INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
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Mitchell E. Daniels, Jr.
Governor

Thomas W. Easterly
Commissioner

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

TO: Interested Parties / Applicant

DATE: January 10, 2008

RE: Pollution Control Industries / 089-25607-00345

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

Notice of Decision – Approval

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

If you wish to challenge this decision, IC 4-21.5-3-7 requires that you file a petition for administrative review. This petition may include a request for stay of effectiveness and must be submitted to the Office of Environmental Adjudication, 100 North Senate Avenue, Government Center North, Suite N 501E, Indianapolis, IN 46204, **within eighteen (18) calendar days from the mailing of this notice**. The filing of a petition for administrative review is complete on the earliest of the following dates that apply to the filing:

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

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

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

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

Enclosures
FNPER-AM.dot12/3/07

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100 North Senate Avenue
MC 61-53 IGCN 1003
Indianapolis, Indiana 46204-2251
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Ms. Tita LaGrimas
Pollution Control Industries, Inc.
4343 Kennedy Avenue
East Chicago, IN 46312

January 10, 2008

Re: 089-25607-00345
Third Administrative Amendment to
Part 70 089-7738-00345

Dear Ms. LaGrimas:

Pollution Control Industries, Inc. (PCI) was issued a Part 70 permit on April 4, 2006 for a stationary waste management and fuel processing source. A letter requesting the addition of an emissions unit to the Solids Distillation System (SDS) was received by IDEM, OAQ on Nov 30, 2007. Pursuant to the provisions of 326 IAC 2-7-11(a)(7) and 326 IAC 2-7-11(a)(8)(B), the permit is hereby administratively amended as follows:

1. PCI has installed a Pot Still in the Solids Distillation System (SDS) that will perform the same function as the existing distillation unit, but at a lower capacity. The descriptions have been added in Condition A.2 and Section D.1 as follows:

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:

***

(j) One (1) Pot Still, constructed in 2007, with a maximum throughput rate of 70 gallons of liquid waste per hour, controlled by a carbon adsorption system, and exhausting to stack SDS 10.

***

SECTION D.1 EMISSIONS UNIT OPERATION CONDITIONS

Emissions Unit Description:

***

(j) One (1) Pot Still, constructed in 2007, with a maximum throughput rate of 70 gallons of liquid waste per hour, controlled by a carbon adsorption system, and exhausting to stack SDS 10.

***

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

2. Condition D.1.9(a)(1) has been revised to reflect the addition of the Pot Still.

D.1.9 Emissions Controls

(a) In order to comply with Conditions D.1.3 and D.1.4(b), and except as otherwise provided by statute, rule or this permit:

(1) The respective carbon adsorbers/canisters shall be in operation and control VOC and HAP emissions at all times that the HWF storage tanks (Unit 1), Lab Pack Booth 1, HHHW shredder (Unit 7), SDS Shredder, ATDU feed conveyor, Oil Water Separator, product tanks 01 through 04**,** ~~and~~ Distillation Unit **and Pot Still** are in operation.

***

All other conditions of the permit shall remain unchanged and in effect. A revised copy of the permit is being provided.

This decision is subject to the Indiana Administrative Orders and Procedures Act - IC 4-21.5-3-5. Questions may be directed to Gary Freeman at IDEM, OAQ, 100 North Senate Avenue, MC 61-53 IGCN 1003, Indianapolis, Indiana 46204-2251 or call (800) 451-6027, ask for Gary Freeman, or extension 3-5334, or dial (317) 233-5334.

Original signed by,

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

Attachments
TS/gkf
cc: File - Lake County
U.S. EPA, Region V
IDEM Northwest Regional Office
Air Compliance Section Inspector – Rick Massoels
Compliance Data Section
Permit Review Section 4 – Gary Freeman

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PART 70 OPERATING PERMIT
OFFICE OF AIR QUALITY

Pollution Control Industries, Inc.
4343 Kennedy Avenue
East Chicago, Indiana 46312

(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.: T089-7738-00345	
Original signed by Paul Dubenetzky, Assistant Commissioner Office of Air Quality	Issuance Date: April 4, 2006 Expiration Date: April 4, 2011

First Administrative Amendment No.: 089-23452-00345, issued on September 22, 2006
Second Administrative Amendment No.: 089-24703-00345, issued on October 3, 2007

Third Administrative Amendment No.:089-25607-00345	
Original signed by: Matthew Stuckey, Deputy Branch Chief Permits Branch Office of Air Quality	Issuance Date: January 10, 2008 Expiration Date: April 4, 2011

TABLE OF CONTENTS

A. SOURCE SUMMARY 5
- A.1 General Information [326 IAC 2-7-4(c)][326 IAC 2-7-5(15)][326 IAC 2-7-1(22)]
- A.2 Emission Units and Pollution Control Equipment Summary [326 IAC 2-7-4(c)(3)] [326 IAC 2-7-5(15)]
- A.3 Specifically Regulated Insignificant Activities [326 IAC 2-7-1(21)][326 IAC 2-7-4(c)] [326 IAC 2-7-5(15)]
- A.4 Part 70 Permit Applicability [326 IAC 2-7-2]

B. GENERAL CONDITIONS 8
- B.1 Definitions [326 IAC 2-7-1]
- 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)]
- B.3 Term of Conditions [326 IAC 2-1.1-9.5]
- B.4 Enforceability [326 IAC 2-7-7]
- B.5 Termination of Right to Operate [326 IAC 2-7-10] [326 IAC 2-7-4(a)]
- B.6 Severability [326 IAC 2-7-5(5)]
- B.7 Property Rights or Exclusive Privilege [326 IAC 2-7-5(6)(D)]
- B.8 Duty to Provide Information [326 IAC 2-7-5(6)(E)]
- B.9 Certification [326 IAC 2-7-4(f)][326 IAC 2-7-6(1)][326 IAC 2-7-5(3)(C)]
- B.10 Annual Compliance Certification [326 IAC 2-7-6(5)]
- 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]
- B.12 Emergency Provisions [326 IAC 2-7-16]
- B.13 Permit Shield [326 IAC 2-7-15][326 IAC 2-7-20][326 IAC 2-7-12]
- B.14 Prior Permits Superseded [326 IAC 2-1.1-9.5][326 IAC 2-7-10.5]
- B.15 Deviations from Permit Requirements and Conditions [326 IAC 2-7-5(3)(C)(ii)]
- 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]
- B.17 Permit Renewal [326 IAC 2-7-3][326 IAC 2-7-4][326 IAC 2-7-8(e)]
- B.18 Permit Amendment or Modification [326 IAC 2-7-11][326 IAC 2-7-12][40 CFR 72]
- B.19 Permit Revision Under Economic Incentives and Other Programs [326 IAC 2-7-5(8)] [326 IAC 2-7-12(b)(2)]
- B.20 Operational Flexibility [326 IAC 2-7-20][326 IAC 2-7-10.5]
- B.21 Source Modification Requirement [326 IAC 2-7-10.5] [326 IAC 2-2-2]
- 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]
- B.23 Transfer of Ownership or Operational Control [326 IAC 2-7-11]
- B.24 Annual Fee Payment [326 IAC 2-7-19] [326 IAC 2-7-5(7)][326 IAC 2-1.1-7]
- B.25 Credible Evidence [326 IAC 2-7-5(3)][326 IAC 2-7-6][62 FR 8314] [326 IAC 1-1-6]

C. SOURCE OPERATION CONDITIONS 19

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]
- C.2 Opacity [326 IAC 5-1]
- C.3 Open Burning [326 IAC 4-1] [IC 13-17-9]
- C.4 Incineration [326 IAC 4-2] [326 IAC 9-1-2]
- C.5 Fugitive Dust Emissions [326 IAC 6-4]
- C.6 Asbestos Abatement Projects [326 IAC 14-10] [326 IAC 18] [40 CFR 61, Subpart M]

Testing Requirements [326 IAC 2-7-6(1)]
- C.7 Performance Testing [326 IAC 3-6]

TABLE OF CONTENTS (Continued)

Compliance Requirements [326 IAC 2-1.1-11]
C.8 Compliance Requirements [326 IAC 2-1.1-11]

Compliance Monitoring Requirements [326 IAC 2-7-5(1)][326 IAC 2-7-6(1)]
C.9 Compliance Monitoring [326 IAC 2-7-5(3)][326 IAC 2-7-6(1)]
C.10 Monitoring Methods [326 IAC 3] [40 CFR 60] [40 CFR 63]
C.11 Instrument Specifications [326 IAC 2-1.1-11] [326 IAC 2-7-5(3)] [326 IAC 2-7-6(1)]

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]
C.13 Response to Excursions or Exceedances [326 IAC 2-7-5] [326 IAC 2-7-6]
C.14 Actions Related to Noncompliance Demonstrated by a Stack Test [326 IAC 2-7-5] [326 IAC 2-7-6]

Record Keeping and Reporting Requirements [326 IAC 2-7-5(3)] [326 IAC 2-7-19]
C.15 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]
C.16 General Record Keeping Requirements [326 IAC 2-7-5(3)] [326 IAC 2-7-6] [326 IAC 2-2] [326 IAC 2-3]
C.17 General Reporting Requirements [326 IAC 2-7-5(3)(C)] [326 IAC 2-1.1-11] [326 IAC 2-2] [326 IAC 2-3]

