



DATE: September 11, 2008

TO: Interested Parties / Applicant **Certified Mail No. 7008 0150 0003 5219 4056**

RE: Eli Lilly and Company - Lilly Corporate Center / T097-25530-00019

FROM: Richard Wise
Administrator

Notice of Decision: Approval – Effective Immediately

Please be advised that on behalf of the Commissioner of the Department of Environmental Management, I have issued a decision regarding the enclosed matter. Pursuant to IC 13-15-5-3, this permit is effective immediately, unless a petition for stay of effectiveness is filed and granted, and may be revoked or modified in accordance with the provisions of IC 13-15-7-1.

If you wish to challenge this decision, IC 4-21.5-3-7 and IC 13-15-6-1(b) or IC 13-15-6-1(a) require that you file a petition for administrative review. This petition may include a request for stay of effectiveness and must be submitted to the Office of Environmental Adjudication, 100 North Senate Avenue, Government Center North, Room 1049, Indianapolis, IN 46204.

For an **initial Title V Operating Permit**, a petition for administrative review must be submitted to the Office of Environmental Adjudication within **thirty (30)** days from the receipt of this notice provided under IC 13-15-5-3, pursuant to IC 13-15-6-1(b).

For a **Title V Operating Permit renewal**, a petition for administrative review must be submitted to the Office of Environmental Adjudication within **fifteen (15)** days from the receipt of this notice provided under IC 13-15-5-3, pursuant to IC 13-15-6-1(a).

The filing of a petition for administrative review is complete on the earliest of the following dates that apply to the filing:

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

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

- (1) the name and address of the person making the request;
- (2) the interest of the person making the request;
- (3) identification of any persons represented by the person making the request;
- (4) the reasons, with particularity, for the request;
- (5) the issues, with particularity, proposed for considerations at any hearing; and



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Department of Public Works
Office of Environmental Services

2700 Belmont Avenue
Indianapolis, IN 46221

317-327-2234
Fax 327-2274
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- (6) identification of the terms and conditions which, in the judgment of the person making the request, would be appropriate in the case in question to satisfy the requirements of the law governing documents of the type issued by the Commissioner.

Pursuant to 326 IAC 2-7-18(d), any person may petition the U.S. EPA to object to the issuance of an initial Title V operating permit, permit renewal, or modification within sixty (60) days of the end of the forty-five (45) day EPA review period. Such an objection must be based only on issues that were raised with reasonable specificity during the public comment period, unless the petitioner demonstrates that it was impracticable to raise such issues, or if the grounds for such objection arose after the comment period.

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

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

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

Enclosures



Part 70 Operating Permit Renewal OFFICE OF AIR QUALITY AND OFFICE OF ENVIRONMENTAL SERVICES

**Eli Lilly and Company - Lilly Corporate Center
307 East McCarty Street
Indianapolis, Indiana 46285**

(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.: T097-25530-00019	
Issued by:	
ORIGINAL SIGNED BY	Issuance Date:
Matthew Stuckey, Chief Permits Branch IDEM, Office of Air Quality	September 11, 2008
ORIGINAL SIGNED BY	Expiration Date:
Richard Wise Administrator Office of Environmental Services	September 11, 2013



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**Department of Public Works
Office of Environmental Services**

2700 Belmont Avenue
Indianapolis, IN 46221

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indygov.org/dpw

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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) and Office of Environmental Services (OES). 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 stationary pharmaceutical research and development source co-located with office space for corporate headquarters.

Source Address:	307 East McCarty Street, Indianapolis, Indiana 46225
Mailing Address:	Lilly Corporate Center, Indianapolis, IN 46285
General Source Phone Number:	(317) 276-3339
NAICS Code:	541710
County Location:	Marion
Source Location Status:	Nonattainment for PM2.5 standard Attainment for all other criteria pollutants
Source Status:	Part 70 Operating Permit Program Minor Source, under PSD and Nonattainment NSR Major 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:

One (1) multi chamber Consumat incinerator, identified as emission unit ID# B98-1 and installed in 1984, utilizing natural gas as an auxiliary fuel through four (4) 350,000 Btu per hour primary burners and two (2) 3.5 MMBtu per hour secondary burners. This incinerator burns solid waste including but not limited to medical, pathological, low-level radioactive, and municipal type solid waste. This incinerator does not have a pollution control device and exhausts through stack B98-1.

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) Degreasing operations that do not exceed 145 gallons of solvent usage per 12 months, except if subject to 326 IAC 20-6 [326 IAC 8-3]
- (b) Activities with emissions equal to or less than insignificant thresholds: Cold cleaner degreasers that use more than 145 gallons per year, but have emissions less than 15 pounds per day of VOC. [326 IAC 8-3-2]
- (c) Asbestos abatement projects regulated by 326 IAC 14-10. [326 IAC 14-10, Covered in Section C]
- (d) Paved and unpaved roads and parking lots with public access. [326 IAC 6-4, Covered in Section C]

A.4 Insignificant Activities [326 IAC 2-7-1(21)]

This stationary source also consists of the following insignificant activities as defined in 326 IAC 2-7-1(21), which are not specifically regulated.

- (a) Solvent Waste Collection Systems emitting less than one (1) ton per year of a single HAP and less than 15 pounds per day of VOC.
- (b) Equipment powered by internal combustion engines of capacity equal to or less than 500,000 Btu/hour, except where total capacity of equipment operated by one stationary source exceeds 2 MMBtu/hour.
- (c) The following VOC and HAP storage containers:
 - (1) Storage tanks with capacity less than or equal to 1,000 gallons and annual throughputs less than 12,000 gallons.
 - (2) Vessels storing lubricating oils, hydraulic oils, machining oils, and machining fluids.
- (d) Closed loop heating and cooling systems.
- (e) Operations using aqueous solutions containing less than 1% by weight of VOCs excluding HAPs.
- (f) Water based adhesives that are less than or equal to 5% by volume of VOCs excluding HAPs.
- (g) Noncontact cooling tower systems with forced and induced draft cooling tower system not regulated under a NESHAP.
- (h) Heat exchanger cleaning and repair.
- (i) Purging of gas lines and vessels that is related to routine maintenance and repair of buildings, structures, or vehicles at the source where air emissions from those activities would not be associated with any production process.
- (j) Equipment used to collect any material that might be released during a malfunction, process upset, or spill cleanup, including catch tanks, temporary liquid separators, tanks, and fluid handling equipment.
- (k) Blowdown for any of the following: sight glass; boiler; compressors; pumps; and cooling tower.
- (l) On-site fire and emergency response training approved by the department.
- (m) Emergency generators as follows:
 - (1) diesel generators not exceeding 1600 horsepower
 - (2) gas turbines or reciprocating engines not exceeding 16,000 horsepower
- (n) Filter or coalescer media changeout.
- (o) Laboratories as defined in 326 IAC 2-7-1(21)(D).
- (p) Research and development operations as defined in 326 IAC 2-7-1(21)(E).
- (q) Portable containers used for the collection storage, or disposal of materials

provided the container capacity is equal to or less than forty-six hundredths (0.46) cubic meters (121.5 US gallons) and the container is closed, except when the material is added or removed.

A.5 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).

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, T097-25530-00019, 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 and OES, 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 Enforceability [326 IAC 2-7-7]

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

B.4 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.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 and OES, within a reasonable time, any information that IDEM, OAQ and OES 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 and OES 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 Compliance with Permit Conditions [326 IAC 2-7-5(6)(A)] [326 IAC 2-7-5(6)(B)]

- (a) As provided in 326 IAC 2-7-5(6), the Permittee must comply with all conditions of this permit. Noncompliance with any provisions of this permit is grounds for:
 - (1) Enforcement action;
 - (2) Permit termination, revocation and reissuance, or modification; or
 - (3) Denial of a permit renewal application.
- (b) Noncompliance with any provision of this permit, except any provision specifically designated as not federally enforceable, constitutes a violation of the Clean Air Act.
- (c) 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.
- (d) 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.

B.9 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) A "responsible official" is defined at 326 IAC 2-7-1(34).

B.10 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 April 15 of each year to:

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

and

Indianapolis Office of Environmental Services
2700 South Belmont Avenue
Indianapolis, Indiana 46221

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 and OES 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 and OES 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.11 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

and

Office of Environmental Services (OES)
Air Quality Management Section
2700 South Belmont Avenue
Indianapolis, IN 46221

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

- (b) The Permittee shall implement the PMPs, including any required record keeping, as necessary to ensure that failure to implement a PMP does not cause or contribute to an exceedance of any limitation on emissions or potential to emit.
- (c) A copy of the PMPs shall be submitted to IDEM, OAQ, and OES upon request and within a reasonable time, and shall be subject to review and approval by IDEM, OAQ, and OES. IDEM, OAQ, and OES 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 PMP does not require the certification by the responsible official as defined by 326 IAC 2-7-1(34).
- (d) To the extent Permittee is required by 40 CFR Part 60/63 to have an OMM Plan for a unit, such Plan is deemed to satisfy the PMP requirements of 326 IAC 1-6-3 for such unit.

