



# 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  
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Toll Free (800) 451-6027  
[www.idem.IN.gov](http://www.idem.IN.gov)

TO: Interested Parties / Applicant

DATE: July 1, 2009

RE: NIPSCO - Michigan City Generating Station / 091-26395-00021

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 13-17-3-4 and 326 IAC 2, this approval is effective immediately, unless a petition for stay of effectiveness is filed and granted, and may be revoked or modified in accordance with the provisions of IC 13-15-7-1.

If you wish to challenge this decision, IC 4-21.5-3-7 and IC 13-15-7-3 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 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-MOD.dot 12/3/07



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## PART 70 OPERATING PERMIT OFFICE OF AIR QUALITY

**Northern Indiana Public Service Company (NIPSCO)  
Michigan City Generating Station  
101 Wabash Street  
Michigan City, Indiana 46360**

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

**The Permittee must comply with all conditions of this permit. Noncompliance with any provisions of this permit is grounds for enforcement action; permit termination, revocation and reissuance, or modification; or denial of a permit renewal application. Noncompliance with any provision of this permit, except any provision specifically designated as not federally enforceable, constitutes a violation of the Clean Air Act. It shall not be a defense for the Permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit. An emergency does constitute an affirmative defense in an enforcement action provided the Permittee complies with the applicable requirements set forth in Section B, Emergency Provisions.**

This permit is issued in accordance with 326 IAC 2 and 40 CFR Part 70 Appendix A and contains the conditions and provisions specified in 326 IAC 2-7 as required by 42 U.S.C. 7401, et. seq. (Clean Air Act as amended by the 1990 Clean Air Act Amendments), 40 CFR Part 70.6, IC 13-15 and IC 13-17. This permit also addresses certain new source review requirements for existing equipment and is intended to fulfill the new source review procedures pursuant to 326 IAC 2-7-10.5, applicable to those conditions.

Operation Permit No.: T091-6637-00021	
Original signed by: Nisha Sizemore, Permits Branch Chief Office of Air Quality	Issuance Date: July 18, 2006  Expiration Date: July 18, 2011

First Significant Permit Modification No. 091-23550-00021, issued May 13, 2008  
Second Significant Permit Modification No.:091-27522-00021, issued April 14, 2009

Third Significant Permit Modification No.:091-26395-00021	
Issued by:  Matthew Stuckey, Deputy Branch Chief Permits Branch Office of Air Quality	Issuance Date: July 1, 2009  Expiration Date: July 18, 2011

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**Attachment A - New Source Performance Standards (NSPS) for Coal Preparation Plants  
[40 CFR Part 60, Subpart Y] [326 IAC 12]**

**Appendix A: Acid Rain Permit**

## SECTION A

## SOURCE SUMMARY

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

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

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The Permittee owns and operates a stationary electric utility generating station.

Source Address: 101 Wabash Street, Michigan City, Indiana 46360  
Mailing Address: 801 East 86th Avenue, Merrillville, Indiana 46410  
Source Telephone: 219-647-5312  
SIC Code: 4911  
County Location: LaPorte  
Source Location Status: Attainment for all criteria pollutants  
Source Status: Part 70 Permit Program  
Major Source, under PSD  
Major Source, Section 112 of the Clean Air Act;  
1 of 28 Source Categories

### A.2 Emission Units and Pollution Control Equipment Summary [326 IAC 2-7-4(c)(3)] [326 IAC 2-7-5(15)]

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

- (a) Three (3) natural gas-fired boilers, identified as Boiler 4, Boiler 5, and Boiler 6, each with a design heat input capacity of 482 million Btu per hour (MMBtu/hr), exhausting to Stack 1, Stack 2, and Stack 3, respectively, each with a continuous emissions monitoring system (CEMS) for nitrogen oxides (NO<sub>x</sub>). Installation of Boilers 4 and 5 was completed in 1950 and installation of Boiler 6 was completed in 1951.
- (b) One (1) cyclone coal-fired boiler, identified as Boiler 12, with a design heat input capacity of 4650 million Btu per hour (MMBtu/hr), with construction completed in May 1974, with an electrostatic precipitator (ESP) with a flue gas conditioning (FGC) system for control of particulate matter, exhausting to Stack 4. Natural gas can be fired during startup, shutdown, and malfunctions. Boiler 12 has a selective catalytic reduction (SCR) system for NO<sub>x</sub> control, and has continuous emissions monitoring systems (CEMS) for nitrogen oxides (NO<sub>x</sub>) and for sulfur dioxide (SO<sub>2</sub>) and a continuous opacity monitoring (COM) system.
- (c) One (1) natural gas-fired auxiliary boiler, identified as AUX1, rated at 109 million Btu per hour (MMBtu/hr), installed in 2003, equipped with low NO<sub>x</sub> burners, exhausting to Stack AUX1, with a continuous emissions monitoring system (CEMS) for nitrogen oxides (NO<sub>x</sub>).
- (d) A coal storage and handling system for Boiler 12, completed before May 1974.
  - (1) One (1) railcar unloading station with particulate emissions controlled by wet suppression and partial enclosure, with a maximum throughput of 1500 tons of coal per hour.
  - (2) An enclosed conveyor system to the coal storage pile(s), with the transfer points underground or enclosed by buildings. A telescoping chute is used to drop coal to the storage pile(s).

- (3) Coal storage pile(s) and coal pile reclaim, with fugitive dust emissions controlled by compaction and wet suppression.
  - (4) Coal conveyors and the coal junction house, with carryover wet suppression, additional wet suppression and/or foam application, and enclosed transfer points.
  - (5) One coal conveyor, constructed in 1974 and reconstructed in 2009, identified as C08, with a maximum capacity of 1000 tons per hour, using carryover wet suppression.  
  
Under 40 CFR 60, Subpart Y, coal conveyor C08 is an affected facility.
  - (6) Coal crusher house, with a baghouse, identified as CHDC, for PM control, with carryover wet suppression for PM control and enclosed transfer points within an enclosure for ancillary dust control.
  - (7) Coal sample house/breaker building with a baghouse, identified as SHDC, for PM control, with carryover wet suppression for PM control and enclosed transfer points within an enclosure for ancillary dust control.
  - (8) Coal tripper floor to coal bunkers, with a baghouse, identified as TFDC, for PM control, with enclosure for ancillary dust control.
- (e) Dry fly ash handling, installed in 1997, including the following:
- (1) Vacuum conveyance of fly ash to a storage silo with particulate emissions controlled by a bin vent filter, with a design throughput rate of 9.3 tons per hour.
  - (2) One (1) enclosed fly ash silo unloading station with a design unloading capacity of 200+ tons per hour, used to load dry fly ash to covered trucks, with particulate emissions controlled by the use of a telescoping chute with a vacuum system and a bin vent filter. Overhead doors with an interlock system are closed when ash trucks are being loaded.
- (f) Wet process bottom ash handling installed in approximately 1950, with bottom ash sluiced to storage pond(s), with water cover or vegetation sufficient to prevent ash re-entrainment. Ash removed from the pond(s) is stored in piles before being taken offsite by truck.

A.3 Specifically Regulated Insignificant Activities [326 IAC 2-7-1(21)] [326 IAC 2-7-4(c)]  
[326 IAC 2-7-5(15)]

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

- (a) Natural gas-fired combustion sources with heat input equal to or less than ten million (10,000,000) Btu per hour, including one (1) 480,000 BTU boiler in the "A" Building, installed in 1970; one (1) 480,000 BTU boiler in the Gate House, installed in 1964, and one (1) 297,000 BTU boiler, installed in 1953 in the Relay House (Substation Bldg. #G15), each used for building heat. [326 IAC 6-2]
- (b) Degreasing operations that do not exceed 145 gallons per 12 months, except if subject to 326 IAC 20-6. [326 IAC 8-3]
- (c) Cleaners and solvents characterized as follows: [326 IAC 8-3]
  - (1) Having a vapor pressure equal to or less than 2 kPa; 15 mm Hg; or 0.3 psi measured at 38 degrees C (100EF) or;

- (2) Having a vapor pressure equal to or less than 0.7 kPa; 5mm Hg; or 0.1 psi measured at 20EC (68EF); the use of which for all cleaners and solvents combined does not exceed 145 gallons per 12 months.
- (d) Conveyors as follows: Underground conveyors. [326 IAC 6-3]
- (e) Coal bunker and coal scale exhausts and associated dust collector vents. [326 IAC 6-3]
- (f) 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 0.03 grains per actual cubic foot and a gas flow rate less than or equal to 4000 actual cubic feet per minute, including the following: deburring; buffing; polishing; abrasive blasting; pneumatic conveying; and woodworking operations. [326 IAC 6-3]
- (g) Vents from ash transport systems not operated at positive pressure. [326 IAC 6-3]
- (h) Other activities or categories not previously identified with potential, uncontrolled emissions equal to or less than thresholds require listing only: Pb 0.6 ton per year or 3.29 pounds per day, SO<sub>2</sub> 5 pounds per hour or 25 pounds per day, NO<sub>x</sub> 5 pounds per hour or 25 pounds per day, CO 25 pounds per day, PM 5 pounds per hour or 25 pounds per day, VOC 3 pounds per hour or 15 pounds per day:
  - Source-wide paved roads (vehicle traffic). [326 IAC 6-4]
  - Coal pile wind erosion. [326 IAC 6-4]
  - Ponded bottom ash handling and removal. [326 IAC 6-4]
  - Evaporation of boiler chemical cleaning liquids.

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

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

- (a) It is a major source, as defined in 326 IAC 2-7-1(22);
- (b) It is a source in a source category designated by the United States Environmental Protection Agency (U.S. EPA) under 40 CFR 70.3 (Part 70 - Applicability); and
- (c) It is an affected source under Title IV (Acid Deposition Control) of the Clean Air Act, as defined in 326 IAC 2-7-1(3).

## SECTION B

## GENERAL CONDITIONS

### B.1 Definitions [326 IAC 2-7-1]

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Terms in this permit shall have the definition assigned to such terms in the referenced regulation. In the absence of definitions in the referenced regulation, the applicable definitions found in the statutes or regulations (IC 13-11, 326 IAC 1-2 and 326 IAC 2-7) shall prevail.

### B.2 Permit Term [326 IAC 2-7-5(2)] [326 IAC 2-1.1-9.5] [326 IAC 2-7-4(a)(1)(D)] [IC13-15-3-6(a)]

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- (a) This permit, T091-6637-00021, is issued for a fixed term of five (5) years from the issuance date of this permit, as determined in accordance with IC 4-21.5-3-5(f) and IC 13-15-5-3. Subsequent revisions, modifications, or amendments of this permit do not affect the expiration date of this permit or of permits issued pursuant to Title IV of the Clean Air Act and 326 IAC 21 (Acid Deposition Control).
- (b) If IDEM, OAQ, upon receiving a timely and complete renewal permit application, fails to issue or deny the permit renewal prior to the expiration date of this permit, this existing permit shall not expire and all terms and conditions shall continue in effect, including any permit shield provided in 326 IAC 2-7-15, until the renewal permit has been issued or denied.

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

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

- (a) the condition is modified in a subsequent permit action pursuant to Title I of the Clean Air Act; or
- (b) the emission unit to which the condition pertains permanently ceases operation.

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

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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 2-7-5(5)]

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

### B.6 Property Rights or Exclusive Privilege [326 IAC 2-7-5(6)(D)]

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

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

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- (a) The Permittee shall furnish to IDEM, OAQ, within a reasonable time, any information that IDEM, OAQ, may request in writing to determine whether cause exists for modifying, revoking and reissuing, or terminating this permit, or to determine compliance with this permit. The submittal by the Permittee does require the certification by the "responsible official" as defined by 326 IAC 2-7-1(34). Upon request, the Permittee shall also furnish to IDEM, OAQ, copies of records required to be kept by this permit.
- (b) For information furnished by the Permittee to IDEM, OAQ, the Permittee may include a claim of confidentiality in accordance with 326 IAC 17.1. When furnishing copies of requested records directly to U.S. EPA, the Permittee may assert a claim of confidentiality in accordance with 40 CFR 2, Subpart B.

**B.8 Certification [326 IAC 2-7-4(f)] [326 IAC 2-7-6(1)] [326 IAC 2-7-5(3)(C)]**

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- (a) Where specifically designated by this permit or required by an applicable requirement, any application form, report, or compliance certification submitted shall contain certification by the "responsible official" of truth, accuracy, and completeness. This certification shall state that, based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate, and complete.
- (b) One (1) certification shall be included, using the attached Certification Form, with each submittal requiring certification. One (1) certification may cover multiple forms in one (1) submittal.
- (c) The "responsible official" is defined at 326 IAC 2-7-1(34).

**B.9 Annual Compliance Certification [326 IAC 2-7-6(5)]**

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- (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 July 1 of each year to:

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

and

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

- (b) The annual compliance certification report required by this permit shall be considered timely if the date postmarked on the envelope or certified mail receipt, or affixed by the shipper on the private shipping receipt, is on or before the date it is due. If the document is submitted by any other means, it shall be considered timely if received by IDEM, OAQ, on or before the date it is due.
- (c) The annual compliance certification report shall include the following:
  - (1) The appropriate identification of each term or condition of this permit that is the basis of the certification;
  - (2) The compliance status;
  - (3) Whether compliance was continuous or intermittent; and
  - (4) The methods used for determining the compliance status of the source, currently and over the reporting period consistent with 326 IAC 2-7-5(3).

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

B.10 Preventive Maintenance Plan [326 IAC 2-7-5(1),(3) and (13)] [326 IAC 2-7-6(1) and (6)]  
[326 IAC 1-6-3]

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- (a) The Permittee shall prepare and maintain Preventive Maintenance Plans (PMPs) within ninety (90) 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.
- (b) A copy of the PMPs shall be submitted to IDEM, OAQ, upon request and within a reasonable time, and shall be subject to review and approval by IDEM, OAQ. IDEM, OAQ may require the Permittee to revise its PMPs whenever lack of proper maintenance causes or is the primary contributor to an exceedance of any limitation on emissions or potential to emit. The PMPs do not require the certification by the "responsible official" as defined by 326 IAC 2-7-1(34).
- (c) To the extent the Permittee is required by 40 CFR Part 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.11 Emergency Provisions [326 IAC 2-7-16]

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- (a) An emergency, as defined in 326 IAC 2-7-1(12), is not an affirmative defense for an action brought for noncompliance with a federal or state health-based emission limitation.
- (b) An emergency, as defined in 326 IAC 2-7-1(12), constitutes an affirmative defense to an action brought for noncompliance with a technology-based emission limitation if the affirmative defense of an emergency is demonstrated through properly signed, contemporaneous operating logs or other relevant evidence that describe the following:
- (1) An emergency occurred and the Permittee can, to the extent possible, identify the causes of the emergency;
  - (2) The permitted facility was at the time being properly operated;
  - (3) During the period of an emergency, the Permittee took all reasonable steps to minimize levels of emissions that exceeded the emission standards or other requirements in this permit;
  - (4) For each emergency lasting one (1) hour or more, the Permittee notified IDEM, OAQ, or the IDEM 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), or  
Facsimile Number: 317-233-6865, or

Northwest Regional Office Telephone Number: 1-219-757-0265, or  
Northwest Regional Office Facsimile Number: 1-219-757-0267.

- (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 and Enforcement Branch, Office of Air Quality  
100 North Senate Avenue  
MC 61-53 IGCN 1003  
Indianapolis, Indiana 46204-2251

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

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

- (A) A description of the emergency;
- (B) Any steps taken to mitigate the emissions; and
- (C) Corrective actions taken.

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

- (6) The Permittee immediately took all reasonable steps to correct the emergency.
- (c) In any enforcement proceeding, the Permittee seeking to establish the occurrence of an emergency has the burden of proof.
- (d) This emergency provision supersedes 326 IAC 1-6 (Malfunctions). This permit condition is in addition to any emergency or upset provision contained in any applicable requirement.
- (e) The Permittee seeking to establish the occurrence of an emergency shall make records available upon request to ensure that failure to implement a PMP did not cause or contribute to an exceedance of any limitations on emissions. However, IDEM, OAQ, may require that the Preventive Maintenance Plans required under 326 IAC 2-7-4(c)(9) be revised in response to an emergency.
- (f) Failure to notify IDEM, OAQ, by telephone or facsimile of an emergency lasting more than one (1) hour in accordance with (b)(4) and (5) of this condition shall constitute a violation of 326 IAC 2-7 and any other applicable rules.
- (g) If the emergency situation causes a deviation from a technology-based limit, the Permittee may continue to operate the affected emitting facilities during the emergency provided the Permittee immediately takes all reasonable steps to correct the emergency and minimize emissions.
- (h) The Permittee shall include all emergencies in the Quarterly Deviation and Compliance Monitoring Report.

**B.12 Permit Shield [326 IAC 2-7-15] [326 IAC 2-7-20] [326 IAC 2-7-12]**

- (a) Pursuant to 326 IAC 2-7-15, the Permittee has been granted a permit shield. The permit shield provides that compliance with the conditions of this permit shall be deemed compliance with any applicable requirements as of the date of permit issuance, provided that either the applicable requirements are included and specifically identified in this

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

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

- (b) If, after issuance of this permit, it is determined that the permit is in nonconformance with an applicable requirement that applied to the source on the date of permit issuance, IDEM, OAQ, shall immediately take steps to reopen and revise this permit and issue a compliance order to the Permittee to ensure expeditious compliance with the applicable requirement until the permit is reissued. The permit shield shall continue in effect so long as the Permittee is in compliance with the compliance order.
- (c) No permit shield shall apply to any permit term or condition that is determined after issuance of this permit to have been based on erroneous information supplied in the permit application. Erroneous information means information that the Permittee knew to be false, or in the exercise of reasonable care should have been known to be false, at the time the information was submitted.
- (d) Nothing in 326 IAC 2-7-15 or in this permit shall alter or affect the following:
  - (1) The provisions of Section 303 of the Clean Air Act (emergency orders), including the authority of the U.S. EPA under Section 303 of the Clean Air Act;
  - (2) The liability of the Permittee for any violation of applicable requirements prior to or at the time of this permit's issuance;
  - (3) The applicable requirements of the acid rain program, consistent with Section 408(a) of the Clean Air Act; and
  - (4) The ability of U.S. EPA to obtain information from the Permittee under Section 114 of the Clean Air Act.
- (e) This permit shield is not applicable to any change made under 326 IAC 2-7-20(b)(2) (Sections 502(b)(10) of the Clean Air Act changes) and 326 IAC 2-7-20(c)(2) (trading based on State Implementation Plan (SIP) provisions).
- (f) This permit shield is not applicable to modifications eligible for group processing until after IDEM, OAQ, has issued the modifications. [326 IAC 2-7-12(c)(7)]
- (g) This permit shield is not applicable to minor Part 70 permit modifications until after IDEM, OAQ, has issued the modification. [326 IAC 2-7-12(b)(8)]

**B.13 Prior Permits Superseded [326 IAC 2-1.1-9.5] [326 IAC 2-7-10.5]**

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- (a) All terms and conditions of permits established prior to T091-6637-00021 and issued pursuant to permitting programs approved into the state implementation plan have been either
  - (1) incorporated as originally stated,
  - (2) revised under 326 IAC 2-7-10.5, or

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

- (b) Provided that all terms and conditions are accurately reflected in this combined permit, all previous registrations and permits are superseded by this combined new source review and Part 70 operating permit, except for permits issued pursuant to Title IV of the Clean Air Act and 326 IAC 21 (Acid Deposition Control).

**B.14 Deviations from Permit Requirements and Conditions [326 IAC 2-7-5(3)(C)(ii)]**

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- (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 and Enforcement Branch, Office of Air Quality  
100 North Senate Avenue  
MC 61-53 IGCN 1003  
Indianapolis, Indiana 46204-2251

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

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

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

**B.15 Permit Modification, Reopening, Revocation and Reissuance, or Termination  
[326 IAC 2-7-5(6)(C)] [326 IAC 2-7-8(a)] [326 IAC 2-7-9]**

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- (a) This permit may be modified, reopened, revoked and reissued, or terminated for cause. The filing of a request by the Permittee for a Part 70 permit modification, revocation and reissuance, or termination, or of a notification of planned changes or anticipated noncompliance does not stay any condition of this permit. [326 IAC 2-7-5(6)(C)] The notification by the Permittee does require the certification by the "responsible official" as defined by 326 IAC 2-7-1(34).
- (b) This permit shall be reopened and revised under any of the circumstances listed in IC 13-15-7-2 or if IDEM, OAQ, determines any of the following:
- (1) That this permit contains a material mistake.
  - (2) That inaccurate statements were made in establishing the emissions standards or other terms or conditions.
  - (3) That this permit must be revised or revoked to assure compliance with an applicable requirement. [326 IAC 2-7-9(a)(3)]
- (c) Proceedings by IDEM, OAQ, to reopen and revise this permit shall follow the same procedures as apply to initial permit issuance and shall affect only those parts of this permit for which cause to reopen exists. Such reopening and revision shall be made as expeditiously as practicable. [326 IAC 2-7-9(b)]
- (d) The reopening and revision of this permit, under 326 IAC 2-7-9(a), shall not be initiated before notice of such intent is provided to the Permittee by IDEM, OAQ at least thirty (30)

days in advance of the date this permit is to be reopened, except that IDEM, OAQ, may provide a shorter time period in the case of an emergency. [326 IAC 2-7-9(a)]

B.16 Permit Renewal [326 IAC 2-7-3] [326 IAC 2-7-4] [326 IAC 2-7-8(e)]

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

Request for renewal shall be submitted to:

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

- (b) A timely renewal application is one that is:
- (1) Submitted at least nine (9) months prior to the date of the expiration of this permit; and
  - (2) If the date postmarked on the envelope or certified mail receipt, or affixed by the shipper on the private shipping receipt, is on or before the date it is due. If the document is submitted by any other means, it shall be considered timely if received by IDEM, OAQ, on or before the date it is due.
- (c) If the Permittee submits a timely and complete application for renewal of this permit, the source's failure to have a permit is not a violation of 326 IAC 2-7 until IDEM, OAQ, takes final action on the renewal application, except that this protection shall cease to apply if, subsequent to the completeness determination, the Permittee fails to submit by a reasonable deadline specified in writing by IDEM, OAQ, any additional information identified as being needed to process the application. [326 IAC 2-7-4(a)(2)(D) and (E)]

B.17 Source Modification [326 IAC 1-2-42] [326 IAC 2-7-10.5] [326 IAC 2-2-2]

- (a) The Permittee shall obtain approval as required by 326 IAC 2-7-10.5 from the IDEM, OAQ prior to making any modification to the source.
- (b) Any application requesting a source modification shall be submitted to:
- Indiana Department of Environmental Management  
Permit Administration and Support Section, Office of Air Quality  
100 North Senate Avenue  
MC 61-53 IGCN 1003  
Indianapolis, Indiana 46204-2251
- Any such application shall be certified by the "responsible official" as defined by 326 IAC 2-7-1(34).
- (c) The Permittee shall also comply with the applicable provisions of 326 IAC 2-7-11 (Administrative Permit Amendments) or 326 IAC 2-7-12 (Permit Modification) prior to operating the approved modification.
- (d) Any modification at an existing major source is governed by the requirements of 326 IAC 2-2-2 and 326 IAC 2-3-2.

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

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- (a) Permit amendments and modifications are governed by the requirements of 326 IAC 2-7-11 or 326 IAC 2-7-12 whenever the Permittee seeks to amend or modify this permit.
- (b) Pursuant to 326 IAC 2-7-11(b) and 326 IAC 2-7-12(a), administrative Part 70 permit amendments and permit modifications for purposes of the acid rain portion of a Part 70 permit shall be governed by regulations promulgated under Title IV of the Clean Air Act. [40 CFR 72]
- (c) Any application requesting an amendment or modification of this permit shall be submitted to:  
  
Indiana Department of Environmental Management  
Permit Administration and Support Section, Office of Air Quality  
100 North Senate Avenue  
MC 61-53 IGCN 1003  
Indianapolis, Indiana 46204-2251  
  
Any such application shall be certified by the "responsible official" as defined by 326 IAC 2-7-1(34).
- (d) The Permittee may implement administrative amendment changes addressed in the request for an administrative amendment immediately upon submittal of the request. [326 IAC 2-7-11(c)(3)]

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

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- (a) No Part 70 permit revision shall be required under any approved economic incentives, marketable Part 70 permits, emissions trading, and other similar programs or processes for changes that are provided for in a Part 70 permit.
- (b) Notwithstanding 326 IAC 2-7-12(b)(1) and 326 IAC 2-7-12(c)(1), minor Part 70 permit modification procedures may be used for Part 70 modifications involving the use of economic incentives, marketable Part 70 permits, emissions trading, and other similar approaches to the extent that such minor Part 70 permit modification procedures are explicitly provided for in the applicable State Implementation Plan (SIP) or in applicable requirements promulgated or approved by the U.S. EPA.

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

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- (a) The Permittee may make any change or changes at the source that are described in 326 IAC 2-7-20(b), (c), or (e), without a prior permit revision, if each of the following conditions is met:
  - (1) The changes are not modifications under any provision of Title I of the Clean Air Act;
  - (2) Any preconstruction approval required by 326 IAC 2-7-10.5 has been obtained;
  - (3) The changes do not result in emissions which exceed the limitations provided in this permit (whether expressed herein as a rate of emissions or in terms of total emissions);
  - (4) The Permittee notifies the:  
  
Indiana Department of Environmental Management  
Permit Administration and Support Section, Office of Air Quality  
100 North Senate Avenue  
MC 61-53 IGCN 1003

Indianapolis, Indiana 46204-2251

and

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

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

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

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

- (b) The Permittee may make Section 502(b)(10) of the Clean Air Act changes (this term is defined at 326 IAC 2-7-1(36)) without a permit revision, subject to the constraint of 326 IAC 2-7-20(a). For each such Section 502(b)(10) of the Clean Air Act change, the required written notification shall include the following:
  - (1) A brief description of the change within the source;
  - (2) The date on which the change will occur;
  - (3) Any change in emissions; and
  - (4) Any permit term or condition that is no longer applicable as a result of the change.The notification which shall be submitted is not considered an application form, report or compliance certification. Therefore, the notification by the Permittee does not require the certification by the "responsible official" as defined by 326 IAC 2-7-1(34).
- (c) Emission Trades [326 IAC 2-7-20(c)]

The Permittee may trade emission increases and decreases at the source, where the applicable SIP provides for such emission trades without requiring a permit revision, subject to the constraints of Section (a) of this condition and those in 326 IAC 2-7-20(c).
- (d) Alternative Operating Scenarios [326 IAC 2-7-20(d)]

The Permittee may make changes at the source within the range of alternative operating scenarios that are described in the terms and conditions of this permit in accordance with 326 IAC 2-7-5(9). No prior notification of IDEM, OAQ, or U.S. EPA is required.
- (e) Backup fuel switches specifically addressed in, and limited under, Section D of this permit shall not be considered alternative operating scenarios. Therefore, the notification requirements of part (a) of this condition do not apply.
- (f) This condition does not apply to emission trades of SO<sub>2</sub> or NO<sub>x</sub> under 326 IAC 21 or 326 IAC 10-4.

**B.21 Inspection and Entry [326 IAC 2-7-6] [IC 13-14-2-2] [IC 13-17-3-2] [IC 13-30-3-1]**

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

- (a) Enter upon the Permittee's premises where a Part 70 source is located, or emissions related activity is conducted, or where records must be kept under the conditions of this permit;
- (b) As authorized by the Clean Air Act, IC 13-14-2-2, IC 13-17-3-2, and IC 13-30-3-1, have access to and copy any records that must be kept under the conditions of this permit;
- (c) As authorized by the Clean Air Act, IC 13-14-2-2, IC 13-17-3-2, and IC 13-30-3-1, inspect any facilities, equipment (including monitoring and air pollution control equipment), practices, or operations regulated or required under this permit;
- (d) As authorized by the Clean Air Act, IC 13-14-2-2, IC 13-17-3-2, and IC 13-30-3-1, sample or monitor substances or parameters for the purpose of assuring compliance with this permit or applicable requirements; and
- (e) As authorized by the Clean Air Act, IC 13-14-2-2, IC 13-17-3-2, and IC 13-30-3-1, utilize any photographic, recording, testing, monitoring, or other equipment for the purpose of assuring compliance with this permit or applicable requirements.

**B.22 Transfer of Ownership or Operational Control [326 IAC 2-7-11]**

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- (a) The Permittee must comply with the requirements of 326 IAC 2-7-11 whenever the Permittee seeks to change the ownership or operational control of the source and no other change in the permit is necessary.
- (b) Any application requesting a change in the ownership or operational control of the source shall contain a written agreement containing a specific date for transfer of permit responsibility, coverage and liability between the current and new Permittee. The application shall be submitted to:

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

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

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

**B.23 Annual Fee Payment [326 IAC 2-7-19] [326 IAC 2-7-5(7)] [326 IAC 2-1.1-7]**

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- (a) The Permittee shall pay annual fees to IDEM, OAQ, within thirty (30) calendar days of receipt of a billing. Pursuant to 326 IAC 2-7-19(b), if the Permittee does not receive a bill from IDEM, OAQ, the applicable fee is due April 1 of each year.
- (b) Except as provided in 326 IAC 2-7-19(e), failure to pay may result in administrative enforcement action or revocation of this permit.

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

B.24 Credible Evidence [326 IAC 2-7-5(3)] [326 IAC 2-7-6] [62 FR 8314] [326 IAC 1-1-6]

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

B.25 Termination of Right to Operate [326 IAC 2-7-10] [326 IAC 2-7-4(a)]

The Permittee's right to operate this source terminates with the expiration of this permit unless a timely and complete renewal application is submitted at least nine (9) months prior to the date of expiration of the source's existing permit, consistent with 326 IAC 2-7-3 and 326 IAC 2-7-4(a).

## SECTION C

## SOURCE OPERATION CONDITIONS

Entire Source

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

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

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

**C.2 Opacity [326 IAC 5-1]**

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

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

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

The Permittee shall not open burn any material except as provided in 326 IAC 4-1-3, 326 IAC 4-1-4 or 326 IAC 4-1-6. The previous sentence notwithstanding, the Permittee may open burn in accordance with an open burning approval issued by the Commissioner under 326 IAC 4-1-4.1. 326 IAC 4-1-3(a)(2)(A) and (B) are not federally enforceable.

**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. 326 IAC 9-1-2 is not federally enforceable.

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

The Permittee shall not allow fugitive dust to escape beyond the property line or boundaries of the property, right-of-way, or easement on which the source is located, in a manner that would violate 326 IAC 6-4 (Fugitive Dust Emissions). 326 IAC 6-4-2(4) is not federally enforceable.

**C.6 Motor Vehicle Fugitive Dust Sources [326 IAC 6-4-4]**

Pursuant to 326 IAC 6-4-4, no vehicle shall be driven or moved on any public street, road, alley, highway, or other thoroughfare, unless such vehicle is so constructed as to prevent its contents from dripping, sifting, leaking, or otherwise escaping therefrom so as to create conditions which result in fugitive dust. This section applies only to the cargo any vehicle may be conveying and mud tracked by the vehicle.

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

The Permittee shall comply with the applicable provisions of 326 IAC 1-7 (Stack Height Provisions), for all exhaust stacks through which a potential (before controls) of twenty-five (25) tons per year or more of particulate matter or sulfur dioxide is emitted. The provisions of 326 IAC 1-7-1(3), 326 IAC 1-7-2, 326 IAC 1-7-3(c) and (d), 326 IAC 1-7-4, and 326 IAC 1-7-5(a), (b), and (d) are not federally enforceable.

**C.8 Asbestos Abatement Projects [326 IAC 14-10] [326 IAC 18] [40 CFR 61, Subpart M]**

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

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

**C.9 Performance Testing [326 IAC 3-6]**

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- (a) All required 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 and Enforcement Branch, Office of Air Quality  
100 North Senate Avenue  
MC 61-53 IGCN 1003  
Indianapolis, Indiana 46204-2251

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

- (b) The Permittee shall notify IDEM, OAQ of the actual test date at least fourteen (14) days prior to the actual performance test date. The notification submitted by the Permittee does not require certification by the "responsible official" as defined by 326 IAC 2-7-1(34).
- (c) Pursuant to 326 IAC 3-6-4(b), all test reports required to be submitted to IDEM, OAQ 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.10 Compliance Requirements [326 IAC 2-1.1-11]**

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

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

**C.11 Compliance Monitoring [326 IAC 2-7-5(3)] [326 IAC 2-7-6(1)]**

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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 and Enforcement Branch, Office of Air Quality  
100 North Senate Avenue  
MC 61-53 IGCN 1003

