



*Mitchell E. Daniels, Jr.*  
Governor

*Thomas W. Easterly*  
Commissioner

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

TO: Interested Parties / Applicant

DATE: February 1, 2008

RE: Hilco Real Estate, LLC / 039-25908-00009

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



INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

We make Indiana a cleaner, healthier place to live.

Mitchell E. Daniels, Jr.
Governor

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Commissioner

100 North Senate Avenue
MC 61-53 IGCN 1003
Indianapolis, Indiana 46204-2251
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February 1, 2008

Ms. Nancy Karth
Hilco Real Estate, LLC
5 Revere Drive, Suite 320
Northbrook, IL 60062

Re: 039-25908-00009
Second Notice-Only Change to
M039-18727-00009

Dear Ms. Karth:

Bryer Health Care, LLC was issued a Minor Source Operating Permit (MSOP) No. 039-18727-00009 on June 3, 2004 for a stationary pharmaceutical manufacturing plant producing reagent test strips for diagnostic purposes source located at 1884 Miles Avenue, Elkhart, IN 46514. On January 15, 2008, the Office of Air Quality (OAQ) received an application from the source requesting that the permit be updated to indicate ownership and company name change to Hilco Real Estate, LLC, mailing address change and to indicate the removal of an emergency generator and a boiler. These changes to the permit are considered a notice-only change pursuant to 326 IAC 2-6.1-6(d)(2) and 326 IAC 2-6.1-6(d)(3). Pursuant to the provisions of 326 IAC 2-6.1-6, the permit is hereby revised as follows with the deleted language as ~~strikeouts~~ and new language **bolded**.

(a) The company mailing address, Section A.1, was revised as follows:

Mailing Address: ~~1025 N. Michigan Street, Elkhart, IN 46514-2215~~
**430 S Beiger St, Mishawaka, IN 46544**

(b) On November 9, 2007, the Indiana Air Pollution Control Board finalized a temporary emergency rule to re-designate Elkhart as attainment for the 8-hour ozone standard, therefore, this source is currently not subject to Emission Offset. The Source Status was revised as follows:

Source Status: ~~Minor Source, under PSD or Emission Offset Rules;~~

(c) An emergency generator and a boiler have been removed from the source, therefore, the description of emissions units, in Sections A.2, and D.2, were updated as follows:

A.2 Emissions Units and Pollution Control Equipment Summary

This stationary source is approved to operate the following emissions units and pollution control devices:

- (i) ~~Four (4)~~ **Three (3)** emergency generators, identified as No. 413 (rated capacity 80 HP or 2.68 mmBtu/hr), No. 421 (rated capacity 101 HP or 3.38 mmBtu/hr), **and** No. 422 (rated capacity 40 HP or 1.34 mmBtu/hr), ~~and No. 471 (rated capacity 80 HP or 2.68 mmBtu/hr)~~
(j) ~~One (1) natural gas-fired boiler, identified as Boiler No. 610, with a maximum heat input capacity of 4.18 mmBtu/hr.~~
(k) One (1) small weld shop hood for maintenance, identified as No. 205.

(k) Miscellaneous solvent usage for maintenance.

(I) Hazardous waste drum storage.

SECTION D.2

Emissions Unit Description:

~~(b) One (1) natural gas-fired boiler, identified as Boiler No. 610, with a maximum heat input capacity of 4.18 mmBtu/hr.~~

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

(d) The natural gas fired boiler, identified as NO. 610, was removed from the source; therefore, the Condition D.2.1 relating to the requirement of this boiler was deleted as follows:

D.2.1 Particulate Matter Emissions Limitations for Sources of Indirect Heating [326 IAC 6-2-3]

Pursuant to 326 IAC 6-2-3, the particulate matter (PM) emissions from each of the 12.6 million BTU/hour boilers, identified as 327-1-1 and 328-1-1, shall be limited to 0.47 pounds/MMBTU heat input, respectively, for boilers constructed after September 21, 1983. ~~Pursuant to 326 IAC 6-2-3, the particulate matter (PM) emissions from the 4.18 million BTU/hour boiler, identified as No. 610, constructed after September 21, 1983, shall be limited to 0.45 pounds/MMBTU heat input.~~

(e) All occurrences of IDEM mailing addresses have been revised to include a mail code (MC) as follows:

Asbestos Section:	<b>MC 61-52 IGCN 1003</b>
Compliance Branch:	<b>MC 61-53 IGCN 1003</b>
Permits Branch:	<b>MC 61-53 IGCN 1003</b>

All other conditions of the permit shall remain unchanged and in effect. Attached please find the entire revised permit.

This decision is subject to the Indiana Administrative Orders and Procedures Act - IC 4-21.5-3-5. If you have any questions on this matter, please contact Renee Traivaranon, of my staff, at 317-234-5615 or 1-800-451-6027, and ask for Renee Traivaranon or dial extension 4-5615.

