



INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

We Protect Hoosiers and Our Environment.

Mitchell E. Daniels Jr.
Governor

Thomas W. Easterly
Commissioner

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

TO: Interested Parties / Applicant

DATE: April 29, 2008

RE: United Transportation / 089-25924-00469

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

Notice of Decision: Approval - Effective Immediately

Please be advised that on behalf of the Commissioner of the Department of Environmental Management, I have issued a decision regarding the enclosed matter. Pursuant to IC 13-15-5-3, this permit is effective immediately, unless a petition for stay of effectiveness is filed and granted according to IC 13-15-6-3, and may be revoked or modified in accordance with the provisions of IC 13-15-7-1.

If you wish to challenge this decision, IC 4-21.5-3 and IC 13-15-6-1 require that you file a petition for administrative review. This petition may include a request for stay of effectiveness and must be submitted to the Office of Environmental Adjudication, 100 North Senate Avenue, Government Center North, Suite N 501E, Indianapolis, IN 46204, **within eighteen (18) calendar days of the mailing of this notice**. The filing of a petition for administrative review is complete on the earliest of the following dates that apply to the filing:

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

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

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

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.dot12/03/07



INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

We make Indiana a cleaner, healthier place to live.

Mitchell E. Daniels, Jr.
Governor

Thomas W. Easterly
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100 North Senate Avenue
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Indianapolis, Indiana 46204-2251
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(800) 451-6027
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Mr. Michael Pellin
United Transportation Group, Inc.
P.O. Box 300
East Chicago, Indiana 46312

April 29, 2008

Re: 089-25924-00469
First Significant Revision to
FESOP 089-14993-00469

Dear Mr. Pellin:

United Transportation Group, Inc. was issued a Federally Enforceable State Operating Permit (FESOP) on October 21, 2004 for the operation of a railcar and tank truck cleaning facility. A letter requesting changes to this permit was received on January 17, 2008. Pursuant to the provisions of 326 IAC 2-8-11.1 a significant permit revision to this permit is hereby approved as described in the attached Technical Support Document.

The revision to the permit consists of incorporating the requirements of Agreed Order 2006-16020-A into the permit, revising the 326 IAC 2-8 FESOP limits, 326 IAC 2-3 Emission Offset limits, and 326 IAC 8-1-6 VOC limits, and revising the frequency of flow rate monitoring.

Pursuant to 326 IAC 2-8-11.1, this permit shall be revised by incorporating the significant permit revision into the permit. IDEM has decided to make other changes to the permit to update the requirements and clarify the intent of the conditions. All other conditions of the permit shall remain unchanged and in effect. Please find attached a copy of the revised permit.

Pursuant to Contract No. A305-5-65, IDEM, OAQ has assigned the processing of this application to Eastern Research Group, Inc., (ERG). Therefore, questions should be directed to Mr. Stephen Treimel, ERG, 1600 Perimeter Park Drive, Morrisville, North Carolina 27560, or call (919) 468-7902 to speak directly to Mr. Treimel. Questions may also be directed to Duane Van Laningham at IDEM, OAQ, 100 North Senate Avenue, MC 61-53 IGCN 1003, Indianapolis, Indiana, 46204-2251, or call (800) 451-6027 and ask for Duane Van Laningham or extension 3-6878, or dial (317) 233-6878.

Original signed by,

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

Attachments

ERG/ST

cc: File - Lake County
U.S. EPA, Region V
Lake County Health Department
IDEM - Northwest Regional Office
Air Compliance Section Inspector
Compliance Data Section
Administrative and Development
Technical Support and Modeling
Billing, Licensing and Training Section



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Federally Enforceable State Operating Permit OFFICE OF AIR QUALITY

**United Transportation Group
1150 East 145th Street
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. 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 2-8 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.

Indiana statutes from IC 13 and rules from 326 IAC, quoted 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 FESOP under 326 IAC 2-8.

Operation Permit No.: F089-14993-00469	
Issued by: Original Signed By Paul Dubenetzky, Branch Chief Office of Air Quality	Issuance Date: October 21, 2004 Expiration Date: October 21, 2009
Significant Permit Revision No.: 089-25924-00469	
Original signed by: Matthew Stuckey, Deputy Branch Chief Permits Branch Office of Air Quality	Issuance Date: April 29, 2008 Expiration Date: October 21, 2009

TABLE OF CONTENTS

A. SOURCE SUMMARY	4
A.1 General Information [326 IAC 2-8-3(b)]	
A.2 Emission Units and Pollution Control Equipment Summary [326 IAC 2-8-3(c)(3)]	
A.3 Insignificant Activities [326 IAC 2-7-1(21)][326 IAC 2-8-3(c)(3)(I)]	
A.4 FESOP Applicability [326 IAC 2-8-2]	
B. GENERAL CONDITIONS	6
B.1 Definitions [326 IAC 2-8-1]	
B.2 Permit Term [326 IAC 2-8-4(2)][326 IAC 2-1.1-9.5][IC 13-15-3-6(a)]	
B.3 Term of Conditions [326 IAC 2-1.1-9.5]	
B.4 Enforceability [326 IAC 2-8-6]	
B.5 Severability [326 IAC 2-8-4(4)]	
B.6 Property Rights or Exclusive Privilege [326 IAC 2-8-4(5)(D)]	
B.7 Duty to Provide Information [326 IAC 2-8-4(5)(E)]	
B.8 Certification [326 IAC 2-8-3(d)][326 IAC 2-8-4(3)(C)(i)][326 IAC 2-8-5(1)]	
B.9 Annual Compliance Certification [326 IAC 2-8-5(a)(1)]	
B.10 Compliance Order Issuance [326 IAC 2-8-5(b)]	
B.11 Preventive Maintenance Plan [326 IAC 1-6-3][326 IAC 2-8-4(9)] [326 IAC 2-8-5(a)(1)]	
B.12 Emergency Provisions [326 IAC 2-8-12]	
B.13 Prior Permits Superseded [326 IAC 2-1.1-9.5]	
B.14 Termination of Right to Operate [326 IAC 2-8-9][326 IAC 2-8-3(h)]	
B.15 Deviations from Permit Requirements and Conditions [326 IAC 2-8-4(3)(C)(ii)]	
B.16 Permit Modification, Reopening, Revocation and Reissuance, or Termination [326 IAC 2-8-4(5)(C)][326 IAC 2-8-7(a)][326 IAC 2-8-8]	
B.17 Permit Renewal [326 IAC 2-8-3(h)]	
B.18 Permit Amendment or Revision [326 IAC 2-8-10][326 IAC 2-8-11.1]	
B.19 Operational Flexibility [326 IAC 2-8-15][326 IAC 2-8-11.1]	
B.20 Source Modification Requirement [326 IAC 2-8-11.1]	
B.21 Inspection and Entry [326 IAC 2-8-5(a)(2)][IC 13-14-2-2][IC 13-17-3-2] [IC 13-30-3-1]	
B.22 Transfer of Ownership or Operational Control [326 IAC 2-8-10]	
B.23 Annual Fee Payment [326 IAC 2-7-19] [326 IAC 2-8-4(6)] [326 IAC 2-8-16] [326 IAC 2-1.1-7]	
B.24 Credible Evidence [326 IAC 2-8-4(3)][326 IAC 2-8-5][62 FR 8314] [326 IAC 1-1-6]	
C. SOURCE OPERATION CONDITIONS	15
Emission Limitations and Standards [326 IAC 2-8-4(1)]	
C.1 Overall Source Limit [326 IAC 2-8] [326 IAC 2-2]	
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 Fugitive Particulate Matter Emission Limitations [326 IAC 6-5]	
C.7 Asbestos Abatement Projects [326 IAC 14-10] [326 IAC 18] [40 CFR 61, Subpart M]	
Testing Requirements [326 IAC 2-8-4(3)]	
C.8 Performance Testing [326 IAC 3-6]	
Compliance Requirements [326 IAC 2-1.1-11]	
C.9 Compliance Requirements [326 IAC 2-1.1-11]	
Compliance Monitoring Requirements [326 IAC 2-8-4][326 IAC 2-8-5(a)(1)]	
C.10 Compliance Monitoring [326 IAC 2-8-4(3)][326 IAC 2-8-5(a)(1)]	
C.11 Monitoring Methods [326 IAC 3] [40 CFR 60] [40 CFR 63]	
C.12 Instrument Specifications [326 IAC 2-1.1-11] [326 IAC 2-8-4(3)] [326 IAC 2-8-5(1)]	

Corrective Actions and Response Steps [326 IAC 2-8-4][326 IAC 2-8-5(a)(1)]

- C.13 Risk Management Plan [326 IAC 2-8-4] [40 CFR 68]
- C.14 Response to Excursions or Exceedances [326 IAC 2-8-4] [326 IAC 2-8-5]
- C.15 Actions Related to Noncompliance Demonstrated by a Stack Test [326 IAC 2-8-4] [326 IAC 2-8-5]

Record Keeping and Reporting Requirements [326 IAC 2-8-4(3)]

- C.16 General Record Keeping Requirements [326 IAC 2-8-4(3)] [326 IAC 2-8-5]
- C.17 General Reporting Requirements [326 IAC 2-8-4(3)(C)] [326 IAC 2-1.1-11]

Stratospheric Ozone Protection

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

D.1. EMISSIONS UNIT OPERATION CONDITIONS..... 22

Emission Limitations and Standards [326 IAC 2-8-4(1)]

- D.1.1 FESOP/Emission Offset Minor Limit/Nonattainment NSR Minor Limit [326 IAC 2-8][326 IAC 2-3][326 IAC 8-1-6][326 IAC 2-1.1-5]
- D.1.2 FESOP/Hazardous Air Pollutants [326 IAC 2-8] [326 IAC 2-4.1]
- D.1.3 Particulate Emission Limitations [326 IAC 6.8-1-2]

Record Keeping and Reporting Requirements [326 IAC 2-8-4(3)] [326 IAC 2-8-16]

- D.1.4 Record Keeping Requirement
- D.1.5 Reporting Requirement

D.2 EMISSIONS UNIT OPERATION CONDITIONS..... 24

Emission Limitations and Standards [326 IAC 2-8-4(1)]

- D.2.1 VOC/HAP Emission Limitations [326 IAC 2-3][326 IAC 2-8][326 IAC 8-1-6][326 IAC 2-1.1-5]
- D.2.2 Particulate Emission Limitations [326 IAC 6.8-1-2]

Compliance Determination Requirements

- D.2.3 Volatile Organic Compounds (VOC) and Hazardous Air Pollutants (HAP)
- D.2.4 Flare Testing
- D.2.5 Agreed Order 2006-16020-A

Compliance Monitoring Requirements [326 IAC 2-8-4][326 IAC 2-8-5(a)(1)]

- D.2.5 Flare Pilot Flame

Record Keeping and Reporting Requirements [326 IAC 2-8-4(3)] [326 IAC 2-8-16]

- D.2.6 Record Keeping Requirement
- D.2.7 Reporting Requirements

D.3 EMISSIONS UNIT OPERATION CONDITIONS..... 27

Emission Limitations and Standards [326 IAC 2-8-4(1)]

- D.3.1 Particulate Matter - Sources of Indirect Heating [326 IAC 6-2-4]
- D.3.2 Fugitive Particulate Matter Emission Limitations [326 IAC 6-5]
- D.3.3 Particulate Emission Limitations [326 IAC 6.8-1-2]

D.4 EMISSIONS UNIT OPERATION CONDITIONS..... 28

Certification Form	29
Emergency Occurrence Form	30
Quarterly Report Forms	32
Quarterly Deviation and Compliance Monitoring Report Form	35
Appendix A - Fugitive Dust Plan	37

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 2-8-3(b)]

The Permittee owns and operates a stationary railcar and truck tank cleaning facility.

Source Address:	1150 East 145 th Street, East Chicago, IN 46312
Mailing Address:	P.O. Box 300, East Chicago, IN 46312
General Source Phone Number:	(219) 392-8100
SIC Code:	4785
County Location:	Lake
Source Location Status:	Nonattainment for 8-hour ozone standard Nonattainment for PM2.5 standard Attainment for all other criteria pollutants
Source Status:	Federally Enforceable State Operating Permit Program Minor Source, under PSD and Emission Offset Rules Minor Source, Section 112 of the Clean Air Act Not 1 of 28 Source Categories

A.2 Emission Units and Pollution Control Equipment Summary [326 IAC 2-8-3(c)(3)]

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

- (a) One (1) Railcar Cleaning Operation, constructed in 1989, with emissions uncontrolled and vented to building B which exhaust to vent B.
- (b) One (1) Tank truck Cleaning Operation, constructed in 1990, with emissions uncontrolled and vented to building A which exhausts to vent A.
- (c) One (1) Pressurized Railcar Purging/Degassing operation, constructed in 1990, with a maximum capacity 1 railcar per two hours, and emissions controlled by a flare with a natural gas-fired pilot, exhausting to stack S-1.

A.3 Insignificant Activities [326 IAC 2-7-1(21)][326 IAC 2-8-3(c)(3)(I)]

This stationary source also includes the following insignificant activities:

- (a) Natural gas-fired combustion sources with heat input equal to or less than ten million (10,000,000) Btu per hour: One (1) 0.38 MMBtu/hr boiler used to generate steam for cleaning and facility heat. [326 IAC 6-2-4]
- (b) Paved and unpaved roads and parking lots with public access. [326 IAC 6-5]
- (c) Grinding and machining operations controlled with fabric filters, scrubbers, mist collectors, wet collectors, and electrostatic precipitators with a design grain loading of less than or equal to three one-hundredths (0.03) grains per actual cubic foot and a gas flow rate less than or equal to four thousand (4,000) actual cubic feet per minute: One (1) portable shotblasting unit used to remove railcar liners. [326 IAC 6-3-2]

- (d) Natural gas-fired combustion sources with heat input equal to or less than ten million (10,000,000) Btu per hour: Five (5) space heaters, and five (5) HVAC units.
- (e) Activities associated with the treatment of wastewater streams with an oil and grease content less than or equal to 1% by volume.

A.4 FESOP Applicability [326 IAC 2-8-2]

This stationary source, otherwise required to have a Part 70 permit as described in 326 IAC 2-7-2(a), has applied to the Indiana Department of Environmental Management (IDEM), Office of Air Quality (OAQ) for a Federally Enforceable State Operating Permit (FESOP).

SECTION B GENERAL CONDITIONS

B.1 Definitions [326 IAC 2-8-1]

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 2-8-4(2)][326 IAC 2-1.1-9.5][IC 13-15-3-6(a)]

-
- (a) This permit, 089-25924-00469, 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, 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 2-8-6]

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

B.5 Severability [326 IAC 2-8-4(4)]

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

B.6 Property Rights or Exclusive Privilege [326 IAC 2-8-4(5)(D)]

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

B.7 Duty to Provide Information [326 IAC 2-8-4(5)(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 an "authorized individual" as defined by 326 IAC 2-1.1-1(1). Upon request, the Permittee shall also furnish to IDEM, OAQ copies of records required to be kept by this permit.
- (b) For information furnished by the Permittee to IDEM, OAQ, the Permittee may include a claim of confidentiality in accordance with 326 IAC 17.1. When furnishing copies of requested records directly to U. S. EPA, the Permittee may assert a claim of confidentiality in accordance with 40 CFR 2, Subpart B.

B.8 Certification [326 IAC 2-8-3(d)][326 IAC 2-8-4(3)(C)(i)][326 IAC 2-8-5(1)]

-
- (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 an "authorized individual" 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) An "authorized individual" is defined at 326 IAC 2-1.1-1(1).

B.9 Annual Compliance Certification [326 IAC 2-8-5(a)(1)]

- (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 no later than April 15 of each year to:

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

- (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 2-8-4(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 an "authorized individual" as defined by 326 IAC 2-1.1-1(1).

B.10 Compliance Order Issuance [326 IAC 2-8-5(b)]

IDEM, OAQ may issue a compliance order to this Permittee upon discovery that this permit is in nonconformance with an applicable requirement. The order may require immediate compliance or contain a schedule for expeditious compliance with the applicable requirement.

B.11 Preventive Maintenance Plan [326 IAC 1-6-3][326 IAC 2-8-4(9)][326 IAC 2-8-5(a)(1)]

- (a) The Permittee shall prepare and maintain Preventive Maintenance Plans (PMPs) within thirty (30) days after issuance of this permit, for the source as described in 326 IAC 1-6-3.

At a minimum, the PMPs shall include:

- (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) 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 an "authorized individual" as defined by 326 IAC 2-1.1-1(1).
- (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 2-8-12]

- (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 except as provided in 326 IAC 2-8-12.
- (b) An emergency, as defined in 326 IAC 2-7-1(12), constitutes an affirmative defense to an action brought for noncompliance with a health-based or technology-based emission limitation if the affirmative defense of an emergency is demonstrated through properly signed, contemporaneous operating logs or other relevant evidence that describe the following:
 - (1) An emergency occurred and the Permittee can, to the extent possible, identify the causes of the emergency;
 - (2) The permitted facility was at the time being properly operated;
 - (3) During the period of an emergency, the Permittee took all reasonable steps to minimize levels of emissions that exceeded the emission standards or other requirements in this permit;
 - (4) For each emergency lasting one (1) hour or more, the Permittee notified IDEM, OAQ, and Northwest Regional Office within four (4) daytime business hours after

the beginning of the emergency, or after the emergency was discovered or reasonably should have been discovered;

Telephone Number: 1-800-451-6027 (ask for Office of Air Quality, Compliance Section), or
Telephone Number: 317-233-0178 (ask for Compliance Section)
Facsimile Number: 317-233-6865
Northwest Regional Office phone: (219) 757-0265; fax: (219) 757-0267.

- (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 2-8-4(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 an "authorized individual" as defined by 326 IAC 2-1.1-1(1).

- (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 2-8-3(c)(6) 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 2-8 and any other applicable rules.
- (g) Operations may continue during an emergency only if the following conditions are met:
- (1) 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.

- (2) If an emergency situation causes a deviation from a health-based limit, the Permittee may not continue to operate the affected emissions facilities unless:
 - (A) The Permittee immediately takes all reasonable steps to correct the emergency situation and to minimize emissions; and
 - (B) Continued operation of the facilities is necessary to prevent imminent injury to persons, severe damage to equipment, substantial loss of capital investment, or loss of product or raw material of substantial economic value.

Any operations shall continue no longer than the minimum time required to prevent the situations identified in (g)(2)(B) of this condition.

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

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

- (a) All terms and conditions of permits established prior to 089-25924-00469 and issued pursuant to permitting programs approved into the state implementation plan have been either:
 - (1) incorporated as originally stated,
 - (2) revised, or
 - (3) deleted.
- (b) All previous registrations and permits are superseded by this permit.

B.14 Termination of Right to Operate [326 IAC 2-8-9][326 IAC 2-8-3(h)]

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 2-8-3(h) and 326 IAC 2-8-9.

B.15 Deviations from Permit Requirements and Conditions [326 IAC 2-8-4(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 an "authorized individual" as defined by 326 IAC 2-1.1-1(1).

- (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 2-8-4(5)(C)][326 IAC 2-8-7(a)][326 IAC 2-8-8]

- (a) This permit may be modified, reopened, revoked and reissued, or terminated for cause. The filing of a request by the Permittee for a Federally Enforceable State 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 2-8-4(5)(C)] The notification by the Permittee does require the certification by an "authorized individual" as defined by 326 IAC 2-1.1-1(1).
- (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 2-8-8(a)]
- (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 2-8-8(b)]
- (d) The reopening and revision of this permit, under 326 IAC 2-8-8(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 2-8-8(c)]

B.17 Permit Renewal [326 IAC 2-8-3(h)]

- (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 2-8-3. 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 an "authorized individual" as defined by 326 IAC 2-1.1-1(1).

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 2-8 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 Revision [326 IAC 2-8-10][326 IAC 2-8-11.1]

- (a) Permit amendments and revisions are governed by the requirements of 326 IAC 2-8-10 or 326 IAC 2-8-11.1 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 an "authorized individual" as defined by 326 IAC 2-1.1-1(1).

- (c) The Permittee may implement administrative amendment changes addressed in the request for an administrative amendment immediately upon submittal of the request. [326 IAC 2-8-10(b)(3)]

B.19 Operational Flexibility [326 IAC 2-8-15][326 IAC 2-8-11.1]

- (a) The Permittee may make any change or changes at the source that are described in 326 IAC 2-8-15(b) through (d) 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 approval required by 326 IAC 2-8-11.1 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 2-8-15(b) through (d). 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 2-8-15(b)(2), (c)(1), and (d).

- (b) Emission Trades [326 IAC 2-8-15(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 2-8-15(c).
- (c) Alternative Operating Scenarios [326 IAC 2-8-15(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 2-8-4(7). No prior notification of IDEM, OAQ, or U.S. EPA is required.
- (d) 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.20 Source Modification Requirement [326 IAC 2-8-11.1]

A modification, construction, or reconstruction is governed by the requirements of 326 IAC 2 and 326 IAC 2-8-11.1.

B.21 Inspection and Entry [326 IAC 2-8-5(a)(2)][IC 13-14-2-2][IC 13-17-3-2][IC 13-30-3-1]

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 FESOP 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 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, at reasonable times, 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, 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.22 Transfer of Ownership or Operational Control [326 IAC 2-8-10]

- (a) The Permittee must comply with the requirements of 326 IAC 2-8-10 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 an "authorized individual" as defined by 326 IAC 2-1.1-1(1).

- (c) The Permittee may implement administrative amendment changes addressed in the request for an administrative amendment immediately upon submittal of the request. [326 IAC 2-8-10(b)(3)]

B.23 Annual Fee Payment [326 IAC 2-7-19] [326 IAC 2-8-4(6)] [326 IAC 2-8-16][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) 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.24 Credible Evidence [326 IAC 2-8-4(3)][326 IAC 2-8-5][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 2-8-4(1)]

C.1 Overall Source Limit [326 IAC 2-8] [326 IAC 2-2]

The purpose of this permit is to limit this source's potential to emit to less than major source levels for the purpose of Section 502(a) of the Clean Air Act.

- (a) Pursuant to 326 IAC 2-8:
 - (1) The potential to emit any regulated pollutant, except particulate matter (PM), from the entire source shall be limited to less than one hundred (100) tons per twelve (12) consecutive month period.
 - (2) The potential to emit any individual hazardous air pollutant (HAP) from the entire source shall be limited to less than ten (10) tons per twelve (12) consecutive month period; and
 - (3) The potential to emit any combination of HAPs from the entire source shall be limited to less than twenty-five (25) tons per twelve (12) consecutive month period.
- (b) The potential to emit particulate matter (PM) from the entire source shall be limited to less than two hundred fifty (250) tons per twelve (12) consecutive month period. This limitation shall make the requirements of 326 IAC 2-2 (Prevention of Significant Deterioration (PSD) not applicable.
- (c) Pursuant to 326 IAC 2-3 (Emission Offset), potential to emit particulate matter (PM) from the entire source shall be limited to less than one-hundred (100) tons per twelve (12) consecutive month period.
- (d) This condition shall include all emission points at this source including those that are insignificant as defined in 326 IAC 2-7-1(21). The source shall be allowed to add insignificant activities not already listed in this permit, provided the source's potential to emit does not exceed the above specified limits.
- (e) Section D of this permit contains independently enforceable provisions to satisfy this requirement.

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 twenty percent (20%) 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 Fugitive Particulate Matter Emission Limitations [326 IAC 6-5]

Pursuant to 326 IAC 6-5 (Fugitive Particulate Matter Emission Limitations), fugitive particulate matter emissions shall be controlled according to the plan submitted on September 26, 2001. The plan indicates that the fugitive emissions will be controlled by spraying the paved and unpaved roads with water on an as-needed basis. The plan is included as Appendix B.

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

- (a) Notification requirements apply to each owner or operator. If the combined amount of regulated asbestos containing material (RACM) to be stripped, removed or disturbed is at least 260 linear feet on pipes or 160 square feet on other facility components, or at least thirty-five (35) cubic feet on all facility components, then the notification requirements of 326 IAC 14-10-3 are mandatory. All demolition projects require notification whether or not asbestos is present.
- (b) The Permittee shall ensure that a written notification is sent on a form provided by the Commissioner at least ten (10) working days before asbestos stripping or removal work or before demolition begins, per 326 IAC 14-10-3, and shall update such notice as necessary, including, but not limited to the following:
- (1) When the amount of affected asbestos containing material increases or decreases by at least twenty percent (20%); or
 - (2) If there is a change in the following:
 - (A) Asbestos removal or demolition start date;
 - (B) Removal or demolition contractor; or
 - (C) Waste disposal site.
- (c) The Permittee shall ensure that the notice is postmarked or delivered according to the guidelines set forth in 326 IAC 14-10-3(2).
- (d) The notice to be submitted shall include the information enumerated in 326 IAC 14-10-3(3).

All required notifications shall be submitted to:

Indiana Department of Environmental Management
Asbestos Section, Office of Air Quality
100 North Senate Avenue

MC 61-52 IGCN 1003
Indianapolis, Indiana 46204-2251

The notice shall include a signed certification from the owner or operator that the information provided in this notification is correct and that only Indiana licensed workers and project supervisors will be used to implement the asbestos removal project. The notifications do not require a certification by an "authorized individual" as defined by 326 IAC 2-1.1-1(1).

- (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.

Testing Requirements [326 IAC 2-8-4(3)]

C.8 Performance Testing [326 IAC 3-6]

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

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

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

no later than thirty-five (35) days prior to the intended test date. The protocol submitted by the Permittee does not require certification by an "authorized individual" as defined by 326 IAC 2-1.1-1(1).

- (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 an "authorized individual" as defined by 326 IAC 2-1.1-1(1).
- (c) Pursuant to 326 IAC 3-6-4(b), all test reports must be received by IDEM, OAQ not later than forty-five (45) days after the completion of the testing. An extension may be granted by IDEM, OAQ if the Permittee submits to IDEM, OAQ, a reasonable written explanation not later than five (5) days prior to the end of the initial forty-five (45) day period.

Compliance Requirements [326 IAC 2-1.1-11]

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

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

Compliance Monitoring Requirements [326 IAC 2-8-4][326 IAC 2-8-5(a)(1)]

C.10 Compliance Monitoring [326 IAC 2-8-4(3)][326 IAC 2-8-5(a)(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 an "authorized individual" as defined by 326 IAC 2-1.1-1(1).

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

C.11 Monitoring Methods [326 IAC 3] [40 CFR 60] [40 CFR 63]

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

C.12 Instrument Specifications [326 IAC 2-1.1-11] [326 IAC 2-8-4(3)][326 IAC 2-8-5(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 2-8-4][326 IAC 2-8-5(a)(1)]

C.13 Risk Management Plan [326 IAC 2-8-4] [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.14 Response to Excursions or Exceedances [326 IAC 2-8-4] [326 IAC 2-8-5]

- (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.15 Actions Related to Noncompliance Demonstrated by a Stack Test [326 IAC 2-8-4][326 IAC 2-8-5]

- (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 an "authorized individual" as defined by 326 IAC 2-1.1-1(1).

Record Keeping and Reporting Requirements [326 IAC 2-8-4(3)]

C.16 General Record Keeping Requirements [326 IAC 2-8-4(3)] [326 IAC 2-8-5]

- (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 within ninety (90) days of permit issuance.

C.17 General Reporting Requirements [326 IAC 2-8-4(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 an "authorized individual" as defined by 326 IAC 2-1.1-1(1).
- (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 an "authorized individual" as defined by 326 IAC 2-1.1-1(1).
- (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.

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 FACILITY OPERATION CONDITIONS

Facility Description [326 IAC 2-8-4(10)]: Railcar and Tank truck Cleaning Operations

- (a) One (1) Railcar Cleaning Operation, constructed in 1989, with emissions uncontrolled and vented to building B which exhausts to vent B.
- (b) One (1) Tank truck Cleaning Operation, constructed in 1990, with emissions uncontrolled and vented to building A which exhausts to vent A.

(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 2-8-4(1)]

D.1.1 FESOP/Emission Offset Minor Limit/Nonattainment NSR Minor Limit [326 IAC 2-8][326 IAC 2-3][326 IAC 8-1-6][326 IAC 2-1.1-5]

- (a) The total number of tank trucks, containing volatile organic compounds (VOC), cleaned at the source shall not exceed 2960 tanks per twelve (12) consecutive month period with compliance determined at the end of each month. For every railcar containing VOC cleaned at the source, the tank limit shall be reduced by 3.43 tanks. These operational limits are based on emissions of 46.5 pounds VOC per railcar and 13.6 pounds VOC per tank truck cleaned.
- (b) The source shall not clean any tank trucks or non-pressurized railcars that contain a VOC with a vapor pressure greater than 30 mm Hg at 25°C.

Compliance with these limits is equivalent to VOC emissions less than 20.12 tons per twelve consecutive month period. These limits, in conjunction with the limits in Condition D.2.1, are structured such that the total VOC emissions from the entire source shall be less than 25 tons per year.

Compliance with these limits will render the requirements of 326 IAC 2-3 (Emission Offset), 326 IAC 2-1.1-5 (Nonattainment NSR) and 326 IAC 8-1-6 (BACT) not applicable, and satisfy the requirements of 326 IAC 2-8 (FESOP).

D.1.2 FESOP/Hazardous Air Pollutants [326 IAC 2-8][326 IAC 2-4.1]

- (a) The total number of tank trucks, containing any hazardous air pollutant (HAP), cleaned at the source shall not exceed 750 tanks per twelve (12) consecutive month period with compliance determined at the end of each month. For every railcar containing any HAP cleaned at the source, the tank limit shall be reduced by 3.43 tanks. These operational limits are based on maximum emissions of 46.5 pounds HAP per railcar and 13.6 pounds HAP per tank truck cleaned.
- (b) The source shall not clean any tank trucks or non-pressurized railcars that contain a HAP with a vapor pressure greater than 30 mm Hg at 25°C.

Compliance with these limits is equivalent to HAP emissions less than 5.12 tons per twelve consecutive month period. These limits, in conjunction with the limits in Condition D.2.1, are structured such that the emissions of any combination of HAPs from the entire source shall be less than 10 tons per year.

Compliance with these limits will render the requirements of 326 IAC 2-3 (Emission Offset) and 326 IAC 2-4.1 (Hazardous Air Pollutants) not applicable, and satisfy the requirements of 326 IAC 2-8 (FESOP).

D.1.3 Particulate Emission Limitations [326 IAC 6.8-1-2]

Pursuant to 326 IAC 6.8-1-2, the particulate emissions from the Railcar Cleaning Operation and the Tank Truck Cleaning Operation shall be limited to less than 0.03 grain per dry standard cubic foot (dscf).

Record Keeping and Reporting Requirements [326 IAC 2-8-4(3)] [326 IAC 2-8-16]

D.1.4 Record Keeping Requirements

- (a) To document compliance with Conditions D.1.1 and D.1.2, the Permittee shall maintain records in accordance with (1) and (4) below. Records maintained for (1) and (4) shall be taken monthly and shall be complete and sufficient to establish compliance with the emission limits established in Conditions D.1.1 and D.1.2. The Permittee shall maintain records of the:
- (1) Calendar dates covered in the compliance determination period;
 - (2) Number of railcars and tank trucks, containing VOCs or HAPs, cleaned at the source;
 - (3) Contents of all tank trucks and railcars cleaned; and
 - (4) Vapor pressures of the contents (if the contents are volatile organic compounds).
- (b) All records shall be maintained in accordance with Section C - General Record Keeping Requirements, of this permit.

D.1.5 Reporting Requirements

A quarterly summary of the information used to document compliance with Conditions D.1.1 and D.1.2, in any compliance period shall be submitted to the address listed in Section C - General Reporting Requirements, using the reporting forms located at the end of this permit, or their equivalent, within thirty (30) days after the end of the quarter being reported.

SECTION D.2

FACILITY OPERATION CONDITIONS

Facility Description [326 IAC 2-8-4(10)]: Purging/Degassing Operation

- (c) One (1) Pressurized Railcar Purging/Degassing operation, constructed in 1990, with a maximum capacity 1 railcar per two hours, and emissions controlled by a flare with a natural gas-fired pilot, exhausting to stack S-1.

(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 2-8-4(1)]

D.2.1 VOC/HAP Emission Limitations [326 IAC 2-3] [326 IAC 2-8] [326 IAC 8-1-6][326 IAC 2-1.1-5]

- (a) VOC/HAP emissions from the Pressurized Railcar Purging/Degassing operation shall not exceed 4.88 tons per twelve consecutive month period, with compliance determined at the end of each month.
- (b) The source shall not clean any pressurized railcars that contain a VOC/HAP with a vapor pressure greater than 95 mm Hg at 25°C.

Compliance with these limits is equivalent to VOC and HAP emissions less than 4.88 tons per twelve consecutive month period. These limits, in conjunction with the limits in Conditions D.1.1 and D.1.2, are structured such that the total VOC emissions and total HAP emissions from the source shall be less than 25 tons per year and 10 tons per year, respectively.

Compliance with these limits will satisfy the requirements of 326 IAC 2-8 (FESOP) and render the requirements of 326 IAC 2-3 (Emission Offset) and 326 IAC 2-1.1-5 (Nonattainment NSR) not applicable. These limits will also render 326 IAC 8-1-6 (BACT) not applicable to the Pressurized Railcar Purging/Degassing operations.

D.2.2 Particulate Emission Limitations [326 IAC 6.8-1-2]

Pursuant to 326 IAC 6.8-1-2, the particulate emissions from the Pressurized Railcar Purging/Degassing operation shall be limited to less than 0.03 grain per dry standard cubic foot (dscf).

Compliance Determination Requirements

D.2.3 Volatile Organic Compounds (VOC) and Hazardous Air Pollutants (HAP)

In order to comply with Condition D.2.1:

- (a) A flare, controlling VOC and HAP emissions exhausting to stack S-1, shall be:
- (1) Installed, calibrated, and maintained according to the manufacturers specifications and operated at all times when emissions may be vented to it.
 - (2) Designed and operated such that no visible emissions are present as determined by Method 22, except for periods not to exceed a total of 5 minutes during any 2 consecutive hours.
- (b) The following equipment must be installed, calibrated, maintained, and operated in conjunction with the flare:
- (1) Heat sensing device, such as an ultraviolet beam sensor or thermocouple, at the pilot light or the flame itself to indicate the continuous presence of a flame

- (2) A device that records the gas flow to the flare. The Permittee shall install, calibrate, and maintain a gas flow rate measuring device and record the flow to the control device at all times that the railcar degassing operations are in operation. Flow rate shall be recorded at the beginning and ending of railcar degassing operations and at least every fifteen minutes during railcar degassing operations.

D.2.4 VOC Emissions Calculations

Compliance with the VOC and HAP emissions limitations contained in condition D.2.1 shall be demonstrated within 30 days of the end of each month. This shall be based on the total VOC/HAP combusted in the flare for the previous month, so as to arrive at VOC/HAP emissions for the most recent twelve (12) consecutive month period.

- (a) For the VOC/HAP limits in Condition D.2.1, the VOC/HAP emissions for a month can be arrived at using the following equation:

$$\begin{aligned} \text{VOC/HAP emitted} &= \text{SUM} [\text{Gas Flow Rate}_i \times \text{Time}_i] \times \text{VOC/HAP Emission Factor} \\ &= \text{SUM} [\text{Gas Flow Rate}_i \times \text{Time}_i] \times 0.985 \text{ lb}/1,000 \text{ ft}^3 \text{ gas} \end{aligned}$$

Where:

Gas Flow Rate_i = The flow rate of gas being vented/purged from the railcar, as recorded by the flow rate measuring device, in cubic feet per minute.

Time_i = The elapsed time that the railcar is vented/purged at a particular flow rate, in minutes.

VOC/HAP Emission Factor = The amount of VOC/HAP emitted, in pounds per one thousand cubic feet of gas vented/purged, as determined during October 2007 stack test = 0.985 lbs VOC / 1,000 cubic feet of gas burned.

D.2.5 Flare Testing

Within 180 days after issuance of this permit, in order to demonstrate compliance with Condition D.2.1, the Permittee shall perform VOC/HAP testing on the flare used to control emissions from the Pressurized Railcar Purging/Degassing operation utilizing methods as approved by the Commissioner. This test shall be repeated at least once every five (5) years from the date of this valid compliance demonstration. Testing shall be conducted in accordance with Section C - Performance Testing.

D.2.6 Agreed Order 2006-16020-A

Pursuant to Agreed Order 2006-16020-A, signed November 27, 2007, the Permittee shall not purge HAP containing railcars until such time that testing on the flare used to control emissions from the Pressurized Railcar Purging/Degassing operation is performed in accordance with the requirements of 326 IAC 3-6, that demonstrates compliance with the VOC/HAP emission limits in condition D.2.1.

Compliance Monitoring Requirements [326 IAC 2-8-4] [326 IAC 2-8-5(a)(1)]

D.2.7 Flare Pilot Flame

The presence of a flare pilot flame shall be monitored continuously using a thermocouple or any other equivalent device to detect the presence of a flame.

Record Keeping and Reporting Requirements [326 IAC 2-8-4(3)] [326 IAC 2-8-16]

D.2.8 Record Keeping Requirements

- (a) In order to comply with Condition D.2.1(a), the Permittee shall keep the following records of operation of the Pressurized Railcar Purging/Degassing operation:
- (1) Gas flow rate during all purging/degassing operations;
 - (2) Total elapsed time at each gas flow rate during all purging/degassing operations; and
 - (3) Total VOC/HAP emissions for each railcar purged/degassed.
- (b) To document compliance with Condition D.2.1(b), the Permittee shall maintain records of the:
- (1) Contents of all railcars cleaned; and
 - (2) Vapor pressures of the contents (if the contents are volatile organic compounds).
- (c) All records shall be maintained in accordance with Section C - General Record Keeping Requirements, of this permit.

D.2.9 Reporting Requirements

A quarterly summary of the information to document compliance with Condition D.2.1(a) shall be submitted to the address listed in Section C - General Reporting Requirements, of this permit, using the reporting forms located at the end of this permit, or their equivalent, within thirty (30) days after the end of the quarter being reported. The report submitted by the Permittee does require the certification by an "authorized individual" as defined by 326 IAC 2-1.1-1(1).

SECTION D.3

FACILITY OPERATION CONDITIONS

Facility Description [326 IAC 2-8-4(10)]:

- (a) Natural gas-fired combustion sources with heat input equal to or less than ten million (10,000,000) Btu per hour: One (1) 0.38 MMBtu/hr boiler used to generate steam for cleaning and facility heat. [326 IAC 6-2-4]
- (b) Paved and unpaved roads and parking lots with public access. [326 IAC 6-5]
- (c) Grinding and machining operations controlled with fabric filters, scrubbers, mist collectors, wet collectors, and electrostatic precipitators with a design grain loading of less than or equal to three one-hundredths (0.03) grains per actual cubic foot and a gas flow rate less than or equal to four thousand (4,000) actual cubic feet per minute: One (1) portable shotblasting unit used to remove railcar liners. [326 IAC 6-3-2]

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

Emission Limitations and Standards [326 IAC 2-8-4(1)]

D.3.1 Particulate Matter - Sources of Indirect Heating [326 IAC 6-2-4]

Pursuant to 326 IAC 6-2-4, the PM emissions from the 0.38 MMBtu/hr natural gas-fired boiler shall not exceed 0.6 pounds per million BTU heat input.

D.3.2 Fugitive Particulate Matter Emission Limitations [326 IAC 6-5]

Pursuant to 326 IAC 6-5 (Fugitive Particulate Matter Emission Limitations), fugitive particulate matter emissions shall be controlled according to the plan submitted on September 26, 2001. The plan indicates that the fugitive emissions will be controlled by spraying the paved and unpaved roads with water on an as-needed basis. The plan is included as Appendix A.

D.3.3 Particulate Emission Limitations [326 IAC 6.8-1-2]

Pursuant to 326 IAC 6.8-1-2, the particulate emissions from the insignificant portable shot blasting unit shall be limited to less than 0.03 grain per dry standard cubic foot (dscf).

SECTION D.4

FACILITY OPERATION CONDITIONS

Facility Description [326 IAC 2-8-4(10)]:

- (d) Natural gas-fired combustion sources with heat input equal to or less than ten million (10,000,000) Btu per hour: Five (5) space heaters, and five (5) HVAC units.
- (e) Activities associated with the treatment of wastewater streams with an oil and grease content less than or equal to 1% by volume.

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

There are no specifically applicable requirements that apply to these facilities.

INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT OFFICE OF AIR QUALITY

FEDERALLY ENFORCEABLE STATE OPERATING PERMIT (FESOP) CERTIFICATION

Source Name: United Transportation Group, Inc.
Source Address: 1150 East 145th Street, East Chicago, IN 46312
Mailing Address: P.O. Box 300, East Chicago, IN 46312
FESOP Permit No.: F089-14993-00469

**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:

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**

**FEDERALLY ENFORCEABLE STATE OPERATING PERMIT (FESOP)
EMERGENCY OCCURRENCE REPORT**

Source Name: United Transportation Group, Inc.
Source Address: 1150 East 145th Street, East Chicago, IN 46312
Mailing Address: P.O. Box 300, East Chicago, IN 46312
FESOP Permit No.: F089-14993-00469

This form consists of 2 pages

Page 1 of 2

- | |
|--|
| <p><input type="checkbox"/> This is an emergency as defined in 326 IAC 2-7-1(12)</p> <ul style="list-style-type: none">• The Permittee must notify the Office of Air Quality (OAQ), within four (4) business hours (1-800-451-6027 or 317-233-0178, ask for Compliance Section); and• The Permittee must submit notice in writing or by facsimile within two (2) working days (Facsimile Number: 317-233-6865), and follow the other requirements of 326 IAC 2-7-16 |
|--|

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

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

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

Page 2 of 2

Date/Time Emergency started:
Date/Time Emergency was corrected:
Was the facility being properly operated at the time of the emergency? Y N Describe:
Type of Pollutants Emitted: TSP, PM-10, SO ₂ , VOC, NO _x , CO, Pb, other:
Estimated amount of pollutant(s) emitted during emergency:
Describe the steps taken to mitigate the problem:
Describe the corrective actions/response steps taken:
Describe the measures taken to minimize emissions:
If applicable, describe the reasons why continued operation of the facilities are necessary to prevent imminent injury to persons, severe damage to equipment, substantial loss of capital investment, or loss of product or raw materials of substantial economic value:

Form Completed by: _____

Title / Position: _____

Date: _____

Phone: _____

A certification is not required for this report.

INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT OFFICE OF AIR QUALITY COMPLIANCE DATA SECTION

FESOP Quarterly Report

Source Name: United Transportation Group, Inc.
Source Address: 1150 East 145th Street, East Chicago, IN 46312
Mailing Address: P.O. Box 300, East Chicago, IN 46312
FESOP Permit No.: F089-14993-00469
Facility: Railcar and Tank Truck Cleaning Operations
Parameter: Number of tank trucks and railcars cleaned that contains any HAP.
Limit: 750 tank trucks per twelve consecutive month period. For every railcar cleaned that contains HAPs, this limit is reduced by 3.43 tank trucks

QUARTER: _____ YEAR: _____

Month	Number of Tank trucks and Railcars cleaned	Number of Tank trucks and Railcars cleaned	Number of Tank trucks and Railcars cleaned
	This Month	Previous 11 Months	12 Month Total
Month 1			
Month 2			
Month 3			

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

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

Attach a signed certification to complete this report.

INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT OFFICE OF AIR QUALITY COMPLIANCE DATA SECTION

FESOP Quarterly Report

Source Name: United Transportation Group, Inc.
Source Address: 1150 East 145th Street, East Chicago, IN 46312
Mailing Address: P.O. Box 300, East Chicago, IN 46312
FESOP Permit No.: F089-14993-00469
Facility: Railcar and Tank Truck Cleaning Operations
Parameter: Number of tank trucks and railcars cleaned that contains any VOC.
Limit: 2960 tank trucks per twelve consecutive month period. For every railcar cleaned that contains VOC, this limit is reduced by 3.43 tank trucks

QUARTER: _____ YEAR: _____

Month	Number of Tank trucks and Railcars cleaned	Number of Tank trucks and Railcars cleaned	Number of Tank trucks and Railcars cleaned
	This Month	Previous 11 Months	12 Month Total
Month 1			
Month 2			
Month 3			

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

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

Attach a signed certification to complete this report.

**INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
OFFICE OF AIR QUALITY
COMPLIANCE DATA SECTION**

FESOP Quarterly Report

Source Name: United Transportation Group, Inc.
Source Address: 1150 East 145th Street, East Chicago, IN 46312
Mailing Address: P.O. Box 300, East Chicago, IN 46312
FESOP Permit No.: F089-14993-00469
Facility: Pressurized Railcar Purging/Degassing operation
Parameter: VOC / HAP Emissions
Limit: Less than 4.88 tons per twelve month consecutive period

QUARTER: _____ YEAR: _____

Month	Column 1	Column 2	Column 1 + Column 2
	This Month	Previous 11 Months	12 Month Total
Month 1			
Month 2			
Month 3			

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

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

Attach a signed certification to complete this report.

**INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
 OFFICE OF AIR QUALITY
 COMPLIANCE DATA SECTION
 FEDERALLY ENFORCEABLE STATE OPERATING PERMIT (FESOP)
 QUARTERLY DEVIATION AND COMPLIANCE MONITORING REPORT**

Source Name: United Transportation Group, Inc.
 Source Address: 1150 East 145th Street, East Chicago, IN 46312
 Mailing Address: P.O. Box 300, East Chicago, IN 46312
 FESOP Permit No.: F089-14993-00469

Months: _____ to _____ Year: _____

Page 1 of 2

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".	
<input type="checkbox"/> NO DEVIATIONS OCCURRED THIS REPORTING PERIOD.	
<input type="checkbox"/> THE FOLLOWING DEVIATIONS OCCURRED THIS REPORTING PERIOD	
Permit Requirement (specify permit condition #)	
Date of Deviation:	Duration of Deviation:
Number of Deviations:	
Probable Cause of Deviation:	
Response Steps Taken:	
Permit Requirement (specify permit condition #)	
Date of Deviation:	Duration of Deviation:
Number of Deviations:	
Probable Cause of Deviation:	
Response Steps Taken:	

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 - Fugitive Dust Control Plan

Original Date: 11/02/2000

Revision No.: 1

Date: 3/11/2002

Author: Skip Parker

Re-author: Dan LoGreco

Approved: Mike Pellin

United Transportation Group

Fugitive Dust Control Program

The UTG fugitive dust emission control program has been implemented in keeping with regulations specified by IDEM for fugitive dust emissions (326 IAC 6-4 and 326 IAC 6-5)

UTG will spray the paved and unpaved areas traveled by vehicular traffic with water to limit or eliminate dust emissions from travel. Therefore dust emissions will not travel outside the limits of UTG property.

The following schedule will be adhered to and documented in the table below (or its equivalent) to indicate the days of use and/or non-use as a result of inclement weather.

Any area that may need to be to be water sprayed should be conducted along the following schedule.

Monday B Friday no later then 0900 or anytime deemed necessary. (By noting dust in the air or traveling fugitive dust as a result of vehicular traffic.)

Saturday no later then 0900 or anytime deemed necessary. (By noting dust in the air or traveling fugitive dust as a result of vehicular traffic.)

Week of:	SUN	MON	TUES	WED	THUR	FRI	SAT
Application to Paved Roads	-						
Application to Unpaved Roads	-						

C = Water application completed; N1 = Not necessary (due to inclement weather); N2 = Not necessary (due to zero or minimal dusting); Note that this table should be reproduced as necessary to ensure compliance with 326 IAC 6-4 and 326 IAC 6-5.

This is the beginning of UTG=s fugitive dust emission program and it may be necessary to make changes to it in the future to further enhance the efficiency of its use.

Indiana Department of Environmental Management Office of Air Quality

Addendum to the Technical Support Document for a Significant Permit Revision to a Federally Enforceable State Operating Permit (FESOP) Renewal

Source Background and Description

Source Name:	United Transportation Group, Inc.
Source Location:	1150 East 145 th Street, East Chicago, IN 46312
County:	Lake County
SIC Code:	4785
Significant Permit Revision No.:	089-25924-00469
Permit Reviewer:	ERG/ST

On March 13, 2008, the Office of Air Quality (OAQ) had a notice published in the Post tribune in Merrillville, Indiana and The Times, Munster, Indiana, stating that United Transportation Group, Inc. had applied for a Significant Permit Revision to a Federally Enforceable State Operating Permit (FESOP). The notice also stated that OAQ proposed to issue a permit for this operation and provided information on how the public could review the proposed permit and other documentation. Finally, the notice informed interested parties that there was a period of thirty (30) days to provide comments on whether or not this permit should be issued as proposed.

On April 15, 2008, United Transportation Group, Inc. submitted comments on the proposed Significant Permit Revision to a Federally Enforceable State Operating Permit. The summary of the comments is as follows:

Comment 1: United Transportation Group, Inc. (UTG) objects to the limit on hours of operation for the railcar purging/degassing operation in condition D.2.1 of the permit as written. UTG can operate this facility at various gas flow rates (i.e. from 1 pound per hour up to 4 pounds per hour. During a typical purging/degassing operation, the rate will begin at up to 4 pounds per hour and end a few hours later at about 1 pound per hour. Setting the limit at the highest flow rate for the entire period of operation restricts the total hours of operation that UTG can operate this facility. UTG requests that IDEM change the limit to allow greater flexibility in complying with the VOC and HAP limits for this facility. UTG expects to install a chart recorder that will allow it to continuously record the gas flow rate during the entire purging/degassing cycle.

IDEM Response to Comment 1: The installation of a chart recorder allowing UTG to keep records of gas flow rate during the purging/degassing operations will provide the means for showing compliance with the limit in a way that will allow UTG the flexibility requested. Stack testing in October 2007 showed that VOC emissions from the purging/degassing operations were 1.82 pounds of VOC per hour when burning at a gas flow rate of 2,310 standard cubic feet of gas per hour. This is equivalent to 0.788 pounds VOC per 1,000 cubic feet of gas burned. IDEM has determined that derating this emission factor by 25% to allow for possible VOC destruction inefficiencies at higher flow rates will be adequate to account for VOC emissions when this facility operates at higher flow rates than occurred during the stack test. Therefore, the emission factor used for calculating emissions shall be 0.985 lbs VOC/1,000 scf of gas burned (0.788 x 1.25 = 0.985). The permit has been changed as follows:

D.2.1 VOC/HAP Emission Limitations [326 IAC 2-3] [326 IAC 2-8] [326 IAC 8-1-6][326 IAC 2-1.1-5]

- ~~(a) VOC/HAP emissions from the Pressurized Railcar Purging/Degassing operation shall not exceed 4.00 pounds per hour.~~
- ~~(b) Pressurized Railcar Purging/Degassing operations shall be limited to 2,440 hours of operation per twelve consecutive month period, with compliance determined at the end of each month.~~
- (a) VOC/HAP emissions from the Pressurized Railcar Purging/Degassing operation shall not exceed 4.88 tons per twelve consecutive month period, with compliance determined at the end of each month.**
- (eb)** The source shall not clean any pressurized railcars that contain a VOC/HAP with a vapor pressure greater than 95 mm Hg at 25°C.

Compliance with these limits is equivalent to VOC and HAP emissions less than 4.88 tons per twelve consecutive month period. These limits, in conjunction with the limits in Conditions D.1.1 and D.1.2, are structured such that the total VOC emissions and total HAP emissions from the source shall be less than 25 tons per year and 10 tons per year, respectively.

Compliance with these limits will satisfy the requirements of 326 IAC 2-8 (FESOP) and render the requirements of 326 IAC 2-3 (Emission Offset) and 326 IAC 2-1.1-5 (Nonattainment NSR) not applicable. These limits will also render 326 IAC 8-1-6 (BACT) not applicable to the Pressurized Railcar Purging/Degassing operations.

D.2.4 VOC Emissions Calculations

Compliance with the VOC and HAP emissions limitations contained in condition D.2.1 shall be demonstrated within 30 days of the end of each month. This shall be based on the total VOC/HAP combusted in the flare for the previous month, so as to arrive at VOC/HAP emissions for the most recent twelve (12) consecutive month period.

- (a) For the VOC/HAP limits in Condition D.2.1, the VOC/HAP emissions for a month can be arrived at using the following equation:**

$$\begin{aligned} \text{VOC/HAP emitted} &= \text{SUM} [\text{Gas Flow Rate}_i \times \text{Time}_i] \times \text{VOC/HAP Emission Factor} \\ &= \text{SUM} [\text{Gas Flow Rate}_i \times \text{Time}_i] \times 0.985 \text{ lb}/1,000 \text{ ft}^3 \text{ gas} \end{aligned}$$

Where:

Gas Flow Rate_i = The flow rate of gas being vented/purged from the railcar, as recorded by the flow rate measuring device, in cubic feet per minute.

Time_i = The elapsed time that the railcar is vented/purged at a particular flow rate, in minutes.

VOC/HAP Emission Factor = The amount of VOC/HAP emitted, in pounds per one thousand cubic feet of gas vented/purged, as determined during October 2007 stack test = 0.985 lbs VOC / 1,000 cubic feet of gas burned.

D.2.4 D.2.5 Flare Testing

...

D.2.5 D.2.6 Agreed Order 2006-16020-A

...

~~D.2.6~~ **D.2.7** Flare Pilot Flame

...

~~D.2.7~~ **D.2.8** Record Keeping Requirements

- ~~(a)~~ To document compliance with Condition D.2.1, the Permittee shall maintain records of the:
- ~~(1)~~ Gas flow rate sent to the flare;
 - ~~(2)~~ Contents of all railcars cleaned; and
 - ~~(3)~~ Vapor pressures of the contents (if the contents are volatile organic compounds).
- ~~(b)~~ In order to comply with Condition D.2.1(b), the Permittee shall keep records of the hours of operation of the Pressurized Railcar Purging/Degassing operation.
- (a)** In order to comply with Condition D.2.1(a), the Permittee shall keep the following records of operation of the Pressurized Railcar Purging/Degassing operation:
- (1)** Gas flow rate during all purging/degassing operations;
 - (2)** Total elapsed time at each gas flow rate during all purging/degassing operations; and
 - (3)** Total VOC/HAP emissions for each railcar purged/degassed.
- (b)** To document compliance with Condition D.2.1(b), the Permittee shall maintain records of the:
- (1)** Contents of all railcars cleaned; and
 - (2)** Vapor pressures of the contents (if the contents are volatile organic compounds).
- (c)** All records shall be maintained in accordance with Section C - General Record Keeping Requirements, of this permit.

~~D.2.8~~ **D.2.9** Reporting Requirements

A quarterly summary of the information to document compliance with Condition ~~D.2.1(b)~~ **D.2.1(a)** shall be submitted to the address listed in Section C - General Reporting Requirements, of this permit, using the reporting forms located at the end of this permit, or their equivalent, within thirty (30) days after the end of the quarter being reported. The report submitted by the Permittee does require the certification by an "authorized individual" as defined by 326 IAC 2-1.1-1(1).

**INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
OFFICE OF AIR QUALITY
COMPLIANCE DATA SECTION**

FESOP Quarterly Report

Source Name: United Transportation Group, Inc.
Source Address: 1150 East 145th Street, East Chicago, IN 46312
Mailing Address: P.O. Box 300, East Chicago, IN 46312
FESOP Permit No.: F089-14993-00469

Facility: Pressurized Railcar Purging/Degassing operation
Parameter: ~~Hours of Operation~~ **VOC / HAP Emissions**
Limit: Less than ~~2,440 hours~~ **4.88 tons** per twelve month consecutive period

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

Technical Support Document (TSD) for a Significant Permit Revision to a
Federally Enforceable State Operating Permit (FESOP).

Source Description and Location

Source Name:	United Transportation Group, Inc.
Source Location:	1150 East 145 th Street, East Chicago, IN 46312
County:	Lake County
SIC Code:	4785
Operation Permit No.:	F089-14993-00469
Operation Permit Issuance Date:	October 21, 2004
Significant Permit Revision No.:	089-25924-00469
Permit Reviewer:	ERG/ST

The OAQ has received an application from United Transportation Group, Inc. related to revisions to their Federally Enforceable State Operating Permit.

Existing Approvals

The source was issued FESOP No. 089-14993-00469 on October 21, 2004.

County Attainment Status

The source is located in Lake County.

Pollutant	Status
PM2.5	Nonattainment
PM10	Attainment
SO ₂	Attainment
NO ₂	Attainment
8-hour Ozone	Nonattainment
CO	Attainment
Lead	Attainment

Note: On October 25, 2006, the Indiana Air Pollution Control Board finalized a rule revision to 326 IAC 1-4-1 redesignating Lake County to attainment for sulfur dioxide standard.

- (a) Volatile organic compounds (VOC) and Nitrogen Oxides (NO_x) are regulated under the Clean Air Act (CAA) for the purposes of attaining and maintaining the National Ambient Air Quality Standards (NAAQS) for ozone.
- (1) On December 22, 2006 the United States Court of Appeals, District of Columbia issued a decision which served to partially vacate and remand the U.S. EPA's final rule for implementation of the eight-hour National Ambient Air quality Standard for ozone. *South Coast Air Quality Mgmt. Dist. v. EPA*, 472 F.3d 882 (D.C. Cir., December 22, 2006), rehearing denied 2007 U.S. App. LEXIS 13748 (D.C. Cir., June 8, 2007).

The U.S. EPA has instructed IDEM to issue permits in accordance with its interpretation of the South Coast decision as follows: Lake County was previously

designated as a severe non-attainment area prior to revocation of the one-hour ozone standard, therefore, pursuant to the anti-backsliding provisions of the Clean Air Act, any new or existing source must be subject to the major source applicability cut-offs and offset ratios under the area's previous one-hour standard designation. This means that a source must achieve the Lowest Achievable Emission Rate (LAER) if it exceeds 25 tons per year of VOC emissions and must offset any increase in VOC emissions by a decrease of 1.3 times that amount.

- (2) VOC and NOx emissions are considered when evaluating the rule applicability relating to the 8-hour ozone standard. Lake County has been designated as nonattainment for the 8-hour ozone standard. Therefore, VOC and NOx emissions were reviewed pursuant to the requirements for Emission Offset, 326 IAC 2-3. See the State Rule Applicability – Entire Source section.
- (b) U.S. EPA, in the Federal Register Notice 70 FR 943 dated January 5, 2005, has designated Lake County as nonattainment for PM2.5. On March 7, 2005 the Indiana Attorney General's Office, on behalf of IDEM, filed a law suit with the Court of Appeals for the District of Columbia Circuit challenging U.S. EPA's designation of nonattainment areas without sufficient data. However, in order to ensure that sources are not potentially liable for a violation of the Clean Air Act, the OAQ is following the U.S. EPA's guidance to regulate PM10 emissions as a surrogate for PM2.5 emissions pursuant to the requirements of Emission Offset, 326 IAC 2-3.
- (c) Lake County has been classified as attainment or unclassifiable in Indiana for all other criteria pollutants. Therefore, these emissions were reviewed pursuant to the requirements for Prevention of Significant Deterioration (PSD), 326 IAC 2-2.
- (d) Fugitive Emissions
 Since this type of operation is not one of the twenty-eight (28) listed source categories under 326 IAC 2-2 and since there are no applicable New Source Performance Standards that were in effect on August 7, 1980, the fugitive particulate matter (PM) and volatile organic compound (VOC) emissions are not counted toward determination of PSD and Emission Offset applicability.

Source Status

The table below summarizes the potential to emit of the entire source, prior to the proposed modification, after consideration of all enforceable limits established in the effective permits:

Pollutant	Emissions (tons/year)
PM	2.46
PM10	2.46
SO ₂	0.005
VOC	Less than 25
CO	0.2
NO _x	1.2
Total HAPs	Less than 10

- (a) This existing source is located in Lake County and is not a major stationary source under Emission Offset (326 IAC 2-3) because no nonattainment regulated pollutant (PM2.5 and VOC) is emitted at a rate of 100 tons per year or more.
- (b) This existing source is not a major stationary source under Prevention of Significant Deterioration (PSD) (326 IAC 2-2) because this source is not in one (1) of the twenty-eight (28) listed sources under 326 IAC 2-2, is not located at a source that is in one (1) of the

twenty-eight (28) listed sources under 326 IAC 2-2, and no attainment regulated pollutants are emitted at a rate of 250 tons per year or more.

- (c) This existing source is not a major source of HAPs, as defined in 40 CFR 63.41, because the Permittee has accepted limits on HAPs emissions to less than ten (10) tons per year for any single HAP and less than twenty-five (25) tons per year of a combination of HAPs. Therefore, this source is an area source under Section 112 of the Clean Air Act (CAA).
- (d) These emissions are based upon the TSD for FESOP 089-14993-00469, issued on October 21, 2004.

Description of Proposed Revision

The Office of Air Quality (OAQ) has reviewed a revision application, submitted by United Transportation Group, Inc. on January 17, 2008, relating to revisions to their existing permit. The proposed revisions are as follows:

- (a) Incorporate the requirements of Agreed Order 2006-16020-A, finalized on November 27, 2007, into the permit;
- (b) Revise the allowable emission limits of VOC/HAP in Condition D.2.1 under 326 IAC 2-8 (FESOP), 326 IAC 2-3 (Emission Offset), and 326 IAC 8-1-6 (VOC) from 1.11 pounds per hour and 8,760 hours per year (equivalent to 4.86 tons per year) to 4.00 pounds per hour and 2,440 hours per year (equivalent to 4.88 tons per year); and
- (c) Revise the recordkeeping requirements for flow rate in Condition D.2.3(b)(2) from "recording of flow every 15 minutes" to recording of flow rate at the beginning and ending of railcar degassing operations in order to clarify the flow recording requirements.

IDEM has revised the permit to incorporate the changes requested in the first two revision requests (paragraphs (a) and (b) above). IDEM will not make the change requested in paragraph (c) above. Recording the flow rate every fifteen minutes is necessary for determining that the Permittee is operating in accordance with the limits in their permit.

Enforcement Issues

Notice of Violation Case No. 2006-16020-A was issued for this source (United Transportation Group, Inc.) on December 11, 2006. This case cited violations to the terms and conditions of the source's current operating permit (FESOP 089-14993-00469, issued on October 21, 2004). On November 27, 2007, the source entered into an Agreed Order with IDEM to resolve the violations to their operating permit cited in Notice of Violation Case No. 2006-16020-A. This Significant Permit Revision will, in part, incorporate the terms of the Agreed Order 2006-16020 into the current operating permit. (See the *Proposed Changes* section of this TSD for details.)

Permit Level Determination – FESOP Revision

Pursuant to 326 IAC 2-7-1(29), Potential to Emit is defined as "the maximum capacity of a stationary source or emission unit to emit any air pollutant under its physical and operational design. Any physical or operational limitation on the capacity of a source to emit an air pollutant, including air pollution control equipment and restrictions on hours of operation or type or amount of material combusted, stored, or processed shall be treated as part of its design if the limitation is enforceable by the U. S. EPA, IDEM, or the appropriate local air pollution control agency."

There is no change in the potential to emit of the source as a result of this revision to the permit.

This permit revision is subject to 326 IAC 2-8-11.1(g)(3) because this revision changes existing

requirements for the units under the emissions cap.

Permit Level Determination – FESOP, PSD, Emission Offset, Nonattainment New Source Review
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The table below summarizes the potential to emit, reflecting all limits, of the emission units. Any control equipment is considered federally enforceable only after issuance of this FESOP permit revision, and only to the extent that the effect of the control equipment is made practically enforceable in the permit.

Pollutant	Emissions (tons/year)
PM	2.46
PM10	2.46
SO ₂	0.005
VOC	Less than 25
CO	0.2
NO _x	1.2
Total HAPs	Less than 10

- (a) This revision to an existing minor stationary source is not major for PSD because the emissions increase is less than the PSD major source thresholds. Therefore, pursuant to 326 IAC 2-2, the PSD requirements do not apply. This source remains a minor source under PSD after this permit revision.
- (b) This revision to an existing minor stationary source is not major for Emission Offset because the emissions increase is less than the Emission Offset major source thresholds. As discussed in paragraph (a)(1) of the County Attainment Status section of this TSD, Lake County has been designated nonattainment for VOC pursuant to the anti-backsliding provisions of the Clean Air Act. Since the increase of VOC at this source during the five-year contemporaneous period is less than 25 tons per year, this source is not subject to Emission Offset for VOC. Therefore, pursuant to 326 IAC 2-3, the Emission Offset requirements do not apply. This source remains a minor source under Emission Offset after this permit revision.
- (c) Lake County has been designated as nonattainment for PM 2.5 in 70 FR 943 dated January 5, 2005. According to the April 5, 2005 EPA memo titled "Implementation of New Source Review Requirements in PM2.5 Nonattainment Areas" authored by Steve Page, Director of OAQPS, until EPA promulgates the PM2.5 major NSR regulations, states should assume that a major stationary source's PM10 emissions represent PM2.5 emissions. IDEM will use the PM10 nonattainment major NSR program as a surrogate to address the requirements of nonattainment major NSR for the PM2.5 NAAQS. A major source in a nonattainment area is a source that emits or has the potential to emit one hundred (100) tons per year of any nonattainment regulated pollutant. United Transportation Group, Inc. has a limited potential to emit of PM10 below one hundred (100) tons per year. Therefore, assuming that PM10 emissions represent PM2.5 emissions, 326 IAC 2-1.1 (Nonattainment New Source Review) does not apply for PM2.5. This source remains a minor source under Nonattainment New Source Review after this permit revision.
- (d) After this revision, this source is still a minor source pursuant to the Part 70 Permit program.
- (e) After this revision, this source is still a minor source under Section 112 of the Clean Air Act.

The revised permit will include the following limits on the potential to emit of this source:

- (a) VOC/HAP emissions from the Pressurized Railcar Purging/Degassing operation shall not exceed 4.00 pounds per hour.
- (b) Pressurized Railcar Purging/Degassing operations shall be limited to 2,440 hours of operation per twelve consecutive month period, with compliance determined at the end of each month.

Compliance with the above limits is equivalent to VOC and HAP emissions less than 4.88 tons per twelve consecutive month period. These limits, in conjunction with the other VOC and HAP limits in the permit will keep source-wide total VOC emissions less than 25 tons per year and source-wide total HAP emissions less than 10 tons per year. Compliance with these limits will satisfy the requirements of 326 IAC 2-8 (FESOP) and render the requirements of 326 IAC 2-3 (Emission Offset), 326 IAC 2-1.1-5 (Nonattainment NSR), and 326 IAC 8-1-6 (BACT) not applicable to the construction done under F089-14993-00469, issued on October 21, 2004.

Federal Rule Applicability Determination

There are no federal rules that are applicable to the source due to this revision.

- (a) There are no New Source Performance Standards (NSPS)(326 IAC 12 and 40 CFR Part 60) included in this proposed revision.
- (b) There are no National Emission Standards for Hazardous Air Pollutants (NESHAPs) (326 IAC 14, 326 IAC 20 and 40 CFR Part 63) included in this proposed revision.

State Rule Applicability Determination

The following state rules are applicable to the source due to the revision:

326 IAC 2-2 (PSD), 326 IAC 2-3 (Emission Offset), and 326 IAC 2-1.1 (Nonattainment New Source Review)

PSD, Emission Offset, and Nonattainment New Source Review applicability is discussed under the *Permit Level Determination - FESOP, PSD, Emission Offset, and Nonattainment New Source Review* section.

326 IAC 2-6 (Emission Reporting)

This source is located in Lake County, is not required to have an operating permit under Part 70, has a potential to emit of NO_x less than 25 tons per year, has a limited potential to emit of VOC less than 25 tons per year, and emits lead into the ambient air at levels less than 5 tons per year. Therefore, this source is not subject to 326 IAC 2-6 (Emission Reporting). Condition C.18 (Emission Statement) has been removed from the permit. Pursuant to 326 IAC 2-6-1(b), all sources permitted by IDEM are subject to additional information requests as specified in 326 IAC 2-6-5.

Since the issuance of FESOP 089-14993-00469 on October 21, 2004, IDEM has revised the particulate control rules for sources located in Lake County. 326 IAC 6-1 was repealed on August 10, 2005. The following Article 6 rules are now applicable to this source.

326 IAC 6.8-1-2 (Particulate Matter Limitations for Lake County)

This source is located in Lake County, but is not specifically listed in 326 IAC 6.8-2. Pursuant to 326 IAC 6.8-1-2(a), particulate matter from the railcar cleaning operation, tank truck cleaning operation, pressurized railcar purging/degassing operation, the insignificant portable shotblasting operation, and any other insignificant activity shall not exceed three-hundredths (0.03) grain per dry standard cubic foot (dscf).

326 IAC 6.8-2 through 326 IAC 6.8-8 (Lake County PM10 emission requirements)

Pursuant to 326 IAC 6.8-2-1(a), this source is not subject to 326 IAC 6.8-2 through 326 IAC 6.8-8 because it does not operate any of the specifically listed facilities regulated by this rule.

326 IAC 6.8-10 (Lake County: Fugitive Particulate Matter)

This railcar and tank truck cleaning facility is located in Lake County and it has the potential to emit fugitive particulate matter less than five (5) tons per year. Therefore, this source is not subject to the requirements of 326 IAC 6.8-10 (Lake County: Fugitive Particulate Matter).

326 IAC 6.8-11 (Lake County Particulate Matter Contingency Measures)

This railcar and tank truck cleaning facility is located in Lake County, is not listed in 326 IAC 6.8-2, is not a source of fugitive emissions to which 326 IAC 6.8-10-1(a) applies, and has potential PM10 emissions less than 10 tons per year. Therefore, the requirements of 326 IAC 6.8-11 (Lake County Particulate Matter Contingency Measures) do not apply.

326 IAC 6-4 (Fugitive Dust Emissions)

The Permittee shall not allow fugitive dust to escape beyond the property line or boundaries of the property, right-of-way, or easement on which the source is located, in a manner that would violate 326 IAC 6-4. Fugitive dust emissions shall be controlled according to the plan submitted on September 26, 2001. The plan is included as Appendix A to the permit.

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

Pursuant to 326 IAC 6-5 (Fugitive Particulate Matter Emission Limitations), fugitive particulate matter emissions shall be controlled according to the plan submitted on September 26, 2001. The plan indicates that the fugitive emissions will be controlled by spraying the paved and unpaved roads with water on an as-needed basis. The plan is included as Appendix A to the permit.

Compliance Determination and Monitoring Requirements

Permits issued under 326 IAC 2-8 are required to ensure that sources can demonstrate compliance with all applicable state and federal rules on a continuous basis. All state and federal rules contain compliance provisions, however, these provisions do not always fulfill the requirement for a continuous demonstration. When this occurs IDEM, OAQ, in conjunction with the source, must develop specific conditions to satisfy 326 IAC 2-8-4. As a result, Compliance Determination Requirements are included in the permit. The Compliance Determination Requirements in Section D of the permit are those conditions that are found directly within state and federal rules and the violation of which serves as grounds for enforcement action.

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

There are no new Compliance Determination Requirements applicable to this source as a result of this permit revision.

Proposed Changes

The following changes have been made to the permit based on the changes requested by the Permittee and the additional changes made by IDEM, OAQ. Language with a line through it has been deleted, and bold language has been added. The Table of Contents has been updated as necessary.

1. The following changes have been made to the permit as the result of the revisions requested by the Permittee.

D.2.1 VOC/HAP Emission Limitations [326 IAC 2-3] [326 IAC 2-8] [326 IAC 8-1-6] [326 IAC 2-1.1-5]

- (a) VOC/HAP emissions from the Pressurized Railcar Purging/Degassing operation shall not exceed ~~4.44~~ **4.00** pounds per hour.
- (b) Pressurized Railcar Purging/Degassing operations shall be limited to 2,440 hours of operation per twelve consecutive month period, with compliance determined at the end of each month.**
- ~~(b)(c)~~ The source shall not clean any pressurized railcars that contain a VOC/HAP with a vapor pressure greater than 95 mm Hg at 25°C.

Compliance with these limits is equivalent to VOC and HAP emissions less than 4.88 tons per twelve consecutive month period. These limits, in conjunction with the limits in Conditions D.1.1 and D.1.2, are structured such that the total VOC emissions and total HAP emissions from the source shall be less than 25 tons per year and 10 tons per year, respectively.

Compliance with these limits will satisfy the requirements of 326 IAC 2-8 (FESOP) and render the requirements of 326 IAC 2-3 (Emission Offset), **and** 326 IAC 2-1.1-5 (Nonattainment NSR) **not applicable. These limits will also render and** 326 IAC 8-1-6 (BACT) not applicable **to the Pressurized Railcar Purging/Degassing operations.**

D.2.3 Volatile Organic Compounds (VOC) and Hazardous Air Pollutants (HAP)

In order comply with Condition D.2.1:

...

- (b) The following equipment must be installed, calibrated, maintained, and operated in conjunction with the flare:
 - (1) Heat sensing device, such as an ultraviolet beam sensor or thermocouple, at the pilot light or the flame itself to indicate the continuous presence of a flame
 - (2) A device that records the gas flow to the flare. The Permittee shall install, calibrate, and maintain a gas flow rate measuring **device** and record the flow to the control device **at all times that the railcar degassing operations are in operation. Flow rate shall be recorded at the beginning and ending of railcar degassing operations and** at least every fifteen minutes **during railcar degassing operations.**

D.2.5 Agreed Order 2006-16020-A

Pursuant to Agreed Order 2006-16020-A, signed November 27, 2007, the Permittee shall not purge HAP containing railcars until such time that testing on the flare used to control emissions from the Pressurized Railcar Purging/Degassing operation is performed in accordance with the requirements of 326 IAC 3-6, that demonstrates compliance with the VOC/HAP emission limits in condition D.2.1.

~~D.2.6~~ D.2.7 Record Keeping Requirements

...

- ~~(b) To document compliance with Condition D.2.2, the Permittee shall maintain records of any additional inspections prescribed by the Preventive Maintenance Plan.~~

- (b) In order to comply with Condition D.2.1(b), the Permittee shall keep records of the hours of operation of the Pressurized Railcar Purging/Degassing operation.
- (c) All records shall be maintained in accordance with Section C - General Record Keeping Requirements, of this permit.

D.2.8 Reporting Requirements

A quarterly summary of the information to document compliance with Condition D.2.1(b) shall be submitted to the address listed in Section C - General Reporting Requirements, of this permit, using the reporting forms located at the end of this permit, or their equivalent, within thirty (30) days after the end of the quarter being reported. The report submitted by the Permittee does require the certification by an "authorized individual" as defined by 326 IAC 2-1.1-1(1).

**INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
OFFICE OF AIR QUALITY
COMPLIANCE DATA SECTION**

FESOP Quarterly Report

Source Name: United Transportation Group, Inc.
Source Address: 1150 East 145th Street, East Chicago, IN 46312
Mailing Address: P.O. Box 300, East Chicago, IN 46312
FESOP Permit No.: F089-14993-00469
Facility: Pressurized Railcar Purging/Degassing operation
Parameter: Hours of Operation
Limit: Less than 2,440 hours per twelve month consecutive period

QUARTER: _____ YEAR: _____

Month	Column 1	Column 2	Column 1 + Column 2
	This Month	Previous 11 Months	12 Month Total
Month 1			
Month 2			
Month 3			

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

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

Attach a signed certification to complete this report.

2. IDEM, OAQ has updated its address and telephone numbers and decided to add the specific mail codes (MC) for each of the IDEM branches to improve mail delivery, as follows:

Telephone Number: 317-233-5674 **0178**
Facsimile Number: 317-233-5967 **6865**

Indiana Department of Environmental Management
Office of Air Quality
100 North Senate Avenue, P.O. Box 6015
Indianapolis, Indiana ~~46206-6015~~ **46204-2251**

Permits Branch: **MC 61-53 IGCN 1003**
Compliance Branch: **MC 61-53 IGCN 1003**
Air Compliance Section: **MC 61-53 IGCN 1003**
Compliance Data Section: **MC 61-53 IGCN 1003**
Asbestos Section: **MC 61-52 IGCN 1003**
Technical Support and Modeling: **MC 61-50 IGCN 1003**

3. Section A has been revised to show changes in the Source Location Status since this permit was issued. IDEM has decided to remove the responsible official information from Section A.1.

A.1 General Information [326 IAC 2-8-3(b)]

The Permittee owns and operates a railcar and truck tank cleaning facility.

Authorized Individual:	Owner, United Transportation Group
Source Address:	1150 East 145 th Street, East Chicago, IN 46312
Mailing Address:	P.O. Box 300, East Chicago, IN 46312
General Source Phone:	(219) 392-8100
SIC Code:	4785
County Location:	Lake
Source Location Status:	Nonattainment for 8-hr ozone (1-hr and 8-hr standard) and SO₂ Nonattainment for PM_{2.5}
Source Status:	Attainment for all other criteria pollutants Federally Enforceable State Operating Permit (FESOP) Minor Source, under PSD, Emission Offset Rules and Nonattainment NSR; Minor Source, Section 112 of the Clean Air Act

4. IDEM has moved Condition B.1 (Permit No Defense) to the cover page of the permit as follows:

Indiana statutes from IC 13 and rules from 326 IAC, quoted 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 FESOP under 326 IAC 2-8.

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

~~Indiana statutes from IC 13 and rules from 326 IAC, quoted 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 FESOP under 326 IAC 2-8.~~

5. IDEM has revised Condition B.2 (formerly B.3) and added Condition B.3 (Term of Conditions) to clarify the intent:

B.2 Permit Term [326 IAC 2-8-4(2)][326 IAC 2-1.1-9.5] [IC 13-15-3-6(a)]

- (a) This permit (**F089-14993-00469**) 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 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.**
6. IDEM has moved Condition A.5 to the B Section and moved the B section condition Termination of Right to Operate to clarify the intent of these conditions.

A.5 B.13 Prior Permits Superseded [326 IAC 2-1.1-9.5]

- (a) All terms and conditions of previous permits issued pursuant to permitting programs approved into the state implementation plan have been either
 - (1) incorporated as originally stated,
 - (2) revised, or
 - (3) deletedby this permit.
- (b) All previous registrations and permits are superseded by this permit.

B.5 B.14 Termination of Right to Operate [326 IAC 2-8-9] [326 IAC 2-8-3(h)]

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 2-8-3(h) and 326 IAC 2-8-9.

7. IDEM has made the following changes to conditions in Sections B and C to correct typographical errors and to clarify the intent.

B.8 B.7 Duty to Provide Information [326 IAC 2-8-4(5)(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~~ **an** "authorized individual" as defined by 326 IAC 2-1.1-1(1). 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~~ **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.11~~ **B.10** Annual Compliance Certification [326 IAC 2-8-5(a)(1)]

...

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

~~B.12~~ **B.11** Preventive Maintenance Plan [326 IAC 1-6-3] [326 IAC 2-8-4(9)] [326 IAC 2-8-5(a)(1)]

...

(c) 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 an~~ "authorized individual" as defined by 326 IAC 2-1.1-1(1).

...

~~B.13~~ **B.12** Emergency Provisions [326 IAC 2-8-12]

...

(b) An emergency, as defined in 326 IAC 2-7-1(12), constitutes an affirmative defense to an action brought for noncompliance with a health-based or technology-based emission limitation if the affirmative defense of an emergency is demonstrated through properly signed, contemporaneous operating logs or other relevant evidence that ~~describes~~ **describe** the following:

(1) ...

...

(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 ~~No. Number~~: 1-800-451-6027 (ask for Office of Air Quality, Compliance Section) or,
Telephone ~~No. Number~~: 317-233-5674 **0178** (ask for Compliance Section)
Facsimile ~~No. Number~~: 317-233-5967 **6865**

...

(5) ...

The notification which shall be submitted by the Permittee does not require the certification by ~~the an~~ "authorized individual" as defined by 326 IAC 2-1.1-1(1).

...

~~B.14~~ **B.15** Deviations from Permit Requirements and Conditions [326 IAC 2-8-4(3)(C)(ii)]

(a) ...

The Quarterly Deviation and Compliance Monitoring Report does require the certification by ~~the an~~ "authorized individual" as defined by 326 IAC 2-1.1-1(1).

...

~~B.15~~ **B.16** Permit Modification, Reopening, Revocation and Reissuance, or Termination

~~[326 IAC 2-8-4(5)(C)] [326 IAC 2-8-7(a)] [326 IAC 2-8-8]~~

- (a) This permit may be modified, reopened, revoked and reissued, or terminated for cause. The filing of a request by the Permittee for a ~~FESOP~~ **Federally Enforceable State 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 2-8-4(5)(C)]~~ The notification by the Permittee does require the certification by ~~the an~~ "authorized individual" as defined by 326 IAC 2-1.1-1(1).

...

~~B.16~~ **B.17** Permit Renewal [326 IAC 2-8-3(h)]

- (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 2-8-3. 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 an~~ "authorized individual" as defined by 326 IAC 2-1.1-1(1).

...

- (b) ~~Timely Submittal of Permit Renewal [326 IAC 2-8-3]~~

~~(1)~~—A timely renewal application is one that is:

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

~~(B)~~ **(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.

~~(2)~~—If IDEM, OAQ upon receiving a timely and complete 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 until the renewal permit has been issued or denied.

- (c) ~~Right to Operate After Application for Renewal [326 IAC 2-8-9]~~

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 2-8 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.17~~ **B.18** Permit Amendment or Revision [326 IAC 2-8-10] [326 IAC 2-8-11.1]

...

- (b) ...

Any such application shall be certified by ~~the an~~ "authorized individual" as defined by 326

IAC 2-1.1-1(1).

- (c) The Permittee may implement the administrative amendment changes addressed in the request for an administrative amendment immediately upon submittal of the request. [326 IAC 2-8-10(b)(3)]
- (d) ~~No permit amendment or modification is required for the addition, operation or removal of a nonroad engine, as defined in 40 CFR 89.2.~~

~~B.18~~ **B.19** Operational Flexibility [326 IAC 2-8-15][326 IAC 2-8-11.1]

- (a) The Permittee may make any change or changes at ~~this~~ **the** source that are described in 326 IAC 2-8-15(b) through (d), without prior permit revision, if each of the following conditions is met:

...

~~B.19~~ **B.20** Permit Revision **Source Modification** Requirement [326 IAC 2-8-11.1]

A modification, construction, or reconstruction is governed by the requirements of 326 IAC 2 and 326 IAC 2-8-11.1.

~~B.24~~ **B.22** Transfer of Ownership or Operational Control [326 IAC 2-8-10]

...

- (b) ...

The application which shall be submitted by the Permittee does require the certification by ~~the~~ **an** "authorized individual" as defined by 326 IAC 2-1.1-1(1).

...

~~C.5~~ **C.4** Incineration [326 IAC 4-2] [326 IAC 9-1-2(3)]

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

~~C.9~~ **C.7** Asbestos Abatement Projects [326 IAC 14-10] [326 IAC 18] [40 CFR 61, Subpart M]

...

- (d) ...

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~~ **an** "authorized individual" as defined by 326 IAC 2-1.1-1(1).

- (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.

...

~~C.10~~ **C.8** Performance Testing [326 IAC 3-6]

(a) . . .

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~~ **an** "authorized individual" as defined by 326 IAC 2-1.1-1(1).

(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~~ **an** "authorized individual" as defined by 326 IAC 2-1.1-1(1).

. . .

~~C.13~~ **C.11** Monitoring Methods [326 IAC 3] [40 CFR 60] [40 CFR 63]

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

~~C.17~~ **C.15** Actions Related to Noncompliance Demonstrated by a Stack Test [326 IAC 2-8-4][326 IAC 2-8-5]

. . .

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

. . .

The response action documents submitted pursuant to this condition do require the certification by ~~the~~ **an** "authorized individual" as defined by 326 IAC 2-1.1-1(1).

~~C.19~~ **C.17** General Reporting Requirements [326 IAC 2-8-4(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~~ **an** "authorized individual" as defined by 326 IAC 2-1.1-1(1).

. . .

(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~~ **an** "authorized individual" as defined by 326 IAC 2-1.1-1(1).

. . .

8. In accordance with the credible evidence rule (62 Fed. Reg. 8314, Feb 24, 1997); Section 113(a) of the Clean Air Act, 42 U.S. C. § 7413 (a); and a letter from the United States Environmental Protection Agency (USEPA) to IDEM, OAQ dated May 18, 2004, all permits must address the use of credible evidence. Indiana has incorporated the credible evidence provision in 326 IAC 1-1-6. This rule became effective March 16, 2005 and is incorporated into this permit under Section B Credible Evidence as follows.

~~B.23~~ **B.22** Credible Evidence [326 IAC 2-8-4(3)][326 IAC 2-8-5][62 FR 8314] [**326 IAC 1-1-6**]

~~Notwithstanding the conditions of this permit that state specific methods that may be used to demonstrate compliance with, or a violation of, applicable requirements, any person (including the Permittee) may also use other credible evidence to demonstrate compliance with, or a violation of, any term or condition of this permit.~~ **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.**

9. IDEM has revised Condition C.1 (formerly Condition C.2) (Overall Source Limit) to include requirements to limit source-wide PM emissions to less than the PSD major source threshold. Lake County is non-attainment for PM2.5. PM10 is regulated under 326 IAC 2-3 (Emission Offset) as a surrogate for PM2.5.

~~C.2~~ **C.1** Overall Source Limit [326 IAC 2-8] **[326 IAC 2-2]**

The purpose of this permit is to limit this source's potential to emit to less than major source levels for the purpose of Section 502(a) of the Clean Air Act.

(a) Pursuant to 326 IAC 2-8:

- (1) The potential to emit any regulated pollutant, except particulate matter (PM), from the entire source shall be limited to less than one-hundred (100) tons per twelve (12) consecutive month period. ~~This limitation shall also make the requirements of 326 IAC 2-2 (Prevention of Significant Deterioration (PSD)) and 326 IAC 2-3 (Emission Offset) not applicable;~~
- (2) The potential to emit any individual hazardous air pollutant (HAP) from the entire source shall be limited to less than ten (10) tons per twelve (12) consecutive month period; and
- (3) The potential to emit any combination of HAPs from the entire source shall be limited to less than twenty-five (25) tons per twelve (12) consecutive month period.
- ~~(4) The potential to emit of particulate matter (PM), from the entire source shall be limited to less than 250 tons per twelve (12) consecutive month period.~~

(b) The potential to emit particulate matter (PM) from the entire source shall be limited to less than two hundred fifty (250) tons per twelve (12) consecutive month period. This limitation shall make the requirements of 326 IAC 2-2 (Prevention of Significant Deterioration (PSD)) not applicable.

~~(b) (c)~~ Pursuant to 326 IAC 2-3 (Emission Offset), potential to emit **of PM10** ~~particulate matter (PM)~~ from the entire source shall be limited to less than one-hundred (100) tons per twelve (12) consecutive month period.

~~(c) (d)~~ This condition shall include all emission points at this source including those that are insignificant as defined in 326 IAC 2-7-1(21). The source shall be allowed to add insignificant activities not already listed in this permit, provided ~~that~~ the source's potential to emit does not exceed the above specified limits.

~~(d) (e)~~ Section D of this permit contains independently enforceable provisions to satisfy this requirement.

10. IDEM has determined that in order to avoid duplication of requirements that may be included in D

sections, Section C Operation of Equipment has been removed from the permit.

~~G.8 — Operation of Equipment [326 IAC 2-8-5(a)(4)]~~

~~Except as otherwise provided by statute, rule or in this permit, all air pollution control equipment listed in this permit and used to comply with an applicable requirement shall be operated at all times that the emission units vented to the control equipment are in operation.~~

11. All conditions in a FESOP are federally enforceable. Therefore, Condition C.9(g) has been revised as follows:

~~C.9 C.7 Asbestos Abatement Projects [326 IAC 14-10] [326 IAC 18] [40 CFR 61, Subpart M]~~

...

- (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.~~

12. Instrument Specifications: IDEM realizes that these specifications can only be practically applied to analog units, and has therefore clarified the condition to state that the condition only applies to analog units. Upon further review, IDEM has also determined that the accuracy of the instruments is not nearly as important as whether the instrument has a range that is appropriate for the normal expected reading of the parameter. Therefore, the accuracy requirements have been removed from the condition and Condition C.15 has been revised as follows:

~~C.14 C.12 Pressure Gauge and Other Instrument Specifications [326 IAC 2-1.1-11] [326 IAC 2-8-4(3)] [326 IAC 2-8-5(1)]~~

- (a) ~~Whenever a condition in this permit requires the measurement of pressure drop across any part of the unit or its control device, the gauge employed~~ **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 normal maximum reading for the normal range shall be no less than twenty percent (20%) of full scale and be accurate within plus or minus two percent (2%) of full scale reading.**

- ~~(b) — Whenever a condition in this permit requires the measurement of a temperature, the instrument employed shall have a scale such that the expected normal reading shall be no less than twenty percent (20%) of full scale and be accurate within plus or minus two percent (±2%) of full scale reading.~~

- ~~(c)~~ **(b)** The Permittee may request **that** the IDEM, OAQ approve the use of ~~a pressure gauge or other~~ **an** instrument that does not meet the above specifications provided the Permittee can demonstrate **that** an alternative ~~pressure gauge or other~~ instrument specification will adequately ensure compliance with permit conditions requiring the measurement of ~~pressure drop or other~~ **the** parameters.

13. IDEM has reconsidered the requirement to develop and follow a Compliance Response Plan. The Permittee will still be required to take reasonable response steps when a compliance monitoring parameter is determined to be out of range or abnormal. Replacing the requirement to develop and follow a Compliance Response Plan with a requirement to take reasonable response steps will ensure that the control equipment is returned to proper operation as soon as practicable, while still allowing the Permittee the flexibility to respond to situations that were not anticipated. The Section D conditions that refer to this condition have also been revised to reflect the new condition title.

~~C.16 Compliance Response Plan Preparation, Implementation, Records, and Reports [326 IAC 2-8-4]
[326 IAC 2-8-5]~~

- ~~(a) The Permittee is required to prepare a Compliance Response Plan (CRP) for each compliance monitoring condition of this permit. If a Permittee is required to have an Operation, Maintenance and Monitoring (OMM) Plan under 40 CFR 60/63, such plans shall be deemed to satisfy the requirements for a CRP for those compliance monitoring conditions. A CRP shall be submitted to IDEM, OAQ 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 is 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 time frame 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 or Operation, Maintenance and Monitoring (OMM) Plan and the Permittee documents such response in accordance with subsection (e) below, the Permittee shall amend its Compliance Response Plan [or Operation, Maintenance and Monitoring (OMM) Plan (or Parametric Monitoring Plan and Start up, Shutdown, and Malfunction (SSM) Plan)] to include such response steps taken.~~

~~The OMM Plan (or Parametric Monitoring and SMM Plan) shall be submitted within the time frames specified by the applicable 40 CFR60/63 requirement.~~

- ~~(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 Operation, Maintenance and Monitoring (OMM) Plan; or~~
 - ~~(2) If none of the reasonable response steps listed in the Compliance Response Plan or Operation, Maintenance and Monitoring (OMM) 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 an administrative amendment 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 a normal parameters and no response steps are required.~~
- ~~(d) — When implementing reasonable steps in response to a compliance monitoring condition, if the Permittee determines that an exceedance of an emission limitation has occurred, the Permittee shall report such deviations pursuant to Section B Deviations from Permit Requirements and Conditions.~~
- ~~(e) — The Permittee shall record all instances when, in accordance with Section D, response steps are taken. In the event of an emergency, the provisions of 326 IAC 2-8-12 (Emergency Provisions) requiring prompt corrective action to mitigate emissions shall prevail.~~
- ~~(f) — 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.~~

C.14 Response to Excursions or Exceedances [326 IAC 2-8-4] [326 IAC 2-8-5]

- (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;**

that the lack of proper maintenance did not cause or contribute to the deviation. Therefore, IDEM has deleted paragraph (b) of Section B – Preventive Maintenance Plan, and has amended the Section B – Emergency Provisions condition as follows:

~~B.12~~ **B.11** Preventive Maintenance Plan [326 IAC 1-6-3] [326 IAC 2-8-4(9)] [326 IAC 2-8-5(a)(1)]

(a) ~~If required by specific condition(s) in Section D of this permit, the~~ **The** Permittee shall prepare and maintain Preventive Maintenance Plans (PMPs) within thirty (30) days after issuance of this permit, ~~including the following information on each facility:~~ **for the source as described in 326 IAC 1-6-3. At a minimum, the PMPs shall include:**

...

~~(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)~~**(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 does not require the certification by the authorized individual~~@~~ as defined by 326 IAC 2-1.1-1(1).

~~(d)~~**(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.13~~ **B.12** Emergency Provisions [326 IAC 2-8-12]

...

(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 2-8-3(c)(6) be revised in response to an emergency.**

...

~~D.1.3~~ Preventive Maintenance Plan [326 IAC 2-8-4(9)]

~~A Preventive Maintenance Plan, in accordance with Section B – Preventive Maintenance Plan, of this permit, is required for the Railcar and Tank Truck Cleaning Operations.~~

D.1.4 Record Keeping Requirements

...

~~(b)~~ To document compliance with Condition D.1.3, the Permittee shall maintain records of any additional inspections prescribed by the Preventive Maintenance Plan.

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

~~D.2.2~~ 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 this facility and its control device.~~

~~D.2.6~~ **D.2.7** Record Keeping Requirements

...

~~(b) To document compliance with Condition D.2.2, the Permittee shall maintain records of any additional inspections prescribed by the Preventive Maintenance Plan.~~

(b) In order to comply with Condition D.2.1(b), the Permittee shall keep records of the hours of operation of the Pressurized Railcar Purging/Degassing operation.

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

16. Condition D.2.3 has been clarified as follows:

D.2.3 Volatile Organic Compounds (VOC) and Hazardous Air Pollutants (HAP)

...

(b) ...

(2) A device that records the gas flow to the flare. The Permittee shall install, calibrate, and maintain a gas flow rate measuring **device** and record the flow to the control device **at all times that the railcar degassing operations are in operation. Flow rate shall be recorded at the beginning and ending of railcar degassing operations and** at least every fifteen minutes **during railcar degassing operations.**

17. This source is located in Lake County. The requirements of 326 IAC 6.8-1-2 apply to the facilities with potential to emit of particulate at this source. 326 IAC 6-3-2 is not applicable. The permit has been changed as follows:

~~C.1 Particulate Emission Limitations For Processes with Process Weight Rates Less Than One Hundred (100) pounds per hour [40 CFR 52 Subpart P] [326 IAC 6-3-2]~~

~~(a) Pursuant to 40 CFR 52 Subpart P, particulate matter emissions from any process not already regulated by 326 IAC 6-1 or any New Source Performance Standard, and which has a maximum process weight rate less than 100 pounds per hour shall not exceed 0.551 pounds per hour.~~

~~(b) 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.~~

D.1.3 Particulate Emission Limitations [326 IAC 6.8-1-2]

Pursuant to 326 IAC 6.8-1-2, the particulate emissions from the Railcar Cleaning Operation and the Tank Truck Cleaning Operation shall be limited to less than 0.03 grain per dry standard cubic foot (dscf).

D.2.2 Particulate Emission Limitations [326 IAC 6.8-1-2]

Pursuant to 326 IAC 6.8-1-2, the particulate emissions from the Pressurized Railcar Purging/Degassing operation shall be limited to less than 0.03 grain per dry standard cubic foot (dscf).

~~D.3.3 Particulate Emission Limitations [326 IAC 6-3-2]~~

~~Pursuant to 326 IAC 6-3-2, the particulate emissions from the insignificant portable shot blasting unit shall be limited by the following:~~

~~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.3.3 Particulate Emission Limitations [326 IAC 6.8-1-2]

Pursuant to 326 IAC 6.8-1-2, the particulate emissions from the insignificant portable shot blasting unit shall be limited to less than 0.03 grain per dry standard cubic foot (dscf).

Conclusion and Recommendation

This proposed permit revision shall be subject to the conditions of the attached proposed FESOP Significant Permit Revision No. 089-25924-00469. The staff recommend to the Commissioner that this FESOP Significant Permit Revision be approved.