



*Mitchell E. Daniels, Jr.*  
Governor

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

*Thomas W. Easterly*  
Commissioner

TO: Interested Parties / Applicant  
DATE: January 22, 2008  
RE: General Shale Brick, Inc. / 109-24454-00002  
FROM: Matthew Stuckey, Deputy Branch Chief  
Permits Branch  
Office of Air Quality

### **Notice of Decision: Approval – Effective Immediately**

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

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

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

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

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

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

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

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

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



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MC 61-53 IGCN 1003  
Indianapolis, Indiana 46204-2251  
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(800) 451-6027  
[www.IN.gov/idem](http://www.IN.gov/idem)

Mr. Warren Paschal  
General Shale Brick, Inc.  
1600 Colon Road  
Sanford, NC 27330

January 22, 2008

Re: 109-24454-00002  
Second Significant Permit Modification to  
Part 70 Permit No.: T109-16617-00002

Dear Mr. Paschal:

General Shale Brick, Inc. was issued a Part 70 Operating Permit Renewal on June 12, 2006 for a brick and structural clay manufacturing source. A letter requesting changes to this permit was received on March 15, 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 changes in the PM, PM10, SO<sub>2</sub>, NO<sub>x</sub>, and HAP emission limits to allow more operational flexibility, allowing the use of multiple reagents in the kiln control devices, and removing the requirements of 40 CFR 63, Subpart JJJJJ from the permit.

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

Pursuant to Contract No. A305-5-65, IDEM, OAQ has assigned the processing of this application to Eastern Research Group, Inc. (ERG). Therefore, questions should be directed to Stacie Enoch, ERG, 1600 Perimeter Park Drive, Morrisville, North Carolina 27560, or call (919) 468-7895 to speak directly to Ms Enoch. Questions may also be directed to Duane Van Laningham at IDEM, OAQ, 100 North Senate Avenue, MC 61-53 IGCN 1003, Indianapolis, Indiana, 46204-2251, or call (800) 451-6027, and ask for Duane Van Laningham or extension 3-6878, or dial (317) 233-6878.

Sincerely,

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

Attachments  
ERG/SE

cc: File - Morgan County  
U.S. EPA, Region V  
Morgan County Health Department  
Air Compliance Section Chief  
Compliance Data Section  
Administrative and Development  
Technical Support and Modeling  
Billing, Licensing and Training Section



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## PART 70 OPERATING PERMIT RENEWAL OFFICE OF AIR QUALITY

**General Shale Brick, Inc.  
Highway 67 South and CR 1000 North  
 Mooresville, Indiana 46158**

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

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

This permit is issued in accordance with 326 IAC 2 and 40 CFR Part 70 Appendix A and contains the conditions and provisions specified in 326 IAC 2-7 as required by 42 U.S.C. 7401, et. seq. (Clean Air Act as amended by the 1990 Clean Air Act Amendments), 40 CFR Part 70.6, IC 13-15 and IC 13-17. **This permit also addresses certain new source review requirements for existing equipment and is intended to fulfill the new source review procedures pursuant to 326 IAC 2-7-1 0.5, applicable to those conditions.**

Operation Permit No.: T109-16617-00002	
Originally Signed by:  Nisha Sizemore, Chief Permits Branch Office of Air Quality	Issuance Date: June 12, 2006  Expiration Date: June 12, 2011

First Significant Permit Modification No.: 109-22865-00002, issued November 22, 2006

Second Significant Permit Modification No.: 109-24454-00002	Affected pages: entire permit
Issued by:  <i>Original signed by</i> Matthew Stuckey, Deputy Branch Chief Permits Branch Office of Air Quality	Issuance Date: January 22, 2008  Expiration Date: June 12, 2011

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## SECTION A

## SOURCE SUMMARY

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

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

The Permittee owns and operates a stationary brick and structural clay manufacturing source.

Source Address: Highway 67 South and CR 1000 North, Mooresville, Indiana 46158  
 Mailing Address: P.O. Box 156, Mooresville, Indiana 46518  
 General Source Phone Number: (317) 831-3317  
 SIC Code: 3251  
 County Location: Morgan  
 Source Location Status: Nonattainment for PM<sub>2.5</sub>  
 Attainment for all other criteria pollutants  
 Source Status: Part 70 Permit Program  
 Major Source, under PSD Rules and Emission Offset;  
 Major Source, Section 112 of the Clean Air Act  
 Not in 1 of 28 listed source categories

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

This brick and structural clay products manufacturing company consists of three (3) plants:

- (a) Plant No. 20 is located at Highway 67 South and CR 1000 N, Mooresville, Indiana;
- (b) Plant No. 32 is located at Highway 67 South and CR 1000 N, Mooresville, Indiana; and
- (c) The New Plant is located at Highway 67 South and CR 1000 N, Mooresville, Indiana.

Since the three (3) plants are located on contiguous or adjacent properties, belong to the same industrial grouping, and under common control of the same entity, they will be considered one (1) source.

### A.3 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) One (1) clay/shale processing operation, identified as EU-001, consisting of grinding and screening operations, installed in 1970 with one (1) grinder replaced in 1999, equipped with a baghouse for particulate control, installed in 1993, exhausting to Stack 001, capacity: 100 tons of clay/shale per hour.
- (b) Two (2) brick manufacturing lines, identified as EU-002, consisting of the following:
  - (1) One (1) brick manufacturing line, identified as Line 1, installed in 1970, modified in 1979, located at Plant No. 20, consisting of the following:
    - (A) One (1) tunnel pre-dryer and one (1) tunnel dryer using waste heat from Line 1 Kiln and one (1) coal and natural gas-fired kiln, identified as Line 1 Kiln, equipped with a dry hydrated lime, sodium bicarbonate, or dry hydrated lime/sodium bicarbonate combination injection baghouse, identified as DIFF-01, exhausting to Stack DIFF-01, rated at 25 million British thermal units per hour, capacity: 14.8 tons of bricks per hour.

- (B) One (1) mill room, identified as EU-P20-MR, equipped with a baghouse, identified as CD-P20-MR, capacity: 65 tons per hour.
- (2) One (1) brick manufacturing line, identified as Line 2, installed in 1987, located at Plant No. 32, consisting of the following:
  - (A) One (1) tunnel pre-dryer and one (1) tunnel dryer using waste heat from Line 2 Kiln, and one (1) coal and natural gas-fired kiln, identified as Line 2 Kiln, equipped with a dry hydrated lime, sodium bicarbonate, or dry hydrated lime/sodium bicarbonate combination injection baghouse, identified as DIFF-02, exhausting to Stack DIFF-02, rated at 25 million British thermal units per hour, capacity: 13.7 tons of bricks per hour.
  - (B) One (1) mill room, identified as EU-P32-MR, equipped with a baghouse, identified as CD-P32-MR, capacity: 70 tons per hour.
- (c) One (1) brick manufacturing line, identified as New Plant, consisting of the following:
  - (1) One (1) brick making room and sand system (mill room), identified as EU-NPMR, equipped with a baghouse, identified as CD-MRBH and exhausting to Stack MRBH, capacity: 72.5 tons of clay and shale per hour.
  - (2) One (1) coal/natural gas fired brick kiln, identified as EU-NPK, equipped with a dry hydrated lime, sodium bicarbonate, or dry hydrated lime/sodium bicarbonate combination injection baghouse, identified as DIFF-03, and exhausting to Stack DIFF-03, capacity: 20.55 tons of bricks and 25.0 million British thermal units per hour.
  - (3) One (1) natural gas/propane brick dryer, identified as EU-NPBD1, exhausting to Stack NPBD1, capacity: 20.55 tons of bricks and 13.29 million British thermal units per hour.
- (d) Waste brick crushing operations, identified as EU-BC, including conveying, crushing and screening, using wet suppression, capacity: 150 tons of bricks per hour.

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

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This stationary source does not currently have any insignificant activities, as defined in 326 IAC 2-7-1 (21) that have applicable requirements.

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

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

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

## **SECTION B GENERAL CONDITIONS**

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

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

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

- (a) This permit, T 109-16617-00002, 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]**

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

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

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

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

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

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

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

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

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

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

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

- 
- (a) Where specifically designated by this permit or required by an applicable requirement, any application form, report, or compliance certification submitted shall contain certification by a responsible official of truth, accuracy, and completeness. This certification shall state that,

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

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

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

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- (a) The Permittee shall annually submit a compliance certification report which addresses the status of the source's compliance with the terms and conditions contained in this permit, including emission limitations, standards, or work practices. 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]**

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- (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]

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- (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)(1) 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 T 109-16617-00002 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 combined permit, all previous registrations and permits are superseded by this combined new source review and 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]**

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

**B.17 Permit Renewal [326 IAC 2-7-3] [326 IAC 2-7-4] [326 IAC 2-7-8]**

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

Request for renewal shall be submitted to:

Indiana Department of Environmental Management  
Permits Branch, Office of Air Quality  
100 North Senate Avenue  
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]**

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

Indiana Department of Environmental Management  
Permits Branch, Office of Air Quality  
100 North Senate Avenue  
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)]**

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- (a) No Part 70 Permit revision shall be required under any approved economic incentives, marketable Part 70 Permits, emissions trading, and other similar programs or processes for changes that are provided for in a Part 70 Permit.
- (b) Notwithstanding 326 IAC 2-7-1 2(b)(1) and 326 IAC 2-7-1 2(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.

B.21 Source Modification Requirement [326 IAC 2-7-1 0.5]

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

(b) Any modification at an existing major source is governed by the requirements of 326 IAC 2-2 and 326 IAC 2-3-2.

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]**

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- (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]**

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

## SECTION C SOURCE OPERATION CONDITIONS

Entire Source

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

C.1 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. 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.

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 Stack Height [326 IAC 1-7]

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

C.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 L326 IAC 2-7-6(1)]**

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

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

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

Indiana Department of Environmental Management  
Compliance Data Section, Office of Air Quality  
100 North Senate Avenue  
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, 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 L326 IAC 2-1.1-11]**

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

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

### **Compliance Monitoring Requirements L326 IAC 2-7-5(1)] L326 IAC 2-7-6(1)]**

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

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

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

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

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

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

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

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

## **Corrective Actions and Response Steps L326 IAC 2-7-5] L326 IAC 2-7-6]**

### **C.12 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 prepared and submitted written emergency reduction plans (ERPs) consistent with safe operating procedures on February 25, 1999.
- (b) Upon direct notification by IDEM, OAQ, that a specific air pollution episode level is in effect, the Permittee shall immediately put into effect the actions stipulated in the approved ERP for the appropriate episode level. [326 IAC 1-5-3]

### **C.13 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.14 Response to Excursions or Exceedances [326 IAC 2-7-5] [326 IAC 2-7-6]**

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

### **C.15 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 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.16 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 2008 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 minimum, the information specified in 326 IAC 2-6-4(c) and shall meet the following requirements:
  - (1) Indicate estimated actual emission 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 61-51 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(32).

- (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.17 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) and/or 326 IAC 2-3-1(II)) at an existing emissions unit, other than projects at a source with a Plantwide Applicability Limitation (PAL), which is not part of a "major modification" (as defined in 326 IAC 2-2-1(ee) and/or 326 IAC 2-3-1(z)) and the Permittee elects to utilize the "projected actual emissions" (as defined in 326 IAC 2-2-1(rr) and/or 326 IAC 2-3-1(mm)), the Permittee shall comply with following:
- (1) Before beginning actual construction of the "project" (as defined in 326 IAC 2-2-1(qq) and/or 326 IAC 2-3-1(II)) 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.18 General Reporting Requirements [326 IAC 2-7-5(3)(C)] [326 IAC 2-1.1-11] [326 IAC 2-2] [326 IAC 2-3]

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- (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) Reporting periods are based on calendar years, unless otherwise specified in this permit. For the purpose of this permit "calendar year" means the twelve (12) month period from January 1 to December 31 inclusive.
- (f) If the Permittee is required to comply with the recordkeeping provisions of (c) in Section C- General Record Keeping Requirements for any "project" (as defined in 326 IAC 2-2-1(qq) and 326 IAC 2-3-1(II)) 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 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 a project at an existing emissions unit shall be submitted within sixty (60) days after the end of the year and contain the following:
  - (1) The name, address, and telephone number of the major stationary source.
  - (2) The annual emissions calculated in accordance with (c)(2) and (3) in Section C- General Record Keeping Requirements.
  - (3) The emissions calculated under the actual-to-projected actual test stated in 326 IAC 2-2-2(d)(3) and 326 IAC 2-3-2(c)(3).
  - (4) Any other information that the Permittee deems fit to include in this report, Reports required in this part shall be submitted to:

Indiana Department of Environmental  
Management Air Compliance Section,  
Office of Air Quality  
100 North Senate Avenue  
MC 61-53 IGCN 1003  
Indianapolis, Indiana 46204-2251
- (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.19 Compliance with 40 CFR 82 and 326 IAC 22-1**

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

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

## SECTION D.1 FACILITY OPERATION CONDITIONS

### Facility Description [326 IAC 2-7-5(15)] Clay/Shale Processing

- (a) One (1) clay/shale processing operation, identified as EU-001, consisting of grinding and screening operations, installed in 1970 with one (1) grinder replaced in 1999, equipped with a baghouse for particulate control, installed in 1993, exhausting to Stack 001, capacity: 100 tons of clay/shale per hour.

(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 [326 IAC 6-3-2]

Pursuant to 326 IAC 6-3-2 (Particulate Emission Limitations for Manufacturing Processes), the allowable particulate emission rate from clay and shale processing (screening and grinding) operation shall not exceed 51.3 pounds per hour when operating at a process weight rate of 100 tons per hour.

The pounds per hour limitation was calculated with the following equation:

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

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

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

#### D.1.2 Record Keeping Requirements [40 CFR 676(a)(1), Subpart OOO]

Pursuant to 40 CFR 60.676(a)(1), on July 19, 1999, the Permittee submitted to IDEM OAQ, the following information:

- (a) The rated capacity in megagrams or tons per hour of the grinder that was constructed in 1970, and
- (b) The rated capacity in tons per hour of the grinder constructed in 1999.

Compliance with paragraphs (a) and (b) of this condition renders the requirements of 40 CFR 60.672, 40 CFR 60.674, and 40 CFR 60.675, Subpart OOO not applicable.

**SECTION D.2 FACILITY OPERATION CONDITIONS**

**Facility Description [326 IAC 2-7-5(15)] Brick Manufacturing Lines**

- (b) Two (2) brick manufacturing lines, identified as EU-002, consisting of the following:
  - (1) One (1) brick manufacturing line, identified as Line 1, installed in 1970, modified in 1979, located at Plant No. 20, consisting of the following:
    - (A) One (1) tunnel pre-dryer and one (1) tunnel dryer using waste heat from Line 1 Kiln and one (1) coal and natural gas-fired kiln, identified as Line 1 Kiln, equipped with a dry hydrated lime, sodium bicarbonate, or dry hydrated lime/sodium bicarbonate combination injection baghouse, identified as DIFF-01, exhausting to Stack DIFF-01, rated at 25 million British thermal units per hour, capacity: 14.8 tons of bricks per hour.
    - (B) One (1) mill room, identified as EU-P20-MR, equipped with a baghouse, identified as CD-P20-MR, capacity: 65 tons per hour.
  - (2) One (1) brick manufacturing line, identified as Line 2, installed in 1987, located at Plant No. 32, equipped with consisting of the following:
    - (A) One (1) tunnel pre-dryer and one (1) tunnel dryer using waste heat from Line 2 Kiln, and one (1) coal and natural gas-fired kiln, identified as Line 2 Kiln, equipped with a dry hydrated lime, sodium bicarbonate, or dry hydrated lime/sodium bicarbonate combination injection baghouse, identified as DIFF-02, exhausting to Stack DIFF-02, rated at 25 million British thermal units per hour, capacity: 13.7 tons of bricks per hour.
    - (B) One (1) mill room, identified as EU-P32-MR, equipped with a baghouse, identified as CD-P32-MR, capacity: 70 tons per hour.

(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 PSD, Emission Offset and Nonattainment NSR Minor Limits [326 IAC 2-2] [326 IAC 2-3] [326 IAC 2- 1.1-5]**

- (a) The production of bricks at the two (2) kilns, Line 1 Kiln and Line 2 Kiln, shall be limited to less than 200,000 tons per twelve (12) consecutive month period, total, with compliance determined at the end of each month.
- (b) The potential to emit PM, PM<sub>10</sub>, SO<sub>2</sub>, and NO<sub>x</sub> shall not exceed the following:

Facility	NOX Limit	PM Limit	PM10 Limit	SO2 Limit
	lbs/ton bricks	lbs/ton bricks	lbs/ton bricks	lbs/ton bricks
Line 1 Kiln	1.00	0.336	0.336	2.50
Line 2 Kiln	1.00	0.336	0.336	2.50
Line 1 mill room (EU-P20-MR)	N/A	0.0063	0.0036	N/A
Line 2 mill room (EU-P32-MR)	N/A	0.0063	0.0036	N/A

Compliance with these limitations limits the potential to emit PM and PM<sub>10</sub> to less than one hundred (100) tons per year, the potential to emit SO<sub>2</sub> to less than two hundred and fifty (250) tons per year and the potential to emit NO<sub>x</sub> to less than one hundred (100) tons per year from the

source existing prior to the addition of the New Plant. Therefore, the source prior to the addition of the New Plant is a minor source pursuant to 326 IAC 2-1.1-5, Nonattainment NSR, 326 IAC 2-2, PSD, and 326 IAC 2-3, Emission Offset, and these limits render the requirements of 326 IAC 2-2 and 326 IAC 2-3 not applicable.

