



TO: Interested Parties / Applicant

RE: FMC Site # 4355 Indy Midtown / E097-24895-00614

FROM: Felicia A. Robinson
Administrator
City of Indianapolis
Office of Environmental Services

Notice of Decision – Approval

Please be advised that on behalf of the Commissioner of the Department of Environmental Management, I have issued a decision regarding the enclosed matter. Pursuant to 326 IAC 2, this approval was effective immediately upon submittal of the application.

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

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

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

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

If you have technical questions regarding the enclosed documents, please contact the Indianapolis Office of Environmental Services, Air Permits at (317) 327-2234.

Enclosures



Air Quality Hotline: 317-327-4AIR | knozone.com

Department of Public Works
Office of Environmental Services

2700 Belmont Avenue
Indianapolis, IN 46221

317-327-2234
Fax 327-2274
TDD 327-5186
indygov.org/dpw

July 27, 2007



Mr. Paul Birkhauser
Fresenius Medical Care of North America
95 Hayden Ave.
Lexington, MA 02420-9192

Certified Mail: 7005 0390 0000 6271 7384

Dear Mr. Birkhauser:

Re: Exempt Construction and Operation Status,
E 097-24895-00614

The application from the FMC Site # 4355 Indy Midtown, received on June 6, 2007, has been reviewed. Based on the data submitted and the provisions in 326 IAC 2-1.1-3, it has been determined that the following emergency diesel generator, located at 3007 Dr. Andrew J. Brown Avenue, Indianapolis Indiana 46205, is classified as exempt from air pollution permit requirements:

- (a) One (1) emergency diesel generator, identified as Unit 1, receiving approval to construct in July, 2007, with a maximum heat output rating of 315 horsepower (hp), using no emission control.

The following conditions shall be applicable:

- (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:
 - (a) Opacity shall not exceed an average of thirty percent (30%) in any one (1) six (6) minute averaging period as determined in 326 IAC 5-1-4.
 - (b) Opacity 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.
- (2) Pursuant to 326 IAC 6-4 (Fugitive Dust Emissions Limitations), the source 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.

This exemption is the first air approval issued to this source.

An application or notification shall be submitted in accordance with 326 IAC 2 to the Indiana Department of Environmental Management (IDEM) Office of Air Quality (OAQ) and the Indianapolis Office of Environmental Services (OES) if the source proposes to construct new emission units, modify existing emission units, or otherwise modify the source.

Sincerely,

Original signed by

Felicia A. Robinson
Administrator

wmw

cc: Files
Air Compliance – Matt Mosier
IDEM, OAQ – Mindy Hahn
ENSR



Air Quality Hotline: 317-327-4AIR | knozone.com

Department of Public Works
Office of Environmental Services

2700 Belmont Avenue
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**INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
OFFICE OF AIR QUALITY
and
INDIANAPOLIS OFFICE OF ENVIRONMENTAL SERVICES**

Technical Support Document (TSD) for Exemption

Source Background and Description

Source Name:	FMC Site # 4355 Indy Midtown
Source Location:	3007 Dr. Andrew J. Brown Avenue
County:	Marion
SIC Code:	8092
Operation Permit No.:	E097-24895-00614
Permit Reviewer:	Warner Myron Waters

The Indiana Department of Environmental Management (IDEM) Office of Air Quality (OAQ) and Indianapolis Office of Environmental Services (OES) have reviewed an application from FMC Site # 4355 Indy Midtown relating to the construction and operation of a Kidney Dialysis Clinic.

Exempt Emission Units and Pollution Control Equipment

The source also consists of the following exempt emission units:

- (a) One (1) emergency diesel generator, identified as Unit 1, receiving approval to construct in July, 2007, with a maximum heat output rating of 315 horsepower (hp), using no emission control.

Existing Approvals

The source has no existing approvals.

Enforcement Issue

There are no enforcement actions pending.

Recommendation

The staff recommends to the Administrator that the construction and operation 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 received on June 6, 2007 with no additional information submitted by the applicant.

Emission Calculations

See Appendix A page one of one of this document for detailed emission calculations.

Potential to Emit Before Controls

Pursuant to 326 IAC 2-1.1-1(16), Potential to Emit is defined as "the maximum capacity of a stationary source or emissions unit to emit any air pollutant under its physical and operational design. Any physical or operational limitation on the capacity of a source to emit an air pollutant,

including air pollution control equipment and restrictions on hours of operation or type or amount of material combusted, stored, or processed shall be treated as part of its design if the limitation is enforceable by the U.S. EPA, the department, or the appropriate local air pollution control agency.”

Pollutant	Potential to Emit (tons/yr)
PM	0.17
PM-10	0.17
SO ₂	0.16
VOC	0.20
CO	0.53
NO _x	2.44

HAPs	Potential to Emit (tons/yr)
Any Single HAP	Negligible
Combination HAPs	Negligible

- (a) The potential to emit (as defined in 326 IAC 2-7-1(29)) of regulated air pollutants is less than the levels listed in 326 IAC 2-1.1-3(d)(1). Therefore, the source is subject to the provisions of 326 IAC 2-1.1-3. An exemption will be issued.
- (b) 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. Therefore, the source is subject to the provisions of 326 IAC 2-1.1-3. An exemption will be issued.

County Attainment Status

The source is located in Marion County.

