



# 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](http://www.idem.IN.gov)

TO: Interested Parties / Applicant

DATE: July 17, 2008

RE: Portside Energy / 127-24963-00067

FROM: Matthew Stuckey, 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.



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## Part 70 Operating Permit Renewal OFFICE OF AIR QUALITY

**Portside Energy LLC  
6290 US Highway No. 12  
Portage, Indiana 46368**

(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.: T127-24963-00067	
Issued by/Original Signed By:	Issuance Date: July 17, 2008
Matt Stuckey, Branch Chief Permits Branch Office of Air Quality	Expiration Date: July 17, 2013

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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)]

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The Permittee owns and operates a stationary electric generating station.

Source Address:	6290 US Highway No. 12, Portage, Indiana 46368
Mailing Address:	6290 US Highway No. 12, Portage, IN 46368
General Source Phone Number:	(219) 763-7426
SIC Code:	4911
County Location:	Porter
Source Location Status:	Nonattainment for 8-hour ozone standard Nonattainment for PM 2.5 standard Attainment for all other criteria pollutants
Source Status:	Part 70 Operating Permit Program Major Source, under PSD and Emission Offset Rules Minor Source, Section 112 of the Clean Air Act 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)]

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

- (a) One (1) natural gas fired dry low NO<sub>x</sub> combustion turbine in a combined cycle configuration, constructed in 1997, identified as CT-1, with a nominal design capacity of 498 mmBtu/hour at ISO conditions, and exhausting to stack CT-01.
- (b) Two (2) natural gas fired auxiliary boilers, identified as B-1 and B-2, both constructed in 1997, each with a nominal design capacity of 260 MMBtu per hour using low-NO<sub>x</sub> burners and flue gas recirculation as NO<sub>x</sub> inhibitors, and exhausting to stacks PB2 and PB3, respectively. The exhaust from the combustion turbine and auxiliary boilers will produce a nominal design of 500,000 pounds of steam per hour and 63 megawatts of electricity.

### A.3 Specifically Regulated Insignificant Activities [326 IAC 2-7-1(21)][326 IAC 2-7-4(c)][326 IAC 2-7-5(15)]

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This stationary source also includes the following insignificant activities which are specifically regulated, as defined in 326 IAC 2-7-1(21):

- (a) Degreasing operations that do not exceed 145 gallons per twelve (12) consecutive month period. [326 IAC 8-3-2][326 IAC 8-3-5(a)]

### A.4 Part 70 Permit Applicability [326 IAC 2-7-2]

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

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

## SECTION B GENERAL CONDITIONS

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

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

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

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- (a) This permit, T127-24963-00067, is issued for a fixed term of five (5) years from the issuance date of this permit, as determined in accordance with IC 4-21.5-3-5(f) and IC 13-15-5-3. Subsequent revisions, modifications, or amendments of this permit do not affect the expiration date of this permit.
- (b) If IDEM, OAQ, upon receiving a timely and complete renewal permit application, fails to issue or deny the permit renewal prior to the expiration date of this permit, this existing permit shall not expire and all terms and conditions shall continue in effect, including any permit shield provided in 326 IAC 2-7-15, until the renewal permit has been issued or denied.

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

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

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

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

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

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

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

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

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

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

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- (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)]**

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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 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)]**

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

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

and

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

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

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

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

- (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 Northwest 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

Northwest Regional Office phone: (219) 757-0265; fax: (219) 757-0267.

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

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

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

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

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

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

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

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

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- (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]**

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- (a) All terms and conditions of permits established prior to T127-24963-00067 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)]**

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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)]**

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

Indiana Department of Environmental Management  
Compliance Data Section, Office of Air Quality  
100 North Senate Avenue  
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]**

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- (a) This permit may be modified, reopened, revoked and reissued, or terminated for cause. The filing of a request by the Permittee for a Part 70 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)]**

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

Request for renewal shall be submitted to:

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

- (b) A timely renewal application is one that is:
  - (1) Submitted at least nine (9) months prior to the date of the expiration of this permit; and
  - (2) If the date postmarked on the envelope or certified mail receipt, or affixed by the shipper on the private shipping receipt, is on or before the date it is due. If the document is submitted by any other means, it shall be considered timely if received by IDEM, OAQ on or before the date it is due.
- (c) If the Permittee submits a timely and complete application for renewal of this permit, the source's failure to have a permit is not a violation of 326 IAC 2-7 until IDEM, OAQ takes final action on the renewal application, except that this protection shall cease to apply if, subsequent to the completeness determination, the Permittee fails to submit by the deadline specified in writing by IDEM, OAQ any additional information identified as being needed to process the application.

**B.18 Permit Amendment or Modification [326 IAC 2-7-11][326 IAC 2-7-12]**

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- (a) Permit amendments and modifications are governed by the requirements of 326 IAC 2-7-11 or 326 IAC 2-7-12 whenever the Permittee seeks to amend or modify this permit.

- (b) Any application requesting an amendment or modification of this permit shall be submitted to:

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

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

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

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

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- (a) No Part 70 permit revision shall be required under any approved economic incentives, marketable Part 70 permits, emissions trading, and other similar programs or processes for changes that are provided for in a Part 70 permit.
- (b) Notwithstanding 326 IAC 2-7-12(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]**

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

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

and

United States Environmental Protection Agency, Region V  
Air and Radiation Division, Regulation Development Branch - Indiana (AR-18J)

77 West Jackson Boulevard  
Chicago, Illinois 60604-3590

in advance of the change by written notification at least ten (10) days in advance of the proposed change. The Permittee shall attach every such notice to the Permittee's copy of this permit; and

- (5) The Permittee maintains records on-site, on a rolling five (5) year basis, which document all such changes and emission trades that are subject to 326 IAC 2-7-20(b),(c), or (e). The Permittee shall make such records available, upon reasonable request, for public review.

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

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

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

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

- (c) Emission Trades [326 IAC 2-7-20(c)]  
The Permittee may trade emissions increases and decreases at the source, where the applicable SIP provides for such emission trades without requiring a permit revision, subject to the constraints of Section (a) of this condition and those in 326 IAC 2-7-20(c).
- (d) Alternative Operating Scenarios [326 IAC 2-7-20(d)]  
The Permittee may make changes at the source within the range of alternative operating scenarios that are described in the terms and conditions of this permit in accordance with 326 IAC 2-7-5(9). No prior notification of IDEM, OAQ, or U.S. EPA is required.
- (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.
- (f) This condition does not apply to emission trades of SO<sub>2</sub> or NO<sub>x</sub> under 326 IAC 21 or 326 IAC 10-4.

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

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

- (b) Any modification at an existing major source is governed by the requirements of 326 IAC 2-2 and/or 326 IAC 2-3 (for sources located in NA areas).

**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]**

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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]**

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

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

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

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

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

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

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

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- (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]**

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

## SECTION C SOURCE OPERATION CONDITIONS

Entire Source

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

C.1 Particulate Emission Limitations For Processes with Process Weight Rates Less Than One Hundred (100) Pounds per Hour [326 IAC 6-3-2]

Pursuant to 326 IAC 6-3-2(e)(2), particulate emissions from any process not exempt under 326 IAC 6-3-1(b) or (c) which has a maximum process weight rate less than 100 pounds per hour and the methods in 326 IAC 6-3-2(b) through (d) do not apply shall not exceed 0.551 pounds per hour.

C.2 Opacity [326 IAC 5-1]

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

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

C.3 Open Burning [326 IAC 4-1] [IC 13-17-9]

The Permittee shall not open burn any material except as provided in 326 IAC 4-1-3, 326 IAC 4-1-4 or 326 IAC 4-1-6. The previous sentence notwithstanding, the Permittee may open burn in accordance with an open burning approval issued by the Commissioner under 326 IAC 4-1-4.1. 326 IAC 4-1 is not federally enforceable.

C.4 Incineration [326 IAC 4-2] [326 IAC 9-1-2]

The Permittee shall not operate an incinerator or incinerate any waste or refuse except as provided in 326 IAC 4-2 and 326 IAC 9-1-2.

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 is not federally enforceable.

C.6 Stack Height [326 IAC 1-7]

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

C.7 Asbestos Abatement Projects [326 IAC 14-10] [326 IAC 18] [40 CFR 61, Subpart M]

- (a) Notification requirements apply to each owner or operator. If the combined amount of regulated asbestos containing material (RACM) to be stripped, removed or disturbed is at least 260 linear feet on pipes or 160 square feet on other facility components, or at least thirty-five (35) cubic feet on all facility components, then the notification requirements of

326 IAC 14-10-3 are mandatory. All demolition projects require notification whether or not asbestos is present.

- (b) The Permittee shall ensure that a written notification is sent on a form provided by the Commissioner at least ten (10) working days before asbestos stripping or removal work or before demolition begins, per 326 IAC 14-10-3, and shall update such notice as necessary, including, but not limited to the following:
  - (1) When the amount of affected asbestos containing material increases or decreases by at least twenty percent (20%); or
  - (2) If there is a change in the following:
    - (A) Asbestos removal or demolition start date;
    - (B) Removal or demolition contractor; or
    - (C) Waste disposal site.
- (c) The Permittee shall ensure that the notice is postmarked or delivered according to the guidelines set forth in 326 IAC 14-10-3(2).
- (d) The notice to be submitted shall include the information enumerated in 326 IAC 14-10-3(3).

All required notifications shall be submitted to:

Indiana Department of Environmental Management  
Asbestos Section, Office of Air Quality  
100 North Senate Avenue  
MC 61-52 IGCN 1003  
Indianapolis, Indiana 46204-2251

The notice shall include a signed certification from the owner or operator that the information provided in this notification is correct and that only Indiana licensed workers and project supervisors will be used to implement the asbestos removal project. The notifications do not require a certification by the "responsible official" as defined by 326 IAC 2-7-1(34).

- (e) **Procedures for Asbestos Emission Control**  
The Permittee shall comply with the applicable emission control procedures in 326 IAC 14-10-4 and 40 CFR 61.145(c). Per 326 IAC 14-10-1, emission control requirements are applicable for any removal or disturbance of RACM greater than three (3) linear feet on pipes or three (3) square feet on any other facility components or a total of at least 0.75 cubic feet on all facility components.
- (f) **Demolition and Renovation**  
The Permittee shall thoroughly inspect the affected facility or part of the facility where the demolition or renovation will occur for the presence of asbestos pursuant to 40 CFR 61.145(a).
- (g) **Indiana Accredited Asbestos Inspector**  
The Permittee shall comply with 326 IAC 14-10-1(a) that requires the owner or operator, prior to a renovation/demolition, to use an Indiana Accredited Asbestos Inspector to thoroughly inspect the affected portion of the facility for the presence of asbestos. The requirement to use an Indiana Accredited Asbestos inspector is not federally enforceable.

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

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

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

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

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

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

- (b) The Permittee shall notify IDEM, OAQ of the actual test date at least fourteen (14) days prior to the actual test date. The notification submitted by the Permittee does not require certification by the "responsible official" as defined by 326 IAC 2-7-1(34).
- (c) Pursuant to 326 IAC 3-6-4(b), all test reports must be received by IDEM, 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.9 Compliance Requirements [326 IAC 2-1.1-11]

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

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

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

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

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

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

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

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

**C.11 Maintenance of Continuous Emission Monitoring Equipment [326 IAC 2-7-5(3)(A)(iii)]**

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- (a) The Permittee shall install, calibrate, maintain, and operate all necessary continuous emission monitoring systems (CEMS) and related equipment.
- (b) In the event that a breakdown of a continuous emission monitoring system occurs, a record shall be made of the times and reasons of the breakdown and efforts made to correct the problem.
- (c) Whenever a continuous emission monitor other than an opacity monitor is malfunctioning or will be down for calibration, maintenance, or repairs for a period of four (4) hours or more, a calibrated backup CEMS shall be brought online within four (4) hours of shutdown of the primary CEMS, and shall be operated until such time as the primary CEMS is back in operation.
- (d) Nothing in this permit shall excuse the Permittee from complying with the requirements to operate a continuous emission monitoring system pursuant to 326 IAC 10-4, 40 CFR, Subpart Db and CP127-5260, issued on May 14, 1996.

**C.12 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.13 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) 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]**

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

- (a) The Permittee prepared and submitted written emergency reduction plans (ERPs) consistent with safe operating procedures on April 29, 2003.
- (b) Upon direct notification by IDEM, OAQ that a specific air pollution episode level is in effect, the Permittee shall immediately put into effect the actions stipulated in the approved ERP for the appropriate episode level. [326 IAC 1-5-3]

C.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]**

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- (a) In accordance with the compliance schedule specified in 326 IAC 2-6-3(b)(1), the Permittee shall submit by July 1 an emission statement covering the previous calendar year as follows:
  - (1) starting in 2004 and every three (3) years thereafter, and
  - (2) any year not already required under (1) if the source emits volatile organic compounds or oxides of nitrogen into the ambient air at levels equal to or greater than twenty-five (25) tons during the previous calendar year.
- (b) 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).