#### D.2.2 Sulfur Dioxide (SO<sub>2</sub>) [326 IAC 7-1.1-1]

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Pursuant to 326 IAC 7-1.1 (SO<sub>2</sub> Emissions Limitations), the SO<sub>2</sub> emissions from each kiln (Line 1 and Line 2) shall not exceed six (6.0) pounds per million British thermal units heat input while combusting coal.

#### D.2.3 Particulate [326 IAC 6-3-2]

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- (a) Pursuant to 326 IAC 6-3-2 (Particulate Emission Limitations for Manufacturing Processes), the allowable particulate emission rate from the Line 1 Kiln shall not exceed 24.9 pounds per hour when operating at a process weight rate of 14.8 tons per hour.

This pound per hour limitation was calculated with the following equation:

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

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

- (b) Pursuant to 326 IAC 6-3-2 (Particulate Emission Limitations for Manufacturing Processes), the allowable particulate emission rate from the Line 2 Kiln shall not exceed 23.7 pounds per hour when operating at a process weight rate of 13.7 tons per hour.

This pound per hour limitation was calculated with the following equation:

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

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

- (c) Pursuant to 326 IAC 6-3-2 (Particulate Emission Limitations for Manufacturing Processes), the allowable particulate emission rate from the one (1) mill room (EU-P20-MR) shall not exceed 47.1 pounds per hour when operating at a process weight rate of 65 tons per hour.

The pound per hour limitation was calculated with the following equation:

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

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

- (d) Pursuant to 326 IAC 6-3-2 (Particulate Emission Limitations for Manufacturing Processes), the allowable particulate emission rate from the one (1) mill room (EU-P32-MR) shall not exceed 47.8 pounds per hour when operating at a process weight rate of 70 tons per hour.

The pound per hour limitation was calculated with the following equation:

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

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

#### D.2.4 Preventive Maintenance Plan [326 IAC 2-7-5(13)]

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

### Compliance Determination Requirements

#### D.2.5 Testing Requirements [326 IAC 2-7-6(1),(6)] [326 IAC 2-1.1-11]

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- (a) Within 180 days after the issuance of this Part 70 permit renewal, 109-16617-00002, in order to demonstrate compliance with Condition D.2.1(b), the Permittee shall perform SO<sub>2</sub> testing for the Line 1 Kiln and Line 2 Kiln stacks utilizing methods as approved by the Commissioner. This test shall be repeated at least once every five (5) years from the date of this valid compliance demonstration. Testing shall be conducted in accordance with Section C - Performance Testing. After the baghouses on the kilns commence operation, this testing shall be superseded by the testing required in Condition D.2.7(c).
- (b) Within 180 days after issuance of this Part 70 permit renewal, 109-16617-00002, in order to demonstrate compliance with Condition D.2.3, the Permittee shall perform PM testing for the Line 1 Kiln and Line 2 Kiln stacks utilizing methods as approved by the Commissioner. This test shall be repeated at least once every five (5) years from the date of this valid compliance demonstration. Testing shall be conducted in accordance with Section C - Performance Testing.
- (c) Prior to commencing construction of the New Plant described in Section D.3, but no later than 180 days after the baghouses on the kilns commence operation, in order to demonstrate compliance with Condition D.2.1(b), the Permittee shall perform PM, PM<sub>10</sub>, SO<sub>2</sub> and NO<sub>x</sub> testing for the Line 1 Kiln/Dryer stack and the Line 2 Kiln/Dryer stack (DI FF-01 and DI FF-02). PM<sub>10</sub> includes filterable and condensable PM<sub>10</sub>. These tests shall be repeated at least once every five (5) years from the date of this valid compliance demonstration. Testing shall be conducted in accordance with Section C - Performance Testing.

#### D.2.6 Sulfur Dioxide Emissions and Sulfur Content [326 IAC 2-7-5(3)(A)] [326 IAC 2-7-6]

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Pursuant to 326 IAC 7-2, the Permittee shall demonstrate that the sulfur dioxide emissions from each kiln (Line 1 and Line 2) does not exceed six (6.0) pounds per million British thermal units. Compliance shall be determined utilizing one of 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; or
- (b) Sampling and analyzing the coal by 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 two (2) tunnel kilns, 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.2.7 Particulate and SO<sub>2</sub> Control [326 IAC 2-7-6(6)]

- (a) In order to comply with Condition D.2.1(b), the dry hydrated lime, sodium bicarbonate, or dry hydrated lime/sodium bicarbonate injection baghouse, identified as DIFF-01, for particulate and SO<sub>2</sub> control shall be in operation and control emissions from the Line 1 Kiln at all times that the Line 1 Kiln is in operation.
- (b) In order to comply with Condition D.2.1(b), the dry hydrated lime, sodium bicarbonate, or dry hydrated lime/sodium bicarbonate combination injection baghouse, identified as DIFF-02, for particulate and SO<sub>2</sub> control shall be in operation and control emissions from the Line 2 Kiln at all times that the Line 2 Kiln is in operation.
- (c) In order to comply with Condition D.2.1(b), the baghouse, identified as CD-P20-MR, for particulate control shall be in operation and control emissions from the Line 1 mill room, identified as EU-P20-MR, at all times that the Line 1 mill room is in operation.
- (d) In order to comply with Condition D.2.1(b), the baghouse, identified as CD-P32-MR, for particulate control shall be in operation and control emissions from the Line 2 mill room identified as EU-P32-MR, at all times that the Line 2 mill room is in operation.
- (e) In the event that bag failure is observed in a multi-compartment baghouse, if operations will continue for ten (10) days or more after the failure is observed before the failed units will be repaired or replaced, the Permittee shall promptly notify the IDEM, OAQ of the expected date the failed units will be repaired or replaced. The notification shall also include the status of the applicable compliance monitoring parameters with respect to normal, and the results of any response actions taken up to the time of notification.

#### **Compliance Monitoring Requirements L326 IAC 2-7-6(1)] L326 IAC 2-7-5(1)]**

#### D.2.8 Visible Emissions Notations

- (a) Visible emission notations of the Line 1 Kiln and Line 2 Kiln stack exhausts (DIFF-01 and DIFF-02) and the mill room baghouses (CD-P20-MR and CD-P32-MR) shall be performed once per day during normal daylight operations. 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.2.9 Baghouse Parametric Monitoring [326 IAC 2-7-6(1)] [326 IAC 2-7-5(1)]

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- (a) The Permittee shall record the pressure drop across the baghouses (CD-P20-MR and CDP32-MR) used in conjunction with the mill rooms (EU-P20-MR and EU-P32-MR) at least once per day when the mill rooms are in operation. When for any one reading, the pressure drop across the baghouse is outside the normal range of 2.0 and 8.0 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.
- (b) The instrument used for determining the pressure shall comply with Section C - Instrument Specifications, of this permit, shall be subject to approval by IDEM, OAQ, and shall be calibrated at least once every six (6) months.

#### D.2.10 Broken or Failed Bag Detection

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- (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 line. 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.2.11 Compliance Assurance SO<sub>2</sub> Monitoring [40 CFR 64]

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Pursuant to 40 CFR 64, Compliance Assurance Monitoring, the Permittee shall perform the following monitoring:

- (a) The Permittee shall continuously monitor the dry lime feed rate at the baghouses, identified as DIFF-01 and DIFF-02.
- (b) The Permittee shall inspect the dry lime feed system and feeder setting on the baghouses, identified as DIFF-01 and DIFF-02, once per shift.

- (c) If the lime feeder setting drops below the level established during the latest performance test, the switches monitoring the interlock system on the limestone delivery systems, including the lime screw conveyor and holding bin, are not functioning properly, or the Permittee discovers cracks, holes or abnormal/excessive wear on the indicators for the screw conveyor and holding bin, the Permittee shall take reasonable response steps in accordance with Section C - Response to Excursions or Exceedances.

### **Record Keeping and Reporting Requirement L326 IAC 2-7-5(3)] L326 IAC 2-7-19]**

#### **D.2.12 Record Keeping Requirements**

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- (a) To document compliance with Condition D.2.1 the Permittee shall maintain records in accordance with (1) through (4) below. Records maintained for (1) through (4) shall be taken monthly and shall be complete and sufficient to establish compliance with the emission limits established in Condition D.2.1.
- (1) The total number of bricks produced at each kiln each month;
  - (2) Calendar dates covered in the compliance determination period;
  - (3) Sulfur content, heat content, and ash content of the coal; and
  - (4) Sulfur dioxide emission rates.
- (b) To document compliance with Condition D.2.8, the Permittee shall maintain records of visible emission notations of the Line 1 Kiln and Line 2 Kiln stack exhausts (DIFF-01 and DIFF-02) once per day 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.2.9, the Permittee shall maintain records once per day of the pressure drop across the baghouses (CD-P20-MR and CD-P32-MR) used in conjunction with the mill rooms (EU-P20-MR and EU-P32-MR) during normal operation when venting to the atmosphere. The Permittee shall include in its daily record when a pressure drop reading is not taken and the reason for the lack of pressure drop reading (e.g. the process did not operate that day).
- (d) To document compliance with Condition D.2.11, the Permittee shall maintain records of the feeder setting once per shift and continuous records of the dry lime feed rate.
- (e) To document compliance with Condition D.2.1, the Permittee shall maintain a record of the date the baghouse, identified as DIFF-01, and the baghouse, identified as DIFF-02, commence operation.
- (f) All records shall be maintained in accordance with Section C - General Record Keeping Requirements, of this permit.

#### **D.2.13 Reporting Requirements**

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- (a) A quarterly summary of the information to document compliance with Condition D.2.1 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 require the certification by the "responsible official" as defined by 326 IAC 2-7-1(34).
- (b) Reports indicating the date the one (1) dry lime/sodium bicarbonate injection baghouse, identified as DIFF-01, and the one (1) dry lime injection baghouse, identified as DIFF-02, commence operation shall be submitted to the address listed in Section C - General Reporting Requirements, of this permit, within thirty (30) days of commencing operation of each baghouse. The report submitted by the Permittee does require the certification by the "responsible official" as defined by 326 IAC 2-7-1(34).

#### D.2.13 Reporting Requirements

---

- (a) A quarterly summary of the information to document compliance with Condition D.3.1(d) shall be submitted to the address listed in Section C - General Reporting Requirements, of this permit, using the reporting forms located at the end of this permit, or their equivalent, within thirty (30) days after the end of the quarter being reported. The report submitted by the Permittee does require the certification by the "responsible official" as defined by 326 IAC 2-7-1(34).
  
- (b) Reports indicating the date the one (1) dry lime/sodium bicarbonate injection baghouse, identified as DIFF-01, and the one (1) dry lime injection baghouse, identified as DIFF-02, commence operation shall be submitted to the address listed in Section C - General Reporting Requirements, of this permit, within thirty (30) days of commencing operation of each baghouse. The report submitted by the Permittee does require the certification by the "responsible official" as defined by 326 IAC 2-7-1(34).

**SECTION D.3 FACILITY OPERATION CONDITIONS**

**Facility Description [326 IAC 2-7-5(15)] Brick Manufacturing Line (New Plant)**

- (c) One (1) brick manufacturing line, identified as New Plant, consisting of the following:
- (1) One (1) brick making room and sand system (mill room), identified as EU-NPMR, equipped with a baghouse, identified as CD-MRBH and exhausting to Stack MRBH, capacity: 72.5 tons of clay and shale per hour.
  - (2) One (1) coal/natural gas fired brick kiln, identified as EU-NPK, equipped with a dry hydrated lime, sodium bicarbonate, or dry hydrated lime/sodium bicarbonate combination dry lime injection baghouse, identified as DIFF-03, and exhausting to Stack DIFF-03, capacity: 20.55 tons of bricks and 25.0 million British thermal units per hour.
  - (3) One (1) natural gas/propane brick dryer, identified as EU-NPBD1, exhausting to Stack NPBD1, capacity: 20.55 tons of bricks and 13.29 million British thermal units per hour.

(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 PSD and Nonattainment NSR Minor Modification Limits [326 IAC 2-2] [326 IAC 2-1.1-5] [326 IAC 2-4.1]**

- (a) The construction of these facilities shall not commence until the Permittee demonstrates compliance with the pound per ton emission limitations in Condition D.2.1(e) using the testing required by Condition D.2.5(c).
- (b) The potential to emit PM, PM<sub>10</sub>, and SO<sub>2</sub> shall be limited as follows:

Facility	PM Limit	PM <sub>10</sub> Limit	SO <sub>2</sub> Limit
	lbs/ton bricks	lbs/ton bricks	lbs/ton bricks
New Plant Kiln	0.336	0.336	2.60
New Plant Mill Room	0.0063	0.0036	N/A
Total			

Compliance with these limitations limits the potential to emit PM and PM<sub>10</sub> to less than one hundred (100) tons per year and the potential to emit SO<sub>2</sub> to less than two hundred and fifty (250) tons per year from the addition of the New Plant. Therefore, this modification is a minor modification pursuant to 326 IAC 2-1.1-5, Nonattainment NSR, 326 IAC 2-2, PSD, and the requirements of 326 IAC 2-2 and 326 IAC 2-3 are not applicable.

- (c) In order to render 326 IAC 2-4.1 not applicable, the potential to emit HAPs shall not exceed the following:

Facility	Hydrogen fluoride (Hydrofluoric acid)	Hydrochloric acid
	lbs/ton bricks	lbs/ton bricks
New Plant Kiln (EU-NPK)	0.057	0.056

Compliance with these limitations limits the potential to emit a single HAP to less than ten (10) tons per year and of a combination of HAPs to less than twenty-five (25) tons per year from EU-NPK and renders the requirements of 326 IAC 2-4.1 not applicable.

- (d) The production of bricks at kiln EU-NPK shall not exceed 180,018 tons per twelve (12) consecutive month period with compliance determined at the end of each month.

### D.3.2 Sulfur Dioxide (SO<sub>2</sub>) [326 IAC 7-1.1-1]

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Pursuant to 326 IAC 7-1.1 (SO<sub>2</sub> Emissions Limitations), the SO<sub>2</sub> emissions from the kiln, identified as EU-NPK, shall not exceed six (6.0) pounds per million British thermal units heat input while combusting coal.

### D.3.3 Particulate [326 IAC 6-3-2]

---

- (a) Pursuant to 326 IAC 6-3-2 (Particulate Emission Limitations for Manufacturing Processes), the allowable particulate emission rate from the one (1) proposed brick making room and sand system (EU-NPMR) shall not exceed 48.1 pounds per hour when operating at a process weight rate of 72.5 tons per hour.

The pound per hour limitation was calculated with the following equation:

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

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

- (b) Pursuant to 326 IAC 6-3-2 (Particulate Emission Limitations for Manufacturing Processes), the allowable particulate emission rate from one (1) proposed coal/natural gas fired brick kiln (EU-NPK) shall not exceed 31.1 pounds per hour when operating at a process weight rate of 20.55 tons per hour.

This pound per hour limitation was calculated with the following equation:

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

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

- (c) Pursuant to 326 IAC 6-3-2 (Particulate Emission Limitations for Manufacturing Processes), the allowable particulate emission rate from the one (1) proposed natural gas/propane brick dryer (EU-NPBD1) shall not exceed 31.1 pounds per hour when operating at a process weight rate of 20.55 tons per hour.

This pound per hour limitation was calculated with the following equation:

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

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

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

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

### Compliance Determination Requirements

### D.3.5 Testing Requirements [326 IAC 2-7-6(1),(6)] [326 IAC 2-1.1-11]

---

Within 180 days of startup, in order to demonstrate compliance with Conditions D.3.1(b) and D.3.3(b), the Permittee shall perform PM, PM<sub>10</sub> and SO<sub>2</sub> testing for the one (1) coal/natural gas fired brick kiln stack (DIFF-03). PM<sub>10</sub> includes filterable and condensable PM<sub>10</sub>. This test shall be repeated at least once every five (5) years from the date of this valid compliance demonstration. Testing shall be conducted in accordance with Section C - Performance Testing.

#### D.3.6 Particulate, SO<sub>2</sub>, and HAP Control [326 IAC 2-7-6(6)]

---

- (a) In order to comply with Conditions D.3.1(b), D.3.1(c), and D.3.3(b), the dry hydrated lime, sodium bicarbonate, or dry hydrated lime/sodium bicarbonate combination injection baghouse, identified as DIFF-03, for particulate and SO<sub>2</sub> control shall be in operation and control emissions from the one (1) coal/natural gas fired brick kiln (EU-NPK) at all times that the kiln is in operation.
- (b) In order to comply with Condition D.3.1(b), the baghouse, identified as CD-MRBH, for particulate control shall be in operation and control emissions from the one (1) brick making room and sand system, identified as EU-NPMR, at all times that the one (1) brick making room and sand system, identified as EU-NPMR, is in operation.
- (c) In the event that bag failure is observed in a multi-compartment baghouse, if operations will continue for ten (10) days or more after the failure is observed before the failed units will be repaired or replaced, the Permittee shall promptly notify the IDEM, OAQ of the expected date the failed units will be repaired or replaced. The notification shall also include the status of the applicable compliance monitoring parameters with respect to normal, and the results of any response actions taken up to the time of notification.

#### D.3.7 Sulfur Dioxide Emissions and Sulfur Content [326 IAC 2-7-5(3)(A)] [326 IAC 2-7-6]

---

Pursuant to 326 IAC 7-2, the Permittee shall demonstrate that the sulfur dioxide emissions from the kiln (EU-NPK) do not exceed six (6.0) pounds per million British thermal units. Compliance shall be determined utilizing one of 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; or
- (b) Sampling and analyzing the coal by 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 tunnel kilns, 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.

