



Mitchell E. Daniels, Jr.
Governor

Thomas W. Easterly
Commissioner

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

TO: Interested Parties / Applicant

DATE: January 24, 2008

RE: Duke Energy Indiana, Inc. – Wheatland Generating Station / 083-25328-00041

FROM: Matthew Stuckey, Deputy Branch Chief
Permits Branch
Office of Air Quality

Notice of Decision: Approval – Effective Immediately

Please be advised that on behalf of the Commissioner of the Department of Environmental Management, I have issued a decision regarding the enclosed matter. Pursuant to IC 13-17-3-4 and 326 IAC 2, this permit modification 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 13-15-7-3 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 Environmental Adjudication, 100 North Senate Avenue, Government Center North, Suite N 501E, Indianapolis, IN 46204, **within eighteen (18) days of the mailing of this notice**. The filing of a petition for administrative review is complete on the earliest of the following dates that apply to the filing:

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

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

- (1) the name and address of the person making the request;
- (2) the interest of the person making the request;
- (3) identification of any persons represented by the person making the request;
- (4) the reasons, with particularity, for the request;
- (5) the issues, with particularity, proposed for 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 a Title V operating permit or modification within sixty (60) days of the end of the forty-five (45) day EPA review period. Such an objection must be based only on issues that were raised with reasonable specificity during the public comment period, unless the petitioner demonstrates that it was impracticable to raise such issues, or if the grounds for such objection arose after the comment period.

To petition the U.S. EPA to object to the issuance of a Title V operating permit, contact:

U.S. Environmental Protection Agency
401 M Street
Washington, D.C. 20406

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



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

Mitchell E. Daniels, Jr.
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100 North Senate Avenue
MC 61-53 IGCN 1003
Indianapolis, Indiana 46204-2251
(317) 232-8603
(800) 451-6027
www.IN.gov/idem

Patrick Coughlin
1000 East Main Street
Plainfield, Indiana 46168

January 24, 2008

Re: 083-25328-00041
Significant Permit Modification to
Part 70 Operating Permit No. T 083-14435-00041

Dear Mr. Coughlin:

Duke Energy Indiana, Inc. - Wheatland Generating Station was issued a Part 70 Operating Permit on October 16, 2003 for a 540 MW merchant power plant. An application requesting changes to this permit was received on September 24, 2007. Pursuant to the provisions of 326 IAC 2-7-12 a Significant Permit Modification (SPM) to this permit is hereby approved as described in the attached Technical Support Document (TSD).

The modification consists of changes to the compliance and record keeping requirements. In addition, a few administrative updates and language clarifications pertinent to certain permit conditions have, also, been included.

All other conditions of the permit remain unchanged and in effect. A copy of the approved SPM No. 083-25328-00041 is enclosed for your convenience.

This decision is subject to the Indiana Administrative Orders and Procedures Act – IC 4-21.5-3-5. If you have any questions on this matter, please contact Syed Jaffery, Senior Environmental Manager, via email sjaffery@idem.IN.gov or call him directly at (317) 233-9327. He may also be contacted at toll free phone number (800) 451-6027 extension 3-9327.

Sincerely/Original Signed By:

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

Attachments

cc: File - Knox County
U.S. EPA, Region V
Knox County Health Department
Air Compliance Inspector – Dan Hancock
Southwest Regional Office
Compliance Data Section
Administrative and Development
Air Programs



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SIGNIFICANT PERMIT MODIFICATION PART 70 OPERATING PERMIT OFFICE OF AIR QUALITY

**Duke Energy Indiana, Inc. - Wheatland Generating Station
480 North Hall Road
Wheatland, Indiana 47597**

(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.: T083-14435-00041	
Issued by: Janet G. McCabe, Assistant Commissioner Office of Air Quality	Issuance Date: October 16, 2003 Expiration Date: October 16, 2008

First Administrative Amendment No. 083-20739-00041, issued on September 26, 2005.
Acid Rain Administrative Amendment No. 083-21702-00041 issued March 22, 2006.
First Significant Permit Modification No. 083-22936-00041, issued on September 08, 2006.
Acid Rain First Renewal No. 083-23476-00041, issued on May 01, 2007.
Second Administrative Amendment No. 083-24359-00041, issued on April 04, 2007.

Second Significant Permit Modification No.: 083-25328-00041		Pages Affected: Entire Permit
Issued by/Original Signed By: Matthew Stuckey, Deputy Branch Chief Permits Branch Office of Air Quality	Issuance Date: January 24, 2008 Expiration Date: October 16, 2008	

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Quarterly Deviation and Compliance Monitoring Report
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SECTION A SOURCE SUMMARY

This permit is based on information requested by the Indiana Department of Environmental Management (IDEM), Office of Air Quality (OAQ). The information describing the source contained in conditions A.1 through A.3 is descriptive information and does not constitute enforceable conditions. However, the Permittee should be aware that a physical change or a change in the method of operation that may render this descriptive information obsolete or inaccurate may trigger requirements for the Permittee to obtain additional permits or seek modification of this permit pursuant to 326 IAC 2, or change other applicable requirements presented in the permit application.

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

The Permittee owns and operates a 540 MW peak shaving power plant.

Source Address:	480 North Hall Road, Wheatland, IN 47597
Mailing Address:	1000 East Main Street, Plainfield, Indiana 46168
Source Phone Number:	(812) 321-2510
SIC Code:	4911
County Location:	Knox
Source Location Status:	Attainment for all criteria pollutants
Source Status:	Part 70 Permit Program Minor Source, under PSD Minor Source, Section 112 of the Clean Air Act Not 1 of 28 Source Categories

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

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

- (a) Four (4) simple cycle natural gas-fired combustion turbines, designated as units EU-01 through EU-04, constructed in 2000, with a maximum heat input capacity of 1,351 MMBtu/hr (Lower Heating Value, LHV) per turbine unit, with water-injection for NO_x emissions control and exhausting to stacks S-001 through S-004.
- (b) One (1) natural gas-fired heater, designated as EU-05, constructed in 2000, with a maximum heat input capacity of 15 MMBtu/hr and exhausting to stack S-005.