Sincerely,

*Original document signed by*

Iryn Calilung, Section Chief  
Permits Branch  
Office of Air Quality

IC/rt

Attachments

- cc: File - Elkhart County
- Elkhart County Health Department
- U.S. EPA, Region V
- Hilco Real Estate, LLC - Thomas M. Lenz
- Compliance Data Section
- Permits Administrative and Development
- Billing, Licensing and Training Section



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100 North Senate Avenue  
MC 62-53 IGCN 1003  
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(800) 451-6027  
www.IN.gov/idem

## MINOR SOURCE OPERATING PERMIT OFFICE OF AIR QUALITY

**Hilco Real Estate, LLC  
1884 Miles Avenue  
Elkhart, IN 46515-0040**

(herein known as the Permittee) is hereby authorized to operate subject to the conditions contained herein, the emission units described in Section A (Source Summary) of this permit.

This permit is issued to the above mentioned company under the provisions of 326 IAC 2-1.1, 326 IAC 2-6.1 and 40 CFR 52.780, with conditions listed on the attached pages.

Operation Permit No.: MSOP 039-18727-00009	
Original Signed By:  Paul Dubenetzky, Branch Chief Office of Air Quality	Issuance Date: June 3, 2004  Expiration Date: June 3, 2009

First Notice-Only Change 039-24211-00009 issued March 9, 2007

Operation Permit No.: Second Notice-Only Change 039-25908-00009	Pages Affected: Entire Permit
Issued by:  <i>Original document signed by</i>  Iryn Calilung, Section Chief Permits Branch Office of Air Quality	Issuance Date: February 1, 2008  Expiration Date: June 3, 2009

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## SECTION A

## SOURCE SUMMARY

This permit is based on information requested by the Indiana Department of Environmental Management (IDEM), Office of Air Quality (OAQ). The information describing the source contained in conditions A.1 and A.2 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 2-5.1-3(c)] [326 IAC 2-6.1-4(a)]

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The Permittee owns and operates a stationary pharmaceutical manufacturing plant producing reagent test strips for diagnostic purposes.

Source Address:	1884 Miles Avenue, Elkhart, IN 46514
Mailing Address:	430 S Beiger St, Mishawaka, IN 46544
General Source Phone:	(574) 262-6502
SIC Code:	2835
County Location:	Elkhart
Source Location Status:	Attainment for all criteria pollutants
Source Status:	Minor Source, under PSD Rules; Minor Source, Section 112 of the Clean Air Act

### A.2 Emissions Units and Pollution Control Equipment Summary

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This stationary source is approved to operate the following emissions units and pollution control devices:

- (a) The Diagnostics Division for the production of reagent test strips (constructed in 1987),
  - (1) Reactors/receivers (North), identified as 450-1-1, using a condenser as VOC control, and exhausting to stack 450;
  - (2) Reactors/receivers (South), identified as 451-1-1, using two condensers as VOC control, and exhausting to stack 451;
  - (3) Steam Jet Vacuum System, identified as 453-1-1, using four condensers, 453-1-1 to 453-4-1, as VOC control, and exhausting to stack 453.
- (b) Two (2) natural gas-fired boilers, identified as Boilers No. 327-1-1 and 328-1-1, each with a maximum heat capacity of 12.6 mmBtu per hour, to be installed in June 2003, exhausting to Stack No. 327 and 328, respectively.
- (c) Two (2) natural gas-fired space heaters, identified as 329-1-1 and 330-1-1, and one (1) air make-up unit identified as 331-1-1, with a total maximum natural gas usage of 12,555 cubic feet per hour.
- (d) Fugitive Emissions from Vehicular traffic, including cars and trucks, with a maximum of 54450 vehicle miles traveled.
- (e) One (1) small model shop surface coating operation.
- (f) Stokes Vacuum Shelf dryer, identified as 454-1-1.
- (g) Small reactors and receivers, identified as 461-1-1.
- (h) Fume hoods and floor sweeps.

- (i) Three (3) emergency generators, identified as No. 413 (rated capacity 80 HP or 2.68 mmBtu/hr), No. 421 (rated capacity 101 HP or 3.38 mmBtu/hr), and No. 422 (rated capacity 40 HP or 1.34 mmBtu/hr).
- (j) One (1) small weld shop hood for maintenance, identified as No. 205.
- (k) Miscellaneous solvent usage for maintenance.
- (l) Hazardous waste drum storage.

## SECTION B

## GENERAL CONDITIONS

THIS SECTION OF THE PERMIT IS BEING ISSUED UNDER THE PROVISIONS OF 326 IAC 2-1.1 AND 40 CFR 52.780, WITH CONDITIONS LISTED BELOW.