### **Compliance Monitoring Requirements L326 IAC 2-7-6(1)] L326 IAC 2-7-5(1)]**

#### **D.3.8 Visible Emissions Notations**

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- (a) Visible emission notations of the one (1) coal/natural gas fired brick kiln (EU-NPK) stack exhaust (DIFF-03) and the one (1) brick making room and sand system (EU-NPMR) baghouse stack exhaust (MRBH) shall be performed once per day during normal daylight operations.
- (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.3.9 Baghouse Parametric Monitoring [326 IAC 2-7-6(1)] [326 IAC 2-7-5(1)]**

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- (a) The Permittee shall record the pressure drop across the baghouse (CD-MRBH) used in conjunction with the one (1) brick making room and sand system (EU-N PMR) at least once per day when the brick making room and sand system is in operation. When for any one reading, the pressure drop across the baghouse is outside the normal range of 2.0 and 8.0 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.
- (b) The instrument used for determining the pressure shall comply with Section C - Instrument Specifications, of this permit, shall be subject to approval by IDEM, OAQ, and shall be calibrated at least once every six (6) months.

#### **D.3.10 Broken or Failed Bag Detection**

---

- (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 line. 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 Compliance Assurance SO<sub>2</sub> Monitoring [40 CFR 64]

- (a) The Permittee shall continuously monitor the dry lime feed rate at the one (1) dry hydrated lime, sodium bicarbonate, or dry hydrated lime/sodium bicarbonate combination lime injection baghouse, identified as DIFF-03.
- (b) The Permittee shall inspect the dry lime feed system and feeder setting on the one (1) dry hydrated lime, sodium bicarbonate, or dry hydrated lime/sodium bicarbonate combination lime injection baghouse, identified as DIFF-03, once per shift.
- (c) If the lime feeder setting drops below the level established during the latest performance test, the switches monitoring the interlock system on the limestone delivery systems, including the lime screw conveyor and holding bin, are not functioning properly, or the Permittee discovers cracks, holes or abnormal/excessive wear on the indicators for the screw conveyor and holding bin, the Permittee shall take reasonable response steps in accordance with Section C - Response to Excursions or Exceedances.

#### **Record Keeping and Reporting Requirement L326 IAC 2-7-5(3)] L326 IAC 2-7-19]**

#### D.3.12 Record Keeping Requirements

- (a) To document compliance with Condition D.3.1 the Permittee shall maintain records in accordance with (1) through (4) below. Records maintained for (1) through (4) shall be taken monthly and shall be complete and sufficient to establish compliance with the brick production limit as well as the SO<sub>2</sub> emission limits established in Condition D.2.1.
  - (1) The total number of bricks produced at each kiln each month;
  - (2) Calendar dates covered in the compliance determination period;
  - (3) Sulfur content, heat content, and ash content of the coal; and
  - (4) Sulfur dioxide emission rates;
- (b) To document compliance with Condition D.3.8, the Permittee shall maintain records of visible emission notations of the one (1) coal/natural gas fired brick kiln (EU-NPK) stack exhaust (DIFF-03) once per day while combusting coal. The Permittee shall included 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.3.9, the Permittee shall maintain records once per day of the pressure drop across the baghouse (CD-MRBH) used in conjunction with the one (1) brick making room and sand system (EU-NPMR) during normal operation when venting to the atmosphere. The Permittee shall include in its daily record when a pressure drop reading is not taken and the reason for the lack of pressure drop reading (e.g. the process did not operate that day).
- (d) To document compliance with Condition D.3.11, the Permittee shall maintain records of the feeder setting once per shift.
- (e) All records shall be maintained in accordance with Section C - General Record Keeping Requirements, of this permit.

### D.3.13 Reporting Requirements

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A quarterly summary of the information to document compliance with Condition D.3.1(d) shall be submitted to the address listed in Section C - General Reporting Requirements, of this permit, using the reporting forms located at the end of this permit, or their equivalent, within thirty (30) days after the end of the quarter being reported. The report submitted by the Permittee does require the certification by the "responsible official" as defined by 326 IAC 2-7-1(34).

## SECTION D.4 FACILITY OPERATION CONDITIONS

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

- (d) Waste brick crushing operations, identified as EU-BC, including conveying, crushing and screening, using wet suppression, capacity: 150 tons of bricks per hour.

(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 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 waste brick crushing operations (EU-BC) shall not exceed 55.4 pounds per hour when operating at a process weight rate of 150 tons per hour.

The pound per hour limitation was calculated with the following equation:

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

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

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

**PART 70 OPERATING PERMIT  
CERTIFICATION**

Source Name: General Shale Brick, Inc.  
Source Address: Highway 67 South and CR 1000 North, Mooresville, Indiana 46158  
Mailing Address: P.O. Box 156, Mooresville, Indiana 46518  
Part 70 Permit No.: T 109-16617-00002

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

Please check what document is being certified:

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

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

Signature:

Printed Name:

Title/Position:

Phone:

Date:

**INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT  
OFFICE OF AIR QUALITY  
COMPLIANCE BRANCH  
100 North Senate Avenue  
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: General Shale Brick, Inc.  
Source Address: Highway 67 South and CR 1000 North, Mooresville, Indiana 46158  
Mailing Address: P.O. Box 156, Mooresville, Indiana 46518  
Part 70 Permit No.: T 109-16617-00002

**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 <sub>2</sub> , VOC, NO <sub>x</sub> , CO, Pb, other:
Estimated amount of pollutant(s) emitted during emergency:
Describe the steps taken to mitigate the problem:
Describe the corrective actions/response steps taken:
Describe the measures taken to minimize emissions:
If applicable, describe the reasons why continued operation of the facilities are necessary to prevent imminent injury to persons, severe damage to equipment, substantial loss of capital investment, or loss of product or raw materials of substantial economic value:

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

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

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

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

A certification is not required for this report.

**INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT  
OFFICE OF AIR QUALITY  
COMPLIANCE DATA SECTION  
Part 70 Quarterly Report**

Source Name: General Shale Brick, Inc.  
Source Address: Highway 67 South and CR 1000 North, Mooresville, Indiana 46158  
Mailing Address: P.O. Box 156, Mooresville, Indiana 46518  
Part 70 Permit No.: T 109-16617-00002  
Facility: Line 1 Kiln and Line 2 Kiln  
Parameter: Brick Produced  
Limit: Less than 200,000 tons per twelve (12) consecutive month period with compliance determined at the end of each month.

YEAR:

Month	Bricks Produced (tons)	Bricks Produced (tons)	Bricks Produced (tons)
	This Month	Previous 11 Months	12 Month Total

- 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: General Shale Brick, Inc.  
Source Address: Highway 67 South and CR 1000 North, Mooresville, Indiana 46158  
Mailing Address: P.O. Box 156, Mooresville, Indiana 46518  
Part 70 Permit No.: T109-16617-00002  
Facility: EU-NPK  
Parameter: Brick Produced  
Limit: Shall not exceed 180,018 tons per twelve (12) consecutive month period with compliance determined at the end of each month.

YEAR:

Month	Bricks Produced (tons)	Bricks Produced (tons)	Bricks Produced (tons)
	This Month	Previous 11 Months	12 Month Total

- 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: General Shale Brick, Inc.  
Source Address: Highway 67 South and CR 1000 North, Mooresville, Indiana 46158  
Mailing Address: P.O. Box 156, Mooresville, Indiana 46518  
Part 70 Permit No.: T 109-16617-00002

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

Page 1 of 2

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

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

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

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

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

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

Attach a signed certification to complete this report.

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

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

**Source Description and Location**

Source Name:	General Shale Brick, Inc.
Source Location:	Highway 67 South and CR 1000 North, Mooresville, Indiana 46158
County:	Morgan
SIC Code:	3251
Operation Permit No.:	T 109-16617-00002
Operation Permit Issuance Date:	June 12, 2006
Significant Permit Modification No.:	109-24454-00002
Permit Reviewer:	ERG/SE

**Source Definition**

This brick and structural clay products manufacturing company consists of three (3) plants:

- (a) Plant No. 20 is located at Highway 67 South and CR 1000 N, Mooresville, Indiana;
- (b) Plant No. 32 is located at Highway 67 South and CR 1000 N, Mooresville, Indiana; and
- (c) The New Plant is located at Highway 67 South and CR 1000 N, Mooresville, Indiana.

Since the three (3) plants are located on contiguous or adjacent properties, belong to the same industrial grouping, and are under common control of the same entity, they will be considered one (1) source.

**Existing Approvals**

The source was issued Part 70 Operating Permit Renewal No. 109-16617-00002 on June 12, 2006. The source has since received the following approvals:

- (a) Significant Source Modification No. 109-22854-00002, issued on September 11, 2006; and
- (b) Significant Permit Modification No. 109-22865-00002, issued on November 22, 2006.

**County Attainment Status**

The source is located in Morgan County.

<b>Pollutant</b>	<b>Status</b>
PM10	Attainment
PM2.5	Nonattainment
SO <sub>2</sub>	Attainment
NO <sub>2</sub>	Attainment
8-hour Ozone	Attainment
CO	Attainment
Lead	Attainment

Notes:

1. On October 25, 2006, the Indiana Air Pollution Control Board finalized a rule revision to 326 IAC 1-4-1 revoking the one-hour ozone standard in Indiana.
2. On November 8, 2007 the Indiana Air Pollution Control Board finalized a temporary emergency rule to redesignate Clark, Floyd, Elkhart, St. Joseph, LaPorte, Boone, Hamilton, Hancock, Hendricks, Johnson,

Madison, Marion, Morgan, and Shelby Counties as attainment for the 8-hour ozone standard.

- (a) Volatile organic compounds (VOC) and Nitrogen Oxides (NO<sub>x</sub>) are regulated under the Clean Air Act (CAA) for the purposes of attaining and maintaining the National Ambient Air Quality Standards (NAAQS) for ozone. Therefore, VOC emissions and NO<sub>x</sub> emissions are considered when evaluating the rule applicability relating to ozone.

On November 8, 2007, a temporary emergency rule took effect redesignating Morgan County to attainment for the eight-hour ozone standard. The Indiana Air Pollution Control Board has begun the process for a permanent rule revision to incorporate these changes into 326 IAC 1-4-1. The permanent revision to 326 IAC 1-4-1 should take effect prior to the expiration of the emergency rule. Therefore, VOC emissions and NO<sub>x</sub> emissions were reviewed pursuant to the requirements for Prevention of Significant Deterioration (PSD), 326 IAC 2-2. See the State Rule Applicability for the source section.

- (b) U.S. EPA, in the Federal Register Notice 70 FR 943 dated January 5, 2005, has designated Morgan County as nonattainment for PM<sub>2.5</sub>. On March 7, 2005 the Indiana Attorney General's Office, on behalf of IDEM, filed a law suit with the Court of Appeals for the District of Columbia Circuit challenging U.S. EPA's designation of nonattainment areas without sufficient data. However, in order to ensure that sources are not potentially liable for a violation of the Clean Air Act, the OAQ is following the U.S. EPA's guidance to regulate PM<sub>10</sub> emissions as a surrogate for PM<sub>2.5</sub> emissions pursuant to the requirements of nonattainment New Source Review, 326 IAC 2-1.1-5.
- (c) Morgan County has been classified as attainment or unclassifiable for all other criteria pollutants. Therefore, these emissions were reviewed pursuant to the requirements for Prevention of Significant Deterioration (PSD), 326 IAC 2-2.
- (d) Fugitive Emissions  
Since this type of operation is not in 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.

#### 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	Not Reported
PM <sub>10</sub>	76
SO <sub>2</sub>	367
VOC	2
CO	78
NO <sub>x</sub>	50
HAP	Not Reported

#### Description of Proposed Modification

The Office of Air Quality (OAQ) has reviewed a modification application, submitted by General Shale Brick, Inc. on March 15, 2007, relating to the following:

- (a) To use multiple reagents in each kiln control device.

Currently, the Plant 20 Kiln control device (CD-DIFF01) is permitted to use a combination of dry hydrated lime and sodium bicarbonate, the Plant 32 Kiln control device (CD-DIFF02) is permitted to use dry hydrated lime and the new plant kiln device (CD-DIFF03)

is permitted to use dry hydrated lime.

The Permittee requests to modify the permit in order to have the ability to use either dry hydrated lime, sodium bicarbonate, or a mixture of these two as reagents in all three kiln control devices. Because this is a change to the way the control devices are operated, and not to the emissions units themselves, this change is not expected to result in a change in the potential to emit of any pollutant.

- (b) To modify the PSD and Emission Offset limits included in the current permit for SO<sub>2</sub> and NO<sub>x</sub>.

Currently, the Line 1 Kiln and Line 2 Kiln have a limited production rate of 243,456 tons of bricks per twelve (12) consecutive month period, NO<sub>x</sub> emissions from each kiln are limited to 0.813 pounds per ton of bricks, and SO<sub>2</sub> emissions from Line 1 Kiln and Line 2 Kiln are limited to 1.68 and 2.32 pounds per ton of bricks, respectively.

The Permittee states that these limits do not allow operational flexibility.

See the tables below for a comparison of the existing and proposed emission limits and the resulting SO<sub>2</sub> and NO<sub>x</sub> emissions.

Emission Unit(s)	Brick Throughput Limit		SO <sub>2</sub> Limit (lbs/ton brick)		NO <sub>x</sub> Limit (lbs/ton brick)	
	Existing	Proposed	Existing	Proposed	Existing	Proposed
Kiln Line 1	129,648	N/A	1.68	2.50	0.813	1.00
Kiln Line 2	120,012	N/A	2.32	2.50	0.813	1.00
Total for Kiln Lines 1 and 2	243,456	Less than 200,000	N/A	N/A	N/A	N/A

Emission Unit(s)	Total SO <sub>2</sub> Emissions (tons/year)		Total NO <sub>x</sub> Emissions (tons/year)	
	Using Existing Limits	Using Proposed Limits	Using Existing Limits	Using Proposed Limits
Kiln Lines 1 and 2	Less than 250	Less than 250	99.0	Less than 100

- (c) To remove the applicable requirements of vacated NESHAP Subpart JJJJJ.

The one (1) tunnel pre-dryer and one (1) tunnel dryer using waste heat from Line 1 Kiln, Line 1 Kiln, one (1) tunnel pre-dryer and one (1) tunnel dryer using waste heat from Line 2 Kiln, Line 2 Kiln, and kiln EU-NPK were previously determined to be subject to 40 CFR 63, Subpart JJJJJ (National Emission Standards for Hazardous from Brick and Structural Clay Products Manufacturing). However, on March 13, 2007, the United States Court of Appeals for District of Columbia Circuit (in Sierra Club vs EPA, 2007 U.S. App Lexis 5749, No. 03-1202), vacated 40 CFR 63, Subpart JJJJJ in its entirety. Therefore, the units listed above are no longer subject to the requirements of 40 CFR 63, Subpart JJJJJ, and these requirements have been removed from the permit.

- (d) To limit the HAPs for EU-NPK to render 326 IAC 2-4.1 not applicable.

EU-NPK was previously not subject to 326 IAC 2-4.1 because it was subject to 40 CFR 63, Subpart JJJJJ. Because the kiln EU-NPK is no longer subject to 40 CFR 63, Subpart JJJJJ and in order to render the requirements of 326 IAC 2-4.1 not applicable, the Permittee has accepted HAP emission limits on EU-NPK as shown in the following table.

Emission Unit	Maximum Throughput Capacity (tons bricks/hr)	Proposed HF limit (lb/ton bricks)	Proposed HCl limit (lb/ton bricks)	PTE Other HAPs Total (tons/yr)	Total PTE HAPs After Proposed Modification (tons/yr)
EU-NPK	20.55	0.057	0.056	0.92	11.1

Based on the maximum throughput capacity of 20.55 tons of bricks per hour and 8,760 potential hours of operation per year, the total potential to emit HAPs from EU-NPK will remain the same after this modification.

The PTE Other HAPs Total (tons/yr) shown above (0.92 tons/yr) is from the TSD for Significant Permit Modification 109-22865-00002, issued November 22, 2006. The potential to emit Hydrogen fluoride (Hydrofluoric acid) will be limited to 0.057 pounds per tons of bricks, which is equivalent to 5.13 tons per year (based on the maximum capacity of 20.55 tons of bricks per hour and 8,760 hours per year). The potential to emit Hydrochloric acid will be limited to 0.056 pounds per ton of bricks, which is equivalent to 5.04 tons per year (based on the maximum capacity of 20.55 tons of bricks per hour and 8,760 hours per year).

Therefore, compliance with the limits above will limit emissions of a single HAP to less than ten (10) tons per year and of a combination of HAPs to less than twenty-five tons per year (0.92 + 5.13 + 5.04 = 11.1 tons/yr) and render the requirements of 326 IAC 2-4.1 not applicable.

**Enforcement Issues**

There are no pending enforcement actions related to this modification.

**Permit Level Determination – Part 70**

There is no new equipment being added in this permit modification, and there will be no increase in the potential to emit of any pollutant.

This permit modification to the Part 70 Operating Permit is being done through a significant permit modification issued pursuant to 326 IAC 2-7-12(d), because it requires a case-by-case determination of an emission limitation or other standard.

**Permit Level Determination – PSD or Emission Offset**

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 permit modification, and only to the extent that the effect of the control equipment is made practically enforceable in the permit.