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

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

- (a) Fuel oil-fired combustion sources with heat input equal to or less than two million (2,000,000) Btu per hour and firing fuel containing less than five tenths (0.5) percent sulfur by weight: One (1) diesel engine, utilized to operate an emergency fire water pump, designated as EU-06, constructed in 2000, with a maximum heat input capacity of 1.3 MMBtu/hr and exhausting to stack S-006. [326 IAC 2-2]
- (b) Emergency generators as follows: diesel generators not exceeding 1600 horsepower: One (1) diesel-fired emergency generator, designated as EU-07, constructed in 2000, with a maximum heat input capacity of 0.5 MMBtu/hr and exhausting to stack S-007. [326 IAC 2-2]
- (c) Structural steel and bridge fabrication activities: using 80 tons or less of welding consumables. [326 IAC 6-3-2]
- (d) Paved and unpaved roads and parking lots with public access. [326 IAC 6-4]

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

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

- (a) It is a major source, as defined in 326 IAC 2-7-1(22);
- (b) It is a source in a source category designated by the United States Environmental Protection Agency (U.S. EPA) under 40 CFR 70.3 (Part 70 - Applicability); and
- (c) It is an affected source under Title IV (Acid Deposition Control) of the Clean Air Act, as defined in 326 IAC 2-7-1(3).

SECTION B**GENERAL CONDITIONS****B.1 Definitions [326 IAC 2-7-1]**

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

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

- (a) This permit, 083-14435-00041, 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 or of permits issued pursuant to Title IV of the Clean Air Act and 326 IAC 21 (Acid Deposition Control).
- (b) If IDEM, OAQ, upon receiving a timely and complete renewal permit application, fails to issue or deny the permit renewal prior to the expiration date of this permit, this existing permit shall not expire and all terms and conditions shall continue in effect, including any permit shield provided in 326 IAC 2-7-15, until the renewal permit has been issued or denied.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

- (a) The Permittee shall annually submit a compliance certification report which addresses the status of the source's compliance with the terms and conditions contained in this permit, including emission limitations, standards, or work practices. All certifications shall cover the time period from January 1 to December 31 of the previous year, and shall be submitted no later than July 1 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 prepare and maintain Preventive Maintenance Plans (PMPs) within ninety (90) days after issuance of this permit, 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.

If, due to circumstances beyond the Permittee's control, the PMPs cannot be prepared and maintained within the above time frame, the Permittee may extend the date 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

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

- (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 Southwest 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

Southwest Regional Office: Telephone Number: (812) 380-2305

Facsimile Number: (812) 380-2304

- (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

Indianapolis, Indiana 46204-2251

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

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

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

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

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

Permittee immediately takes all reasonable steps to correct the emergency and minimize emissions.

- (h) The Permittee shall include all emergencies in the Quarterly Deviation and Compliance Monitoring Report.

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

- (a) Pursuant to 326 IAC 2-7-15, the Permittee has been granted a permit shield. The permit shield provides that compliance with the conditions of this permit shall be deemed compliance with any applicable requirements as of the date of permit issuance, provided that either the applicable requirements are included and specifically identified in this permit or the permit contains an explicit determination or concise summary of a determination that other specifically identified requirements are not applicable. The Indiana statutes from IC 13 and rules from 326 IAC, referenced in conditions in this permit, are those applicable at the time the permit was issued. The issuance or possession of this permit shall not alone constitute a defense against an alleged violation of any law, regulation or standard, except for the requirement to obtain a Part 70 permit under 326 IAC 2-7 or for applicable requirements for which a permit shield has been granted.

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

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

- (g) This permit shield is not applicable to minor Part 70 permit modifications until after IDEM, OAQ, has issued the modification. [326 IAC 2-7-12(b)(8)]

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

- (a) All terms and conditions of permits established prior to 083-14435-00041 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, except for permits issued pursuant to Title IV of the Clean Air Act and 326 IAC 21 (Acid Deposition Control).

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

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

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

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

Indiana Department of Environmental Management
Compliance 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.
- (c) Emergencies shall be included in the Quarterly Deviation Monitoring Report.

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

- (a) This permit may be modified, reopened, revoked and reissued, or terminated for cause. The filing of a request by the Permittee for a Part 70 Operating Permit modification, revocation and reissuance, or termination, or of a notification of planned changes or anticipated noncompliance does not stay any condition of this permit. [326 IAC 2-7-5 (6)(C)] The notification by the Permittee does require the certification by the "responsible official" as defined by 326 IAC 2-7-1(34).
- (b) This permit shall be reopened and revised under any of the circumstances listed in IC 13-15-7-2 or if IDEM, OAQ, determines any of the following:

- (1) That this permit contains a material mistake.
 - (2) That inaccurate statements were made in establishing the emissions standards or other terms or conditions.
 - (3) That this permit must be revised or revoked to assure compliance with an applicable requirement. [326 IAC 2-7-9(a)(3)]
- (c) Proceedings by IDEM, OAQ, to reopen and revise this permit shall follow the same procedures as apply to initial permit issuance and shall affect only those parts of this permit for which cause to reopen exists. Such reopening and revision shall be made as expeditiously as practicable. [326 IAC 2-7-9(b)]
- (d) The reopening and revision of this permit, under 326 IAC 2-7-9(a), shall not be initiated before notice of such intent is provided to the Permittee by IDEM, OAQ, at least thirty (30) days in advance of the date this permit is to be reopened, except that IDEM, OAQ, may provide a shorter time period in the case of an emergency. [326 IAC 2-7-9(c)]

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

- (a) The application for renewal shall be submitted using the application form or forms prescribed by IDEM, OAQ, 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][40 CFR 72]

- (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) Pursuant to 326 IAC 2-7-11(b) and 326 IAC 2-7-12(a), administrative Part 70 operating permit amendments and permit modifications for purposes of the acid rain portion of a Part 70 permit shall be governed by regulations promulgated under Title IV of the Clean Air Act. [40 CFR 72]

(c) 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).

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

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

(a) No Part 70 permit revision shall be required under any approved economic incentives, marketable Part 70 permits, emissions trading, and other similar programs or processes for changes that are provided for in a Part 70 permit.

(b) Notwithstanding 326 IAC 2-7-12(b)(1) and 326 IAC 2-7-12(c)(1), minor Part 70 permit modification procedures may be used for Part 70 modifications involving the use of economic incentives, marketable Part 70 permits, emissions trading, and other similar approaches to the extent that such minor Part 70 permit modification procedures are explicitly provided for in the applicable State Implementation Plan (SIP) or in applicable requirements promulgated or approved by the U.S. EPA.

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

(a) The Permittee may make any change or changes at the source that are described in 326 IAC 2-7-20(b),(c), or (e) without a prior permit revision, if each of the following conditions is met:

(1) The changes are not modifications under any provision of Title I of the Clean Air Act;

(2) Any preconstruction approval required by 326 IAC 2-7-10.5 has been obtained;

(3) The changes do not result in emissions which exceed the limitations provided in this permit (whether expressed herein as a rate of emissions or in terms of total emissions);

(4) The Permittee notifies the:

Indiana Department of Environmental Management
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 in 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 SO₂ or NO_x under 326 IAC 21 or 326 IAC 10-4.

