



*Mitchell E. Daniels, Jr.*  
Governor

*Thomas W. Easterly*  
Commissioner

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

TO: Interested Parties / Applicant  
DATE: June 29, 2007  
RE: Steel Dynamics, Inc. / 063-24955-00037  
FROM: Nisha Sizemore  
Chief, Permits Branch  
Office of Air Quality

### 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 Office of Air Quality, Permits Branch at (317) 233-0178. Callers from within Indiana may call toll-free at 1-800-451-6027, ext. 3-0178.

Enclosures  
FNPER-AM.dot 03/23/06



INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT  
*We make Indiana a cleaner, healthier place to live.*

Mitchell E. Daniels, Jr.  
 Governor

Thomas W. Easterly  
 Commissioner

100 North Senate Avenue  
 Indianapolis, Indiana 46204-2251  
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 (800) 451-6027  
 www.IN.gov/idem

June 29, 2007

Mr. Mike Brooks  
 Steel Dynamics, Inc.  
 8000 North County Road 225 East  
 Pittsboro, Indiana 46167

Re: 063-24955-00037  
 Second Administrative Amendment to  
 Significant Source Modification  
 No.: T063-16628-00037

Dear Mr. Smith:

Steel Dynamics, Inc was issued a Significant Source Modification No. 063-16628-00037 on August 29, 2003 for the operation of a steel bar mini mill plant. A letter requesting an amendment to this permit was received on June 21, 2007. The request is for the addition of supersession language to Section C of the permit. The change qualifies as a revision to descriptive information under 326 IAC 2-7-11(a)(8). Therefore the permit is hereby administratively amended as follows (new language is **bolded** and deletions are ~~struck through~~):

**C.2 Prior Permits Superseded [326 IAC 2-1.1-9.5] [326 IAC 2-2]**

**Except for the construction authorizations in these permits, all terms and conditions of the following permits:**

PSD Permit Number	Issuance Dates
063-6093-00037	October 31, 1996
063-8170-00037	October 31, 1996
063-7276-00037	December 20, 1996

**issued pursuant to permitting programs approved into the state implementation plan have been either incorporated as originally stated, revised, or deleted by this permit. Except for the construction authorizations on Page 1 of Permit No. 063-6093-00037, in Permit No. 063-8170-00037, and in Permit No. 063-7276-00037, these prior permits and all of their terms and conditions are hereby superseded.**

Original conditions C.2 through C.22 will be re-numbered as C.3 through C.23 respectively.

All other conditions of the permit shall remain unchanged and in effect. Please attach a copy of this amendment and the following revised permit pages to the front of the original permit.

This decision is subject to the Indiana Administrative Orders and Procedures Act - IC 4-21.5-3-5. If you have any questions on this matter, please contact Walter Habeeb, OAQ, 100 North Senate Avenue, Indianapolis, Indiana, 46204-2251, or call at (800) 451-6027, and ask for Walter Habeeb or extension 2-8422, or dial (317) 232-8422.

Sincerely,

*Original document signed by*

Matthew W. Stuckey, Deputy Branch Chief  
Permits Branch  
Office of Air Quality

Attachments

WH

cc: File – Hendricks County  
Hendricks County Health Department  
Air Compliance Section Inspector- Vaughn Ison  
Compliance Data Section  
Dave L. Hatchett



Mitchell E. Daniels, Jr.  
 Governor

Thomas W. Easterly  
 Commissioner

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## Prevention of Significant Deterioration Part 70 Significant Source Modification

### OFFICE OF AIR QUALITY

**Steel Dynamics, Inc. (SDI) - Bar Products Division**  
**8000 North County Road 225 East**  
**Pittsboro, IN 46167**

(herein known as the Permittee) is hereby authorized to construct and operate subject to the conditions contained herein, the emission units described in Section A (Source Summary) of this approval.

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

This permit is also issued under the provisions of 326 IAC 2-2 (Prevention of Significant Deterioration).

PSD Source Modification No.: 063-16628-00037	
Issued by: Original signed by Paul Dubenetzky  Paul Dubenetzky, Branch Chief Office of Air Quality	Issuance Date: August 29, 2003  Expiration Date: August 29, 2008

Minor Source Modification No.: 063-22033-00037, issued December 13, 2005  
 Administrative Amendment No.: 063-22499-00037, issued February 9, 2006  
 Significant Source Modification No.: 063-22329-00037, issued March 21, 2007

2 <sup>nd</sup> Administrative Amendment No.: 063-24955-00037	
Issued by: <i>Original document signed by</i> Matthew W. Stuckey, Deputy Branch Chief Office of Air Quality	Issuance Date: June 29, 2007  Expiration Date: August 29, 2008

## SECTION C GENERAL OPERATION CONDITIONS

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

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- (a) Where specifically designated by this permit or required by an applicable requirement, any application form, report, or compliance certification submitted shall contain certification by a responsible official of truth, accuracy, and completeness. This certification shall state that, based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate, and complete.
- (b) One (1) certification shall be included, using the attached Certification Form or equivalent, with each submittal requiring certification.
- (c) A responsible official is defined at 326 IAC 2-7-1(34).