Process/Emission Unit	Potential to Emit (tons/year)						Other (Total HAPs)
	PM	PM10	SO <sub>2</sub>	VOC	CO	NO <sub>x</sub>	
EU-001	11.0	1.01	0.000	0.000	0.000	0.000	0.000
EU-002 <sup>(1)</sup>	45.8 <b>33.6</b>	44.1 <b>33.6</b>	248 <b>Less than 250</b>	3.00	99.9	99.0 <b>Less than 100</b>	11.1
Brick Crushing	4.44	2.22	0.000	0.000	0.000	0.000	0.000
Insignificant Activities (combustion, vacuum systems, welding, coal processing and sand storage silos)	31.2	31.2	0.000004	0.00003	0.001	0.001	0.045
New Plant Kiln	30.3	30.3	235	2.16	72.0	73.2	7.98
New Plant Drying	16.8	16.8	0.000	2.70	27.9	8.82	0.000
New Plant Mill room	2.01	1.14	0.000	0.000	0.000	0.000	0.000

	Potential to Emit (tons/year)						
New Plant Insignificant Activity (vacuum system)	0.502	0.502	0.000	0.000	0.000	0.000	0.000
Total for Source	442 130	427 117	483 Less than 485	7.86	199.8	484 Less than 182	11.145

(1) General Shale Brick, Inc. requested IDEM modify the PSD and Emission Offset emission limits included in the current permit for SO<sub>2</sub> and NO<sub>x</sub> in order to allow more operational flexibility. Line 1 Kiln and Line 2 Kiln will still be limited to less than 250 tons per year of SO<sub>2</sub> and less than 100 tons per year of PM, PM<sub>10</sub>, and NO<sub>x</sub>. See Proposed Changes section below.

This modification to an existing major stationary source is not major under PSD or Emission Offset because the change in the permitted PTE for EU-002 remains below PSD and Emission Offset Significant Modification thresholds. Therefore, pursuant to 326 IAC 2-2 and 326 IAC 2-3, the PSD and Emission Offset requirements do not apply.

**Federal Rule Applicability Determination**

The following federal rules are applicable to the source:

- (a) There are no New Source Performance Standards (NSPS)(326 IAC 12 and 40 CFR Part 60) applicable to this proposed modification.
- (b) General Shale Brick, Inc. was subject to the requirements of the National Emission Standards for Hazardous Air Pollutants (NESHAPs) for Brick and Structural Clay Products Manufacturing, Subpart JJJJJ. However, on March 13, 2007, the United States Court of Appeals for the District of Columbia Circuit (in *Sierra Club vs EPA*, 2007 U.S. App LEXIS 5749, No. 03-1202), vacated 40 CFR 63, Subpart JJJJJ in its entirety. Therefore, the requirements of 40 CFR 63, Subpart JJJJJ have been removed from the permit.
- (c) There are no other National Emission Standards for Hazardous Air Pollutants (NESHAPs) (326 IAC 14, 326 IAC 20 and 40 CFR Part 63) applicable to this proposed modification.

**State Rule Applicability Determination**

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

PSD and Emission Offset applicability is discussed under the Permit Level Determination - PSD and Emission Offset section.

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

The screening and grinding operations (EU-001) as well as Lines 1 and 2 at this source were constructed prior to July 27, 1997. The one (1) grinder at EU-001, constructed in 1999, does not produce any HAP emissions. Therefore, the requirements of 326 IAC 2-4.1-1 are not applicable to these units.

The operation of the kiln, EU-NPK, has the potential to emit greater than ten (10) tons per year for a single HAP and greater than twenty-five (25) tons per year for a combination of HAPs, before control. Pursuant to 326 IAC 2-4.1-1(b)(2), this kiln was not previously subject to 326 IAC 2-4.1 because it was specifically regulated by NESHAP 40 CFR 63, Subpart JJJJJ, which was issued pursuant to Section 112(d) of the CAA. However, on March 13, 2007, the United States Court of Appeals for the District of Columbia Circuit (in *Sierra Club vs EPA*, 2007 U.S. App LEXIS 5749, No. 03-1202), vacated 40 CFR 63, Subpart JJJJJ in its entirety. Therefore, the source is no longer subject to the requirements of 40 CFR 63, Subpart JJJJJ. The kiln EU-NPK has not been operated without the control device; therefore, the kiln has not actually emitted ten (10) tons per year or more of a single HAP or twenty-five (25) tons per year or more of a combination of HAPs. The Permittee has agreed to accept limits on the HAP emissions from kiln EU-NPK in this Significant Permit Modification. The hydrogen fluoride (hydrofluoric acid) emissions shall be limited to less than 0.057 pounds per ton of brick produced, and the hydrochloric acid emissions shall be limited to less than 0.056 pounds per ton of brick produced. Compliance with these limits

will ensure that the HAP emissions from EU-NPK are less than ten (10) tons per year of a single HAP and less than twenty-five (25) tons per year for a combination of HAPs. Therefore, EU-NPK is not subject to the requirements of 326 IAC 2-4.1.

There are no other changes to the State Rule Applicability for the affected source due to this significant permit 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.

The Compliance Determination Requirements applicable to this modification are as follows:

- (a) The Line 1 Kiln and Line 2 Kiln have applicable compliance determination conditions as specified below:

Line 1 Kiln and Line 2 Kiln have testing requirements as follows:

Emission Unit	Control Device	Timeframe for Testing	Pollutant	Frequency of Testing	Limit or Requirement
Line 1 Kiln	DIFF-01	Within 180 days after the issuance of this Part 70 Permit Modification or within 5 years of the last valid compliance demonstration	PM, PM10, SO <sub>2</sub> , NO <sub>x</sub>	Once every 5 years	PM/PM10 = 0.336 lbs/ton of bricks; SO <sub>2</sub> = 2.50 lbs/ton of bricks; NO <sub>x</sub> = 1.00 lbs/ton of bricks;
Line 2 Kiln	DIFF-02				

The Line 1 Kiln is controlled by DIFF-01, and the Line 2 Kiln is controlled by DIFF-02. The PM and PM10 emissions from each unit are limited to 0.336 pounds per ton of bricks and 33.6 tons of PM/PM10 per year. The SO<sub>2</sub> emissions from each unit are limited to 2.50 pounds per ton of bricks and less than 250 tons of SO<sub>2</sub> per year. The NO<sub>x</sub> emissions from each unit are limited to 1.00 pounds per ton of bricks and less than 100 tons of NO<sub>x</sub> per year. Testing is required to demonstrate compliance with these emission limits.

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

- (b) The Line 1 Kiln (controlled by DIFF-01) and the Line 2 Kiln (controlled by DIFF-02) have applicable compliance monitoring conditions as specified below:
  - (1) Daily visible emissions notations of the Line 1 Kiln and Line 2 Kiln stack exhausts (DIFF-01 and DIFF-02) shall be performed during normal daylight operations when exhausting to the atmosphere.

- (2) Pursuant to 40 CFR 64, the Permittee shall continuously monitor the dry lime feed rate and shall inspect the dry lime feed system and feeder setting on the baghouses identified as DIFF-01 and DIFF-02.

These monitoring conditions are necessary because the baghouses identified as DIFF-01 and DIFF-02 must operate properly to ensure compliance with 40 CFR 64, 326 IAC 2-2, 326 IAC 2-3.

### Proposed Changes

The changes listed below have been made to Part 70 Operating Permit No. 109-16617-00002. Deleted language appears as ~~strike throughs~~ and new language appears in **bold**:

1. The title of the responsible official has been removed from Condition A.1 of the permit. This information is maintained by IDEM and does not need to be listed in the permit. The Permittee must notify IDEM if the responsible official or the contact information for the responsible official changes. This source is not in one of the 28 listed source categories under 326 IAC 2-2 and this designation has been included in A.1. In addition, On November 8, 2007, a temporary emergency rule took effect redesignating Morgan County to attainment for the eight-hour ozone standard. The Indiana Air Pollution Control Board has begun the process for a permanent rule revision to incorporate these changes into 326 IAC 1-4-1. The permanent revision to 326 IAC 1-4-1 should take effect prior to the expiration of the emergency rule. Therefore, Condition A.1 of the permit has been revised to reflect that Morgan County is designated attainment for the eight-hour ozone standard and has been revised as follows:

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

The Permittee owns and operates a stationary brick and structural clay manufacturing source.

~~Responsible Official: Manager of Environmental Compliance~~  
Source Address: Highway 67 South and CR 1000 North, Mooresville, Indiana 46158  
Mailing Address: P.O. Box 156, Mooresville, Indiana 46518  
General Source Phone Number: (317) 831-3317  
SIC Code: 3251  
County Location: Morgan  
Source Location Status: Nonattainment for ~~ozone under 8 hour standard and~~ PM<sub>2.5</sub> Attainment for all other criteria pollutants  
Source Status: Part 70 Permit Program  
Major Source, under PSD Rules and Emission Offset;  
Major Source, Section 112 of the Clean Air Act  
**Not in 1 of 28 listed source categories**

2. The emission unit descriptions in Sections A.3, D.2, and D.3 have been revised to reflect that the control devices used in conjunction with Line 1 Kiln, Line 2 Kiln, and the New Plant Kiln are each permitted to use either dry hydrated lime, sodium bicarbonate, or a combination of dry hydrated lime and sodium bicarbonate and to reflect that the units are no longer subject to 40 CFR 63, Subpart JJJJJ. The associated descriptions in Condition D.2.11 have also been revised as follows:

A.3 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:

...

- (b) Two (2) brick manufacturing lines, identified as EU-002, consisting of the following:

- (1) One (1) brick manufacturing line, identified as Line 1, installed in 1970, modified in 1979, located at Plant No. 20, consisting of the following:

- (A) One (1) tunnel pre-dryer and one (1) tunnel dryer using waste heat from Line 1 Kiln and one (1) coal and natural gas-fired kiln, identified as Line 1 Kiln, equipped with a **dry hydrated lime, sodium bicarbonate, or dry hydrated lime/sodium bicarbonate combination** injection baghouse, identified as DIFF-01, exhausting to Stack DIFF-01, rated at 25 million British thermal units per hour, capacity: 14.8 tons of bricks per hour. ~~Pursuant to 40 CFR 63, Subpart JJJJ, this is an existing affected source using an emissions control system to comply with the rule.~~
- ...
- (2) One (1) brick manufacturing line, identified as Line 2, installed in 1987, located at Plant No. 32, consisting of the following:
- One (1) tunnel pre-dryer and one (1) tunnel dryer using waste heat from Line 2 Kiln, and one (1) coal and natural gas-fired kiln, identified as Line 2 Kiln, equipped with a **dry hydrated lime, sodium bicarbonate, or dry hydrated lime/sodium bicarbonate combination** injection baghouse, identified as DIFF-02, exhausting to Stack DIFF-02, rated at 25 million British thermal units per hour, capacity: 13.7 tons of bricks per hour. ~~Pursuant to 40 CFR 63, Subpart JJJJ, this is an existing affected source using an emissions control system to comply with the rule.~~
- ...
- (c) One (1) brick manufacturing line, identified as New Plant, consisting of the following:
- ...
- (2) One (1) coal/natural gas fired brick kiln, identified as EU-NPK, equipped with a **dry hydrated lime, sodium bicarbonate, or dry hydrated lime/sodium bicarbonate combination** dry lime injection baghouse, identified as DIFF-03, and exhausting to Stack DIFF-03, capacity: 20.55 tons of bricks and 25.0 million British thermal units per hour. ~~Pursuant to 40 CFR 63, Subpart JJJJ, this is a new affected source, using an emissions control system to comply with the rule.~~
- ...

## SECTION D.2 FACILITY OPERATION CONDITIONS

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

- (b) Two (2) brick manufacturing lines, identified as EU-002, consisting of the following:
- (1) One (1) brick manufacturing line, identified as Line 1, installed in 1970, modified in 1979, located at Plant No. 20, consisting of the following:
- (A) One (1) tunnel pre-dryer and one (1) tunnel dryer using waste heat from Line 1 Kiln and one (1) coal and natural gas-fired kiln, identified as Line 1 Kiln, equipped with a **dry hydrated lime, sodium bicarbonate, or dry hydrated lime/sodium bicarbonate combination** injection baghouse, identified as DIFF-01, exhausting to Stack DIFF-01, rated at 25 million British thermal units per hour, capacity: 14.8 tons of bricks per hour. ~~Pursuant to 40 CFR 63, Subpart JJJJ, this is an existing affected source using an emissions control system to comply with the rule.~~
- (B) One (1) mill room, identified as EU-P20-MR, equipped with a baghouse, identified as CD-P20-MR, capacity: 65 tons per hour.
- (2) One (1) brick manufacturing line, identified as Line 2, installed in 1987, located at Plant No. 32, equipped with consisting of the following:
- (A) One (1) tunnel pre-dryer and one (1) tunnel dryer using waste heat from Line 2 Kiln, and one (1) coal and natural gas-fired kiln, identified as Line 2 Kiln, equipped with a dry

**hydrated lime, sodium bicarbonate, or dry hydrated lime/sodium bicarbonate combination** injection baghouse, identified as DIFF-02, exhausting to Stack DIFF-02, rated at 25 million British thermal units per hour, capacity: 13.7 tons of bricks per hour. Pursuant to 40 CFR 63, Subpart JJJJJ, this is an existing affected source using an emissions control system to comply with the rule.

- (B) One (1) mill room, identified as EU-P32-MR, equipped with a baghouse, identified as CD-P32-MR, capacity: 70 tons per hour.

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

### SECTION D.3 FACILITY OPERATION CONDITIONS

#### Facility Description [326 IAC 2-7-5(15)] Brick Manufacturing Line (New Plant)

- (c) One (1) brick manufacturing line, identified as New Plant, consisting of the following:
- One (1) brick making room and sand system (mill room), identified as EU-NPMR, equipped with a baghouse, identified as CD-MRBH and exhausting to Stack MRBH, capacity: 72.5 tons of clay and shale per hour.
  - One (1) coal/natural gas fired brick kiln, identified as EU-NPK, equipped with a **dry hydrated lime, sodium bicarbonate, or dry hydrated lime/sodium bicarbonate combination** dry lime injection baghouse, identified as DIFF-03, and exhausting to Stack DIFF-03, capacity: 20.55 tons of bricks and 25.0 million British thermal units per hour. Pursuant to 40 CFR 63, Subpart JJJJJ, this is a new affected source, using an emissions control system to comply with the rule.
  - (3) One (1) natural gas/propane brick dryer, identified as EU-NPBD1, exhausting to Stack NPBD1, capacity: 20.55 tons of bricks and 13.29 million British thermal units per hour.

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

#### D.2.11 Compliance Assurance SO<sub>2</sub> Monitoring [40 CFR 64]

Pursuant to 40 CFR 64, Compliance Assurance Monitoring, the Permittee shall perform the following monitoring, which is based on the compliance monitoring requirements in NESHAP Subpart JJJJJ:

- (a) The Permittee shall continuously monitor the dry lime feed rate at the ~~one (1) dry lime/sodium bicarbonate injection baghouses, identified as DIFF-01, and the one (1) dry lime injection baghouse, identified as DIFF-02.~~
  - (b) The Permittee shall inspect the dry lime feed system and feeder setting on the ~~one (1) dry lime/sodium bicarbonate injection baghouses, identified as DIFF-01, and the one (1) dry lime injection baghouse, identified as DIFF-02, once per shift.~~
  - (c) If the lime feeder setting drops below the level established during the latest performance test, the switches monitoring the interlock system on the limestone delivery systems, including the lime screw conveyor and holding bin, are not functioning properly, or the Permittee discovers cracks, holes or abnormal/excessive wear on the indicators for the screw conveyor and holding bin, the Permittee shall take reasonable response steps in accordance with Section C - Response to Excursions or Exceedances.
3. The PM/PM<sub>10</sub>, SO<sub>2</sub> and NO<sub>x</sub> emission limits and brick throughput limits for emission unit EU-002 have been revised in order to allow more operational flexibility. The associated compliance determination and recordkeeping requirements have been revised. The recordkeeping requirements were also revised to clarify the intent of the requirements. Section D.2 and the associated reporting forms have been revised as follows:

D.2.1 PSD, Emission Offset and Nonattainment NSR Minor Limits [326 IAC 2-2] [326 IAC 2-3] [326 IAC 2- 1.1-5]

- ~~(a)~~ The production of bricks at the Line 1 tunnel kiln shall not exceed 129,648 tons per twelve (12) consecutive month period with compliance determined at the end of each month.
- ~~(b)~~ The production of bricks at the Line 2 tunnel kiln shall not exceed 120,012 tons per twelve (12) consecutive month period with compliance determined at the end of each month.
- ~~(e)(a)~~ The production of bricks at the two (2) kilns, Line 1 Kiln and Line 2 Kiln, shall not exceed 243,456 **be limited to less than 200,000** tons per twelve (12) consecutive month period, total, with compliance determined at the end of each month.
- ~~(d)~~ Prior to operation of the baghouses on Line 1 Kiln and Line 2 Kiln, the SO<sub>2</sub> emissions from each of the kilns shall not exceed 3.77 pounds of SO<sub>2</sub> per ton of bricks. This will continue to limit the potential to emit SO<sub>2</sub> from each kiln to less than two hundred and fifty (250) tons per year.
- ~~(e)(b)~~ After the baghouses commence operation, the **The** potential to emit PM, PM<sub>10</sub>, SO<sub>2</sub>, and NO<sub>x</sub> shall **be limited as follows not exceed the following:**

Facility	NOX Limit	PM Limit	PM10 Limit	SO2 Limit
	lbs/ton bricks	lbs/ton bricks	lbs/ton bricks	lbs/ton bricks
Line 1 Kiln	<del>0.813</del> <b>1.00</b>	0.336	0.336	<del>1.68</del> <b>2.50</b>
Line 2 Kiln	<del>0.813</del> <b>1.00</b>	0.336	0.336	<del>2.32</del> <b>2.50</b>
Line 1 mill room (EU-P20-MR)	N/A	0.0063	0.0036	N/A
Line 2 mill room (EU-P32-MR)	N/A	0.0063	0.0036	N/A

...