### B.1 Permit No Defense [IC 13]

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This permit to operate does not relieve the Permittee of the responsibility to comply with the provisions of the Indiana Environmental Management Law (IC 13-11 through 13-20; 13-22 through 13-25; and 13-30), the Air Pollution Control Law (IC 13-17) and the rules promulgated thereunder, as well as other applicable local, state, and federal requirements.

### B.2 Definitions

---

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 2-1.1-1 shall prevail.

### B.3 Effective Date of the Permit [IC13-15-5-3]

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Pursuant to IC 13-15-5-3, this permit becomes effective upon its issuance.

### B.4 Permit Term and Renewal [326 IAC 2-6.1-7(a)][326 IAC 2-1.1-9.5]

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This permit 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 of this permit do not affect the expiration date.

The Permittee shall apply for an operation permit renewal at least ninety (90) days prior to the expiration date. If a timely and sufficient permit application for a renewal has been made, this permit shall not expire and all terms and conditions shall continue in effect until the renewal permit has been issued or denied.

### B.5 Modification to Permit [326 IAC 2]

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All requirements and conditions of this operating permit shall remain in effect unless modified in a manner consistent with procedures established for modifications of construction permits pursuant to 326 IAC 2 (Permit Review Rules).

### B.6 NSPS Reporting Requirement

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Pursuant to the New Source Performance Standards (NSPS), Part 60.40, Subpart Dc, the source owner/operator is hereby advised of the requirement to report the following at the appropriate times:

- (a) Commencement of construction date (no later than 30 days after such date);
- (b) Actual start-up date (within 15 days after such date); and
- (c) Date of performance testing (at least 30 days prior to such date), when required by a condition elsewhere in this permit.

Reports are to be sent to:

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

The application and enforcement of these standards have been delegated to the IDEM, OAQ. The requirements of 40 CFR Part 60 are also federally enforceable.

**B.7 Annual Notification [326 IAC 2-6.1-5(a)(5)]**

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- (a) Annual notification shall be submitted to the Office of Air Quality stating whether or not the source is in operation and in compliance with the terms and conditions contained in this permit.
- (b) Noncompliance with any condition must be specifically identified. If there are any permit conditions or requirements for which the source is not in compliance at any time during the year, the Permittee must provide a narrative description of how the source did or will achieve compliance and the date compliance was, or will be, achieved. The notification must be signed by an authorized individual.
- (c) The annual notice shall cover the time period from January 1 to December 31 of the previous year, and shall be submitted in the format attached no later than March 1 of each year to:

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

- (d) The notification 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.

**B.8 Preventive Maintenance Plan [326 IAC 1-6-3]**

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- (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 (this time frame is determined on a case by case basis but no more than ninety (90) days) after issuance of this permit, including the following information on each emissions unit:
  - (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 an "authorized individual" as defined by 326 IAC 2-1.1-1(1).

- (b) The Permittee shall implement the PMPs, including any required record keeping, as necessary to ensure that failure to implement a PMP does not cause or contribute to an exceedance of any limitation on emissions or potential to emit.
- (c) A copy of the PMP's 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 PMP whenever lack of proper maintenance causes or is the primary contributor to an exceedance of any limitation on emissions or potential to emit. The PMP does not require the certification by an "authorized individual" as defined by 326 IAC 2-1.1-1(1).
- (d) 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.9 Permit Revision [326 IAC 2-5.1-3(e)(3)] [326 IAC 2-6.1-6]**

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- (a) Permit revisions are governed by the requirements of 326 IAC 2-6.1-6.
- (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 an "authorized individual" as defined by 326 IAC 2-1.1-1.
- (c) The Permittee shall notify the OAQ within thirty (30) calendar days of implementing a notice-only change. [326 IAC 2-6.1-6(d)]
- (d) No permit amendment or modification is required for the addition, operation or removal of a non-road engine, as defined in 40 CFR 89.2.

**B.10 Inspection and Entry [326 IAC 2-5.1-3(e)(4)(B)] [326 IAC 2-6.1-5(a)(4)] [IC 13-14-2-2] [IC 13-17-3-2] [IC 13-30-3-1]**

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

- (a) Enter upon the Permittee's premises where a permitted 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, at reasonable times, any records that must be kept under this title or the conditions of this permit or any operating permit revisions;
- (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, at reasonable times, any processes, emissions units (including monitoring and air pollution control equipment), practices, or operations regulated or required under this permit or any operating permit revisions;
- (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, at reasonable times, 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.11 Transfer of Ownership or Operation [326 IAC 2-6.1-6(d)(3)]**

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Pursuant to [326 IAC 2-6.1-6(d)(3)]:

- (a) In the event that ownership of this source is changed, the Permittee shall notify IDEM, OAQ, Permits Branch, within thirty (30) days of the change.
- (b) The written notification shall be sufficient to transfer the permit to the new owner by an notice-only change pursuant to 326 IAC 2-6.1-6(d)(3).
- (c) IDEM, OAQ, shall issue a revised permit.

