***

D.3.7 Visible Emissions Notations

(a) **Daily visible** ~~Visible~~ emission notations of the CP10A stack exhaust shall be performed ~~once per shift~~ during normal daylight operations when exhausting to the atmosphere. A trained employee shall record whether emissions are normal or abnormal.

(b) For processes operated continuously, "normal" means those conditions prevailing, or expected to prevail, eighty percent (80%) of the time the process is in operation, not counting startup or shut down time.

(c) In the case of batch or discontinuous operations, readings shall be taken during that part of the operation that would normally be expected to cause the greatest emissions.

(d) A trained employee is an employee who has worked at the plant at least one (1) month and has been trained in the appearance and characteristics of normal visible emissions for that specific process.

(e) ~~The Compliance Response Plan for this unit shall contain troubleshooting contingency and response steps for when an abnormal emission is observed.~~ **If abnormal emissions are observed, the Permittee shall take reasonable response steps in accordance with Section C- Response to Excursions or Exceedances. Failure to take response steps in accordance with Section C - Response to Excursions or Exceedances shall be considered a deviation from this permit.**

D.3.8 Parametric Monitoring [326 IAC 2-7-6(1)] [326 IAC 2-7-5(1)]

The Permittee shall record the ~~total static~~ pressure drop across the baghouse used in conjunction with the boiler identified as CP10A, at least once ~~weekly~~ **per day** when the boiler identified as CP10A is in operation when venting to the atmosphere. ~~Unless operated under conditions for which the Compliance Response Plan specifies otherwise, the pressure drop across the baghouse shall be maintained within the range of 2.0 and 6.0 inches of water or a range established during the latest stack test. The Compliance Response Plan for this unit shall contain troubleshooting contingency and response steps for when the pressure reading is outside of the above mentioned range for any one reading.~~ **When for any one reading, the pressure drop across the baghouse is outside the normal range of 2.0 and 6.0 inches of water or a range established during the latest stack test, the Permittee shall take reasonable response steps in accordance with Section C - Response to Excursions or Exceedances. A pressure reading that is outside the above mentioned range is not a deviation from this permit. Failure to take response steps in accordance with Section C - Response to Excursions or Exceedances, shall be considered a deviation from this permit.**

~~The instrument used for determining the pressure shall comply with Section C - Pressure Gauge Specifications, of this permit, shall be subject to approval by IDEM, OAQ, and shall be calibrated at least once every six (6) months.~~ **The instrument used for determining the pressure shall comply with Section C - Instrument Specifications, and shall be calibrated in accordance with the manufacturer's specifications. The specifications shall be available on site with the Preventive Maintenance Plan.**

~~D.3.9 Baghouse Inspections~~

~~An inspection shall be performed each calendar quarter of all bags controlling the boiler identified as CP10A when venting to the atmosphere. All defective bags shall be replaced.~~

D.3.~~10~~**9** Broken or Failed Bag Detection **[326 IAC 2-7-6(1)] [326 IAC 2-7-5(1)]**

~~In the event that a broken or failed bag is detected, the affected broken or failed bag(s) will be repaired, replaced, or rendered inoperable.~~

~~Within eight (8) hours of the determination of failure, response steps according to the timetable described in the Compliance Response Plan shall be initiated. For any failure with corresponding response steps and timetable not described in the Compliance Response Plan, response steps shall be devised within eight (8) hours of discovery of the failure and shall include a timetable for completion. Operations may continue with broken or failed bag(s) only if the event qualifies as an emergency and the Permittee satisfies the requirements of the emergency provisions of this permit (Section B - Emergency Provisions).~~

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

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

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

D.3.~~11~~**10** Record Keeping Requirements

***

(c) To document compliance with Condition D.3.8, the Permittee shall maintain **daily records of the pressure drop.** ~~the following:~~

~~(1) Weekly records of the following operational parameters during normal operation when venting to the atmosphere:~~

~~(A) Inlet and outlet differential static pressure; and~~

~~(2) Documentation of all response steps implemented, per event.~~

~~(3) Operation and preventive maintenance logs, including work purchases orders, shall be maintained.~~

