



Mitchell E. Daniels, Jr.
Governor

Thomas W. Easterly
Commissioner

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

TO: Interested Parties / Applicant
DATE: April 8, 2009
RE: VIM Recycling, Inc. / 039-24536-00538
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 13-15-5-3, this permit 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 13-15-6-1(b) or IC 13-15-6-1(a) require that you file a petition for administrative review. This petition may include a request for stay of effectiveness and must be submitted to the Office of Environmental Adjudication, 100 North Senate Avenue, Government Center North, Suite N 501E, Indianapolis, IN 46204.

For an **initial Title V Operating Permit**, a petition for administrative review must be submitted to the Office of Environmental Adjudication within **thirty (30)** days from the receipt of this notice provided under IC 13-15-5-3, pursuant to IC 13-15-6-1(b).

For a **Title V Operating Permit renewal**, a petition for administrative review must be submitted to the Office of Environmental Adjudication within **fifteen (15)** days from the receipt of this notice provided under IC 13-15-5-3, pursuant to IC 13-15-6-1(a).

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 an initial Title V operating permit, permit renewal, 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.



INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

We Protect Hoosiers and Our Environment.

Mitchell E. Daniels Jr.
Governor

Thomas W. Easterly
Commissioner

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

Part 70 Operating Permit Renewal OFFICE OF AIR QUALITY

VIM Recycling, Inc.
29861 Old U.S. Highway 33
Elkhart, Indiana 46516

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

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

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

| | |
|---|--|
| Operation Permit No.: T039-24536-00538 | |
| Issued by:  Alfred C. Dumauval, Ph. D., Section Chief Permits Branch Office of Air Quality | Issuance Date: April 8, 2009 Expiration Date: April 8, 2014 |

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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 through A.3 is descriptive information and does not constitute enforceable conditions. However, the Permittee should be aware that a physical change or a change in the method of operation that may render this descriptive information obsolete or inaccurate may trigger requirements for the Permittee to obtain additional permits or seek modification of this permit pursuant to 326 IAC 2, or change other applicable requirements presented in the permit application.

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

The Permittee owns and operates a stationary landscape mulch, animal bedding and wood for fuel manufacturing operation.

| | |
|------------------------------|--|
| Source Address: | 29861 Old U.S. Highway 33, Elkhart, Indiana 46516 |
| Mailing Address: | P.O. Box 3055, Elkhart, Indiana 46515-3055 |
| General Source Phone Number: | (800) 488-8813 |
| SIC Code: | 4953 |
| County Location: | Elkhart |
| Source Location Status: | Attainment for all criteria pollutants |
| Source Status: | Part 70 Operating Permit Program Minor Source, under PSD and Emission Offset Rules Minor Source, Section 112 of the Clean Air Act Not 1 of 28 Source Categories |

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

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

- (a) One (1) CBI (grizzly) wood grinder, identified as Grizzly, with a maximum capacity to grind seventy-five (75) tons of wood per hour, using a baghouse for control of particulate matter emissions, constructed in 2000, and exhausting to one stack designated Collector 1X, including associate storage piles;
- (b) One (1) material transporter and screen, identified as B, C Transport & Screen, with a maximum capacity to mechanically transport and screen seventy-five (75) tons of wood per hour, using a baghouse for control of particulate matter emissions, constructed in 2000, and exhausting to one stack designated Collector 2X, including associated storage piles;
- (c) One (1) CBI (mulch king) wood grinder, identified as Mulch King, with a maximum capacity to grind seventy-five (75) tons of wood per hour, using an air classifier, cyclone and baghouse for control of particulate matter emissions, constructed in 2000, and exhausting to one stack designated Collector 1X, including associated storage piles;
- (d) One (1) material transporter and screen, identified as A Transport & Screen, with a maximum capacity to mechanically transport and screen seventy-five (75) tons of wood per hour, using a baghouse for control of particulate matter emissions, constructed in 2000, and exhausting to one stack designated Collector 2X, including associated storage piles;
- (e) One (1) portable CBI (4800 M) wood grinder with screen separator, identified as CBI (4800 M), with a maximum capacity to grind twenty-five (25) tons of wood per hour outdoors on VIM property, using the Fugitive Dust Control Plan for control, constructed in 2000, including associated storage piles;

- (f) One (1) portable CBI (4800 M) wood grinder diesel motor, with a maximum capacity of eight hundred (800) horsepower per hour, constructed in 2000, and exhausting to a mobile engine exhaust when grinding outdoors;
- (g) One (1) portable Mobark wood grinder with screen separator, identified as Mobark, with a maximum capacity to grind twenty-five (25) tons of wood per hour outdoors on VIM property, using the Fugitive Dust Control Plan for control, constructed in 2004, including associated storage piles; and
- (h) One (1) portable Mobark wood grinder diesel motor, with a maximum capacity of three hundred twelve (312) horsepower per hour, constructed in 2000, and exhausting to a mobile engine exhaust when grinding outdoors.

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

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

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

SECTION B GENERAL CONDITIONS

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

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

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

- (a) This permit, T039-24536-00538, is issued for a fixed term of five (5) years from the issuance date of this permit, as determined in accordance with IC 4-21.5-3-5(f) and IC 13-15-5-3. Subsequent revisions, modifications, or amendments of this permit do not affect the expiration date of this permit.
- (b) If IDEM, OAQ, upon receiving a timely and complete renewal permit application, fails to issue or deny the permit renewal prior to the expiration date of this permit, this existing permit shall not expire and all terms and conditions shall continue in effect, including any permit shield provided in 326 IAC 2-7-15, until the renewal permit has been issued or denied.

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

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

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

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

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

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

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

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

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

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

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

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

- (a) Where specifically designated by this permit or required by an applicable requirement, any application form, report, or compliance certification submitted shall contain

certification by the "responsible official" of truth, accuracy, and completeness. This certification shall state that, based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate, and complete.

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

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

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

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

and

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

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

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

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

- (a) If required by specific condition(s) in Section D of this permit, the Permittee shall maintain and implement Preventive Maintenance Plans (PMPs) including the following information on each facility:
- (1) Identification of the individual(s) responsible for inspecting, maintaining, and repairing emission control devices;
 - (2) A description of the items or conditions that will be inspected and the inspection schedule for said items or conditions; and
 - (3) Identification and quantification of the replacement parts that will be maintained in inventory for quick replacement.
- (b) A copy of the PMPs shall be submitted to IDEM, OAQ upon request and within a reasonable time, and shall be subject to review and approval by IDEM, OAQ. IDEM, OAQ may require the Permittee to revise its PMPs whenever lack of proper maintenance causes or is the primary contributor to an exceedance of any limitation on emissions or potential to emit. The PMPs do not require the certification by the "responsible official" as defined by 326 IAC 2-7-1(34).
- (c) To the extent the Permittee is required by 40 CFR Part 60/63 to have an Operation Maintenance, and Monitoring (OMM) Plan for a unit, such Plan is deemed to satisfy the PMP requirements of 326 IAC 1-6-3 for that unit.

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

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

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

Telephone Number: 317-233-0178 (ask for Compliance Section)

Facsimile Number: 317-233-6865

Northern Regional Office phone: (574) 245-4870; fax: (574) 245-4877.

- (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 and Enforcement Branch, Office of Air Quality
100 North Senate Avenue
MC 61-53 IGCN 1003
Indianapolis, Indiana 46204-2251

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

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

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

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

- (6) The Permittee immediately took all reasonable steps to correct the emergency.
- (c) In any enforcement proceeding, the Permittee seeking to establish the occurrence of an emergency has the burden of proof.
 - (d) This emergency provision supersedes 326 IAC 1-6 (Malfunctions). This permit condition is in addition to any emergency or upset provision contained in any applicable requirement.
 - (e) The Permittee seeking to establish the occurrence of an emergency shall make records available upon request to ensure that failure to implement a PMP did not cause or contribute to an exceedance of any limitations on emissions. However, IDEM, OAQ may require that the Preventive Maintenance Plans required under 326 IAC 2-7-4(c)(9) be revised in response to an emergency.
 - (f) Failure to notify IDEM, OAQ by telephone or facsimile of an emergency lasting more than one (1) hour in accordance with (b)(4) and (5) of this condition shall constitute a violation of 326 IAC 2-7 and any other applicable rules.
 - (g) If the emergency situation causes a deviation from a technology-based limit, the Permittee may continue to operate the affected emitting facilities during the emergency provided the Permittee immediately takes all reasonable steps to correct the emergency and minimize emissions.
 - (h) The Permittee shall include all emergencies in the Quarterly Deviation and Compliance Monitoring Report.

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

- (a) Pursuant to 326 IAC 2-7-15, the Permittee has been granted a permit shield. The permit shield provides that compliance with the conditions of this permit shall be deemed compliance with any applicable requirements as of the date of permit issuance, provided that either the applicable requirements are included and specifically identified in this

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

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

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

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

- (a) All terms and conditions of permits established prior to T039-24536-00538 and issued pursuant to permitting programs approved into the state implementation plan have been either:
 - (1) incorporated as originally stated,

- (2) revised under 326 IAC 2-7-10.5, or
 - (3) deleted under 326 IAC 2-7-10.5.
- (b) Provided that all terms and conditions are accurately reflected in this permit, all previous registrations and permits are superseded by this Part 70 operating permit.

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

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

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

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

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

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

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

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

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

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

permit for which cause to reopen exists. Such reopening and revision shall be made as expeditiously as practicable. [326 IAC 2-7-9(b)]

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

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

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

Request for renewal shall be submitted to:

Indiana Department of Environmental Management
Permit Administration and Support Section, 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]

- (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
Permit Administration and Support Section, Office of Air Quality
100 North Senate Avenue
MC 61-53 IGCN 1003
Indianapolis, Indiana 46204-2251

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

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

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

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

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

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

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

and

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

in advance of the change by written notification at least ten (10) days in advance of the proposed change. The Permittee shall attach every such notice to the Permittee's copy of this permit; and
 - (5) The Permittee maintains records on-site, on a rolling five (5) year basis, which document all such changes and emission trades that are subject to 326 IAC 2-7-20(b),(c), or (e). The Permittee shall make such records available, upon reasonable request, for public review.

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

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

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

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

(c) Emission Trades [326 IAC 2-7-20(c)]

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

(d) Alternative Operating Scenarios [326 IAC 2-7-20(d)]

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

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

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

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

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

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

- (a) Enter upon the Permittee's premises where a Part 70 source is located, or emissions related activity is conducted, or where records must be kept under the conditions of this permit;
- (b) As authorized by the Clean Air Act, IC 13-14-2-2, IC 13-17-3-2, and IC 13-30-3-1, have access to and copy any records that must be kept under the conditions of this permit;
- (c) As authorized by the Clean Air Act, IC 13-14-2-2, IC 13-17-3-2, and IC 13-30-3-1, inspect any facilities, equipment (including monitoring and air pollution control equipment), practices, or operations regulated or required under this permit;

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

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

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

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

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

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

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

B.25 Advanced Source Modification Approval [326 IAC 2-7-5(16)] [326 IAC 2-7-10.5]

- (a) The requirements to obtain a source modification approval under 326 IAC 2-7-10.5 or a permit modification under 326 IAC 2-7-12 are satisfied by this permit for the proposed emission units, control equipment or insignificant activities in Sections A.2 and A.3.
- (b) Pursuant to 326 IAC 2-1.1-9 any permit authorizing construction may be revoked if construction of the emission unit has not commenced within eighteen (18) months from the date of issuance of the permit, or if during the construction, work is suspended for a continuous period of one (1) year or more.

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

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

SECTION C SOURCE OPERATION CONDITIONS

Entire Source

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

- C.1 Particulate Emission Limitations For Processes with Process Weight Rates Less Than One Hundred (100) Pounds per Hour [326 IAC 6-3-2]
-
- Pursuant to 326 IAC 6-3-2(e)(2), particulate emissions from any process not exempt under 326 IAC 6-3-1(b) or (c) which has a maximum process weight rate less than 100 pounds per hour and the methods in 326 IAC 6-3-2(b) through (d) do not apply shall not exceed 0.551 pounds per hour.
- C.2 Opacity [326 IAC 5-1]
-
- Pursuant to 326 IAC 5-1-2 (Opacity Limitations), except as provided in 326 IAC 5-1-3 (Temporary Alternative Opacity Limitations), opacity shall meet the following, unless otherwise stated in this permit:
- (a) Opacity shall not exceed an average of forty percent (40%) in any one (1) six (6) minute averaging period as determined in 326 IAC 5-1-4.
 - (b) Opacity shall not exceed sixty percent (60%) for more than a cumulative total of fifteen (15) minutes (sixty (60) readings as measured according to 40 CFR 60, Appendix A, Method 9 or fifteen (15) one (1) minute nonoverlapping integrated averages for a continuous opacity monitor) in a six (6) hour period.
- C.3 Open Burning [326 IAC 4-1] [IC 13-17-9]
-
- The Permittee shall not open burn any material except as provided in 326 IAC 4-1-3, 326 IAC 4-1-4 or 326 IAC 4-1-6. The previous sentence notwithstanding, the Permittee may open burn in accordance with an open burning approval issued by the Commissioner under 326 IAC 4-1-4.1.
- C.4 Incineration [326 IAC 4-2] [326 IAC 9-1-2]
-
- The Permittee shall not operate an incinerator or incinerate any waste or refuse except as provided in 326 IAC 4-2 and 326 IAC 9-1-2.
- C.5 Fugitive Dust Emissions [326 IAC 6-4]
-
- The Permittee shall not allow fugitive dust to escape beyond the property line or boundaries of the property, right-of-way, or easement on which the source is located, in a manner that would violate 326 IAC 6-4 (Fugitive Dust Emissions). 326 IAC 6-4-2(4) is not federally enforceable.
- C.6 Fugitive Particulate Matter Emission Limitations [326 IAC 6-5]
-
- Pursuant to 326 IAC 6-5 (Fugitive Particulate Matter Emission Limitations), fugitive particulate matter emissions shall be controlled according to the plan submitted on June 25, 2008. The plan is included as Attachment A. The provisions of 326 IAC 6-5 are not federally enforceable.
- C.7 Stack Height [326 IAC 1-7]
-
- The Permittee shall comply with the applicable provisions of 326 IAC 1-7 (Stack Height Provisions), for all exhaust stacks through which a potential (before controls) of twenty-five (25) tons per year or more of particulate matter or sulfur dioxide is emitted. The provisions of 326 IAC 1-7-1(3), 326 IAC 1-7-2, 326 IAC 1-7-3(c) and (d), 326 IAC 1-7-4, and 326 IAC 1-7-5(a), (b), and (d) are not federally enforceable.

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

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

All required notifications shall be submitted to:

Indiana Department of Environmental Management
Compliance and Enforcement Branch, 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 Licensed 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 Licensed Asbestos Inspector to thoroughly inspect the affected portion of the facility for the presence of asbestos. The requirement to use an Indiana Licensed Asbestos inspector is not federally enforceable.