**Compliance Determination Requirements**

D.2.5 Testing Requirements [326 IAC 2-7-6(1),(6)] [326 IAC 2-1.1-11]

Within 180 days after the issuance of this Part 70 permit renewal, 109-16617-00002, in order to demonstrate compliance with Condition D.2.1~~(d)~~**(b)**, the Permittee shall perform SO<sub>2</sub> testing for the Line 1 Kiln and Line 2 Kiln stacks utilizing methods as approved by the Commissioner. This test shall be repeated at least once every five (5) years from the date of this valid compliance demonstration. Testing shall be conducted in accordance with Section C - Performance Testing. After the baghouses on the kilns commence operation, this testing shall be superseded by the testing required in Condition ~~D.2.5(e)~~ **D.2.7(c)**.

...

- (c) Prior to commencing construction of the New Plant described in Section D.3, but no later than 180 days after the baghouses on the kilns commence operation, in order to demonstrate compliance with Condition D.2.1~~(e)~~ **(b)**, the Permittee shall perform PM, PM<sub>10</sub>, SO<sub>2</sub> and NO<sub>x</sub> testing for the Line 1 Kiln/Dryer stack and the Line 2 Kiln/Dryer stack (DI FF-01 and DI FF-02). PM<sub>10</sub> includes filterable and condensable PM<sub>10</sub>. These tests shall be repeated at least once every five (5) years from the date of this valid compliance demonstration. Testing shall be conducted in accordance with Section C - Performance Testing.

D.2.7 Particulate and SO<sub>2</sub> Control [326 IAC 2-7-6(6)]

- (a) In order to comply with Condition D.2.1~~(e)~~**(b)**, the **dry hydrated lime, sodium bicarbonate, or dry hydrated lime/sodium bicarbonate** injection baghouse, identified as DIFF-01, for particulate and SO<sub>2</sub> control shall be in operation and control emissions from the Line 1 Kiln at all times that the Line 1 Kiln is in operation.

- (b) In order to comply with Condition D.2.1~~(e)~~(b), the dry **hydrated lime, sodium bicarbonate, or sodium bicarbonate/dry hydrated lime combination** injection baghouse, identified as DIFF-02, for particulate and SO<sub>2</sub> control shall be in operation and control emissions from the Line 2 Kiln at all times that the Line 2 Kiln is in operation.
- (c) In order to comply with Condition D.2.1~~(e)~~(b), the baghouse, identified as CD-P20-MR, for particulate control shall be in operation and control emissions from the Line 1 mill room, identified as EU-P20-MR, at all times that the Line 1 mill room is in operation.
- (d) In order to comply with Condition D.2.1~~(e)~~(b), the baghouse, identified as CD-P32-MR, for particulate control shall be in operation and control emissions from the Line 2 mill room identified as EU-P32-MR, at all times that the Line 2 mill room is in operation.

### Compliance Monitoring Requirements L326 IAC 2-7-6(1)] L326 IAC 2-7-5(1)]

...

#### D.2.11 Compliance Assurance SO<sub>2</sub> Monitoring [40 CFR 64]

Pursuant to 40 CFR 64, Compliance Assurance Monitoring, the Permittee shall perform the following monitoring: ~~which is based on the compliance monitoring requirements in NESHAP Subpart JJJJJ:~~

...

#### D.2.12 Record Keeping Requirements

- (a) To document compliance with Condition D.2.1 the Permittee shall maintain records in accordance with (1) through (4) below. Records maintained for (1) through (4) shall be taken monthly and shall be complete and sufficient to establish compliance with the brick production limit as well as the SO<sub>2</sub> emission limits established in Condition D.2.1.
  - (1) The total number of bricks produced at each kiln each month;
  - (2) Calendar dates covered in the compliance determination period;
  - (3) Sulfur content, heat content, and ash content of the coal; and
  - (4) Sulfur dioxide emission rates.
- (b) To document compliance with Condition D.2.8, the Permittee shall maintain records of visible emission notations of the Line 1 Kiln and Line 2 Kiln stack exhausts (DIFF-01 and DIFF-02) once per day 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.2.9, the Permittee shall maintain records once per day of the pressure drop across the baghouses (CD-P20-MR and CD-P32-MR) used in conjunction with the mill rooms (EU-P20-MR and EU-P32-MR) during normal operation when venting to the atmosphere. **The Permittee shall include in its daily record when a pressure drop reading is not taken and the reason for the lack of pressure drop reading (e.g. the process did not operate that day).**
- (d) To document compliance with Condition D.2.11, the Permittee shall maintain records of the feeder setting once per shift and continuous records of the dry lime feed rate.
- (e) To document compliance with Condition D.2.1~~(d)~~ and ~~(e)~~, the Permittee shall maintain a record of the date the ~~one (1) dry lime/sodium bicarbonate injection~~ baghouse, identified as DIFF-01, and the ~~one (1) dry lime injection~~ baghouse, identified as DIFF-02, commence operation.
- (f) All records shall be maintained in accordance with Section C - General Record Keeping Requirements, of this permit.

#### D.2.13 Reporting Requirements

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

...

**INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT  
 OFFICE OF AIR QUALITY  
 COMPLIANCE DATA SECTION  
 Part 70 Quarterly Report**

Source Name: General Shale Brick, Inc.  
 Source Address: Highway 67 South and CR 1000 North, Mooresville, Indiana 46158  
 Mailing Address: P.O. Box 156, Mooresville, Indiana 46518  
 Part 70 Permit No.: T 109-16617-00002  
 Facility: Line 1 Kiln and Line 2 Kiln  
 Parameter: Brick Produced  
 Limit: ~~Not to exceed 129,648~~ **Less than 200,000** tons per twelve (12) consecutive month period with compliance determined at the end of each month.

YEAR:

Month	Bricks Produced (tons)	Bricks Produced (tons)	Bricks Produced (tons)
	This Month	Previous 11 Months	12 Month Total

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: ~~General Shale Brick, Inc.~~

Source Address: ~~Highway 67 South and CR 1000 North, Mooresville, Indiana 46158~~  
 Mailing Address: ~~P.O. Box 156, Mooresville, Indiana 46518~~  
 Part 70 Permit No.: ~~T 109-16617-00002~~  
 Facility: ~~Line 2 Kiln~~  
 Parameter: ~~Brick Produced~~  
 Limit: ~~Not to exceed 120,012 tons per twelve (12) consecutive month period with compliance determined at the end of each month.~~

YEAR:

Month	Bricks Produced (tons)	Bricks Produced (tons)	Bricks Produced (tons)
	This Month	Previous 11 Months	12 Month Total

~~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: ~~General Shale Brick, Inc.~~  
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 Mailing Address: ~~P.O. Box 156, Mooresville, Indiana 46518~~  
 Part 70 Permit No.: ~~T 109-16617-00002~~  
 Facility: ~~Line 1 Kiln and Line 2 Kiln~~  
 Parameter: ~~Brick Produced~~  
 Limit: ~~Not to exceed 243,456 tons per twelve (12) consecutive month period, total, with compliance determined at the end of each month.~~

YEAR:

Month	Bricks Produced (tons)	Bricks Produced (tons)	Bricks Produced (tons)

	This Month	Previous 11 Months	12 Month Total

~~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.~~

4. The recordkeeping requirements in Condition D.3.12 have been revised to clarify the intent of the requirements.

D.3.12 Record Keeping Requirements

- ...
- (b) To document compliance with Condition D.3.8, the Permittee shall maintain records of visible emission notations of the one (1) coal/natural gas fired brick kiln (EU-NPK) stack exhaust (DIFF-03) once per day while combusting coal. **The Permittee shall included 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.3.9, the Permittee shall maintain records once per day of the pressure drop across the baghouse (CD-MRBH) used in conjunction with the one (1) brick making room and sand system (EU-NPMR) during normal operation when venting to the atmosphere. **The Permittee shall include in its daily record when a pressure drop reading is not taken and the reason for the lack of pressure drop reading (e.g. the process did not operate that day).**
  - (d) To document compliance with Condition D.3.11, the Permittee shall maintain records of the feeder setting once per shift.

5. Condition C.10 and Section E.1 have been removed from the permit to reflect that 40 CFR 63, Subpart JJJJJ has been vacated. Because unit EU-NPK is no longer subject to 40 CFR 63, Subpart JJJJJ, Condition D.3.1 has been revised as follows to render the requirements of 326 IAC 2-4.1 not applicable, and Condition D.3.6 was revised accordingly. Condition D.3.13 and the corresponding reporting form were added to the permit.

**G.10 Compliance Schedule [40 CFR Part 63, Subpart JJJJJ]**

On February 2, 2006, IDEM, OAQ approved an extension of the final compliance date contained in 40 CFR Part 63, Subpart JJJJJ, for the two (2) existing tunnel kilns. The termination date of this extension is May 1, 2007, which is the final compliance date.

The Permittee shall submit a status report within fifteen (15) days of completion of the following milestones indicating the actual dates of completion:

- (a) The date on-site construction for the installation of the emissions control equipment is initiated.
- (b) The date on-site construction for the installation of the emission control equipment is completed.
- (c) The date by which final compliance is achieved.

**SECTION E.1 FACILITY OPERATION CONDITIONS**

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

**NESHAP Subpart JJJJJ**

One (1) tunnel pre-dryer and one (1) tunnel dryer using waste heat from Line 1 Kiln and one (1) coal and natural gas fired kiln, identified as Line 1 Kiln, equipped with a dry lime, sodium bicarbonate, or dry lime/sodium bicarbonate combination injection baghouse, identified as DIFF-01, exhausting to Stack DIFF-01, rated at 25 million British thermal units per hour, capacity: 14.8 tons of bricks per hour. Pursuant to 40 CFR 63, Subpart JJJJJ, this is an existing affected source using an emissions control system to comply with the rule.

One (1) tunnel pre-dryer and one (1) tunnel dryer using waste heat from Line 2 Kiln, and one (1) coal and natural gas fired kiln, identified as Line 2 Kiln, equipped with a dry lime, sodium bicarbonate, or dry lime/sodium bicarbonate combination injection baghouse, identified as DIFF-02, exhausting to Stack DIFF-02, rated at 25 million British thermal units per hour, capacity: 13.7 tons of bricks per hour. Pursuant to 40 CFR 63, Subpart JJJJJ, this is an existing affected source using an emissions control system to comply with the rule.

- (c) One (1) coal/natural gas fired brick kiln, identified as EU-NPK, equipped with a dry lime, sodium bicarbonate, dry lime/sodium bicarbonate combination injection baghouse, identified as DIFF-03, and exhausting to Stack DIFF-03, capacity: 20.55 tons of bricks and 25.0 million British thermal units per hour. Pursuant to 40 CFR 63, Subpart JJJJJ, this is a new affected source, using an emissions control system to comply with the rule.

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

**National Emission Standards for Hazardous Air Pollutants (NESHAP) Requirements [326 IAC 2-7-5(1)]**

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

Pursuant to 40 CFR 63.8505, the Permittee shall comply with the provisions of 40 CFR Part 63, Subpart A—General Provisions, which are incorporated by reference as 326 IAC 20-1-1, as specified in Table 7 of 40 CFR Part 63, Subpart JJJJJ and in accordance with the schedule in 40 CFR 63-Subpart JJJJJ.

**E.1.2 NESHAP Subpart JJJJJ Requirements [40 CFR Part 63, Subpart JJJJJ]**

Pursuant to 40 CFR Part 63, Subpart JJJJJ, the Permittee shall comply with the provisions of 40 CFR Part 63, Subpart JJJJJ, for the facilities listed in this section, with a compliance date of May 1, 2007 for the one (1) tunnel pre-dryer and one (1) tunnel dryer using waste heat from Line 1 Kiln and one (1) coal and natural gas fired kiln, identified as Line 1 Kiln, and the one (1) tunnel pre-dryer and one (1) tunnel dryer using waste heat from Line 2 Kiln, and one (1) coal and natural gas-

fired kiln, identified as Line 2 Kiln, and upon startup for the one (1) coal/natural gas fired brick kiln, identified as EU NPK, as specified as follows:

### **What This Subpart Covers**

#### **§ 63.8380 What is the purpose of this subpart?**

This subpart establishes national emission limitations for hazardous air pollutants (HAP) emitted from brick and structural clay products (BSCP) manufacturing facilities. This subpart also establishes requirements to demonstrate initial and continuous compliance with the emission limitations.

#### **§ 63.8385 Am I subject to this subpart?**

You are subject to this subpart if you own or operate a BSCP manufacturing facility that is, is located at, or is part of, a major source of HAP emissions according to the criteria in paragraphs (a) and (b) of this section.

(a) A BSCP manufacturing facility is a plant site that manufactures brick (including, but not limited to, face brick, structural brick, and brick pavers); clay pipe; roof tile; extruded floor and wall tile; and/or other extruded, dimensional clay products. Brick and structural clay products manufacturing facilities typically process raw clay and shale, form the processed materials into bricks or shapes, and dry and fire the bricks or shapes.

(b) A major source of HAP emissions is any stationary source or group of stationary sources within a contiguous area under common control that emits or has the potential to emit any single HAP at a rate of 9.07 megagrams (10 tons) or more per year or any combination of HAP at a rate of 22.68 megagrams (25 tons) or more per year.

#### **§ 63.8390 What parts of my plant does this subpart cover?**

This subpart applies to each existing, new, or reconstructed affected source at a BSCP manufacturing facility.

(a) The existing affected source is an existing tunnel kiln with a design capacity equal to or greater than 9.07 megagrams per hour (Mg/hr) (10 tons per hour (tph)) of fired product according to paragraphs (b)(1) through (3) of this section. For the remainder of this subpart, a tunnel kiln with a design capacity equal to or greater than 9.07 Mg/hr (10 tph) of fired product will be called a large tunnel kiln, and a tunnel kiln with a design capacity less than 9.07 Mg/hr (10 tph) of fired product will be called a small tunnel kiln.

(1) For existing tunnel kilns that do not have sawdust dryers, the kiln exhaust process stream (i.e., the only process stream) is subject to the requirements of this subpart.

(e) Each new or reconstructed tunnel kiln is an affected source regardless of design capacity. All process streams from each new or reconstructed tunnel kiln are subject to the requirements of this subpart.

(h) A source is a new affected source if construction of the affected source began after July 22, 2002, and you met the applicability criteria at the time you began construction.

(j) An affected source is existing if it is not new or reconstructed.

#### **§ 63.8395 When do I have to comply with this subpart?**

(a) If you have a new or reconstructed affected source, you must comply with this subpart according to paragraphs (a)(1) and (2) of this section.

(2) If the initial startup of your affected source is after May 16, 2003, then you must comply with the applicable emission limitations in Tables 1 and 2 to this subpart upon initial startup of your affected source.

(b) If you have an existing affected source, you must comply with the applicable emission limitations in Tables 1 and 2 to this subpart no later than May 16, 2003. On February 2, 2006, IDEM, OAQ approved an extension of the final compliance date contained in 40 CFR Part 63, Subpart JJJJ, for the two (2) existing tunnel kilns. The termination date of this extension is May 1, 2007, which is the final compliance date. The Permittee must comply with the terms of the extension as required by Condition C.10.

(e) You must meet the notification requirements in §63.8480 according to the schedule in §63.8480 and in 40 CFR part 63, subpart A. Some of the notifications must be submitted before you are required to comply with the emission limitations in this subpart.

## **Emission Limitations**

### **§ 63.8405 What emission limitations must I meet?**

- (a) You must meet each emission limit in Table 1 to this subpart that applies to you.
- (b) You must meet each operating limit in Table 2 to this subpart that applies to you.

### **§ 63.84 10 What are my options for meeting the emission limitations?**

To meet the emission limitations in Tables 1 and 2 to this subpart, you must use one or more of the options listed in paragraphs (a) and (b) of this section.

(a) *Emissions control system.* Use an emissions capture and collection system and an APCD and demonstrate that the resulting emissions or emissions reductions meet the emission limits in Table 1 to this subpart, and that the capture and collection system and APCD meet the applicable operating limits in Table 2 to this subpart.

## **General Compliance Requirements**

### **§ 63.8420 What are my general requirements for complying with this subpart?**

(a) You must be in compliance with the emission limitations (including operating limits) in this subpart at all times, except during periods of startup, shutdown, and malfunction and during periods of routine control device maintenance as specified in paragraph (e) of this section.

(b) Except as specified in paragraph (e) of this section, you must always operate and maintain your affected source, including air pollution control and monitoring equipment, according to the provisions in §63.6(e)(1)(i). During the period between the compliance date specified for your affected source in §63.8395 and the date upon which continuous monitoring systems (CMS) (e.g., continuous parameter monitoring systems) have been installed and verified and any applicable operating limits have been set, you must maintain a log detailing the operation and maintenance of the process and emissions control equipment.

(c) You must develop a written startup, shutdown, and malfunction plan (SSMP) according to the provisions in §63.6(e)(3).

(d) You must prepare and implement a written operation, maintenance, and monitoring (OM&M) plan according to the requirements in §63.8425.

(e) If you own or operate an affected kiln and must perform routine maintenance on the control device for that kiln, you may bypass the kiln control device and continue operating the kiln upon approval by the Administrator provided you satisfy the conditions listed in paragraphs (e)(1) through (5) of this section.

(1) You must request a routine control device maintenance exemption from the Administrator. Your request must justify the need for the routine maintenance on the control device and the time required to accomplish the maintenance activities, describe the maintenance activities and the frequency of the maintenance activities, explain why the maintenance cannot be accomplished during kiln shutdowns, describe how you plan to minimize emissions to the greatest extent possible during the maintenance, and provide any other documentation required by the Administrator.