### C.2 Prior Permits Superseded [326 IAC 2-1.1-9.5] [326 IAC 2-2]

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Except for the construction authorizations in these permits, all terms and conditions of the following permits:

PSD Permit Number	Issuance Dates
063-6093-00037	October 31, 1996
063-8170-00037	October 31, 1996
063-7276-00037	December 20, 1996

issued pursuant to permitting programs approved into the state implementation plan have been either incorporated as originally stated, revised, or deleted by this permit. Except for the construction authorizations on Page 1 of Permit No. 063-6093-00037, in Permit No. 063-8170-00037, and in Permit No. 063-7276-00037, these prior permits and all of their terms and conditions are hereby superseded.

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

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- (a) If required by specific condition(s) in Section D of this permit, the Permittee shall prepare and implement Preventive Maintenance Plans (PMPs) upon initial start up, including the following information on each facility:
  - (1) Identification by jobs or titles 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.

The submittal of the PMP extension notification does not require the certification by the responsible official as defined by 326 IAC 2-7-1(34).

- (b) The Permittee shall implement the PMPs, including any required record keeping, as necessary to ensure that failure to implement a PMP does not cause or contribute to an exceedance of any limitation on emissions or potential to emit.
- (c) 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.
- (d) The 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.
- (e) 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.

C.4 Deviations from Permit Requirements and Conditions [326 IAC 2-7-5(3)(C)(ii)]

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

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

using the attached Quarterly Deviation and Compliance Monitoring Report, or its equivalent.

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.

C.5 Permit Amendment or Modification [326 IAC 2-7-11] [326 IAC 2-7-12] [326 IAC 2-7-5(6)(C)] [326 IAC 2-7-8(a)] [326 IAC 2-7-9]

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

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

Any such application 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)]
- (d) No permit amendment or modification is required for the addition, operation or removal of a nonroad engine, as defined in 40 CFR 89.2.

**C.6 Opacity [326 IAC 5-1]**

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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.7 Fugitive Dust Emissions [326 IAC 6-4]**

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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.8 Operation of Equipment [326 IAC 2-7-6(6)]**

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Except as otherwise provided by statute or rule, or in this permit, all air pollution control equipment listed in this permit and used to comply with an applicable requirement shall be operated at all times that the emission units vented to the control equipment are in operation.

**C.9 Stack Height [326 IAC 1-7]**

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

The provisions of 326 IAC 1-7-2, 326 IAC 1-7-3(c) and (d), 326 IAC 1-7-4(d), (e), and (f), and 326 IAC 1-7-5(d) are not federally enforceable.

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

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The Permittee shall comply with the applicable requirements of 326 IAC 14-10, 326 IAC 18, and 40 CFR 61.140.

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

**C.11 Performance Testing [326 IAC 3-6][326 IAC 2-1.1-11]**

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

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

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

no later than thirty-five (35) days prior to the intended test date.

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

- (b) The Permittee shall notify IDEM, OAQ of the actual test date at least fourteen (14) days prior to the actual test date.

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

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

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

##### **C.12 Compliance Requirements [326 IAC 2-1.1-11]**

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- (a) 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.
- (b) 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.13 Compliance Monitoring [326 IAC 2-7-5(3)] [326 IAC 2-7-6(1)]**

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- (a) If required by Section D of this permit, all monitoring and record keeping requirements shall be implemented when operation begins.
- (b) If required by Section D of this permit, the Permittee shall be responsible for installing any necessary equipment and initiating any required monitoring related to that equipment.

##### **C.14 Monitoring Methods [326 IAC 3] [40 CFR 60] [40 CFR 63]**

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

##### **C.15 Pressure Gauge and Other Instrument Specifications [326 IAC 2-1.1-11] [326 IAC 2-7-5(3)] [326 IAC 2-7-6(1)]**

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- (a) Whenever a condition in this permit requires the measurement of pressure drop across any part of the unit or its control device, the gauge employed shall have a scale such that the expected normal reading shall be no less than twenty percent (20%) of full scale and be accurate within plus or minus two percent ( $\pm 2\%$ ) of full scale reading.
- (b) Whenever a condition in this permit requires the measurement of a (temperature, or flow rate), the instrument employed shall have a scale such that the expected normal reading shall be no less than twenty percent (20%) of full scale and be accurate within plus or minus two percent ( $\pm 2\%$ ) of full scale reading.
- (c) The Permittee may request the IDEM, OAQ approve the use of a pressure gauge or other instrument that does not meet the above specifications provided the Permittee can demonstrate an alternative pressure gauge or other instrument specification will adequately ensure compliance with permit conditions requiring the measurement of pressure drop or other parameters.