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

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

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

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

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

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

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

Compliance Requirements [326 IAC 2-1.1-11]

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

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

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

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

Unless otherwise specified in this permit, all monitoring and record keeping requirements not already legally required shall be implemented within thirty (30) 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 thirty (30) days, the Permittee may extend the compliance schedule related to the equipment for an additional thirty (30) days provided the Permittee notifies:

Indiana Department of Environmental Management
Compliance and Enforcement 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 thirty (30) day compliance schedule, with full justification of the reasons for the inability to meet this date.

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

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

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

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

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

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

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

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

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

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

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

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

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

- (c) If the ERP is disapproved by IDEM, OAQ, the Permittee shall have an additional thirty (30) days to resolve the differences and submit an approvable ERP.
- (d) These ERPs shall state those actions that will be taken, when each episode level is

declared, to reduce or eliminate emissions of the appropriate air pollutants.

- (e) Said ERPs shall also identify the sources of air pollutants, the approximate amount of reduction of the pollutants, and a brief description of the manner in which the reduction will be achieved.
- (f) Upon direct notification by IDEM, OAQ that a specific air pollution episode level is in effect, the Permittee shall immediately put into effect the actions stipulated in the approved ERP for the appropriate episode level. [326 IAC 1-5-3]

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

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

C.16 Response to Excursions or Exceedances [326 IAC 2-7-5] [326 IAC 2-7-6]

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

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

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

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

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

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

- (a) In accordance with the compliance schedule specified in 326 IAC 2-6-3(b)(1), starting in 2004 and every three (3) years thereafter, the Permittee shall submit by July 1 an emission statement covering the previous calendar year. The emission statement shall contain, at a minimum, the information specified in 326 IAC 2-6-4(c) and shall meet the following requirements:
 - (1) Indicate estimated actual emissions of all pollutants listed in 326 IAC 2-6-4(a);
 - (2) Indicate estimated actual emissions of regulated pollutants as defined by 326 IAC 2-7-1(32) ("Regulated pollutant, which is used only for purposes of Section 19 of this rule") from the source, for purpose of fee assessment.

The statement must be submitted to:

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

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

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

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

- (a) Records of all required monitoring data, reports and support information required by this permit shall be retained for a period of at least five (5) years from the date of monitoring sample, measurement, report, or application. These records shall be physically present or electronically accessible at the source location for a minimum of three (3) years. The

records may be stored elsewhere for the remaining two (2) years as long as they are available upon request. If the Commissioner makes a request for records to the Permittee, the Permittee shall furnish the records to the Commissioner within a reasonable time.

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

C.20 General Reporting Requirements [326 IAC 2-7-5(3)(C)] [326 IAC 2-1.1-11]

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

Indiana Department of Environmental Management
Compliance and Enforcement Branch, 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.

Stratospheric Ozone Protection

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

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

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

SECTION D.1 EMISSIONS UNIT OPERATION CONDITIONS

Emissions Unit Description:

- (a) One (1) CBI (grizzly) wood grinder, identified as Grizzly, with a maximum capacity to grind seventy-five (75) tons of wood per hour, using a baghouse for control of particulate matter emissions, constructed in 2000, and exhausting to one stack designated Collector 1X, including associate storage piles;
- (b) One (1) material transporter and screen, identified as B, C Transport & Screen, with a maximum capacity to mechanically transport and screen seventy-five (75) tons of wood per hour, using a baghouse for control of particulate matter emissions, constructed in 2000, and exhausting to one stack designated Collector 2X, including associated storage piles;
- (c) One (1) CBI (mulch king) wood grinder, identified as Mulch King, with a maximum capacity to grind seventy-five (75) tons of wood per hour, using an air classifier, cyclone and baghouse for control of particulate matter emissions, constructed in 2000, and exhausting to one stack designated Collector 1X, including associated storage piles;
- (d) One (1) material transporter and screen, identified as A Transport & Screen, with a maximum capacity to mechanically transport and screen seventy-five (75) tons of wood per hour, using a baghouse for control of particulate matter emissions, constructed in 2000, and exhausting to one stack designated Collector 2X, including associated storage piles;

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

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

D.1.1 PM and PM₁₀ Limitation [326 IAC 2-2]

The following emissions units shall be limited as follows:

| Emission Unit | Control Device | PM/PM ₁₀ PSD Limit (lb/hr) |
|--------------------------|----------------|---------------------------------------|
| Grizzly | Collector 1x | 34.36 |
| Mulch King | | |
| B,C Transport and Screen | Collector 2x | 21.47 |
| A Transport and Screen | | |

Compliance with the above limits, combined with the potential to emit PM/PM₁₀ from other emission units at the source, shall limit the potential to emit PM/PM₁₀ from the entire source to less than 250 tons per twelve (12) consecutive month period and render 326 IAC 2-2 not applicable.

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

(a) The particulate from the indoor wood grinding operation shall be limited by the following:

| Emission Unit | Process Weight Rate (tons per hour) | 326 IAC 6-3-2 Limit (pounds per hour) |
|---------------|-------------------------------------|---------------------------------------|
| Grizzly | 75 | 48.43 |
| Mulch King | 75 | 48.43 |

These pounds per hour limitations were 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:

$$E = 55.0 P^{0.11} - 40$$

where E = rate of emission in pounds per hour and
 P = process weight rate in tons per hour

(b) The particulate from the transport and screen equipment shall be limited by the following:

| Emission Unit | Process Weight Rate (tons per hour) | 326 IAC 6-3-2 Limit (pounds per hour) |
|---------------------------|-------------------------------------|---------------------------------------|
| B, C Transport and Screen | 75 | 48.43 |
| A Transport and Screen | 75 | 48.43 |

These pounds per hour limitations were 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:

$$E = 55.0 P^{0.11} - 40$$

where E = rate of emission in pounds per hour and
 P = process weight rate in tons per hour

D.1.3 Preventive Maintenance Plan [326 IAC 2-7-5(13)]

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

Compliance Determination Requirements

D.1.4 Particulate Emissions

- (a) In order to comply with Condition D.1.1, the baghouses for particulate control shall be in operation and control emissions from the indoor wood grinding operation (Grizzly and Mulch King) and the transport and screen equipment (B,C Transport and Screen, and A Transport and Screen) at all times the indoor wood grinding operation, and transport and screen equipment are in operation.
- (b) In order to comply with Condition D.1.2, the baghouses for particulate control shall be in operation and control emissions from the indoor wood grinding operation (Grizzly and Mulch King) and the transport and screen equipment (B,C Transport and Screen, and A Transport and Screen) at all times the indoor wood grinding operation, and transport and screen equipment are 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.1.5 Testing Requirements [326 IAC 2-7-6(1),(6)] [326 IAC 2-1.1-11]

Within one hundred and eighty (180) days after the issuance of the permit, the Permittee shall conduct a performance test of Collector 1x and Collector 2x to show compliance with Condition D.1.1 utilizing methods as approved by the Commissioner. This test shall be repeated at least once every five (5) years from the date of the most recent valid compliance demonstration. Testing shall be conducted in accordance with Section C - Performance Testing.

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

D.1.6 Visible Emissions Notations

- (a) Visible emission notations of the Grizzly, Mulch King, B,C Transport and Screen, and A Transport and Screen stack exhaust 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.1.7 Parametric Monitoring

- (a) The Permittee shall record the pressure drop across the baghouses used in conjunction with Grizzly, Mulch King, B,C Transport and Screen, and A Transport and Screen when the units are in operation. When for any one reading, the pressure drop across the baghouse is outside the normal range of 3.0 and 6.0 inches of water or a range established during the latest stack test, the Permittee shall take reasonable response steps in accordance with Section C- Response to Excursions or Exceedances. A pressure reading that is outside the above mentioned range is not a deviation from this permit. Failure to take response steps in accordance with Section C - Response to Excursions or Exceedances, shall be considered a deviation from this permit.
- (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.1.8 Broken or Failed Bag Detection [326 IAC 2-7-6(1)] [326 IAC 2-7-5(1)]

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

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

D.1.9 Record Keeping Requirement

- (a) To document compliance with Section C - Opacity and Condition D.1.5, the Permittee shall maintain daily records of the visible emission notations of the Grizzly, Mulch King, B,C Transport and Screen, and A Transport and Screen stack exhausts. The Permittee shall include in its daily record when a visible notation is not taken and the reason for the lack of visible emission notation, (e.g. the process did not operate that day).
- (b) To document compliance with Condition D.1.6, the Permittee shall maintain daily records of the pressure drop across each baghouse. 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).
- (c) All records shall be maintained in accordance with Section C - General Record Keeping Requirements, of this permit.

SECTION D.2 EMISSIONS UNIT OPERATION CONDITIONS

Emissions Unit Description:

- (e) One (1) portable CBI (4800 M) wood grinder with screen separator, identified as CBI (4800 M), with a maximum capacity to grind twenty-five (25) tons of wood per hour outdoors on VIM property, using the Fugitive Dust Control Plan for control, constructed in 2000, including associated storage piles;
- (g) One (1) portable CBI (4800 M) wood grinder diesel motor, with a maximum capacity of eight hundred (800) horsepower per hour, constructed in 2000, and exhausting to a mobile engine exhaust when grinding outdoors;

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

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

D.2.1 Fugitive Dust Emissions [326 IAC 6-4-1] [326 IAC 6-4-3]

Pursuant to CP039-12174-00538, issued August 21, 2000, and 326 IAC 6-4-2 (Fugitive Dust Emissions Limitations), emissions of particulate from outdoor wood grinding shall be in violation of 326 IAC 6-4 if any of the following criteria are violated:

- (a) A source or combination of sources which cause fugitive dust concentrations to exist greater than sixty-seven percent (67%) in excess of ambient upwind concentrations as determine by the following formula:

$$P = \frac{100(R-U)}{U}$$

Where P = percentage increase
 R = number of particles of fugitive dust measured at the downward receptor site
 U = number of particles of fugitive dust measured upwind of background site

- (b) The fugitive dust is comprised of fifty percent (50%) or more respirable dust, then the percent increase of dust concentration in subdivision (a) of this section shall be modified as follows:

$$P_R = (1.5 \pm N) \times P$$

Where P_R = allowable percentage increase in dust concentration above backgrounds
 N = fraction of fugitive dust that is respirable dust
 P = no value greater than sixty-seven percent (67%)

- (c) The ground level ambient air concentrations exceed fifty (50) micrograms per cubic meter above background concentrations for a sixty (60) minute period.
- (d) If the fugitive dust is visible crossing the boundary or property line or a source. This subdivision may be refuted by factual data expressed in subdivision (a), (b), or (c) of this section.

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

The particulate from the Mobark outdoor wood grinder shall be limited by the following:

| Emission Unit | Process Weight Rate (tons/hr) | Particulate Emission Limit (lb/hr) |
|---------------------|-------------------------------|------------------------------------|
| Mobark wood grinder | 25 | 35.43 |

This pounds per hour limit was calculated with the following equation:

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

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

D.2.3 Preventive Maintenance Plan [326 IAC 2-7-5(13)]

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

Compliance Determination Requirements

D.2.4 Fugitive Dust Control [326 IAC 6-5]

The source shall control emissions of fugitive particulate from the outdoor grinder and screen through:

- (a) Spraying water, as necessary, during the grinding and screening of wood to prevent visible fugitive dust.
- (b) Grinding and screening of wood during periods when wind speeds, at the VIM Recycling property, measure no more than ten (10) miles per hour. Wind speed shall be measured hourly when grinding and screening outdoors. In the event of the wind speeds exceeding ten (10) miles per hour during grinding and screening outdoors, operation shall stop until wind speeds slow down to no more than ten (10) miles per hour.
- (c) Grinding and screening clean hardwood (A material), mixed woods (B material), and "recently live" wood only. "Recently live" wood is defined as wood, including trunk, branches and leaves, that has not been processed or cut into dimensional limber, and has been stored no longer than sixty (60) days onsite.

The Fugitive Dust Control Plan for this source is included as Attachment A.

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

D.2.5 Visible Emissions Notations

- (a) Pursuant to CP039-12174-00538, issued August 21, 2000, and to ensure compliance with Condition D.2.1, the source shall conduct continuous visual observations for fugitive dust, by a trained employee to assure that no visible particulate is crossing the VIM property line at any time while the outdoor grinder and screen are in operation.
- (b) A trained employee is an employee who has worked at the plant at least one (1) month and that has been trained in the appearance and characteristics of normal visible emissions for that specific process.

D.2.6 Monitoring

In order to comply with Condition D.2.4, the source shall measure the wind speed prior to beginning outdoor grinding and/or screen and shall continue to measure wind speed hourly while grinding and/or screening outdoors.

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

D.2.7 Record Keeping Requirements

- (a) To document compliance with Condition D.2.5, the Permittee shall maintain daily record of the visible observations of fugitive particulate emissions and the hours of operation of the CBI (4800M) and Mobark outdoor grinders and screens. The Permittee shall include

in its daily record when a visible observation is not taken and the reason for the lack of visible observation, (e.g. the process did not operate that day).

- (b) To document compliance with Condition D.2.5, the Permittee shall maintain a hourly record of the wind speed observation and the hours of operation of the CBI (4800M) and Mobark outdoor grinders and screens. The Permittee shall include in its daily record when an observation is not taken and the reason for the lack of observation, (e.g. the process did not operate that day).
- (c) All records shall be maintained in accordance with Section C - General Record Keeping Requirements, of this permit.

SECTION D.3 FACILITY OPERATION CONDITIONS

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

- (f) One (1) portable CBI (4800 M) wood grinder diesel motor, with a maximum capacity of eight hundred (800) horsepower per hour, constructed in 2000, and exhausting to a mobile engine exhaust when grinding outdoors;
- (h) One (1) portable Mobark wood grinder diesel motor, with a maximum capacity of three hundred twelve (312) horsepower per hour, constructed in 2000, and exhausting to a mobile engine exhaust when grinding outdoors.

(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 Nitrous Oxides (NO_x)

Pursuant to CP039-12174-00538, issued August 21, 2000, the total input of diesel fuel to the two (2) grinders' (CBI (4800M and Mobark) diesel motors shall be limited to the following (based on an assumed diesel heating value of 137,000 Btu per gallon):

- (a) CBI (4800M) grinder diesel motors: 147,168 gallons per twelve (12) consecutive month period with compliance determined at the end of each month; and
- (b) Mobark grinder diesel motors: 15,456 gallons per twelve (12) consecutive month period with compliance determined at the end of each month.

D.3.2 Sulfur Dioxide (SO₂) [326 IAC 7-1.1]

Pursuant to CP039-12174-00538, issued August 21, 2000, the sulfur content of the diesel fuel used in the two (2) grinders' diesel motors shall not exceed 0.5% by weight. Compliance with this limit shall limit sulfur dioxide emissions from the CBI (4800M) grinder and Mobark grinder diesel motors to less than twenty-five (25) tons per year and render the requirements of 326 IAC 7-1.1 (Sulfur Dioxide Emission Limitations) not applicable.