(2) The routine control device maintenance exemption must not exceed 4 percent of the annual operating uptime for each kiln.

(3) The request for the routine control device maintenance exemption, if approved by the Administrator, must be incorporated by reference in and attached to the affected source's title V permit.

(4) You must minimize HAP emissions during the period when the kiln is operating and the control device is offline.

(5) You must minimize the time period during which the kiln is operating and the control device is offline.

(f) You must be in compliance with the provisions of subpart A of this part, except as noted in Table 7 to this subpart.

### **§ 63.8425 What do I need to know about operation, maintenance, and monitoring plans?**

~~(a) You must prepare, implement, and revise as necessary an OM&M plan that includes the information in paragraph (b) of this section. Your OM&M plan must be available for inspection by the permitting authority upon request.~~

~~(b) Your OM&M plan must include, as a minimum, the information in paragraphs (b)(1) through (13) of this section.~~

~~(1) Each process and APCD to be monitored, the type of monitoring device that will be used, and the operating parameters that will be monitored.~~

~~(2) A monitoring schedule that specifies the frequency that the parameter values will be determined and recorded.~~

~~(3) The limits for each parameter that represent continuous compliance with the emission limitations in §63.8405. The limits must be based on values of the monitored parameters recorded during performance tests.~~

~~(4) Procedures for the proper operation and routine and long term maintenance of each APCD, including a maintenance and inspection schedule that is consistent with the manufacturer's recommendations.~~

~~(5) Procedures for installing the CMS sampling probe or other interface at a measurement location relative to each affected process unit such that the measurement is representative of control of the exhaust emissions (e.g., on or downstream of the last APCD).~~

~~(6) Performance and equipment specifications for the sample interface, the pollutant concentration or parametric signal analyzer, and the data collection and reduction system.~~

~~(7) Continuous monitoring system performance evaluation procedures and acceptance criteria (e.g., calibrations).~~

~~(8) Procedures for the proper operation and maintenance of monitoring equipment consistent with the requirements in §§63.8450 and 63.8(c)(1), (3), (4)(ii), (7), and (8).~~

~~(9) Continuous monitoring system data quality assurance procedures consistent with the requirements in §63.8(d).~~

~~(10) Continuous monitoring system recordkeeping and reporting procedures consistent with the requirements in §63.10(c), (e)(1), and (e)(2)(i).~~

~~(11) Procedures for responding to operating parameter deviations, including the procedures in paragraphs (b)(11)(i) through (iii) of this section.~~

~~(i) Procedures for determining the cause of the operating parameter deviation.~~

~~(ii) Actions for correcting the deviation and returning the operating parameters to the allowable limits. (iii) Procedures for recording the times that the deviation began and ended and corrective actions were initiated and completed.~~

~~(12) Procedures for keeping records to document compliance.~~

~~(13) If you operate an affected kiln and you plan to take the kiln control device out of service for routine maintenance, as specified in §63.8420(e), the procedures specified in paragraphs (b)(13)(i) and (ii) of this section.~~

~~Procedures for minimizing HAP emissions from the kiln during periods of routine maintenance of the kiln control device when the kiln is operating and the control device is offline.~~

~~(i) Procedures for minimizing the duration of any period of routine maintenance on the kiln control device when the kiln is operating and the control device is offline.~~

~~(c) Changes to the operating limits in your OM&M plan require a new performance test. If you are revising an operating limit parameter value, you must meet the requirements in paragraphs (c)(1) and (2) of this section.~~

~~(1) Submit a notification of performance test to the Administrator as specified in §63.7(b).~~

~~(2) After completing the performance tests to demonstrate that compliance with the emission limits can be achieved at the revised operating limit parameter value, you must submit the performance test results and the revised operating limits as part of the Notification of Compliance Status required under §63.9(h).~~

(d) If you are revising the inspection and maintenance procedures in your OM&M plan, you do not need to conduct a new performance test.

### Testing and Initial Compliance Requirements

#### ~~§ 63.8435 By what date must I conduct performance tests?~~

You must conduct performance tests within 180 calendar days after the compliance date that is specified for your source in §63.8395 and according to the provisions in §63.7(a)(2).

#### ~~§ 63.8440 When must I conduct subsequent performance tests?~~

(a) You must conduct a performance test before renewing your 40 CFR part 70 operating permit or at least every 5 years following the initial performance test.

(b) You must conduct a performance test when you want to change the parameter value for any operating limit specified in your OM&M plan.

#### ~~§ 63.8445 How do I conduct performance tests and establish operating limits?~~

(a) You must conduct each performance test in Table 3 to this subpart that applies to you.

(b) Before conducting the performance test, you must install and calibrate all monitoring equipment.

(c) Each performance test must be conducted according to the requirements in §63.7 and under the specific conditions in Table 3 to this subpart.

(d) You must test while operating at the maximum production level.

(e) You may not conduct performance tests during periods of startup, shutdown, or malfunction, as specified in §63.7(e)(1).

(f) You must conduct at least three separate test runs for each performance test required in this section, as specified in §63.7(e)(3). Each test run must last at least 1 hour.

(g) You must use the data gathered during the performance test and the equations in paragraphs (g)(1) and (2) of this section to determine compliance with the emission limitations.

(1) To determine compliance with the production-based hydrogen fluoride (HF), hydrogen chloride (HCl), and particulate matter (PM) emission limits in Table 1 to this subpart, you must calculate your mass emissions per unit of production for each test run using Equation 1 of this section:

$$MP = \frac{ER}{P} \quad (\text{Eq. 1})$$

Where:

MP=mass per unit of production, kilograms (pounds) of pollutant per megagram (ton) of fired product ER=mass emission rate of pollutant (HF, HCl, or PM) during each performance test run, kilograms (pounds) per hour

P=production rate during each performance test run, megagrams (tons) of fired product per hour.

(2) To determine compliance with the percent reduction HF and HCl emission limits in Table 1 to this subpart, you must calculate the percent reduction for each test run using Equation 2 of this section:

$$PR = \frac{ER_i - ER_o}{ER_i} (100) \quad (\text{Eq. 2})$$

Where:

PR=percent reduction, percent

ER<sub>i</sub>=mass emission rate of specific HAP (HF or HCl) entering the APCD, kilograms (pounds) per hour

ER<sub>o</sub>=mass emission rate of specific HAP (HF or HCl) exiting the APCD, kilograms (pounds) per hour.

(h) You must establish each site-specific operating limit in Table 2 to this subpart that applies to you as specified in Table 3 to this subpart.

**§ 63.8450 What are my monitoring installation, operation, and maintenance requirements?**

~~(a) You must install, operate, and maintain each CMS according to your OM&M plan and the requirements in paragraphs (a)(1) through (5) of this section.~~

~~(1) Conduct a performance evaluation of each CMS according to your OM&M plan.~~

~~(2) The CMS must complete a minimum of one cycle of operation for each successive 15-minute period. To have a valid hour of data, you must have at least three of four equally spaced data values (or at least 75 percent if you collect more than four data values per hour) for that hour (not including startup, shutdown, malfunction, out-of-control periods, or periods of routine control device~~

~~maintenance covered by a routine control device maintenance exemption as specified in §63.8420(e)).~~

~~(3) Determine and record the 3-hour block averages of all recorded readings, calculated after every 3 hours of operation as the average of the previous 3 operating hours. To calculate the average for each 3-hour average period, you must have at least 75 percent of the recorded readings for that period (not including startup, shutdown, malfunction, out-of-control periods, or periods of routine control device maintenance covered by a routine control device maintenance exemption as specified in §63.8420(e)).~~

~~(4) Record the results of each inspection, calibration, and validation check.~~

~~(5) At all times, maintain the monitoring equipment including, but not limited to, maintaining necessary parts for routine repairs of the monitoring equipment.~~

~~(f) For each lime or chemical feed rate measurement device, you must meet the requirements in paragraphs (a)(1) through (5) and paragraphs (f)(1) and (2) of this section.~~

~~Locate the measurement device in a position that provides a representative feed rate measurement.~~

~~At least semiannually, conduct a calibration check.~~

~~(h) Requests for approval of alternate monitoring procedures must meet the requirements in §§63.8445(i) and 63.8(f).~~

**§ 63.8455 How do I demonstrate initial compliance with the emission limitations?**

~~(a) You must demonstrate initial compliance with each emission limitation that applies to you according to Table 4 to this subpart.~~

~~(c) You must submit the Notification of Compliance Status containing the results of the initial compliance demonstration according to the requirements in §63.8480(e).~~

**Continuous Compliance Requirements**

**§ 63.8465 How do I monitor and collect data to demonstrate continuous compliance?**

~~You must monitor and collect data according to this section.~~

~~Except for periods of monitor malfunctions, associated repairs, and required quality assurance or control activities (including, as applicable, calibration checks and required zero and span adjustments), you must monitor continuously (or collect data at all required intervals) at all times that the affected source is operating. This includes periods of startup, shutdown, malfunction, and routine control device maintenance as specified in §63.8420(e) when the affected source is operating. (c) You may not use data recorded during monitoring malfunctions, associated repairs, out-of-control periods, or required quality assurance or control activities for purposes of calculating data averages. A monitoring malfunction is any sudden, infrequent, not reasonably preventable failure of the monitoring system to provide valid data. Monitoring failures that are caused in part by poor maintenance or careless operation are not malfunctions. You must use all the valid data collected during all other periods in assessing compliance. Any averaging period for which you do not have valid monitoring data and such data are required constitutes a deviation from the monitoring requirements.~~

**§ 63.8470 How do I demonstrate continuous compliance with the emission limitations?**

~~(a) You must demonstrate continuous compliance with each emission limit and operating limit in Tables 1 and 2 to this subpart that applies to you according to the methods specified in Table 5 to this subpart.~~

~~(c) You must report each instance in which you did not meet each emission limit and each operating limit in this subpart that applies to you. This includes periods of startup, shutdown, malfunction, and routine control device maintenance. These instances are deviations from the emission limitations in this subpart. These deviations must be reported according to the requirements in §63.8485.~~

~~(e) Consistent with §§63.6(e) and 63.7(e)(1), deviations that occur during a period of startup, shutdown, or malfunction are not violations if you demonstrate to the Administrator's satisfaction that you were operating in accordance with §63.6(e)(1) and your OM&M plan. The Administrator will~~

~~determine whether deviations that occur during a period of startup, shutdown, or malfunction are violations, according to the provisions in §63.6(e).~~

~~Deviations that occur during periods of control device maintenance covered by an approved routine control device maintenance exemption according to §63.8420(e) are not violations if you demonstrate to the Administrator's satisfaction that you were operating in accordance with the approved routine control device maintenance exemption.~~

~~You must demonstrate continuous compliance with the operating limits in Table 2 to this subpart for visible emissions (VE) from tunnel kilns equipped with DLA, DIFF, or DLS/FF by monitoring VE at each kiln stack according to the requirements in paragraphs (g)(1) through (3) of this section.~~

~~(1) Perform daily VE observations of each kiln stack according to the procedures of Method 22 of 40 CFR part 60, appendix A. You must conduct the Method 22 test while the affected source is operating under normal conditions. The duration of each Method 22 test must be at least 15 minutes.~~

~~(2) If VE are observed during any daily test conducted using Method 22 of 40 CFR part 60, appendix A, you must promptly initiate and complete corrective actions according to your OM&M plan. If no VE are observed in 30 consecutive daily Method 22 tests for any kiln stack, you may decrease the frequency of Method 22 testing from daily to weekly for that kiln stack. If VE are observed during any weekly test, you must promptly initiate and complete corrective actions according to your OM&M plan, resume Method 22 testing of that kiln stack on a daily basis, and maintain that schedule until no VE are observed in 30 consecutive daily tests, at which time you may again decrease the frequency of Method 22 testing to a weekly basis.~~

~~(3) If VE are observed during any test conducted using Method 22 of 40 CFR part 60, appendix A, you must report these deviations by following the requirements in §63.8485.~~

### **Notifications, Reports, and Records**

#### **§ 63.8480 What notifications must I submit and when?**

~~(a) You must submit all of the notifications in §§63.7(b) and (c), 63.8(f)(4), and 63.9 (b) through (e), (g)(1), and (h) that apply to you, by the dates specified.~~

~~(c) As specified in §63.9(b)(3), if you start up your new or reconstructed affected source on or after May 16, 2003, you must submit an Initial Notification not later than 120 calendar days after you become subject to this subpart.~~

~~(d) If you are required to conduct a performance test, you must submit a notification of intent to conduct a performance test at least 60 calendar days before the performance test is scheduled to begin, as required in §63.7(b)(1).~~

~~(e) If you are required to conduct a performance test as specified in Table 3 to this subpart, you must submit a Notification of Compliance Status as specified in §63.9(h) and paragraphs (e)(1) and (2) of this section.~~

~~(1) For each compliance demonstration that includes a performance test conducted according to the requirements in Table 3 to this subpart, you must submit the Notification of Compliance Status, including the performance test results, before the close of business on the 60th calendar day following the completion of the performance test, according to §63.10(d)(2).~~

~~(2) In addition to the requirements in §63.9(h)(2)(i), you must include the information in paragraphs (e)(2)(i) and (ii) of this section in your Notification of Compliance Status.~~

~~(i) The operating limit parameter values established for each affected source with supporting documentation and a description of the procedure used to establish the values.~~

~~(f) If you request a routine control device maintenance exemption according to §63.8420(e), you must submit your request for the exemption no later than 30 days before the compliance date.~~

**§ 63.8485 What reports must I submit and when?**

~~(a) You must submit each report in Table 6 to this subpart that applies to you.~~

~~(b) Unless the Administrator has approved a different schedule for submission of reports under §63.10(a), you must submit each report by the date in Table 6 to this subpart and as specified in paragraphs (b)(1) through (5) of this section.~~

~~(1) The first compliance report must cover the period beginning on the compliance date that is specified for your affected source in §63.8395 and ending on June 30 or December 31, and lasting at least 6 months, but less than 12 months. For example, if your compliance date is March 1, then the first semiannual reporting period would begin on March 1 and end on December 31.~~

~~(2) The first compliance report must be postmarked or delivered no later than July 31 or January 31 for compliance periods ending on June 30 and December 31, respectively.~~

~~(3) Each subsequent compliance report must cover the semiannual reporting period from January 1 through June 30 or the semiannual reporting period from July 1 through December 31.~~

~~(4) Each subsequent compliance report must be postmarked or delivered no later than July 31 or January 31 for compliance periods ending on June 30 and December 31, respectively. (5) For each affected source that is subject to permitting regulations pursuant to 40 CFR part 70 or 40 CFR part 71, if the permitting authority has established dates for submitting semiannual reports pursuant to 40 CFR 70.6(a)(3)(iii)(A) or 40 CFR 71.6(a)(3)(iii)(A), you may submit the first and subsequent compliance reports according to the dates the permitting authority has established instead of according to the dates in paragraphs (b)(1) through (4) of this section.~~

~~(c) The compliance report must contain the information in paragraphs (c)(1) through (7) of this section.~~

~~(1) Company name and address.~~

~~(2) Statement by a responsible official with that official's name, title, and signature, certifying that, based on information and belief formed after reasonable inquiry, the statements and information in the report are true, accurate, and complete.~~

~~(3) Date of report and beginning and ending dates of the reporting period.~~

~~(4) If you had a startup, shutdown or malfunction during the reporting period and you took actions consistent with your SSMP and OM&M plan, the compliance report must include the information specified in §63.10(d)(5)(i).~~

~~(5) A description of control device maintenance performed while the control device was offline and the kiln controlled by the control device was operating, including the information specified in paragraphs (c)(5)(i) through (iii) of this section.~~

~~(i) The date and time when the control device was shutdown and restarted.~~

~~(ii) Identification of the kiln that was operating and the number of hours that the kiln operated while the control device was offline.~~

~~(iii) A statement of whether or not the control device maintenance was included in your approved routine control device maintenance exemption developed as specified in §63.8420(e). If the control device maintenance was included in your approved routine control device maintenance exemption, then you must report the information in paragraphs (c)(5)(iii)(A) through (C) of this section.~~

~~(A) The total amount of time that the kiln controlled by the control device operated during the current semiannual compliance period and during the previous semiannual compliance period.~~

~~(B) The amount of time that each kiln controlled by the control device operated while the control device was offline for maintenance covered under the routine control device maintenance exemption during the current semiannual compliance period and during the previous semiannual compliance period.~~

~~(C) Based on the information recorded under paragraphs (c)(5)(iii)(A) and (B) of this section, compute the annual percent of kiln operating uptime during which the control device was offline for routine maintenance using Equation 1 of this section.~~

~~Where:~~

~~RM=Annual percentage of kiln uptime during which control device was offline for routine control device maintenance~~

~~DTp=Control device downtime claimed under the routine control device maintenance exemption for the previous semiannual compliance period~~

~~DTc=Control device downtime claimed under the routine control device maintenance exemption for the current semiannual compliance period~~

~~KUp=Kiln uptime for the previous semiannual compliance period~~

~~KUc=Kiln uptime for the current semiannual compliance period~~

~~(6) If there are no deviations from any emission limitations (emission limits or operating limits) that apply to you, the compliance report must contain a statement that there were no deviations from the emission limitations during the reporting period.~~

~~(7) If there were no periods during which the CMS was out of control as specified in your OM&M plan, the compliance report must contain a statement that there were no periods during which the CMS was out of control during the reporting period.~~

~~(e) For each deviation from an emission limitation (emission limit or operating limit) occurring at an affected source where you are using a CMS to comply with the emission limitations in this subpart, you must include the information in paragraphs (c)(1) through (5) and paragraphs (e)(1) through (13) of this section. This includes periods of startup, shutdown, malfunction, and routine control device maintenance.~~