~~(4) Quality Assurance/Quality Control (QA/QC) procedures.~~

~~(5) Operator standard operating procedures (SOP).~~

~~(6) Manufacturer's specifications or its equivalent.~~

~~(7) Equipment "troubleshooting" contingency plan.~~

~~(d) To document compliance with Condition D.3.9, the Permittee shall maintain records of the results of the inspections required under Condition D.3.9.~~

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

***

D.4.4 Nitrogen Oxide Emission Limitations [326 IAC 2-2]

Pursuant to PSD (12) 1603, issued on April 4, 1986, the one (1) boiler rated at 33.5 mmBtu/hr, identified as NBP26, shall have nitrogen oxide emissions limited to 25 tons per month, which is equivalent to 300 tons per 12 month consecutive period. **(Note: Permit Condition D.4.4 is included in the Joint Stipulation for Stay between Frito-Lay and IDEM, dated August 28, 2001):**

(a) the input to the combustion operations shall be limited on a 12-month period, rolled on a monthly basis, so that NOx emissions are limited to 300 tons per year. .

(b) For purposes of determining compliance, the following shall apply ~~(Note: Permit Condition D.4.4(b) is included in the Joint Stipulation for Stay between Frito-Lay and IDEM, dated August 28, 2001):~~

D.4.8 Visible Emissions Notations

(a) **Daily visible** ~~Visible~~ emission notations of the boilers, identified as CP1A, CP1B, CP15 and NBP26, stack exhausts shall be performed ~~once per shift~~ during normal daylight operations while combusting fuel oil. A trained employee shall record whether emissions are normal or abnormal.

(b) For processes operated continuously, "normal" means those conditions prevailing, or expected to prevail, eighty percent (80%) of the time the process is in operation, not counting startup or shut down time.

(c) In the case of batch or discontinuous operations, readings shall be taken during that part of the operation that would normally be expected to cause the greatest emissions.

(d) A trained employee is an employee who has worked at the plant at least one (1) month and has been trained in the appearance and characteristics of normal visible emissions for that specific process.

(e) ~~The Compliance Response Plan for this unit shall contain troubleshooting contingency and response steps for when an abnormal emission is observed.~~ **If abnormal emissions are observed, the Permittee shall take reasonable response steps in accordance with Section C- Response to Excursions or Exceedances. Failure to take response steps in accordance with Section C - Response to Excursions or Exceedances shall be considered a deviation from this permit.**

***

~~SECTION D.5 FACILITY OPERATION CONDITIONS~~

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

~~(a) Diesel Storage Tanks (UST)- Subject to 40 CFR 60.116b(a) and (b) [2-15,000 gallon@Traffic], [326 IAC 12][40 CFR 60.110, Subpart Kb]~~
~~(b) #2 or #6 Fuel Oil Storage Tank (UST) - subject to 40 CFR60.116b(a) and (b) [1-15,000 gallon @core], [326 IAC 12][40 CFR 60.110, Subpart Kb]~~
~~(c) #2 Fuel Oil Storage Tank (AST) - subject to 40 CFR60.116b(a) and (b) [1-10,000 gallon @ East]. [326 IAC 12][40 CFR 60.110, Subpart Kb]~~

~~(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.5.1 Volatile Organic Liquid Storage Vessel [326 IAC 12][40 CFR 60.110, Subpart Kb]~~

~~Pursuant to 40 CFR Part 60.110b, Subpart Kb (Standards of Performance for Volatile Organic Liquid Storage Vessels), the Diesel Storage Tanks (UST) and the #2 or #6 Fuel Oil Storage Tank (UST), with a design capacity of less than 19,800 gallons (75 cubic meters), are subject to 40 CFR Part 60.116b, paragraphs (a) and (b) which require record keeping.~~

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

~~D.5.2 Record Keeping Requirements [326 IAC 12]~~

~~(a) To document compliance with Condition D.5.1, the Permittee shall maintain permanent records at the source in accordance with (1) and (2) below for the Diesel Storage Tanks (UST) and the #2 or #6 Fuel Oil Storage Tank (UST):~~