- (c) 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] [326 IAC 2-2][326 IAC 2-3]**

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

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

- (b) Unless otherwise specified in this permit, all record keeping requirements not already legally required shall be implemented within ninety (90) days of permit issuance.
- (c) If there is a reasonable possibility (as defined in 40 CFR 51.165 (a)(6)(vi)(A), 40 CFR 51.165 (a)(6)(vi)(B), 40 CFR 51.166 (r)(6)(vi)(a), and/or 40 CFR 51.166 (r)(6)(vi)(b)) that a “project” (as defined in 326 IAC 2-2-1(qq) and/or 326 IAC 2-3-1(II)) at an existing emissions unit, other than projects at a source with a Plantwide Applicability Limitation (PAL), which is not part of a “major modification” (as defined in 326 IAC 2-2-1(ee) and/or 326 IAC 2-3-1(z)) may result in significant emissions increase and the Permittee elects to utilize the “projected actual emissions” (as defined in 326 IAC 2-2-1(rr) and/or 326 IAC 2-3-1(mm)), the Permittee shall comply with following:
  - (1) Before beginning actual construction of the “project” (as defined in 326 IAC 2-2-1(qq) and/or 326 IAC 2-3-1(II)) at an existing emissions unit, document and maintain the following records:
    - (A) A description of the project.
    - (B) Identification of any emissions unit whose emissions of a regulated new source review pollutant could be affected by the project.
    - (C) A description of the applicability test used to determine that the project is not a major modification for any regulated NSR pollutant, including:
      - (i) Baseline actual emissions;
      - (ii) Projected actual emissions;
      - (iii) Amount of emissions excluded under section 326 IAC 2-2-1(rr)(2)(A)(iii) and/or 326 IAC 2-3-1 (mm)(2)(A)(iii); and
      - (iv) An explanation for why the amount was excluded, and any netting calculations, if applicable.
- (d) If there is a reasonable possibility (as defined in 40 CFR 51.165 (a)(6)(vi)(A) and/or 40 CFR 51.166 (r)(6)(vi)(a)) that a “project” (as defined in 326 IAC 2-2-1(qq) and/or 326 IAC 2-3-1(II)) at an existing emissions unit, other than projects at a source with a Plantwide Applicability Limitation (PAL), which is not part of a “major modification” (as defined in 326 IAC 2-2-1(ee) and/or 326 IAC 2-3-1(z)) may result in significant emissions increase and the Permittee elects to utilize the “projected actual emissions” (as defined in 326 IAC 2-2-1(rr) and/or 326 IAC 2-3-1(mm)), the Permittee shall comply with following:
  - (1) Monitor the emissions of any regulated NSR pollutant that could increase as a result of the project and that is emitted by any existing emissions unit identified in (1)(B) above; and
  - (2) Calculate and maintain a record of the annual emissions, in tons per year on a calendar year basis, for a period of five (5) years following resumption of regular operations after the change, or for a period of ten (10) years following resumption

of regular operations after the change if the project increases the design capacity of or the potential to emit that regulated NSR pollutant at the emissions unit.

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

- (a) The Permittee shall submit the attached Quarterly Deviation and Compliance Monitoring Report or its equivalent. Any deviation from permit requirements, the date(s) of each deviation, the cause of the deviation, and the response steps taken must be reported. This report shall be submitted within thirty (30) days of the end of the reporting period. The Quarterly Deviation and Compliance Monitoring Report shall include the certification by the "responsible official" as defined by 326 IAC 2-7-1(34).
- (b) The report required in (a) of this condition and reports required by conditions in Section D of this permit shall be submitted to:
- Indiana Department of Environmental Management  
Compliance Data Section, Office of Air Quality  
100 North Senate Avenue  
MC 61-53 IGCN 1003  
Indianapolis, Indiana 46204-2251
- (c) Unless otherwise specified in this permit, any notice, report, or other submission required by this permit shall be considered timely if the date postmarked on the envelope or certified mail receipt, or affixed by the shipper on the private shipping receipt, is on or before the date it is due. If the document is submitted by any other means, it shall be considered timely if received by IDEM, OAQ on or before the date it is due.
- (d) Unless otherwise specified in this permit, all reports required in Section D of this permit shall be submitted within thirty (30) days of the end of the reporting period. All reports do require the certification by the "responsible official" as defined by 326 IAC 2-7-1(34).
- (e) Reporting periods are based on calendar years, unless otherwise specified in this permit. For the purpose of this permit "calendar year" means the twelve (12) month period from January 1 to December 31 inclusive.
- (f) If the Permittee is required to comply with the recordkeeping provisions of (d) in Section C- General Record Keeping Requirements for any "project" (as defined in 326 IAC 2-2-1 (qq) and/or 326 IAC 2-3-1 (ll)) at an existing Electric Utility Steam Generating Unit, then for that project the Permittee shall:
- (1) Submit to IDEM, OAQ and IDEM Northwest Regional Office a copy of the information required by (c)(1) in Section C- General Record Keeping Requirements
  - (2) Submit a report to IDEM, OAQ and Northwest Regional Office within sixty (60) days after the end of each year during which records are generated in accordance with (d)(1) and (2) in Section C- General Record Keeping Requirements. The report shall contain all information and data describing the annual emissions for the emissions units during the calendar year that preceded the submission of report.

Reports required in this part shall be submitted to:

Indiana Department of Environmental Management  
Air Compliance Section, Office of Air Quality  
100 North Senate Avenue

Indianapolis, Indiana 46204-2251

and

IDEM Northwest Regional Office  
8315 Virginia St., Ste. 1  
Merrillville, IN 46410

- (g) The report for project at an existing emissions unit shall be submitted within sixty (60) days after the end of the year and contain the following:
- (1) The name, address, and telephone number of the major stationary source.
  - (2) The annual emissions calculated in accordance with (d)(1) and (2) in Section C - General Record Keeping Requirements.
  - (3) The emissions calculated under the actual-to-projected actual test stated in 326 IAC 2-2-2(d)(3) and/or 326 IAC 2-3-2(c)(3).
  - (4) Any other information that the Permittee deems fit to include in this report.

Reports required in this part shall be submitted to:

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

and

IDEM Northwest Regional Office  
8315 Virginia St., Ste. 1  
Merrillville, IN 46410

- (h) The Permittee shall make the information required to be documented and maintained in accordance with (c) in Section C- General Record Keeping Requirements available for review upon a request for inspection by IDEM, OAQ. The general public may request this information from the IDEM, OAQ under 326 IAC 17.1.

### **Stratospheric Ozone Protection**

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

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

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

## SECTION D.1 EMISSIONS UNIT OPERATION CONDITIONS

### Emissions Unit Description:

- (a) One (1) natural gas fired dry low NO<sub>x</sub> combustion turbine in a combined cycle configuration, constructed in 1997, identified as CT-1, with a nominal design capacity of 498 mmBtu/hour at ISO conditions, and exhausting to stack CT-01.

(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 Particulate Emissions Limitations [326 IAC 6-2-4]

Pursuant to 326 IAC 6-2-4 (Emission Limitation for Facilities Specified in 326 IAC 6-2-1(d)), the particulate matter emissions from the turbine shall not exceed 0.18 pounds per MMBtu.

#### D.1.2 Particulate Matter Limit [326 IAC 2-2-3][40 CFR 52.21]

Pursuant to 326 IAC 2-2-3 and 40 CFR 52.21, this combustion turbine shall not exceed five (5) pounds of particulate matter per hour.

#### D.1.3 NO<sub>x</sub> Emissions Limit [326 IAC 2-2][326 IAC 2-3][40 CFR 52.21]

Pursuant to 326 IAC 2-2, 326 IAC 2-3 and 40 CFR 52.21, this combustion turbine shall not emit NO<sub>x</sub> emissions greater than thirty (30) pounds per hour based on a 365-day rolling average.

#### D.1.4 CO Emissions Limit

The turbine shall not exceed 5,110 hours per calendar year operating in the Power Augmentation mode with CO emissions not exceeding forty (40) pounds per hour. The CO emissions generated under normal operation during the remaining hours shall not exceed twelve (12) pounds per hour for the remaining hours.

#### D.1.5 Best Available Control Technology (BACT) [326 IAC 2-2-3][40 CFR 52.21]

Pursuant to 326 IAC 2-2-3 (Control Technology Review; Requirements), 40 CFR 52.21 and CP127-5260, issued on May 14, 1996, the combustion turbine shall not exceed any of the following limits:

Shall comply with BACT by use of combustion control techniques, proper maintenance and CO emissions not exceeding: 10 ppmvd CO @ 15% oxygen during non-power augmentation and 40 ppmvd CO @ 15% oxygen during power augmentation.

#### D.1.6 General Provisions Relating to NSPS [326 IAC 12-1][40 CFR 60, Subpart GG]

The provisions of 40 CFR 60, Subpart A - General Provisions, which are incorporated by reference in 326 IAC 12-1, apply to the facility described in this section except when otherwise specified in 40 CFR 60, Subpart GG (Standards of Performance for Stationary Gas Turbines)

#### D.1.7 New Source Performance Standard [326 IAC 12-1][40 CFR 60.333, Subpart GG]

- (a) Pursuant to 40 CFR 60.3333(a)&(b), the Permittee shall limit sulfur dioxide emissions, as required by 40 CFR 60.333, to 0.015 percent by volume at 15 percent oxygen on a dry basis, or use natural gas fuel with a sulfur content less than or equal to 0.8 percent by weight.
- (b) Pursuant to CP127-5260, issued on May 14, 1996, the turbine sulfur dioxide emissions shall comply with 40 CFR 60.333 requirements by using pipeline supplied natural gas.

#### D.1.8 Preventative Maintenance Plan

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A Preventative Maintenance Plan, in accordance with Section B - Preventative Maintenance Plan, of this permit, is required for this facility.

### Compliance Determination Requirements

#### D.1.9 Sulfur Content and Nitrogen Content [326 IAC 12][40 CFR 60.334(h)(3), Subpart GG]

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Pursuant to 40 CFR 60.334(h)(3), a letter from U.S. EPA dated April 17, 2003, and in order to demonstrate compliance with Condition 1.7, only natural gas which meets the definition in 40 CFR 60.331(u) shall be combusted in the gas turbine CT-1. The Permittee shall use one of the following sources of information to make the required demonstration:

- (a) The gas quality characteristics in a current, valid purchase contract, tariff sheet or transportation contract for the gaseous fuel, specifying that the maximum total sulfur content of the fuel is 20.0 grains/100 scf or less; or
- (b) Representative fuel sampling data which show that the sulfur content of the gaseous fuel does not exceed 20 grain/100 scf. At a minimum, the amount of fuel sampling data specified in section 2.3.1.4 or 2.3.2.4 of Appendix D to Part 75 of this chapter is required.

#### D.1.10 Continuous Emissions Monitoring [326 IAC 3-5]

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In order to comply with Condition D.1.3 and pursuant to 326 IAC 3-5 (Continuous Monitoring of Emissions), a continuous emission monitoring system shall be calibrated, maintained, and operated for measuring NOx emissions, which meets the performance specifications of 326 IAC 3-5-2.

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

#### D.1.11 Record Keeping Requirements

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- (a) To document compliance with Conditions D.1.2, D.1.3, D.1.4, D.1.5 and D.1.7, the Permittee shall maintain records in accordance with (1) and (2) below:
  - (1) Hours of operation; and
  - (2) All continuous emission monitoring data, pursuant to 326 IAC 3-5.
- (b) All records shall be maintained in accordance with Section C - General Recordkeeping Requirements, of this permit.

#### D.1.12 Reporting Requirements

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A quarterly summary of the information to document compliance with Condition D.1.4 and reports of any excess emissions pursuant to 40 CFR 60.334(c) shall be submitted to the addresses listed in Section C - General Reporting Requirements, of this permit, using the reporting forms located at the end of this permit, or their equivalent, within thirty (30) days after the end of the quarter being reported. The report submitted by the Permittee does require the certification by the "responsible official" as defined by 326 IAC 2-7-1(34).

## SECTION D.2 EMISSIONS UNIT OPERATION CONDITIONS

### Emissions Unit Description:

- (b) Two (2) natural gas fired auxiliary boilers, identified as B-1 and B-2, both constructed in 1997, each with a nominal design capacity of 260 MMBtu per hour using low-NO<sub>x</sub> burners and flue gas recirculation as NO<sub>x</sub> inhibitors, and exhausting to stacks PB2 and PB3, respectively. The exhaust from the combustion turbine and auxiliary boilers will produce a nominal design of 500,000 pounds of steam per hour and 63 megawatts of electricity.

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

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

#### D.2.1 Particulate Matter (PM) [326 IAC 6-2-4]

Pursuant to 326 IAC 6-2-4 (Emission Limitations for Facilities Specified in 326 IAC 6-2-1(d)), particulate matter emissions from each of the boilers shall not exceed 0.18 pounds per MMBtu.