Stratospheric Ozone Protection
C.18 Compliance with 40 CFR 82 and 326 IAC 22-1

D.1 EMISSIONS UNIT OPERATION CONDITIONS 27

Emission Limitations and Standards [326 IAC 2-7-5(1)]
D.1.1 General Provisions relating to NESHAP [326 IAC 14-1][40 CFR Part 61, Subpart A][326 IAC 20-23][40 CFR Part 63, Subpart DD]
D.1.2 National Emission Standards for Hazardous Air Pollutants (NESHAP) – Benzene Waste Operations [326 IAC 14-1][40 CFR Part 61, Subpart FF]
D.1.3 National Emission Standards for Hazardous Air Pollutants (NESHAP) - Offsite Waste and Recovery Operations [326 IAC 20-23] [40 CFR Part 63, Subpart DD]
D.1.4 Emission Offset [326 IAC 2-3][326 IAC 8-1-6]
D.1.5 Particulate Emission Limitations for Manufacturing Processes [326 IAC 6-3-2]
D.1.6 Volatile Organic Compounds (VOC) [326 IAC 8-9]
D.1.7 Preventive Maintenance Plan [326 IAC 2-7-5(13)]

Compliance Determination Requirements
D.1.8 Testing Requirements [326 IAC 2-7-6(1),(6)] [326 IAC 2-1.1-11]
D.1.9 Emissions Controls

Compliance Monitoring Requirements [326 IAC 2-7-5(1)][326 IAC 2-7-6(1)]
D.1.10 Carbon Adsorber/Canister Monitoring
D.1.11 Flare Pilot Flame
D.1.12 Visible Emissions Notations
D.1.13 Parametric Monitoring
D.1.14 Broken or Failed Bag Detection

TABLE OF CONTENTS (Continued)

Record Keeping and Reporting Requirement [326 IAC 2-7-5(3)] [326 IAC 2-7-19]
D.1.15 National Emission Standards for Hazardous Air Pollutants (NESHAP) - Equipment Leaks from Fugitive Emission Sources of Benzene [326 IAC 14-1][40 CFR Part 61, Subpart J]
D.1.16 Record Keeping Requirements [40 CFR Part 63, Subpart DD]
D.1.17 Record Keeping Requirements
D.1.18 Reporting Requirements [40 CFR Part 63, Subpart DD]

D.2 EMISSIONS UNIT OPERATION CONDITIONS 37

Emission Limitations and Standards [326 IAC 2-7-5(1)]
D.2.1 Particulate Emission Limitations [326 IAC 6-3-2]
D.2.2 Cold Cleaner Operations [326 IAC 8-3-2]
D.2.3 Cold Cleaner Degreaser Operation and Control [326 IAC 8-3-5]
D.2.4 Material Requirements for Cold Cleaning Degreasers [326 IAC 8-3-8]

Certification 40
Emergency Occurrence Report 41
Quarterly Deviation and Compliance Monitoring Report 43

SECTION A SOURCE SUMMARY

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

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

The Permittee owns and operates a stationary waste management and fuel processing source.

Source Address:	4343 Kennedy Avenue, East Chicago, Indiana 46312
Mailing Address:	4343 Kennedy Avenue, East Chicago, Indiana 46312
General Source Phone Number:	(219) 397-3951
SIC Code:	7389, 7399
County Location:	Lake
Source Location Status:	Nonattainment for PM2.5, 1-hr ozone and 8-hr ozone Attainment for all other criteria pollutants
Source Status:	Part 70 Permit Program Minor Source under PSD Major Source under Emission Offset 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:

(a) Hazardous waste material (HWM) tank storage, identified as Unit 1, described as follows:

(1) HWM mix, blend, and storage tanks, identified as 1, 4, 18, 19, 20, 21, 22, and 23, with gallon capacities of 12,690, 12,690, 20,353, 20,353, 19,688, 20,353, 20,353, and 20,353, respectively, constructed in 1970, 1970, 1993, 1993, 1993, 1993, 1993, and 1993, respectively, collectively using two (2) sets of carbon adsorbers with the sets used alternately, each set with two (2) carbon canisters in series for VOC control, using a nitrogen blanketing closed-loop vapor exchange system to minimize air emissions, and exhausting to one stack, identified as HWM Storage/Blending Stack.

(2) HWF receiving, blending and storage tank, identified as 29, with a capacity of 21,000 gallons, constructed in 2000, using one (1) carbon adsorber unit consisting of two (2) carbon canisters in series for VOC control, using a nitrogen blanketing closed-loop vapor exchange system to minimize air emissions, and exhausting to stack TK 29.

(3) HWF blending and mixing tanks, identified as 6 and 7, with gallon capacities of 4,386 and 2,900, respectively, constructed in 1989 and 1952, respectively, collectively using one (1) carbon adsorber unit consisting of two (2) carbon canisters used alternately for VOC control, using a nitrogen blanketing closedloop vapor exchange system and an air-cooled heat exchanger (chiller) to minimize air emissions, and exhausting to stack TK 6-7.

(4) One (1) hydropulper tank, identified as Tank 24 HP, constructed in 1993, with a capacity of 3,500 gallons.

(b) Hazardous waste fuel (HWF) receiving and shipping, identified as Unit 2, with a maximum capacity of 4,000 gallons of HWF per hour, constructed in 1991, using no controls, and consisting of the following operations:

(1) Loading and unloading of railcars, occurring outdoors and unenclosed, and using submerged filling; and

(2) Loading and unloading of tank trucks, occurring semi-enclosed in a three-sided shed, and using bottom filling.

(c) One (1) materials manual lab packing, depacking, bulking and degassing operation identified as Unit 4, with a maximum capacity of 27,375 pack containers per year, constructed in 1992, including three insignificant booths in addition to the following equipment:

(1) One (1) booth for manual lab packing, depacking, bulking and degassing of organic materials, identified as Lab Pack Booth 1, using a single carbon canister for VOC control, and exhausting to stack LP S1.

(d) One (1) household hazardous waste (HHHW) drum shredder, identified as Unit 7, processing 125-pound drums at a capacity of 10 drums per hour, constructed in 2000, using one (1) carbon adsorber unit consisting of two (2) carbon canisters in series for VOC control, using a nitrogen blanketing closed-loop vapor exchange system to minimize air emissions, exhausting to one stack, identified as Small Shredder Stack, and exhausting indoors, which in turn exhausts through building vent V1.

(e) One (1) Solids Distillation System (SDS), constructed in 2004, with a maximum throughput rate of 4 tons of waste per hour, consisting of:

(1) One (1) SDS Shredder, using a carbon adsorption system for VOC control, exhausting to stack SDS 01.

(2) One (1) Anaerobic Thermal Desorption System enclosed feed conveyor under nitrogen blanketing, and enclosed in a chilled jacket, using a carbon adsorption system for VOC control, exhausting to SDS 03.

(3) One (1) Anaerobic Thermal Desorption Unit, identified as ATDU, with one (1) 10 MMBtu/hr natural gas fired heater, exhausting to stack SDS 02.

(4) One (1) Oil-Water Separator, using a carbon adsorption system for VOC control, exhausting to stack SDS 03.

(5) One (1) water tank, using a carbon adsorption system for VOC control, exhausting to stack SDS 08.

(6) One (1) Vapor Recovery Unit (VRU), using an open John Zink flare with a demister (and a carbon adsorption system as backup) for VOC control, exhausting to stack SDS 07.

(7) One (1) solids shaker and conveyor system, using two (2) baghouses for particulate control, exhausting to stacks SDS 04 and SDS 09.

(f) One (1) Distillation Unit, constructed in 2004, with a maximum throughput rate of 1.0 tons of liquid waste per hour, controlled by a carbon adsorption system, and exhausting to stack SDS 05.

(g) One (1) condensed liquid tank, identified as Tank 55, constructed in 2004, with a maximum capacity of 20,000 gallons, used to collect oil from the oil-water separator, controlled by a carbon Adsorption system, and exhausting to stack SDS 08.

(h) Three (3) RCRA hazardous waste tanks, identified as Tanks 52 through 54, constructed in 2004, each with a maximum capacity of 12,000 gallons, controlled by a carbon adsorption system, and exhausting to stack SDS 08.

(i) Five (5) product tanks, identified as Tanks 57 through 61, constructed in 1998, with maximum capacities of 20,000 gallons, 20,000 gallons, 6,000 gallons, 6,000 gallons and 20,000 gallons, respectively, controlled by a carbon adsorption system, and exhausting to stack LDS 09.

(j) One (1) Pot Still, constructed in 2007, with a maximum throughput rate of 70 gallons of liquid waste per hour, controlled by a carbon adsorption system, and exhausting to stack SDS 10.