B.12 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 OES 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
Office of Environmental Services phone: (317) 327-2234; fax: (317) 327-2274

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

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

and

Indianapolis Office of Environmental Services
2700 South Belmont Avenue
Indianapolis, Indiana 46221

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) IDEM, OAQ, and OES may require that the Preventive Maintenance Plans required under 326 IAC 2-7-4-(c)(10) be revised in response to an emergency.
- (f) Failure to notify IDEM, OAQ and OES 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.13 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 in 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) In addition to the nonapplicability determinations set forth in Sections D of this permit, the IDEM, OAQ and OES have made the following determinations regarding this source:
- (1) None of the facilities listed in Section A, Emission Units and Pollution Control Equipment Summary are subject to the requirements of 40 CFR 63, Subparts I and H because research and development facilities are exempt. Lilly Corporate Center operates none of the processes listed at 63.190(b) including pharmaceutical production processes, except in research and development facilities.
 - (2) None of the facilities listed in Section A, Emission Units and Pollution Control Equipment Summary are subject to the requirements of 326 IAC 6-5 because potential fugitive Particulate Matter (PM) emissions are less than 25 tons per year.
 - (3) The source is not subject to the Off Site Waste Rule 40 CFR 63, Subparts DD, OO, PP, QQ, RR or VV because the source does not accept off site waste that contains HAPs.
 - (4) None of the facilities listed in Section A, Emission Units and Pollution Control Equipment Summary are subject to the requirements of 40 CFR 63, Subpart GGG because research and development facilities are exempt and no manufacturing of pharmaceutical products occurs at the Lilly Corporate Center.
 - (5) None of the insignificant storage vessels are subject to the requirements of 40 CFR 60, Subpart Kb because none of the vessels are greater than 75m³ in size.
 - (6) None of the facilities at the source are subject to the requirements of 326 IAC 8-5-3 because no manufacturing of pharmaceutical products occurs at the source.
 - (7) The requirements from CP 95-0019-01, issued on July 14, 1995, Conditions 6 and 7, listing requirements making 326 IAC 2-2 not applicable, are not applicable because IDEM, OAQ and OES have determined that calculating the potential to emit for emergency generators at 500 hours per year makes the limit no longer necessary.
 - (8) Any construction or reconstruction of research and development facilities, as defined in 40 CFR 60.41, is not subject to the requirements of 40 CFR 63, Subpart B and/or 326 IAC 2-4.1.
 - (9) The source is not subject to the Waste Benzene NESHAP 40 CFR 61,

Subpart FF because the source is not engaged in the production of chemicals. No production takes place at this facility.

- (c) 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, or OES 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.
- (d) 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.
- (e) 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.
- (f) 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).
- (g) This permit shield is not applicable to modifications eligible for group processing until after IDEM, OAQ, or OES has issued the modifications. [326 IAC 2-7-12(c)(7)]
- (h) This permit shield is not applicable to minor Part 70 permit modifications until after IDEM, OAQ, or OES has issued the modification. [326 IAC 2-7-12(b)(8)]

B.14 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 T097-25530-00019 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.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

and

Indianapolis Office of Environmental Services
2700 South Belmont Avenue
Indianapolis, Indiana 46221

using the attached Quarterly Deviation and Compliance Monitoring Report, or its equivalent. A deviation required to be reported pursuant to an applicable requirement that exists independent of this permit, shall be reported according to the schedule stated in the applicable requirement and does not need to be included in this report.

The Quarterly Deviation and Compliance Monitoring Report does require the certification by the "responsible official" as defined by 326 IAC 2-7-1(34).

- (b) A deviation is an exceedance of a permit limitation or a failure to comply with a requirement of the permit.

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

- (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 and OES 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 and OES 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 and OES at least thirty (30) days in advance of the date this permit is to be reopened, except that IDEM,

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

Request for renewal shall be submitted to:

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

and

Indianapolis Office of Environmental Services
2700 South Belmont Avenue
Indianapolis, Indiana 46221

- (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 and OES 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 and OES 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 and OES 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]

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

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

and

Office of Environmental Services (OES)
Air Quality Management Section
2700 South Belmont Avenue
Indianapolis, IN 46221

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

- (c) The Permittee may implement administrative amendment changes addressed in the request for an administrative amendment immediately upon submittal of the request. [326 IAC 2-7-11(c)(3)]
- (d) No permit amendment or modification is required for the addition, operation or removal of a nonroad engine, as defined in 40 CFR 89.2.

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

Indianapolis Office of Environmental Services
2700 South Belmont Avenue
Indianapolis, Indiana 46221

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 and OES in the notices specified in 326 IAC 2-7-20(b)(1), (c)(1), and (e)(2).

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

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

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

- (c) Emission Trades [326 IAC 2-7-20(c)]
The Permittee may trade emissions increases and decreases at the source, where the applicable SIP provides for such emission trades without requiring a permit revision, subject to the constraints of Section (a) of this condition and those in 326 IAC 2-7-20(c).
- (d) Alternative Operating Scenarios [326 IAC 2-7-20(d)]
The Permittee may make changes at the source within the range of alternative operating scenarios that are described in the terms and conditions of this permit in accordance with 326 IAC 2-7-5(9). No prior notification of IDEM, OAQ, or U.S. EPA is required.
- (e) Backup fuel switches specifically addressed in, and limited under, Section D of this permit shall not be considered alternative operating scenarios. Therefore, the notification requirements of part (a) of this condition do not apply.
- (f) This condition does not apply to emission trades of SO₂ or NO_x under 326 IAC 21 or 326 IAC 10-4.

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

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, and OES 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

and

Indianapolis Office of Environmental Services
2700 South Belmont Avenue
Indianapolis, Indiana 46221

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 and OES 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 and OES 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.

B.26 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; or
- (b) the emission unit to which the condition pertains permanently ceases operation.

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 thirty percent (30%) in any one (1) six (6) minute averaging period as determined in 326 IAC 5-1-4.
- (b) Opacity shall not exceed sixty percent (60%) for more than a cumulative total of fifteen (15) minutes (sixty (60) readings as measured according to 40 CFR 60, Appendix A, Method 9 or fifteen (15) one (1) minute nonoverlapping integrated averages for a continuous opacity monitor) in a six (6) hour period.

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.

C.4 RESERVED

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 RESERVED

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

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

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

C.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

and

Indianapolis Office of Environmental Services
2700 South Belmont Avenue
Indianapolis, Indiana 46221

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 and OES not later than forty-five (45) days after the completion of the testing. An extension may be granted by IDEM, OAQ and OES 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 ninety (90) days of permit issuance. If required by Section D, the Permittee shall be responsible for installing any necessary equipment and initiating any required monitoring related to that equipment. If due to circumstances beyond its control, that equipment cannot be installed and operated within ninety (90) days, the Permittee may extend the compliance schedule related to the equipment for an additional ninety (90) days provided the Permittee notifies:

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

and

Indianapolis Office of Environmental Services
2700 South Belmont Avenue
Indianapolis, Indiana 46221

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

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

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

C.11 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.

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

C.12 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.13 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 and OES, 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.14 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) Pursuant to 326 IAC 2-6-3(b)(2), starting in 2005 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

and

Indianapolis Office of Environmental Services
2700 South Belmont Avenue
Indianapolis, Indiana 46221

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 and OES on or before the date it is due.

C.15 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 or OES makes a request for records to the Permittee, the Permittee shall furnish the records to the Commissioner or OES 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.16 General Reporting Requirements [326 IAC 2-7-5(3)(C)] [326 IAC 2-1.1-11]

- (a) The Permittee shall submit the attached Quarterly Deviation and Compliance Monitoring Report or its equivalent. Any deviation from permit requirements, the date(s) of each deviation, the cause of the deviation, and the response steps taken must be reported. This report shall be submitted within thirty (30) days of the end of the reporting period. The Quarterly Deviation and Compliance Monitoring Report shall include the certification by the "responsible official" as defined by 326 IAC 2-7-1(34).
- (b) The report required in (a) of this condition and reports required by conditions in Section D of this permit shall be submitted to:

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

and

Indianapolis Office of Environmental Services
2700 South Belmont Avenue
Indianapolis, Indiana 46221

- (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 and OES on or before the date it is due.
- (d) Unless otherwise specified in this permit, all reports required in Section D of this permit shall be submitted within thirty (30) days of the end of the reporting period. All reports do require the certification by the "responsible official" as defined by 326 IAC 2-7-1(34).
- (e) Reporting periods are based on calendar years, unless otherwise specified in this permit. For the purpose of this permit "calendar year" means the twelve (12) month period from January 1 to December 31 inclusive.