~~(1) The dimension of the storage vessel; and~~

~~(2) An analysis showing the capacity of the storage vessel;~~

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

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

~~Part 70 Quarterly Report~~

~~Source Name: Frito-Lay, Incorporated~~
~~Source Address: 323 S. County Road 300 W., Frankfort, IN 46041~~
~~Mailing Address: 323 S. County Road 300 W., Frankfort, IN 46041~~
~~Part 70 Permit No.: T023-7721-00020~~
~~Facility: Starch Drier CP12~~
~~Parameter: Starch Dried~~
~~Limit: all particulate matter emissions from the potato starch dryer (CP-12) shall be limited to 0.54 tons per month, which is equivalent to 6.45 tons during any consecutive 12 month period.~~

~~YEAR:_____~~

~~Month~~	~~Column 1~~	~~Column 2~~	~~Column 1 + Column 2~~
	~~Starch Dried This Month~~	~~Starch Dried Previous 11 Months~~	~~Starch Dried 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.~~

Conclusion and Recommendation

The construction of this proposed modification shall be subject to the conditions of the attached proposed Part 70 Significant Source Modification No. 023-24026-00020 and Significant Permit Modification No. 023-24265-00020. The staff recommends to the Commissioner that this Part 70 Significant Source Modification and Significant Permit Modification be approved.

Appendix A: Emissions Calculations
Summary

Company Name: Frito-Lay, Inc.
Address City IN Zip: 323 South CR 300 West, Frankfort IN 46041
Permit Number: SSM 023-24026-00020
SPM 023-24265-00020
Reviewer: JH/EVP

Pollutant	Primary Oven NBP68	Final Oven NBP69	Storage silos NBP70A & NBP70B	**TOTAL**
PM	0.79	0.08	1.13	**2.00**
PM10	0.92	0.15	1.13	**2.19**
SO2	0.07	0.01	0.00	**0.08**
NOx	25.01	3.12	0.00	**28.13**
VOC	0.66	0.11	0.00	**0.76**
CO	44.81	7.17	0.00	**51.98**
total HAPs	0.23	0.04	0.00	**0.26**
single HAP	0.22	0.03	0.00	

*PM control considered integral to storage silos NBP70A & NBP70B
Total emissions based on rated capacity at 8,760 hours/year, after control.

Appendix A: Emissions Calculations
Criteria Pollutants & HAPs
Primary Over NBP68
Natural Gas & Propane Combustion

Company Name: Frito-Lay, Inc.
Address City IN Zip: 323 South CR 300 West, Frankfort IN 46041
Permit Number: SSM 023-24026-00020
SPM 023-24265-00020
Reviewer: JH/EVP

A. Natural Gas Combustion

Heat Input Capacity MMBtu/hr	Potential Throughput MMCF/yr
27.5	240.9

	Pollutant					
	PM*	PM10*	SO2	NOx**	VOC	CO**
Emission Factor in lb/MMCF	1.9	7.6	0.6	110.0	5.5	372.0
Potential Emission in tons/yr	0.23	0.92	0.07	13.25	0.66	44.81

*PM emission factor is filterable PM only. PM10 emission factor is filterable and condensable PM10 cc
**Emission Factors for CO and NOx are provided by the source from Manufacturer for this burner and are greater than AP-42, Table 1.4-1.
METHODOLOGY
MMBtu = 1,000,000 Btu
MMCF = 1,000,000 Cubic Feet of Gas
Potential Throughput (MMCF) = Heat Input Capacity (MMBtu/hr) x 8,760 hrs/yr x 1 MMCF/1,000 MMBtu
Emission (tons/yr) = Throughput (MMCF/yr) x Emission Factor (lb/MMCF)/2,000 lb/ton
Emission Factors are from AP 42, Chapter 1.4, Tables 1.4-1, 1.4-2, 1.4-3, SCC #1-02-006-02, 1-01-006-02, 1-03-006-02, and 1-03-006-03

B. Propane Combustion

Heat Input Capacity MMBtu/hr	Potential Throughput kgals/year	SO2 Emission factor = 0.10 x S
27.50	2632.79	S = Sulfur Content = 0.16 gr/100ft^3