D.3.3 Preventive Maintenance Plan [326 IAC 2-7-5(13)]

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

Compliance Determination Requirements

D.3.4 Fuel Limitations

Compliance with Condition D.3.1 shall be demonstrated within 30 days of the end of each month based on the fuel consumption for each grinder during the most recent month.

D.3.5 Sulfur Content

Compliance with Condition D.3.2 shall be determined utilizing one of the following options:

Pursuant to 326 IAC 3-7-4, the Permittee shall demonstrate that the sulfur content of the diesel fuel does not exceed 0.5% by:

- (a) Providing vendor analysis of fuel delivered, if accompanied by a vendor certification, or;

- (b) Analyzing the oil sample to determine the sulfur content of the oil via the procedures in 40 CFR 60, Appendix A, Method 19.
 - (1) Oil samples may be collected from the fuel tank immediately after the fuel tank is filled and before any oil is combusted; and
 - (2) If a partially empty fuel tank is refilled, a new sample and analysis would be required upon filling.

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

D.3.6 Visible Emissions Notations

- (a) Visible emission notations of the CBI (4800M) and Mobark grinder diesel motor stack exhaust shall be performed once per day during normal daylight operations when exhausting to the atmosphere. A trained employee shall record whether emissions are normal or abnormal.
- (b) For processes operated continuously, "normal" means those conditions prevailing, or expected to prevail, eighty percent (80%) of the time the process is in operation, not counting startup or shut down time.
- (c) In the case of batch or discontinuous operations, readings shall be taken during that part of the operation that would normally be expected to cause the greatest emissions.
- (d) A trained employee is an employee who has worked at the plant at least one (1) month and has been trained in the appearance and characteristics of normal visible emissions for that specific process.
- (e) If abnormal emissions are observed, the Permittee shall take reasonable response steps in accordance with Section C- Response to Excursions or Exceedances. Failure to take response steps in accordance with Section C - Response to Excursions or Exceedances shall be considered a deviation from this permit.

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

D.3.7 Record Keeping Requirements

- (a) To document compliance with Condition D.3.1, the Permittee shall maintain records of the CBI (4800M) and Mobark grinder diesel motor monthly fuel usage.
- (b) To document compliance with Condition D.3.2, the Permittee shall maintain records of the sulfur content of the fuel oil used by the CBI (4800M) and Mobark grinder diesel motors.
- (c) To document compliance with Condition D.3.6, the Permittee shall maintain daily records of visible emission notations of the CBI (4800M) and Mobark diesel motor stack exhaust. The Permittee shall include in its daily record when a visible notation is not taken and the reason for the lack of visible emission notation, (e.g. the process did not operate that day).
- (d) All records shall be maintained in accordance with Section C - General Record Keeping Requirements, of this permit.

D.3.8 Reporting Requirements

A quarterly summary of the information to document compliance with Condition D.3.1 shall be submitted to the address listed in Section C - General Reporting Requirements, of this permit,

using the reporting forms located at the end of this permit, or their equivalent, within thirty (30) days after the end of the quarter being reported. The report submitted by the Permittee does 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
PART 70 OPERATING PERMIT
CERTIFICATION**

Source Name: VIM Recycling, Inc.
Source Address: 29861 Old U.S. Highway 33, Elkhart, Indiana 46516
Mailing Address: P.O. Box 808, Goshen, Indiana 46257
Part 70 Permit No.: T039-24536-00538

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 AND ENFORCEMENT 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: VIM Recycling, Inc.
Source Address: 29861 Old U.S. Highway 33, Elkhart, Indiana 46516
Mailing Address: P.O. Box 808, Goshen, Indiana 46257
Part 70 Permit No.: T039-24536-00538

This form consists of 2 pages

Page 1 of 2

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

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

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

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

Page 2 of 2

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

Form Completed by: _____

Title / Position: _____

Date: _____

Phone: _____

A certification is not required for this report.

**INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
 OFFICE OF AIR QUALITY
 COMPLIANCE AND ENFORCEMENT BRANCH**

Part 70 Quarterly Report

Source Name: VIM Recycling, Inc.
 Source Address: 29861 Old U.S. Highway 33, Elkhart, Indiana 46516
 Mailing Address: P.O. Box 808, Goshen, Indiana 46257
 Part 70 Permit No.: T039-24536-00538
 Facility: CBI (4800M) and Mobark wood grinder diesel motors
 Parameter: Fuel Usage
 Limit: 147,168 gallons per twelve (12) consecutive month period with compliance determined at the end of each month for the CBI (4800M) grinder.
 15,456 gallons per twelve (12) consecutive month period with compliance determined at the end of each month for the Mobark grinder

QUARTER :

YEAR:

| Month | Column 1 | | Column 2 | | Column 1 + Column 2 | |
|---------|-------------|--------|--------------------|--------|---------------------|--------|
| | This Month | | Previous 11 Months | | 12 Month Total | |
| | CBI (4800)M | Mobark | CBI (4800)M | Mobark | CBI (4800)M | Mobark |
| Month 1 | | | | | | |
| Month 2 | | | | | | |
| Month 3 | | | | | | |

No deviation occurred in this quarter.

Deviation/s occurred in this quarter.

Deviation has been reported on: _____.

Submitted by: _____

Title / Position: _____

Signature: _____

Date: _____

Phone: _____

Attach a signed certification to complete this report.

**INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
 OFFICE OF AIR QUALITY
 COMPLIANCE AND ENFORCEMENT BRANCH
 PART 70 OPERATING PERMIT
 QUARTERLY DEVIATION AND COMPLIANCE MONITORING REPORT**

Source Name: VIM Recycling, Inc.
 Source Address: 29861 Old U.S. Highway 33, Elkhart, Indiana 46516
 Mailing Address: P.O. Box 808, Goshen, Indiana 46257
 Part 70 Permit No.: T039-24536-00538

Months: _____ to _____ Year: _____

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

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

Form Completed by: _____

Title / Position: _____

Date: _____

Phone: _____

Attach a signed certification to complete this report.

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

Addendum to the Technical Support Document (ATSD) for a
Title V Renewal

Source Background and Description

| | |
|----------------------------|--|
| Source Name: | VIM Recycling, Inc. |
| Source Location: | 29861 Old U.S. Highway 33, Elkhart, Indiana 46516 |
| County: | Elkhart |
| SIC Code: | 2499 |
| Permit Renewal No.: | T039-24536-00538 |
| Permit Reviewer: | Anne-Marie C. Hart |

On July 12, 2008, the Office of Air Quality (OAQ) had a notice published in the Elkhart Truth, Elkhart, Indiana, stating that VIM Recycling, Inc. had applied for a Title V Operating Permit Renewal to continue to operating its existing landscape mulch, animal bedding and wood for fuel manufacturing operation that uses recycled wood as raw material. The notice also stated that the OAQ proposed to issue a Title V Renewal for this operation and provided information on how the public could review the proposed permit and other documentation. Finally, the notice informed interested parties that there was a period of thirty (30) days to provide comments on whether or not this permit should be issued as proposed.

On November 20, 2008, the Office of Air Quality (OAQ) held a public meeting and hearing at the Jimtown North Elementary School in Elkhart, Indiana, for citizens and interested parties to discuss questions and concerns related to the project.

The Technical Support Document (TSD) is used by IDEM, OAQ for historical purposes. IDEM, OAQ does not make any changes to the original TSD, but the Permit will have the updated changes. The comments and revised permit language are provided below with deleted language as ~~strikeouts~~ and new language **bolded**.

Comments Received

OAQ received comments from the following people (and groups of people):

- Indiana State Representative, District 5, Craig Fry
- Kim E. Ferraro, Esq., Legal Environmental Aid Foundation (LEAF)
- Jim Euler, DECA Environmental & Associates, Inc. (DECA)
- Terry Rodino, Elkhart County Board of Commissioners
- Business owners located in vicinity of the facility in Elkhart
- Indiana citizens living near the vicinity of the facility in Elkhart

The comments are summarized in the subsequent pages, with IDEM's corresponding responses.

Technical Comments Received During Public Notice (July 12, 2008 - December 1, 2008)

On July 17, 2008, Representative Craig R. Fry submitted comments to IDEM, OAQ on the draft Title V Renewal. Comments made by Rep. Craig Fry during the Public Hearing are documented in the General Comments section of the Addendum to the Technical Support Document.

Rep. Fry's Comment 1:

A determination is requested as to whether the "B" pile should be regulated material and subject to outside grinding since it contains "some treated wood such as paneling, particle board and wood debris from manufactured homes and recreational vehicles." "B" and "C" piles may contain hazardous materials since they contain discarded materials from the recreational vehicle industry and should be treated as hazardous waste.

Response to Rep. Fry's Comment 1:

IDEM, OAQ does not have direct authority to regulate the processing of solid waste, as it pertains to the processing at VIM Recycling, Inc. The source is required to have a solid waste processing permit issued by IDEM, Office of Land Quality. Any emissions from the grinding operation are calculated based on EPA guidance. IDEM, OAQ does not have evidence that the material at VIM Recycling, Inc. contains any significant levels of formaldehyde.

Rep. Fry's Comment 2:

The Technical Support Document (TSD), page 3, states: "There are no enforcement actions pending." This is an erroneous statement. There is a Petition for Preliminary and Permanent Injunction filed against VIM in Elkhart County Circuit Court, Cause No. 20C01-0802-PL-015, filed February 5, 2008, by the Indiana State Fire Marshall, Department of Homeland Security.

Response Rep. Fry's to Comment 2:

The statement in the Technical Support Document is based on enforcement actions as a result of the Title V renewal application (i.e., the application was not submitted in a timely manner or the source is operating unpermitted units). There were no air violations found as a result of the Title V renewal application.

On August 6, 2008, the concerned citizens and neighbors of Baugo Township, Elkhart County, Indiana, referred to as "The Neighbors", submitted comments to IDEM, OAQ on the draft Title V Renewal (039-24536-00538).

The Neighbors' Comment 1:

The draft permit includes the permission to grind and screen both the "A" and "B" open wood recyclable material piles outdoors as well as "recently live" wood (Attachment A, Fugitive Dust Control Plan, approved July 2, 2008, Section 2(c)). This certainly is far less stringent than the original permit issued January 24, 2003 (T039-15593-00538), that repeatedly states "Grinding and screening only 'recently live' wood outdoors."

How can a renewal of a Title V permit be issued with less stringent requirements and still protect human and animal health, and the environment? Does this comply with the Clean Air Act?

Response to The Neighbors' Comment 1:

The removal of the "recently live" restriction allows VIM Recycling, Inc. to process other material. The "recently live" restriction was originally intended to reduce the amount of fugitive dust created as a result of the outdoor grinding operations. However, the source is required by the Fugitive Dust Control Plan to use water suppression on the storage piles to increase the amount of moisture in the wood, which will result in limited fugitive dust emissions and ensure compliance with 326 IAC 6-4 (Fugitive Dust Emissions).

Comment 2:

The SIC Category for VIM Recycling, Inc. is for Lumber and Wood Products. How does this permit allow other substances to be stored and used on the premises? How are these "other substances" related to the Lumber and Wood Products?

Response to the Neighbors' Comment 2:

The Standard Industrial Classification (SIC) is a system that categorizes industry in the United States and does not carry any regulatory authority. The source may store materials on-site which may or may not appear to be directly involved in the manufacturing of an end product described by the SIC category. If the stored material is regulated, the source must notify the appropriate regulatory body and receive approval for such storage.

On September 10, 2008, Kim Ferraro, attorney for The Neighbors, submitted comments to IDEM, OAQ on the draft Title V renewal.

Kim Ferraro's Comment 1:

As IDEM is aware, there was a severe explosion and fire at the VIM facility in June of 2007 which destroyed the building where all indoor grinding and processing took place at the facility and destroyed four (4) emissions units¹ leaving only the "Mobark wood grinder . . . used to grind material outdoors on VIM property." Since the fire, VIM has been using the Mobark to grind and process all material outdoors, including materials which were previously only allowed to be processed indoors, in violation of its existing Title V permit.

The draft permit TSD states that VIM "may repair or replace the units destroyed in the fire without prior approval from IDEM" pursuant to 326 IAC 2-7-10.5(b). If the four (4) emissions units used prior to the fire to process materials indoors were "destroyed," then VIM is not simply "repairing and replacing" these units. Rather, these units are being "reconstructed" or "completely replaced" and, therefore, subject to permit construction and modification rules.² Furthermore, the draft permit identifies a new emissions unit "constructed in 2008"³ which has either been constructed and operated without the proper permit, or if not yet constructed is subject to the construction permit rules.⁴

Specifically, the Indiana Administrative Code requires a source to "obtain a construction permit prior to beginning construction of an emissions unit" if: the unit has the "potential to emit equal to or greater than twenty-five (25) tons per year" of any one of eight listed regulated air pollutants including PM or PM₁₀, SO₂, NO_x, VOC, H₂S, TRS, reduced sulfur compounds, and fluorides; or the source is categorized as an "area or minor source that includes an emission unit or units that

¹ The Technical Support Document (TSD) attached to the draft permit identifies one (1) BCI wood grinder and screen separator, identified as Grizzly, one (1) "B" and "C" material transporter and screen identified as B,C Transport & Screen, one (1) CBI wood grinder, identified as Mulch King and one (1) "A" material transporter and screen, identified as A Transport and Screen as being destroyed in the fire.

² See 326 IAC 2-7-10.5(a)(1) and 326 IAC 2-7-10.5(b) (distinguishing between "repair and replacement" versus "reconstruction or complete replacement").

³ Draft Permit Section A.2(a)

⁴ Clearly, Permittee and IDEM are aware of this requirement considering a Minor Source Modification was required in January, 2005 for construction of VIM's "Haybuster" grinder constructed in 2004 with capacity to "grind twenty-five (25) tons of 'recently live wood' per hour outdoors.

require a Part 70 operating permit under 326 IAC 2-7."⁵ Although the draft permit lacks potential to emit (PTE) information for each emissions unit, the combined PTE of more than 1500 tons/year for PM/PM₁₀ averaged between the five (5) grinding units far exceeds the twenty-five (25) tons per year threshold⁶. Also, the unrestricted potential emissions for NO_x and PM₁₀ are equal to or greater than 100 tons per year subjecting the source to the provisions of 326 IAC 2-7.7 Accordingly, 326 IAC 2-5.1-3 applies requiring VIM to obtain a construction permit before beginning construction of any new emissions unit, reconstruction or complete replacement of any destroyed emissions units and immediately cease operation of any unit so constructed or reconstructed until a construction permit is obtained.