#### D.2.2 Best Available Control Technology (BACT) [326 IAC 2-2-3][40 CFR 52.21]

Pursuant to 326 IAC 2-2-3 (Control Technology Review; Requirements), 40 CFR 52.21 and CP127-5260, issued on May 14, 1996, the exhaust from the boilers shall not exceed any of the following limits:

- (a) Particulate matter emissions from the boilers shall be limited by the combustion of natural gas and shall not exceed 0.005 pounds per MMBtu.
- (b) Carbon monoxide emissions from the boilers shall comply by use of combustion control techniques, proper maintenance, and emissions not exceeding 0.074 pounds per MMBtu.

#### D.2.3 NO<sub>x</sub> Limit [326 IAC 2-3]

Pursuant to 326 IAC 2-2, 326 IAC 2-3 and NSPS 40 CFR 60.44(b), the emissions of nitrogen oxides, expressed as nitrogen dioxide (NO<sub>2</sub>), from the natural gas-fired boilers shall not exceed 0.036 pounds per MMBtu for natural gas. Therefore, compliance with 326 IAC 12 and 40 CFR 60.44b shall be achieved.

#### D.2.4 General Provisions Relating to NSPS [326 IAC 12-1][40 CFR Part 60, Subpart A]

The provisions of 40 CFR 60, Subpart A - General Provisions, which are incorporated by reference in 326 IAC 12-1, apply to the facility described in this section except when otherwise specified in 40 CFR 60, Subpart Db.

#### D.2.5 New Source Performance Standard [326 IAC 12-1][40 CFR Part 60, Subpart Db]

- (a) Pursuant to 40 CFR 60.42b, sulfur dioxide (SO<sub>2</sub>) emissions from the boilers shall be achieved by the combustion of only natural gas.
- (b) Pursuant to 40 CFR 60.44b, nitrogen oxides from the boilers shall not exceed 0.10 lb/MMbtu for low heat release rate; 0.20 lb/MMbtu for high release rate.

#### D.2.6 Preventative Maintenance Plan [326 IAC 2-7-5(13)]

A Preventative Maintenance Plan, in accordance with Section B - Preventative Maintenance Plan, of this permit, is required for this facility and its control devices.

## Compliance Determination Requirements

### D.2.7 NSPS Compliance Provisions [40 CFR 60, Subpart Db]

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- (a) The nitrogen oxides emissions standards under 40 CFR 60.44b apply at all times.
- (b) Compliance with the NO<sub>x</sub> emission limitation shall be determined by the methods and procedures in 40 CFR 60.46b(e)(3).
- (c) The continuous monitoring system shall be operated and data recorded during all periods of operation except for continuous monitoring system breakdowns and repairs. Data is recorded during calibration checks, and zero and span adjustments. [40 CFR 60.48b]

## Compliance Monitoring Requirements [326 IAC 2-7-6(1)][326 IAC 2-7-5(1)][40 CFR 60, Subpart Db]

### D.2.8 Continuous Emissions Monitoring [326 IAC 3-5][326 IAC 12][40 CFR 60, Subpart Db]

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- (a) Pursuant 40 CFR 60.48b (b)(1) the Permittee shall install, calibrate, maintain and operate a continuous monitoring system for measuring nitrogen oxides emissions discharged to the atmosphere.
- (b) Pursuant to 40 CFR 60.48b(NSPS Subpart Db), when nitrogen oxides emission data are not obtained because of continuous monitoring system breakdowns, repairs, calibration checks and zero span adjustments, emission data will be obtained as follows:
- (c) Standby monitoring systems, Method 7, Method 7A or other approved reference methods to provide emission data for a minimum of 75% of the operating hours in each steam generating unit operating day, in at least 22 out of 30 successive steam generating unit operating days.

## Record Keeping and Reporting Requirements [326 IAC 2-7-5(3)][326 IAC 2-7-19][40 CFR 60, Subpart Db]

### D.2.9 Record Keeping Requirements

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- (a) In accordance with 40 CFR 60.49b(g), the Permittee shall maintain the following records for each steam generating unit operating day:
  - (1) Calendar date.
  - (2) The average hourly nitrogen oxides emission rates (expressed as NO<sub>2</sub>) (ng/J or lb/Million Btu heat) measured or predicted.
  - (3) The 30-day average nitrogen oxides emission rates (ng/J or lb/million Btu heat input) calculated at the end of each steam generating unit operating day from the measured or predicted hourly nitrogen oxide emission rates for the preceding 30 steam generating unit operating days.
  - (4) Identification of the steam generating unit operating days when the calculated 30-day average nitrogen oxides emission rates are in excess of the nitrogen oxides emissions standards under 40 CFR 60.44(b), with the reasons for such excess emissions as well as a description of corrective actions taken.
  - (5) Identification of the steam generating unit operating days for which pollutant data have not been obtained, including reasons for not obtaining sufficient data and a description of corrective actions taken.

- (6) Identification of the times when emission data have been excluded from the calculation of average emission rates and the reasons for excluding data.
  - (7) Identification of "F" factor used for calculations, method of determination, and type of fuel combusted.
  - (8) Identification of the times when the pollutant concentration exceeded full span of the continuous monitoring system.
  - (9) Description of any modifications to the continuous monitoring system that could affect the ability of the continuous monitoring system to comply with Performance Specification 2 or 3 in accordance with 40 CFR 60.49b(g).
  - (10) Results of daily CEMS drift tests and quarterly accuracy assessments as required under Appendix F, Procedure 1.
- (b) All records shall be maintained in accordance with Section C - General Record Keeping Requirements, of this permit.

#### D.2.10 Reporting Requirements

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- (a) A summary of the information to document compliance with Condition D.2.7 shall be submitted to the address listed in Section C - General Reporting Requirements. The summary shall be completed in accordance with the requirements of 40 CFR 60.49b(g), which are listed in condition D.2.9(b).

## SECTION D.3 EMISSIONS UNIT OPERATION CONDITIONS

### Emissions Unit Description - Insignificant Activities:

- (a) Degreasing operations that do not exceed 145 gallons per twelve (12) consecutive month period. [326 IAC 8-3-2][326 IAC 8-3-5(a)]

(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 Volatile Organic Compounds (VOC) [326 IAC 8-3-2][326 IAC 8-3-5]

Pursuant to 326 IAC 8-3-2 and 8-3-5(a)(Cold Cleaner Operations) the owner or operator of a cold cleaner degreaser without remote solvent reservoirs constructed after July 1, 1990, shall ensure that the following requirements are met:

- (a) Equip the degreaser with a cover. The cover must be designed so that it can be easily operated with one (1) hand if:
- (1) The solvent volatility is greaser than two (2) kiloPascals (fifteen (15) millimeters of mercury or three-tenths (0.3) pounds per square inch) measured at thirty-eight degrees Celsius (38°C)(one hundred degrees Fahrenheit (100°F));
  - (2) The solvent is agitated; or
  - (3) The solvent is heated.
- (b) Equip the degreaser with a facility for draining cleaned articles. If the solvent volatility is greater than four and three-tenths (4.3) kiloPascals (thirty-two (32) millimeters of mercury or six-tenths (0.6) pounds per square inch) measured at thirty-eight degrees Celsius (38°C)(one hundred degrees Fahrenheit (100°F)), then the drainage facility must be internal such that articles are enclosed under the cover while draining. The drainage facility may be external for applications where an internal type cannot fit into the cleaning system.
- (c) Provide a permanent, conspicuous label which lists the operating requirements outlined in subsection (b).
- (d) The solvent spray, if used, must be a solid, fluid stream and shall be applied at a pressure which does not cause excessive splashing.
- (e) Equip the degreaser with a facility for draining cleaned articles. If the solvent volatility is greater than four and three-tenths (4.3) kiloPascals (thirty-two (32) millimeters of mercury or six-tenths (0.6) pounds per square inch) measured at thirty-eight degrees Celsius (38°C)(one hundred degrees Fahrenheit (100°F)), or if the solvent is heated to a temperature greater than forty-eight and nine-tenths degrees Celsius (48.9°C)(one hundred twenty degrees Fahrenheit (120°F));
- (1) A freeboard that attains a freeboard ratio of seventy-five hundredths (0.75) or greater.
  - (2) A water cover when solvent used is insoluble in, and heavier than, water.

- (3) Other systems of demonstrated equivalent control such as a refrigerated chiller of carbon adsorption. Such systems shall be submitted to U.S. EPA as a SIP revision.
  
- (f) Pursuant to 326 IAC 8-3-2 and 326 IAC 8-3-5(b) (Cold Cleaner Degreaser Operation and Control), the owner or operator of a cold cleaning facility, the construction of which commenced after July 1, 1990, shall ensure that the following operating requirements are met:
  - (a) Close the cover whenever articles are not being handled in the degreaser.
  - (b) Drain cleaned articles for at least fifteen (15) seconds or until dripping ceases.
  - (c) Store waste solvent only in covered containers and prohibit the disposal or transfer of waste solvent in any manner in which greater than twenty percent (20%) of the waste solvent by weight could evaporate.

**SECTION E Nitrogen Oxides Budget Trading Program - NOx Budget Permit for NOx Budget Units Under 326 IAC 10-4-1(a)**

**ORIS Code:** 55096

**NOx Budget Source [326 IAC 2-7-515)]**

- (a) One (1) natural gas fired dry low NO<sub>x</sub> combustion turbine in a combined cycle configuration, constructed in 1997, identified as CT-1, with a nominal design capacity of 498 mmBtu/hour at ISO conditions, and exhausting to stack CT-01.
- (b) Two (2) natural gas fired auxiliary boilers, identified as B-1 and B-2, both constructed in 1997, each with a nominal design capacity of 260 MMBtu per hour using low-NO<sub>x</sub> burners and flue gas recirculation as NO<sub>x</sub> inhibitors, and exhausting to stacks PB2 and PB3, respectively. Propane will be used for testing or as the backup fuel source. The exhaust from the combustion turbine and auxiliary boilers will produce a nominal design of 500,000 pounds of steam per hour and 63 megawatts of electricity.

**E.1 Automatic Incorporation of Definitions [326 IAC 10-4-7(e)]**

This NOx budget permit is deemed to incorporate automatically the definitions of terms under 326 IAC 10-4-2.

**E.2 Standard Permit Requirements [326 IAC 10-4-4(a)]**

- (a) The owners and operators of the NOx budget source and each NOx budget unit shall operate each unit in compliance with this NOx budget permit.
- (b) The NOx budget units subject to this NOx budget permit are: Boilers 1 and 2, and combustion Turbine CT-1.

**E.3 Monitoring Requirements [326 IAC 10-4-4(b)]**

- (a) The owners and operators and, to the extent applicable, the NOx authorized account representative of the NOx budget source and each NOx budget unit at the source shall comply with the monitoring requirements of 40 CFR 75 and 326 IAC 10-4-12.
- (b) The emissions measurements recorded and reported in accordance with 40 CFR 75 and 326 IAC 10-4-12 shall be used to determine compliance by each unit with the NOx budget emissions limitation under 326 IAC 10-4-4(c) and Condition E.4, Nitrogen Oxides Requirements.

**E.4 Nitrogen Oxides Requirements [326 IAC 10-4-4(c)]**

- (a) The owners and operators of the NOx budget source and each NOx budget unit at the source shall hold NOx allowances available for compliance deductions under 326 IAC 10-4-10(j), as of the NOx allowance transfer deadline, in each unit's compliance account and the source's overdraft account in an amount:
  - (1) Not less than the total NOx emissions for the ozone control period from the unit, as determined in accordance with 40 CFR 75 and 326 IAC 10-4-12;
  - (2) To account for excess emissions for a prior ozone control period under 326 IAC 10-4-10(k)(5); or

- (3) To account for withdrawal from the NOx budget trading program, or a change in regulatory status of a NOx budget opt-in unit.
- (b) Each ton of NOx emitted in excess of the NOx budget emissions limitation shall constitute a separate violation of the Clean Air Act (CAA) and 326 IAC 10-4.
- (c) NOx allowances shall be held in, deducted from, or transferred among NOx allowance tracking system accounts in accordance with 326 IAC 10-4-9 through 11, 326 IAC 10-4-13, and 326 IAC 10-4-14.
- (d) A NOx allowance shall not be deducted, in order to comply with the requirements under (a) above and 326 IAC 10-4-4(c)(1), for an ozone control period in a year prior to the year for which the NOx allowance was allocated.
- (e) A NOx allowance allocated under the NOx budget trading program is a limited authorization to emit one (1) ton of NOx in accordance with the NOx budget trading program. No provision of the NOx budget trading program, the NOx budget permit application, the NOx budget permit, or an exemption under 326 IAC 10-4-3 and no provision of law shall be construed to limit the authority of the U.S. EPA or IDEM, OAQ to terminate or limit the authorization.
- (f) A NOx allowance allocated under the NOx budget trading program does not constitute a property right.
- (g) Upon recordation by the U.S. EPA under 326 IAC 10-4-10, 326 IAC 10-4-11, or 326 IAC 10-4-13, every allocation, transfer, or deduction of a NOx allowance to or from each NOx budget unit's compliance account or the overdraft account of the source where the unit is located is deemed to amend automatically, and become a part of, this NOx budget permit of the NOx budget unit by operation of law without any further review.