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

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

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

Upon presentation of proper identification cards, credentials, and other documents as may be required by law, and subject to the Permittee's right under all applicable laws and regulations to assert that the

information collected by the agency is confidential and entitled to be treated as such, the Permittee shall allow IDEM, OAQ, U.S. EPA, or an authorized representative to perform the following:

- (a) Enter upon the Permittee's premises where a Part 70 source is located, or emissions related activity is conducted, or where records must be kept under the conditions of this permit;
- (b) As authorized by the Clean Air Act, IC 13-14-2-2, IC 13-17-3-2, and IC 13-30-3-1, have access to and copy any records that must be kept under the conditions of this permit;
- (c) As authorized by the Clean Air Act, IC 13-14-2-2, IC 13-17-3-2, and IC 13-30-3-1, inspect any facilities, equipment (including monitoring and air pollution control equipment), practices, or operations regulated or required under this permit;
- (d) As authorized by the Clean Air Act, IC 13-14-2-2, IC 13-17-3-2, and IC 13-30-3-1, sample or monitor substances or parameters for the purpose of assuring compliance with this permit or applicable requirements; and
- (e) As authorized by the Clean Air Act, IC 13-14-2-2, IC 13-17-3-2, and IC 13-30-3-1, utilize any photographic, recording, testing, monitoring, or other equipment for the purpose of assuring compliance with this permit or applicable requirements.

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

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

Indiana Department of Environmental Management
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]

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

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

SECTION C SOURCE OPERATION CONDITIONS

Entire Source

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

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

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

C.2 Opacity [326 IAC 5-1]

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

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

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

The Permittee shall not open burn any material except as provided in 326 IAC 4-1-3, 326 IAC 4-1-4 or 326 IAC 4-1-6. The previous sentence notwithstanding, the Permittee may open burn in accordance with an open burning approval issued by the Commissioner under 326 IAC 4-1-4.1. 326 IAC 4-1-3 (a)(2)(A) and (B) are 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 6-4-2(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. The provisions of 326 IAC 1-7-2, 326 IAC 1-7-3(c) and (d), 326 IAC 1-7-4(d), (e), and (f), and 326 IAC 1-7-5(d) are not federally enforceable.

C.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]

- (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]

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)]

Unless otherwise specified in this permit, all monitoring and record keeping requirements not already legally required shall be implemented within thirty (30) days of permit issuance. If required by Section D, the Permittee shall be responsible for installing any necessary equipment and initiating any required monitoring related to that equipment. If due to circumstances beyond its control, that equipment cannot be installed and operated within thirty (30) days, the Permittee may extend the compliance schedule related to the equipment for an additional thirty (30) days provided the Permittee notifies:

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

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

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

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

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

- (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 is down for maintenance or repairs, the following shall be used as an alternative to continuous data collection:
 - (1) If the CEM is required for monitoring NOX emissions pursuant to 40 CFR 75 (Title IV Acid Rain program) or 326 IAC 10-4 (NOX Budget Trading Program), the Permittee shall comply with the relevant requirements of 40 CFR 75 Subpart D - Missing Data Substitution Procedures.
 - (2) If the CEM is not used to monitor NOX emissions from a unit subject to requirements of the Title IV Acid Rain program or the NOX Budget Trading Program, and is down for a period of four (4) hours or more, then supplemental or intermittent monitoring of the parameter shall be implemented as specified in Section D of this permit until such time as the emission monitor system is back in operation.
- (d) Nothing in this condition, or in Section D of this permit, shall excuse the Permittee from complying with the requirements to operate a continuous emission monitoring system (CEMS) pursuant to 326 IAC 3-5.

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

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

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

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

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

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

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

- (a) The Permittee prepared and submitted written emergency reduction plans (ERPs) consistent with safe operating procedures in October 2000.

- (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;
 - (3) inspection of the control device, associated capture system, and the process.
- (d) Failure to take reasonable response steps shall be considered a deviation from the permit.
- (e) The Permittee shall maintain the following records:
- (1) monitoring data;
 - (2) monitor performance data, if applicable; and
 - (3) corrective actions taken.

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

- (a) When the results of a stack test performed in conformance with Section C - Performance Testing, of this permit exceed the level specified in any condition of this permit, the Permittee shall take appropriate response actions. The Permittee shall submit a description of these response actions to IDEM, OAQ, within thirty (30) days of receipt of the test results. The Permittee shall take appropriate action to minimize excess emissions from the affected facility while the response actions are being implemented.

- (b) A retest to demonstrate compliance shall be performed within one hundred twenty (120) days of receipt of the original test results. Should the Permittee demonstrate to IDEM, OAQ that retesting in one hundred twenty (120) days is not practicable, IDEM, OAQ may extend the retesting deadline.
- (c) IDEM, OAQ reserves the authority to take any actions allowed under law in response to noncompliant stack tests.

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

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

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

- (a) In accordance with the compliance schedule specified in 326 IAC 2-6-3(b)(1), starting in 2006 and every three (3) years thereafter, the Permittee shall submit by July 1 an emission statement covering the previous calendar year. The emission statement shall contain, at a minimum, the information specified in 326 IAC 2-6-4(c) and shall meet the following requirements:
 - (1) Indicate estimated actual emissions of all pollutants listed in 326 IAC 2-6-4(a);
 - (2) Indicate estimated actual emissions of regulated pollutants as defined by 326 IAC 2-7-1 (32) ("Regulated pollutant, which is used only for purposes of Section 19 of this rule") from the source, for purpose of fee assessment.

The statement must be submitted to:

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

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

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

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

- (a) Records of all required monitoring data, reports and support information required by this permit shall be retained for a period of at least five (5) years from the date of monitoring sample, measurement, report, or application. These records shall be physically present or electronically accessible at the source location for a minimum of three (3) years. The records may be stored elsewhere for the remaining two (2) years as long as they are available upon request. If the Commissioner makes a request for records to the Permittee, the Permittee shall furnish the records to the Commissioner within a reasonable time.
- (b) Unless otherwise specified in this permit, all record keeping requirements not already legally required shall be implemented within ninety (90) days of permit issuance.