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 per 12 months, except if subject to 326 IAC 20-6. [326 IAC 8-3-2][326 IAC 8-3-5][326 IAC 8-3-8]

(b) Paved roads and parking lots with public access. [326 IAC 6-4]

(c) Activities with emissions equal to or less than the following thresholds: 5 lb/hr or 25 lb/day PM; 5 lb/hr or 25 lb/day SO2; 5 lb/hr or 25 lb/day NOx; 3 lb/hr or 15 lb/day VOC; 0.6 tons per year Pb; 1.0 ton/yr of a single HAP, or 2.5 ton/yr of any combination of HAPs:

(1) One (1) booth for manual unpacking of dry chemical materials, identified as LP B4 of Unit 4, with a maximum capacity of 200 pounds per day, using a baghouse for particulate control, and exhausting to stack LP S4. [326 IAC 6-3-2]

(2) Two (2) packing booths, Lab Pack Booth 2 and Lab Pack Booth 3, used to handle acids and caustics, using a wet scrubber for control. [326 IAC 6-3-2]

(d) Activities with emissions equal to or less than the following thresholds: 5 lb/hr or 25 lb/day PM; 5 lb/hr or 25 lb/day SO2; 5 lb/hr or 25 lb/day NOx; 3 lb/hr or 15 lb/day VOC; 0.6 tons per year Pb; 1.0 ton/yr of a single HAP, or 2.5 ton/yr of any combination of HAPs:

(1) One (1) high speed non-hazardous aqueous dispersion tank, identified as Tank 25HD, constructed in 1993, with a capacity of 3,400 gallons. [326 IAC 8-9]

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

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

(a) It is a major source, as defined in 326 IAC 2-7-1(22);

(b) It is a source in a source category designated by the United States Environmental Protection Agency (U.S. EPA) under 40 CFR 70.3 (Part 70 - Applicability).

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, T089-7738-00345, is issued for a fixed term of five (5) years from the issuance date of this permit, as determined in accordance with IC 4-21.5-3-5(f) and IC 13-15-5-3. Subsequent revisions, modifications, or amendments of this permit do not affect the expiration date of this permit.

(b) If IDEM, OAQ, upon receiving a timely and complete renewal permit application, fails to issue or deny the permit renewal prior to the expiration date of this permit, this existing permit shall not expire and all terms and conditions shall continue in effect, including any permit shield provided in 326 IAC 2-7-15, until the renewal permit has been issued or denied.

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

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

(a) The condition is modified in a subsequent permit action pursuant to Title I of the Clean Air Act; or

(b) The emission unit to which the condition pertains permanently ceases operation.

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

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

B.5 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.6 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.7 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.8 Duty to Provide Information [326 IAC 2-7-5(6)(E)]

(a) The Permittee shall furnish to IDEM, OAQ, within a reasonable time, any information that IDEM, OAQ may request in writing to determine whether cause exists for modifying, revoking and reissuing, or terminating this permit, or to determine compliance with this permit. The submittal by the Permittee does require the certification by the "responsible official" as defined by 326 IAC 2-7-1(34). Upon request, the Permittee shall also furnish to IDEM, OAQ copies of records required to be kept by this permit.

(b) For information furnished by the Permittee to IDEM, OAQ, the Permittee may include a claim of confidentiality in accordance with 326 IAC 17.1. When furnishing copies of requested records directly to U. S. EPA, the Permittee may assert a claim of confidentiality in accordance with 40 CFR 2, Subpart B.

B.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) The "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. The initial certification shall cover the time period from the date of final permit issuance through December 31 of the same year. All subsequent certifications shall cover the time period from January 1 to December 31 of the previous year, and shall be submitted in letter form no later than April 15th of each year to:

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

and

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

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

(c) The annual compliance certification report shall include the following:

(1) The appropriate identification of each term or condition of this permit that is the basis of the certification;

(2) The compliance status;

(3) Whether compliance was continuous or intermittent;

(4) The methods used for determining the compliance status of the source, currently and over the reporting period consistent with 326 IAC 2-7-5(3); and

(5) Such other facts, as specified in Sections D of this permit, as IDEM, OAQ may require to determine the compliance status of the source.

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

B.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

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

(b) A copy of the PMPs shall be submitted to IDEM, OAQ, upon request and within a reasonable time, and shall be subject to review and approval by IDEM, OAQ. IDEM, OAQ, may require the Permittee to revise its PMPs whenever lack of proper maintenance causes or is the primary contributor to an exceedance of any limitation on emissions or potential to emit. The PMPs do not require the certification by the "responsible official" as defined by 326 IAC 2-7-1(34).

(c) To the extent the Permittee is required by 40 CFR Part 60/63 to have an Operation Maintenance, and Monitoring (OMM) Plan for a unit, such Plan is deemed to satisfy the PMP requirements of 326 IAC 1-6-3 for that unit.

B.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, 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

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

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

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

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

(A) A description of the emergency;

(B) Any steps taken to mitigate the emissions; and

(C) Corrective actions taken.

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

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

(c) In any enforcement proceeding, the Permittee seeking to establish the occurrence of an emergency has the burden of proof.

(d) This emergency provision supersedes 326 IAC 1-6 (Malfunctions). This permit condition is in addition to any emergency or upset provision contained in any applicable requirement.

(e) The Permittee seeking to establish the occurrence of an emergency shall make records available upon request to ensure that failure to implement a PMP did not cause or contribute to an exceedance of any limitations on emissions. However, IDEM, OAQ may require that the Preventive Maintenance Plans required under 326 IAC 2-7-4(c)(9) be revised in response to an emergency.

(f) Failure to notify IDEM, OAQ by telephone or facsimile of an emergency lasting more than one (1) hour in accordance with (b)(4) and (5) of this condition shall constitute a violation of 326 IAC 2-7 and any other applicable rules.

(g) If the emergency situation causes a deviation from a technology-based limit, the Permittee may continue to operate the affected emitting facilities during the emergency provided the Permittee immediately takes all reasonable steps to correct the emergency and minimize emissions.

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

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

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

(b) If, after issuance of this permit, it is determined that the permit is in nonconformance with an applicable requirement that applied to the source on the date of permit issuance, IDEM, OAQ, shall immediately take steps to reopen and revise this permit and issue a compliance order to the Permittee to ensure expeditious compliance with the applicable requirement until the permit is reissued. The permit shield shall continue in effect so long as the Permittee is in compliance with the compliance order.

(c) No permit shield shall apply to any permit term or condition that is determined after issuance of this permit to have been based on erroneous information supplied in the permit application. Erroneous information means information that the Permittee knew to be false, or in the exercise of reasonable care should have been known to be false, at the time the information was submitted.

(d) Nothing in 326 IAC 2-7-15 or in this permit shall alter or affect the following:

(1) The provisions of Section 303 of the Clean Air Act (emergency orders), including the authority of the U.S. EPA under Section 303 of the Clean Air Act;

(2) The liability of the Permittee for any violation of applicable requirements prior to or at the time of this permit's issuance;

(3) The applicable requirements of the acid rain program, consistent with Section 408(a) of the Clean Air Act; and

(4) The ability of U.S. EPA to obtain information from the Permittee under Section 114 of the Clean Air Act.

(e) This permit shield is not applicable to any change made under 326 IAC 2-7-20(b)(2) (Sections 502(b)(10) of the Clean Air Act changes) and 326 IAC 2-7-20(c)(2) (trading based on State Implementation Plan (SIP) provisions).

(f) This permit shield is not applicable to modifications eligible for group processing until after IDEM, OAQ, has issued the modifications. [326 IAC 2-7-12(c)(7)]

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

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

B.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 T089-7738-00345 and issued pursuant to permitting programs approved into the state implementation plan have been either:

(1) incorporated as originally stated,

(2) revised under 326 IAC 2-7-10.5, or

(3) deleted under 326 IAC 2-7-10.5.

(b) Provided that all terms and conditions are accurately reflected in this permit, all previous registrations and permits are superseded by this Part 70 operating permit.

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

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

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

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

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

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

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

(a) This permit may be modified, reopened, revoked and reissued, or terminated for cause. The filing of a request by the Permittee for a Part 70 Operating Permit modification, revocation and reissuance, or termination, or of a notification of planned changes or anticipated noncompliance does not stay any condition of this permit. [326 IAC 2-7-5(6)(C)] The notification by the Permittee does require the certification by the "responsible official" as defined by 326 IAC 2-7-1(34).

(b) This permit shall be reopened and revised under any of the circumstances listed in IC 13-15-7-2 or if IDEM, OAQ determines any of the following:

(1) That this permit contains a material mistake.

(2) That inaccurate statements were made in establishing the emissions standards or other terms or conditions.

(3) That this permit must be revised or revoked to assure compliance with an applicable requirement. [326 IAC 2-7-9(a)(3)]

(c) Proceedings by IDEM, OAQ to reopen and revise this permit shall follow the same procedures as apply to initial permit issuance and shall affect only those parts of this permit for which cause to reopen exists. Such reopening and revision shall be made as expeditiously as practicable. [326 IAC 2-7-9(b)]

(d) The reopening and revision of this permit, under 326 IAC 2-7-9(a), shall not be initiated before notice of such intent is provided to the Permittee by IDEM, OAQ at least thirty (30) days in advance of the date this permit is to be reopened, except that IDEM, OAQ may provide a shorter time period in the case of an emergency. [326 IAC 2-7-9(c)]

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

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

Request for renewal shall be submitted to:

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

(b) A timely renewal application is one that is:

(1) Submitted at least nine (9) months prior to the date of the expiration of this permit; and

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

(c) If the Permittee submits a timely and complete application for renewal of this permit, the source's failure to have a permit is not a violation of 326 IAC 2-7 until IDEM, OAQ takes final action on the renewal application, except that this protection shall cease to apply if, subsequent to the completeness determination, the Permittee fails to submit by the deadline specified in writing by IDEM, OAQ any additional information identified as being needed to process the application.