E.5 Excess Emissions Requirements [326 IAC 10-4-4(d)]

The owners and operators of each NOx budget unit that has excess emissions in any ozone control period shall do the following:

- (a) Surrender the NOx allowances required for deduction under 326 IAC 10-4-10(k)(5).
- (b) Pay any fine, penalty, or assessment or comply with any other remedy imposed under 326 IAC 10-4-10(k)(7).

E.6 Record Keeping Requirements [326 IAC 10-4-4(e)][326 IAC 2-7-5(3)]

Unless otherwise provided, the owners and operators of the NOx budget source and each NOx budget unit at the source shall keep, either on site at the source or at a central location within Indiana for those owners or operators with unattended sources, each of the following documents for a period of five (5) years:

- (a) The account certificate of representation for the NOx authorized account representative for the source and each NOx budget unit at the source and all documents that demonstrate the truth of the statements in the account certificate of representation, in accordance with 326 IAC 10-4-6(h). The certificate and documents shall be retained either on site at the source or at a central location within Indiana for those owners or operators with unattended sources beyond the five (5) year period until the documents are superseded because of the submission of a new account certificate of representation changing the NOx authorized account representative.

- (b) All emissions monitoring information, in accordance with 40 CFR 75 and 326 IAC 10-4-12, provided that to the extent that 40 CFR 75 and 326 IAC 10-4-12 provide for a three (3) year period for record keeping, the three (3) year period shall apply.
- (c) Copies of all reports, compliance certifications, and other submissions and all records made or required under the NOx budget trading program.
- (d) Copies of all documents used to complete a NOx budget permit application and any other submission under the NOx budget trading program or to demonstrate compliance with the requirements of the NOx budget trading program.

This period may be extended for cause, at any time prior to the end of five (5) years, in writing by IDEM, OAQ or the U.S. EPA. Records retained at a central location within Indiana shall be available immediately at the location and submitted to the department or U.S. EPA within three (3) business days following receipt of a written request. Nothing in 326 IAC 10-4-4(e) shall alter the record retention requirements for a source under 40 CFR 75. Unless otherwise provided, all records shall be maintained in accordance with Section C - General Record Keeping Requirements, of this permit.

#### E.7 Reporting Requirements [326 IAC 10-4-4(e)]

- (a) The NOx authorized account representative of the NOx budget source and each NOx budget unit at the source shall submit the reports and compliance certifications required under the NOx budget trading program, including those under 326 IAC 10-4-8, 326 IAC 10-4-12, or 326 IAC 10-4-13.
- (b) Pursuant to 326 IAC 10-4-4(e) and 326 IAC 10-4-6(e)(1), each submission shall include the following certification statement by the NOx authorized account representative: "I am authorized to make this submission on behalf of the owners and operators of the NOx budget sources or NOx budget units for which the submission is made. I certify under penalty of law that I have personally examined, and am familiar with, the statements and information submitted in this document and all its attachments. Based on my inquiry of those individuals with primary responsibility for obtaining the information, I certify that the statements and information are to the best of my knowledge and belief true, accurate, and complete. I am aware that there are significant penalties for submitting false statements and information or omitting required statements and information, including the possibility of fine or imprisonment."
- (c) Where 326 IAC 10-4 requires a submission to IDEM, OAQ, the NOx authorized account representative shall submit required information to:
  - Indiana Department of Environmental Management
  - Office of Air Quality
  - 100 North Senate Avenue
  - MC 61-53, IGCN 1003
  - Indianapolis, Indiana 46204-2251
- (d) Where 326 IAC 10-4 requires a submission to U.S. EPA, the NOx authorized account representative shall submit required information to:

U.S. Environmental Protection Agency  
Clean Air Markets Division  
1200 Pennsylvania Avenue, NW  
Mail Code 6204N  
Washington, DC 20460

E.8 Liability [326 IAC 10-4-4(f)]

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The owners and operators of each NOx budget source shall be liable as follows:

- (a) Any person who knowingly violates any requirement or prohibition of the NOx budget trading program, a NOx budget permit, or an exemption under 326 IAC 10-4-3 shall be subject to enforcement pursuant to applicable state or federal law.
- (b) Any person who knowingly makes a false material statement in any record, submission, or report under the NOx budget trading program shall be subject to criminal enforcement pursuant to the applicable state or federal law.
- (c) No permit revision shall excuse any violation of the requirements of the NOx budget trading program that occurs prior to the date that the revision takes effect.
- (d) Each NOx budget source and each NOx budget unit shall meet the requirements of the NOx budget trading program.
- (e) Any provision of the NOx budget trading program that applies to a NOx budget source, including a provision applicable to the NOx authorized account representative of a NOx budget source, shall also apply to the owners and operators of the source and of the NOx budget units at the source.
- (f) Any provision of the NOx budget trading program that applies to a NOx budget unit, including a provision applicable to the NOx authorized account representative of a NOx budget unit, shall also apply to the owners and operators of the unit. Except with regard to the requirements applicable to unit with a common stack under 40 CFR 75 and 326 IAC 10-4-12, the owners and operators and the NOx authorized account representative of one (1) NOx budget unit shall not be liable for any violation by any other NOx budget unit of which they are not owners or operators or the NOx authorized account representative and that is located at a source of which they are not owners or operators or the NOx authorized account representative.

E.9 Effect on Other Authorities [326 IAC 10-4-4(g)]

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No provision of the NOx budget trading program, a NOx budget permit application, a NOx budget permit, or an exemption under 326 IAC 10-4-3 shall be construed as exempting or excluding the owners and operators and, to the extent applicable, the NOx authorized account representative of a NOx budget source or NOx budget unit from compliance with any other provision of the applicable, approved state implementation plan, a federally enforceable permit, or the CAA.

**INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT  
OFFICE OF AIR QUALITY  
PART 70 OPERATING PERMIT  
CERTIFICATION**

Source Name: Portside Energy LLC  
Source Address: 6290 US Highway No. 12, Portage, Indiana 46368  
Mailing Address: 6290 US Highway No. 12, Portage, IN 46368  
Part 70 Permit No.: T127-24963-00067

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

Please check what document is being certified:

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

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

Signature:

Printed Name:

Title/Position:

Phone:

Date:

**INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT  
OFFICE OF AIR QUALITY  
COMPLIANCE BRANCH  
100 North Senate Avenue  
MC 61-53 IGCN 1003  
Indianapolis, Indiana 46204-2251  
Phone: 317-233-0178  
Fax: 317-233-6865**

**PART 70 OPERATING PERMIT  
EMERGENCY OCCURRENCE REPORT**

Source Name: Portside Energy LLC  
Source Address: 6290 US Highway No. 12, Portage, Indiana 46368  
Mailing Address: 6290 US Highway No. 12, Portage, IN 46368  
Part 70 Permit No.: T127-24963-00067

**This form consists of 2 pages**

**Page 1 of 2**

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

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

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

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

**Page 2 of 2**

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

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

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

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

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

A certification is not required for this report.

## INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT OFFICE OF AIR QUALITY COMPLIANCE DATA SECTION

### Part 70 Quarterly Report

Source Name: Portside Energy LLC  
 Source Address: 6290 US Highway No. 12, Portage, Indiana 46368  
 Mailing Address: 6290 US Highway No. 12, Portage, IN 46368  
 Part 70 Permit No.: T127-24963-00067  
 Facility: Combustion Turbine  
 Limit: Shall not exceed 5,110 hours per calendar year operating in the Power Augmentation mode with CO emissions not exceeding forty (40) pounds per hour. The CO emissions generated during the remaining hours shall not exceed twelve (12) pounds per hour for the remaining hours

QUARTER :

YEAR:

Month	Hours	Month	Hours
January		July	
February		August	
March		September	
April		October	
May		November	
June		December	

**Calendar Year Total** \_\_\_\_\_

Submitted by: \_\_\_\_\_  
 Title / Position: \_\_\_\_\_  
 Signature: \_\_\_\_\_  
 Date: \_\_\_\_\_  
 Phone: \_\_\_\_\_

Attach a signed certification to complete this report.

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

Source Name: Portside Energy LLC  
 Source Address: 6290 US Highway No. 12, Portage, Indiana 46368  
 Mailing Address: 6290 US Highway No. 12, Portage, IN 46368  
 Part 70 Permit No.: T127-24963-00067

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

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

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

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

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

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

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

Attach a signed certification to complete this report.

**Indiana Department of Environmental Management  
Office of Air Quality  
and Northwest Regional Office**

Addendum to the Technical Support Document (ATSD) for a  
Part 70 Operating Permit Renewal

**Source Background and Description**

<b>Source Name:</b>	<b>Portside Energy</b>
<b>Source Location:</b>	<b>6290 US Highway 12, Portage, Indiana 46368</b>
<b>County:</b>	<b>Porter</b>
<b>SIC Code:</b>	<b>4911</b>
<b>Operation Permit No.:</b>	<b>T127-24963-00067</b>
<b>Permit Reviewer:</b>	<b>Summer Keown</b>

On March 14, 2008, the Office of Air Quality (OAQ) had a notice published in The Vidette Times, Munster, Indiana, stating that Portside Energy had applied for a Part 70 Operating Permit Renewal for their electric generating station. The notice also stated that the OAQ proposed to issue a Part 70 Operating Permit 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.

**Comments and Responses**

No comments were received from the public or from the source during the public notice period.

**Additional Changes**

On April 24, 2008, Rick Massoels of IDEM Compliance submitted comments pertaining to the Part 70 Operating Permit Renewal for Portside Energy. IDEM, OAQ has decided to make the following revisions to the permit as described below, with deleted language as ~~strikeouts~~ and new language **bolded**. In permit conditions in which the text is already bolded, the new language is both **bolded** and in *italics*.

(a) The last sentence on C.3 was cut off in the draft permit. The language has been restored.

C.3 Open Burning [326 IAC 4-1] [IC 13-17-9]

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The Permittee shall not open burn any material except as provided in 326 IAC 4-1-3, 326 IAC 4-1-4 or 326 IAC 4-1-6. The previous sentence notwithstanding, the Permittee may open burn in accordance with an open burning approval issued by the Commissioner under **326 IAC 4-1-4.1. 326 IAC 4-1 is not federally enforceable.**

(b) The rule citation has been corrected in the table of contents for D.2.1.

**D.2. EMISSIONS UNIT OPERATION CONDITIONS - Boilers..... 28**

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

D.2.1 Particulate Matter (PM) [~~326 IAC 2-7-5(1)] [326 IAC 6-2-4]~~

(c) The rule citation has been added to D.2.6 in the table of contents.

D.2.6 Preventative Maintenance Plan [326 IAC 2-7-5(13)]

- (d) An additional rule citation has been added to the Compliance Monitoring Requirements header in the table of contents.

**Compliance Monitoring Requirements [326 IAC 2-7-5(1)][326 IAC 2-7-6(1)][40 CFR 60, Subpart Db]**

- (e) In the listing for Condition D.2.8 in the table of contents, rule citations were added to the title line.

**Compliance Monitoring Requirements [326 IAC 2-7-5(1)][326 IAC 2-7-6(1)][40 CFR 60, Subpart Db]**

D.2.8 Continuous Emissions Monitoring [326 IAC 3-5][326 IAC 12][40 CFR 60, Subpart Db]

- (f) An additional rule citation has been added to the Record Keeping and Reporting Requirements header in the table of contents.

**Record Keeping and Reporting Requirements [326 IAC 2-7-5(3)] [326 IAC 2-7-19][40 CFR 60, Subpart Db]**

- (g) Above the listing for Condition D.3.1 in the table of contents, a header was inserted.

**D.3. EMISSIONS UNIT OPERATION CONDITIONS - Insignificant Activities ..... 31**

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

D.3.1 Volatile Organic Compounds (VOC) [326 IAC 8-3-2][326 IAC 8-3-5(a)]

- (h) An end parenthesis has been inserted in Condition C.6.

**C.6 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. 326 IAC 1-7 is not federally enforceable.

- (i) The date that the Emergency Reduction Plans were submitted was added to the permit.

**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 prepared and submitted written emergency reduction plans (ERPs) consistent with safe operating procedures on **April 29, 2003**.

- (j) The word **and** was added to (f)(2) of condition C.20

- (2) Submit a report to IDEM, OAQ **and** Northwest Regional Office within sixty (60) days after the end of each year during which records are generated in accordance with (d)(1) and (2) in Section C- General Record Keeping Requirements. The report shall contain all information and data describing the annual emissions for the emissions units during the calendar year that preceded the submission of report.

- (k) D.2.9(a)(9) was clarified.