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

- (a) The source shall submit the attached Quarterly Deviation and Compliance Monitoring Report or its equivalent. Any deviation from permit requirements, the date(s) of each deviation, the cause of the deviation, and the response steps taken must be reported. This report shall be submitted 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 Branch, Office of Air Quality
100 North Senate Avenue
MC 61-53, IGCN 1003
Indianapolis, Indiana 46204-2251
- (c) Unless otherwise specified in this permit, any notice, report, or other submission required by this permit shall be considered timely if the date postmarked on the envelope or certified mail receipt, or affixed by the shipper on the private shipping receipt, is on or before the date it is due. If the document is submitted by any other means, it shall be considered timely if received by IDEM, OAQ, on or before the date it is due.
- (d) Unless otherwise specified in this permit, all reports required in Section D of this permit shall be submitted within thirty (30) days of the end of the reporting period. All reports do require the certification by the "responsible official" as defined by 326 IAC 2-7-1(34).
- (e) The first report shall cover the period commencing on the date of issuance of this permit and ending on the last day of the reporting period. Reporting periods are based on calendar years.
- (f) The Permittee shall make the information required to be documented and maintained in accordance with 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

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

FACILITY OPERATION CONDITIONS

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

- (a) Four (4) simple cycle natural gas-fired combustion turbines, designated as units EU-01 through EU-04, constructed in 2000, with a maximum heat input capacity of 1,351 MMBtu/hr (Lower Heating Value, LHV) per turbine unit, with water-injection for NO_x emissions control and exhausting to stacks S-001 through S-004.

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

Emissions Limitation and Standards

D.1.1 NO_x and CO Limitations [326 IAC 2-2]

Pursuant to CP/MSOP 083-10726-00041, issued October 25, 1999 and MSM 083-11659-00041, issued March 13, 2000:

- (a) The total potential to emit NO_x from the four (4) combustion turbines (EU-01 through EU-04)(Section D.1), natural gas heater (EU-05)(Section D.2), diesel engine (EU-06)(Section D.2), and emergency generator (EU-07)(Section D.2) shall be less than 250 tons per twelve (12) consecutive month period, including periods of startup and shutdown, with compliance determined at the end of each month. Compliance with this limit will render the requirements of 326 IAC 2-2 (Prevention of Significant Deterioration) not applicable.

- (b) The total potential to emit CO from the four (4) combustion turbines (EU-01 through EU-04)(Section D.1), natural gas heater (EU-05)(Section D.2), diesel engine (EU-06)(Section D.2), and emergency generator (EU-07)(Section D.2) shall be less than 250 tons per twelve (12) consecutive month period, including periods of startup and shutdown, with compliance determined at the end of each month. Compliance with this limit will render the requirements of 326 IAC 2-2 (Prevention of Significant Deterioration) not applicable.

- (c) Compliance with the NO_x and CO emission limits established in (a) and (b) above shall be determined by the following equations:

(1) NO_x emissions (ton/year) = [Emissions from combustion turbines (tons per year, based on CEMS data)] + [natural gas usage from heater (MMCF/yr) * appropriate emission factor] + [diesel fuel usage from engine (gal/yr) * appropriate emission factor] + [diesel fuel usage from generator (gal/yr) * appropriate emission factor]

(2) CO emissions (ton/year) = [Emissions from combustion turbines (tons per year, based on CEMS data)] + [natural gas usage from heater (MMCF/yr) * appropriate emission factor] + [diesel fuel usage from engine (gal/yr) * appropriate emission factor] + [diesel fuel usage from generator (gal/yr) * appropriate emission factor]

- (d) Compliance with these limits also ensures that the emissions of PM and PM10 are less than 250 tons per year. Therefore, the requirements of 326 IAC 2-2 (Prevention of Significant Deterioration) are not applicable.

D.1.2 General Provisions Relating to NSPS [326 IAC 12-1] [40 CFR Part 60, Subpart A]

The provisions of 40 CFR Part 60, Subpart A - General Provisions, which are incorporated by reference in 326 IAC 12-1, apply to the turbines (EU-01 through EU-04) except when otherwise specified in 40 CFR Part 60, Subpart GG.

D.1.3 NSPS (Stationary Gas Turbines) [40 CFR Part 60, Subpart GG] [326 IAC 12]

Pursuant to 326 IAC 12 and 40 CFR 60, Subpart GG (Stationary Gas Turbines), and EPA approval, issued on September 14, 2000, the Permittee shall:

- (a) Limit nitrogen oxides (NO_x) emissions from each turbine to 51.8 ppm at 15 percent oxygen, not corrected to ISO conditions, on a 3-hr average basis. Compliance with this limit will satisfy the requirements of 40 CFR 60.332.
- (b) Limit sulfur dioxide (SO₂) 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.
- (c) Combust only pipeline natural gas, as defined by 40 CFR 72.2, in the turbines.

Pursuant to 40 CFR 60.8(c), operations during periods of startup, shutdown, and malfunction shall not constitute representative conditions for the purpose of performance test nor shall emissions in excess of the level of the applicable emission limit during periods of startup, shutdown, and malfunction be considered a violation of the applicable emission limit unless otherwise specified in the applicable standard. Periods of startup and shutdown are defined in Condition D.1.6.

D.1.4 Hazardous Air Pollutants [326 IAC 2-4.1] [40 CFR 63.50 through 63.56]

Pursuant to CP/MSOP 083-10726-00041, issued October 25, 1999:

- (a) The potential to emit any single Hazardous Air Pollutant shall be limited to less than ten (10) tons per twelve consecutive month period with compliance determined at the end of each month.
- (b) The potential to emit any combination of Hazardous Air Pollutants shall be limited to less than twenty-five (25) tons per twelve consecutive month period with compliance determined at the end of each month.

Compliance with the limits in Condition D.1.1 will ensure compliance with the above and render the requirements of 326 IAC 2-4.1 and Section 112(j) of the Clean Air Act (40 CFR 63.50 through 63.56) not applicable.

D.1.5 Preventive Maintenance Plan [326 IAC 1-6-3]

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

Compliance Determination Requirements

D.1.6 NO_x Control and Startup/ Shutdown definitions

- (a) In order to comply with Conditions D.1.1 and D.1.3, the water-injection systems for NO_x emissions control shall be in operation at all times the turbines are in operation at or above 35 MW of output load.
- (b) Startup is defined as either: 1) the first sixty (60) minutes of turbine operation, starting when fuel begins to flow to the turbine; or 2) when the turbine operates at less than 50% load (except during periods of shutdown); whichever occurs first.

- (c) Shutdown is defined as the last thirty (30) minutes of operation; starting when the turbine load begins to drop for the reason of shutting down.

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

D.1.7 Compliance Requirements (Stationary Gas Turbines) [40 CFR Part 60, Subpart GG] [326 IAC 12] Pursuant to 40 CFR Part 60 Subpart GG (Stationary Gas Turbines) the Permittee shall:

- (a) Report periods of excess emissions, defined as all periods when the 3-hour average concentration is greater than the standard for nitrogen oxides in 40 CFR 60.332(a)(1), as required by 40 CFR 60.334(c).
- (b) Owners, operators or fuel vendors may develop custom schedules for determination of the nitrogen and sulfur content based on the design and operation of the affected facility and the characteristics of the fuel supply.