B.18 Permit Amendment or Modification [326 IAC 2-7-11][326 IAC 2-7-12][40 CFR 72]

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

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

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

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

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

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

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

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

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

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

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

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

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

(4) The Permittee notifies the:

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

and

United States Environmental Protection Agency, Region V
Air and Radiation Division, Regulation Development Branch - Indiana (AR-18J)
77 West Jackson Boulevard
Chicago, Illinois 60604-3590

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

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

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

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

(1) A brief description of the change within the source;

(2) The date on which the change will occur;

(3) Any change in emissions; and

(4) Any permit term or condition that is no longer applicable as a result of the change.

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

(c) Emission Trades [326 IAC 2-7-20(c)]
The Permittee may trade emissions increases and decreases at 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.

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

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

(b) Any modification at an existing major source is governed by the requirements of 326 IAC 2-2-2.

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

Upon presentation of proper identification cards, credentials, and other documents as may be required by law, and subject to the Permittee's right under all applicable laws and regulations to assert that the information collected by the agency is confidential and entitled to be treated as such, the Permittee shall allow IDEM, OAQ, U.S. EPA, or an authorized representative to perform the following:

(a) Enter upon the Permittee's premises where a Part 70 source is located, or emissions related activity is conducted, or where records must be kept under the conditions of this permit;

(b) As authorized by the Clean Air Act, IC 13-14-2-2, IC 13-17-3-2, and IC 13-30-3-1, have access to and copy any records that must be kept under the conditions of this permit;

(c) As authorized by the Clean Air Act, IC 13-14-2-2, IC 13-17-3-2, and IC 13-30-3-1, inspect any facilities, equipment (including monitoring and air pollution control equipment), practices, or operations regulated or required under this permit;

(d) As authorized by the Clean Air Act, IC 13-14-2-2, IC 13-17-3-2, and IC 13-30-3-1, sample or monitor substances or parameters for the purpose of assuring compliance with this permit or applicable requirements; and

(e) As authorized by the Clean Air Act, IC 13-14-2-2, IC 13-17-3-2, and IC 13-30-3-1, utilize any photographic, recording, testing, monitoring, or other equipment for the purpose of assuring compliance with this permit or applicable requirements.

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

(a) The Permittee must comply with the requirements of 326 IAC 2-7-11 whenever the Permittee seeks to change the ownership or operational control of the source and no other change in the permit is necessary.

(b) Any application requesting a change in the ownership or operational control of the source shall contain a written agreement containing a specific date for transfer of permit responsibility, coverage and liability between the current and new Permittee. The application shall be submitted to:

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

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

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

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

(a) The Permittee shall pay annual fees to IDEM, OAQ within thirty (30) calendar days of receipt of a billing. Pursuant to 326 IAC 2-7-19(b), if the Permittee does not receive a bill from IDEM, OAQ the applicable fee is due April 1 of each year.

(b) Except as provided in 326 IAC 2-7-19(e), failure to pay may result in administrative enforcement action or revocation of this permit.

(c) The Permittee may call the following telephone numbers: 1-800-451-6027 or 317-233-4230 (ask for OAQ, Billing, Licensing, and Training Section), to determine the appropriate permit fee.

B.25 Credible Evidence [326 IAC 2-7-5(3)][326 IAC 2-7-6][62 FR 8314] [326 IAC 1-1-6]

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

SECTION C **SOURCE OPERATION CONDITIONS**

Entire Source

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

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

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

C.2 Opacity [326 IAC 5-1]

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

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

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

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

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

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

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

C.5 Fugitive Dust Emissions [326 IAC 6-4]

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

C.6 Asbestos Abatement Projects [326 IAC 14-10] [326 IAC 18] [40 CFR 61, Subpart M]

(a) Notification requirements apply to each owner or operator. If the combined amount of regulated asbestos containing material (RACM) to be stripped, removed or disturbed is at least 260 linear feet on pipes or 160 square feet on other facility components, or at least thirty-five (35) cubic feet on all facility components, then the notification requirements of 326 IAC 14-10-3 are mandatory. All demolition projects require notification whether or not asbestos is present.

(b) The Permittee shall ensure that a written notification is sent on a form provided by the Commissioner at least ten (10) working days before asbestos stripping or removal work or before demolition begins, per 326 IAC 14-10-3, and shall update such notice as necessary, including, but not limited to the following:

(1) When the amount of affected asbestos containing material increases or decreases by at least twenty percent (20%); or

(2) If there is a change in the following:

(A) Asbestos removal or demolition start date;

(B) Removal or demolition contractor; or

(C) Waste disposal site.

(c) The Permittee shall ensure that the notice is postmarked or delivered according to the guidelines set forth in 326 IAC 14-10-3(2).

(d) The notice to be submitted shall include the information enumerated in 326 IAC 14-10-3(3).

All required notifications shall be submitted to:

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

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

(e) Procedures for Asbestos Emission Control
The Permittee shall comply with the applicable emission control procedures in 326 IAC 14-10-4 and 40 CFR 61.145(c). Per 326 IAC 14-10-1, emission control requirements are applicable for any removal or disturbance of RACM greater than three (3) linear feet on pipes or three (3) square feet on any other facility components or a total of at least 0.75 cubic feet on all facility components.

(f) Demolition and Renovation
The Permittee shall thoroughly inspect the affected facility or part of the facility where the demolition or renovation will occur for the presence of asbestos pursuant to 40 CFR 61.145(a).

(g) Indiana Accredited Asbestos Inspector
The Permittee shall comply with 326 IAC 14-10-1(a) that requires the owner or operator, prior to a renovation/demolition, to use an Indiana Accredited Asbestos Inspector to thoroughly inspect the affected portion of the facility for the presence of asbestos. The requirement to use an Indiana Accredited Asbestos inspector is not federally enforceable.

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

C.7 Performance Testing [326 IAC 3-6]

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

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

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

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

(b) The Permittee shall notify IDEM, OAQ of the actual test date at least fourteen (14) days prior to the actual test date. The notification submitted by the Permittee does not require certification by the "responsible official" as defined by 326 IAC 2-7-1(34).

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

Compliance Requirements [326 IAC 2-1.1-11]

C.8 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.9 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

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

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

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

(a) When required by any condition of this permit, an analog instrument used to measure a parameter related to the operation of an air pollution control device shall have a scale such that the expected maximum reading for the normal range shall be no less than twenty percent (20%) of full scale.

(b) The Permittee may request that the IDEM, OAQ approve the use of an instrument that does not meet the above specifications provided the Permittee can demonstrate that an alternative instrument specification will adequately ensure compliance with permit conditions requiring the measurement of the parameters.

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

C.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 Response to Excursions or Exceedances [326 IAC 2-7-5] [326 IAC 2-7-6]

(a) Upon detecting an excursion or exceedance, the Permittee shall restore operation of the emissions unit (including any control device and associated capture system) to its normal or usual manner of operation as expeditiously as practicable in accordance with good air pollution control practices for minimizing emissions.

(b) The response shall include minimizing the period of any startup, shutdown or malfunction and taking any necessary corrective actions to restore normal operation and prevent the likely recurrence of the cause of an excursion or exceedance (other than those caused by excused startup or shutdown conditions). Corrective actions may include, but are not limited to, the following:

(1) initial inspection and evaluation;

(2) recording that operations returned to normal without operator action (such as through response by a computerized distribution control system); or

(3) any necessary follow-up actions to return operation to within the indicator range, designated condition, or below the applicable emission limitation or standard, as applicable.

(c) A determination of whether the Permittee has used acceptable procedures in response to an excursion or exceedance will be based on information available, which may include, but is not limited to, the following:

(1) monitoring results;

(2) review of operation and maintenance procedures and records; and/or

(3) inspection of the control device, associated capture system, and the process.

(d) Failure to take reasonable response steps shall be considered a deviation from the permit.

(e) The Permittee shall maintain the following records:

(1) monitoring data;

(2) monitor performance data, if applicable; and

(3) corrective actions taken.

C.14 Actions Related to Noncompliance Demonstrated by a Stack Test [326 IAC 2-7-5][326 IAC 2-7-6]

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

(b) A retest to demonstrate compliance shall be performed within one hundred twenty (120) days of receipt of the original test results. Should the Permittee demonstrate to IDEM, OAQ that retesting in one hundred twenty (120) days is not practicable, IDEM, OAQ may extend the retesting deadline.

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

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

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

C.15 Emission Statement [326 IAC 2-7-5(3)(C)(iii)][326 IAC 2-7-5(7)][326 IAC 2-7-19(c)][326 IAC 2-6]

(a) In accordance with the compliance schedule specified in 326 IAC 2-6-3(b)(1), the Permittee shall submit by July 1 an emission statement covering the previous calendar year as follows:

(1) starting in 2007 and every three (3) years thereafter, and

(2) any year not already required under (1) if the source emits volatile organic compounds or oxides of nitrogen into the ambient air at levels equal to or greater than twenty-five (25) tons during the previous calendar year.

(b) The emission statement shall contain, at a minimum, the information specified in 326 IAC 2-6-4(c) and shall meet the following requirements:

(1) Indicate estimated actual emissions of all pollutants listed in 326 IAC 2-6-4(a);

(2) Indicate estimated actual emissions of regulated pollutants as defined by 326 IAC 2-7-1 (32) ("Regulated pollutant, which is used only for purposes of Section 19 of this rule") from the source, for purpose of fee assessment.