- (9) Description of any modifications to the continuous monitoring system that could affect the ability of the continuous monitoring system to comply with Performance Specification 2 or 3 **in accordance with 40 CFR 60.49b(g).**
  
- (l) Condition D.2.10(b) has been removed because the boiler can only fire natural gas. The Semi-Annual Natural Gas Fired Boiler Certification has also been removed from the permit. The table of contents has been revised to reflect these changes.
  - (b) ~~The natural gas boiler certification shall be submitted to the address listed in Section C - General Reporting Requirements, of this permit, using the reporting form located at the end of this permit, or the equivalent, within thirty (30) days after the end of the six (6) month period being reported. The natural gas boiler certification does require certification by the "responsible official" as defined by 326 IAC 2-7-1(34).~~

**~~INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT  
OFFICE OF AIR QUALITY  
COMPLIANCE DATA SECTION~~**

**~~PART 70 OPERATING PERMIT  
SEMI-ANNUAL NATURAL GAS FIRED BOILER CERTIFICATION~~**

Source Name: ~~Portside Energy LLC~~  
Source Address: ~~6290 US Highway No. 12, Portage, Indiana 46368~~  
Mailing Address: ~~6290 US Highway No. 12, Portage, IN 46368~~  
Part 70 Permit No.: ~~T127-24963-00067~~  
Facilities: ~~Two (2) natural gas fired auxiliary boilers, identified as B-1 and B02~~

<input type="checkbox"/> <del>Natural Gas Only</del> <input type="checkbox"/> <del>Alternate Fuel burned</del> From: _____ To: _____
--

<del>I certify that, based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate, and complete.</del>
<del>Signature:</del>
<del>Printed Name:</del>
<del>Title/Position:</del>
<del>Phone:</del>
<del>Date:</del>

~~A certification by the responsible official as defined by 326 IAC 2-7-1(34) is required for this report.~~

- (m) A rule citation was added to the facility description box in Section D.3.

**Emissions Unit Description - Insignificant Activities:**

- (a) Degreasing operations that do not exceed 145 gallons per twelve (12) consecutive month period. **[326 IAC 8-3-2][326 IAC 8-3-5(a)]**
  
- (n) The letter (f) has been added to Condition D.3.1. No new text was added.
  
- ...
- (f)** Pursuant to 326 IAC 8-3-2 and 326 IAC 8-3-5(b) (Cold Cleaner Degreaser Operation and Control), the owner or operator of a cold cleaning facility, the construction of which commenced after July 1, 1990, shall ensure that the following operating requirements are met:

<b>IDEM Contact</b>
---------------------

- (a) Questions regarding this proposed Part 70 Operating Permit can be directed to Summer Keown at the Indiana Department Environmental Management, Office of Air Quality, Permits Branch, 100 North Senate Avenue, MC 61-53 IGCN 1003, Indianapolis, Indiana 46204-2251 or by telephone at (317) 232-8427 or toll free at 1-800-451-6027 extension 2-8427.
  
- (b) A copy of the permit is available on the Internet at: <http://www.in.gov/ai/appfiles/idem-caats/>
  
- (c) For additional information about air permits and how the public and interested parties can participate, refer to the IDEM's Guide for Citizen Participation and Permit Guide on the Internet at: [www.idem.in.gov](http://www.idem.in.gov)

**Indiana Department of Environmental Management**  
**Office of Air Quality**  
**and Northwest Regional Office**

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

**Source Background and Description**

<b>Source Name:</b>	<b>Portside Energy</b>
<b>Source Location:</b>	<b>6290 US Highway 12, Portage, Indiana 46368</b>
<b>County:</b>	<b>Porter</b>
<b>SIC Code:</b>	<b>4911</b>
<b>Permit Renewal No.:</b>	<b>T127-24963-00067</b>
<b>Permit Reviewer:</b>	<b>Summer Keown</b>

The Office of Air Quality (OAQ) has reviewed the operating permit renewal application from Portside Energy for the operation of a stationary electric generating station.

**History**

On June 26, 2007, Portside Energy submitted applications to the OAQ requesting to renew its operating permit. Portside Energy was issued a Part 70 Operating Permit, T127-10138-00067 on April 17, 2003.

**Permitted Emission Units and Pollution Control Equipment**

- (a) One (1) natural gas fired dry low NO<sub>x</sub> combustion turbine in a combined cycle configuration, constructed in 1997, identified as CT-1, with a nominal design capacity of 498 MMBtu/hour at International Organization for Standardization (ISO) conditions, exhausting to stack CT-01.
- (b) Two (2) natural gas fired auxiliary boilers, identified as B-1 and B-2, both constructed in 1997, each with a nominal design capacity of 260 MMBtu per hour using low-NO<sub>x</sub> burners and flue gas recirculation as NO<sub>x</sub> inhibitors, and exhausting to stacks PB2 and PB3, respectively. The exhaust from the combustion turbine and auxiliary boilers will produce a nominal design of 500,000 pounds of steam per hour and 63 megawatts of electricity.

**Insignificant Activities**

- (a) Propane or liquefied petroleum gas, or butane-fired combustion sources with heat input equal to or less than six million (6,000,000) Btu per hour:  
  
One propane heater, with an input capacity of 2.24 MMBtu per hour, used to evaporate propane
- (b) Combustion source flame safety purging on startup
- (c) Storage tanks with capacity less than or equal to 1,000 gallons and annual throughputs less than 12,000 gallons
- (d) Vessels storing lubricating oils, hydraulic oils, machining oils and machining fluids

- (e) Application of oils, greases, lubricants or other nonvolatile materials applied as temporary protective coatings.
- (f) Degreasing operations, permitted in 2003, that do not exceed 145 gallons per 12 months, except if subject to 326 IAC 20-6 [326 IAC 8-3-2] [326 IAC 8-3-5]
- (g) Cleaners and solvents characterized as follows:
  - (1) having a vapor pressure equal to or less than 2 kPa; 15 mm Hg; or 0.3 psi measured at 38 degrees C (100°F) or;
  - (2) having a vapor pressure equal to or less than 0.7 kPa; 5 mm Hg; or 0.1 psi measured at 20°C (68°F); the use of which for all cleaners and solvents combined does not exceed 145 gallons per 12 months.
- (h) Closed loop heating and cooling systems
- (i) Heat exchanger cleaning and repair
- (j) Process vessel degassing and cleaning to prepare for initial repairs
- (k) Purging of gas lines and vessels that is related to routine maintenance and repair of buildings, structures, or vehicles at the source where air emissions from those activities would not be associated with any production process
- (l) Equipment used to collect any material that might be released during a malfunction, process upset, or spill cleanup, including catch tanks, temporary liquid separators, tanks, and fluid handling equipment
- (m) Blowdown for any of the following: sight glass; boiler; compressors; pumps; and cooling tower
- (n) Purge double block and bleed valves
- (o) Filter or coalescer media changeout
- (p) A laboratory as defined in 326 IAC 2-7-1(21)(d)

### Existing Approvals

Since the issuance of the Part 70 Operating Permit (T127-10138-00067000) on April 17, 2003, the source has constructed or has been operating under the following approvals as well:

- (a) First Administrative Amendment No. 127-18214-00067, issued on December 1, 2003;
- (b) Second Administrative Amendment No. 127-19514-00067, issued on January 14, 2005;
- (c) Significant Permit Modification (NOx Budget Permit) No. 127-17047-00067, issued on July 19, 2005; and
- (d) Third Administrative Amendment No. 127-24129-00067, issued on January 19, 2007.

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.

The following terms and conditions from previous approvals have been revised in this Part 70 Operating Permit Renewal:

The two (2) natural gas fire auxiliary boilers, identified as B-1 and B-2 no longer use propane fuel for testing or as a backup fuel source.

All permit conditions related to propane fuel usage for the auxiliary boilers have been deleted or revised.

**Enforcement Issue**

There are no enforcement actions pending.

**Stack Summary**

Stack ID	Operation	Height (feet)	Diameter (feet)	Flow Rate (acfm)	Temperature (°F)
CT-01	Turbine CT-1	75	9.6	373,479	200
PB2	Boiler B-1	90	5.5	79,054	310
PB3	Boiler B-2	90	5.5	79,054	310

**Emission Calculations**

See Appendix A, pages 1 through 4, of this document for detailed emission calculations.

**County Attainment Status**

The source is located in Porter County

Pollutant	Designation
SO <sub>2</sub>	Cannot be classified for the area bounded on the north by Lake Michigan; on the west by the Lake County and Porter County line; on the south by I-80 and I-90; and on the east by the LaPorte County and Porter County line. The remainder of Porter County is better than national standards.
CO	Unclassifiable or attainment effective November 15, 1990.
O <sub>3</sub>	Nonattainment Subpart 2 Moderate effective June 15, 2004, for the 8-hour ozone standard. <sup>1</sup>
PM <sub>10</sub>	Unclassifiable effective November 15, 1990.
NO <sub>2</sub>	Cannot be classified or better than national standards.
Pb	Not designated.

<sup>1</sup>Nonattainment Severe 17 effective November 15, 1990, for the Chicago-Gary-Lake County area, including Porter County, for the 1-hour standard which was revoked effective June 15, 2005.

- (a) U.S.EPA in Federal Register Notice 70 FR 943 dated January 5, 2005 has designated Porter County as nonattainment for PM2.5. On March 7, 2005 the Indiana Attorney General's Office on behalf of IDEM filed a law suit with the Court of Appeals for the District of Columbia Circuit challenging U.S. EPA's designation of non-attainment areas without sufficient data. However, in order to ensure that sources are not potentially liable for violation of the Clean Air Act, the OAQ is following the U.S. EPA's guidance to regulate PM10 emissions as a surrogate for PM2.5 emissions pursuant to the Non-attainment New Source Review requirements. See the State Rule Applicability – Entire Source section.
- (b) 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.

- (1) On December 22, 2006 the United States Court of Appeals, District of Columbia issued a decision which served to partially vacate and remand the U.S. EPA's final rule for implementation of the eight-hour National Ambient Air quality Standard for ozone. *South Coast Air Quality Mgmt. Dist. v. EPA*, 472 F.3d 882 (D.C. Cir., December 22, 2006), *rehearing denied* 2007 U.S. App. LEXIS 13748 (D.C. Cir., June 8, 2007). The U.S. EPA has instructed IDEM to issue permits in accordance with its interpretation of the *South Coast* decision as follows: Gary-Lake-Porter County was previously designated as a severe non-attainment area prior to revocation of the one-hour ozone standard, therefore, pursuant to the anti-backsliding provisions of the Clean Air Act, any new or existing source must be subject to the major source applicability cut-offs and offset ratios under the area's previous one-hour standard designation. This means that a source must achieve the Lowest Achievable Emission Rate (LAER) if it exceeds 25 tons per year of VOC emissions and must offset any increase in VOC emissions by a decrease of 1.3 times that amount.

On January 26, 1996 in 40 CFR 52.777(i), the U.S. EPA granted a waiver of the requirements of Section 182(f) of the CAA for Lake and Porter Counties, including the lower NOx threshold for nonattainment new source review. Therefore, VOC emissions alone are considered when evaluating the rule applicability relating to the 1-hour ozone standards. Therefore, VOC emissions were reviewed pursuant to the requirements for nonattainment new source review. See the State Rule Applicability for the source section.

- (2) VOC and NOx emissions are considered when evaluating the rule applicability relating to the 8-hour ozone standard. Porter 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. See the State Rule Applicability – Entire Source section.
- (c) Porter County has been classified as attainment or unclassifiable in Indiana for all other criteria pollutants. Therefore, these emissions were reviewed pursuant to the requirements for Prevention of Significant Deterioration (PSD), 326 IAC 2-2. See the State Rule Applicability – Entire Source section.
- (d) Fugitive Emissions  
Since this type of operation is one of the twenty-eight (28) listed source categories under 326 IAC 2-2 or 326 IAC 2-3 and since there are applicable New Source Performance Standards that were in effect on August 7, 1980, fugitive emissions are counted toward the determination of PSD and Emission Offset applicability.

### Unrestricted Potential Emissions

This table reflects the unrestricted potential emissions of the source.

Pollutant	tons/year
PM	18.7
PM-10	31.7
SO <sub>2</sub>	7.9
VOC	17.1
CO	370.2
NO <sub>x</sub>	925.8

HAPs	tons/year
Hexane	4.1
Formaldehyde	0.17
Total	4.3

- (a) The potential to emit (as defined in 326 IAC 2-7-1(29)) of NO<sub>x</sub> and of CO 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) Fugitive Emissions  
 Since this type of operation is one of the twenty-eight (28) listed source categories under 326 IAC 2-7, fugitive emissions are counted toward the determination of Part 70 applicability.

**Actual Emissions**

The following table shows the actual emissions from the source. This information reflects the 2006 OAQ emission data.