Stratospheric Ozone Protection

C.17 Compliance with 40 CFR 82 and 326 IAC 22-1

The Permittee shall comply with all the applicable provisions of 40 CFR Part 82, wherever applicable to activities at the source.

C.18 Response to Abnormal or Out-of-Range Compliance Monitoring Measurements[326 IAC 2-7-5] [326 IAC 2-7-6]

- (a) Upon detecting a measurement required by a compliance monitoring condition of this permit that is outside the normal or usual range of values for the monitoring parameter, 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 abnormal or out-of-range monitoring values (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 a measurement indicating abnormal or out-of-range values will be based on information available, which may include, but is not limited to, the following:
 - (1) monitoring results;
 - (2) review of operation and maintenance procedures and records; and/or
 - (3) inspection of the control device, associated capture system, and the process.
- (d) Failure to take reasonable response steps shall be considered a deviation from the permit.

- (e) The existence of an abnormal or out-of-range value for a compliance monitoring condition is not a deviation from this permit. The existence of the abnormal or out-of-range value may be evidence that an emission limitation or standard may have been exceeded.

SECTION D.1 EMISSIONS UNIT OPERATION CONDITIONS

Emissions Unit Description:

One (1) multi chamber Consumat incinerator, identified as emission unit ID# B98-1 and installed in 1984, utilizing natural gas as an auxiliary fuel through four (4) 350,000 Btu per hour primary burners and two (2) 3.5 MMBtu per hour secondary burners. This incinerator burns solid waste including but not limited to medical, pathological, low-level radioactive, and municipal type solid waste. This incinerator does not have a pollution control device and exhausts through stack B98-1.

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

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

D.1.1 Medical Waste Incinerator Limit [326 IAC 11-6 and 40 CFR Part 60, Subpart Ce][326 IAC 12]

The weight of the fuel feed stream to the incinerator shall be comprised of ten percent (10%) or less, in aggregate, of hospital waste and medical infectious waste as measured on a calendar quarter basis. This limit is required to make the facility a co-fired combustor as defined by 40 CFR 60.51c and makes 326 IAC 11-6 and 40 CFR Part 60.30e (Subpart Ce) not applicable.

D.1.2 Commercial and Industrial Solid Waste Incineration Limit [326 IAC 11-8][40 CFR Part 60, Subpart DDDD] [326 IAC 12] and Other Solid Waste Incineration Unit [326 IAC 11-9][40 CFR Part 60, Subpart FFFF][326 IAC 12]

The weight of the fuel feed stream to the incinerator shall be comprised of ninety percent (90%) or greater, in aggregate, of pathological waste, low-level radioactive waste and/or chemotherapeutic waste, as defined in, 40 CFR 60.2875 and 40 CFR 60.3078, as measured on a calendar quarter basis. This limit makes 326 IAC 11-8 and 40 CFR Part 60.2555 (Subpart DDDD) not applicable. This limit also makes 326 IAC 11-9 and 40 CFR Part 60.2980 (Subpart FFFF) not applicable.

D.1.3 Incinerators [326 IAC 4-2]

(a) Pursuant to 326 IAC 4-2, the incinerator shall comply with the following requirements:

- (1) Consist of primary and secondary chambers or the equivalent.
- (2) Be equipped with a primary burner unless burning only wood products.
- (3) Comply with 326 IAC 5-1 and 326 IAC 2.
- (4) Be maintained, operated, and burn waste in accordance with the manufacturer's specifications or an operation and maintenance plan as specified in subsection (c).
- (5) Not emit particulate matter in excess of three-tenths (0.3) pound of particulate matter per one thousand (1,000) pounds of dry exhaust gas under standard conditions corrected to fifty percent (50%) excess air for incinerators with a maximum solid waste capacity of greater than or equal to two hundred (200) pounds per hour.
- (6) If any of the requirements of subdivisions (1) through (5) are not met, then the Permittee shall stop charging the incinerator until adjustments are made that

address the underlying cause of the deviation.

- (b) A owner or operator developing an operation and maintenance plan pursuant to subsection (a)(4) must comply with the following:
 - (1) The operation and maintenance plan must be designed to meet the particulate matter emission limitation specified in subsection (a)(5) and include the following:
 - (A) Procedures for receiving, handling, and charging waste.
 - (B) Procedures for incinerator startup and shutdown.
 - (C) Procedures for responding to a malfunction.
 - (D) Procedures for maintaining proper combustion air supply levels.
 - (E) Procedures for operating the incinerator and associated air pollution control systems.
 - (F) Procedures for handling ash.
 - (G) A list of wastes that can be burned in the incinerator.
 - (2) Each incinerator operator shall review the plan before initial implementation of the operation and maintenance plan and annually thereafter.
 - (3) The operation and maintenance plan must be readily accessible to incinerator operators.
 - (4) The owner or operator of the incinerator shall notify the department, in writing, thirty (30) days after the operation and maintenance plan is initially developed pursuant to this section.
- (d) The owner or operator of the incinerator must make the manufacturer's specifications or the operation and maintenance plan available to the department upon request.

D.1.4 Carbon Monoxide [326 IAC 9-1]

Pursuant to 326 IAC 9-1-2 (Carbon Monoxide Emission Limits, the incinerator (B98-1) shall not be operated unless the waste gas stream is burned in a direct-flame afterburner or a secondary chamber.

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

D.1.5 Record Keeping Requirements

- (a) To document compliance with Conditions D.1.1 and D.1.2, the Permittee shall maintain records in accordance with (1) through (3) below. Records maintained for (1) through (3) shall be complete and sufficient to establish compliance with the limits established in Condition D.1.1 and/or D.1.2.
 - (1) The weight, on a calendar quarter basis, of the total amount of waste burned;
 - (2) The total weight, on a calendar quarter basis, of hospital waste and medical/infectious waste combusted, as defined in 40 CFR 60.51c; and
 - (3) The total weight, on a calendar quarter basis, of pathological waste, low-level radioactive waste, and/or chemotherapeutic waste combusted, as defined in 40 CFR 60.2875 and 40 CFR 60.3078;

SECTION D.2 FACILITY OPERATION CONDITIONS

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SECTION D.3

FACILITY OPERATION CONDITIONS

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

- (a) Degreasing operations that do not exceed 145 gallons of solvent usage per 12 months, except if subject to 326 IAC 20-6 [326 IAC 8-3]
- (b) Activities with emissions equal to or less than insignificant thresholds: Cold cleaner degreasers that use more than 145 gallons per year, but have emissions less than 15 pounds per day of VOC. [326 IAC 8-3-2]

(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)] (Cold Cleaning Degreaser Operations)

D.3.1 Volatile Organic Compounds (VOC) (Cold Cleaner Operations) [326 IAC 8-3-2]

Pursuant to 326 IAC 8-3-2 (Cold Cleaner Operations) for cold cleaning operations, constructed after January 1, 1980, the owner or operator shall:

- (a) Equip the cleaner with a cover;
- (b) Equip the cleaner with a facility for draining cleaned parts;
- (c) Close the degreaser cover whenever parts are not being handled in the cleaner;
- (d) Drain cleaned parts for at least fifteen (15) seconds or until dripping ceases;
- (e) Provide a permanent, conspicuous label summarizing the operation requirements;
- (f) Store waste solvent only in covered containers and not dispose of waste solvent or transfer it to another party, in such a manner that greater than twenty percent (20%) of the waste solvent (by weight) can evaporate into the atmosphere.

D.3.2 Volatile Organic Compounds (VOC) (Cold Cleaner Degreaser Operation and Control) [326 IAC 8-3-5]

(a) Pursuant to 326 IAC 8-3-5(a) (Cold Cleaner Degreaser Operation and Control), the owner or operator of the cold cleaner degreasing operations existing as of January 1, 1980, located in Clark, Elkhart, Floyd, Lake, Marion, Porter or St. Joseph counties or constructed after July 1, 1990, shall ensure that the following requirements are met:

- (1) Equip the degreaser with a cover. The cover must be designed so that it can be easily operated with one (1) hand if:
 - (A) The solvent volatility is greater than two (2) kiloPascals (fifteen (15) millimeters of mercury or three-tenths (0.3) pounds per square inch) measured at thirty-eight degrees Celsius (38°C) (one hundred degrees Fahrenheit (100°F));
 - (B) The solvent is agitated; or
 - (C) The solvent is heated.
- (2) Equip the degreaser with a facility for draining cleaned articles. If the

solvent volatility is greater than four and three-tenths (4.3) kiloPascals (thirty-two (32) millimeters of mercury or six-tenths (0.6) pounds per square inch) measured at thirty-eight degrees Celsius (38°C) (one hundred degrees Fahrenheit (100°F)), then the drainage facility must be internal such that articles are enclosed under the cover while draining. The drainage facility may be external for applications where an internal type cannot fit into the cleaning system.