The notification which shall be submitted by the Permittee does require the certification by the "authorized individual" as defined by 326 IAC 2-1.1-1.

**B.12 Annual Fee Payment [326 IAC 2-1.1-7]**

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- (a) The Permittee shall pay annual fees to IDEM, OAQ within thirty (30) calendar days of receipt of a billing.
- (b) The Permittee may call the following telephone numbers: 1-800-451-6027 or 317-233-4230 (ask for OAQ, I/M & Billing Section), to determine the appropriate permit fee.

**SECTION C**

**SOURCE OPERATION CONDITIONS**

Entire Source

**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 Permit Revocation [326 IAC 2-1.1-9]**

Pursuant to 326 IAC 2-1.1-9 (Revocation of Permits), this permit to operate may be revoked for any of the following causes:

- (a) Violation of any conditions of this permit.
- (b) Failure to disclose all the relevant facts, or misrepresentation in obtaining this permit.
- (c) Changes in regulatory requirements that mandate either a temporary or permanent reduction of discharge of contaminants. However, the amendment of appropriate sections of this permit shall not require revocation of this permit.
- (d) Noncompliance with orders issued pursuant to 326 IAC 1-5 (Episode Alert Levels) to reduce emissions during an air pollution episode.
- (e) For any cause which establishes in the judgment of IDEM , the fact that continuance of this permit is not consistent with purposes of this article.

**C.3 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 non-overlapping integrated averages for a continuous opacity monitor) in a six (6) hour period.

**C.4 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.5 Stack Height [326 IAC 1-7]**

The Permittee shall comply with the applicable provisions of 326 IAC 1-7 (Stack Height Provisions), for all exhaust stacks through which a potential (before controls) of twenty-five (25) tons per year or more of particulate matter or sulfur dioxide is emitted by using ambient air quality modeling pursuant to 326 IAC 1-7-4.

**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.

- (b) 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.
- (c) 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.
- (d) The Permittee shall ensure that the notice is postmarked or delivered according to the guidelines set forth in 326 IAC 14-10-3(2).
- (e) 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 an "authorized individual" as defined by 326 IAC 2-7-1(34).

- (f) **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.
- (g) **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).
- (h) **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

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

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- (a) Compliance testing on new emissions units shall be conducted within 60 days after achieving maximum production rate, but no later than 180 days after initial start-up, if specified in Section D of this approval. 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.

- (b) The Permittee shall notify IDEM, OAQ of the actual test date at least fourteen (14) days prior to the actual date.
- (c) Pursuant to 326 IAC 3-6-4(b), all test reports must be received by IDEM, OAQ (and local agency) not later than forty-five (45) days after the completion of the testing. An extension may be granted by the IDEM, OAQ, (and local agency), 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]

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

## Compliance Monitoring Requirements

### C.9 Compliance Monitoring [326 IAC 2-1.1-11]

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Compliance with applicable requirements shall be documented as required by this permit. The Permittee shall be responsible for installing any necessary equipment and initiating any required monitoring related to that equipment. All monitoring and record keeping requirements not already legally required shall be implemented when operation begins.

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

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

### C.11 Compliance Response Plan - Preparation and Implementation

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- (a) The Permittee is required to prepare a Compliance Response Plan (CRP) for each compliance monitoring condition of this permit. A CRP shall be submitted to IDEM, upon request. The CRP shall be prepared within ninety (90) days after issuance of this permit by the Permittee, supplemented from time to time by the Permittee, maintained on site, and comprised of:

- (1) Reasonable response steps that may be implemented in the event that a response step is needed pursuant to the requirements of Section D of this permit; and an expected timeframe for taking reasonable response steps.
  - (2) If, at any time, the Permittee takes reasonable response steps that are not set forth in the Permittee's current Compliance Response Plan the Permittee shall amend its Compliance Response Plan to include such response steps taken.
- (b) For each compliance monitoring condition of this permit, reasonable response steps shall be taken when indicated by the provisions of that compliance monitoring condition as follows:
- (1) Reasonable response steps shall be taken as set forth in the Permittee's current Compliance Response Plan; or
  - (2) If none of the reasonable response steps listed in the Compliance Response Plan is applicable or responsive to the excursion, the Permittee shall devise and implement additional response steps as expeditiously as practical. Taking such additional response steps shall not be considered a deviation from this permit so long as the Permittee documents such response steps in accordance with this condition.
  - (3) If the Permittee determines that additional response steps would necessitate that the emissions unit or control device be shut down, and it will be ten (10) days or more until the unit or device will be shut down, then the Permittee shall promptly notify the IDEM, OAQ of the expected date of the shut down. The notification shall also include the status of the applicable compliance monitoring parameter with respect to normal, and the results of the response actions taken up to the time of notification.
  - (4) Failure to take reasonable response steps shall be considered a deviation from the permit.
- (c) The Permittee is not required to take any further response steps for any of the following reasons:
- (1) A false reading occurs due to the malfunction of the monitoring equipment and prompt action was taken to correct the monitoring equipment.
  - (2) The Permittee has determined that the compliance monitoring parameters established in the permit conditions are technically inappropriate, has previously submitted a request for a minor permit modification to the permit, and such request has not been denied.
  - (3) An automatic measurement was taken when the process was not operating.
  - (4) The process has already returned or is returning to operating within "normal" parameters and no response steps are required.
- (d) Except as otherwise provided by a rule or provided specifically in Section D, all monitoring as required in Section D shall be performed when the emission unit is operating, except for time necessary to perform quality assurance and maintenance activities.