Pollutant	Status
PM-10	Unclassifiable
PM2.5	Nonattainment
SO ₂	Maintenance attainment
NO _x	Attainment
8-hour Ozone	Basic nonattainment
CO	Attainment
Lead	unclassifiable

- (a) Volatile organic compounds (VOC) and Nitrogen Oxides (NOx) are regulated under the Clean Air Act (CAA) for the purposes of attaining and maintaining the National Ambient Air Quality Standards (NAAQS) for ozone. Therefore, VOC and NOx emissions are considered when evaluating the rule applicability relating to the ozone standards. Marion County has been designated as nonattainment for the 8-hour ozone standard. Therefore, VOC and NOx emissions were reviewed pursuant to the requirements for Emission Offset, 326 IAC 2-3.
- (b) Marion County has been classified as nonattainment for PM2.5 in 70 FR 943 dated January 5, 2005. Until U.S. EPA adopts specific New Source Review rules for PM2.5 emissions, it has directed states to regulate PM-10 emissions as a surrogate for PM2.5 emissions, pursuant to the Non-attainment New Source Review requirements. See the State Rule Applicability for the source section.

- (c) Marion County has been classified as attainment or unclassifiable for all other criteria pollutants. Therefore, these emissions were reviewed pursuant to the requirements for Prevention of Significant Deterioration (PSD), 326 IAC 2-2.
- (d) On October 25, 2006, the Indiana Air Pollution Control Board finalized a rule revision to 326 IAC 1-4-1 redesignating Delaware, Greene, Jackson, Vanderburgh, Vigo and Warrick Counties to attainment for the eight-hour ozone standard, redesignating Lake County to attainment for the sulfur dioxide standard, and revoking the one-hour ozone standard in Indiana.

Source Status

New Source PSD Definition and Emission Offset (emissions after controls, based on 8760 hours of operation per year at rated capacity and/or as otherwise limited):

Pollutant	Emissions (tons/yr)
PM	0.17
PM-10	0.17
SO ₂	0.16
VOC	0.20
CO	0.53
NO _x	2.44
Single HAP	Negligible
Combination HAPs	Negligible

- (a) This new source is not a major stationary source because no attainment regulated pollutant is emitted at a rate of 250 tons per year or greater and it is not in one of the 28 listed source categories. This new source is not a major stationary source because no nonattainment regulated pollutant is emitted at a rate of 100 tons per year or greater. Therefore, pursuant to 326 IAC 2-2 and 326 IAC 2-3 the PSD and Emission Offset requirements do not apply.

Part 70 Permit Determination

326 IAC 2-7 (Part 70 Permit Program)

This new source is not subject to the Part 70 Permit requirements because the potential to emit (PTE) of:

- (a) each criteria pollutant is less than 100 tons per year,
- (b) a single hazardous air pollutant (HAP) is less than 10 tons per year, and
- (c) any combination of HAPs is less than 25 tons per year.

This is the first air approval issued to this source.

Federal Rule Applicability

- (a) There are no New Source Performance Standards (NSPS) (326 IAC 12 and 40 CFR Part 60) included for this source.
- (b) There are no National Emission Standards for Hazardous Air Pollutants (NESHAP)(326 IAC 14, 20 and 40 CFR Part 61, 63) included for this source.

State Rule Applicability – Entire Source

326 IAC 2-6 (Emission Reporting)

Pursuant to 326 IAC 2-6-1(a)(1), (2), and (3), this source is not subject to 326 IAC 2-6 (Emission Reporting) because, as an Exemption, it is not required to have an operating permit under 326 IAC

2-7, it does not emit lead into the ambient air at levels equal to or greater than five (5) tons per year, and it is not located in Lake or Porter Counties.

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 Alternative Opacity Limitations), opacity shall meet the following, unless otherwise stated in the permit:

- (a) Opacity shall not exceed an average of thirty percent (30%) in any one (1) six (6) minute averaging period as determined in 326 IAC 5-1-4.
- (b) Opacity 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 6-3 (Particulate Emission Limitations for Manufacturing Processes)

Reciprocating internal combustion engines are not specifically identified in 326 IAC 6-3-2(b) through (d). Pursuant to 326 IAC 1-2-59, "Process weight; weight rate," states that liquid and gaseous fuels will not be considered as part of the process rate. Therefore Emission Unit ID 1 is not subject to 326 IAC 6-3-2(e) (Particulate Emission Limitations for Manufacturing Processes).

326 IAC 6-4 (Fugitive Dust Emissions)

This source is subject to the provisions of 326 IAC 6-4 for fugitive dust emissions. 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).

Conclusion

The construction and operation of this Kidney Dialysis Clinic shall be subject to the conditions of the Exemption E097-24895-00614.

Appendix A: Emission Calculations
Internal Combustion Engines - Diesel Fuel
Turbine (>250 and <600 HP)
Reciprocating

Company Name: FMC Site # 4355 Indy Midtown
Address City IN Zip: 1717 West 86th Street, Suite 500
Plt ID: E 097-24895-00614
Reviewer: Warner Myron Waters
Date: 20-Jun-07

B. Emissions calculated based on output rating (hp)

Heat Output rating
Horsepower (hp)

Potential Throughput
hp-hr/yr

315.0

157500.0

Emission Factor in lb/hp-hr	Pollutant					
	PM*	PM10*	SO2	NOx	VOC	CO
	0.0022	0.0022	0.0021	0.0310	0.0025	0.0067
Potential Emission in tons/yr	0.17	0.17	0.16	2.44	0.20	0.53

Methodology

Potential Throughput (hp-hr/yr) = hp * 500 hr/yr

Emission Factors are from AP42 (Supplement B 10/96), Table 3.3-2

Emission (tons/yr) = [Heat input rate (MMBtu/hr) x Emission Factor (lb/MMBtu)] * 8760 hr/yr / (2,000 lb/ton)

Emission (tons/yr) = [Potential Throughput (hp-hr/yr) x Emission Factor (lb/hp-hr)] / (2,000 lb/ton)

*PM emission factors are assumed to be equivalent to PM10 emission factors.