The statement must be submitted to:

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

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

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

C.16 General Record Keeping Requirements [326 IAC 2-7-5(3)] [326 IAC 2-7-6]

(a) Records of all required monitoring data, reports and support information required by this permit shall be retained for a period of at least five (5) years from the date of monitoring sample, measurement, report, or application. These records shall be physically present or electronically accessible at the source location for a minimum of three (3) years. The records may be stored elsewhere for the remaining two (2) years as long as they are available upon request. If the Commissioner makes a request for records to the Permittee, the Permittee shall furnish the records to the Commissioner within a reasonable time.

(b) Unless otherwise specified in this permit, all record keeping requirements not already legally required shall be implemented within ninety (90) days of permit issuance.

(c) If there is a reasonable possibility that a "project" (as defined in 326 IAC 2-3-1 (ll)) at a major source other than projects at a Clean Unit which is not part of a "major modification" (as defined in 326 IAC 2-3-1 (z)) may result in significant emissions increase and the Permittee elects to utilize the "projected actual emissions" (as defined in 326 IAC 2-3-1 (mm)), the Permittee shall comply with following:

(1) Before beginning actual construction of "project" (as defined in 326 IAC 2-3-1 (ll)) document and maintain the following records:

(A) A description of the project;

(B) Identification of any emissions unit whose emissions of a regulated new source review pollutant could be affected by the project;

(C) A description of the applicability test used to determine that the project is not a major modification for any regulated NSR pollutant, including:

(i) Baseline actual emissions;
(ii) Projected actual emissions;

(iii) Amount of emissions excluded under section 326 IAC 2-3-1(mm)(2)(A)(3); and

(iv) An explanation for why the amount was excluded, and any netting calculations, if applicable.

(2) Monitor the emissions of any regulated NSR pollutant that could increase as a result of the project and that is emitted by any emissions unit identified in (1)(B) above; and

(3) Calculate and maintain a record of the annual emissions, in tons per year on a calendar year basis, for a period of five (5) years following resumption of regular operations after the change, or for a period of ten (10) years following resumption of regular operations after the change if the project increases the design capacity of or the potential to emit that regulated NSR pollutant at the emissions unit.

C.17 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

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

(d) Unless otherwise specified in this permit, all reports required in Section D of this permit shall be submitted within thirty (30) days of the end of the reporting period. All reports do require the certification by the “responsible official” as defined by 326 IAC 2-7-1(34).

(e) The first report shall cover the period commencing on the date of issuance of this permit and ending on the last day of the reporting period. Reporting periods are based on calendar years, unless otherwise specified in this permit. For the purpose of this permit “calendar year” means the twelve (12) month period from January 1 to December 31 inclusive.

(f) If the Permittee is required to comply with the recordkeeping provisions of (c) in Section C- General Record Keeping Requirements for any “project” (as defined in 326 IAC 2-3-1 (ll)), and the project meets the following criteria, then the Permittee shall submit a report to IDEM, OAQ:

(1) The annual emissions, in tons per year, from the project identified in (c)(1) in Section C- General Record Keeping Requirements exceed the baseline actual emissions, as documented and maintained under Section C- General Record Keeping Requirements (c)(1)(C)(i), by a significant amount, as defined in 326 IAC 2-3-1 (qq), for that regulated NSR pollutant, and

(2) The emissions differ from the preconstruction projection as documented and maintained under Section C- General Record Keeping Requirements (c)(1)(C)(ii).

(g) The report shall be submitted within sixty (60) days after the end of the year and contain the following:

(1) The name, address, and telephone number of the major stationary source.

(2) The annual emissions calculated in accordance with (c)(2) and (3) in Section General Record Keeping Requirements.

(3) The emissions calculated under the actual-to-projected actual test stated in 326 IAC 2-3-2(c)(3).

(4) Any other information that the Permittee deems fit to include in this report, Reports required in this part shall be submitted to:

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

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

Stratospheric Ozone Protection

C.18 Compliance with 40 CFR 82 and 326 IAC 22-1

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

(a) Persons opening appliances for maintenance, service, repair, or disposal must comply with the required practices pursuant to 40 CFR 82.156.

(b) Equipment used during the maintenance, service, repair, or disposal of appliances must comply with the standards for recycling and recovery equipment pursuant to 40 CFR 82.158.

(c) Persons performing maintenance, service, repair, or disposal of appliances must be certified by an approved technician certification program pursuant to 40 CFR 82.161.

SECTION D.1 EMISSIONS UNIT OPERATION CONDITIONS

Emissions Unit Description:

(a) Hazardous waste material (HWM) tank storage, identified as Unit 1, described as follows:

(1) HWM mix, blend, and storage tanks, identified as 1, 4, 18, 19, 20, 21, 22, and 23, with gallon capacities of 12,690, 12,690, 20,353, 20,353, 19,688, 20,353, 20,353, and 20,353, respectively, constructed in 1970, 1970, 1993, 1993, 1993, 1993, 1993, and 1993, respectively, collectively using two (2) sets of carbon adsorbers with the sets used alternately, each set with two (2) carbon canisters in series for VOC control, using a nitrogen blanketing closed-loop vapor exchange system to minimize air emissions, and exhausting to one stack, identified as HWM Storage/Blending Stack.

(2) HWF receiving, blending and storage tank, identified as 29, with a capacity of 21,000 gallons, constructed in 2000, using one (1) carbon adsorber unit consisting of two (2) carbon canisters in series for VOC control, using a nitrogen blanketing closed-loop vapor exchange system to minimize air emissions, and exhausting to stack TK 29.

(3) HWF blending and mixing tanks, identified as 6 and 7, with gallon capacities of 4,386 and 2,900, respectively, constructed in 1989 and 1952, respectively, collectively using one (1) carbon adsorber unit consisting of two (2) carbon canisters used alternately for VOC control, using a nitrogen blanketing closedloop vapor exchange system and an air-cooled heat exchanger (chiller) to minimize air emissions, and exhausting to stack TK 6-7.

(4) One (1) hydropulper tank, identified as Tank 24 HP, constructed in 1993, with a capacity of 3,500 gallons.

(b) Hazardous waste fuel (HWF) receiving and shipping, identified as Unit 2, with a maximum capacity of 4,000 gallons of HWF per hour, constructed in 1991, using no controls, and consisting of the following operations:

(1) Loading and unloading of railcars, occurring outdoors and unenclosed, and using submerged filling; and

(2) Loading and unloading of tank trucks, occurring semi-enclosed in a three-sided shed, and using bottom filling.

(c) One (1) materials manual lab packing, depacking, bulking and degassing operation identified as Unit 4, with a maximum capacity of 27,375 pack containers per year, constructed in 1992, including three insignificant booths in addition to the following equipment:

(1) One (1) booth for manual lab packing, depacking, bulking and degassing of organic materials, identified as Lab Pack Booth 1, using a single carbon canister for VOC control, and exhausting to stack LP S1.

(d) One (1) household hazardous waste (HHHW) drum shredder, identified as Unit 7, processing 125-pound drums at a capacity of 10 drums per hour, constructed in 2000, using one (1) carbon adsorber unit consisting of two (2) carbon canisters in series for VOC control, using a nitrogen blanketing closed-loop vapor exchange system to minimize air emissions, exhausting to one stack, identified as Small Shredder Stack, and exhausting indoors, which in turn exhausts through building vent V1.

(e) One (1) Solids Distillation System (SDS), constructed in 2004, with a maximum throughput rate of 4 tons of waste per hour, consisting of:

(1) One (1) SDS Shredder, using a carbon adsorption system for VOC control, exhausting to stack SDS 01.

(2) One (1) Anaerobic Thermal Desorption System enclosed feed conveyor under nitrogen blanketing, and enclosed in a chilled jacket, using a carbon adsorption system for VOC control, exhausting to SDS 03.

(3) One (1) Anaerobic Thermal Desorption Unit, identified as ATDU, with one (1) 10 MMBtu/hr natural gas fired heater, exhausting to stack SDS 02.

(4) One (1) Oil-Water Separator, using a carbon adsorption system for VOC control, exhausting to stack SDS 03.

(5) One (1) water tank, using a carbon adsorption system for VOC control, exhausting to stack SDS 08.

(6) One (1) Vapor Recovery Unit (VRU), using an open John Zink flare with a demister (and a carbon adsorption system as backup) for VOC control, exhausting to stack SDS 07.

(7) One (1) solids shaker and conveyor system, using two (2) baghouses for particulate control, exhausting to stacks SDS 04 and SDS 09.

(f) One (1) Distillation Unit, constructed in 2004, with a maximum throughput rate of 1.0 tons of liquid waste per hour, controlled by a carbon adsorption system, and exhausting to stack SDS 05.

(g) One (1) condensed liquid tank, identified as Tank 55, constructed in 2004, with a maximum capacity of 20,000 gallons, used to collect oil from the oil-water separator, controlled by a carbon Adsorption system, and exhausting to stack SDS 08.

(h) Three (3) RCRA hazardous waste tanks, identified as Tanks 52 through 54, constructed in 2004, each with a maximum capacity of 12,000 gallons, controlled by a carbon adsorption system, and exhausting to stack SDS 08.

(i) Five (5) product tanks, identified as Tanks 57 through 61, constructed in 1998, with maximum capacities of 20,000 gallons, 20,000 gallons, 6,000 gallons, 6,000 gallons and 20,000 gallons, respectively, controlled by a carbon adsorption system, and exhausting to stack LDS 09.

(j) One (1) Pot Still, constructed in 2007, with a maximum throughput rate of 70 gallons of liquid waste per hour, controlled by a carbon adsorption system, and exhausting to stack SDS 10.