## **Record Keeping and Reporting Requirements**

### **C.12 Malfunctions Report [326 IAC 1-6-2]**

Pursuant to 326 IAC 1-6-2 (Records; Notice of Malfunction):

- (a) A record of all malfunctions, including startups or shutdowns of any facility or emission control equipment, which result in violations of applicable air pollution control regulations or applicable emission limitations shall be kept and retained for a period of three (3) years and shall be made available to the Indiana

Department of Environmental Management (IDEM), Office of Air Quality (OAQ) or appointed representative upon request.

- (b) When a malfunction of any facility or emission control equipment occurs which lasts more than one (1) hour, said condition shall be reported to OAQ, using the Malfunction Report Forms (2 pages). Notification shall be made by telephone or facsimile, as soon as practicable, but in no event later than four (4) daytime business hours after the beginning of said occurrence.
- (c) Failure to report a malfunction of any emission control equipment shall constitute a violation of 326 IAC 1-6, and any other applicable rules. Information of the scope and expected duration of the malfunction shall be provided, including the items specified in 326 IAC 1-6-2(a)(1) through (6).
- (d) Malfunction is defined as any sudden, unavoidable failure of any air pollution control equipment, process, or combustion or process equipment to operate in a normal and usual manner. [326 IAC 1-2-39]

C.13 General Record Keeping Requirements [326 IAC 2-6.1-5]

- (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 when operation begins.

C.14 General Reporting Requirements [326 IAC 2-1.1-11] [326 IAC 2-6.1-2] [IC 13-14-1-13]

- (a) 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
- (b) 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.
- (c) Unless otherwise specified in this permit, any quarterly report required in Section D of this permit shall be submitted within thirty (30) days of the end of the reporting period. The reports do not require the certification by an "authorized individual" as defined by 326 IAC 2-1.1-1(1).
- (d) 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.

## SECTION D.1

## EMISSIONS UNITS OPERATION CONDITIONS

### Emissions Unit Description:

- (a) The Diagnostics Division for the production of reagent test strips (constructed in 1987),
- (1) Reactors/receivers (North), identified as 450-1-1, using a condenser as VOC control, and exhausting to stack 450;
  - (2) Reactors/receivers (South), identified as 451-1-1, using two condensers as VOC control, and exhausting to stack 451;
  - (3) Steam Jet Vacuum System, identified as 453-1-1, using four condensers, 453-1-1 to 453-4-1, as VOC control, and exhausting to stack 453.

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

### Emission Limitations and Standards

#### D.1.1 Synthesized Pharmaceutical Manufacturing Operations [326 IAC 8-5-3]

Pursuant to 326 IAC 8-5-3 (Synthesized Pharmaceutical Manufacturing Operations), Units 450-1-1, 451-1-1, and 451-3-1, which are reactors emitting volatile organic compounds (VOC) and have the potential to emit greater than six and eight-tenths (6.8) kilograms per day (fifteen (15) pounds per day) of VOC each, are subject to the following requirements:

- (a) If surface condensers are used the condenser outlet gas temperature must not exceed:
- (1) minus twenty-five degrees Celsius ( $-25^{\circ}\text{C}$ ) when condensing VOC of vapor pressure greater than forty (40) kilo Pascals (five and eight-tenths (5.8) pounds per square inch);
  - (2) minus fifteen degrees Celsius ( $-15^{\circ}\text{C}$ ) when condensing VOC of vapor pressure greater than twenty (20) kilo Pascals (two and nine-tenths (2.9) pounds per square inch);
  - (3) zero degrees Celsius ( $0^{\circ}\text{C}$ ) when condensing VOC of vapor pressure greater than ten (10) kilo Pascals (one and five-tenths (1.5) pounds per square inch);
  - (4) ten degrees Celsius ( $10^{\circ}\text{C}$ ) when condensing VOC of vapor pressure greater than seven (7) kilo Pascals (one (1) pound per square inch); or
  - (5) twenty-five degrees Celsius ( $25^{\circ}\text{C}$ ) when condensing VOC of vapor pressure greater than three and five-tenths (3.5) kilo Pascals (five-tenths (0.5) pound per square inch).
- (b) The vapor pressures listed above shall be measured at twenty degrees Celsius ( $20^{\circ}\text{C}$ )
- (c) If equivalent controls are used, the VOC emissions must be reduced by at least as much as they would be by using a surface condenser which meets the requirements of clause (a).
- (d) VOC emissions from all air dryers and production equipment exhaust systems at sources existing as of July 1, 1990, in Clark, Elkhart, Floyd, Lake, Marion, Porter, and St. Joseph Counties and at new sources located in any county construction of which commences after July 1, 1990, shall be reduced:

