



*Mitchell E. Daniels, Jr.*  
Governor

*Thomas W. Easterly*  
Commissioner

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Indianapolis, Indiana 46204  
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TO: Interested Parties / Applicant  
DATE: November 5, 2007  
RE: Fresenius Medical Care / 133-25409-00045  
FROM: Nisha Sizemore  
Chief, Permits Branch  
Office of Air Quality

### Notice of Decision – Approval

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

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

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

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

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

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

Enclosures  
FNPER-AM.dot 03/23/06



INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

*We make Indiana a cleaner, healthier place to live.*

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*Mitchell E. Daniels, Jr.*  
Governor

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November 5, 2007

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

Dear Mr. Birkhauser:

Re: Exempt Construction and Operation Status,  
133-25409-00045

The application from Fresenius Medical Care, received on October 16, 2007, has been reviewed. Based on the data submitted and the provisions in 326 IAC 2-1.1-3, it has been determined that the kidney dialysis clinic located at 316 Medic Way, Greencastle, Indiana 46135, consisting of the following emission units, is classified as exempt from air pollution permit requirements:

- (a) One (1) emergency diesel generator, approved for construction in 2007, with a maximum capacity of 197 horsepower; and
- (b) One (1) fuel storage tank, with a maximum capacity of 196 gallons.

The following conditions shall be applicable:

- (a) 326 IAC 5-1 (Opacity Limitations)

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

- (1) 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.
- (2) 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.

- (b) 326 IAC 6-4 (Fugitive Dust Emissions Limitations)

Pursuant to 326 IAC 6-4 (Fugitive Dust Emissions Limitations), the source shall not allow fugitive dust to escape beyond the property line or boundaries of the property, right-of-way, or easement on which the source is located, in a manner that would violate 326 IAC 6-4.

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

An application or notification shall be submitted in accordance with 326 IAC 2 to the Office of Air Quality (OAQ) if the source proposes to construct new emission units, modify existing emission units, or otherwise modify the source. If you have any questions on this matter, please contact Brian Williams, 100 North Senate Avenue, MC 61-53 IGCN 1003, Indianapolis, Indiana, 46204-2251, at 317-234-5375 or at 1-800-451-6027 (ext 45375).

Original signed by,

*Original signed by Iryn Calilung for*  
Nisha Sizemore, Chief  
Permits Branch  
Office of Air Quality

bmw

cc: File - Putnam County  
Putnam County Health Department  
U.S. EPA, Region V  
Air Compliance Section -- Dave Rice  
Compliance Data Section  
Permit Administration & Development Section  
Billing, Licensing, and Training Section - Dan Stamatkin

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

Technical Support Document (TSD) for an Exemption

**Source Background and Description**

<b>Source Name:</b>	<b>Fresenius Medical Care</b>
<b>Source Location:</b>	<b>316 Medic Way, Greencastle, Indiana 46135</b>
<b>County:</b>	<b>Putnam</b>
<b>SIC Code:</b>	<b>8092</b>
<b>Operation Permit No.:</b>	<b>133-25409-00045</b>
<b>Permit Reviewer:</b>	<b>Brian Williams</b>

The Office of Air Quality (OAQ) has reviewed an application from Fresenius Medical Care relating to the construction and operation of new emission units at a stationary Kidney Dialysis Clinic.

**New Emission Units and Pollution Control Equipment**

The source consists of the following new emission units and pollution control devices:

- (a) One (1) emergency diesel generator, approved for construction in 2007, with a maximum capacity of 197 horsepower; and
- (b) One (1) fuel storage tank, with a maximum capacity of 196 gallons.

**Unpermitted Emission Units and Pollution Control Equipment**

There are no unpermitted emission units operating at this source during this review process.

**Existing Approvals**

This is the first air approval issued to this source.

**Enforcement Issue**

There are no enforcement actions pending.

**Recommendation**

The staff recommends to the Commissioner that the construction and operation be approved. This recommendation is based on the following facts and conditions:

Unless otherwise stated, information used in this review was derived from the application and additional information submitted by the applicant.

An application for the purposes of this review was received on October 16, 2007, with additional information received on October 31, 2007.

### Emission Calculations

- (a) See Appendix A of this TSD for detailed emission calculations (Appendix A, page 1 through 1)
- (b) Using the Environmental Protection Agency's (EPA) TANKS Version 4.09b program, it was determined that the fuel storage tank at this source would have negligible potential emissions of volatile organic compounds (VOCs).