Failure to subject VIM to the construction permit process while imposing emissions limits for its indoor wood grinding operations ignores the *reality* that VIM no longer has indoor grinding operations to regulate. Indeed, VIM has been grinding outdoors, in violation of the existing Title V permit, without the use of air pollution control technology or "baghouses" since the fire in June, 2007. Without a description and compliance schedule for any proposed construction or modification as contemplated by 326 IAC 2-5.1-3(c) and (h)(1)(C), VIM will be allowed to continue its current unpermitted outdoor activities indefinitely thereby imposing its uncontrolled emissions on the surrounding community with impunity.

Finally, even if a construction permit is not required, the Indiana Code requires the air pollution control board and IDEM to safeguard the air resource through the prevention, abatement and control of air pollution by "all practical and economically feasible methods."⁸ The draft permit does not contain any practically enforceable, economically feasible or otherwise, emission restrictions, construction requirements, operating, monitoring, or recordkeeping requirements that apply to construction of new emissions units or VIM's "intended" modification of destroyed emissions units. Consequently, VIM's actual, current and ongoing outdoor operations or its "intended" future indoor operations are in reality left uncontrolled.⁹

⁵ 326 IAC 2-5.1-3(a)(1)(E).

⁶ TSD, Appendix A, p. 1 of 7 (average per unit is approximately 300 tons/year).

⁷ *Id.*

⁸ Indiana Code § 13-17-1.

⁹ *See* Draft permit TSD, p. 1 of 12 noting that VIM "*intends* to repair or replace the destroyed emissions units" (emphasis added).

Response to Kim Ferraro's Comment 1:

Pursuant to 326 IAC 2-7-10.5(b), the source may repair or replace an emissions unit or air pollution control equipment or components thereof without prior approval if the repair or replacement:

- (1) results in a potential to emit for each regulated pollutant that is less than or equal to the potential to emit of the equipment or the affected emissions unit that was repaired or replaced;
- (2) is not a major modification under 326 IAC 2-2, 326 IAC 2-3, or 326 IAC 2-4.1; and
- (3) returns the emissions unit, process, or control equipment to normal operation after an upset, malfunction, or mechanical failure or prevents impending and imminent failure of the emission unit, process, or control equipment.

The repair and replacement of the emissions unit, and corresponding control devices, will result in a potential to emit for PM and PM₁₀ less than the previous equipment. The repair and replacement of the indoor grinding equipment is not considered a major modification under 326 IAC 2-2, 326 IAC 2-3, or 326 IAC 2-4.1. Further, the repair and replacement will return the emissions units to normal operation. If the repair or replacement qualifies as a reconstruction or is a complete replacement of an emissions unit and would require a modification approval or operating permit revision, the owner or operator of the source must submit an application for a permit or permit revision to IDEM, OAQ no later than thirty (30) calendar days after initiating the repair or replacement. Therefore, a construction permit is not required for VIM Recycling, Inc.

At this time, IDEM, OAQ has determined that VIM Recycling, Inc. will need to submit a permit application for the pre-shredder prior to construction.

All grinding operations conducted out of doors are regulated by the Fugitive Dust Control Plan. Any violations of the Fugitive Dust Control Plan and the Title V permit are subject to enforcement action.

The pre-shredder and all conditions including the pre-shredder have been removed from the Title V as follows. All subsequent unit lists have been reordered appropriately:

- (a) ~~One (1) High Torque / Low Speed pre-shredder with a maximum capacity of 60 ton/hr, using a baghouse for control of particulate matter emissions, and exhausting to one stack designated as Collector 1X.~~

* * *

D.1.1 PM and PM₁₀ Limitation [326 IAC 2-2]

The following emissions units shall be limited as follows:

| Emission Unit | Control Device | PM/PM ₁₀ PSD Limit (lb/hr) |
|--------------------------|----------------|---------------------------------------|
| Pre-shredder | Collector 1x | 34.36 |
| Grizzly | | |
| Mulch King | | |
| B,C Transport and Screen | Collector 2x | 21.47 |
| A Transport and Screen | | |

Compliance with the above limits, combined with the potential to emit PM/PM₁₀ from other emission units at the source, shall limit the potential to emit PM/PM₁₀ from the entire source to less than 250

tons per twelve (12) consecutive month period and render 326 IAC 2-2 not applicable.

D.1.2 Particulate Matter Emission Limitation [326 IAC 6-3]

(a) The particulate from the indoor wood grinding operation shall be limited by the following:

| Emission Unit | Process Weight Rate (tons per hour) | 326 IAC 6-3-2 Limit (pounds per hour) |
|-------------------------|-------------------------------------|---------------------------------------|
| Pre-shredder | 60 | 46.29 |
| Grizzly | 75 | 48.43 |
| Mulch King | 75 | 48.43 |

These pounds per hour limitations were 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.1.4 Particulate Emissions

(a) In order to comply with Condition D.1.1, the baghouses for particulate control shall be in operation and control emissions from the indoor wood grinding operation (~~pre-shredder~~, Grizzly and Mulch King) and the transport and screen equipment (B,C Transport and Screen, and A Transport and Screen) at all times the indoor wood grinding operation, and transport and screen equipment are in operation.

(b) In order to comply with Condition D.1.2, the baghouses for particulate control shall be in operation and control emissions from the indoor wood grinding operation (~~pre-shredder~~, Grizzly and Mulch King) and the transport and screen equipment (B,C Transport and Screen, and A Transport and Screen) at all times the indoor wood grinding operation, and transport and screen equipment are in operation.

* * *

D.1.5 Visible Emissions Notations

(a) Visible emission notations of the ~~pre-shredder~~, Grizzly, Mulch King, B,C Transport and Screen, and A Transport and Screen stack exhaust shall be performed once per day during normal daylight operations. A trained employee shall record whether emissions are normal or abnormal.

* * *

D.1.6 Parametric Monitoring

(a) The Permittee shall record the pressure drop across the baghouses used in conjunction with ~~pre-shredder~~, Grizzly, Mulch King, B,C Transport and Screen, and A Transport and Screen when the units are in operation. When for any one reading, the pressure drop across the baghouse is outside the normal range of 3.0 and 6.0 inches of water or a range established during the latest stack test, the Permittee shall take reasonable response steps in accordance with Section C- Response to Excursions or Exceedances. A pressure reading that is outside the above mentioned range is not a deviation from this

permit. Failure to take response steps in accordance with Section C - Response to Excursions or Exceedances, shall be considered a deviation from this permit.

* * *

D.1.8 Record Keeping Requirement

- (a) To document compliance with Section C - Opacity and Condition D.1.5, the Permittee shall maintain daily records of the visible emission notations of the ~~pre-shredder~~, Grizzly, Mulch King, B,C Transport and Screen, and A Transport and Screen stack exhausts. The Permittee shall include in its daily record when a visible notation is not taken and the reason for the lack of visible emission notation, (e.g. the process did not operate that day).

* * *

Kim Ferraro's Comment 2:

Draft permit Sections D.1 and D.2 curiously renamed "*Emissions Unit* Operation Conditions" versus "*Facility Operation* Conditions" remove the "Facility Descriptions" pursuant to 326 IAC 2-7-5(15), and the distinction between "*Indoor* Grinding and Screening of Wood" and "*Outdoor* Grinding and Screening of 'Recently Live' Wood."

Response to Kim Ferraro's Comment 2:

The information describing the process contained in the emissions unit description boxes is descriptive information and does not constitute enforceable conditions. All descriptive information is present in the Part 70 Operating Permit as required by 326 IAC 2-7-5(15).

Kim Ferraro's Comment 3:

The "Emissions Unit Description" in draft permit Section D.1 removes all mention of "using a baghouse for control of particulate matter emissions" when describing the "destroyed" emissions units that VIM "intends" to replace at some unknown, future date.

Response to Kim Ferraro's Comment 3:

The emissions unit descriptions in Section D.1 have been changed as follows to better reflect actual operating processes at VIM Recycling, Inc.:

- (a) ~~One (1) High Torque / Low Speed pre-shredder with a maximum capacity of 60 ton/hr, using a baghouse as control, constructed in 2008 and exhausting to stack designated as Collector 1X.~~
- (ba) One (1) CBI (grizzly) wood grinder, identified as Grizzly, with a maximum capacity to grind seventy-five (75) tons of wood per hour, using a baghouse **as for control of particulate matter emissions**, constructed in 2000, and exhausting to **one** stack designated Collector 1X, including associate storage piles;
- (eb) One (1) material transporter and screen, identified as B, C Transport & Screen, with a maximum capacity to mechanically transport and screen seventy-five (75) tons of wood per hour, using a baghouse **as for control of particulate matter emissions**, constructed in 2000, and exhausting to **one** stack designated Collector 2X, including associated storage piles;
- (ec) One (1) CBI (mulch king) wood grinder, identified as Mulch King, with a maximum capacity to grind seventy-five (75) tons of wood per hour, using an air classifier, cyclone

and baghouse as for control of particulate matter emissions, constructed in 2000, and exhausting to one stack designated Collector 1X, including associated storage piles;

- (ed) One (1) material transporter and screen, identified as A Transport & Screen, with a maximum capacity to mechanically transport and screen seventy-five (75) tons of wood per hour, using a baghouse for control of particulate matter emissions, constructed in 2000, and exhausting to one stack designated Collector 2X, including associated storage piles;

Kim Ferraro's Comment 4:

Section D.1.1 nearly doubles the limit of allowable emissions of PM and PM10 from three grinders with two control devices as opposed to two grinders with three control devices in the existing permit.

Response to Kim Ferraro's Comment 4:

The limits established in Condition D.1.1 limit emissions from the indoor grinding equipment and transport and screen equipment to less than 250 tons per year. This limit is based on the potential to emit PM/PM₁₀ from all non-fugitive units at VIM Recycling, Inc. Compliance with this limit will render 326 IAC 2-2 (Prevention of Significant Deterioration (PSD)) not applicable. The limits in Title V 039-15593-00538 incorrectly limited the PM/PM₁₀ emissions to less than 100 tons per year. Because Elkhart County has been classified as attainment for PM₁₀, the threshold for PSD determination is 250 tons per year. Condition D.1.4 requires that the source control emissions using the control equipment associated with the indoor grinding equipment and transport and screen equipment. Compliance with Condition D.1.4 will ensure compliance with the established PM/PM₁₀ limit in Condition D.1.1.

Kim Ferraro's Comment 5:

Sections D.1.1 and D.1.2 place limits on particulate matter emissions from an "indoor wood grinding operation" that currently does not exist.

Response to Kim Ferraro's Comment 5:

Pursuant to 326 IAC 2-7-10.5(b), the source is currently repairing the units described as "indoor wood grinding operation." Therefore, limits are necessary for the repaired equipment to ensure compliance with 326 IAC 2-2 (Prevention of Significant Deterioration (PSD)) and 326 IAC 6-3-2 (Particulate Emission Limitations for Manufacturing Processes).

Kim Ferraro's Comment 6:

Sections D.1.5, D.1.6 and D.1.7 remove requirements for complying with the existing Compliance Response Plan.

Response to Kim Ferraro's Comment 6:

IDEM has reconsidered the requirement to develop and follow a Compliance Response Plan (CRP) for all Title V sources. The Permittee will still be required to take reasonable response steps when a compliance monitoring parameter is determined to be out of range or abnormal. Replacing the requirement to develop and follow a Compliance Response Plan with a requirement to take reasonable response steps will ensure that the control equipment is returned to proper operation as soon as practicable, while still allowing the Permittee the flexibility to respond to situations that were not anticipated. Condition C.16 - Response to Excursions or Exceedances

[326 IAC 2-7-5] [326 IAC 2-7-6] of Title V 039-24536-00538 replaces Condition C.17 - Compliance Response Plan - Preparation, Implementation, Records, and Reports [326 IAC 2-7-5] [326 IAC 2-7-6] in Title V 039-15593-00538 (issued January 24, 2003). The Section D conditions that refer to the Compliance Response Plan have been revised to reflect the new condition title, Response to Excursions or Exceedances. This change has been made to all other Title V permits, as well.

Kim Ferraro's Comment 7:

Section D.1.8 of the existing permit requiring monthly baghouse inspections has been completely removed from the draft permit.

Response to Kim Ferraro's Comment 7:

IDEM has determined that it is the Permittee's responsibility to include routine control device inspection requirements in the applicable preventive maintenance plan (PMP) as described in Condition B.10 - Preventive Maintenance Plan of Title V 039-24536-00538. Since the Permittee is in the best position to determine the appropriate frequency of control device inspections and the details regarding which components of the control device should be inspected, the conditions requiring control device inspections have been removed from the permit. Further, the Permittee is responsible for performing visible emission readings and monitoring the pressure drop of the control devices as outlined in Conditions D.1.5, D.1.6 and D.1.7 to ensure the control devices are operating properly and controlling particulate matter emissions.

Kim Ferraro's Comment 8:

Sections D.1.9, Section D.1.10(d), D.2.7 and D.2.8(c) requiring inspections of all outdoor storage piles for signs of spontaneous combustion and recordkeeping of all inspections have been omitted from the draft permit. This is particularly troubling in light of last year's explosion and fire. Furthermore, all references for the need to comply with previous AOs relative to these requirements must be included in the draft permit just as they are included in the existing permit.

Response to Kim Ferraro's Comment 8:

Conditions D.1.9, D.1.10(d), D.2.7 and D.2.8(c) in Title V 039-15593-00538 do not meet the definition of "applicable requirement" as defined in 326 IAC 2-7-1(6). Therefore, these conditions have been removed from Title V 039-24536-00538. Further, the Agreed Order is enforceable separate from the permit and the conditions of the Agreed Order need not be included in the operating permit.

Kim Ferraro's Comment 9:

Section D.2 removes all mention of grinding only "recently live" wood "outdoors" in the "Emissions Unit Description" (previously "Facility Description: Outdoor Grinding and Screening of 'Recently Live' Wood."

Response to Kim Ferraro's Comment 9:

The information describing the process contained in the emissions unit description boxes is descriptive information and does not constitute enforceable conditions.

Kim Ferraro's Comment 10:

Section D.2.4 and the Fugitive Dust Control Plan allows grinding of "A" and "B" material outdoors whereas Section D.2.4 and Fugitive Dust Control Plan of the existing permit expressly limits

outdoor grinding to "recently live" wood only. Clearly, this limit was imposed to control particulate matter emissions as "recently live" wood has a higher moisture content. Furthermore, emissions calculations and limits in the draft permit do not address the increased PM/PM₁₀ emissions from outdoor grinding of "A" and "B" materials based.

Response to Kim Ferraro's Comment 10:

The Fugitive Dust Control Plan, approved July 2, 2008, allows VIM Recycling, Inc. to grind and screen wood recyclable materials. In order to comply with the Fugitive Dust Control Plan, the Permittee is required to spray the material during the grinding and screening process to prevent visible fugitive emissions, as well as cease outdoor operations during wind speeds greater than ten miles per hour. IDEM, OAQ has determined that there are no increased PM/PM₁₀ emissions from the grinding of "A" and "B" materials based on throughput rates of the outdoor grinding and screening equipment.