- (1) by at least eighty-five percent (85%) until July 1, 1991, and by at least ninety percent (90%) commencing July 1, 1991, if emissions are one hundred fifty (150) kilograms per day (three hundred thirty (330) pounds per day) or more of VOC; or
- (2) to fifteen (15) kilograms per day (thirty-three (33) pounds per day) or less if emissions are less than one hundred fifty (150) kilograms per day (three hundred thirty (330) pounds per day) of VOC.

This requirement may be waived by the commissioner if the owner or operator can show to the satisfaction of the commissioner that such control is not practical at a reasonable cost because of dilution of the exhaust gas with large quantities of air. Any such waiver shall be submitted to the U.S. EPA as a SIP revision.

- (e) The owner or operator of a synthesized pharmaceutical manufacturing facility subject to this section shall:
  - (1) provide a vapor balance system or equivalent control that is at least ninety percent (90%) effective in reducing emissions from truck or railcar deliveries to storage tanks with capacities greater than seven thousand five hundred (7,500) liters (two thousand (2,000) gallons) that store VOC with vapor pressures greater than twenty-eight (28) kiloPascals (four and one-tenth (4.1) pounds per square inch) at twenty degrees Celsius (20 °C); and
  - (2) install pressure/vacuum conservation vents set at plus or minus two-tenths ( $\pm 0.2$ ) kilo Pascals on all storage tanks that store VOC with vapor pressures greater than ten (10) kilo Pascals (one and five-tenths (1.5) pounds per square inch at twenty degrees Celsius (20 °C)), unless a more effective control system is used.
- (f) The owner or operator of a synthesized pharmaceutical facility subject to this section shall enclose all centrifuges, rotary vacuum filters, and other filters having an exposed liquid surface, where the liquid contains VOC and exerts a total VOC vapor pressure of three and five-tenths (3.5) kiloPascals (five-tenths (0.5) pounds per square inch) or more at twenty degrees Celsius (20 °C).
- (g) The owner or operator of a synthesized pharmaceutical facility subject to this rule shall install covers on all in process tanks containing a volatile organic compound at any time. These covers must remain closed, unless production, sampling, maintenance, or inspection procedures require operator access.
- (h) The owner or operator of a synthesized pharmaceutical manufacturing facility subject to this section shall repair all leaks from which a liquid, containing VOC, can be observed running or dripping. The repair shall be completed the first time the equipment is off line for a period of time long enough to complete the repair.

#### D.1.2 Preventive Maintenance Plan [326 IAC 1-6-3]

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A Preventive Maintenance Plan, in accordance with Section B - Preventive Maintenance Plan, of this permit, is required for the Diagnostic Division facilities and its control devices (condensers).

### Compliance Determination Requirements

#### D.1.3 VOC Controls

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The condenser monitoring requirements are as follows:

- (a) the condensers shall operate at all times the equipment being controlled is in operation,
- (b) the outlet gas temperature shall be equal to or less than the temperatures specified in Condition D.1.1,
- (c) the Permittee shall record:

- (1) the time during which the condensers are not operated,
- (2) the reason why the condensers are not operated,
- (3) the corrective action taken to bring the condensers to normal operation.
- (4) the number of hours that the process being controlled were vented to points other than the condensers compliant with 326 IAC 8-5-3.

**Record Keeping and Reporting Requirements [326 IAC 2-5.1-3(e)(2)] [326 IAC 2-6.1-5(a)(2)]**

**D.1.4 Record Keeping Requirements**

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- (a) To document compliance with Conditions D.1.3, the Permittee shall maintain the following records:
  - (1) the time during which the condensers are not operated,
  - (2) the reason why the condensers are not operated,
  - (3) the corrective action taken to bring the condensers to normal operation.
  - (4) the number of hours that the process being controlled were vented to points other than the condensers compliant with 326 IAC 8-5-3.
- (b) All records shall be maintained in accordance with Section C - General Record Keeping Requirements, of this permit.