D.1.8 Continuous Emission Monitoring System (CEMS) [326 IAC 3-5] [40 CFR Part 60, Subpart GG]

- (a) Pursuant to 326 IAC 3-5-1(d)(1), and in order to comply with 326 IAC 2-2 and 40 CFR 60.334(a), the owner or operator is required to calibrate, certify, operate and maintain a continuous emission monitoring system (CEMS) for measuring NO_x and CO emissions rates in pounds per hour from stacks S-001 through S-004 in accordance with 326 IAC 3-5-2 and 326 IAC 3-5-3.
- (b) Pursuant to the EPA's approval, dated September 14, 2000, of the NO_x CEMS on the gas turbines as an alternate monitoring method of monitoring the ratio of water to fuel fed to the turbines, the following conditions must be met:
 - (1) The CEMS for nitrogen oxides (NO_x) must be capable of calculating 1-hour and 3-hour average NO_x emission concentration corrected to 15% oxygen. The emissions do not have to be corrected to ambient conditions as required per 40 CFR 60.335(c)(1) so long as NO_x emissions are maintained below 25 ppmvd at 15% oxygen.
 - (2) The Permittee shall submit reports of excess emissions as required per 40 CFR 60.7(c) and summary reports as required per 40 CFR 60.7(d).
- (c) To document compliance with Conditions D.1.1 and D.1.3, the Permittee shall record the output of the system and shall perform the required record keeping, pursuant to 326 IAC 3-5-6, and reporting, pursuant to 326 IAC 3-5-7.
- (d) In instances of CEMS downtime, the source shall:
 - (1) Use a data substitution procedure for the CO CEMS that is consistent with the requirements of 40 CFR 75.33(b), *Standard Missing Data Substitution Procedures for SO₂ Concentration Data*, to demonstrate compliance with the CO limit in Condition D.1.1.
 - (2) Use the *Standard Missing Data Substitution Procedures* outlined in 40 CFR Part 75 Subpart D to demonstrate compliance with the NO_x limits in Conditions D.1.1 and D.1.3.

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

D.1.9 Record Keeping Requirements

- (a) To document compliance with Conditions D.1.1, D.1.3, and D.1.4, the Permittee shall maintain records of all continuous emissions monitoring data as required under 326 IAC 3-5-6 at the source in a manner so that they may be inspected by the IDEM, OAQ, or the U.S. EPA, if so requested or required. Records necessary to demonstrate compliance shall be available within 30 days of the end of each compliance period.
- (b) All records shall be maintained in accordance with Section C - General Record Keeping Requirements, of this permit.

D.1.10 Reporting Requirements

- (a) The Permittee shall submit a quarterly excess emissions report, if applicable, based on the continuous emissions monitor system (CEMS) data for NO_x and CO, pursuant to 326 IAC 3-5-7. These reports shall be submitted within thirty (30) calendar days following the end of each calendar quarter and in accordance with Section C - General Reporting Requirements of this permit. The report submitted by the Permittee does require the certification by the "responsible official" as defined by 326 IAC 2-7-1(34).
- (b) A quarterly summary of the information to document compliance with Condition D.1.1 and D.1.4 shall be submitted to the address listed in Section C - General Reporting Requirements, of this permit, using the reporting forms located at the end of this permit, or their equivalent, within thirty (30) days after the end of the quarter being reported. The report submitted by the Permittee does require the certification by the "responsible official" as defined by 326 IAC 2-7-1(34). This report is the same report required in D.2.4.

SECTION D.2

FACILITY OPERATION CONDITIONS

Facility Description [326 IAC 2-7-5(15)]: Natural Gas Fired Heater

- (b) One (1) natural gas-fired heater, designated as EU-05, constructed in 2000, with a maximum heat input capacity of 15 MMBtu/hr and exhausting to stack S-005.

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

- (a) Fuel oil-fired combustion sources with heat input equal to or less than two million (2,000,000) Btu per hour and firing fuel containing less than five tenths (0.5) percent sulfur by weight: One (1) diesel engine, utilized to operate an emergency fire water pump, designated as EU-06, constructed in 2000, with a maximum heat input capacity of 1.3 MMBtu/hr and exhausting to stack S-006. [326 IAC 2-2]
- (b) Emergency generators as follows: diesel generators not exceeding 1600 horsepower: One (1) diesel-fired emergency generator, designated as EU-07, constructed in 2000, with a maximum heat input capacity of 0.5 MMBtu/hr and exhausting to stack S-007. [326 IAC 2-2]
- (c) Structural steel and bridge fabrication activities: using 80 tons or less of welding consumables. [326 IAC 6-3-2]
- (d) Paved and unpaved roads and parking lots with public access. [326 IAC 6-4]

(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 NO_x and CO Limitations [326 IAC 2-2]

Pursuant to CP/MSOP 083-10726-00041, issued October 25, 1999 and MSM 083-11659-00041, issued March 13, 2000:

- (a) The total potential to emit NO_x from the four (4) combustion turbines (EU-01 through EU-04)(Section D.1), natural gas heater (EU-05)(Section D.2), diesel engine (EU-06)(Section D.2), and emergency generator (EU-07)(Section D.2) shall be less than 250 tons per twelve (12) consecutive month period with compliance determined at the end of each month. Compliance with this limit will render the requirements of 326 IAC 2-2 (Prevention of Significant Deterioration) not applicable.
- (b) The total potential to emit CO from the four (4) combustion turbines (EU-01 through EU-04)(Section D.1), natural gas heater (EU-05)(Section D.2), diesel engine (EU-06)(Section D.2), and emergency generator (EU-07)(Section D.2) shall be less than 250 tons per twelve (12) consecutive month period with compliance determined at the end of each month. Compliance with this limit will render the requirements of 326 IAC 2-2 (Prevention of Significant Deterioration) not applicable.
- (c) Compliance with the NO_x and CO emission limits established in (a) and (b) above shall be determined by the following equations:

- (1) NO_x emissions (ton/year) = Emissions from combustion turbines (tons per year, based on CEMS data) + natural gas usage from heater (MMCF/yr) * appropriate AP-42 emission factor + diesel fuel usage from engine (gal/yr) * appropriate AP-42 emission factor + diesel fuel usage from generator (gal/yr) * appropriate AP-42 emission factor.
- (2) CO emissions (ton/year) = Emissions from combustion turbines (tons per year, based on CEMS data) + natural gas usage from heater (MMCF/yr) * appropriate AP-42 emission factor + diesel fuel usage from engine (gal/yr) * appropriate AP-42 emission factor + diesel fuel usage from generator (gal/yr) * appropriate AP-42 emission factor.
- (d) Compliance with these limits also ensures that the emissions of PM and PM10 are less than 250 tons per year. Therefore, the requirements of 326 IAC 2-2 (Prevention of Significant Deterioration) are not applicable.