Kim Ferraro's Comment 11:

Unbelievably and without precedent, the draft permit TSD states that VIM is allowed to shred "C" grade waste outdoors using the Mobark grinder "under [IDEM's] *enforcement discretion*" with no corresponding limits or conditions placed *anywhere* in the draft permit to control those emissions. Specifically, the draft permit's Section D.2.1 or D.2.2 do not address emissions from outdoor grinding of "C" pile noted by Commissioner Easterly in a letter to Representative Fry to contain "*scrap wood veneers from the manufacturing of mobile homes . . . [and] some plastic, steel, glass, carpet and drywall.*" Similarly, the draft permit Fugitive Dust Control Plan fails to address particle emissions or potential HAPs from outdoor grinding of "C" pile. Needless to say, the TSD is *not* part of the permit and its provisions are not enforceable.

Response to Kim Ferraro's Comment 11:

The Title V operating permit 039-24536-00538 contains conditions and descriptions for processes approved and regulated by IDEM, OAQ. The Fugitive Dust Control Plan outlines operational standards to prevent visible fugitive dust from the outdoor grinding and screening operation from crossing the property boundary lines. Furthermore, the Title V permit includes operational standards and limits, compliance monitoring requirements, compliance determination requirements, and reporting and record keeping requirements for all indoor grinding and screening processes. Compliance with the Title V permit will ensure compliance with all Indiana air regulations and requirements.

The processing of solid waste, as it pertains to the processing at VIM Recycling, Inc., is not regulated under Indiana air regulations. The source is required to have a solid waste processing permit issued by IDEM, Office of Land Quality.

Kim Ferraro's Comment 12:

The draft permit's Fugitive Dust Control Plan, Section 2 omits the current permit's restriction of "grinding and screening outdoors to a maximum of eight (8) hours in any day."

Response to Kim Ferraro's Comment 12:

IDEM, OAQ has determined that a daily limit on hours of operation does not properly limit the emissions of any permitted unit(s). Therefore, the limit on operating hours has not been included in the Fugitive Dust Control Plan.

Kim Ferraro's Comment 13:

The draft permit completely omits conditions imposed in C.1(a) of the existing permit thereby eliminating a federally enforceable standard.

Response to Kim Ferraro's Comment 13:

Revisions to 326 IAC 6-3 (Particulate Emission Limitations for Manufacturing Processes) became effective on June 12, 2002 and were approved into the State Implementation Plan on September 23, 2005. These rules replace the previous version of 326 IAC 6-3 that had been part of the SIP; therefore, the requirements of the previous version of 326 IAC 6-3-2 are no longer applicable to this source. The original Condition C.1 – Particulate Emission Limitations For Processes with Process Weight Rates Less Than One Hundred (100) Pounds per Hour has been revised to remove C.1(a), which contained these requirements. Since the requirements of the 326 IAC 6-3-2(d) that were effective June 12, 2002 are now federally enforceable, the statement from original Conditions C.1 has been removed.

Kim Ferraro's Comment 14:

The draft permit removes conditions imposed in C.7 of the existing permit that require all air pollution control equipment to be operated at all times that the emissions units vented to the control equipment are in operation.

Response to Kim Ferraro's Comment 14:

Condition D.1.4 contains the same requirement (to operate the control equipment at all times) that was established in C.7 Operation of Equipment. In order to avoid duplication of requirements which may be included in D sections, Condition C.7 – Operation of Equipment has been removed from the permit.

Kim Ferraro's Comment 15:

C.11 of the draft permit extends the time period for compliance monitoring from 30 days to 90 days.

Response to Kim Ferraro's Comment 15:

The Title V permit does not contain any new monitoring requirements. However, IDEM, OAQ, in accordance to IDEM policy, agrees to change the time period for any new compliance monitoring required by the source not already contained in the D Section of the permit from 90 days to 30 days as follows:

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

Unless otherwise specified in this permit, all monitoring and record keeping requirements not already legally required shall be implemented within ~~ninety (90)~~ **thirty (30)** 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)~~ **thirty (30)** days, the Permittee may extend the compliance schedule related to the equipment for an additional ~~ninety (90)~~ **thirty (30)** days provided the Permittee notifies:

* * *

in writing, prior to the end of the initial ~~ninety (90)~~ **thirty (30)** day compliance schedule, with full justification of the reasons for the inability to meet this date.

* * *

Kim Ferraro's Comment 16:

Significant changes to conditions in C.14 of the existing permit by C.13 of the draft permit appear to undermine testing validity.

Response to Kim Ferraro's Comment 16:

IDEM realizes that the specifications of Condition C.14 of the existing permit can only be practically applied to analog units, and has therefore clarified the condition to state that the condition only applies to analog units as described in Condition C.13 of the permit. Upon further review, IDEM has also determined that the accuracy of the instruments is not nearly as important as whether the instrument has a range that is appropriate for the normal expected reading of the parameter. Therefore, the accuracy requirements have been removed from the condition.

Kim Ferraro's Comment 17:

C.14 and C.15 of the draft permit do not contain requirements for an ERP or CRP as required by sections C.15, C.16 and C.17 of the existing permit.

Response to Kim Ferraro's Comment 17:

IDEM has reconsidered the requirement to develop and follow a Compliance Response Plan (CRP). The Permittee will still be required to take reasonable response steps when a compliance monitoring parameter is determined to be out of range or abnormal. Replacing the requirement to develop and follow a Compliance Response Plan with a requirement to take reasonable response steps will ensure that the control equipment is returned to proper operation as soon as practicable, while still allowing the Permittee the flexibility to respond to situations that were not anticipated. Condition C.16 - Response to Excursions or Exceedances [326 IAC 2-7-5] [326 IAC 2-7-6] of Title V 039-24536-00538 replaces Condition C.17 - Compliance Response Plan - Preparation, Implementation, Records, and Reports [326 IAC 2-7-5] [326 IAC 2-7-6] in Title V 039-15593-00538 (issued January 24, 2003). The Section D conditions that refer to the Compliance Response Plan have been revised to reflect the new condition title, Response to Excursions or Exceedances.

Upon further review, IDEM has determined that the Emergency Response Plan, as required by Condition C.15 of the Title V permit 039-15593-00538, was inadvertently omitted. The requirement has been included in the Title V 039-24536-00538 as follows with subsequent conditions renumbered:

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

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

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

**Indiana Department of Environmental Management
Compliance Branch, Office of Air Quality**

**100 North Senate Avenue
MC 61-53 IGCN 1003
Indianapolis, Indiana 46204 2251**

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

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

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

On November 20, 2008, Kim Ferraro, the attorney representing "The Neighbors", made the following comments at the Public Hearing:

Kim Ferraro's Comment 18:

The existing Title V permit requires VIM to grind and screen all A, B and C material indoors, using a baghouse for controlled particulate matter, and to go into one of three designated stacks. The existing permit also limits outdoor grinding to recently live wood only. The draft permit undermines control of these fine particulate emissions that alternate numerous conditions and limits that are currently imposed by the existing permit.

Response to Kim Ferraro's Comment 18:

The Fugitive Dust Control Plan (included as Attachment A in Title V 039-15593-00538) allows VIM Recycling, Inc. to grind wood recyclable material outdoors. Emissions from the grinding process are controlled through wet suppression and operation of equipment when wind speed is less than ten miles per hour. Compliance with the Fugitive Dust Control Plan will prevent any fugitive dust from crossing the property boundaries and therefore comply with 326 IAC 6-4. Any violations of the Fugitive Dust Control plan will be pursued appropriately by IDEM.

On November 30, 2008, Jim Euler, on behalf of VIM Recycling, Inc., submitted comments to IDEM, OAQ on the draft Title V renewal.

Jim Euler's Comment 1:

The public notice Title V air permit renewal document did not have the current Fugitive Dust Control Plan (FDCP) revisions which VIM and IDEM agreed upon prior to issuance. An e-mail was sent to VIM on August 14, 2008 indicating the corrections which are to be made for the final issuance of the permit. Please include these changes to Section 2 of the FDCP which strike out the recently live wood verbiage and part (C) of Section 2, along with other changes to this section.

Response to Jim Euler's Comment 1:

The FDCP has been revised as follows:

Section 2 - Outdoor Grinding and Screening

The following shall control fugitive particulate matter emissions from ~~the all~~ outdoor grinding and screening of wood recyclable material **to prevent fugitive dust from crossing the VIM property line:**

- (a) Spraying water, as necessary, during ~~the all outdoor~~ grinding and screening ~~operation of wood recyclable material~~ to prevent visible fugitive dust.
- (b) Outdoor Grinding and screening of wood **recyclable materials** during periods when wind speeds, at the VIM Recycling property, measure no more than ten (10) miles per hour. Wind speed shall be measured hourly when grinding and screening outdoors. In the event of the wind speeds exceeding ten (10) miles per hour during grinding and screening outdoors, operation shall stop until wind speeds slow down to no more than ten (10) miles per hour.
- ~~(c) Grinding and screening clean hardwood (A material), mixed woods (B material), and "recently live" wood¹ only.~~

~~¹ "Recently live" wood – wood, including trunk, branches, and leaves, that has not been processed or cut into dimensional lumber, and has been stored no longer than sixty (60) days onsite.~~

Jim Euler's Comment 2:

In regards to comments made concerning the current processing equipment to be used for indoor grinding, VIM has been able to save the majority of the equipment and approximately 20% of that equipment had to be refurbished.

Response to Jim Euler's Comment 2:

Based on this information, IDEM considers this as a repair to the indoor grinding equipment pursuant to 326 IAC 2-7-10.5(b).

General Comments Received During Public Notice (July 12, 2008 - December 1, 2008)

General Comment 1:

Many commenters extended their support to the renewal of this permit. Some stated that VIM provides good animal bedding for livestock, including dairy cows, and takes care of scrap from the recreational vehicle industry. Commenters wanted VIM to have a permit so that it could come into compliance with its solid waste violations.

Response to General Comment 1:

IDEM, OAQ acknowledges the opinion expressed by all commenters who support this project. IDEM, OAQ recognizes that concerns outside of air quality regulations are important to those who expressed them; however, they do not have a direct impact on how IDEM reviews and makes decisions on air permit applications. IDEM, OAQ's air permit review, by law, cannot address issues for which it does not have direct regulatory authority, including solid waste issues.

General Comment 2:

Several commenters expressed their opposition to the draft renewal permit for the VIM facility. The reasons for opposition to the permit are summarized below.

- The Indiana Department of Environmental Management should make public health the highest concern when permitting this project.
- Air emissions from the plant have caused health problems for local residents in Baugo Township, including cancer, asthma, respiratory problems, bronchitis, skin rashes, chronic obstructive pulmonary disease, nose bleeds, wheezing, coughing, sore throat, headaches, burning eyes, burning throats, and earaches.
- Women, children and seniors living in the vicinity of the VIM facility are becoming ill.
- Children in area surrounding the VIM facility can't play outside because of the odor and potential health risks. This includes the children of residents and those at a nearby daycare facility.
- Nearby residents have gone to the hospital because of breathing problems they associate with the activities taking place at VIM Recycling.
- The area has high concentrations of asthma and other pollution related illnesses.
- People will develop fatal health problems in the long term because of the pollutants emitted by VIM Recycling.
- If IDEM officials' children lived in the vicinity of VIM, more action would be taken against VIM Recycling.
- One commenter stated, "VIM will cause us to have nurses in our homes when we are in our 60's, taking us out to the potty, putting us on potty chairs, because we can't make it to the restroom."
- The permit fails to protect air quality and fails to protect public health of the surrounding community in violation of the federal Clean Air Act and Indiana environmental law.
- IDEM has a responsibility to protect the public health.
- The draft permit threatens public health.
- VIM has been choking the surrounding neighborhood to death since 2004.
- IDEM is protecting the polluters at the expense of the local residents.
- Photographs were submitted to illustrate air pollution and dust from VIM activities.
- There is dust on cars, outdoor objects, in furnaces and throughout the nearby homes. One commenter put a filter on her fan and stated it was full in a matter of weeks.
- Since PM2.5 clearly poses a threat to public health, the permit must require whatever measures are necessary to mitigate that threat.

Response to General Comment 2:

The federal Clean Air Act requires the United States Environmental Protection Agency (U.S. EPA) to set National Ambient Air Quality Standards (NAAQS) for six criteria pollutants. These criteria pollutants are carbon monoxide, lead, sulfur dioxide, particulate matter to a diameter of 2.5 microns (PM_{2.5}), nitrogen oxides and ground level ozone. The U.S. EPA sets these standards at levels that protect human health, which is why the NAAQS are often referred to as the federal health standards for outdoor air. The NAAQS limit for all criteria pollutants is set low enough to protect human health, including the health of sensitive persons, such as asthmatics, children, and the elderly. More information about each of these pollutants is available at <http://www.epa.gov/air/airpollutants.html> on U.S. EPA's website. The complete table of the NAAQS for all six criteria pollutants can be found at the <http://www.epa.gov/air/criteria.html> website. EPA's website <http://www.epa.gov/air/urbanair/6poll.html> provides more detailed information about the health effects of these six common air pollutants and why they are regulated. Elkhart County meets all of these national health based standards.

Particulate matter is one of six criteria pollutants addressed by the federal Clean Air Act and Indiana's corresponding air pollution control laws. These pollutants have been identified as being particularly harmful to humans and the environment. Particulate matter, or PM, is the term for particles found in the air, including dust, dirt, soot, smoke, and liquid droplets. Some particles are large or dark enough to be seen as soot or smoke. Others are so small that individually they can only be detected with an electron microscope. The United States Environmental Protection Agency (U.S. EPA) categorizes particulate matter in two categories. The first category is "fine particles", referred to as PM_{2.5}, that are 2.5 microns or less in diameter. The second category is "coarse particles", referred to as PM₁₀, that are between 2.5 and 10 microns in diameter. In comparison, a human hair is about 70 microns in diameter.

Particulate matter comes from many different sources including industrial and residential combustion activities and vehicle exhaust, so its composition varies widely. Some particles are emitted directly into the air from cars, trucks, buses, factories, construction sites, tilled fields, unpaved roads, stone crushing, and wood burning. Other particles are formed in the air from the chemical change of gases. They are indirectly formed when gases from burning fuels react with sunlight and water vapor. These gases come from fuel combustion in motor vehicles, diesel engines, at power plants, and in other industrial processes.

Particle pollution, especially fine particulate matter, contains microscopic solids or liquid droplets that are so small that they can get deep into the lungs and cause serious health problems. Numerous scientific studies have linked particle pollution exposure to a variety of problems, including:

- increased respiratory symptoms, such as irritation of the airways, coughing, or difficulty breathing;
- decreased lung function;
- aggravated asthma;
- development of chronic bronchitis;
- irregular heartbeat;
- nonfatal heart attacks; and
- premature death in people with heart or lung disease.