Specifically Regulated Insignificant Activities

(d) Activities with emissions equal to or less than the following thresholds: 5 lb/hr or 25 lb/day PM; 5 lb/hr or 25 lb/day SO2; 5 lb/hr or 25 lb/day NOx; 3 lb/hr or 15 lb/day VOC; 0.6 tons per year Pb; 1.0 ton/yr of a single HAP, or 2.5 ton/yr of any combination of HAPs:

(1) One (1) high speed non-hazardous aqueous dispersion tank, identified as Tank 25HD, constructed in 1993, with a capacity of 3,400 gallons. [326 IAC 8-9]

(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 General Provisions relating to NESHAP [326 IAC 14-1][40 CFR Part 61, Subpart A] [326 IAC 20-23][40 CFR Part 63, Subpart DD]

(a) The provisions of 40 CFR Part 61, Subpart A - General Provisions, which are incorporated by reference in 326 IAC 14-1, apply to the subject facilities described in this section except as otherwise specified in 40 CFR Part 61, Subpart J.

(b) The provisions of 40 CFR Part 63, Subpart A - General Provisions, which are incorporated by reference in 326 IAC 20-23, apply to the facilities described in this section except when otherwise specified in 40 CFR Part 63, Subpart DD, Table 2.

D.1.2 National Emission Standards for Hazardous Air Pollutants (NESHAP) – Benzene Waste Operations [326 IAC 14-1][40 CFR Part 61, Subpart FF]

(a) The source shall not accept benzene-containing hazardous waste (as defined by 40 CFR 61.341) from a chemical manufacturing plant, coke by-product recovery plant, or petroleum refinery.

(b) Any change or modification which results in the source accepting a benzene-containing hazardous waste from a chemical manufacturing plant, coke by-product recovery plant, or petroleum refinery must receive prior approval from IDEM, OAQ.

D.1.3 National Emission Standards for Hazardous Air Pollutants (NESHAP) - Offsite Waste and Recovery Operations [326 IAC 20-23] [40 CFR Part 63, Subpart DD]

(a) Pursuant to 40 CFR 63.683(b)(1), the Permittee shall comply with one of the following requirements for the off-site material management units, except for those units exempted under 40 CFR 63.683(b)(2).

(1) The Permittee shall control air emissions from the off-site material management unit in accordance with the applicable standards specified in 40 CFR 63.685 through 63.689.

(2) The Permittee shall remove or destroy HAP in the off-site material before placing the material in the off-site material management unit by treating the material in accordance with the standards specified in 40 CFR 63.684.

(3) The Permittee shall determine, before placing off-site material in the off-site material management unit, that the average Volatile Organic Hazardous Air Pollutant (VOHAP) concentration of the off-site material is less than 500 parts per million by weight (ppmw) at the point-of-delivery. The Permittee must perform an initial determination of the average VOHAP concentration of the off-site material using the procedures specified in 40 CFR 63.694(b). This initial determination must be performed either before the first time any portion of the off-site material stream is placed in the unit or by the compliance date, whichever date is later. Thereafter, the owner or operator must review and update, as necessary, this determination at least once every calendar year following the date of the initial determination for the off-site material stream.

(b) Pursuant to 40 CFR 63.683(c)(1), the Permittee shall comply with one of the following for process vents, except for those units exempted under 40 CFR 63.683(c)(2).

(1) The Permittee shall control air emissions from each process vent in accordance with the standards specified in 40 CFR 63.690.

(2) The Permittee shall determine, before placing off-site material in the process equipment associated with the process vent, that the average VOHAP concentration of the off-site material is less than the ppmw at the point-of-delivery. The owner or operator must perform an initial determination of the average VOHAP concentration of the off-site material using the procedures specified in 40 CFR 63.694(b) before any portion of the off-site material stream is placed in the unit. Thereafter, the owner or operator must review and update, as necessary, this determination at least once every calendar year following the date of the initial determination for the off-site material stream.

(c) Pursuant to 40 CFR 63.683(d), the Permittee must control equipment leaks from each equipment component that is part of the affected source specified in 40 CFR 63.680(c)(3) by implementing leak detection and control measures in accordance with the standards specified in 40 CFR 63.691.

D.1.4 Emission Offset [326 IAC 2-3][326 IAC 8-1-6]

(a) The IDEM, OAQ has information that indicates that several facilities described in this section may be subject to the requirements of 326 IAC 2-3 (Emission Offset), 326 IAC 8-1-6 (BACT), and 326 IAC 8-7. Specifically, IDEM, OAQ questions the efficiency of the capture system associated with the carbon controls on Lab Pack Booth 1 and HHHW shredder (Unit 7). Also, IDEM, OAQ has been unable to validate the source's calculations for stack emissions from these facilities. Therefore, the Permit Shield provided in Section B of this permit does not apply to Lab Pack Booth 1 or HHHW shredder (Unit 7) with regards to 326 IAC 2-3, 326 IAC 8-1-6 and 326 IAC 8-7. Once this matter is resolved, the OAQ will promptly reopen this permit using the provisions of 326 IAC 2-7-9 (Permit Reopening) to include detailed requirements necessary to address the aforementioned rules, and a schedule for achieving compliance with any requirements.

(b) Pursuant to MSM 089-15970-00345, issued December 2, 2003, and MPM 089-18513-00345, issued February 4, 2004, and as revised by this Part 70 permit, the VOC emissions from the SDS shredder, Solids Distillation System and Distillation Unit shall not exceed the emission limits listed in the table below:

Unit ID	Stack(s) ID	VOC Emission Limit (lb/hr)
SDS Shredder	SDS 01	0.028
Solids Distillation System*	SDS 02, SDS 03, SDS 04, SDS 07, SDS 08, and SDS 09	0.169
Distillation Unit	SDS 05	0.014

* Not including the SDS Shredder

Compliance with these limits is equivalent to less than or equal to VOC emissions of 0.92 tons per year. Combined with the VOC emissions from product tanks 02 through 04, condensed liquid tank 01 and the insignificant combustion units, the VOC emissions from the modification permitted via MSM 089-15970-00345, issued December 2, 2003, are equal to less than 25 tons per year. Therefore, the requirements of 326 IAC 2-3 (Emission Offset) are not applicable to these units.

D.1.5 Particulate Emission Limitations for Manufacturing Processes [326 IAC 6-3-2]

Pursuant to 326 IAC 6-3-2, the allowable particulate emission rate from the shaker and conveyor system section of the Solids Distillation System (exhausting to stacks SDS 04 and SDS 09) shall not exceed 10.4 pounds per hour when operating at a process weight rate of 4 tons per hour.

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

Interpolation of the data for the process weight rate up to 60,000 pounds per hour shall be accomplished by use of the equation:

$E = 4.10\ P^{0.67}$ where E = rate of emission in pounds per hour; and
P = process weight rate in tons per hour.

D.1.6 Volatile Organic Compounds (VOC) [326 IAC 8-9]

Pursuant to 326 IAC 8-9, the following applies to HWF mix blend and storage tanks 1, 4, 18, 19, 20, 21, 22, and 23, HWF blending and storage tanks 6 and 7, tank 24HP, tank 25HD, HWF receiving and storage tank 29, RCRA hazardous waste tanks 52 through 54, condensed liquid tank 55 and product tanks 57 through 61:

(a) The Permittee shall maintain records of the following for the life of each vessel:

(1) The vessel identification number;

(2) The vessel dimensions;

(3) The vessel capacity; and

(4) A description of the emission control equipment for each vessel described in 326 IAC 8-9-4(a) and 4(b), if applicable, or a schedule for installation of emission control equipment on vessels described in 326 IAC 8-9-4(a) and 4(b), if applicable, with a certification that the emission control equipment meets the applicable standards.

(b) A report containing the information described in (a) shall be submitted to IDEM, OAQ within 30 days of permit issuance.

D .1.7 Preventive Maintenance Plan [326 IAC 2-7-5(13)]

A Preventive Maintenance Plan, in accordance with Section B - Preventive Maintenance Plan, of this permit, is required for these facilities and their control devices.

Compliance Determination Requirements

D.1.8 Testing Requirements [326 IAC 2-7-6(1),(6)] [326 IAC 2-1.1-11]

(a) Within 180 days after issuance of this Part 70 permit, in order to determine the applicability of 326 IAC 2-3, 326 IAC 8-1-6, and 326 IAC 8-7, the Permittee shall perform VOC testing on Lab Pack Booth and HHHW shredder (Unit 7). These tests shall be repeated once every five (5) years from the date of valid compliance demonstration utilizing methods approved by the Commissioner. Testing shall be performed to determine VOC capture and destruction efficiency and shall be conducted in accordance with Section C - Performance Testing.

(b) In order to demonstrate compliance with Condition D.1.4(b), the Permittee shall perform VOC testing on the SDS Shredder, Solids Distillation System and Distillation Unit no later than May 30, 2009. These tests shall be repeated once every five (5) years from the date of valid compliance demonstration utilizing methods approved by the Commissioner. Testing shall be conducted in accordance with Section C - Performance Testing.

D.1.9 Emissions Controls

(a) In order to comply with Conditions D.1.3 and D.1.4(b), and except as otherwise provided by statute, rule or this permit:

(1) The respective carbon adsorbers/canisters shall be in operation and control VOC and HAP emissions at all times that the HWF storage tanks (Unit 1), Lab Pack Booth 1, HHHW shredder (Unit 7), SDS Shredder, ATDU feed conveyor, Oil Water Separator, product tanks 01 through 04**,** Distillation Unit and Pot Still are in operation.