~~(1) The total operating time of each affected source during the reporting period.~~

~~(2) The date and time that each malfunction started and stopped.~~

~~(3) The date and time that each CMS was inoperative, except for zero (low-level) and high-level checks.~~

~~(4) The date, time, and duration that each CMS was out of control, including the pertinent information in your OM&M plan.~~

~~(5) The date and time that each deviation started and stopped, and whether each deviation occurred during a period of startup, shutdown, or malfunction; during routine control device maintenance covered in your approved routine control device maintenance exemption; or during another period.~~

~~(6) A description of corrective action taken in response to a deviation.~~

~~(7) A summary of the total duration of the deviation during the reporting period and the total duration as a percent of the total source operating time during that reporting period.~~

~~(8) A breakdown of the total duration of the deviations during the reporting period into those that were due to startup, shutdown, control equipment problems, process problems, other known causes, and other unknown causes.~~

~~(9) A summary of the total duration of CMS downtime during the reporting period and the total duration of CMS downtime as a percent of the total source operating time during that reporting period.~~

~~(10) A brief description of the process units.~~

~~(11) A brief description of the CMS.~~

~~(12) The date of the latest CMS certification or audit.~~

~~(13) A description of any changes in CMS, processes, or control equipment since the last reporting period.~~

~~(f) If you have obtained a title V operating permit according to 40 CFR part 70 or 40 CFR part 71, you must report all deviations as defined in this subpart in the semiannual monitoring report required by 40 CFR 70.6(a)(3)(iii)(A) or 40~~

~~CFR 71.6(a)(3)(iii)(A). If you submit a compliance report according to Table 6 to this subpart along with, or as part of, the semiannual monitoring report required by 40 CFR 70.6(a)(3)(iii)(A) or 40 CFR 71.6(a)(3)(iii)(A), and the compliance report includes all required information concerning deviations from any emission limitation (including any operating limit), then submitting the compliance report will satisfy any obligation to report the same deviations in the semiannual monitoring report. However, submitting a compliance report will not otherwise affect any obligation you may have to report deviations from permit requirements to the permitting authority.~~

### **~~§ 63.8490 What records must I keep?~~**

~~(a) You must keep the records listed in paragraphs (a)(1) through (4) of this section.~~

~~(1) A copy of each notification and report that you submitted to comply with this subpart, including all documentation supporting any Initial Notification or Notification of Compliance Status that you submitted, according to the requirements in §63.10(b)(2)(xiv).~~

~~(2) The records in §63.6(e)(3)(iii) through (v) related to startup, shutdown, and malfunction.~~

~~(3) Records of performance tests as required in §63.10(b)(2)(viii).~~

~~(4) Records relating to control device maintenance and documentation of your approved routine control device maintenance exemption, if you request such an exemption under §63.8420(e).~~

~~(b) You must keep the records required in Table 5 to this subpart to show continuous compliance with each emission limitation that applies to you.~~

~~(c) You must also maintain the records listed in paragraphs (c)(1) through (6) of this section.~~

~~(2) For each deviation of an operating limit parameter value, the date, time, and duration of the deviation, a brief explanation of the cause of the deviation and the corrective action taken, and whether the deviation occurred during a period of startup, shutdown, or malfunction.~~

~~(3) For each affected source, records of production rates on a fired-product basis.~~

~~(4) Records for any approved alternative monitoring or test procedures.~~

~~(5) Records of maintenance and inspections performed on the APCD.~~

~~(6) Current copies of your SSMP and OM&M plan, including any revisions, with records documenting conformance.~~

### **~~§ 63.8495 In what form and for how long must I keep my records?~~**

~~(a) Your records must be in a form suitable and readily available for expeditious review, according to §63.10(b)(1).~~

~~(b) As specified in §63.10(b)(1), you must keep each record for 5 years following the date of each occurrence, measurement, maintenance, corrective action, report, or record.~~

~~(c) You must keep each record onsite for at least 2 years after the date of each occurrence, measurement, maintenance, corrective action, report, or record, according to §63.10(b)(1). You may keep the records offsite for the remaining 3 years.~~

### **Other Requirements and Information**

#### **~~§ 63.8505 What parts of the General Provisions apply to me?~~**

~~Table 7 to this subpart shows which parts of the General Provisions in §§63.1 through 63.15 apply to you.~~

#### **~~§ 63.8510 Who implements and enforces this subpart?~~**

~~(a) This subpart can be implemented and enforced by us, the U.S. EPA, or a delegated authority such as your State, local, or tribal agency. If the U.S. EPA Administrator has delegated authority to your State, local, or tribal agency, then that agency, in addition to the U.S. EPA, has the authority to implement and enforce this subpart. You should contact your U.S. EPA Regional Office to find out if implementation and enforcement of this subpart is delegated to your State, local, or tribal agency.~~

(b) In delegating implementation and enforcement authority of this subpart to a State, local, or tribal agency under section 40 CFR part 63, subpart E, the authorities contained in paragraph (c) of this section are retained by the Administrator of the U.S. EPA and are not transferred to the State, local, or tribal agency.

(c) The authorities that cannot be delegated to State, local, or tribal agencies are as specified in paragraphs (c)(1) through (4) of this section:

(1) Approval of alternatives to the applicability requirements in §§63.8385 and 63.8390, the compliance date requirements in §63.8395, and the non-opacity emission limitations in §63.8405.

(2) Approval of major changes to test methods under §63.7(e)(2)(ii) and (f) and as defined in §63.90.

(3) Approval of major changes to monitoring under §63.8(f) and as defined in §63.90.

(4) Approval of major changes to recordkeeping and reporting under §63.10(f) and as defined in §63.90.

### **§ 63.8515 What definitions apply to this subpart?**

Terms used in this subpart are defined in the Clean Air Act, in §63.2, and in this section as follows: *Air pollution control device (APCD)* means any equipment that reduces the quantity of a pollutant that is emitted to the air.

*Bag leak detection system* means an instrument that is capable of monitoring PM loadings in the exhaust of a fabric filter in order to detect bag failures. A bag leak detection system includes, but is not limited to, an instrument that operates on triboelectric, light scattering, light transmittance, or other effects to monitor relative PM loadings.

*Brick and structural clay products (BSCP) manufacturing facility* means a plant site that manufactures brick (including, but not limited to, face brick, structural brick, and brick pavers); clay pipe; roof tile;

extruded floor and wall tile; and/or other extruded, dimensional clay products. Brick and structural clay products manufacturing facilities typically process raw clay and shale, form the processed materials into bricks or shapes, and dry and fire the bricks or shapes.

*Deviation* means any instance in which an affected source subject to this subpart, or an owner or operator of such a source:

(1) Fails to meet any requirement or obligation established by this subpart including, but not limited to, any emission limitation (including any operating limit) or work practice standard;

(2) Fails to meet any term or condition that is adopted to implement an applicable requirement in this subpart for any affected source required to obtain such a permit; or

(3) Fails to meet any emission limitation (including any operating limit) or work practice standard in this subpart during startup, shutdown, or malfunction, regardless of whether or not such failure is permitted by this subpart.

*Dry lime injection fabric filter (DIFF)* means an APCD that includes continuous injection of hydrated lime or other sorbent into a duct or reaction chamber followed by a fabric filter.

*Dry lime scrubber/fabric filter (DLS/FF)* means an APCD that includes continuous injection of humidified hydrated lime or other sorbent into a reaction chamber followed by a fabric filter. These systems typically include recirculation of some of the sorbent.

*Dry limestone adsorber (DLA)* means an APCD that includes a limestone storage bin, a reaction chamber that is essentially a packed tower filled with limestone, and may or may not include a peeling drum that mechanically scrapes reacted limestone to regenerate the stone for reuse. *Emission limitation* means any emission limit or operating limit.

*Fabric filter* means an APCD used to capture PM by filtering a gas stream through filter media; also known as a baghouse.

*Initial startup* means:

(1) For a new or reconstructed tunnel kiln controlled with a DLA, and for a tunnel kiln that would be considered reconstructed but for §63.8390(i)(1) or §63.8390(i)(2), the time at which the temperature in the kiln first reaches 260 °C (500 °F) and the kiln contains product; or

(2) For a new or reconstructed tunnel kiln controlled with a DIFF, DLS/FF, or WS, the time at which the kiln first reaches a level of production that is equal to 75 percent of the kiln design capacity or 12 months after the affected source begins firing BSCP, whichever is earlier.

*Kiln-exhaust process stream* means the portion of the exhaust from a tunnel kiln that exhausts directly to the atmosphere (or to an APCD), rather than to a sawdust dryer.

*Large tunnel kiln* means a tunnel kiln (existing, new, or reconstructed) with a design capacity equal to or greater than 9.07 Mg/hr (10 tph) of fired product.

*Particulate matter (PM)* means, for purposes of this subpart, emissions of PM that serve as a measure of total particulate emissions, as measured by Method 5 (40 CFR part 60, appendix A), and as a surrogate for metal HAP contained in the particulates including, but not limited to, antimony, arsenic, beryllium, cadmium, chromium, cobalt, lead, manganese, mercury, nickel, and selenium.

*Plant site* means all contiguous or adjoining property that is under common control, including properties that are separated only by a road or other public right-of-way. Common control includes properties that are owned, leased, or operated by the same entity, parent entity, subsidiary, or any combination thereof.

*Research and development kiln* means any kiln whose purpose is to conduct research and development for new processes and products and is not engaged in the manufacture of products for commercial sale, except in a de minimis manner.

*Responsible official* means responsible official as defined in 40 CFR 70.2.

*Small tunnel kiln* means a tunnel kiln (existing, new, or reconstructed) with a design capacity less than 9.07 Mg/hr (10 tph) of fired product.

*Startup* means the setting in operation of an affected source and starting the production process. *Tunnel kiln* means any continuous kiln that is used to fire BSCP. Some tunnel kilns have two process streams, including a process stream that exhausts directly to the atmosphere or to an APCD, and a process stream in which the kiln exhaust is ducted to a sawdust dryer where it is used to dry sawdust before being emitted to the atmosphere.

*Tunnel kiln design capacity* means the maximum amount of brick, in Mg (tons), that a kiln is designed to produce in one year divided by the number of hours in a year (8,760 hours). If a kiln is modified to increase the capacity, the design capacity is considered to be the capacity following modifications. *Wet scrubber (WS)* means an APCD that uses water, which may include caustic additives or other chemicals, as the sorbent. Wet scrubbers may use any of various design mechanisms to increase the contact between exhaust gases and the sorbent.

**Table 1 to Subpart JJJJJ of Part 63—Emission Limits**

As stated in §63.8405, you must meet each emission limit in the following table that applies to you.

For each . . .	You must meet the following emission limits . . .	Or you must comply with the following . . .
1. Existing large tunnel kiln (design capacity ≥10 tph of fired product), excluding any process stream that is ducted to a sawdust dryer prior to July 22, 2002; or including any process stream that exhausts directly to the atmosphere or to an APCD and any process stream that is first ducted to a sawdust on or after July 22, 2002; each new or reconstructed small tunnel kiln (design capacity <10 tph of fired product), including all process streams; each tunnel kiln that would be considered reconstructed but for §63.8390(i)(1), including all process streams; and each large tunnel kiln previously equipped with a DLA that would be considered reconstructed but for §63.8390(i)(2), including all process streams	a. HF emissions must not exceed 0.029 kilograms per megagram (kg/Mg) (0.057 pounds per ton (lb/ton)) of fired product b. HCl emissions must not exceed 0.13 kg/Mg (0.26 lb/ton) of fired product c. PM emissions must not exceed 0.21 kg/Mg (0.42 lb/ton) of fired product	Reduce uncontrolled HF emissions by at least 90 percent. — Reduce uncontrolled HCl emissions by at least 30 percent. Not applicable.
2. New or reconstructed large tunnel kiln, including all process streams	a. HF emissions must not exceed 0.029 kg/Mg (0.057 lb/ton) of fired product	Reduce uncontrolled HF emissions by at least 90 percent.
—	b. HCl emissions must not	Reduce

For each ...	You must meet the following emission limits ...	Or you must comply with the following ...
	exceed 0.028 kg/Mg (0.056 lb/ton) of fired product	uncontrolled HCl emissions by at least 85 percent.
	c. PM emissions must not exceed 0.060 kg/Mg (0.12 lb/ton) of fired product	Not applicable.

**Table 2 to Subpart JJJJJ of Part 63—Operating Limits**

As stated in §63.8405, you must meet each operating limit in the following table that applies to you.

For each ...	You must ...
2. Kiln equipped with a DIFF or DLS/FF	a. If you use a bag leak detection system, initiate corrective action within 1 hour of a bag leak detection system alarm and complete corrective actions in accordance with your OM&M plan; operate and maintain the fabric filter such that the alarm is not engaged for more than 5 percent of the total operating time in a 6-month block reporting period; or maintain no VE from the DIFF or DLS/FF stack; and
	b. Maintain free-flowing lime in the feed hopper or silo and to the APCD at all times for continuous injection systems; maintain the feeder setting at or above the level established during the performance test for continuous injection systems.

**Table 3 to Subpart JJJJJ of Part 63—Requirements for Performance Tests**

As stated in §63.8445, you must conduct each performance test in the following table that applies to you.

For each ...	You must ...	Using ...	According to the following requirements ...
1. Kiln	a. Select locations of sampling ports and the number of traverse points	Method 1 or 1A of 40 CFR part 60, appendix A	Sampling sites must be located at the outlet of the APCD and prior to any releases to the atmosphere for all affected sources. If you choose to meet the percent emission reduction requirements for HF or HCl, a sampling site must also be located at the APCD inlet.
	b. Determine velocities and volumetric flow rate	Method 2 of 40 CFR part 60, appendix A	You may use Method 2A, 2C, 2D, 2F, or 2G of 40 CFR part 60, appendix A, as appropriate, as an alternative to using Method 2 of 40 CFR part 60, appendix A.
	c. Conduct gas molecular weight analysis	Method 3 of 40 CFR part 60, appendix A	You may use Method 3A or 3B of 40 CFR part 60, appendix A, as appropriate, as an alternative to using Method 3 of 40 CFR part 60, appendix A.
	d. Measure moisture content of the stack gas	Method 4 of 40 CFR part 60, appendix A	
	e. Measure HF and HCl emissions	Method 26A of 40 CFR part 60, appendix A; or	Conduct the test while operating at the maximum production level. You may use Method 26 of 40 CFR part 60, appendix A, as an alternative to using Method 26A of 40 CFR part 60, appendix A, when no acid PM (e.g., HF or HCl dissolved in water droplets emitted by sources controlled by a WS) is present.
		Method 320 of 40 CFR part 63, appendix A	Conduct the test while operating at the maximum production level. When using Method 320 of 40 CFR part 63, appendix A, you must follow the analyte spiking procedures of section 13 of Method 320 of 40 CFR part 63, appendix A, unless you can demonstrate that the complete spiking procedure has been conducted at a similar source.
	f. Measure PM emissions.	Method 5 of 40 CFR part 60, appendix A	Conduct the test while operating at the maximum production level.

For each ...	You must ...	Using ...	According to the following requirements ...
4. Kiln equipped with a DIFF or DLS/FF	Establish the operating limit for the lime feeder setting	Data from the lime feeder during the performance test	For continuous lime injection systems, you must ensure that lime in the feed hopper or silo and to the APCD is free flowing at all times during the performance test and record the feeder setting for the three test runs. If the feed rate setting varies during the three test runs, determine and record the average feed rate from the three test runs.