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

D.2.2 Record Keeping Requirements

- (a) To document compliance with Condition D.2.1, the Permittee shall maintain records of the following:
- (1) amounts of fuel combusted during each month for the heater (EU-05), engine (EU-06), and emergency generator (EU-07) in standard cubic feet of natural gas or gallons diesel fuel; and
 - (2) the heat input capacity of each unit.
- (b) All records shall be maintained in accordance with Section C - General Record Keeping Requirements, of this permit.

D.2.3 Reporting Requirements

A quarterly summary of the information to document compliance with Condition D.2.1 shall be submitted to the address listed in Section C - General Reporting Requirements, of this permit, using the reporting forms located at the end of this permit, or their equivalent, within thirty (30) days after the end of the quarter being reported. The report submitted by the Permittee does require the certification by the "responsible official" as defined by 326 IAC 2-7-1(34). This report is the same report required in D.1.11.

SECTION E.1

ACID RAIN PROGRAM CONDITIONS

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

Four (4) simple cycle natural gas-fired combustion turbines, designated as units EU-01 through EU-04, constructed in 2000, with a maximum heat input capacity of 1,351 MMBtu/hr (Lower Heating Value, LHV) per turbine unit, with water-injection for NO_x emissions control and exhausting to stacks S-001 through S-004.

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

E.1 Acid Rain Permit [326 IAC 2-7-5(1)(C)] [326 IAC 21] [40 CFR 72 through 40 CFR 78]

- (a) The Acid Rain permit for this source, AR 083-23476-00041, issued May 1, 2007, is incorporated by reference into this Part 70 permit. Pursuant to 326 IAC 21 (Acid Deposition Control), the Permittee shall comply with all provisions of the Acid Rain permit and revisions issued for this source, and any other applicable requirements contained in 40 CFR 72 through 40 CFR 78.
- (b) Where an applicable requirement of the Clean Air Act is more stringent than an applicable requirement of regulations promulgated under Title IV of the Act, both provisions shall apply.

E.2 Title IV Emissions Allowances [326 IAC 2-7-5(4)] [326 IAC 21]

Emissions exceeding any allowances that the Permittee lawfully holds under the Title IV Acid Rain Program of the Clean Air Act are prohibited, subject to the following limitations:

- (a) No revision of this permit shall be required for increases in emissions that are authorized by allowances acquired under the Title IV Acid Rain Program, provided that such increases do not require a permit revision under any other applicable requirement.
- (b) No limit shall be placed on the number of allowances held by the Permittee. The Permittee may not use allowances as a defense of noncompliance with any other applicable requirement.
- (c) Any such allowance shall be accounted for according to the procedures established in regulations promulgated under Title IV of the Clean Air Act.

SECTION F Nitrogen Oxides Budget Trading Program - NO_x Budget Permit for NO_x Budget Units Under 326 IAC 10-4-1(a)

ORIS Code: 55224

NO_x Budget Source [326 IAC 2-7-5(15)]

Four (4) simple cycle natural gas-fired combustion turbines, designated as units EU-01 through EU-04, constructed in 2000, with a maximum heat input capacity of 1,351 MMBtu/hr (Lower Heating Value, LHV) per turbine unit, with water-injection for NO_x emissions control and exhausting to stacks S-001 through S-004.

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

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

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

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

- (a) The Permittee shall operate each unit in compliance with this NO_x budget permit.
- (b) The NO_x budget units subject to this NO_x budget permit are: Combustion turbines designated as EU-01, EU-02, EU-03, and EU-04.

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

- (a) The Permittee and, to the extent applicable, the NO_x authorized account representative of turbines EU-01 through EU-04, 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 NO_x budget emissions limitation under 326 IAC 10-4-4(c) and Condition F.4 - Nitrogen Oxides Requirements.

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

- (a) The Permittee shall hold NO_x allowances available for compliance deductions under 326 IAC 10-4-10(j), as of the NO_x allowance transfer deadline, in each turbine's compliance account and the overdraft account in an amount:
 - (1) Not less than the total NO_x emissions for the ozone control period from the turbine, 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 NO_x budget trading program, or a change in regulatory status of a NO_x budget opt-in unit.
- (b) Each ton of NO_x emitted in excess of the NO_x budget emissions limitation shall constitute a separate violation of the Clean Air Act (CAA) and 326 IAC 10-4.
- (c) NO_x allowances shall be held in, deducted from, or transferred among NO_x 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 NO_x 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 NO_x allowance was allocated.
- (e) A NO_x allowance allocated under the NO_x budget trading program is a limited authorization to emit one (1) ton of NO_x in accordance with the NO_x budget trading program. No provision of the NO_x budget trading program, this permit application, the NO_x 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 NO_x allowance allocated under the NO_x 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 NO_x allowance to or from each turbine's compliance account or the overdraft account is deemed to amend automatically, and become a part of, this permit by operation of law without any further review.

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

The Permittee, for each turbine that has excess emissions in any ozone control period shall do the following:

- (a) Surrender the NO_x 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).

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

Unless otherwise provided, the Permittee shall keep, either on site at the source or at a central location within Indiana for unattended sources, each of the following documents for a period of five (5) years:

- (a) The account certificate of representation for the NO_x authorized account representative for the source and turbines EU-01 through EU-04 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 NO_x 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 NO_x budget trading program.
- (d) Copies of all documents used to complete a NO_x budget permit application and any other submission under the NO_x budget trading program or to demonstrate compliance with the requirements of the NO_x 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 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 the record retention requirements for a source under 40 CFR 75. Unless otherwise provided, all records shall be

F.7 maintained in accordance with Section C - General Record Keeping Requirements, of this permit.
Reporting Requirements [326 IAC 10-4-4(e)]

- (a) The NO_x authorized account representative of each of turbines EU-01 through EU-04 at the source shall submit the reports and compliance certifications required under the NO_x 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 NO_x authorized account representative: "I am authorized to make this submission on behalf of the owners and operators of the NO_x budget sources or NO_x 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 NO_x 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 NO_x 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

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

The Permittee shall be liable as follows:

- (a) Any person who knowingly violates any requirement or prohibition of the NO_x budget trading program, a NO_x 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 NO_x 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 NO_x budget trading program that occurs prior to the date that the revision takes effect.
- (d) Turbines EU-01 through EU-04 shall meet the requirements of the NO_x budget trading program.
- (e) Any provision of the NO_x budget trading program that applies to turbines EU-01 through EU-04, including a provision applicable to the NO_x authorized account representative, shall also apply to the Permittee.

- (f) Any provision of the NO_x budget trading program that applies to turbines EU-01 through EU-04, including a provision applicable to the NO_x authorized account representative, shall also apply to the Permittee. Except with regard to the requirements applicable to units with a common stack under 40 CFR 75 and 326 IAC 10-4-12, the owners and operators and the NO_x authorized account representative of one (1) NO_x budget unit shall not be liable for any violation by any other NO_x budget unit of which they are not owners or operators or the NO_x authorized account representative and that is located at a source of which they are not owners or operators or the NO_x authorized account representative.

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

No provision of the NO_x budget trading program, a NO_x budget permit application, this permit, or an exemption under 326 IAC 10-4-3 shall be construed as exempting or excluding the Permittee and, to the extent applicable, the NO_x authorized account representative 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
Compliance Branch**

**PART 70 OPERATING PERMIT
CERTIFICATION**

Source Name: Duke Energy Indiana, Inc. - Wheatland Generating Station
Source Address: 480 North Hall Road, Wheatland, IN 47597
Mailing Address: 1000 East Main Street, Plainfield, Indiana 46168
Part 70 Permit No.: T083-14435-00041

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: Duke Energy Indiana, Inc. - Wheatland Generating Station
 Source Address: 480 North Hall Road, Wheatland, IN 47597
 Mailing Address: 1000 East Main Street, Plainfield, Indiana 46168
 Part 70 Permit No.: T083-14435-00041

This form consists of 2 pages

Page 1 of 2

<input type="checkbox"/> This is an emergency as defined in 326 IAC 2-7-1(12) <ul style="list-style-type: none"> <input type="checkbox"/> 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 <input type="checkbox"/> 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 Describe:
Type of Pollutants Emitted: TSP, PM-10, SO ₂ , VOC, NO _x , CO, Pb, other:
Estimated amount of pollutant(s) emitted during emergency:
Describe the steps taken to mitigate the problem:
Describe the corrective actions/response steps taken:
Describe the measures taken to minimize emissions:
If applicable, describe the reasons why continued operation of the facilities are necessary to prevent imminent injury to persons, severe damage to equipment, substantial loss of capital investment, or loss of product or raw materials of substantial economic value:

Form Completed by:
Title/Position:
Date:
Phone:

A certification is not required for this report.

**INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
 OFFICE OF AIR QUALITY
 Compliance Branch**

**PART 70 OPERATING PERMIT
 QUARTERLY DEVIATION AND COMPLIANCE MONITORING REPORT**

Source Name: Duke Energy Indiana, Inc. - Wheatland Generating Station
 Source Address: 480 North Hall Road, Wheatland, IN 47597
 Mailing Address: 1000 East Main Street, Plainfield, Indiana 46168
 Part 70 Permit No.: T083-14435-00041

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. Deviations that are required to be reported by an applicable requirement shall be reported according to the schedule stated in the applicable requirement and do 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	
Permit Requirement (specify permit condition #)	
Date of Deviation:	Duration of Deviation:
Number of Deviations:	
Probable Cause of Deviation:	
Response Steps Taken:	
Permit Requirement (specify permit condition #)	
Date of Deviation:	Duration of Deviation:
Number of Deviations:	
Probable Cause of Deviation:	
Response Steps Taken:	

Page 2 of 2

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

Form Completed by:
Title/Position:
Date:
Phone:

Attach a signed certification to complete this report.

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

Quarterly Report

Company Name: Duke Energy Indiana, Inc. - Wheatland Generating Station
 Location: 480 North Hall Road, Wheatland, Indiana 47597
 Permit No.: 083-14435-00041
 Source: Four (4) combustion turbines, one (1) natural gas-fired heater, one (1) diesel-fired engine, and one (1) emergency generator
 Pollutant: CO
 Limit: Less than 250 tons per twelve (12) consecutive month period with compliance determined at the end of each month

Year: _____

Month	CO Emissions (tons/month)				Total CO Emissions for previous eleven months (tons/month)	Total CO Emissions for twelve month period (tons)
	Four (4) turbines	One (1) heater	One (1) fire-water pump engine	One (1) emergency generator		
1						
2						
3						

- No deviation occurred in this quarter.
- Deviation/s occurred in this quarter.
 Deviation has been reported on:

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

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

Quarterly Report

Company Name: Duke Energy Indiana, Inc. - Wheatland Generating Station.
 Location: 480 North Hall Road, Wheatland, Indiana 47597
 Permit No.: 083-14435-00041
 Source: Four (4) combustion turbines, one (1) natural gas-fired heater, one (1) diesel-fired engine and one (1) emergency generator
 Pollutant: NO_x
 Limit: Less than 250 tons per twelve (12) consecutive month period with compliance determined at the end of each month

Year: _____

Month	NO _x Emissions (tons/month)				Total NO _x Emissions for previous eleven months (tons/month)	Total NO _x Emissions for twelve month period (tons)
	Four (4) turbines	One (1) heater	One (1) fire-water pump engine	One (1) emergency generator		
1						
2						
3						

- No deviation occurred in this quarter.
- Deviation/s occurred in this quarter.
 Deviation has been reported on:

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

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

Technical Support Document (TSD)
for a Part 70 Significant Permit Modification

Source Description and Location
--

Source Name:	Duke Energy Indiana, Inc. - Wheatland Generating Facility
Source Location:	480 North Hall Road, Wheatland, IN 47597
County:	Knox
SIC Code:	4911
Operation Permit No.:	T083-14435-00041
Operation Permit Issuance Date:	October 16, 2003
Significant Permit Modification No.:	083-25328-00041
Permit Reviewer:	Syed Jaffery

The Office of Air Quality (OAQ) has reviewed a Part 70 permit application from Duke Energy Indiana, Inc. - Wheatland Generating Facility relating to the operation of 540 MW merchant power plant.

Existing Approvals

The source was issued Part 70 Operating Permit No. T083-14435-00041 on October 16, 2003. The source has since received the following approvals:

- Administrative Amendment No. 083-20739-00041, issued on September 26, 2005.
- Acid Rain Administrative Amendment No. 083-21702-00041 issued March 22, 2006.
- Significant Permit Modification No. 083-22936-00041, issued on September 08, 2006.
- Acid Rain First Renewal No. 083-23476-00041, issued on May 01, 2007.
- Administrative Amendment No. 083-24359-00041, issued on April 04, 2007.