(2) In the event that carbon adsorber failure is observed, if operations will continue for ten (10) days or more after the failure is observed before the failed units will be repaired or replaced, the Permittee shall promptly notify the IDEM, OAQ of the expected date on which the failed units will be repaired or replaced. The notification shall also include the status of the applicable compliance monitoring parameters with respect to normal, and the results of any response actions taken up to the time of notification.

(b) In order to comply with Condition D.1.4(b), and except as otherwise provided by statute, rule or this permit:

(1) The open flare or backup carbon adsorption system shall be in operation and control VOC and HAP emissions at all times that the VRU is in operation.

(2) In the event that flare failure and backup carbon adsorption system failure is observed, if operations will continue for ten (10) days or more after the failure is observed before the failed units will be repaired or replaced, the Permittee shall promptly notify the IDEM, OAQ of the expected date on which the failed units will be repaired or replaced. The notification shall also include the status of the applicable compliance monitoring parameters with respect to normal, and the results of any response actions taken up to the time of notification.

(c) In order to comply with Condition D.1.5:

(1) Except as otherwise provided by statute, rule or this permit, the baghouse shall be in operation and control particulate emissions at all times that the shaker and conveyor system section of the Anaerobic Thermal Desorption System is in operation.

(2) In the event that bag failure is observed in a multi-compartment baghouse, if operations will continue for ten (10) days or more after the failure is observed before the failed units will be repaired or replaced, the Permittee shall promptly notify the IDEM, OAQ of the expected date the failed units will be repaired or replaced. The notification shall also include the status of the applicable compliance monitoring parameters with respect to normal, and the results of any response actions taken up to the time of notification.

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

D.1.10 Carbon Adsorber/Canister Monitoring

(a) The Permittee shall conduct inspections, at least once per day, of each carbon adsorber/canister control system that is in use when the respective facilities are in operation. Inspections shall be made at both the inlet and outlet of the control system. The inspections shall be for the detection of VOC with a portable analyzer. If the inspections indicate that the outlet concentration of VOC is greater than or equal to two percent (2%) of the inlet concentration of VOC, then the Permittee shall take reasonable response steps in accordance with Section C - Response to Excursions or Exceedances. If this value is below the detection threshold of the portable analyzer, then the Permittee shall take such response steps upon the detection of VOC at the outlet. The detection of VOC at the outlet in exceedance of this threshold is not a deviation from this permit. However, failure to take response steps in accordance with Section C - Response to Excursions or Exceedances shall be considered a deviation from this permit.

(b) The instrument used for determining the presence of VOC at the inlet and outlet of the carbon adsorber systems shall comply with Section C - Instrument Specifications, of this permit, shall be subject to approval by IDEM, OAQ, and shall be calibrated at least once per operating day.

D.1.11 Flare Pilot Flame

(a) The presence of a flare pilot flame (for the flare controlling emissions from the VRU) shall be continuously monitored using a thermocouple, or any other equivalent device, to detect the presence of a flame. The Permittee shall perform troubleshooting contingency and corrective actions for when the presence of a flame is not detected while the VRU is in operation. Failure to take response steps in accordance with Section C - Response to Excursions or Exceedances shall be considered a violation of this permit.

(b) Additional inspections and preventive measures shall be performed as prescribed in the Preventive Maintenance Plan.

D.1.12 Visible Emissions Notations

(a) Once per day visible emission notations of the stack exhaust from the shaker and conveyor system section of the Solids Distillation System (exhausting to stacks SDS 04 and SDS 09) shall be performed during normal daylight operations. A trained employee shall record whether emissions are normal or abnormal.

(b) For processes operated continuously, "normal" means those conditions prevailing, or expected to prevail, eighty percent (80%) of the time the process is in operation, not counting startup or shut down time.

(c) In the case of batch or discontinuous operations, readings shall be taken during that part of the operation that would normally be expected to cause the greatest emissions.

(d) A trained employee is an employee who has worked at the plant at least one (1) month and has been trained in the appearance and characteristics of normal visible emissions for that specific process.

(e) The Permittee shall perform troubleshooting contingency and response steps when an abnormal emission is observed. Failure to take response steps in accordance with Section C - Response to Excursions or Exceedances shall be considered a deviation from this permit.

D.1.13 Parametric Monitoring

(a) The Permittee shall monitor the total static pressure drop across the baghouses used in conjunction with the shaker and conveyor system section of the Solids Distillation System, at least once per day when the shaker and/or conveyor system is in operation. When for any one reading, the pressure drop across the baghouses is outside the normal range of 8.0 and 14.0 inches of water or a range established during the latest stack test, the Permittee shall take reasonable response steps in accordance with Section C - Response to Excursions or Exceedances. A pressure reading that is outside the above mentioned range is not a deviation from this permit. Failure to take response steps in accordance with Section C - Response to Excursions or Exceedances shall be considered a deviation from this permit.

(b) The instrument used for determining the pressure shall comply with Section C - Instrument Specifications, of this permit, shall be subject to approval by IDEM, OAQ and shall be calibrated at least once every six (6) months.

D.1.14 Broken or Failed Bag Detection

(a) For a single compartment baghouse controlling emissions from a process operated continuously, failed units and the associated process shall be shut down immediately until the failed unit have been repaired or replaced. Operations may continue only if the event qualifies as an emergency and the Permittee satisfies the requirements of the emergency provisions of this permit (Section B - Emergency Provisions).

(b) For a single compartment baghouse controlling emissions from a batch process, the feed to the process shall be shut down immediately until the failed unit have been repaired or replaced. The emissions unit shall be shut down no later than the completion of the processing of the material in the unit. Operations may continue only if the event qualifies as an emergency and the Permittee satisfies the requirements of the emergency provisions of this permit (Section B - Emergency Provisions).

Bag failure can be indicated by a significant drop in the baghouse=s pressure reading with abnormal visible emissions, by an opacity violation, or by other means such as gas temperature, flow rate, air infiltration, leaks, dust traces or triboflows.

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

D.1.15 National Emission Standards for Hazardous Air Pollutants (NESHAP) - Equipment Leaks from Fugitive Emission Sources of Benzene [326 IAC 14-1][40 CFR Part 61, Subpart J]

Pursuant to 40 CFR 61.110(c)(1) and 40 CFR 61.246(i), the Permittee shall record, in a readily accessible log, the following information for every unit in benzene service as defined in 40 CFR 61.111:

(a) An analysis demonstrating the design capacity of the process unit, and

(b) An analysis demonstrating that equipment is not in VHAP service.

D.1.16 Record Keeping Requirements [40 CFR Part 63, Subpart DD]

Pursuant to 40 CFR 63.696:

(a) The Permittee shall comply with the record keeping requirements in 40 CFR 63.10 as specified in Table 2 of 40 CFR Part 63, Subpart DD that apply to the affected sources and the chosen compliance method.

(b) The Permittee shall maintain records in accordance with the requirements of 40 CFR 63.10 for the control devices.

(c) For the tanks using fixed roofs to comply with the control requirements of 40 CFR 63.685, the Permittee shall prepare and maintain the following records:

(1) A record for each inspection required by 40 CFR 63.695(b), as applicable to the tank, that includes the following information: a tank identification number (or other unique identification description as selected by the owner or operator) and the date of the inspection.

(2) The owner or operator shall record for each defect detected during inspections required by 40 CFR 63.695(b) of this subpart the following information: the location of the defect, a description of the defect, the date of the detection, and the corrective action taken to repair the defect. In the event that repair of the defect is delayed in accordance with the provision of 40 CFR 63.695(b)(4), the owner or operator shall also record the reason for the delay and the date that completion of repair of the defect is expected.

(d) For the tanks using an enclosure to comply with the control requirements of 40 CFR 63.685, the Permittee shall prepare and maintain records for the most recent set of calculations and measurements performed by the Permittee to verify that the tank enclosure meets the criteria of a permanent total enclosure as specified in “Procedure T - Criteria for and Verification of a Permanent or Temporary Total Enclosure” under 40 CFR 52.741, Appendix B.

(e) The Permittee shall record, on a semiannual basis, the information specified as follows for those planned routine maintenance operations that would require the control device not to meet the requirements of 40 CFR 63.693(d) through (h), as applicable.

(1) A description of the planned routine maintenance that is anticipated to be performed for the control device during the next 6 months. This description shall include the type of maintenance necessary, planned frequency of maintenance, and lengths of maintenance periods.

(2) A description of the planned routine maintenance that was performed for the control device during the previous 6 months. This description shall include the type of maintenance performed and the total number of hours during these 6 months that the control device did not meet the requirement of 40 CFR 63.693 (d) through (h), as applicable, due to planned routine maintenance.

(f) The Permittee shall record the information specified in 40 CFR 63.696(h)(1) through (h)(3) for those unexpected control device system malfunctions that would require the control device not to meet the requirements of 40 CFR 63.693(d) through (h), as applicable.

D.1.17 Record Keeping Requirements

(a) To document compliance with Condition D.1.2, the Permittee shall maintain records demonstrating that benzene-containing wastes were not received from a chemical manufacturing plant, coke by-product recovery plant, or petroleum refinery.

(b) To document compliance with Condition D.1.6, the Permittee shall maintain the records specified in that condition.