- (3) Provide a permanent, conspicuous label which lists the operating requirements outlined in subsection (b).
 - (4) The solvent spray, if used, must be a solid, fluid stream and shall be applied at a pressure which does not cause excessive splashing.
 - (5) Equip the degreaser with one (1) of the following control devices if the solvent volatility is greater than four and three-tenths (4.3) kiloPascals (thirty-two (32) millimeters of mercury or six-tenths (0.6) pounds per square inch) measured at thirty-eight degrees Celsius (38°C) (one hundred degrees Fahrenheit (100°F)), or if the solvent is heated to a temperature greater than forty-eight and nine-tenths degrees Celsius (48.9°C) (one hundred twenty degrees Fahrenheit (120°F)):
 - (A) A freeboard that attains a freeboard ratio of seventy-five hundredths (0.75) or greater.
 - (B) A water cover when solvent is used is insoluble in, and heavier than, water.
 - (C) Other systems of demonstrated equivalent control such as a refrigerated chiller or carbon adsorption. Such systems shall be submitted to the U.S. EPA as a SIP revision.
- (b) Pursuant to 326 IAC 8-3-5(b) (Cold Cleaner Degreaser Operation and Control), the owner or operator of a cold cleaning facility construction shall ensure that the following operating requirements are met:
- (1) Close the cover whenever articles are not being handled in the degreaser.
 - (2) Drain cleaned articles for at least fifteen (15) seconds or until dripping ceases.
 - (3) Store waste solvent only in covered containers and prohibit the disposal or transfer of waste solvent in any manner in which greater than twenty percent (20%) of the waste solvent by weight could evaporate.

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

Source Name: Eli Lilly and Company - Lilly Corporate Center
Source Address: 307 East McCarty Street, Indianapolis, Indiana 46225
Mailing Address: Lilly Corporate Center, Indianapolis, IN 46285
Part 70 Permit No.: T097-25530-00019

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**

and

**CITY OF INDIANAPOLIS OFFICE OF ENVIRONMENTAL SERVICES
AIR QUALITY MANAGEMENT SECTION
DATA COMPLIANCE
2700 South Belmont Ave.
Indianapolis Indiana 46221
Phone: 317-327-2234
Fax: 317-327-2274**

**PART 70 OPERATING PERMIT
EMERGENCY OCCURRENCE REPORT**

Source Name: Eli Lilly and Company - Lilly Corporate Center
Source Address: 307 East McCarty Street, Indianapolis, Indiana 46225
Mailing Address: Lilly Corporate Center, Indianapolis, IN 46285
Part 70 Permit No.: T097-25530-00019

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

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

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

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

Page 2 of 2

Date/Time Emergency started:
Date/Time Emergency was corrected:
Was the facility being properly operated at the time of the emergency? Y N
Type of Pollutants Emitted: TSP, PM-10, SO 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 DATA SECTION**

and

**CITY OF INDIANAPOLIS OFFICE OF ENVIRONMENTAL SERVICES
 AIR QUALITY MANAGEMENT SECTION / DATA COMPLIANCE**

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

Source Name: Eli Lilly, Lilly Corporate Center
 Source Address: Lilly Corporate Center, Indianapolis, IN 46285
 Mailing Address: Lilly Corporate Center, Indianapolis, IN 46285
 Part 70 Permit No.: T097-6793-00019

Months: _____ to _____ Year: _____

Page 1 of 2

<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 ΔNo deviations occurred this reporting period@.</p>	
<p>9 NO DEVIATIONS OCCURRED THIS REPORTING PERIOD.</p>	
<p>9 THE FOLLOWING DEVIATIONS OCCURRED THIS REPORTING PERIOD</p>	
<p>Permit Requirement (specify permit condition #)</p>	
<p>Date of Deviation:</p>	<p>Duration of Deviation:</p>
<p>Number of Deviations:</p>	
<p>Probable Cause of Deviation:</p>	
<p>Response Steps Taken:</p>	
<p>Permit Requirement (specify permit condition #)</p>	
<p>Date of Deviation:</p>	<p>Duration of Deviation:</p>
<p>Number of Deviations:</p>	
<p>Probable Cause of Deviation:</p>	
<p>Response Steps Taken:</p>	

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: _____

A certification is not required for this report.

Attachment A

The following state rule have been adopted by reference by the Indianapolis Air Pollutant Control Board and are enforceable by Indianapolis Office of Environmental Services (OES) using local enforcement procedures.

- (1) 326 IAC 1-1-1 through 1-1-3 and 1-1-5;
- (2) 326 IAC 1-2-1 through 1-2-91 (In addition, the IAPCB has adopted several local definitions);
- (3) 326 IAC 1-3-1 through 1-3-4;
- (4) 326 IAC 1-4-1 (The IAPCB added to the adoption by reference a citation to 61 FR 58482 (November 15, 1996));
- (5) 326 IAC 1-5-1 through 1-5-5;
- (6) 326 IAC 1-6-1 through 1-6-6;
- (7) 326 IAC 1-7-1 through 1-7-5;
- (8) 326 IAC 2-3-1 through 2-3-5;
- (9) 326 IAC 2-4-1 through 2-4-6;
- (10) 326 IAC 2-6-1 through 2-6-4;
- (11) 326 IAC 2-7-1 through 2-7-18, 2-7-20 through 2-7-25;
- (12) 326 IAC 2-8-1 through 2-8-15, 2-8-17 through 2-8-10;
- (13) 326 IAC 2-9-1 through 2-9-14;
- (14) 326 IAC 2-10-1 through 2-10-5 (The IAPCB adoption adds the language Astate or local@ immediately after the word Afederal@ in 326 IAC 2-10-1);
- (15) 326 IAC 2-11-1, 2-11-3 and 2-11-4 (The IAPCB adoption adds the language Afederal, state or local@ immediately after the word Aby@ in 326 IAC 2-11-1);
- (16) 326 IAC 3-1.1-1 through 3-1.1-5;
- (17) 326 IAC 3-2.1-1 through 3-2.1-5;
- (18) 326 IAC 3-3-1 through 3-3-5;
- (19) 326 IAC 4-2-1 through 4-2-2;
- (20) 326 IAC 5-1-1 (a), (b) and c) (5), 5-1-2 (1), (2)(A), (2)c) (4), 5-1-3 through 5-1-5, 5-1-7;
- (21) 326 IAC 7-1.1-1 and 7-1.1-2;
- (22) 326 IAC 7-2-1;
- (23) 326 IAC 7-3-1 and 7-3-2;
- (24) 326 IAC 7-4-2(28) through (31) (Instead of adopting by reference 7-4-2(1) through (27), the IAPCB regulation substitutes the same requirements listed in a format in which the companies are alphabetized and emission points known to no longer exist have been deleted);
- (25) 326 IAC 8-1-0.5 except (b), 8-1-1 through 8-1-2, 8-1-3 except c), (g) and (i), 8-1-5 through 8-1-12;
- (26) 326 IAC 8-2-1 through 8-2-12 (The IAPCB adoption by reference of 8-2- 5 adds additional language specific to Zimmer Paper Products, Incorporated as subpart c);
- (27) 326 IAC 8-3-1 through 8-3-7;
- (28) 326 IAC 8-4-1 through 8-4-5, 8-4-6 (a)(6), (a)(8) and (a)(14) and 8-4-6(b)(1), (b)(3) and 8-4-6c) (In place of 8-4-6(b)(2), which was not adopted, the IAPCB adopted language requiring a pressure relief valve set to release at no less than four and eight-tenths (4.8) Kilo Pascals (seven-tenths (0.7) pounds per square inch)), 8-4-7 except (e), 8-4-8 and 8-4-9;
- (29) 326 IAC 8-5-1 through 8-5-4, 8-5-5 except (a)(3) and (d)(3);
- (30) 326 IAC 8-6-1 and 8-6-2;
- (31) 326 IAC 9-1-1 and 9-1-2;
- (32) 326 IAC 11-1-1 through 11-1-2;
- (33) 326 IAC 11-2-1 through 11-2-3;
- (34) 326 IAC 11-3-1 through 11-3-6;
- (35) 326 IAC 14-1-1 through 14-1-4;

Attachment A continued

- (36) 326 IAC 14-2-1 except 40 CFR 61.145;
- (37) 326 IAC 14-3-1;
- (38) 326 IAC 14-4-1;
- (39) 326 IAC 14-5-1;
- (40) 326 IAC 14-6-1;
- (41) 326 IAC 14-7-1;
- (42) 326 IAC 14-8-1 through 14-8-5;
- (43) 326 IAC 15-1-1, 15-1-2(a)(1), (a)(2) and (a)(8), 15-1-3 and 15-1-4;
- (44) 326 IAC 20-1-1 through 20-1-4 (In 20-1-3(b)(2) the adoption states that Apermitting authority@ means the commissioner of IDEM or the administrator of OES, whichever is applicable);
- (45) 326 IAC 20-2-1;
- (46) 326 IAC 20-3-1;
- (47) 326 IAC 20-4-1;
- (48) 326 IAC 20-5-1;
- (49) 326 IAC 20-6-1;
- (50) 326 IAC 20-7-1;
- (51) 326 IAC 20-8-1;
- (52) 326 IAC 20-9-1;
- (53) 326 IAC 20-14-1;
- (54) 326 IAC 20-15-1;
- (55) 326 IAC 20-16-1;
- (56) 326 IAC 20-17-1;
- (57) 326 IAC 20-18-1;
- (58) 326 IAC 20-19-1;
- (59) 326 IAC 20-20-1;
- (60) 326 IAC 20-21-1;
- (61) 326 IAC 21-1-1 (The adoption states that Aor the administrator of OES@ is added in (b));
- (62) 326 IAC 22-1-1 (The adoption states that Aor the administrator of OES@ is added in (b)).