**C.16 Post Construction Ambient Monitoring [326 IAC 2-2]**

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Pursuant to 326 IAC 2-2-4(c)(5), the Permittee shall comply with the following:

- (a) The Permittee shall establish three (3) ambient monitoring sites at locations approved by IDEM. One of the 3 sites shall be located on or near the school property of Pittsboro Elementary School.
- (b) All monitors shall meet the operating and maintenance criteria outlined in the IDEM, OAQ Quality Assurance Manual.
  - (i) Each monitoring site shall monitor PM10, SO2, NOx and CO.
  - (ii) Based on the prevailing winds, one of the 3 sites shall also monitor the following meteorological parameters:
    - - wind speed,
    - - wind directions, and
    - - outdoor temperature.
- (c) The Permittee shall conduct a minimum of 60 months of post-construction monitoring at the Pittsboro Elementary School site and 36 months of post-construction monitoring at each of the other two (2) sites.
- (d) The monitoring must be performed using US EPA approved methods, procedures, and quality assurance programs and be in accordance with plan and protocol approved by IDEM, OAQ.
- (e) A monitoring and quality assurance plan shall be submitted to the:  
Indiana Department of Environmental Management  
Office of Air Quality, Ambient Monitoring Section  
2525 North Shadeland Avenue, Indianapolis, IN  
  
no later than 90 calendar days in advance of the start of the monitoring. The plan must be approved by OAQ prior to commencement of monitoring.
- (f) Ambient data along with precision and accuracy data from the monitors shall be submitted on a quarterly basis in a format approved by IDEM, OAQ, no later than 60 days after the end of the quarter being reported.

- (g) The quarterly summary of monitoring shall be submitted to IDEM, OAQ, Ambient Monitoring Section, in the same address mentioned above.
- (h) No sooner than 6 months prior to the end of the minimum monitoring period, the Permittee may submit an application to modify the permit to discontinue one or more of the monitoring sites.

The application shall include the air quality and meteorological monitoring data collected, actual emissions of PM10, SO2, NOx and CO, actual steel production information, and any addition information that would support a request to discontinue the monitoring site(s).

- (i) The commissioner shall review the information submitted by the Permittee and other available information to determine whether the proper operation of the source could potentially cause or contribute to a violation of any National Ambient Air Quality Standard or maximum allowable increase under 326 IAC 1-3-4 or 326 IAC 2-2-6.
- (j) Any decision regarding the application shall proceed in accordance with the significant permit modifications provisions of 326 IAC 2-7-12(d).

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

##### C.17 Compliance Response Plan - Preparation, Implementation, Records, and Reports [326 IAC 2-7-5] [326 IAC 2-7-6]

- (a) The Permittee is required to prepare a Compliance Response Plan (CRP) for each compliance monitoring condition of this permit.

A CRP shall be submitted to IDEM, OAQ upon request.

The CRP shall be prepared upon initial start up, by the Permittee, supplemented from time to time by the Permittee, maintained on site, and comprised of:

- (1) Reasonable response steps that may be implemented in the event that a response step is needed pursuant to the requirements of Section D of this permit; and an expected timeframe for taking reasonable response steps.
- (2) If, at any time, the Permittee takes reasonable response steps that are not set forth in the Permittee's current Compliance Response Plan or Operation, Maintenance and Monitoring (OMM) Plan and the Permittee documents such response in accordance with subsection (e) below, the Permittee shall amend its Compliance Response Plan or Operation, Maintenance and Monitoring (OMM) Plan to include such response steps taken.

If the Permittee is required to have an Operation, Maintenance and Monitoring (OMM) Plan under 40 CFR 60 or 40 CFR 63, such plan shall be deemed to satisfy the requirements for a CRP for those compliance monitoring conditions.

The OMM Plan shall be submitted within the time frames specified by the applicable 40 CFR 60 or 40 CFR 63 requirement.