Pollutant	Actual Emissions (tons/year)
<b>PM</b>	Not Reported
<b>PM-10</b>	8
<b>SO<sub>2</sub></b>	1
<b>VOC</b>	6
<b>CO</b>	68
<b>NO<sub>x</sub></b>	61
<b>HAPs</b>	Not Reported

**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	PM10 / PM2.5	SO <sub>2</sub>	VOC	CO	NO <sub>x</sub>	Single HAPs	Total HAPs
Gas Turbine CT-1	14.4	14.4	6.5	4.6	178.9	698.0	--	--
Boiler B-1	2.15	8.65	0.7	6.25	95.65	113.9	2.05	2.15
Boiler B-2	2.15	8.65	0.7	6.25	95.65	113.9	2.05	2.15
<b>Total</b>	<b>18.7</b>	<b>18.7</b>	<b>7.9</b>	<b>17.1</b>	<b>370.2</b>	<b>455.6</b>	<b>4.1</b>	<b>4.13</b>
<b>Major Source Threshold</b>	<b>NA</b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>925.8</b>	<b>10 for a single HAP</b>	<b>25 for total HAPs</b>

- (a) This existing stationary source is major for Emission Offset and PSD because the emissions of the nonattainment pollutants, CO and NO<sub>x</sub>, are greater than one hundred (>100) tons per year.
- (b) Fugitive Emissions  
 Since this type of operation is one of the twenty-eight (28) listed source categories under 326 IAC 2-2 or 326 IAC 2-3, and since there are applicable New Source Performance Standards that were in effect on August 7, 1980, fugitive emissions are counted toward the determination of PSD and Emission Offset applicability.

### Federal Rule Applicability

The following federal rules are applicable to the source:

- (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.

None of the facilities at this source use a control device to comply with a limitation or standard. Therefore, the requirements of 40 CFR Part 64, CAM are not applicable to any of the existing units as part of this Part 70 Permit Renewal.

- (b) The two (2) natural gas fired boilers, identified as B-1 and B-2, are subject to the New Source Performance Standard 40 CFR 60.40, Subpart Db (Standards of Performance for Industrial-Commercial-Institutional Steam Generating Units), which is incorporated by reference as 326 IAC 12. Pursuant to 326 IAC 12 (New Source Performance Standards), the Permittee shall comply with the requirements and standards from 40 CFR 60, Subpart Db as follows:
  - (1) Emission limitations:
    - (A) Pursuant to CP127-5260-00067, issued on May 14, 1996, and 40 CFR 60.42b, sulfur dioxide (SO<sub>2</sub>) emissions from the boilers shall be achieved by the combustion of only natural gas with propane as a backup fuel.

- (B) Pursuant to 40 CFR 60.44b, nitrogen oxides from the boilers shall not exceed 0.10 lb/MMBtu for low heat release rate; 0.20 lb/MMBtu for high heat release rate.
  - (C) Pursuant to 40 CFR 60.43b, standard for particulate matter, the bilers do not have a particulate matter limit because they burn natural gas
- (2) Continuous Emissions Monitoring  
Pursuant to 40 CFR 60.48b, the Permittee shall install, calibrate, maintain, and operate a continuous monitoring system for measuring nitrogen oxides emissions discharged to the atmosphere.
- (c) The one (1) natural gas-fired dry low-NOx combustion turbine, identified as CT-1, is subject to the New Source Performance Standard 40 CFR 60, Subpart GG (Standards of Performance for Stationary Gas Turbines), which is incorporated by reference as 326 IAC 12.
  - (1) Standards for Nitrogen Oxides (40 CFR 60.332) is not applicable because the Source does not meet the definitions in 40 CFR 60.332(b)(c) or (d).
  - (2) Standards for Sulfur Dioxide (40 CFR 60.333) is applicable. Pursuant to 40 CFR 60.333(a) and (b) the source shall limit sulfur dioxide emissions to 0.015 percent by volume at 15 percent oxygen on a dry basis, or use natural gas fuel with a sulfur content less than or equal to 0.8 percent by weight.
  - (3) Pursuant to 40 CFR 60.334(b)(1)&(2), Subpart GG, the Permittee shall monitor the nitrogen and sulfur content of the fuel being fired in the combustion turbine. The frequency of determination of these values shall be as follows:
    - (A) If the turbine is supplied its fuel from a bulk storage tank, the values shall be determined on each occasion that fuel is transferred to the storage tank from any other source.
    - (B) If the turbine is supplied its fuel without intermediate bulk storage the values shall be determined and recorded daily. Owners, operators or fuel vendors may develop custom schedules for determination of the values based on the design and operation of the affected facility and the characteristics of the fuel supply. These custom schedules shall be substantiated with data and must be approved by the Administrator before they can be used to comply with the monitoring requirements.
  - (4) 40 CFR 60.334(a) is not applicable because the source does not use water re-injection for NOx control.
  - (5) Report periods of excess emissions, as required by 40 CFR 334(c).
- (d) This source is not subject to the National Emission Standard for Hazardous Air Pollutants 40 CFR Part 63 Subpart ZZZZ: National Emissions Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines because this source is not a major source of Hazardous Air Pollutants (HAPs).
- (e) There are no National Emission Standards for Hazardous Air Pollutants (NESHAP) (326 IAC 14, 326 IAC 20 and 40 CFR Part 63) included in this permit renewal.
- (f) This source is not subject to Title IV (Acid Deposition Control) of the Clean Air Act, as defined in 326 IAC 2-7-1(3). It is exempt because it does not as of November 15, 1990 serve a generator with a nameplate capacity of greater than 25 Mwe.

- (g) The requirements of Section 112(j) of the Clean Air Act (40 CFR Part 63.5 through 63.56) are not applicable to this Source because the Source does not have the potential to emit 10 tons per year or greater of a single HAP or 25 tons per year or greater of a combination of HAPs.

### **State Rule Applicability - Entire Source**

#### **326 IAC 2-2 (Prevention of Significant Deterioration)**

The potential to emit CO and NO<sub>x</sub> is greater than two hundred fifty (250) tons per year, and this source is in one (1) of the twenty-eight (28) major source categories listed under 326 IAC 2-2- 1. Therefore, this source is a major source pursuant to 326 IAC 2-2. To comply with this rule, limits on the NO<sub>x</sub> emissions from the turbine and from the boilers are discussed in the State Rule Applicability - Turbine and State Rule Applicability - Boilers sections of the TSD.

#### **326 IAC 2-2-3 (Control Technology Review; Requirements)**

Pursuant to 326 IAC 2-2-3 (Control Technology Review; Requirements), 40 CFR 52.21 and CP127-5260, issued on May 14, 1996, the combustion turbine shall not exceed any of the following limits:

Shall comply with BACT by use of combustion control techniques, proper maintenance and CO emissions not exceeding: 10 ppmvd CO @ 15% oxygen during non-power augmentation and 40 ppmvd CO @ 15% oxygen during power augmentation.

#### **326 IAC 2-3 (Emission Offset)**

The potential to emit CO and NO<sub>x</sub> is greater than two hundred fifty (250) tons per year and the source is located in a nonattainment area for eight (8) hour ozone. Therefore, the source is subject to 326 IAC 2-3 (Emission Offset). To comply with this rule, limits on the NO<sub>x</sub> emissions from the boilers are discussed in the State Rule Applicability - Boilers section of the TSD.

#### **326 IAC 2-4.1-1 (New Source Toxics Control)**

The operation of this electric generating station emits less than ten (10) tons per year of a single HAP and less than twenty-five (25) tons per year of a combination of HAPs. Therefore, the requirements of 326 IAC 2-4.1 do not apply.

#### **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(b)(1), an emission statement covering the previous calendar year must be submitted by July 1 every three years. Therefore, the next emission statement for this source must be submitted by July 1, 2010. An emission statement must also be submitted for any year not already required in accordance with the compliance schedule specified in 326 IAC 2-6-3(b)(1) if the source emits VOC or NO<sub>x</sub> equal to or greater than twenty-five (25) tons during the previous calendar year. 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 6-4 (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).

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

This source does not have potential fugitive particulate matter emissions of twenty-five (25) tons a year or more. Therefore, 326 IAC 6-5 (Fugitive Particulate Matter Emission Limitations) is not applicable.

326 IAC 6.8 (Particulate Matter Limitations for Lake County)

This source does not have the potential to emit one hundred (100) tons a year or more of PM10, is not specifically listed in the rule, and is not located in Lake County. Therefore, 326 IAC 6.8 (Particulate Matter Limitations for Lake County) is not applicable.

326 IAC 7-1.1-2 (Sulfur Dioxide Emission Limitations)

The facilities at this Source are not subject to 7-1.1-2 (Sulfur Dioxide Emission Limitations) because the facilities do not combust coal or fuel oil.

326 IAC 7-3-1 (Ambient Monitoring)

The Source is not subject to 326 IAC 7-3-1 because the total SO<sub>2</sub> actual emissions are not greater than ten thousand (10,000) tons per year.

326 IAC 7-4-14 (Porter County Sulfur Dioxide Emission Limitations)

The Source is not subject to 326 IAC 7-4-14 because the Source is not specifically listed in this rule.

**State Rule Applicability – Turbine**

326 IAC 2-2 (Prevention of Significant Deterioration)

- (a) Pursuant to CP127-5260-00067, issued on May 14, 1996, 326 IAC 2-2 (Prevention of Significant Deterioration), 326 IAC 2-3 (Emission Offset) and 40 CFR 52.21, NOx emissions from the turbine shall not exceed 30 pounds per hour.

Compliance with this limit, combined with the potential emissions from the other emission units at the source, will render 326 IAC 2-2 not applicable to the source.

- (b) Carbon Monoxide Emissions Limitations

Pursuant to CP127-127-5260-00067, issued on May 14, 1996:

- (1) The turbine shall not exceed 5,110 hours per calendar year operating in the Power Augmentation mode with CO emissions not exceeding 40 pounds per hour. The CO emissions generated during the remaining hours shall not exceed 12 pounds per hour.
- (2) Pursuant to 326 IAC 2-2 (Prevention of Significant Deterioration) and 40 CF 52.21, the carbon monoxide emissions from the turbine shall comply with BACT by use of combustion control techniques, proper maintenance and not exceeding: 10 ppmvd CO at 15% oxygen during non-power augmentation and 40 ppmvd CO @ 15% oxygen during power augmentation.

326 IAC 3-5 (Continuous Monitoring of Emissions)

Pursuant to 326 IAC 3-5 (Continuous Monitoring of Emissions), a continuous emission monitoring system shall be calibrated, maintained, and operated for measuring NO<sub>x</sub> emissions, which meets the performance specifications of 326 IAC 3-5-2.

326 IAC 6-2-4 (Emissions Limitations for Facilities Specified in 326 IAC 6-2-1(d))

Pursuant to 326 IAC 6-2-4 (Emissions Limitations for Facilities Specified in 326 IAC 6-2-1(d)), the particulate matter emissions from the turbine shall not exceed 0.18 pounds per MMBtu. This limitation was calculated using the following equation:

$$Pt = \frac{1.09}{Q^{0.26}} = \text{pounds per hour MMBtu}$$

$$Pt = \frac{1.09}{[498 + 2(260)]^{0.26}} = 0.18\text{lbs} / \text{MMBtu}$$

326 IAC 10-4 (Nitrogen Oxides Budget Trading Program)

The one (1) natural gas fired dry low NO<sub>x</sub> combustion turbine is subject to 326 IAC 10-4. It is therefore a NO<sub>x</sub> budget unit. A NO<sub>x</sub> budget permit, No. 127-17047-00067, was issued on July 19, 2005 for this unit.

**State Rule Applicability – Boilers**

326 IAC 2-2-3 (Control Technology Review; Requirements)

Pursuant to 326 IAC 2-2-3 (Control Technology Review; Requirements), 40 CFR 52.21 and CP127-5260, issued on May 14, 1996, the exhaust from the boilers shall not exceed any of the following limits:

- (a) Particulate Matter emissions from the boilers shall be limited by the combustion of natural gas and shall not exceed 0.005 pounds per MMBtu.
- (b) Carbon monoxide emissions from the boilers shall comply by use of combustion control techniques, proper maintenance, and emissions not exceeding 0.074 pounds per MMBtu.

326 IAC 2-3 (Emission Offset)

Pursuant to CP127-5260, issued on May 14, 1996, 326 IAC 2-2, 326 IAC 2-3 and NSPS 40 CFR 60.44(b), the emissions of nitrogen oxides, expressed as nitrogen dioxide (NO<sub>2</sub>), from the natural gas-fired boilers shall not exceed 0.036 pounds per MMBtu for natural gas. Therefore, compliance with 326 IAC 12 and 40 CFR 60.44b shall be achieved.

326 IAC 6-2 (Particulate Emission Limitations for Sources of Indirect Heating)

Pursuant to 326 IAC 6-2-4 (Emission Limitations for Facilities Specified in 326 IAC 6-2-1(d)), particulate matter emissions from each of the boilers shall not exceed 0.18 pounds per MMBtu.

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

$$Pt = \frac{1.09}{Q^{0.26}} = \text{pounds per hour MMBtu}$$

$$Pt = \frac{1.09}{[498 + 2(260)]^{0.26}} = 0.18\text{lbs} / \text{MMBtu}$$

**326 IAC 10-4 (Nitrogen Oxides Budget Trading Program)**

The two (2) natural gas fired auxiliary boilers, identified as B-1 and B-2, are subject to 326 IAC 10-4. They are, therefore, NOx budget units. A NOx budget permit, No. 127-17047-00067, was issued on July 19, 2005 for these units.