**Indiana Department of Environmental Management
Office of Air Quality
and
City of Indianapolis
Office of Environmental Services**

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

Source Name: Eli Lilly and Company - Lilly Corporate Center
Source Location: 307 E. McCarty Street, Indianapolis, IN 46225
Mailing Address: Lilly Corporate Center, Indianapolis, IN 46285
County: Marion
NAICS Code: 541710
Permit Renewal No.: T097-25530-00019
Permit Reviewer: Monica Doyle

On July 12, 2008, the Office of Air Quality (OAQ) and the Office of Environmental Services (OES) had a notice published in the Indianapolis Star, Indianapolis, Indiana, stating that Eli Lilly and Company - Lilly Corporate Center had proposed to renew a Part 70 permit to operate a pharmaceutical research and development facility and office space for the organization's corporate headquarters. The notice also stated that OAQ and OES proposed to issue a permit for this operation and provided information on how the public could review the proposed permit and other documentation. Finally, the notice informed interested parties that there was a period of thirty (30) days to provide comments on whether or not this permit should be issued as proposed.

On August 8, 2008, Eli Lilly and Company - Lilly Corporate Center submitted comments on the draft Part 70 Permit Renewal. Upon further review, the OAQ and OES have decided to make the following revisions to the Part 70 Permit Renewal. The TSD will remain as it originally appeared when published. Changes to the permit or technical support material that occur after the permit has published for public notice are documented in this Addendum to the Technical Support Document. This accomplishes the desired result of ensuring that these types of concerns are documented and part of the record regarding this permit decision. Bolded language has been added and the language with ~~strikeout~~ has been deleted.

The comments and responses, including changes to the permit, are as follows:

Comment 1:

The source requests that Section A.4 of the permit and the TSD be changed to show a general description of the waste system rather than specific equipment listing so that equipment changes would not trigger permit updates.

Response 1:

The TSD as published during Public Notice will remain intact as a historical document. As requested, permit condition A.4 has been revised as follows:

A.4 Insignificant Activities [326 IAC 2-7-1(21)]

This stationary source also consists of the following insignificant activities as defined in 326 IAC 2-7-1(21), which are not specifically regulated.

(a) **B48 Solvent Waste Collection Systems emitting less than one (1) ton per year of a single HAP and less than 15 pounds per day of VOC.**

- (1) ~~One (1) 1,000-gallon solvent/water waste storage tank, identified as B48-Tk-01A, emitting less than one (1) ton per year of a single HAP and less than 15 pounds per day of VOC.~~
- (2) ~~Three (3) 250-gallon solvent/water waste storage tanks, identified as B48-Tk-01A, 02B, and 02C, each emitting less than one (1) ton per year of a single HAP and less than 15 pounds per day of VOC.~~
- (3) ~~One (1) 500-gallon solvent/water waste storage tank, identified as B48-Tk-03, emitting less than one (1) ton per year of a single HAP and less than 15 pounds per day of VOC.~~

Comment 2:

Lilly requests the following corrections be made to Section D.1.5, Record Keeping Requirements. The previous Title V permit referenced the citation for CISWI for new sources built after Nov. 30, 1999 (40 CFR 60.2265) instead of referencing CISWI for existing sources constructed before Nov. 30, 1999 (40 CFR 60.2875).

Response 2:

As requested, permit condition D.1.5 has been revised as follows:

D.1.5 Record Keeping Requirements

- (a) To document compliance with Conditions D.1.1 and D.1.2, the Permittee shall maintain records in accordance with (1) through (3) below. Records maintained for (1) through (3) shall be complete and sufficient to establish compliance with the limits established in Condition D.1.1 and/or D.1.2.
 - (1) The weight, on a calendar quarter basis, of the total amount of waste burned;
 - (2) The total weight, on a calendar quarter basis, of hospital waste and medical/infectious waste combusted, as defined in 40 CFR 60.51c; and
 - (3) The total weight, on a calendar quarter basis, of pathological waste, low-level radioactive waste, and/or chemotherapeutic waste combusted, as defined in 40 CFR 60.2265 40 CFR 60.2875 and 40 CFR 60.3078;

Comment 3:

Lilly requested that the due date of the next emission statement be corrected in the Technical Support Document (TSD) as follows:

326 IAC 2-6 (Emission Reporting)

This source is subject to 326 IAC 2-6 (Emission Reporting) because it is required to have an operating permit under 326 IAC 2-7, Part 70 program. Pursuant to this rule, the Permittee shall submit an emission statement certified pursuant to the requirements of 326 IAC 2-6. In accordance with the compliance schedule specified in 326 IAC 2-6-3, an emission statement must be submitted triennially by July 1 beginning in 2005 and every 3 years after. Therefore, the next emission statement for this source must be submitted by July 1, ~~2008~~ **2011**. The emission statement shall contain, at a minimum, the information specified in 326 IAC 2-6-4.

Response 3:

The TSD as published during Public Notice will remain intact as a historical document. Section C.14 of the permit addresses Emission Reporting by stating that the Emission Statement be submitted triennially by July 1 beginning in 2005, and does not specify further dates, therefore no modification of this section is necessary.

IDEM and OES Change 1:

On May 8th, 2008, U.S. EPA promulgated specific New Source review rules for PM-2.5 emissions, and the effective date of these rules was July 15th, 2008. Therefore, direct PM-2.5 and SO₂ emissions were reviewed pursuant to the requirements of Nonattainment New Source Review, 326 IAC 2-1.1-5. The potential to emit PM2.5 (PM2.5 - PM10) and SO₂ is less than 100 tons per year, therefore Eli Lilly and Company - Lilly Corporate Center will still be considered a minor source under Nonattainment NSR.

**Indiana Department of Environmental Management
Office of Air Quality
and
Indianapolis Office of Environmental Services**

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

Source Background and Description

Source Name: Eli Lilly and Company - Lilly Corporate Center
Source Location: 307 E. McCarty Street, Indianapolis, IN 46225
Mailing Address: Lilly Corporate Center, Indianapolis, IN 46285
County: Marion
NAICS Code: 541710
Permit Renewal No.: T097-25530-00019
Permit Reviewer: Monica Doyle

The Office of Air Quality (OAQ) and the Indianapolis Office of Environmental Services (OES) have reviewed the operating permit renewal application from Eli Lilly and Company - Lilly Corporate Center relating to the operation of a pharmaceutical research and development facility and office space for the organization's corporate headquarters.

History

On November 12, 2007, Eli Lilly and Company - Lilly Corporate Center submitted applications to the OAQ and OES requesting to renew its operating permit. Eli Lilly and Company - Lilly Corporate Center was issued a Part 70 Operating Permit on August 13, 2003. On April 15, 2008, the source submitted an application for an administrative permit amendment to correct descriptive language for emission unit ID#B98-1. This request was assigned permit number 097-26426-00019, and was subsequently combined with the permit renewal 097-25530-00019.

Source Definition

The source consists of numerous buildings serving as the headquarters for Eli Lilly and Company. The campus is roughly bordered by Pennsylvania Street on the west, South Street on the North, East Street on the east and I-70 on the south. The campus consists of buildings dedicated to the operation of headquarter business activities as well as research and development in pharmaceuticals.

It has been determined that this source:

- 1) is not contiguous and adjacent to the Lilly Technology Center located at 1555 South Harding (greater than 2 miles apart);
- 2) has the same SIC code as the Lilly Technology Center;
- 3) is under common control and ownership with the Lilly Technology Center; and
- 4) although some intellectual information is shared between the two locations, no physical product is transferred between the two locations, therefore, there is no support relationship;

Therefore, due to the distance and lack of a support relationship, the two locations will be considerate two (2) separate sources.

Permitted Emission Units and Pollution Control Equipment

One (1) multi chamber Consumat incinerator, identified as emission unit ID# B98-1 and installed in 1984, utilizing natural gas as an auxiliary fuel through four (4) 350,000 Btu per hour primary burners and two (2) 3.5 MMBtu per hour secondary burners. This incinerator burns solid waste including but not limited to medical, pathological, low-level radioactive, and municipal type solid waste. This incinerator does not have a pollution control device and exhausts through stack B98-1.