Children, older adults and people with existing heart or lung diseases, are the most likely to be affected by particle pollution exposure. However, even a healthy person may experience temporary symptoms from exposure to elevated levels of particle pollution.

U.S. EPA revised the air quality standards for particle pollution in 2006. The 2006 standards tighten the 24-hour fine particle (PM_{2.5}) standard from a level of 65 micrograms per cubic meter ($\mu\text{g}/\text{m}^3$) to 35 $\mu\text{g}/\text{m}^3$, and retain the annual fine particle standard at 15 $\mu\text{g}/\text{m}^3$. The U.S. EPA retained the 24-hour coarse particulate (PM₁₀) standard of 150 $\mu\text{g}/\text{m}^3$. The federal Clean Air Act requires U.S. EPA to review the latest scientific information and standards every five years. Before new standards are established, policy decisions undergo rigorous review by the scientific community, industry, public interest groups, the general public and the Clean Air Scientific Advisory Committee (CASAC). Information about the process of reviewing the NAAQS is available at <http://www.epa.gov/air/particlepollution/process.html> on U.S. EPA's website. More information about the NAAQS for PM_{2.5} is available at <http://www.epa.gov/air/particlepollution/standards.html> on EPA's website.

VIM must comply with its Fugitive Dust Control Plan and the fugitive dust emission requirements of 326 Indiana Administrative Code (IAC) 6-4 and 6-5. Fugitive dust may include emissions from paved and unpaved roads, wind erosion of exposed surfaces and storage piles and from on-site activities. Fugitive dust emissions means the generation of particulate matter to the extent that some portion of the material escapes the property line or boundaries of VIM's property.

The issuance of this permit insures that VIM understands its regulatory requirements and the permit is the basis for IDEM, OAQ's future inspections of this source. Anyone seeing a fugitive dust problem or any suspected permit violation should contact IDEM's Complaint Coordinator toll free at (800) 451-6027 ext. 24464, or by sending a written complaint to IDEM, Attn: Complaint Coordinator, 100 North Senate Avenue, MC 50-03 IGCN 1313, Indianapolis, IN 46204-2251 or by using the IDEM complaint form at <http://www.in.gov/idem/5274.htm> on the internet. Spills and other environmental emergencies should be immediately reported to IDEM at (888) 233-7745.

General Comment 3:

Several commenters expressed their opposition to the draft renewal permit for the VIM facility. The reasons for opposition to the permit are summarized below.

- VIM's materials may contain wood from the recreational vehicle industry that contains formaldehyde. IDEM should prohibit VIM from grinding until the federal government sets better guidelines for safe formaldehyde levels.
- IDEM should take no permitting action until the pending Elkhart County Circuit Court action brought by the Indiana State Fire Marshall is resolved.
- The piles constitute a constant threat of future fires. VIM has had numerous fires, some not even reported. The fire at the VIM plant in June of 2007 was caused by VIM not following permit requirements in the operation of the baghouse.
- The poorly drafted permit threatens public health because it fails to address VIM's history of seemingly willful noncompliance with environmental laws. IDEM has fined VIM several times repeated fugitive dust and other environmental violations.
- This fire was a horrific event witnessed by many local residents. It caused death and serious injury to plant employees and terrible air quality. VIM creates a dusty, explosive atmosphere. There is concern that the next fire might kill a volunteer fireman.
- One commenter claimed that thirty fire departments fought the fire that occurred in June of 2007 and that many have not been reimbursed.
- One resident asked if VIM had paid for all the water that has been pumped on its fires.

- One commenter claimed that IDEM allows this "junkyard menace" to take over the neighborhood "with burning trash piles of debris."
- Many residents claimed that smoke exists from smoldering fires. One commenter submitted photographs to illustrate smoldering fires.

Response to General Comment 3:

IDEM, OAQ recognizes that these concerns are very important to those who expressed them; however, they do not have a direct impact on how IDEM, OAQ reviews and makes decisions on air permit applications. IDEM, OAQ's air permit review by law can address only issues that are part of the air pollution control regulations. IDEM cannot prohibit an activity because more stringent guidelines or regulation of formaldehyde may be set in the future. IDEM, OAQ has no evidence that VIM has any significant level of formaldehyde emissions. IDEM, OAQ has no authority to stop processing VIM's air permit application due to any pending court action by the State Fire Marshall.

IDEM, OAQ has no authority to deny VIM's air permit application due to past fires or based on the risk of future fires or explosions. Sources that have committed air permit violations in the past are still required to have air permits. IDEM, OAQ is required to issue a permit to a source even if the source has a history of previous air permit violations. The air permit prohibits VIM from open burning any material pursuant to 326 Indiana Administrative Code 4-1-1. The issuance of this permit insures that VIM understands this regulatory requirement. The permit is the basis for IDEM, OAQ's future inspections of this source. Anyone seeing an open burning problem or any suspected permit violation should contact IDEM's Complaint Coordinator toll free at (800) 451-6027 ext. 24464, or by sending a written complaint to IDEM, Attn: Complaint Coordinator, 100 North Senate Avenue, MC 50-03 IGCN 1313, Indianapolis, IN 46204-2251 or by using the IDEM complaint form at <http://www.in.gov/idem/5274.htm> on the internet. Spills and other environmental emergencies should be immediately reported to IDEM at (888) 233-7745.

General Comment 4:

Several commenters expressed their opposition to the draft renewal permit for the VIM facility. The reasons for opposition to the permit are summarized below.

- VIM causes such horrible odors that nearby residents find it difficult to breathe.
- Some residents commented that the odor "makes you sick. It causes people to throw up. The stench is terrible."
- One commenter stated that nearby residents cannot open the windows in their home to let in fresh air because of the odor.
- Many nearby residents claimed that the odor from VIM Recycling, Inc. enters their homes and there is no way to prevent the odor from coming into their homes. Further, the residents claim they cannot hang laundry out of doors or leave items in their clothes driers because the odor from the facility is picked-up by the clothing.
- Regarding the odor from VIM, one commenter said, "IDEM does not seem to care."
- One commenter stated that odor is a part of air quality.
- One commenter claimed the smell from VIM "smells like rotten eggs and sewage." Another state, "it smells like burning garbage and tires."

- One resident stated, the source "creates volumes of imposing mold that we have to breathe in."

Response to General Comment 4:

IDEM recognizes that these concerns are important to those who expressed them; however, they do not have a direct impact on how IDEM reviews and makes decisions on air permit applications. IDEM's air permit review by law can address only issues that are part of the air pollution control regulations. IDEM does not regulate odor. However, odor can be an indication that a process is not operating correctly. The VIM permit contains specific compliance requirements to insure that VIM is in continuing compliance with all applicable regulations. Anyone noticing an unusual odor or any suspected permit violation should contact IDEM's Complaint Coordinator toll free at (800) 451-6027 ext. 24464, or by sending a written complaint to IDEM, Attn: Complaint Coordinator, 100 North Senate Avenue, MC 50-03 IGCN 1313, Indianapolis, IN 46204-2251 or by using the IDEM complaint form at <http://www.in.gov/idem/5274.htm> on the internet. Spills and other environmental emergencies should be immediately reported to IDEM at (888) 233-7745.

IDEM does not have an authority to regulate mold growth. IDEM understands that mold growth can have an impact on the quality of life of those living around the source. IDEM has not been given any authority by the Indiana legislature or the Indiana Air Pollution Control Board to regulate mold growth.

General Comment 5:

- One commenter stated that IDEM must protect and manage the environment and not allow VIM to disregard basic Clean Air Act requirements. Further stated that "VIM has promised to end the dust problems and clean up the storage piles for years, but has not done so." The commenter also said that VIM has had many violations at its Goshen location.
- One commenter claimed that IDEM has failed and refused to take enforcement action against VIM. Further, VIM continues to grind outdoors and the "C" storage pile has not been removed.
- One resident asked "If a restaurant can be shut down until health violations are fixed, why won't IDEM shutdown VIM until it is in compliance?" Continuing that IDEM should not grant the Title V permit, forcing VIM must to shut down.
- One commenter stated, "The permit needs to contain a schedule of compliance to address the violations that IDEM has found. IDEM has pending enforcement actions. IDEM stated that VIM would be closed if it did not comply with its agreed order. IDEM should not issue a permit until VIM is in compliance."

Response to General Comment 5:

IDEM, OAQ would not issue this permit if the permit terms were not protective of human health and the environment. The permit contains all the applicable regulatory requirements that are protective of human health and the environment. IDEM, OAQ's role as the environmental regulator is to make sure that VIM is complying with all air pollution control laws. VIM's final permit includes all applicable requirements found in both federal and state regulations and is protective of air quality. The notice of issuance of the permits contains information on how any person who does not agree with the final permit may petition the Indiana Office of Environmental Adjudication for review of the permit.

Air pollution control laws and regulations are complex. Analogies to other regulatory mechanisms, such as food quality, don't apply because the laws governing air permitting are different than laws that apply to other activities.

VIM has been cited for violation of air pollution control regulations in the past. However, VIM has not been found to be in ongoing violation of any air pollution control law. VIM is capable of complying with the terms of the air permit. A schedule of compliance is needed only if a source is in continuing noncompliance and cannot come into compliance at the time that its permit is issued.

General Comment 6:

Several commenters expressed their opposition to the draft renewal permit for the VIM facility. The reasons for opposition to the permit are summarized below.

- VIM is a nuisance.
- The quality of life of the people living close by the plant is being ruined by the plant's grinding and other activities.
- Local residents cannot enjoy their homes, patios or any outdoor activities.
- Residents are scared to let their children play outside. They live in fear.
- Property values are suffering.

Response to General Comment 6:

IDEM, OAQ understands that a source's negative affect on property value and quality of life is a valid concern for every resident and homeowner. However, IDEM, OAQ has no authority to take any action regarding that specific concern. IDEM, OAQ expects that the current solid waste enforcement action against the source, the issuance of this permit and continued compliance inspections will result in an improvement of the source's operation.

General Comment 7:

Several commenters expressed their opposition to the draft renewal permit for the VIM facility. The reasons for opposition to the permit are summarized below.

VIM has disregarded environmental safety, labor and zoning laws. IDEM is looking the other way while local residents suffer from VIM's illegal and harmful actions. IDEM is an embarrassment to state government. IDEM is not doing its job. IDEM is in the bag. IDEM's staff should be fired.

IDEM should not just refer residents to other agencies or to local government. IDEM should not stonewall the local residents. IDEM should do its job. All of the state and federal agencies should sit down and decide what they are going to do to resolve this issue. VIM may need to be declared a Superfund site. Industries that have their waste in VIM's piles should be forced to remove it and clean up the site.

Response to General Comment 7:

The federal OSHA (Occupational Safety and Health Administration) issues federal regulations that cover most private sector workplaces. Its mission is to prevent work-related injuries, illnesses, and deaths by issuing and enforcing rules (called standards) for workplace safety and health. The

Indiana Occupational Safety and Health Administration (IOSHA) enforces these regulations and is dedicated to ensuring Hoosier workplace safety and health. The Indiana Department of Labor administers the IOSHA program and the state wage and hour laws. Local government units are responsible for zoning laws. IDEM, OAQ's air permitting functions do not involve the Superfund program. The Superfund program addresses land contaminated by hazardous chemicals.

General Comment 8:

Several commenters stated the following:

Tim Holt is a VIM spokesman and also on the Elkhart County Planning Board. This is a direct conflict of interest. Other commissioners have conflicts of interests. County Commission does not listen to local residents. Commissioner Rodino has not been truthful. It is absolutely pathetic that in a country where we are supposed to have some power and control and we have to pay taxes on just about everything that we don't have more say in what happens in our own neighborhoods. IDEM needs to step in. The Elkhart County Health Department does not respond to the residents pleas for help.

County Commissioner Terry Rodino commented that the county commission has tried to come up with a comprehensive plan to address problems at VIM's site, but local residents would not agree. The smell will not go away until VIM cleans up the pile. If VIM doesn't, who will?

Response to General Comment 8:

IDEM, OAQ recognizes that these concerns are important to those who expressed them. However, they do not have a direct impact on how IDEM, OAQ reviews and makes decisions on air permit applications. IDEM, OAQ, by law, cannot address issues for which it does not have direct regulatory authority, such as local zoning or planning commission concerns, concerns with the local health department, or solid waste concerns, when issuing an air pollution control permit.

EPA Region 5 Comments Received During EPA Review Period (February 4, 2009 - March 26, 2009)

Charmagne Ackerman, on behalf of EPA Region 5 made the following comment on March 25, 2009:

EPA Region 5 Comment 1:

VIM will be replacing/repairing the indoor units and those units are controlled by baghouses Collector 1x and Collector 2x. Will stack testing be required when the replacement/repair is complete? What will the schedule be and will they be required to re-test the baghouses on a regular schedule?

Response to EPA Region 5 Comment 1:

The baghouses, Collector 1x and Collector 2x, will be required to test to ensure compliance with the limits established pursuant to 326 IAC 2-2 (Prevention of Significant Deterioration (PSD)). The following has been added to Section D.1 of the Title V permit with all subsequent conditions renumbered appropriately:

D.1.5 Testing Requirements [326 IAC 2-7-6(1),(6)] [326 IAC 2-1.1-11]

Within one hundred and eighty (180) days after the issuance of the permit, the Permittee shall conduct a performance test of Collector 1x and Collector 2x to show compliance with Condition D.1.1 utilizing methods as approved by the Commissioner. This test shall be repeated at least once every five (5) years from the date of the most recent valid

compliance demonstration. Testing shall be conducted in accordance with Section C - Performance Testing.

After further review, IDEM, OAQ, has decided to make the following changes:

Change 1:

The potential emissions for the portable CBI (4800 M) wood grinder with screen separator, identified as CBI with a maximum capacity of twenty-five tons of wood per hour, were inadvertently omitted from Appendix A of the Technical Support Document. The potential emissions (in tons/year) from the CBI are as follows:

| Emission Unit | PM | PM ₁₀ | VOC | NOx | SO ₂ | CO | Total HAPs |
|------------------|-------|------------------|------|------|-----------------|------|------------|
| CBI Wood Grinder | 38.46 | 38.46 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |

The CBI wood grinder is subject to the Fugitive Dust Control Plan included as Attachment A. The requirements for the CBI wood grinder are included in Section D.2 of the permit. No changes were made to the permit as a result of this omission.

Change 2:

The mailing address has been revised as follows:

Mailing Address: P.O. Box ~~808, Goshen~~ **3055, Elkhart**, Indiana ~~46257~~ **46515-3055**

Change 3:

Several of IDEM's Branches and sections have been renamed. Therefore, IDEM has updated the addresses listed in the permit. References to Permit Administration and Development Section and the Permits Branch have been changed to Permit Administration and Support Section. References to Asbestos Section, Compliance Data Section, Air Compliance Section, and Compliance Branch have been changed to Compliance and Enforcement Branch.