Background and Description of Proposed Modification
--

The Office of Air Quality (OAQ) has reviewed a Significant Permit Modification (SPM) application, submitted by Duke Energy Indiana, Inc. - Wheatland Generating Facility on September 24, 2007 relating to the operation of a 540-MW merchant power plant.

The four (4) combustion turbines at the Wheatland Generating Facility are subject to 40 CFR Part 60 Subpart GG (Stationary Gas Turbines). Being consistent with 40 CFR Part 72, a final rule revision of Subpart GG included a definition for natural gas, and stated that sulfur sampling is not necessary for fuels that qualify as natural gas. 40 CFR 60.334(h)(3) was also revised to read as follows:

Notwithstanding the provisions of paragraph (h)(1) of this section, the owner or operator may elect not to monitor the total sulfur content of the gaseous fuel combusted in the turbine, if the gaseous fuel is demonstrated to meet the definition of natural gas in 40 CFR 60.331(u), regardless of whether an existing custom schedule approved by the administrator for subpart GG requires such monitoring.

Wheatland Generating Facility combusts natural gas as defined by 40 CFR 72.2, and the definition of natural gas in NSPS Subpart GG (69 FR 41359) is consistent with the natural gas definition in 40 CFR 72.2. Therefore, to be consistent with the current regulatory standards, the applicant has requested:

- (a) to revise the compliance requirements;
- (b) to revise the record keeping requirements.

The permit conditions have been modified to be consistent with the 40 CFR Part 72 and 69 FR 41349, and 40 CFR 60.334(h)(3).

Enforcement Issues

There are no pending enforcement actions.

Permit Level Determination – Part 70

Pursuant to 326 IAC 2-1.1-1(16), Potential to Emit is defined as “the maximum capacity of a stationary source or emission unit to emit any air pollutant under its physical and operational design. Any physical or operational limitation on the capacity of a source to emit an air pollutant, including air pollution control equipment and restrictions on hours of operation or type or amount of material combusted, stored, or processed shall be treated as part of its design if the limitation is enforceable by the U. S. EPA, IDEM, or the appropriate local air pollution control agency.”

There is no increase in the potential to emit of any regulated pollutants associated with this modification. This modification involves relaxation in compliance and recordkeeping requirements. Therefore, pursuant to 326 IAC 2-7-12(d)(1), this modification will be incorporated into the Part 70 Operating Permit as a significant permit modification (SPM).

There are no new emission units, involved in this proposed permit modification.

Proposed Changes

The changes listed below have been made to Part 70 Operating Permit No T083-14435-00041. Deleted language appears as ~~strike throughs~~ and new language appears in **bold**:

Modification No. 1:

IDEM's Office of Air Quality (OAQ) has revised the Compliance Requirements for four (4) Stationary Gas Turbines (EU-01 through EU-04) by deleting Condition D.1.7 (a); consequently, sub-conditions (b) and (c) have been renumbered as (a) and (b), respectively. Additionally, existing sub-condition (c), which is (b) now, has been revised by deleting the last sentence.

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

D.1.7 Compliance Requirements (Stationary Gas Turbines) [40 CFR Part 60, Subpart GG] [326 IAC 12]
Pursuant to 40 CFR Part 60 Subpart GG (Stationary Gas Turbines) ~~and EPA approval, issued on September 14, 2000,~~ the Permittee shall:

- (a) ~~Determine and report the sulfur content of the fuel being fired in the turbines semiannually. Determination can be made using methods approved by the Commissioner; and~~
- (ba) Report periods of excess emissions, defined as all periods when the 3-hour average concentration is greater than the standard for nitrogen oxides in 40 CFR 60.332(a)(1), as required by 40 CFR 60.334(c).
- (eb) Owners, operators or fuel vendors may develop custom schedules for determination of the nitrogen and sulfur content based on the design and operation of the affected facility and the characteristics of the fuel supply. ~~On September 14, 2000, the EPA approved the Permittee's request to monitor the sulfur content of the fuel being fired in the turbines semiannually.~~

Modification No. 2:

OAQ has revised the Record Keeping Requirements by deleting Condition D.1.9 (b), consequently, sub-condition (c) has been renumbered as (b) as follows:

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

D.1.9 Record Keeping Requirements

- (a) To document compliance with Conditions D.1.1, D.1.3, and D.1.4, the Permittee shall maintain records of all continuous emissions monitoring data as required under 326 IAC 3-5-6 at the source in a manner so that they may be inspected by the IDEM, OAQ, or the U.S. EPA, if so requested or required. Records necessary to demonstrate compliance shall be available within 30 days of the end of each compliance period.
- (b) ~~To document compliance with Condition D.1.3, the source shall maintain records of the natural gas analyses for sulfur.~~
- (eb) All records shall be maintained in accordance with Section C - General Record Keeping Requirements, of this permit.

Modification No. 3:

Condition E.1 Acid Rain Permit has been revised to update the Acid Rain Renewal Permit number and issuance date as follows:

E.1 Acid Rain Permit [326 IAC 2-7-5(1)(C)] [326 IAC 21] [40 CFR 72 through 40 CFR 78]

- (a) The Acid Rain permit for this source, AR 083-41856**23476**-00041, issued ~~March 1, 2002~~ **May 1, 2007**, is incorporated by reference into this Part 70 permit. Pursuant to 326 IAC 21 (Acid Deposition Control), the Permittee shall comply with all provisions of the Acid Rain permit and revisions issued for this source, and any other applicable requirements contained in 40 CFR 72 through 40 CFR 78.

...

Modification No. 4:

All references to IDEM, OAQ's mailing addresses have been revised throughout the permit as follows:

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

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

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

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

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

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

Modification No. 5:

Paragraph (b) of Condition C.17, Actions Related to Noncompliance Demonstrated by a Stack Test, is revised as follows to correct a typographical error:

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

- (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 and twenty (120) days~~ **one hundred twenty (120) days** is not practicable, IDEM, OAQ may extend the retesting deadline.

Conclusion and Recommendation

This source shall be subject to the conditions of the attached proposed Part 70 Significant Permit Modification No. 083-25328-00041. The staff recommends to the Commissioner that this Part 70 Significant Permit Modification be approved.

IDEM Contact

Any comments and/or questions regarding the proposed Part 70 Significant Permit Modification No. 083-25328-00041 and this Technical Support Document (TSD) may be directed to:

Syed Jaffery
Senior Environmental Manager
Indiana Department of Environmental Management
Office of Air Quality, Permits Branch
100 North Senate Ave, MC 61-53 IGCN 1003
Indianapolis, IN 46204-2251

Phone: (317) 233-9327
Toll Free: (800) 451-6027 extension 39327
Fax: 232-6749

E-mail: sjaffery@idem.IN.gov