Insignificant Activities

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

- (a) Degreasing operations that do not exceed 145 gallons of solvent usage per 12 months, except if subject to 326 IAC 20-6 [326 IAC 8-3]
- (b) Activities with emissions equal to or less than insignificant thresholds: Cold cleaner degreasers that use more than 145 gallons per year, but have emissions less than 15 pounds per day of VOC. [326 IAC 8-3-2]
- (c) Asbestos abatement projects regulated by 326 IAC 14-10. [326 IAC 14-10, Covered in Section C]
- (d) Paved and unpaved roads and parking lots with public access. [326 IAC 6-4, Covered in Section C]

This stationary source also consists of the following insignificant activities as defined in 326 IAC 2-7-1(21), which are not specifically regulated.

- (a) B48 Waste Collection System
 - (1) One (1) 1,000 gallon solvent/water waste storage tank, identified as B48-Tk-01A, emitting less than one (1) ton per year of a single HAP and less than 15 pounds per day of VOC.
 - (2) Three (3) 250 gallon solvent/water waste storage tanks, identified as B48-Tk-01A, 02B, and 02C, each emitting less than one (1) ton per year of a single HAP and less than 15 pounds per day of VOC.
 - (3) One (1) 500 gallon solvent/water waste storage tank, identified as B48-Tk-03, emitting less than one (1) ton per year of a single HAP and less than 15 pounds per day of VOC.
- (b) Equipment powered by internal combustion engines of capacity equal to or less than 500,000 Btu/hour, except where total capacity of equipment operated by one stationary source exceeds 2 MMBtu/hour.
- (c) The following VOC and HAP storage containers:
 - (1) Storage tanks with capacity less than or equal to 1,000 gallons and annual throughputs less than 12,000 gallons.
 - (2) Vessels storing lubricating oils, hydraulic oils, machining oils, and machining fluids.
- (d) Closed loop heating and cooling systems.

- (e) Operations using aqueous solutions containing less than 1% by weight of VOCs excluding HAPs.
- (f) Water based adhesives that are less than or equal to 5% by volume of VOCs excluding HAPs.
- (g) Noncontact cooling tower systems with forced and induced draft cooling tower system not regulated under a NESHAP.
- (h) Heat exchanger cleaning and repair.
- (i) Purging of gas lines and vessels that is related to routine maintenance and repair of buildings, structures, or vehicles at the source where air emissions from those activities would not be associated with any production process.
- (j) Equipment used to collect any material that might be released during a malfunction, process upset, or spill cleanup, including catch tanks, temporary liquid separators, tanks, and fluid handling equipment.
- (k) Blowdown for any of the following: sight glass; boiler; compressors; pumps; and cooling tower.
- (l) On-site fire and emergency response training approved by the department.
- (m) Emergency generators as follows:
 - (1) diesel generators not exceeding 1600 horsepower
 - (2) gas turbines or reciprocating engines not exceeding 16,000 horsepower
- (n) Filter or coalescer media changeout.
- (o) Laboratories as defined in 326 IAC 2-7-1(21)(D).
- (p) Research and development operations as defined in 326 IAC 2-7-1(21)(E).
- (q) Portable containers used for the collection storage, or disposal of materials provided the container capacity is equal to or less than forty-six hundredths (0.46) cubic meters (121.5 US gallons) and the container is closed, except when the material is added or removed.

Existing Approvals

Since the issuance of the Part 70 Operating Permit 097-6793-00019 on August 13, 2003, the source has constructed or has been operating under the following approvals as well:

- (a) First Administrative Amendment No. 097-19767-00019, issued on November 15, 2004;
- (b) Second Administrative Amendment No. 097-20645-00019, issued on February 24, 2005;
- (c) Third Administrative Amendment No. 097-22984-00019, issued on May 12, 2006; and
- (d) Fourth Administrative Amendment No. 097-24616-00019, issued on June 12, 2007.

All terms and conditions of previous permits issued pursuant to permitting programs approved into the state implementation plan have been either incorporated as originally stated, revised, or deleted by this permit. All previous registrations and permits are superseded by this permit.

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

- (a) Condition C.4, Incineration, was deleted and replaced with "RESERVED" because it was duplicative of the requirements already stated in Conditions D.1.3. and D.1.4.
- (b) Condition C.6, Operation of Equipment, was deleted and replaced with "RESERVED". None of the emission units at the source require emission control equipment to comply with applicable requirements.
- (c) Condition C.7, Asbestos Abatement Projects, was modified to utilize the shorter version of standard language.
- (d) Condition C.17, Compliance with 40 CFR 82 and 326 IAC 22-1, was revised to more accurately reflect all applicable stratospheric ozone protection rules in 40 CFR 82.
- (e) Condition D.1.5(b) was deleted because it was duplicative of the requirements already stated in Condition C.15.

Enforcement Issue

There are no enforcement actions pending.

Emission Calculations

The Permittee submitted the following updated calculations:

This table reflects the unrestricted potential emissions of the source.

Pollutant	Feed Rate	Emission Factor⁽¹⁾	Potential Emissions	Potential Emissions
	(Tons per year)	(pounds per ton)	(pounds per year)	(tons per year)
HCl	2299.5	33.5	77033.25	38.52
PM	2299.5	4.67	10738.67	5.37
NOx	2299.5	3.56	8186.22	4.09
PM-10	2299.5	3.04	6990.48	3.50
CO	2299.5	2.95	6783.53	3.39
SO ₂	2299.5	2.17	4989.92	2.49
TOC	2299.5	0.299	687.55	0.34
Pb	2299.5	0.0728	167.40	0.08

Methodology: Feed rate (tons/yr) x Emission Factor (lb/ton) = PTE (lbs/year)/2000 = PTE tons per year
⁽¹⁾ Emission Factors from AP-42 Medical Waste, Controlled Air Incinerators, Chapter 2.3, 1993 (Tables 2.3-1, 2.3-2, and 2.3-3).

County Attainment Status

The source is located in Marion County.

Pollutant	Designation
SO ₂	Better than national standards.
CO	Attainment effective February 18, 2000, for the part of the city of Indianapolis bounded by 11 th Street on the north; Capitol Avenue on the west; Georgia Street on the south; and Delaware Street on the east. Unclassifiable or attainment effective November 15, 1990, for the remainder of Indianapolis and Marion County.
O ₃	Attainment effective November 8, 2007, for the 8-hour ozone standard. ¹
PM10	Unclassifiable effective November 15, 1990.
NO ₂	Cannot be classified or better than national standards.
Pb	Attainment effective July 10, 2000, for the part of Franklin Township bounded by Thompson Road on the south; Emerson Avenue on the west; Five Points Road on the east; and Troy Avenue on the north. Attainment effective July 10, 2000, for the part of Wayne Township bounded by Rockville Road on the north; Girls School Road on the east; Washington Street on the south; and Bridgeport Road on the west. The remainder of the county is not designated.
¹ Attainment effective October 18, 2000, for the 1-hour ozone standard for the Indianapolis area, including Marion County, and is a maintenance area for the 1-hour ozone National Ambient Air Quality Standards (NAAQS) for purposes of 40 CFR 51, Subpart X*. The 1-hour designation was revoked effective June 15, 2005. Basic Nonattainment effective April 5, 2005 for PM2.5.	

(a) Ozone Standards

- (1) On October 25, 2006, the Indiana Air Pollution Control Board finalized a rule revision to 326 IAC 1-4-1 revoking the one-hour ozone standard in Indiana.
- (2) On September 6, 2007, the Indiana Air Pollution Control Board finalized a temporary emergency rule to re-designate Allen, Clark, Elkhart, Floyd, LaPorte, St. Joseph as attainment for the 8-hour ozone standard.
- (3) On November 9, 2007, the Indiana Air Pollution Control Board finalized a temporary emergency rule to re-designate Boone, Clark, Elkhart, Floyd, LaPorte, Hamilton, Hancock, Hendricks, Johnson, Madison, Marion, Morgan, Shelby, and St. Joseph as attainment for the 8-hour ozone standard.
- (4) Volatile organic compounds (VOC) and Nitrogen Oxides (NOx) are regulated under the Clean Air Act (CAA) for the purposes of attaining and maintaining the National Ambient Air Quality Standards (NAAQS) for ozone. Therefore, VOC and NOx emissions are considered when evaluating the rule applicability relating to ozone. Marion County has been designated as attainment or unclassifiable for ozone. Therefore, VOC and NOx emissions were reviewed pursuant to the requirements for Prevention of Significant Deterioration (PSD), 326 IAC 2-2.

(b) PM2.5

Marion County has been classified as nonattainment for PM2.5 in 70 FR 943 dated January 5, 2005. Until U.S. EPA adopts specific New Source Review rules for PM2.5

emissions, it has directed states to regulate PM10 emissions as a surrogate for PM2.5 emissions pursuant to the requirements of Nonattainment New Source Review, 326 IAC 2-1.1-5.