	Pollutant					
	PM*	PM10*	SO2	NOx	VOC**	CO***
Emission Factor in lb/kgal	0.6	0.6	0.02	19.0	0.5	33.4
Potential Emission in tons/yr	0.79	0.79	0.02	25.01	0.66	43.97

*PM emission factor is filterable PM only. PM10 emission factor is assumed to be the same as PM based on a footnote in Table 1.5-1, therefore PM10 is filterable only as well.
**The VOC value given is TOC. The methane emission factor is 0.2 lb/kgal.
***Emission Factor for CO is provided by the source from Manufacturer for this burner and are greater than AP-42, Table 1.5-1.
METHODOLOGY
1 gallon of propane has a heating value of 91,500 Btu (Source - AP-42 (Supplement B 10/96) page 1.5-1)
Potential Throughput (kgals/year) = Heat Input Capacity (MMBtu/hr) x 8,760 hrs/yr x 1kgal per 1000 gallon x 1 gal per 0.0915 MMBtu

Emission Factors are from AP42 (Supplement B 10/96), Table 1.5-1 (SCC #1-02-010-02)
Emission (tons/yr) = Throughput (kgals/yr) x Emission Factor (lb/kgal) / 2,000 lb/ton

Appendix A: Emissions Calculations
Criteria Pollutants & HAPs
Primary Over NBP68
Natural Gas & Propane Combustion

C. Worst Case Potential Emissions of Criteria Pollutants

Pollutant	PM	PM10	SO2	NOx	VOC	CO
Potential Emission in tons/yr	0.79	0.92	0.07	25.01	0.66	44.81

Worst case emissions based on either natural gas combustion or propane combustion.

D. HAP Emissions

	HAPs - Organics				
Emission Factor in lb/MMcf	Benzene 2.1E-03	Dichloroben 1.2E-03	Formaldehyde 7.5E-02	Hexane 1.8E+00	Toluene 3.4E-03
Potential Emission in tons/yr	2.53E-04	1.45E-04	9.03E-03	0.22	4.10E-04

	HAPs - Metals				
Emission Factor in lb/MMcf	Lead 5.0E-04	Cadmium 1.1E-03	Chromium 1.4E-03	Manganes 3.8E-04	Nickel 2.1E-03
Potential Emission in tons/yr	6.02E-05	1.32E-04	1.69E-04	4.58E-05	2.53E-04
			Total HAPs	0.23	Tons/year

Methodology is the same as in A.
The five highest organic and metal HAPs emission factors are provided above.
Additional HAPs emission factors are available in AP-42, Chapter 1.4.

Appendix A: Emissions Calculations
Criteria Pollutants & HAPs
Final Oven NBP69
Natural Gas & Propane Combustion

Company Name: Frito-Lay, Inc.
Address City IN Zip: 323 South CR 300 West, Frankfort IN 46041
Permit Number: SSM 023-24026-00020
SPM 023-24265-00020
Reviewer: JH/EVP

A. Natural Gas Combustion

Heat Input Capacity MMBtu/hr	Potential Throughput MMCF/yr
4.4	38.5

	Pollutant					
	PM*	PM10*	SO2	NOx**	VOC	CO**
Emission Factor in lb/MMCF	1.9	7.6	0.6	110.0	5.5	372.0
Potential Emission in tons/yr	0.04	0.15	0.01	2.12	0.11	7.17

*PM emission factor is filterable PM only. PM10 emission factor is filterable and condensable PM10 cc
**Emission Factors for CO and NOx are provided by the source from Manufacturer for this burner and are greater than AP-42, Table 1.4-1.
METHODOLOGY
MMBtu = 1,000,000 Btu
MMCF = 1,000,000 Cubic Feet of Gas
Potential Throughput (MMCF) = Heat Input Capacity (MMBtu/hr) x 8,760 hrs/yr x 1 MMCF/1,000 MMBtu
Emission (tons/yr) = Throughput (MMCF/yr) x Emission Factor (lb/MMCF)/2,000 lb/ton
Emission Factors are from AP 42, Chapter 1.4, Tables 1.4-1, 1.4-2, 1.4-3, SCC #1-02-006-02, 1-01-006-02, 1-03-006-02, and 1-03-006-03