- (b) For each compliance monitoring condition of this permit, reasonable response steps shall be taken when indicated by the provisions of that compliance monitoring condition as follows:
- (1) Reasonable response steps shall be taken as set forth in the Permittee's current Compliance Response Plan or Operation, Maintenance and Monitoring (OMM) Plan; or
  - (2) If none of the reasonable response steps listed in the Compliance Response Plan or Operation, Maintenance and Monitoring (OMM) Plan is applicable or responsive to the excursion, the Permittee shall devise and implement additional response steps as expeditiously as practical. Taking such additional response steps shall not be considered a deviation from this permit so long as the Permittee documents such response steps in accordance with this condition.
  - (3) If the Permittee determines that additional response steps would necessitate that the emissions unit or control device be shut down, the IDEM, OAQ shall be promptly notified of the expected date of the shut down, the status of the applicable compliance monitoring parameter with respect to normal, and the results of the actions taken up to the time of notification.
  - (4) Failure to take reasonable response steps shall be considered deviation from the permit.
- (c) The Permittee is not required to take any further response steps for any of the following reasons:
- (1) A false reading occurs due to the malfunction of the monitoring equipment and prompt action was taken to correct the monitoring equipment.
  - (2) The Permittee has determined that the compliance monitoring parameters established in the permit conditions are technically inappropriate, has previously submitted a request for a minor permit modification to the permit, and such request has not been denied.
  - (3) An automatic measurement was taken when the process was not operating.
  - (4) The process has already returned or is returning to operating within normal parameters and no response steps are required.
- (e) The Permittee shall record all instances when response steps, in accordance with Section D of this permit, are taken.
- In the event of an emergency, the provisions of 326 IAC 2-7-16 (Emergency Provisions) requiring prompt corrective action to mitigate emissions shall prevail.
- (f) Except as otherwise provided by a rule or provided specifically in Section D of this permit, all monitoring as required in Section D of this permit shall be performed when the emission unit is operating, except for time necessary to perform quality assurance and maintenance activities.

- (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, no later than four (4) daytime business hours after the beginning of the emergency, or after the emergency was discovered or reasonably should have been discovered;

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

or

Telephone Number: 317-233-5674 (ask for Compliance Section)

Facsimile Number: 317-233-5967

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

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

no later than two (2) working days of the time when emission limitations were exceeded due to the emergency.

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

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

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

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

- (c) In any enforcement proceeding, the Permittee seeking to establish the occurrence of an emergency has the burden of proof.
- (d) This emergency provision supersedes 326 IAC 1-6 (Malfunctions). This permit condition is in addition to any emergency or upset provision contained in any applicable requirement.
- (e) IDEM, OAQ may require that the Preventive Maintenance Plans required under 326 IAC 2-7-4-(c)(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) Permittee shall include all emergencies in the Quarterly Deviation and Compliance Monitoring Report or its equivalent.

**C.19 Risk Management Plan (RMP) [326 IAC 2-7-5(12)] [40 CFR 68.215]**

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

**C.20 Actions Related to Noncompliance Demonstrated by a Stack Test [326 IAC 2-7-5]  
[326 IAC 2-7-6]**

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- (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, no later than 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 no later than one hundred twenty (120) days of receipt of the original test results.

Should the Permittee demonstrate to IDEM, OAQ that retesting in one-hundred and twenty (120) days is not practicable, IDEM, OAQ may extend the retesting deadline.

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

The response action documents submitted pursuant to this condition do require the certification by the Responsible official<sup>®</sup> 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.21 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) The Permittee shall submit an annual emission statement certified pursuant to the requirements of 326 IAC 2-6, that must be received by July 1 of each year and must comply with the minimum requirements specified in 326 IAC 2-6-4.

The annual emission statement shall indicate the estimated actual emissions of criteria pollutants from the source, in compliance with 326 IAC 2-6 (Emission Reporting);

- (b) The annual emission statement covers the twelve (12) consecutive month time period starting January 1 and ending December 31.

The annual emission statement must be submitted to:

Indiana Department of Environmental Management  
Technical Support and Modeling Section, Office of Air Quality  
100 North Senate Avenue, P. O. Box 6015  
Indianapolis, Indiana 46206-6015

C.22 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 upon initial start up.

C.23 General Reporting Requirements [326 IAC 2-7-5(3)(C)]

- (a) The source shall submit the attached Quarterly Deviation and Compliance Monitoring Report or its equivalent.

Any deviation from permit requirements, the date(s) of each deviation, the cause of the deviation, and the response steps taken must be reported.

This report shall be submitted no later than thirty (30) days of the end of the reporting period.

The Quarterly Deviation and Compliance Monitoring Report or its equivalent shall include the certification by the responsible official as defined by 326 IAC 2-7-1(34).

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

Indiana Department of Environmental Management  
Compliance Data Section, Office of Air Quality

100 North Senate Avenue, P. O. Box 6015  
Indianapolis, Indiana 46206-6015

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

If the document is submitted by any other means, it shall be considered timely if received by IDEM, OAQ, on or before the date it is due.

- (d) Unless otherwise specified in this permit, all reports required in Section D of this permit shall be submitted no later than thirty (30) days of the end of the reporting period.

All reports, except as specified otherwise, do require the certification by the responsible official as defined by 326 IAC 2-7-1(34).

- (e) The first report shall cover the period commencing on the date after initial start up and ending on the last day of the reporting period.

Reporting periods are based on calendar years.