- (c) Marion County has been classified as attainment or unclassifiable in Indiana for PM10, SO₂, NO₂, CO, and Lead. Therefore, these emissions were reviewed pursuant to the requirements for Prevention of Significant Deterioration (PSD), 326 IAC 2-2. See the State Rule Applicability for the source section.
- (d) Fugitive Emissions
 Since this type of operation is not one of the twenty-eight (28) listed source categories under 326 IAC 2-2 or 326 IAC 2-3, fugitive emissions are not counted toward the determination of PSD and Emission Offset applicability.

Unrestricted Potential Emissions

This table reflects the unrestricted potential emissions of the source.

Pollutant	Potential To Emit (tons/year)
PM	less than 100
PM-10	less than 100
SO ₂	less than 100
VOC	less than 100
CO	less than 100
NO _x	less than 100

Note: For the purpose of determining Title V applicability for particulates, PM-10, not PM, is the regulated pollutant in consideration.

HAPs	Potential To Emit (tons/year)
HCl	greater than 10
Pb	less than 10
TOTAL	greater than 25

- (a) The potential to emit (as defined in 326 IAC 2-7-1(29)) of any single HAP is equal to or greater than ten (10) tons per year and the potential to emit of a combination of HAPs is greater than twenty-five (25) tons per year, therefore, the source is subject to the provisions of 326 IAC 2-7.
- (b) The potential to emit (as defined in 326 IAC 2-7-1(29)) of all other criteria pollutants are less than 100 tons per year.
- (c) Since this type of operation is not one of the twenty-eight (28) listed source categories under 326 IAC 2-2, the fugitive emissions are not counted toward determination of PSD and Emission Offset applicability.

Actual Emissions

The following table shows the actual emissions from the source. This information reflects the 2007 OAQ and OES emission data.

Pollutant	Actual Emissions (tons/year)
PM	not reported
PM-10	0.36
SO ₂	0.15
VOC	0.55
CO	0.675
NO _x	0.2025
HAP (specify)	not reported

Part 70 Permit Conditions

This source is subject to the requirements of 326 IAC 2-7, pursuant to which the source has to meet the following:

- (a) Emission limitations and standards, including those operational requirements and limitations that assure compliance with all applicable requirements at the time of issuance of Part 70 permits.
- (b) Monitoring and related record keeping requirements which assume that all reasonable information is provided to evaluate continuous compliance with the applicable requirements.

Potential to Emit After Issuance

The table below summarizes the potential to emit, reflecting all limits, of the significant emission units after controls. The control equipment is considered federally enforceable only after issuance of this Part 70 operating permit.

Process/facility	Potential to Emit (tons/year)					
	PM	PM-10	SO ₂	VOC	CO	NO _x
Incinerator	< 100	< 100	< 100	< 100	< 100	< 100
Degreasing Units	---	---	---	< 100	---	---
Total Emissions	< 100	< 100	< 100	< 100	< 100	< 100

- (a) This existing stationary source is not major for PSD because the emissions of each criteria pollutant are less than two hundred fifty (<250) tons per year, and it is not one of the twenty-eight (28) listed source categories.
- (b) This existing source is not a major stationary source, under nonattainment new source review rules (326 IAC 2-1.1-5) since PM10 (a surrogate for PM2.5) is not emitted at a rate of 100 tons per year or more.
- (c) Fugitive Emissions
 Since this type of operation is not one of the twenty-eight (28) listed source categories under 326 IAC 2-2 or 326 IAC 2-3, fugitive emissions are not counted toward the determination of PSD and Emission Offset applicability.

Federal Rule Applicability

The following federal rules are applicable to the source:

- (a) The incinerator, emission unit ID# B98-1 is not subject to the requirements of the New Source Performance Standard, 326 IAC 12, (40 CFR 60.30e, Subpart Ce), since the source meets the definition of a co-fired combustor by maintaining waste composition of 10% or less, in aggregate, of hospital waste and medical / infectious waste as measured on a calendar quarter basis. Co-fired combustors are not subject to this rule pursuant to 40 CFR 60.32e(c) if they notify the Administrator providing an estimate of the composition of waste to be fired and keep records on a calendar quarter basis of the weights of all fuels combusted in the co-fired combustor.
- (b) The incinerator, emission unit ID# B98-1, is not subject to the requirements of the New Source Performance Standard, 326 IAC 12, (40 CFR 60.2010, Subpart CCCC), since the unit is not a new or modified unit pursuant to 40 CFR 60.2015.
- (c) The incinerator, emission unit ID # B98-1, is not subject to the requirements of the state plan required under the New Source Performance Standard 40 CFR 60.2505 (Subpart DDDD), incorporated by 326 IAC 11-8 since waste input into the unit is at least 90% or greater, in aggregate, of pathological waste, low-level radioactive waste and/or chemotherapeutic waste, as defined in 40 CFR 60.2875 and 40 CFR 60.3078, as measured on a calendar quarter basis. Pursuant to 40 CFR 60.2555, the source will keep records as necessary to substantiate compliance with this limit and notify the administrator that they qualify as an exemption under 40 CFR 60.2555.
- (d) The incinerator, emission unit ID # B98-1, is not subject to the requirements of the state plan required under the New Source Performance Standard 40 CFR 60.2981 (Subpart FFFF), incorporated by 326 IAC 11-9 since waste input into the unit is at least 90% or greater, in aggregate, of pathological waste, low-level radioactive waste and/or chemotherapeutic waste, as defined in 40 CFR Part 60.3078, as measured on a calendar quarter basis. The source will keep records as necessary to substantiate compliance with this limit and notify the administrator that they qualify as an exemption.
- (e) This source does not have any volatile organic liquid storage vessels on site with a storage capacity greater than 75 cubic meters for which construction was commenced after July 23, 1984. Therefore, the New Source Performance Standard for Volatile Organic Liquid Storage Vessels, 40 CFR 60.110(b), Subpart Kb incorporated in 326 IAC 12 does not apply to this source.
- (f) The degreasing operations are not subject to 40 CFR 63, Subpart T because the Permittee does not use solvents containing methylene chloride, perchloroethylene, trichloroethylene, 1,1,1-trichloroethane, carbon tetrachloride, or chloroform in a total concentration greater than 5% by weight as a cleaning and/or drying agent.
- (g) There are no National Emission Standards for Hazardous Air Pollutants (NESHAPs)(326 IAC 20 and 40 CFR Part 63) applicable to this source.
- (h) The Permittee is not subject to the requirements of 40 CFR 63.40-44 (Requirements for Control Technology Determinations for Major Sources in Accordance with Clean Air Act Sections 112(g) and 112(j)) at the time of this permit issuance because the source has not constructed a major source of HAPs that is not a research and development facility.
- (i) The requirements of Section 112(j) of the Clean Air Act (40 CFR Part 63.50 through 63.56) are not applicable to this source because the source does not include one or more

units that belong to one or more source categories affected by the Section 112(j) MACT Hammer date of May 15, 2002.

- (j) The Permittee is not subject to 40 CFR 61, Subpart FF (National Emission Standard for Benzene Waste Operations) because the source is not engaged in the production of chemicals. No production takes place at this facility.
- (k) The Permittee is not subject to the requirements of 40 CFR 63, Subpart GGG (National Emission Standards for Pharmaceuticals Production) because it is a research and development facility.
- (l) Pursuant to 40 CFR 64.2, Compliance Assurance Monitoring (CAM) is applicable to existing emission units that involve a pollutant-specific emission unit and meet the following criteria:
 - (1) has a potential to emit before controls equal to or greater than the major source threshold for the pollutant involved;
 - (2) is subject to an emission limitation or standard for that pollutant; and
 - (3) uses a control device, as defined in 40 CFR 64.1, to comply with that emission limitation or standard.

The requirements of 40 CFR Part 64, CAM are not applicable to any of the existing units as part of this Part 70 permit renewal because there is no control device on any equipment or process located at the source.

State Rule Applicability - Entire Source

326 IAC 1-5-2 (Emergency Reduction Plans)

The source submitted an Emergency Reduction Plan (ERP) in 1993. The ERP has been verified to fulfill the requirements of 326 IAC 1-5-2 (Emergency Reduction Plans). However, since the source does not have the potential to emit any pollutant greater than 100 tons per year, an Emergency Reduction Plan is not required.

326 IAC 2-1.1-5 (Non-attainment New Source Review)

Marion County has been designated as nonattainment for PM_{2.5}. According to an EPA guidance memo dated April 5, 2005, PM₁₀ is to be utilized as a surrogate for PM_{2.5} until the EPA can promulgate the PM_{2.5} implementation rule. PM₁₀ emissions, and therefore PM_{2.5} emissions, from this source are less than one hundred (100) tons per twelve consecutive month period. Therefore, this source is not major under nonattainment new source review for PM_{2.5} emissions.