**Table 4 to Subpart JJJJJ of Part 63—Initial Compliance with Emission Limitations**

As stated in §63.8455, you must demonstrate initial compliance with each emission limitation that applies to you according to the following table:

For each ...	For the following emission limitation ...	You have demonstrated initial compliance if ...
1. Existing large tunnel kiln (design capacity ≥10 tph of fired product), excluding any process stream that is ducted to a sawdust dryer prior to July 22, 2002; or including any process stream that exhausts directly to the atmosphere or to an APCD and any process stream that is first ducted to a sawdust dryer on or after July 22, 2002; each new or reconstructed small tunnel kiln (design capacity <10 tph of fired product), including all process streams; each tunnel kiln that would be considered reconstructed but for §63.8390(i)(1), including all process streams; and each large tunnel kiln previously equipped with a DLA that would be considered reconstructed but for §63.8390(i)(2), including all process streams	a. HF emissions must not exceed 0.029 kg/Mg (0.057 lb/ton) of fired product; or uncontrolled HF emissions must be reduced by at least 90 percent; and	i. The HF emissions measured using Method 26A of 40 CFR part 60, appendix A or Method 320 of 40 CFR part 63, appendix A over the period of the initial performance test, according to the calculations in §63.8445(g)(1), do not exceed 0.029 kg/Mg (0.057 lb/ton); or uncontrolled HF emissions measured using Method 26A of 40 CFR part 60, appendix A or Method 320 of 40 CFR part 63, appendix A over the period of the initial performance test are reduced by at least 90 percent, according to the calculations in §63.8445(g)(2); and ii. You establish and have a record of the operating limits listed in Table 2 to this subpart over the 3-hour performance test during which HF emissions did not exceed 0.029 kg/Mg (0.057 lb/ton) or uncontrolled HF emissions were reduced by at least 90 percent.
—	b. HCl emissions must not exceed 0.13 kg/Mg (0.26 lb/ton) of fired product; or uncontrolled HCl emissions must be reduced by at least 30 percent; and	i. The HCl emissions measured using Method 26A of 40 CFR part 60, appendix A or Method 320 of 40 CFR part 63, appendix A over the period of the initial performance test, according to the calculations in §63.8445(g)(1), do not exceed 0.13 kg/Mg (0.26 lb/ton); or uncontrolled HCl emissions measured using Method 26A of 40 CFR part 60, appendix A or Method 320 of 40 CFR part 63, appendix A over the period of the initial performance test are reduced by at least 30 percent, according to the calculations in §63.8445(g)(2); and ii. You establish and have a record of the operating limits listed in Table 2 to this subpart over the 3-hour performance test during which HCl emissions did not exceed 0.13 kg/Mg (0.26 lb/ton) or uncontrolled HCl emissions were reduced by at least 30 percent.
—	c. PM emissions must not exceed 0.21 kg/Mg (0.42 lb/ton) of fired product.	i. The PM emissions measured using Method 5 of 40 CFR part 60, appendix A, over the period of the initial performance test, according to the calculations in §63.8445(g)(1), do not exceed 0.21 kg/Mg (0.42 lb/ton); and ii. You establish and have a record of the operating limits listed in Table 2 to this subpart over the 3-hour performance test during which
—		ii. You establish and have a record of the operating limits listed in Table 2 to this subpart over the 3-hour performance test during which

For each ...	For the following emission limitation ...	You have demonstrated initial compliance if ...
		PM emissions did not exceed 0.21 kg/Mg (0.42 lb/ton).
2. New or reconstructed large tunnel kiln, including all process streams	a. HF emissions must not exceed 0.029 kg/Mg (0.057 lb/ton) of fired product; or uncontrolled HF emissions must be reduced by at least 90 percent; and	i. The HF emissions measured using Method 26A of 40 CFR part 60, appendix A or Method 320 of 40 CFR part 63, appendix A over the period of the initial performance test, according to the calculations in §63.8445(g)(1), do not exceed 0.029 kg/Mg (0.057 lb/ton); or uncontrolled HF emissions measured using Method 26A of 40 CFR part 60, appendix A or Method 320 of 40 CFR part 63, appendix A over the period of the initial performance test are reduced by at least 90 percent, according to the calculations in §63.8445(g)(2); and
-		ii. You establish and have a record of the operating limits listed in Table 2 to this subpart over the 3-hour performance test during which HF emissions did not exceed 0.029 kg/Mg (0.057 lb/ton) or uncontrolled HF emissions were reduced by at least 90 percent.
-	b. HCl emissions must not exceed 0.028 kg/Mg (0.056 lb/ton) of fired product; or uncontrolled HCl emissions must be reduced by at least 85 percent; and	i. The HCl emissions measured using Method 26A of 40 CFR part 60, appendix A or Method 320 of 40 CFR part 63, appendix A over the period of the initial performance test, according to the calculations in §63.8445(g)(1), do not exceed 0.028 kg/Mg (0.056 lb/ton); or uncontrolled HCl emissions measured using Method 26A of 40 CFR part 60, appendix A or Method 320 of 40 CFR part 63, appendix A over the period of the initial performance test are reduced by at least 85 percent, according to the calculations in §63.8445(g)(2); and
-		ii. You establish and have a record of the operating limits listed in Table 2 to this subpart over the 3-hour performance test during which HCl emissions did not exceed 0.028 kg/Mg (0.056 lb/ton) or uncontrolled HCl emissions were reduced by at least 85 percent.
-	c. PM emissions must not exceed 0.060 kg/Mg (0.12 lb/ton) of fired product	i. The PM emissions measured using Method 5 of 40 CFR part 60, appendix A, over the period of the initial performance test, according to the calculations in §63.8445(g)(1), do not exceed 0.060 kg/Mg (0.12 lb/ton); and
-		ii. You establish and have a record of the operating limits listed in Table 2 to this subpart over the 3-hour performance test during which PM emissions did not exceed 0.060 kg/Mg (0.12 lb/ton).

**Table 5 to Subpart JJJJJ of Part 63—Continuous Compliance With Emission Limits and Operating Limits**

As stated in §63.8470, you must demonstrate continuous compliance with each emission limit and operating limit that applies to you according to the following table:

For each . . .	For the following emission limits and operating limits . . .	You must demonstrate continuous compliance by . . .
2. Kiln equipped with a DIFF or DLS/FF	Each emission limit in Table 1 to this subpart and each operating limit in Item 2 of Table 2 to this subpart for kilns equipped with DIFF or DLS/FF	i. If you use a bag leak detection system, initiating corrective action within 1 hour of a bag leak detection system alarm and completing corrective actions in accordance with your OM&M plan; operating and maintaining the fabric filter such that the alarm is not engaged for more than 5 percent of the total operating time in a 6-month block reporting period; in calculating this operating time fraction, if inspection of the fabric filter demonstrates that no corrective action is required, no alarm time is counted; if corrective action is required, each alarm is counted as a minimum of 1 hour; if you take longer than 1 hour to initiate corrective action, the alarm time is counted as the actual amount of time taken by you to initiate corrective action; or performing VE observations of the DIFF or DLS/FF stack at the frequency specified in §63.8470(g) using Method 22 of 40 CFR part 60, appendix A; maintaining no VE from the DIFF or DLS/FF stack; and
-	-	ii. Verifying that lime is free flowing via a load cell, carrier gas/lime flow indicator, carrier gas pressure drop measurement system, or other system; recording all monitor or sensor output, and if lime is found not to be free flowing, promptly initiating and completing corrective actions in accordance with your OM&M plan; recording the feeder setting once during each shift of operation to verify that the feeder setting is being maintained at or above the level established during the performance test.

**Table 6 to Subpart JJJJJ of Part 63—Requirements for Reports**

As stated in §63.8485, you must submit each report that applies to you according to the following table:

You must submit . . .	The report must contain . . .	You must submit the report . . .
1. A compliance report	a. If there are no deviations from any emission limitations (emission limits, operating limits) that apply to you, a statement that there were no deviations from the emission limitations during the reporting period. If there were no periods during which the CMS was out of control as specified in your OM&M plan, a statement that there were no periods during which the CMS was out of control during the reporting period	Semiannually according to the requirements in §63.8485(b).
-	b. If you have a deviation from any emission limitation (emission limit, operating limit) during the reporting period, the report must contain the information in §63.8485(d) or (e). If there were periods during which the CMS was out of control, as specified in your OM&M plan, the report must contain the information in §63.8485(e)	Semiannually according to the requirements in §63.8485(b).
-	c. If you had a startup, shutdown or malfunction during the reporting period and you took actions consistent with your SSMP, the compliance report must include the information in §63.10(d)(5)(i)	Semiannually according to the requirements in §63.8485(b).
2. An immediate startup, shutdown, and malfunction report if you took actions during a startup, shutdown, or malfunction during the reporting period that are not consistent with your SSMP	a. Actions taken for the event according to the requirements in §63.10(d)(5)(ii)	By fax or telephone within 2 working days after starting actions inconsistent with the plan.
-	b. The information in §63.10(d)(5)(ii)	By letter within 7 working days after the end of the event unless you have

You must submit . . .	The report must contain . . .	You must submit the report . . .
		made alternative arrangements with the permitting authority.

~~E.1.3 State Only National Emission Standards for Hazardous Air Pollutants for Brick and Structural Clay Products Manufacturing Requirements [326 IAC 20-72]~~

~~Pursuant to 326 IAC 20-72, the Permittee shall comply with the May 3, 2003 version of 40 CFR Part 63, Subpart JJJJ, which is incorporated by reference as 326 IAC 20-72, for the facilities listed in this section. The Permittee shall comply with the provisions of 40 CFR Part 63, Subpart JJJJ, as listed in Condition E.1.2, except the Permittee shall also follow the requirements of the May 3, 2003 version, as incorporated into 326 IAC 20-72, as follows.~~

~~Sec. 63.8420 What are my general requirements for complying with this subpart?~~

~~\*\*\*\*\*~~

~~(c) You must develop and implement a written startup, shutdown, and malfunction plan (SSMP) according to the provisions in Sec. 63.6(e)(3).~~

~~\*\*\*\*\*~~

~~Sec. 63.8470 How do I demonstrate continuous compliance with the emission limitations?~~

~~\*\*\*\*\*~~

~~(d) During periods of startup, shutdown, and malfunction, you must operate according to your SSMP. (e) Deviations that occur during a period of startup, shutdown, or malfunction are not violations if you demonstrate to the Administrator's satisfaction that you were operating according to an SSMP that satisfies the requirements of Sec. 63.6(e) and your OM&M plan. \* \* \*~~

~~\*\*\*\*\*~~

~~This condition refers to the version of 40 CFR 63.6(e) which is the same as the April 20, 2006 version, except for the following:~~

~~Sec. 63.6 Compliance with standards and maintenance requirements.~~

~~\*\*\*\*\*~~

~~(e) \* \* \*~~

~~(1) \* \* \*~~

~~(ii) Malfunctions must be corrected as soon as practicable after their occurrence in accordance with the startup, shutdown, and malfunction plan required in paragraph (e)(3) of this section. To the extent that an unexpected event arises during a startup, shutdown, or malfunction, an owner or operator must comply by minimizing emissions during such a startup, shutdown, and malfunction event consistent with safety and good air pollution control practices. \* \* \*~~

~~\*\*\*\*\*~~

~~(3) \* \* \*~~

~~(i) The owner or operator of an affected source must develop and implement a written startup, shutdown, and malfunction plan that describes, in detail, procedures for operating and maintaining the source during periods of startup, shutdown, and malfunction; a program of corrective action for malfunctioning process; and air pollution control and monitoring equipment used to comply with the relevant standard. This plan must be developed by the owner or operator by the source's compliance date for that relevant standard. The purpose of the startup, shutdown, and malfunction plan is to \*\*\*\*\*~~

~~(iii) When actions taken by the owner or operator during a startup, shutdown, or malfunction (including actions taken to correct a malfunction) are consistent with the procedures specified in the affected source's startup, shutdown, and malfunction plan, the owner or operator must keep records for that event which demonstrate that the procedures specified in the plan were followed. These records may take the form of a "checklist," or other effective form of recordkeeping that confirms conformance with the startup, shutdown, and malfunction plan for that event. In addition, the owner or operator must keep records of these events as specified in Sec. 63.10(b), including records of the occurrence and duration of each startup, shutdown, or malfunction of operation and each malfunction of the air pollution control and monitoring equipment.~~

~~\*\*\*~~

~~\*\*\*\*\*~~

~~(ix) The title V permit for an affected source must require that the owner or operator adopt a startup, shutdown, and malfunction plan which conforms to the provisions of this part, and that the owner or operator operate and maintain the source in accordance with the procedures specified in the current~~

~~startup, shutdown, and malfunction plan. However, any revisions made to the startup, shutdown, and malfunction plan in accordance with the procedures established by this part shall not be deemed to constitute permit revisions under part 70 or part 71 of this chapter. Moreover, none of the procedures specified by the startup, shutdown, and malfunction plan for an affected source shall be deemed to fall within the permit shield provision in section 504(f) of the Act.~~

~~\*\*\*  
 \*\*\*\*\*~~

~~E.1.4 One Time Deadlines Relating to NESHAP Subpart JJJJJ~~

- ~~(a) The Permittee must conduct performance tests for the one (1) tunnel pre-dryer and one (1) tunnel dryer using waste heat from Line 1 Kiln and one (1) coal and natural gas fired kiln, identified as Line 1 Kiln, and the one (1) tunnel pre-dryer and one (1) tunnel dryer using waste heat from Line 2 Kiln, and one (1) coal and natural gas fired kiln, identified as Line 2 Kiln, by October 28, 2007. A notification of intent to conduct a performance test at least sixty (60) calendar days before the performance test is scheduled to begin.~~
- ~~(b) The Permittee must conduct performance tests for the one (1) coal/natural gas fired brick kiln, identified as EU-NPK, within 180 calendar days after startup. A notification of intent to conduct a performance test at least sixty (60) calendar days before the performance test is scheduled to begin.~~
- ~~(c) An initial notification shall be submitted for the one (1) coal/natural gas fired brick kiln, identified as EU-NPK, within 120 days of startup.~~
- ~~(d) The Permittee shall submit the Notification of Compliance Status, including the performance test results, before the close of business on the sixtieth (60<sup>th</sup>) calendar day following the completion of the performance test.~~

~~D.3.1 PSD and Nonattainment NSR Minor Modification Limits [326 IAC 2-2] [326 IAC 2-1.1-5][326 IAC 2-4.1]~~

~~...~~

- ~~(c) In order to render 326 IAC 2-4.1 not applicable, the potential to emit HAPs shall not exceed the following:~~

Facility	Hydrogen fluoride (Hydrofluoric acid)	Hydrochloric acid
	lbs/ton bricks	lbs/ton bricks
New Plant Kiln (EU-NPK)	0.057	0.056

~~Compliance with these limitations limits the potential to emit a single HAP to less than ten (10) tons per year and of a combination of HAPs to less than twenty-five (25) tons per year from EU-NPK and renders the requirements of 326 IAC 2-4.1 not applicable.~~

- ~~(d) The production of bricks at kiln EU-NPK shall not exceed 180,018 tons per twelve (12) consecutive month period with compliance determined at the end of each month.~~

~~D.3.6 Particulate, and SO<sub>2</sub>, and HAP Control [326 IAC 2-7-6(6)]~~

~~In order to comply with Conditions D.3.1(b), **D.3.1(c)**, and D.3.3(b), the dry **hydrated lime, sodium bicarbonate, or dry hydrated lime/sodium bicarbonate combination** injection baghouse, identified as DIFF-03, for particulate and SO<sub>2</sub> control shall be in operation and control emissions from the one (1) coal/natural gas fired brick kiln (EU-NPK) at all times that the kiln is in operation.~~

~~D.3.11 Compliance Assurance SO<sub>2</sub> Monitoring [40 CFR 64]~~

- (a) The Permittee shall continuously monitor the dry lime feed rate at the one (1) dry **hydrated lime, sodium bicarbonate, or dry hydrated lime/sodium bicarbonate combination** lime injection baghouse, identified as DIFF-03.
- (b) The Permittee shall inspect the dry lime feed system and feeder setting on the one (1) dry **hydrated lime, sodium bicarbonate, or dry hydrated lime/sodium bicarbonate combination** lime injection baghouse, identified as DIFF-03, once per shift.

...

**D.3.13 Reporting Requirements**

A quarterly summary of the information to document compliance with Condition D.3.1(d) shall be submitted to the address listed in Section C - General Reporting Requirements, of this permit, using the reporting forms located at the end of this permit, or their equivalent, within thirty (30) days after the end of the quarter being reported. The report submitted by the Permittee does require the certification by the "responsible official" as defined by 326 IAC 2-7-1(34).

**INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT  
 OFFICE OF AIR QUALITY  
 COMPLIANCE DATA SECTION  
 Part 70 Quarterly Report**

**Source Name:** General Shale Brick, Inc.  
**Source Address:** Highway 67 South and CR 1000 North, Mooresville, Indiana 46158  
**Mailing Address:** P.O. Box 156, Mooresville, Indiana 46518  
**Part 70 Permit No.:** T 109-16617-00002  
**Facility:** EU-NPK  
**Parameter:** Brick Produced  
**Limit:** Shall not exceed 180,018 tons per twelve (12) consecutive month period with compliance determined at the end of each month.

YEAR:

Month	Bricks Produced (tons)	Bricks Produced (tons)	Bricks Produced (tons)
	This Month	Previous 11 Months	12 Month Total

- 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.**

6. In order to clarify that the requirements of Condition C.4 (Incineration) are federally enforceable, Condition C.4 has been revised as follows.

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. 326 IAC 9-1-2 is not federally enforceable.~~

7. In order to clarify the requirements of Condition C.18 (General Recordkeeping Requirements), Condition C.18 has been revised as follows.

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 reasonable possibility that a "project" (as defined in 326 IAC 2-2-1 (qq) and 326 IAC 2-3-1 (ll)) at an existing emissions unit other than projects at a Clean Unit, which is not part of a "major modification" (as defined in 326 IAC 2-2-1 (ee) and 326 IAC 2-3-1(z)) may result in significant emissions increase and the Permittee elects to utilize the "projected actual emissions" (as defined in 326 IAC 2-2-1 (rr) and 326 IAC 2-3-1 (mm)), the Permittee shall comply with following:~~

~~(1) Before beginning actual construction of the "project" (as defined in 326 IAC 2-2-1 (qq) and 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;~~

~~A description of the applicability test used to determine that the project is not a major modification for any regulated NSR pollutant, including:~~

~~Baseline actual emissions;~~

~~Projected actual emissions;~~

~~Amount of emissions excluded under section 326 IAC 2-2-1 (rr)(2)(A)(iii) and 326 IAC 2-3-1 (mm)(2)(A)(3); and~~

~~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~~

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

- (1) Before beginning actual construction of the “project” (as defined in 326 IAC 2-2-1(qq) and/or 326 IAC 2-3-1(II)) 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.**

8. In order to correct typographical errors, Condition C.16 (Actions Related to Noncompliance Demonstrated by a Stack Test), the Record Keeping and Reporting Requirements heading in Section C, and Condition C.19 have been revised as follows.

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

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- (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.

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

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]

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...

- (f) If the Permittee is required to comply with the recordkeeping provisions of (c) in Section C- General Record Keeping Requirements for any "project" (as defined in 326 IAC 2-2-1 (qq) and 326 IAC 2-3-1-(ll)) 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 326 IAC 2-3-1-(qq), for that regulated NSR pollutant, and

...

<b>Conclusion and Recommendation</b>
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The construction of this proposed modification shall be subject to the conditions of the attached proposed Part 70 Significant Permit Modification No. 109-24454-00002. The staff recommends to the Commissioner that this Part 70 Significant Permit Modification be approved.