### Potential to Emit of the Source Before Controls

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

Pollutant	Potential to Emit (tons/yr)
PM	0.11
PM-10	0.11
SO <sub>2</sub>	0.10
VOC	0.12
CO	0.33
NO <sub>x</sub>	1.53
Single HAP	0.41 (Formaldehyde)
Total HAPs	0.91

- (a) The potential to emit (as defined in 326 IAC 2-7-1(29)) of pollutants are less than the levels listed in 326 IAC 2-1.1-3(d)(1). Therefore, the source is subject to the provisions of 326 IAC 2-1.1-3. An exemption will be issued.
- (b) The potential to emit (as defined in 326 IAC 2-7-1(29)) of any single HAP is less than ten (10) tons per year and/or the potential to emit (as defined in 326 IAC 2-7-1(29)) of a combination of HAPs is less than twenty-five (25) tons per year. Therefore, the source is subject to the provisions of 326 IAC 2-1.1-3. An exemption will be issued.

### County Attainment Status

The source is located in Putnam County.

Pollutant	Status
PM-2.5	Attainment
PM-10	Attainment
SO <sub>2</sub>	Attainment
NO <sub>x</sub>	Attainment
8-hr Ozone	Attainment
CO	Attainment
Lead	Attainment

- (a) Putnam County has been classified as unclassifiable or attainment for PM2.5. U.S. EPA has not yet established the requirements for Prevention of Significant Deterioration (PSD), 326 IAC 2-2 for PM 2.5 emissions. Therefore, until the U.S.EPA adopts specific provisions for PSD review for PM2.5 emissions, it has directed states to regulate PM10 emissions as a surrogate for PM2.5 emissions. See the State Rule Applicability – Entire Source section.
- (b) Volatile organic compounds (VOC) and NOx are regulated under the Clean Air Act (CAA) for the purposed of attaining and maintaining the National Ambient Air Quality Standard (NAAQS) for ozone. Therefore, VOC emissions and NOx emissions are considered when evaluating the rule applicability relating to the ozone standards. Putnam County has been designated as attainment for ozone standard. Therefore, VOC and NOx emissions were reviewed pursuant to Prevention of Significant Deterioration (PSD), 326 IAC 2-2. (See State Rule Applicability for the Entire Source Section.)
- (c) Putnam County has been classified as attainment for all other criteria pollutants. Therefore, these emissions were reviewed pursuant to the requirements for Prevention of Significant Deterioration (PSD), 326 IAC 2-2.
- (d) On October 25, 2006, the Indiana Air Pollution Control Board finalized a rule revision to 326 IAC 1-4-4 revoking the one-hour ozone standard in Indiana.
- (e) Fugitive Emissions  
Since this type of operation is not one of the 28 listed source categories under 326 IAC 2-2 and since there are no applicable New Source Performance Standards that were in effect on August 7, 1980, the fugitive emissions are not counted toward determination of PSD applicability.

### Source Status

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

Pollutant	Emissions (tons/yr)
PM	0.11
PM-10	0.11
SO <sub>2</sub>	0.10
VOC	0.12
CO	0.33
NO <sub>x</sub>	1.53
Single HAP	0.41 (Formaldehyde)
Combination HAPs	0.91

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

## Part 70 Permit Determination

### 326 IAC 2-7 (Part 70 Permit Program)

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

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

This is the first air approval issued to this source.

## Federal Rule Applicability

- (a) The requirements of the New Source Performance Standard (NSPS), 40 CFR 60.110, Subpart Kb (Volatile Organic Liquid Storage Vessels) are not included in the permit, because this source does not have storage tanks with a capacity greater than or equal to 75 cubic meters (19,813 gallons).
- (b) The requirements of the New Source Performance Standard (NSPS), 40 CFR 60, Subpart IIII—Standards of Performance for Stationary Compression Ignition Internal Combustion Engines, are not applicable to the emergency diesel generator because this emergency diesel generator will be installed in 2007, with a maximum capacity less than 3,000 Horsepower.
- (c) There are no New Source Performance Standards (NSPS) (326 IAC 12 and 40 CFR Part 60) included in this permit for this source.
- (d) There are no National Emission Standards for Hazardous Air Pollutants (NESHAP)(326 IAC 14, 20 and 40 CFR Part 61, 63) included in this permit.

## State Rule Applicability – Entire Source

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

This source will be constructed after the applicability date of August 7, 1977, however, it is not one of the 28 listed source categories defined in 326 IAC 2-2-1(gg)(1), and the uncontrolled potential to emit of all attainment regulated pollutants is less than 250 tons per year. Therefore, the requirements of 326 IAC 2-2 (PSD) are not applicable.

### 326 IAC 2-4.1 (Major Sources of Hazardous Air Pollutants (HAP))

The potential to emit of each facility at the source is less than 10 tons per year of a single HAP or 25 tons per year of a combination of HAPs. Therefore, the requirements of 326 IAC 2-4.1 do not apply.