**State Rule Applicability – Insignificant Activities**

**326 IAC 6-2 (Particulate Emission Limitations for Sources of Indirect Heating)**

326 IAC 6-2 is not applicable to the insignificant propane heater, with an input capacity of 2.24, because the propane heater is not used for indirect heating. Instead it is used to evaporate propane.

**326 IAC 8-3-2 (Cold Cleaner Operations) and 326 IAC 8-3-5 (Cold Cleaner Degreaser Operation and Control)**

Pursuant to 326 IAC 8-3-2 and 8-3-5(a), the owner or operator of a cold cleaner degreaser without remote solvent reservoirs constructed after July 1, 1990, shall ensure that the following requirements are met:

- (1) Equip the degreaser with a cover. The cover must be designed so that it can be easily operated with one (1) hand if:
  - (A) The solvent volatility is greater than two (2) kiloPascals (fifteen (15) millimeters of mercury or three-tenths (0.3) pounds per square inch) measured at thirty-eight degrees Celsius (38° C)(one hundred degrees Fahrenheit (100°F));
  - (B) The solvent is agitated; or
  - (C) The solvent is heated.
- (2) Equip the degreaser with a facility for draining cleaned articles. If the solvent volatility is greater than four and three-tenths (4.3) kiloPascals (thirty-two (32) millimeters of mercury or six-tenths (0.) pounds per square inch) measured at thirty-eight degrees Celsius (38° C)(one hundred degrees Fahrenheit (100°F)), then the drainage facility must be internal such that articles are enclosed under the cover while draining. The drainage facility may be external for applications where an internal type cannot fit into the cleaning system.
- (3) Provide a permanent, conspicuous label which lists the operating requirements outlined in subsection (b).
- (4) The solvent spray, if used, must be a solid, fluid stream and shall be applied at a pressure which does not cause excessive splashing.

Pursuant to 326 IAC 8-3-2 and 8-3-5(a), the owner or operator of a cold cleaning facility, the construction of which commenced after July 1, 1990, shall ensure that the following operation requirements are met:

- (1) Close the cover whenever articles are not being handled in the degreaser.
- (2) Drain cleaned articles for at least fifteen (15) seconds or until dripping ceases.
- (3) Store waste solvent only in covered containers and prohibit the disposal or transfer of waste solvent in any manner in which greater than twenty percent (20%) of the waste solvent by weight could evaporate.

## Testing Requirements

The turbine and boilers have Continuous Emissions Monitoring. Therefore, stack testing requirements for the turbine and boilers are not required.

## 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 turbine has applicable compliance monitoring conditions as specified below:

Pursuant to 40 CFR 60, Subpart GG, the Permittee shall monitor the nitrogen and sulfur content of the fuel being fired in the turbine. The frequency of determination of these values shall be as follows:

- (a) If the turbine is supplied its fuel from a bulk storage tank, the values shall be determined on each occasion that fuel is transferred to the storage tank from any other source.
- (b) If the turbine is supplied its fuel without intermediate bulk storage the values shall be determined and recorded daily. Owners, operators or fuel vendors may develop custom schedules for determination of the values based on the design and operation of the affected facility and the characteristics of the fuel supply. These custom schedules shall be substantiated with data and must be approved by the Administrator before they can be used to comply with the monitoring requirements.

- (2) Pursuant to CP127-5260-00067, issued on May 14, 1996, boilers have applicable compliance monitoring conditions as specified below:

Pursuant to 40 CFR 60.48(b)(a) and (b)(1), the Permittee shall install, calibrate, maintain, and operate a continuous monitoring system for measuring nitrogen oxides emissions discharged to the atmosphere.

Pursuant to 40 CFR 6048(b) (NSPS Subpart Db), in the event of CEM failure, the Permittee shall use the following to monitor NO<sub>x</sub> emissions:

Standby monitoring systems, Method 7, Method 7A or other approved reference methods to provide emission data for a minimum of 75% of the operating hours each operating day, in at least 22 out of 30 successive steam generating days.

These monitoring conditions are necessary to ensure compliance with 40 CFR 60 and 326 IAC 3-5 (Continuous Monitoring of Emissions).

- (3) NSPS Compliance
  - (A) The nitrogen oxides standards under 40 CFR 60.44b apply at all times.
  - (B) Compliance with the NO<sub>x</sub> emission limitation shall be determined by the methods and procedures in 40 CFR 60.46b(e)(3).
  - (C) The continuous monitoring system shall be operated during all periods of operation except for continuous monitoring system breakdowns and repairs.
  
- (4) Record Keeping and Reporting Requirements
  - (A) To document compliance with the NO<sub>x</sub> standard, the Permittee shall act in accordance with 40 CFR 60.49b.
  - (B) To document compliance with 40 CFR 60.49b(g), the Permittee shall maintain the following records for each steam generating unit operating day and submit quarterly summaries:
    - (1) Calendar date
    - (2) The average hourly nitrogen oxides emission rate (expressed as NO<sub>2</sub>)(ng/J or lb/million Btu heat input) measured or predicted.
    - (3) The 30-day average nitrogen oxides emission rates (ng/J or lb/million Btu heat input) calculated at the end of each steam generating unit operating day from the measured or predicted hourly nitrogen oxide emission rates for the preceding 30 steam generating unit operating days.
    - (4) Identification of the steam generating unit operating days when the calculated 30-day average nitrogen oxides emission rate are in excess of the nitrogen oxides emissions standards under 60.44(b), with the reasons for such excess emissions as well as a description of the corrective actions taken.
    - (5) Identification of the steam generating unit operating days for which pollutant data have not been obtained, including reasons for not obtaining sufficient data and a description of corrective actions taken.
    - (6) Identification of the time when emission data have been excluded from the calculation of average emission rates and the reasons for excluding data.
    - (7) Identification of "F" factor used for calculations, method of determination, and type of fuel combusted.
    - (8) Identification of the times when the pollutant concentration exceeded full span of the continuous monitoring system.
    - (9) Description of any modifications to the continuous monitoring system that could affect the ability of the continuous monitoring system to comply with Performance Specification 2 or 3.
    - (10) Results of daily CEMS drift test and quarter accuracy assessment as required under Appendix F, Procedure 1.

## **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 June 26, 2007.

## **Conclusion**

The operation of this stationary electric generating station shall be subject to the conditions of the attached Part 70 Operating Permit Renewal No. T127-24963-00067.

**Appendix A  
Emission Summary**

**Company Name:** Portside Energy

**Source Location:** 6290 US Highway 12, Portage, Indiana, 46368

**Permit Number:** T127-24963-00067

**Reviewer:** Summer Keown

**Date:** September 20, 2007

**Uncontrolled Emissions in Tons/Year**

	PM	PM10	SO2	NOx	VOC	CO	Total HAPs
Boilers (BLR-1 and BLR-2)	4.3	17.3	1.4	227.8	12.5	191.3	4.3
Turbine (CT-1)	14.4	14.4	6.5	698.0	4.6	178.9	-
<b>Total</b>	<b>18.7</b>	<b>31.7</b>	<b>7.9</b>	<b>925.8</b>	<b>17.1</b>	<b>370.2</b>	<b>4.3</b>

**Controlled / Limited Emissions in Tons/Year**

	PM	PM10	SO2	NOx	VOC	CO	Total HAPs
Boilers (BLR-1 and BLR-2)	4.3	17.3	1.4	227.8	12.5	191.3	4.3
Turbine (CT-1)	14.4	14.4	6.5	698.0	4.6	178.9	-
<b>Total</b>	<b>18.7</b>	<b>31.7</b>	<b>7.9</b>	<b>925.8</b>	<b>17.1</b>	<b>370.2</b>	<b>4.3</b>

**Appendix A: Emission Calculations  
Natural Gas Combustion Only  
Natural Gas Boilers**

**Company Name:** Portside Energy  
**Address City IN Zip:** 6290 US Highway 12, Portage, Indiana, 46368  
**Permit Number:** T127-24963-00067  
**Reviewer:** Summer Keown  
**Date:** 20-Sep-2007

Heat Input Capacity  
MMBtu/hr

520.0

Potential Throughput  
MMCF/yr

4555.2

Total Heat Input Capacity:  
260.0 MMBtu = Boiler BLR-1  
260.0 MMBtu = Boiler BLR-2  
520.0 MMBtu total

Emission Factor in lb/MMCF	Pollutant					
	PM*	PM10*	SO2	NOx	VOC	CO
	1.9	7.6	0.6	100.0	5.5	84.0
				**see below		
Potential Emission in tons/yr	4.3	17.3	1.4	227.8	12.5	191.3

\*PM emission factor is filterable PM only. PM10 emission factor is condensable and filterable PM10 combined.

\*\*Emission Factors for NOx: Uncontrolled = 280 (pre-NSPS) or 190 (post-NSPS), Low NOx Burner = 140, Flue gas recirculation = 100  
(See Table 1.4-1)

**Methodology**

All emission factors are based on normal firing.

MMBtu = 1,000,000 Btu

MMCF = 1,000,000 Cubic Feet of Gas

Potential Throughput (MMCF) = Heat Input Capacity (MMBtu/hr) x 8,760 hrs/yr x 1 MMCF/1,000 MMBtu

Emission Factors from AP 42, Chapter 1.4, Tables 1.4-1, 1.4-2, and 1.4-3, SCC #1-01-006-01, 1-01-006-04

(AP-42 Supplement D 3/98)

Emission (tons/yr) = Throughput (MMCF/yr) x Emission Factor (lb/MMCF)/2,000 lb/ton

See page 2 for HAPs emissions calculations.

**Appendix A: Emission Calculations**  
**Natural Gas Combustion Only**  
**MMBTU/HR >100**  
**Natural Gas Boilers**  
**HAPs Emissions**

**Company Name:** Portside Energy  
**Address City IN Zip:** 6290 US Highway 12, Portage, Indiana, 46368  
**Permit Number:** T127-24963-00067  
**Reviewer:** Summer Keown  
**Date:** 20-Sep-2007

HAPs - Organics					
Emission Factor in lb/MMcf	Benzene 2.1E-03	Dichlorobenzene 1.2E-03	Formaldehyde 7.5E-02	Hexane 1.8E+00	Toluene 3.4E-03
Potential Emission in tons/yr	4.78E-03	2.73E-03	1.71E-01	4.10E+00	7.74E-03

HAPs - Metals					
Emission Factor in lb/MMcf	Lead 5.0E-04	Cadmium 1.1E-03	Chromium 1.4E-03	Manganese 3.8E-04	Nickel 2.1E-03
Potential Emission in tons/yr	1.14E-03	2.51E-03	3.19E-03	8.65E-04	4.78E-03

Methodology is the same as page 1.

Total HAPs= 4.30

The five highest organic and metal HAPs emission factors are provided above.  
 Additional HAPs emission factors are available in AP-42, Chapter 1.4.

**Appendix A: Emission Calculations  
Natural Gas Combustion Only: Turbine**

**Company Name:** Portside Energy  
**Address City IN Zip:** 6290 US Highway 12, Portage, Indiana, 46368  
**Permit Number:** T127-24963-00067  
**Reviewer:** Summer Keown  
**Date:** 20-Sep-2007

Total Heat Input (MMBtu/hr) = 498.0

Natural Gas			
Pollutant	Emission Factor (lb/MMBtu)	Potential Emissions (lbs/hr)	Potential Emissions (tons/yr)
PM	0.0066	3.3	<b>14.4</b>
PM-10	0.0066	3.3	<b>14.4</b>
SO2	0.0030	1.5	<b>6.5</b>
NOx	0.3200	159.4	<b>698.0</b>
VOC	0.0021	1.0	<b>4.6</b>
CO	0.0820	40.8	<b>178.9</b>

Methodology:

Natural Gas Emission Factors are from AP-42, Chapter 3.1, Tables 3.1-1 and 3.1-2

Emissions (ton/year) = Heat Input Capacity (MMBtu/hr) x Emission factor (lb/MMBtu) x 8,760 hrs/yr \* 1 ton/2000 lbs

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

**Technical Support Document (TSD) for the NO<sub>x</sub> Budget Permit**

**Source Background and Description**

<b>Source Name:</b>	<b>Portside Energy</b>
<b>Source Location:</b>	<b>6290 US Highway 12, Portage, Indiana 46368</b>
<b>County:</b>	<b>Portage</b>
<b>SIC Code:</b>	<b>4911</b>
<b>Permit Renewal No.:</b>	<b>T127-24963-00067</b>
<b>Permit Reviewer:</b>	<b>Summer Keown</b>

**NO<sub>x</sub> Budget Permit Application and Rule Applicability**

A complete Nitrogen Oxides (NO<sub>x</sub>) Budget Permit Application for this NO<sub>x</sub> budget source was received on September 2, 2003. The Office of Air Quality (OAQ) has reviewed a NO<sub>x</sub> budget permit application from Portside Energy, LLC under 326 IAC 10-4-7 for the operation of the NO<sub>x</sub> budget source. The NO<sub>x</sub> budget source includes all NO<sub>x</sub> Budget Units at the source, including opt-in units, if applicable. The following units at the source are NO<sub>x</sub> Budget Units:

- (a) One (1) natural gas fired dry low NO<sub>x</sub> combustion turbine in a combined cycle configuration, constructed in 1997, identified as CT-1, with a nominal design capacity of 498 MMBtu/hour at ISO conditions, and exhausting to stack CT-01.
- (b) Two (2) natural gas fired auxiliary boilers, identified as B-1 and B-2, both constructed in 1997, each with a nominal design capacity of 260 MMBtu per hour using low-NO<sub>x</sub> burners and flue gas recirculation as NO<sub>x</sub> inhibitors, and exhausting to stacks PB2 and PB3, respectively. The exhaust from the combustion turbine and auxiliary boilers will produce a nominal design of 500,000 pounds of steam per hour and 63 megawatts of electricity.