**Indiana Department of Environmental Management
Permit Administration and Support Section, Office of Air Quality
100 North Senate Avenue
MC 61-53 IGCN 1003
Indianapolis, Indiana 46204-2251**

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

Indiana Department of Environmental Management
Office of Air Quality

Technical Support Document (TSD) for a Part 70 Operating Permit Renewal

Source Background and Description

| | |
|----------------------------|--|
| Source Name: | VIM Recycling, Inc. |
| Source Location: | 29861 Old U.S. Highway 33, Elkhart, Indiana 46516 |
| County: | Elkhart |
| SIC Code: | 2499 |
| Permit Renewal No.: | T039-24536-00538 |
| Permit Reviewer: | Anne-Marie C. Hart |

The Office of Air Quality (OAQ) has reviewed the operating permit renewal application from VIM Recycling, Inc. relating to the operation of a landscape mulch, animal bedding and wood for fuel manufacturing operation that uses recycled wood as raw material.

History

VIM Recycling, Inc. was issued a Part 70 Operating Permit (T039-15593-00538) on January 24, 2003. On March 30, 2007, VIM Recycling, Inc. submitted an application to the OAQ requesting to renew its operating permit. On February 1, 2007, VIM Recycling, Inc. submitted an application to revise their Fugitive Dust Control Plan. This application was combined into this Part 70 Operating Permit renewal application.

On June 14, 2007, a fire occurred at VIM Recycling, Inc. in which the one (1) CBI wood grinder and screen separator, identified as Grizzly, the one (1) "B" and "C" material transporter and screen, identified as B, C Transport & Screen, the one (1) CBI wood grinder, identified as Mulch King, and the one (1) "A" material transporter and screen, identified as A Transport & Screen were destroyed. These units were essential to the grinding operations at VIM Recycling, Inc. Only the Mobark wood grinder, identified as Mobark, used to grind material outdoors on VIM property, was not destroyed. Pursuant to 326 IAC 2-7-10.5(b), VIM Recycling, Inc. may repair or replace the units destroyed in the fire without prior approval from IDEM, OAQ, if the repair or replacement results in a potential to emit less than or equal to the emissions unit(s) being repaired or replaced. VIM Recycling, Inc. intends to repair or replace the destroyed emissions units pursuant to 326 IAC 2-7-10.5(b).

As part of Agreed Order (Case No. 2006-15827-S) to remove "C" grade waste from the site by September 30, 2008, the Indiana Department of Environmental Management, Northern Regional Office, Office of Legal Counsel and Office of Air Quality have agreed to temporarily allow VIM Recycling, Inc. to shred "C" grade waste using the Mobark wood grinder, identified as Mobark.

The Agreed Order schedule for removal of "C" grade waste, with an inception date of January 31, 2006, is as follows:

- (a) Respondent shall remove 4,675 tons on or before July 31, 2007;
- (b) Respondent shall remove an additional 4,675 tons (cumulative total of 9,359 tons) on or before December 31, 2007;
- (c) Respondent shall remove an additional 4,675 tons (cumulative total of 14,025 tons) on or before May 31, 2008;

- (d) Respondent shall remove any and all remaining "C grade" solid waste on or before September 30, 2008.

The Agreed Order shall remain in effect until the source is able to remove all "C" grade waste.

Permitted Emission Units and Pollution Control Equipment

- (a) One (1) High Torque / Low Speed pre-shredder with a maximum capacity of 60 ton/hr, using a baghouse as control, constructed in 2008 and exhausting to stack designated as Collector 1X.
- (b) One (1) CBI (grizzly) wood grinder, identified as Grizzly, with a maximum capacity to grind seventy-five (75) tons of wood per hour, using a baghouse as control, constructed in 2000, and exhausting to stack designated Collector 1X, including associate storage piles;
- (c) One (1) material transporter and screen, identified as B, C Transport & Screen, with a maximum capacity to mechanically transport and screen seventy-five (75) tons of wood per hour, using a baghouse as control, constructed in 2000, and exhausting to stack designated Collector 2X, including associated storage piles;
- (d) One (1) CBI (mulch king) wood grinder, identified as Mulch King, with a maximum capacity to grind seventy-five (75) tons of wood per hour, using an air classifier, cyclone and baghouse as control, constructed in 2000, and exhausting to stack designated Collector 1X, including associated storage piles;
- (e) One (1) material transporter and screen, identified as A Transport & Screen, with a maximum capacity to mechanically transport and screen seventy-five (75) tons of wood per hour, using a baghouse for control, constructed in 2000, and exhausting to stack designated Collector 2X, including associated storage piles;
- (f) One (1) portable CBI (4800 M) wood grinder with screen separator, identified as CBI (4800 M), with a maximum capacity to grind twenty-five (25) tons of wood per hour outdoors on VIM property, using the Fugitive Dust Control Plan for control, constructed in 2000, including associated storage piles;
- (g) One (1) portable CBI (4800 M) wood grinder diesel motor, with a maximum capacity of eight hundred (800) horsepower per hour, constructed in 2000, and exhausting to a mobile engine exhaust when grinding outdoors;
- (h) One (1) portable Mobark wood grinder with screen separator, identified as Mobark, with a maximum capacity to grind twenty-five (25) tons of wood per hour outdoors on VIM property, using the Fugitive Dust Control Plan for control, constructed in 2004, including associated storage piles; and
- (i) One (1) portable Mobark wood grinder diesel motor, with a maximum capacity of three hundred twelve (312) horsepower per hour, constructed in 2000, and exhausting to a mobile engine exhaust when grinding outdoors.

Existing Approvals

Since the issuance of the Part 70 Operating Permit T036-15593-00538 on January 24, 2003, the source has constructed or has been operating under the following approvals as well:

- (a) Minor Source Modification No. T036-20302-00538 issued on January 31, 2005; and

- (b) Minor Permit Modification No. T036-19895-00538 issued on Marcy 27, 2006.

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

Enforcement Issue

There are no enforcement actions pending. However, the following Agreed Orders have been issued to VIM Recycling, Inc.:

- (a) 2000-9849-A signed August 23, 2001
- (b) 2002-12587-A signed June 26, 2003
- (c) 2003-13510-A signed May 3, 2004
- (d) 2005-14831-A signed December 29, 2006.

Emission Calculations

See Appendix A of this document for detailed emission calculations.

County Attainment Status

The source is located in Elkhart County

| Pollutant | Designation |
|---|---|
| SO ₂ | Better than national standards. |
| CO | Unclassifiable or attainment effective November 15, 1990. |
| O ₃ | Attainment effective July 19, 2007, for the 8-hour ozone standard. ¹ |
| PM ₁₀ | Unclassifiable effective November 15, 1990. |
| NO ₂ | Cannot be classified or better than national standards. |
| Pb | Not designated. |
| ¹ Attainment effective October 18, 2000, for the 1-hour ozone standard for the South Bend-Elkhart area, including Elkhart County, and is a maintenance area for the 1-hour National Ambient Air Quality Standards (NAAQS) for purposes of 40 CFR 51, Subpart X*. The 1-hour standard was revoked effective June 15, 2005. Unclassifiable or attainment effective April 5, 2005, for PM2.5. | |

- (a) Ozone Standards
 - (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 September 6, 2007, the Indiana Air Pollution Control Board finalized a temporary emergency rule to re-designate Allen, Clark, Elkhart, Floyd, LaPorte, St. Joseph as attainment for the 8-hour ozone standard.
 - (3) On November 9, 2007, the Indiana Air Pollution Control Board finalized a temporary emergency rule to re-designate Boone, Clark, Elkhart, Floyd, LaPorte, Hamilton, Hancock, Hendricks, Johnson, Madison, Marion, Morgan, Shelby, and St. Joseph as attainment for the 8-hour ozone standard.
 - (4) Volatile organic compounds (VOC) and Nitrogen Oxides (NOx) are regulated under the Clean Air Act (CAA) for the purposes of attaining and maintaining the National Ambient Air Quality Standards (NAAQS) for ozone. Therefore, VOC

and NOx emissions are considered when evaluating the rule applicability relating to ozone. Elkhart County has been designated as attainment or unclassifiable for ozone. Therefore, VOC and NOx emissions were reviewed pursuant to the requirements for Prevention of Significant Deterioration (PSD), 326 IAC 2-2.

- (b) **PM2.5**
Elkhart County has been classified as attainment for PM2.5. U.S. EPA has not yet established the requirements for Prevention of Significant Deterioration (PSD), 326 IAC 2-2 for PM2.5 emissions. Therefore, until the U.S. EPA adopts specific provisions for PSD review for PM2.5 emissions, it has directed states to regulate PM10 emissions as a surrogate for PM2.5 emissions.
- (c) **Other Criteria Pollutants**
Elkhart County has been classified as attainment or unclassifiable in Indiana for SO₂, CO, PM₁₀, and Lead. 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 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.

Unrestricted Potential Emissions

Appendix A of this TSD reflects the unrestricted potential emissions of the source.

- (a) The potential to emit (as defined in 326 IAC 2-7-1(29)) of NOx and PM₁₀ is equal to or greater than 100 tons per year. Therefore, the source is subject to the provisions of 326 IAC 2-7.
- (b) The potential to emit (as defined in 326 IAC 2-7-1(29)) of all other criteria pollutants are less than 100 tons per year.
- (c) The potential to emit (as defined in 326 IAC 2-7-1(29)) of any single HAP is less than ten (10) tons per year and the potential to emit (as defined in 326 IAC 2-7-1(29)) of a combination of HAPs is less than twenty-five (25) tons per year.
- (d) Since this type of operation is not one of the twenty-eight (28) listed source categories under 326 IAC 2-7, fugitive emissions are not counted toward the determination of Part 70 applicability.

Part 70 Permit Conditions

This source is subject to the requirements of 326 IAC 2-7, pursuant to which the source has to meet the following:

- (a) Emission limitations and standards, including those operational requirements and limitations that assure compliance with all applicable requirements at the time of issuance of Part 70 permits.
- (b) Monitoring and related record keeping requirements which assume that all reasonable information is provided to evaluate continuous compliance with the applicable requirements.

Potential to Emit After Issuance

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 renewal, 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) | | | | | | |
|------------------------------------|-------------------------------|------------------|-----------------|-------------|--------------|-----------------|-----------------------------------|
| | PM | PM ₁₀ | SO ₂ | VOC | CO | NO _x | HAPs |
| Indoor Wood Grinding Operations** | 15.02 | 15.02 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| Transport and Screen Equipment** | 9.39 | 9.39 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| Diesel Fuel Combustion (312 HP)*** | 3.01 | 3.01 | 2.80 | 3.44 | 9.13 | <40 | Negligible |
| Diesel Fuel Combustion (800 HP)*** | 2.45 | 0.00 | 14.20 | 2.50 | 19.30 | | Negligible |
| Haybuster Grinder* | 38.46 | 38.46 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| Storage Piles* | 15.97 | 15.97 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| Storage Handling* | 0.41 | 0.19 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| Roads* | 109.71 | 32.99 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| Total | 29.87 | 27.42 | 17.00 | 5.94 | 28.43 | <40 | Negligible |
| Major Source Threshold | 250 | 250 | 250 | 250 | 250 | 250 | 10 single/ 25 combined |

* Indicates a fugitive emissions source and not counted toward total emissions

** Indicates controlled emissions to avoid PSD applicability. Uncontrolled emissions for PM/PM10 from Indoor Wood Grinding Operations = 1501.71 and from Transport and Screen Equipment = 938.57

*** NOx emissions from fuel limit pursuant to CP 039-12174-00538, issued August 21, 2000

- (a) This existing stationary source is not major for PSD because the emissions of each criteria pollutant are less than two hundred fifty (<250) tons per year, and it is not one of the twenty-eight (28) listed source categories.
- (b) Fugitive Emissions
 Since this type of operation is not one of the twenty-eight (28) listed source categories under 326 IAC 2-2 or 326 IAC 2-3, fugitive emissions are not counted toward the determination of PSD and Emission Offset applicability.

Federal Rule Applicability

- (a) Pursuant to 40 CFR 64.2, Compliance Assurance Monitoring (CAM) is applicable to existing emission units that involve a pollutant-specific emission unit and meet the following criteria:
 - (1) has a potential to emit before controls equal to or greater than the major source threshold for the pollutant involved;

- (2) is subject to an emission limitation or standard for that pollutant; and
- (3) uses a control device, as defined in 40 CFR 64.1, to comply with that emission limitation or standard.

The following table is used to identify the applicability of each of the criteria, under 40 CFR 64.1, to each existing emission unit and specified pollutant subject to CAM:

| Emission Unit / Pollutant | Control Device Used | Emission Limitation (Y/N) | Uncontrolled PTE (tons/year) | Controlled PTE (tons/year) | Major Source Threshold (tons/year) | CAM Applicable (Y/N) | Large Unit (Y/N) |
|---|---------------------|---------------------------|------------------------------|----------------------------|------------------------------------|----------------------|------------------|
| Indoor Wood Grinding Operations - PM/PM ₁₀ | Collector 1x | Y | 1501.71 | 15.02 | 100 | Y | N |
| Transport and Screen - PM/PM ₁₀ | Collector 2x | Y | 938.57 | 9.39 | 100 | Y | N |

Based on this evaluation, the requirements of 40 CFR Part 64, CAM are applicable to the pre-shredder, the Grizzly, the Mulch King, the A Transport and Screen, and the B, and C Transport and Screen for PM upon issuance of the Title V Renewal. A CAM plan will be incorporated into this Part 70 permit renewal.

State Rule Applicability - Entire Source

326 IAC 2-2 (Prevention of Significant Deterioration (PSD))

- (a) The potential uncontrolled PM/PM₁₀ emissions are greater than 250 tons per year and the source is not one of the 28 source categories.

The following emissions units shall be limited as follows:

| Emission Unit | Control Device | PM/PM ₁₀ PSD Limit (lb/hr) |
|--------------------------|----------------|---------------------------------------|
| Pre-shredder | Collector 1x | 34.36 |
| Grizzly | | |
| Mulch King | | |
| B,C Transport and Screen | Collector 2x | 21.47 |
| A Transport and Screen | | |

Compliance with the above limits, combined with the potential to emit PM/PM₁₀ from other emission units at the source, shall limit the potential to emit PM/PM₁₀ from the entire source to less than 250 tons per twelve (12) consecutive month period and render 326 IAC 2-2 not applicable.

- (b) Pursuant to CP039-12174-00538, issued August 21, 2000, the total input of the diesel fuel for the two (2) grinders' (CBI (4800M) and Mobark) diesel motors shall be limited to the following, based on an assumed diesel heating value of 137,000 Btu per gallon):

- (1) CBI (4800M) grinder diesel motor: 147,168 gallons per twelve (12) consecutive month period with compliance determined at the end of each month; and

- (2) Mobark grinder diesel motor: 15,456 gallons per twelve (12) consecutive month period with compliance determined at the end of each month.