(c) To document compliance with Condition D.1.10, the Permittee shall maintain records of the once per day inspections done with the portable VOC analyzer.

(d) To document compliance with Condition D.1.12, the Permittee shall maintain once per day records of the visible emission notations.

(e) To document compliance with Condition D.1.13, the Permittee shall maintain once per day records of the baghouse pressure drop readings.

(f) All records shall be maintained in accordance with Section C - General Record Keeping Requirements, of this permit.

D.1.18 Reporting Requirements [40 CFR Part 63, Subpart DD]

(a) Pursuant to 40 CFR 63.697, the Permittee shall submit all of the notifications required by 40 CFR 63.9 as specified in Table 2 of 40 CFR Part 63, Subpart DD that apply to the affected source and chosen compliance method. This includes, but is not limited to, the following:

(1) The Permittee shall submit reports in accordance with the applicable reporting requirements in 40 CFR 63.10 as specified in Table 2 of 40 CFR Part 63, Subpart DD.

(2) The Permittee of a control device used to meet the requirements of 40 CFR 63.693 shall submit the following notifications and reports:

(A) A notification of performance tests specified in 40 CFR 63.7 and 40 CFR 63.9(g).

(B) Performance test reports specified in 40 CFR 63.10(d)(2).

(C) Startup, shutdown, and malfunction reports specified in 40 CFR 63.10(d)(5).

(D) A summary report specified in 40 CFR 63.10(e)(3) on a semiannual basis.

(b) The notifications required by paragraph (a) 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

United States Environmental Protection Agency, Region V
Director, Air and Radiation Division
77 West Jackson Boulevard
Chicago, Illinois 60604-3590
The notifications require the certification by the “responsible official” as defined by 326 IAC 2-7-1(34).

SECTION D.2 EMISSIONS UNIT OPERATION CONDITIONS

Emissions Unit Description:

(a) Degreasing operations that do not exceed 145 gallons per 12 months, except if subject to 326 IAC 20-6. [326 IAC 8-3-2][326 IAC 8-3-5][326 IAC 8-3-8]

(b) Paved roads and parking lots with public access. [326 IAC 6-4]

(c) Activities with emissions equal to or less than the following thresholds: 5 lb/hr or 25 lb/day PM; 5 lb/hr or 25 lb/day SO2; 5 lb/hr or 25 lb/day NOx; 3 lb/hr or 15 lb/day VOC; 0.6 tons per year Pb; 1.0 ton/yr of a single HAP, or 2.5 ton/yr of any combination of HAPs:

(1) One (1) booth for manual unpacking of dry chemical materials, identified as LP B4 of Unit 4, with a maximum capacity of 200 pounds per day, using a baghouse for particulate control, and exhausting to stack LP S4. [326 IAC 6-3-2]

(2) Two (2) packing booths, Lab Pack Booth 2 and Lab Pack Booth 3, used to handle acids and caustics, using a wet scrubber for control. [326 IAC 6-3-2]

(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.2.1 Particulate Emission Limitations [326 IAC 6-3-2]

Pursuant to 326 IAC 6-3-2(e), the particulate emissions from LP B4 of Unit 4, Lab Pack Booth 2 and Booth 3 shall not exceed 0.551 pounds per hour, each.

D.2.2 Cold Cleaner Operations [326 IAC 8-3-2]

Pursuant to 326 IAC 8-3-2, the Permittee shall comply with the following requirements for the insignificant cold cleaner degreasing operations:

(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 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.2.3 Cold Cleaner Degreaser Operation and Control [326 IAC 8-3-5]

Pursuant to 326 IAC 8-3-5, the Permittee shall comply with the following requirements with respect to the insignificant degreasing operations:

(a) Equip the degreaser with a cover. The cover must be designed so that it can be easily operated with one (1) hand if:

(1) The solvent volatility is 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 (38oC) (one hundred degrees Fahrenheit (100oF));

(2) The solvent is agitated; or

(3) The solvent is heated.

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

(c) Provide a permanent, conspicuous label which lists the operating requirements outlined in subsection (b).

(d) The solvent spray, if used, must be a solid, fluid stream and shall be applied at a pressure which does not cause excessive splashing.

(e) Equip the degreaser with 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 for six-tenths (0.6) pounds per square inch) measured at thirty-eight degrees Celsius (38°C) (one hundred degrees Fahrenheit (100°F)), or if the solvent is heated to a temperature greater than forty-eight and nine-tenths degrees Celsius (48.9°C) (one hundred twenty degrees Fahrenheit (120°F)):

(1) A freeboard that attains a freeboard ratio of seventy-five hundredths (0.75) or greater.

(2) A water cover when solvent is used is insoluble in, and heavier than, water.

(3) Other systems of demonstrated equivalent control such as a refrigerated chiller of carbon adsorption. Such systems shall be submitted to the U.S. EPA as a SIP revision.

(f) Close the cover whenever articles are not being handled in the degreaser.

(g) Drain cleaned articles for at least fifteen (15) seconds or until dripping ceases.

(h) 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.

D.2.4 Material Requirements for Cold Cleaning Degreasers [326 IAC 8-3-8]

Pursuant to 326 IAC 8-3-8, the Permittee must comply with the following requirements with respect to the insignificant degreasing operations:

(a) Pursuant to 326 IAC 8-3-8(c)(2)(B), the Permittee shall not operate a cold cleaning degreaser with a solvent vapor pressure that exceeds one (1) millimeter of mercury (nineteen-thousandths (0.019) pound per square inch) measured at twenty (20) degrees Celsius (sixty-eight (68) degrees Fahrenheit).

(b) Pursuant to 326 IAC 8-3-8(d)(2), the Permittee shall maintain each of the following records for each purchase of solvents for use in the insignificant Heritage cold cleaning degreaser. These records shall be retained on-site for the most recent three (3) year period and shall be reasonably accessible for an additional two (2) year period.

(1) The name and address of the solvent supplier.

(2) The date of purchase.

(3) The type of solvent.

(4) The volume of each unit of solvent.

(5) The total volume of the solvent.

(6) The true vapor pressure of the solvent measured in millimeters of mercury at twenty (20) degrees Celsius (sixty-eight (68) degrees Fahrenheit).

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

Source Name: Pollution Control Industries, Inc.
Source Address: 4343 Kennedy Avenue, East Chicago, Indiana 46312
Mailing Address: 4343 Kennedy Avenue, East Chicago, Indiana 46312
Part 70 Permit No.: T089-7738-00345

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

Please check what document is being certified:

☐ Annual Compliance Certification Letter

☐ Test Result (specify)

☐ Report (specify)

☐ Notification (specify)

☐ Affidavit (specify)

☐ Other (specify)

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

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

PART 70 OPERATING PERMIT
EMERGENCY OCCURRENCE REPORT

Source Name: Pollution Control Industries, Inc.
Source Address: 4343 Kennedy Avenue, East Chicago, Indiana 46312
Mailing Address: 4343 Kennedy Avenue, East Chicago, Indiana 46312
Part 70 Permit No.: T089-7738-00345

This form consists of 2 pages **Page 1 of 2**

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

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

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

If any of the following are not applicable, mark N/A **Page 2 of 2**

Date/Time Emergency started:
Date/Time Emergency was corrected:
Was the facility being properly operated at the time of the emergency? Y N
Type of Pollutants Emitted: TSP, PM-10, SO_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
PART 70 OPERATING PERMIT
QUARTERLY DEVIATION AND COMPLIANCE MONITORING REPORT

Source Name: Pollution Control Industries, Inc.
Source Address: 4343 Kennedy Avenue, East Chicago, Indiana 46312
Mailing Address: 4343 Kennedy Avenue, East Chicago, Indiana 46312
Part 70 Permit No.: T089-7738-00345

Months: _____ to _ Year: _____

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

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

Form Completed by:_____

Title / Position: _____

Date:_____

Phone: _____

Attach a signed certification to complete this report.

APPENDIX A
POT STILL EMISSIONS ESTIMATE
POLLUTION CONTROL INDUSTIES, INC.

Emissions from the proposed Pot Still have been estimated based on potential emissions from the existing Distillation Unit. Most recent VOC collection from the Distillation Unit is summarized below:

Carbon Canisters utilized since October 1 = 5 canisters;

Distillation Unit throughput since October 1 = 160,000 gallons;

Carbon weight = 200 pounds per canister;

VOC adsorption rate assumed to be 0.25 pounds per pounds of carbon (expected adsorption rate = 0.2 to 0.3 pounds VOC per pound of carbon);

Uncontrolled VOC since October 1 = 5 canisters x 200lb carbon/canister x 0.25 lb VOC/lb = 250 lb. VOC; and

Uncontrolled VOC emission factor = 250 lb VOC/160,000 gal throughput = 1.56 lb VOC/1000 gal processed.

Using the uncontrolled VOC emission factor from the Distillation Unit, Pollution Control Industries, Inc. estimates uncontrolled VOC emissions from the Pot Still to be:

1.56 lb VOC/1000 gal processed x 70 gal/hr = 0.11lb/hr

0.11 lb VOC/hr x 24 hr/day = 2.62 lb VOC/day

2.62 lb VOC/day x 365 day/yr x 1t/2000 lb = 0.48 t/yr

Because potential VOC emissions from the unit are less that 3 pounds per hour or 15 pounds per day, the unit falls within the definition of an insignificant activity as defined under 326 IAC 2-7-1(21)