## SECTION D.2

## EMISSIONS UNIT OPERATION CONDITIONS

### Emissions Unit Description:

- (a) Two (2) natural gas-fired boilers, identified as Boilers No. 327-1-1 and 328-1-1, each with a maximum heat capacity of 12.6 mmBtu per hour, to be installed in June 2003, exhausting to Stack No. 327 and 328, respectively.

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

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

#### D.2.1 Particulate Matter Emissions Limitations for Sources of Indirect Heating [326 IAC 6-2-3]

Pursuant to 326 IAC 6-2-3, the particulate matter (PM) emissions from each of the 12.6 million BTU/hour boilers, identified as 327-1-1 and 328-1-1, shall be limited to 0.47 pounds/MMBTU heat input, respectively, for boilers constructed after September 21, 1983.

### Record Keeping and Reporting Requirements [326 IAC 2-5.1-3(e)(2)] [326 IAC 2-6.1-5(a)(2)]

#### D.2.2 New Source Performance Standard, 326 IAC 12, (40 CFR 60.40, Subpart Dc) - Standards of Performance for Small Industrial Commercial-Institutional Steam Generating Units.

Pursuant to 40 CFR 60.48c (Reporting and Recordkeeping Requirements), each of the two (2) 12.6 mmBtu/hr boilers is subject to the following:

The owner or operator shall submit notification of the date of construction or reconstruction, anticipated startup, and actual startup. This notification shall include:

- (1) The design heat input capacity of the affected facility and identification of fuels to be combusted in the affected facility.
- (2) The annual capacity factor (the ratio between the actual heat input to a boiler from all fuels during a period of 12 consecutive calendar months and the potential heat input to the boiler had it been operating for 8760 hours during a calendar year at the maximum steady state design heat input capacity) at which the owner or operator anticipates operating the affected facility based on all the fuels fired and based on each individual fuel fired.
- (3) The owner or operator of each boiler shall record and maintain records of the amounts of each fuel combusted during each day.
- (4) All records required under this section shall be maintained by the owner or operator of the affected facility for a period of two years following the date of such record.

### SECTION D.3

### EMISSIONS UNIT OPERATION CONDITIONS

#### Emissions Unit Description:

The following equipment related to manufacturing activities not resulting in the emission of HAPs: brazing equipment, cutting torches, soldering equipment, welding equipment. (326 IAC 6-3)

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

#### Emission Limitations and Standards

##### D.3.1 Particulate Matter Limitations [326 IAC 6-3-2]

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Pursuant to 326 IAC 6-3-2 (Process Operations), the allowable PM emission rate from the

- (a) brazing equipment, cutting torches, soldering equipment, shall not exceed 0.55 pounds per hour when operating at a process weight rate of less than 100 pounds per hour.
- (b) Welding equipment shall not exceed 0.55 pounds per hour when operating at a process weight rate of less than 100 pounds per hour.

**INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT  
OFFICE OF AIR QUALITY  
COMPLIANCE BRANCH**

**MINOR SOURCE OPERATING PERMIT  
ANNUAL NOTIFICATION**

This form should be used to comply with the notification requirements under 326 IAC 2-6.1-5(a)(5).

<b>Company Name:</b>	<b>Hilco Real Estate, LLC</b>
<b>Address:</b>	<b>1884 Miles Avenue</b>
<b>City:</b>	<b>Elkhart, IN 46514-2282</b>
<b>Phone #:</b>	
<b>MSOP #:</b>	<b>039-18727-00009</b>

I hereby certify that **Hilco Real Estate, LLC** is  still in operation.  
 no longer in operation.

I hereby certify that **Hilco Real Estate, LLC** is  in compliance with the requirements of  
**MSOP 039-18727-00009.**  
 not in compliance with the requirements of  
**MSOP 039-18727-00009.**

<b>Authorized Individual (typed):</b>
<b>Title:</b>
<b>Signature:</b>
<b>Date:</b>

If there are any conditions or requirements for which the source is not in compliance, provide a narrative description of how the source did or will achieve compliance and the date compliance was, or will be achieved.

<b>Noncompliance:</b>

**INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT  
OFFICE OF AIR QUALITY  
FAX NUMBER - 317 233-6865  
MALFUNCTION REPORT**

**This form should only be used to report malfunctions applicable to Rule 326 IAC 1-6  
and to qualify for the exemption under 326 IAC 1-6-4.**