Compliance with the above limits shall limit the potential to emit NOx for each grinder diesel motor to less than forty (40) tons per year. These limits allow VIM Recycling, Inc. to add NOx emitting units to the source without affecting the PSD minor limits.

- (c) Pursuant to CP039-12174-00538, the sulfur content of the diesel fuel shall not exceed 0.5%.

This limit allows for the source to maintain its PSD minor status.

326 IAC 2-6 (Emission Reporting)

This source is subject to 326 IAC 2-6 (Emission Reporting) because it is required to have an operating permit under 326 IAC 2-7, Part 70 program. Pursuant to this rule, the Permittee shall submit an emission statement certified pursuant to the requirements of 326 IAC 2-6. In accordance with the compliance schedule specified in 326 IAC 2-6-3, an emission statement must be submitted triennially by July 1 beginning in 2007 and every 3 years. Therefore, the next emission statement for this source must be submitted by July 1, 2010. The emission statement shall contain, at a minimum, the information specified in 326 IAC 2-6-4.

326 IAC 5-1 (Opacity Limitations)

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

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

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

This source is subject to 326 IAC 6-5 (Fugitive Particulate Matter Emission Limitations) because it is a source of fugitive dust and was constructed after 1985. Pursuant to this rule, the source shall control fugitive emissions according to the Fugitive Dust Control Plan submitted by VIM Recycling, Inc. and approved with the issuance of this renewal. This plan is included as Attachment A to the permit. Allowable wood for outdoor grinding include "A" material, defined as clean hardwood, and "B" material, defined as mixed woods. VIM Recycling, Inc., is allowed to grind "C" material under enforcement discretion only and will no longer be allowed to grind "C" material once it has been removed from the source.

State Rule Applicability – Individual Facilities

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

The operation of the diesel motors associated with wood grinders identified as CBI (4800M) and Mobark will emit less than 10 tons per year of a single HAP and less than 25 tons per year of a combination of HAPs. Therefore, 326 IAC 2-4.1 does not apply.

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

Pursuant to 326 IAC 6-3-2 (Particulate Emission Limitations for Manufacturing Processes), emissions of particulate shall be limited as follows:

- (a) The particulate from the indoor wood grinding operation shall be limited by the following:

| Emission Unit | Process Weight Rate (tons per hour) | 326 IAC 6-3-2 Limit (pounds per hour) |
|---------------|-------------------------------------|---------------------------------------|
| Pre-shredder | 60 | 46.29 |
| Grizzly | 75 | 48.43 |
| Mulch King | 75 | 48.43 |

The pounds per hour limitations were 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:

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

In order to comply with these limits, the baghouse, identified as Collector 1x, shall be in operation and control emissions from the indoor wood grinding operations at all times the indoor wood grinding operation is in operation.

- (b) The particulate from the transport and screen equipment shall be limited by the following:

| Emission Unit | Process Weight Rate (tons per hour) | 326 IAC 6-3-2 Limit (pounds per hour) |
|---------------------------|-------------------------------------|---------------------------------------|
| B, C Transport and Screen | 75 | 48.43 |
| A Transport and Screen | 75 | 48.43 |

The pounds per hour limitations were 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:

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

In order to comply with these limits, the baghouse, identified as Collector 2x, shall be in operation and control emissions from the transport and screen equipment at all times the transport and screen equipment is in operation.

- (c) The particulate from the Mobark outdoor wood grinder shall be limited by the following:

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

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

| Emission Unit | Process Weight Rate (tons/hr) | Particulate Emission Limit (lb/hr) |
|---------------------|-------------------------------|------------------------------------|
| Mobark wood grinder | 25 | 35.43 |

In order to comply with this limit, the Fugitive Dust Control Plan shall be in operation and control emissions from the Mobark wood grinder at all times the Mobark wood grinder is in operation.

326 IAC 6-4-2 (Fugitive Dust Emissions Limitations)

Pursuant to CP039-12174-00538, issued August 21, 2000, and 326 IAC 6-4-2 (Fugitive Dust Emissions Limitations), emissions of particulate from outdoor wood grinding shall be in violation of 326 IAC 6-4 if any of the following criteria are violated:

- (a) A source or combination of sources which cause to exist fugitive dust concentrations greater than sixty-seven percent (67%) in excess of ambient upwind concentrations as determine by the following formula:

$$P = \frac{100(R-U)}{U}$$

Where P = percentage increase

R = number of particles of fugitive dust measured at the downward receptor site

U = number of particles of fugitive dust measured upwind of background site

- (b) The fugitive dust is comprised of fifty percent (50%) or more respirable dust, then the percent increase of dust concentration in subdivision (a) of this section shall be modified as follows:

$$P_R = (1.5 \pm N) \times P$$

Where P_R = allowable percentage increase in dust concentration above backgrounds

N = fraction of fugitive dust that is respirable dust

P = no value greater than sixty-seven percent (67%)

- (c) The ground level ambient air concentrations exceed fifty (50) micrograms per cubic meter above background concentrations for a sixty (60) minute period.
- (d) If the fugitive dust is visible crossing the boundary or property line or a source. This subdivision may be refuted by factual data expressed in subdivision (a), (b), or (c) of this section.

326 IAC 7-1.1 (Sulfur Dioxide Limitations)

Pursuant to CP039-12174-00538, issued August 21, 2000, the sulfur content of the diesel fuel used in the two (2) grinders' diesel motors shall not exceed 0.5% by weight. Compliance with this limit shall limit sulfur dioxide emissions from the CBI (4800M) grinder and Mobark grinder diesel motors to less than twenty-five (25) tons per year and render the requirements of 326 IAC 7-1.1 (Sulfur Dioxide Emission Limitations) not applicable.

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 monitoring requirements applicable to this source are as follows:

1. The indoor wood grinding operation (pre-shredder, Grizzly and Mulch King) and transport and screen equipment (B, C Transport and Screen, and A Transport and Screen) have applicable compliance monitoring conditions as specified below:
 - (a) Visible emission notations of the indoor wood grinding operation and transport and screen equipment stack exhaust shall be performed once per day during normal daylight operations. A trained employee shall record whether emissions are normal or abnormal. 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. 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. 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. 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.
 - (b) The Permittee shall record the pressure drop across the baghouses used in conjunction with indoor wood grinding operation and the transport and screen equipment drop points at least once per day when the indoor wood grinding operation and the transport and screen equipment is in operation. When for any one reading, the pressure drop across the baghouse is outside the normal range of 3.0 and 6.0 inches of water, or a range established during the latest stack test, the Permittee shall take reasonable response steps in accordance with Section C- Response to Excursions or Exceedances. A pressure reading that is outside the above mentioned range is not a deviation from this permit. Failure to take response steps in accordance with Section C - Response to Excursions or Exceedances, shall be considered a deviation from this permit.
 - (c) An inspection shall be performed during the last month of each quarter of all bags controlling the indoor wood grinding operation and transport and screen equipment. All defective bags shall be replaced.
 - (d) Pursuant to Agreed Orders 2000-9603-A and 2000-9849-A, signed on August 23, 2001, the Permittee shall inspect all ground wood material stored outside for signs of spontaneous combustion. Any fire discovered shall be extinguished immediately.
2. The portable CBI wood grinder with screen separator (4800M) and portable Mobark wood grinder with screen separator (Mobark), both grinding wood outdoors, have applicable compliance monitoring conditions as specified below:

- (a) The Permittee shall conduct continuous visual observations, by a trained employee to assure that no visible particulate is crossing the VIM property line at any time while the processes are in operation.
 - (b) 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.
 - (c) The Permittee shall measure the wind speed prior to beginning outdoor grinding and shall continue to measure wind speed hourly while grinding outdoors.
 - (d) Pursuant to Agreed Orders 2000-9603-A and 2000-9849-A, signed on August 23, 2001, the Permittee shall inspect all ground wood material stored outside for signs of spontaneous combustion. Any fire discovered shall be extinguished immediately.
3. The CBI wood grinder (4800M) and Mobark wood grinder diesel motors both have applicable compliance monitoring conditions as specified below:
- (a) Visible emission notations of the CBI (4800M) and Mobark grinder diesel motor stack exhaust shall be performed once per day during normal daylight operations. A trained employee shall record whether emissions are normal or abnormal. 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. 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. 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. 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.

| Control Device | Parameter | Frequency | Range | Excursions and Exceedances |
|-------------------------|---------------------|-----------|-----------------|----------------------------|
| Baghouse - Collector 1x | Water Pressure Drop | Daily | 3 to 6 inches | Response Steps |
| | Visible Emissions | | Normal-Abnormal | |
| Baghouse - Collector 2x | Water Pressure Drop | Daily | 3 to 6 inches | Response Steps |
| | Visible Emissions | | Normal-Abnormal | |

These monitoring conditions are necessary because the baghouses, identified as Collector 1x and Collector 2x, for the indoor wood grinding operation and the transport and screen equipment must operate properly to ensure compliance with 326 IAC 6-3 (Particulate Emission Limitations for Manufacturing Processes), 326 IAC 2-7 (Part 70), 326 IAC 2-2 (Prevention of Significant Deterioration (PSD)) and 40 CFR 64 (CAM Requirements).

Recommendation

The staff recommends to the Commissioner that the Part 70 Operating Permit Renewal be approved. This recommendation is based on the following facts and conditions:

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

An application for the purposes of this review was received on March 30, 2007.

Conclusion

The operation of this landscape mulch, animal bedding and wood for fuel manufacturing operation that uses recycled wood as raw material shall be subject to the conditions of the attached Part 70 Operating Permit Renewal No. T039-24536-00538.

Attachment A

Fugitive Dust Control Plan Approved July 2, 2008

VIM Recycling, Inc.
29861 Old U.S. Highway 33
Elkhart, Indiana 46516

Section 1 - Introduction

The following control plan, when implemented, is designed to reduce uncontrolled fugitive dust generated from paved roadways and areas, unpaved roadways and areas, wood recyclable material piles, and grinding and screening of wood outdoors in order to prevent fugitive dust from crossing 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 Limitations).

The plan shall be implemented on a year-round basis until such a time as another plan is approved or ordered by the Indiana Department of Environmental Management.

The person on site who is responsible for implementing the plan is:

VIM Recycling, Inc.
Kenneth R. Will
P.O. Box 808
Goshen, Indiana 46527-0808

Section 2 - Outdoor Grinding and Screening

The following shall control fugitive particulate matter emissions from **all** outdoor grinding and screening of wood recyclable material **to prevent fugitive dust from crossing the VIM property line**:

- (a) Spraying water, as necessary, during **all** grinding and screening **of wood recyclable material** to prevent visible fugitive dust.
- (b) Grinding and screening of wood **recyclable materials** during periods when wind speeds, at the VIM Recycling property, measure no more than ten (10) miles per hour. Wind speed shall be measured hourly when grinding and screening outdoors. In the event of the wind speeds exceeding ten (10) miles per hour during grinding and screening outdoors, operation shall stop until wind speeds slow down to no more than ten (10) miles per hour.

Section 3 - Paved Roads and Areas

Dust from paved roads and areas will be controlled by sweeping and shall be performed every 14 days or more often to prevent visible fugitive dust from crossing the VIM property line, as determined by a trained employee, from these areas. A trained employee is defined as an

employee that has worked at the source at least one (1) month and has been trained to determine whether fugitive dust emissions from paved roads and areas are in compliance with 326 IAC 6-4 (Fugitive Dust Emissions Limitations). Records of sweeping will be required.

Exceptions - Cleaning of paved roads and areas may be delayed by one day when:

- (a) 0.1 or more inches of rain has accumulated during the 24-hour period prior to the scheduled cleaning.
- (b) The road segments or areas is closed or abandoned. Abandoned roads or areas will be barricaded to prevent vehicle access.
- (c) It is raining at the time of the scheduled cleaning.

Section 4 - Unpaved Roads and Areas

Unpaved roads and areas at the facility shall be sprayed with water, as necessary, for dust control to prevent fugitive dust from crossing the VIM property line, as determined by a trained employee, from these areas. A trained employee shall perform visual observations for fugitive dust twice daily and records shall be kept of these observations in the journal. A trained employee is defined as an employee that has worked at the source at least one (1) month and has been trained to determine whether fugitive dust emissions from unpaved roads and areas are in compliance with 326 IAC 6-4 (Fugitive Dust Emissions Limitations). Records of spraying water onto unpaved roads and areas shall also be required.

Exceptions - Treating of unpaved roads and areas may be delayed by one day when:

- (a) 0.1 or more inches of rain has accumulated during the 24-hour period prior to the scheduled cleaning.
- (b) The road segments or areas are frozen or covered by ice, snow, or standing water.
- (c) The road segments or areas is closed or abandoned. Abandoned roads or areas will be barricaded to prevent vehicles from traveling on the roads or areas.

Section 5 - Open Wood Recyclable Material Piles

Open wood recyclable material piles will consist of only landscape mulch and scrap wood. The use of water as a dust suppressant shall be the primary means of dust control. The water shall be applied, as necessary, to the wood recyclable material piles to prevent emission of fugitive particulate matter from crossing the VIM property line, as determined by a trained employee, from these areas. A trained employee shall perform visual observations for fugitive dust twice daily and a record shall be kept of these observations in the journal. Records of spraying water onto piles shall also be required.

Exceptions - Treating of wood recyclable material piles may be delayed by one day when:

- (a) 0.1 or more inches of rain has accumulated during the 24-hour period prior to the scheduled cleaning.
- (b) The storage piles are frozen or covered by ice or snow.

Section 6 - Material Handling

Material handling equipment will be used to maintain the wood recyclable material piles. Fugitive particulate matter from loading and unloading of outdoor wood recyclable material piles shall be controlled by the following: spraying with water, as necessary, when determined by a trained employee, and reduction of the free fall distance between the front-end loader and truck.

Fugitive particulate matter control from the loading and unloading of indoor storage piles shall be accomplished by the following: trucks shall be loaded with materials stored in the VIM building only within the building.

Section 7 - Monitoring and Record Keeping

Records shall be kept in a journal, which will be updated daily by the responsible official. The journals shall be kept in storage for a minimum of three (3) years and shall be available for inspection or copying upon reasonable prior notice. The following information will be required in the journal with each entry:

Grinding and Screening Outdoors:

- (a) Name of trained employee making observations
- (b) Wind speed prior to startup of grinding and screening outdoors
- (c) Hourly readings of wind speed while grinding and screening outdoors
- (d) Hours of operation for grinding and screening in a day

Paved Roads and Areas

- (a) Name of trained employee making observations
- (b) Record of the dates when areas are swept

Unpaved Roads and Areas and Wood Recyclable Material Piles

- (a) Name of trained employee making observations
- (b) Date and time the observations were made
- (c) Date and time when water is applied

Section 8 - Compliance Schedule

This plan has been fully implemented and adherence to the plan will continue until revisions to the plan have been approved by IDEM.