### 326 IAC 2-6 (Emission Reporting)

This source is located in Putnam County and emits volatile organic compounds (VOC) or oxides of nitrogen (NOx) less than twenty-five (25) tons per year. Therefore, the requirements of 326 IAC 2-6 do not apply.

### 326 IAC 5-1 (Opacity Limitations)

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

- (a) Opacity shall not exceed an average of forty percent (40%) in any one (1) six (6) minute averaging period as determined in 326 IAC 5-1-4.

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

**326 IAC 6-4 (Fugitive Dust Emissions)**

The Permittee shall not allow fugitive dust to escape beyond the property line or boundaries of the property, right-of-way, or easement on which the source is located, in a manner that would violate 326 IAC 6-4 (Fugitive Dust Emissions).

**326 IAC 8-1-6 (VOC rules: General Reduction Requirements for New Facilities)**

The requirements of 326 IAC 8-1-6 are not applicable, since each of the emission units; the emergency diesel generator or the fuel storage tank at this source does not have the potential to emit greater than twenty-five (25) tons of VOCs per year.

**326 IAC 10-1 (Nitrogen Oxides Control)**

The source is not subject to 326 IAC 10 (Nitrogen Oxides Control) because the source is not located in Clark or Floyd Counties.

**State Rule Applicability - Emergency Diesel Generator**

**326 IAC 4-2-2 (Incinerators)**

The emergency diesel generator is not an incinerator, as defined by 326 IAC 1-2-34, since they do not burn waste substances. Therefore, the emergency generator is not subject to 326 IAC 4-2-2.

**326 IAC 6-2 (Particulate Emissions from Indirect Heating Units)**

The emergency diesel generator is not subject to 326 IAC 6-2 as it is not a source of indirect heating.

**326 IAC 6-3 (Particulate Emission Limitations for Manufacturing Processes)**

The requirements of 326 IAC 6-3 do not apply to the emergency diesel generator because it is not a manufacturing process.

**326 IAC 7-1.1-1 (Sulfur dioxide emission limitations: applicability)**

The emergency diesel generator is not subject to the requirements of 326 IAC 7-1.1, because the potential to emit of the generator is less than twenty-five (25) tons per year or ten (10) pounds per hour of sulfur dioxide.

**State Rule Applicability - Fuel Storage Tank**

**326 IAC 8-4-3 (Volatile Organic Compounds; Petroleum Liquid Storage Facilities)**

The fuel storage tank has storage capacity less than thirty-nine thousand (39,000) gallons, therefore it is not subject to the requirements of 326 IAC 8-4-3.

**326 IAC 8-9 (Volatile Organic Compounds; Volatile Organic Liquid Storage Vessels)**

The requirements of 326 IAC 8-9, are not applicable to the fuel storage tank, because this source is not located in Clark, Floyd, Lake, or Porter counties.

**Conclusion**

The construction and operation of the new emission units at the Kidney Dialysis Clinic shall be subject to the conditions of the Exemption 133-25409-00045.

**Appendix A: Emissions Calculations  
Emergency Generator**

**Company Name: Fresenius Medical Care  
Address, City IN Zip: 316 Medic Way, Greencastle, IN 46135  
Permit #: 133-25409-00045  
Reviewer: Brian Williams**

Heat Input Capacity  
Horsepower(hp)

197

**Criteria Pollutants**

Emission Factor (lb/hp-hr)	Pollutant				
	PM/PM10 2.2E-03	SO2 2.1E-03	NOx 3.1E-02	VOC* 2.5E-03	CO 6.7E-03
Potential to Emit (ton/yr)	0.11	0.10	1.53	0.12	0.33

**METHODOLOGY**

Since this facility is an emergency generator, the PTEs listed are based on 500 operating hr./yr.

Emission Factors are from AP-42, Ch. 3.3, Table 3.3-1

\* Emission Factor for VOC is from AP-42, Ch. 3.3, Table 3.3-2 using combined aromatic hydrocarbons

Emission (tons/yr) = Heat Input Capacity (hp) x Emission Factor (lb/hp-hr) x 500 hr/yr x 1/2000 ton/lb

HAPs						
Emission Factor in lb/MMBtu	Benzene 9.3E-04	Toluene 4.1E-04	Xylene 2.9E-04	Formaldehyde 1.2E-03	Acetaldehyde 7.7E-04	Total HAPs
Potential to Emit (ton/yr)	3.22E-04	1.41E-01	9.83E-02	4.07E-01	2.64E-01	<b>0.91</b>

**METHODOLOGY**

Emission (tons/yr) = Heat Input Capacity (Hp) x Emission Factor (lb/MMBtu) x 500 hr/yr x 1/2000 ton/lb x 7000 Btu/hp-hr x 1 MMBtu/1000000Btu