THIS FACILITY MEETS THE APPLICABILITY REQUIREMENTS BECAUSE IT HAS POTENTIAL TO EMIT 25 TONS/YEAR PARTICULATE MATTER ?\_\_\_\_\_, 25 TONS/YEAR SULFUR DIOXIDE ?\_\_\_\_\_, 25 TONS/YEAR NITROGEN OXIDES?\_\_\_\_\_, 25 TONS/YEAR VOC ?\_\_\_\_\_, 25 TONS/YEAR HYDROGEN SULFIDE ?\_\_\_\_\_, 25 TONS/YEAR TOTAL REDUCED SULFUR ?\_\_\_\_\_, 25 TONS/YEAR REDUCED SULFUR COMPOUNDS ?\_\_\_\_\_, 25 TONS/YEAR FLUORIDES ?\_\_\_\_\_, 100TONS/YEAR CARBON MONOXIDE ?\_\_\_\_\_, 10 TONS/YEAR ANY SINGLE HAZARDOUS AIR POLLUTANT ?\_\_\_\_\_, 25 TONS/YEAR ANY COMBINATION HAZARDOUS AIR POLLUTANT ?\_\_\_\_\_, 1 TON/YEAR LEAD OR LEAD COMPOUNDS MEASURED AS ELEMENTAL LEAD ?\_\_\_\_\_, OR IS A SOURCE LISTED UNDER 326 IAC 2-5.1-3(2) ?\_\_\_\_\_. EMISSIONS FROM MALFUNCTIONING CONTROL EQUIPMENT OR PROCESS EQUIPMENT CAUSED EMISSIONS IN EXCESS OF APPLICABLE LIMITATION \_\_\_\_\_.

THIS MALFUNCTION RESULTED IN A VIOLATION OF: 326 IAC \_\_\_\_\_ OR, PERMIT CONDITION # \_\_\_\_\_ AND/OR PERMIT LIMIT OF \_\_\_\_\_

THIS INCIDENT MEETS THE DEFINITION OF >MALFUNCTION= AS LISTED ON REVERSE SIDE ? Y N

THIS MALFUNCTION IS OR WILL BE LONGER THAN THE ONE (1) HOUR REPORTING REQUIREMENT ? Y N

COMPANY: \_\_\_\_\_ PHONE NO. ( ) \_\_\_\_\_  
LOCATION: (CITY AND COUNTY) \_\_\_\_\_  
PERMIT NO. \_\_\_\_\_ AFS PLANT ID: \_\_\_\_\_ AFS POINT ID: \_\_\_\_\_ INSP: \_\_\_\_\_  
CONTROL/PROCESS DEVICE WHICH MALFUNCTIONED AND REASON: \_\_\_\_\_

DATE/TIME MALFUNCTION STARTED: \_\_\_\_/\_\_\_\_/20\_\_\_\_ \_\_\_\_ AM / PM

ESTIMATED HOURS OF OPERATION WITH MALFUNCTION CONDITION: \_\_\_\_\_

DATE/TIME CONTROL EQUIPMENT BACK-IN SERVICE \_\_\_\_/\_\_\_\_/20\_\_\_\_ \_\_\_\_ AM/PM

TYPE OF POLLUTANTS EMITTED: TSP, PM-10, SO2, VOC, OTHER: \_\_\_\_\_

ESTIMATED AMOUNT OF POLLUTANT EMITTED DURING MALFUNCTION: \_\_\_\_\_

MEASURES TAKEN TO MINIMIZE EMISSIONS: \_\_\_\_\_

REASONS WHY FACILITY CANNOT BE SHUTDOWN DURING REPAIRS:

CONTINUED OPERATION REQUIRED TO PROVIDE ESSENTIAL\* SERVICES: \_\_\_\_\_

CONTINUED OPERATION NECESSARY TO PREVENT INJURY TO PERSONS: \_\_\_\_\_

CONTINUED OPERATION NECESSARY TO PREVENT SEVERE DAMAGE TO EQUIPMENT: \_\_\_\_\_

INTERIM CONTROL MEASURES: (IF APPLICABLE) \_\_\_\_\_

MALFUNCTION REPORTED BY: \_\_\_\_\_ TITLE: \_\_\_\_\_  
(SIGNATURE IF FAXED)

MALFUNCTION RECORDED BY: \_\_\_\_\_ DATE: \_\_\_\_\_ TIME: \_\_\_\_\_

\*SEE PAGE 2

**Please note - This form should only be used to report malfunctions  
applicable to Rule 326 IAC 1-6 and to qualify for  
the exemption under 326 IAC 1-6-4.**

**326 IAC 1-6-1 Applicability of rule**

Sec. 1. This rule applies to the owner or operator of any facility required to obtain a permit under 326 IAC 2-5.1 or 326 IAC 2-6.1.

**326 IAC 1-2-39 "Malfunction" definition**

Sec. 39. Any sudden, unavoidable failure of any air pollution control equipment, process, or combustion or process equipment to operate in a normal and usual manner.

\***Essential services** are interpreted to mean those operations, such as, the providing of electricity by power plants. Continued operation solely for the economic benefit of the owner or operator shall not be sufficient reason why a facility cannot be shutdown during a control equipment shutdown.

If this item is checked on the front, please explain rationale: