



Mitchell E. Daniels, Jr.
Governor

Thomas W. Easterly
Commissioner

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

TO: Interested Parties / Applicant

DATE: May 3, 2007

RE: Anchor Glass Container Corporation/ 029-24652-00007

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

Determination

Please be advised that on behalf of the Commissioner of the Department of Environmental Management, I have made a determination regarding the enclosed matter. Pursuant to IC 4-21.5-3-5(f) this order is effective fifteen (15) days after it is served. When served by U.S. mail, the order is effective eighteen (18) calendar days from the mailing of this notice pursuant to IC 4-21.5-3-2(e).

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

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

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

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

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

Enclosure
FN-determination. dot 5/3/07



INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

We make Indiana a cleaner, healthier place to live.

Mitchell E. Daniels, Jr.
Governor

Thomas W. Easterly
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May 3, 2007

100 North Senate Avenue
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Indianapolis, Indiana 46204-2251
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(800) 451-6027
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Mr. Ronald Shirley
Anchor Glass Container Corporation
4343 Anchor Plaza Pkwy
Tampa, FL 33634
Re: 029-24652-00007

First Reopening of Part 70
Operating Permit No.: T029-18871-00007

Dear Mr. Shirley:

Anchor Glass Container Corporation was issued a Part 70 Operating Permit on January 23, 2007 for the continued operation of a stationary glass container manufacturing operation. The Office of Air Quality has determined that it is necessary to reopen the Part 70 Operating Permit.

It is necessary to reopen the permit because the preventive maintenance plans (PMPs) are required for the processes in the Permit Sections D.1, D.2, D.3, D.4, D.5, and D.6. IDEM determined that it was not necessary to include a condition requiring a preventive maintenance plan in each individual Section D of the permit. Rather, a general condition will be placed in Section B of the permit which will apply to the entire source. As intended, Part 70 Operating Permit Renewal T029-18871-00007 was issued without the PMP conditions being included in each individual Section D. Inadvertently, the permit was issued with a PMP condition in Section B that referred to conditions in Section D of the permit instead of the general PMP condition. Pursuant to 326 IAC 2-7-9(a)(3), IDEM is reopening the Part 70 Operating Permit to replace Condition B.10 Preventive Maintenance Plan with a correct general PMP condition.

Pursuant to 326 IAC 2-7-9(a)(3), IDEM is reopening the Part 70 Operating Permit to correct the number of parts washers from 6 to 7 and to correct the rule citations in D.2, D.3, D.4 and D.5 from 326 IAC 6.5-3 to 326 IAC 6.5-1-2.

Pursuant to 326 IAC 2-7-9(c), the reopening and revision of a Part 70 under 326 IAC 2-7-9(c) shall not be initiated before a notice of such intent is provided to a Part 70 source by the commissioner at least thirty (30) days in advance of the date the permit is to be reopened. As such, the permit will be reopened thirty (30) days after receipt of this notice.

This decision is subject to the Indiana Administrative Orders and Procedures Act - IC 4-21.5-3-5. If you have any questions on this matter, please contact Polly Hite, directly at (317) 233-2629 or dial (800) 451-6027, and ask for extension 3-2629.

Sincerely,

Nisha Sizemore, Chief
Permits Branch
Office of Air Quality

Attachments

PH

cc: File - Dearborn County
U.S. EPA, Region V
Dearborn County Health Department
Air Compliance Section Inspector: CML
Compliance Data Section
Administrative and Development
Technical Support and Modeling