Pursuant to 326 IAC 10-4-2(27), Boilers 1 and 2, and Combustion Turbine CT-1 are each considered a "large affected unit" because they commenced operation on or after January 1, 1997 and before January 1, 1000, has a maximum design heat input greater than two hundred fifty million (250,000,000) Btus per hour and did not serve, during 1997 or 1998, a generator producing electricity for sale under a firm contract to the electric grid. Pursuant to 326 IAC 10-4-1(a)(2), a "large affected unit" is a NO<sub>x</sub> budget unit. Because this source meets the criteria of having one (1) or more NO<sub>x</sub> budget units, it is a NO<sub>x</sub> budget source.

The NO<sub>x</sub> budget permit is in Section E of the Part 70 permit.

The requirements of 326 IAC 2-7-20(a) and (c) do not apply to emission trades of SO<sub>2</sub> or NO<sub>x</sub> in accordance with 326 IAC 21 or 326 IAC 10-4; therefore, no pre-notification of a trade under one of these rules is required.

Pursuant to 326 IAC 10-4-7, the NO<sub>x</sub> budget permit shall be a complete and segregable portion of the Part 70 permit and the NO<sub>x</sub> budget portion of the Part 70 permit shall be administered in accordance with 326 IAC 2-7, except as provided otherwise by 326 IAC 10-4-7

## Program Description

On October 27, 1998, the U.S. EPA promulgated final federal rules requiring 22 states and the District of Columbia to submit state implementation plan (SIP) revisions to reduce the regional transport of ozone. The federal rule focused on reducing NOx emissions in the affected states. In the federal rule, the U.S. EPA established a NOx emission "budget" for each of the affected states and the District of Columbia. The "budget" represents a reduction from emissions in the year 2007 that the U.S. EPA believes will reduce the transport of NOx emissions and will assist downwind areas in meeting ozone air quality standards. The states must demonstrate compliance with the "budget" by implementing control measures to reduce NOx emissions beginning May 31, 2004. While the rule does not mandate which sources will have to reduce emissions, the rule did provide options that would result in a 65% reduction of NOx emissions from utility boilers and a 60% reduction from large industrial (non-utility) boilers and turbines. IDEM developed the NOx Budget Trading Program in 326 IAC 10-4 in response to this mandate. The NOx reductions that will be achieved by this rule will result in significant air quality improvements throughout the state of Indiana, and will be especially important in those areas of the state where ozone levels exceed or regularly approach state and federal air quality health standards.

The Nitrogen Oxides Budget Trading Program is a regional cap and trade program among all the states subject to the NOx SIP call. Electricity generating units (EGUs) and non-electricity generating units (non-EGUs) are allocated allowances for tons of NOx that they are allowed to emit during the ozone season. IDEM allocates NOx allowances for the affected units, and owners or operators of these units are able to buy, sell or trade allowances, as necessary, to demonstrate compliance with the unit's NOx emissions cap. Because this program is a regional program administered by U.S. EPA, sources are able to buy, sell or trade allowances across state boundaries and between different types of units and sources. More information about the NOx SIP call can be found at <http://www.epa.gov/airmarkets/progsregs/nox/sip.html> and <http://www.in.gov/idem/programs/air/sip/index.html>.

### 326 IAC 10-4 (NOx Budget Trading Program) Requirements

- (a) Pursuant to 326 IAC 10-4-4(b), the owners and operators and, to the extent applicable, the NOx authorized account representative of the NOx budget source and each NOx budget unit at the source shall comply with the monitoring requirements of 40 CFR 75 and 326 IAC 10-4-12. The emissions measurements recorded and reported in accordance with 40 CFR 75 and 326 IAC 10-4-12 shall be used to determine compliance by each unit with the NOx budget emissions limitation under 326 IAC 10-4-4(c).
- (b) Pursuant to 326 IAC 10-4-4(c), the owners and operators of the NOx budget source and each NOx budget unit at the source shall hold allowances available for compliance deductions under 326 IAC 10-4-10(j), as of the NOx allowance transfer deadline, in each unit's compliance account and the source's overdraft account in an amount:
  - (1) Not less than the total NOx emissions for the ozone control period from the unit, as determined in accordance with 40 CFR 75 and 326 IAC 10-4-12;
  - (2) To account for excess emissions for a prior ozone control period under 326 IAC 10-4-10(k)(5); or

- (3) To account for withdrawal from the NOx budget trading program, or a change in regulatory status of a NOx budget opt-in unit.
- (c) Pursuant to 326 IAC 10-4-4(d), the owners and operators of each NOx budget unit that has excess emissions in any ozone control period shall do the following:
    - (1) Surrender the NOx allowances required for deduction under 326 IAC 10-4-10(k)(5).
    - (2) Pay any fine, penalty, or assessment or comply with any other remedy imposed under 326 IAC 10-4-10(k)(7).
  - (d) Pursuant to 326 IAC 10-4-4(e)(1), unless otherwise provided, the owners and operators of the NOx budget source and each NOx budget unit at the source shall keep either on site at the source or at a central location within Indiana for those owners or operators with unattended sources, each of the following documents for a period of five (5) years:
    - (1) The account certificate of representation for the NOx authorized account representative for the source and each NOx budget unit at the source and all documents that demonstrate the truth of the statements in the account certificate of representation, in accordance with 326 IAC 10-4-6(h). The certificate and documents shall be retained either on site at the source or at a central location within Indiana for those owners or operators with unattended sources beyond the five (5) year period until the documents are superseded because of the submission of a new account certificate of representation changing the NOx authorized account representative.
    - (2) All emissions monitoring information, in accordance with 40 CFR 75 and 326 IAC 10-4-12, provided that to the extent that 40 CFR 75 and 326 IAC 10-4-12 provide for a three (3) year period for record keeping, the three (3) year period shall apply.
    - (3) Copies of all reports, compliance certifications, and other submissions and all records made or required under the NOx budget trading program.
    - (4) Copies of all documents used to complete a NOx budget permit application and any other submission under the NOx budget trading program or to demonstrate compliance with the requirements of the NOx budget trading program.

This period may be extended for cause, at any time prior to the end of five (5) years, in writing by IDEM, OAQ or the U.S. EPA. Records retained at a central location within Indiana shall be available immediately at the location and submitted to the IDEM, OAQ or U.S. EPA within three (3) business days following receipt of a written request. Nothing in 326 IAC 10-4-4(e) shall alter retention requirements for a source under 40 CFR 75. Unless otherwise provided, all records shall be maintained in accordance with Section C - General Record Keeping Requirements, of this permit.

- (e) Pursuant to 326 IAC 10-4-4(e)(2), the NOx authorized account representative of the NOx budget source and each NOx budget unit at the source shall submit the reports and compliance certifications required under the NOx budget trading program, including those under 326 IAC 10-4-8, 326 IAC 10-4-12, or 326 IAC 10-4-13.

## Monitoring

The NOx Budget Trading Program references monitoring and reporting requirements from the Acid Rain program at 40 CFR Part 75. These provisions require, for most sources, the use of continuous emissions monitors (CEMs). A CEM is a system composed of various equipment that continuously measures the amount of nitrogen oxides emitted into the atmosphere in exhaust gases from the NOx budget unit's stack.

Excepted monitoring systems under 40 CFR Part 75, Appendix E are allowed for gas-fired peaking units and oil-fired peaking units as defined in 40 CFR 72.2. The excepted monitoring system methodology involves performing stack tests to determine the average NOx emissions rate from a unit at four, equally-spaced load levels, in accordance with specific U.S. EPA test methods, to establish a "load curve". The "load curve" correlates emissions to heat input rate such that emissions can be estimated based on the actual hourly heat input.

## NOx Emissions Allocations

- (a) Pursuant to 326 IAC 10-4-7(e), this NOx budget permit is deemed to incorporate automatically, upon recordation by the U.S. EPA under 326 IAC 10-4-10, 326 IAC 10-4-11, or 326 IAC 10-4-13, every allocation, transfer, or deduction of a NOx allowance to or from the compliance accounts of the NOx budget units or the overdraft account of the NOx budget source covered by this permit. The allocations for each ozone season and transaction information can be found at: <http://www.epa.gov/airmarkets>. In addition, IDEM, OAQ posts proposed allocations prior to submitting them to the U.S. EPA on the following web site: <http://www.in.gov/idem/programs/air/sip/>.
- (b) The following requirements from 326 IAC 10-4-4(c) apply to NOx allowances:
  - (1) Each ton of NOx emitted in excess of the NOx budget emissions limitation shall constitute a separate violation of the Clean Air Act (CAA) and 326 IAC 10-4.
  - (2) NOx allowances shall be held in, deducted from, or transferred among NOx allowance tracking system accounts in accordance with 326 IAC 10-4-9 through 11, 326 IAC 10-4-13, and 326 IAC 10-4-14.
  - (3) A NOx allowance shall not be deducted, in order to comply with the requirements under 326 IAC 10-4-4(c)(1), for an ozone control period in a year prior to the year for which the NOx allowance was allocated.
  - (4) A NOx allowance allocated under the NOx budget trading program is a limited authorization to emit one (1) ton of NOx in accordance with the NOx budget trading program. No provision of the NOx budget trading program, the NOx budget permit application, the NOx budget permit, or an exception under 326 IAC 10-4-3 and no provision of law shall be construed to limit the authority of the U.S. EPA or IDEM, OAQ to terminate or limit the authorization.
  - (5) A NOx allowance allocated under the NOx budget trading program does not constitute a property right.
  - (6) Upon recordation by the U.S. EPA under 326 IAC 10-4-10, 326 IAC 10-4-11, or 326 IAC 10-4-13, every allocation, transfer, or deduction of a NOx allowance to or from a NOx budget unit's compliance account or the

overdraft account of the source where the unit is located is deemed to amend automatically, and become a part of, this NOx budget permit of the NOx budget unit by operation of law without any further review.

### **Other Record Keeping and Reporting Requirements**

Pursuant to 326 IAC 10-4-7(g), except as provided in 326 IAC 10-7-4(e), IDEM, OAQ shall revise the NOx budget permit, as necessary, in accordance with the permit modification and revision provisions under 326 IAC 2-7.

Pursuant to 326 IAC 10-4-7(b)(1)(C), for permit renewal, the NOx authorized account representative shall submit a complete NOx budget permit application covering the NOx budget units at the source in accordance with 326 IAC 2-7-4(a)(1)(D) with the Part 70 permit renewal.

## Submissions

The NOx authorized account representative for each NOx budget source on behalf of which a submission is made must sign and certify every report or other submission required by the NOx budget permit. The NOx authorized account representative must include the following certification statement in every submission: "I am authorized to make this submission on behalf of the owners and operators of the NOx budget sources or NOx budget units for which the submission is made. I certify under penalty of law that I have personally examined, and am familiar with, the statements and information submitted in this document and all its attachments. Based on my inquiry of those individuals with primary responsibility for obtaining the information, I certify that the statements and information are to the best of my knowledge and belief true, accurate, and complete. I am aware that there are significant penalties for submitting false statements and information or omitting required statements and information, including the possibility of fine or imprisonment."

## Recommendation

The staff recommends to the Commissioner that the NOx budget permit be approved.

Unless otherwise stated, information used in this review was derived from the application.

## Additional Information

Questions regarding the NOx budget permit can be directed to Madhurima Moulik at the Indiana Department of Environmental Management (IDEM), Office of Air Quality (OAQ), 100 North Senate Avenue, Indianapolis, Indiana 46204 or by telephone at (317) 233-0868 or toll free at 1-800-451-6027 extension 3-0868.

The source will be inspected by IDEM's compliance inspection staff. Persons seeking to obtain information regarding the source's compliance status or to report any potential violation of any permit condition should contact Michael Hall at the Northwest Regional Office, 8315 Virginia Avenue, Suite 1, Merrillville, IN 46410-9201, or by telephone at (219) 757-0278.

Copies of the Code of Federal Regulations (CFR) reference in the permit may be obtained from:

Indiana Department of Environmental Management  
Office of Air Quality  
100 North Senate Avenue  
Indianapolis, Indiana 46204

or

The Government Printing Office  
Washington, D.C. 20402

or

on the Government Printing Office web site at  
<http://www.access.gpo.gov/cfr/index.html>