B. Propane Combustion

Heat Input Capacity MMBtu/hr	Potential Throughput kgals/year	SO2 Emission factor = 0.10 x S
4.40	421.25	S = Sulfur Content = 0.16 gr/100ft^3

	Pollutant					
	PM*	PM10*	SO2	NOx***	VOC**	CO***
Emission Factor in lb/kgal	0.4	0.4	0.02	14.8	0.5	33.4
Potential Emission in tons/yr	0.08	0.08	0.00	3.12	0.11	7.03

*PM emission factor is filterable PM only. PM10 emission factor is assumed to be the same as PM based on a footnote in Table 1.5-1, therefore PM10 is filterable only as well.
**The VOC value given is TOC. The methane emission factor is 0.2 lb/kgal.
***Emission Factors for NOx and CO are provided by the source from Manufacturer for this burner and are greater than AP-42, Table 1.5-1.
METHODOLOGY
1 gallon of propane has a heating value of 91,500 Btu (Source - AP-42 (Supplement B 10/96) page 1.5-1)
Potential Throughput (kgals/year) = Heat Input Capacity (MMBtu/hr) x 8,760 hrs/yr x 1kgal per 1000 gallon x 1 gal per 0.0915 MMBtu

Emission Factors are from AP42 (Supplement B 10/96), Table 1.5-1 (SCC #1-02-010-02)
Emission (tons/yr) = Throughput (kgals/yr) x Emission Factor (lb/kgal) / 2,000 lb/ton

Appendix A: Emissions Calculations
Criteria Pollutants & HAPs
Final Oven NBP69
Natural Gas & Propane Combustion

C. Worst Case Potential Emissions of Criteria Pollutants

Pollutant	PM	PM10	SO2	NOx	VOC	CO
Potential Emission in tons/yr	0.08	0.15	0.01	3.12	0.11	7.17

Worst case emissions based on either natural gas combustion or propane combustion.

D. HAP Emissions

	HAPs - Organics				
Emission Factor in lb/MMcf	Benzene 2.1E-03	Dichloroben 1.2E-03	Formaldehyde 7.5E-02	Hexane 1.8E+00	Toluene 3.4E-03
Potential Emission in tons/yr	4.05E-05	2.31E-05	1.45E-03	3.47E-02	6.55E-05

	HAPs - Metals				
Emission Factor in lb/MMcf	Lead 5.0E-04	Cadmium 1.1E-03	Chromium 1.4E-03	Manganes 3.8E-04	Nickel 2.1E-03
Potential Emission in tons/yr	9.64E-06	2.12E-05	2.70E-05	7.32E-06	4.05E-05
			Total HAPs	0.04	Tons/year

Methodology is the same as in A.
The five highest organic and metal HAPs emission factors are provided above.
Additional HAPs emission factors are available in AP-42, Chapter 1.4.

Appendix A: Emissions Calculations
PM emissions
Storage Silos NBP70A & NBP70B

Company Name: Frito-Lay, Inc.
Address City IN Zip: 323 South CR 300 West, Frankfort IN 46041
Permit Number: SSM 023-24026-00020
SPM 023-24265-00020
Reviewer: JH/EVP

Potential controlled emissions

EU ID#	Equipment Description	Control Device	Process Rating (lb/hour)	No. of Units	Grain Loading of Bin Vent (gr/dscf)	Air flow rate while loading (cfm)	Control Efficiency (%)	Unlimited PTE PM (lb/hr)	Unlimited PTE PM (ton/yr)	Controlled PTE PM (lb/hr)	Controlled PTE PM (ton/yr)
NBP70A	Storage Silo	Bin vent Filter	4000.00	1	0.030	1,000.00	99.50	51.43	225.26	0.26	1.13
NBP70B	Storage Silo	Bin vent Filter	4000.00	1	0.030	1,000.00	99.50	51.43	225.26	0.26	1.13