326 IAC 2-2 and 2-3 (Prevention of Significant Deterioration and Emission Offset)

This existing source is not a major stationary source because no attainment regulated pollutant emissions are equal to or greater than two hundred fifty (250) tons per year, this source is not one of the 28 listed source categories under 326 IAC 2-2 or 326 IAC 2-3 and no attainment or nonattainment regulated pollutant emissions are equal to or greater than one hundred (100) tons per year. Therefore, 326 IAC 2-2 (Prevention of Significant Deterioration (PSD) Requirements) and 326 IAC 2-3 (Emission Offset) are each not applicable to the source.

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

The source is not subject to 326 IAC 2-4.1 (Major Sources of Hazardous Air Pollutants), because the source has not constructed or reconstructed a major source of HAPs after July 27, 1997. This rule does not apply to research and development activities pursuant to 326 IAC 2-4.1-1(b)(4).

326 IAC 2-6 (Emission Reporting)

This source is subject to 326 IAC 2-6 (Emission Reporting) because it is required to have an operating permit under 326 IAC 2-7, Part 70 program. Pursuant to this rule, the Permittee shall submit an emission statement certified pursuant to the requirements of 326 IAC 2-6. In accordance with the compliance schedule specified in 326 IAC 2-6-3, an emission statement must be submitted triennially by July 1 beginning in 2005 and every 3 years after. Therefore, the next emission statement for this source must be submitted by July 1, 2008. The emission statement shall contain, at a minimum, the information specified in 326 IAC 2-6-4.

326 IAC 5-1 (Opacity Limitations)

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

- (a) Opacity shall not exceed an average of thirty percent (30%) 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.

Eli Lilly and Company requested a determination that 326 IAC 5-1 is not applicable to certain units, specifically portable generators. Lilly suggests that portable generators are "non-road" engines and therefore, are not stationary sources. IDEM and OES feel that 326 IAC 5-1 is applicable to the entire source because the rule states that the rule applies to opacity, not including condensed water vapor, emitted by or from a facility or source. The only facilities that the rule does not apply to are those that have opacity limitations established in 326 IAC 6, 326 IAC 11, 326 IAC 12, or a Part 70 permit. Therefore, all facilities at the source are subject to the requirements of 326 IAC 5-1. However, pursuant to 326 IAC 85.1603(d), if a unit meets the definition of "non-road engine," as defined in 40 CFR 89.2 and 85.1602, IDEM and OES shall not enforce any standards or other requirements relating to the control of emissions from nonroad engines or vehicles except as provided for 40 CFR 85 Subpart Q. To meet the definition of non-road engine the unit must not remain at any site for more than 12 consecutive months, or a shorter period of time for a unit located at a seasonal source, as described in 40 CFR 85.1602 (2) (iii).

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.

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

The source is not subject to the requirements of 326 IAC 6-5, because the source does not have potential fugitive particulate emissions greater than 25 tons per year. Therefore, 326 IAC 6-5 does not apply.

326 IAC 6.5-1 (Particulate Matter Limitations except Lake County)

This source is located in Marion County, has actual emissions less than 10 tons per year of particulate matter and has potential emissions less than 100 tons per year of particulate matter. Therefore, the requirements of 326 IAC 6.5 do not apply.

326 IAC 7.1 (Sulfur Dioxide Emission Limitations)

The Permittee's potential to emit SO₂ is less than 25 tons per year, therefore 326 IAC 7.1 (Sulfur Dioxide Emission Limitations) does not apply to any unit at this source.

326 IAC 8-5-3 (Synthesized Pharmaceutical Manufacturing Operations)

Since no manufacturing of pharmaceutical products by chemical synthesis occurs at this location, this rule is not applicable to this source.

326 IAC 8-6 (Organic Solvent Limitations)

This rule is not applicable to this source because the source-wide potential to emit of VOC is less than 100 tons per year.

State Rule Applicability – Individual Facilities

Incinerator

326 IAC 4-2 (Incinerators)

Emission unit ID B98-1 is subject to 326 IAC 4-2 because it is not of a type exempted in 326 IAC 4-2-1(b).

326 IAC 6-3 (Process Operations)

This facility is not subject to the requirements of 326 IAC 6-3 (Process Operations) since incinerators are exempt under 326 IAC 6-3-1(a)(2).

326 IAC 9-1 (Carbon Monoxide (CO) Emission Limits)

This facility is a stationary source of CO emissions commencing operation after March 21, 1972 and it is not exempt pursuant to 326 IAC 9-1-1(b). Therefore it is subject to the following:

The source shall not operate a refuse incinerator or burning equipment unless the waste gas stream is burned in one of the following:

- (a) Direct-flame afterburner.
- (b) Secondary chamber.

326 IAC 11-6 (Hospital/Medical/Infectious Waste Incinerators)

This facility is exempt from this rule because the fuel feed stream to the incinerator is comprised of ten percent (10%) or less, in aggregate, of hospital waste and medical/infectious waste as measured on a calendar quarter basis. This defines the incinerator as a co-fired combustor pursuant to 40 CFR 60.51c.

The source is required to notify the department and U.S. EPA of this exemption claim, provide the department and the U.S. EPA with an estimate of the relative weight of hospital waste, medical/infectious waste and other fuels or wastes to be combusted and maintain records on a calendar quarter basis of the weight of hospital waste and medical/infectious waste combusted, and the weight of all other fuels and wastes combusted at the co-fired combustor.

326 IAC 11-8 (Commercial and Industrial Waste Incinerators)

This rule incorporates 40 CFR 60, Subpart CCCC by reference. Due to the requirement that the feed stream to the incinerator shall be comprised of 90% or greater of pathological waste, low-level radioactive waste and/or chemotherapeutic waste, as measured and recorded on a calendar quarter basis, this facility is not subject to the requirements of 326 IAC 11-8.

The source is required to notify the department and U.S. EPA of this exemption claim, provide the department and the U.S. EPA with an estimate of the relative weight of hospital waste, medical/infectious waste and other fuels or wastes to be combusted and maintain records on a calendar quarter basis of the weight of hospital waste and medical/infectious waste combusted, and the weight of all other fuels and wastes combusted at the co-fired combustor. The exemption claim submitted under 326 IAC 11-6 will satisfy this requirement.

Degreasers

326 IAC 8-3-2 (Cold Cleaner Operation)

Section 2 of 326 IAC 8-3 (Organic Solvent Degreasing Operations) is applicable to degreasing operations that do not exceed 145 gallons per 12 months, except if subject to 326 IAC 20-6. [326 IAC 8-3], because they are new facilities constructed after January 1, 1980, performing organic solvent degreasing operations located in the state.

326 IAC 8-3-5 (Cold cleaner degreaser operation and control)

All other degreasing operations that do not exceed 145 gallons per 12 months, except if subject to 326 IAC 20-6 [326 IAC 8-3], were installed after July 1, 1990 and do not have remote solvent reservoirs, therefore they are subject to the requirements of 326 IAC 8-3-5.

Emergency Generators

326 IAC 6-3 (Particulate Emission Limitations)

Pursuant to 326 IAC 1-2-59, process weight does not include liquid or gaseous fuels, therefore 326 IAC 6-3-2 does not apply to the emergency generators identified as 48B/ph, 73 / 9, Harmon St., PS / 2B, 27 / ph 30 KW, 27 / ph 45 KW.

Compliance Determination and Monitoring Requirements

Permits issued under 326 IAC 2-7 are required to ensure that sources can demonstrate compliance with all applicable state and federal rules on a continuous basis. All state and federal rules contain compliance provisions, however, these provisions do not always fulfill the requirement for a continuous demonstration. When this occurs, IDEM, OAQ and OES, in conjunction with the source, must develop specific conditions to satisfy 326 IAC 2-7-5. As a result, Compliance Determination Requirements are included in the permit. The Compliance Determination Requirements in Section D of the permit are those conditions that are found directly within state and federal rules and the violation of which serves as grounds for enforcement action.

If the Compliance Determination Requirements are not sufficient to demonstrate continuous compliance, they will be supplemented with Compliance Monitoring Requirements, also in Section D of the permit. Unlike Compliance Determination Requirements, failure to meet Compliance Monitoring conditions would serve as a trigger for corrective actions and not grounds for enforcement action. However, a violation in relation to a compliance monitoring condition will arise through a source's failure to take the appropriate corrective actions within a specific time period.

The incinerator shall be operated according to 326 IAC 4-2.

Recommendation

The staff recommends to the Commissioner that the Part 70 Operating Permit Renewal be approved. This recommendation is based on the following facts and conditions:

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

An application for the purposes of this review was received on November 12, 2007, with additional information received on April 15, 2008.

Conclusion

The operation of this pharmaceutical research and development facility and office space for the organization's corporate headquarters shall be subject to the conditions of the attached Part 70 Operating Permit Renewal No. 097-25530-00019.