Indianapolis, Indiana 46204-2251

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

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

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

C.12 Maintenance of Continuous Opacity Monitoring Equipment [326 IAC 2-7-5(3)(A)(iii)]

- (a) The Permittee shall calibrate, maintain, and operate all necessary continuous opacity monitoring systems (COMS) and related equipment. For a boiler, the COMS shall be in operation at all times that the induced draft fan is in operation, except as otherwise allowed by 326 IAC 3-5.
- (b) All COMS shall meet the performance specifications of 40 CFR 60, Appendix B, Performance Specification No. 1, and are subject to monitor system certification requirements pursuant to 326 IAC 3-5.
- (c) In the event that a breakdown of a COMS occurs, a record shall be made of the time and reason of the breakdown and efforts made to correct the problem.
- (d) Whenever a COMS is malfunctioning or is down for maintenance or repairs for a period of twenty-four (24) hours or more and a backup COMS is not online within twenty-four (24) hours of shutdown or malfunction of the primary COMS, the Permittee shall provide a certified opacity reader, who may be an employee of the Permittee or an independent contractor, to self-monitor the emissions from the emission unit stack.
  - (1) Visible emission readings shall be performed in accordance with 40 CFR 60, Appendix A, Method 9, for a minimum of five (5) consecutive six (6) minute averaging periods beginning not more than twenty-four (24) hours after the start of the malfunction or down time.
  - (2) Method 9 opacity readings shall be repeated for a minimum of five (5) consecutive six (6) minute averaging periods at least twice per day during daylight operations, with at least four (4) hours between each set of readings, until a COMS is online.
  - (3) Method 9 readings may be discontinued once a COMS is online.
  - (4) Any opacity exceedances determined by Method 9 readings shall be reported with the Quarterly Opacity Exceedances Reports.
- (e) Nothing in this permit shall excuse the Permittee from complying with the requirements to operate a continuous opacity monitoring system pursuant to 326 IAC 3-5.

C.13 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.14 Instrument Specifications [326 IAC 2-1.1-11] [326 IAC 2-7-5(3)] [326 IAC 2-7-6(1)]

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

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

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

**C.15 Emergency Reduction Plans [326 IAC 1-5-2] [326 IAC 1-5-3]**

Pursuant to 326 IAC 1-5-2 (Emergency Reduction Plans; Submission):

- (a) The Permittee shall maintain the most recently submitted written emergency reduction plans (ERPs) consistent with safe operating procedures.
- (b) Upon direct notification by IDEM, OAQ that a specific air pollution episode level is in effect, the Permittee shall immediately put into effect the actions stipulated in the approved ERP for the appropriate episode level. [326 IAC 1-5-3]
- (c) To ensure that current ERPs are readily available, the Permittee shall review the ERPs, update if necessary, and resubmit to:

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

within ninety (90) days after the date of issuance of this permit.

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

**C.16 Risk Management Plan [326 IAC 2-7-5(12)] [40 CFR 68]**

If a regulated substance as defined in 40 CFR 68, is present at a source in more than a threshold quantity, the Permittee must comply with the applicable requirements at 40 CFR 68.

**C.17 Response to Excursions or Exceedances [326 IAC 2-7-5] [326 IAC 2-7-6]**

- (a) Upon detecting an excursion or exceedance, the Permittee shall restore operation of the emissions unit (including any control device and associated capture system) to its normal or usual manner of operation as expeditiously as practicable in accordance with good air pollution control practices for minimizing emissions.
- (b) The response shall include minimizing the period of any startup, shutdown or malfunction and taking any necessary corrective actions to restore normal operation and prevent the likely recurrence of the cause of an excursion or exceedance (other than those caused by excused startup or shutdown conditions). Corrective actions may include, but are not limited to, the following:
  - (1) initial inspection and evaluation;
  - (2) recording that operations returned to normal without operator action (such as through response by a computerized distribution control system); or
  - (3) any necessary follow-up actions to return operation to within the indicator range, designated condition, or below the applicable emission limitation or standard, as applicable.

- (c) A determination of whether the Permittee has used acceptable procedures in response to an excursion or exceedance will be based on information available, which may include, but is not limited to, the following:
  - (1) monitoring results;
  - (2) review of operation and maintenance procedures and records; and
  - (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.18 Actions Related to Noncompliance Demonstrated by a Stack Test [326 IAC 2-7-5]  
[326 IAC 2-7-6]**

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- (a) When the results of a stack test performed in conformance with Section C - Performance Testing, of this permit exceed the level specified in any condition of this permit, the Permittee shall take appropriate response actions. The Permittee shall submit a description of these response actions to IDEM, OAQ, within thirty (30) days of receipt of the test results. The Permittee shall take appropriate action to minimize excess emissions from the affected facility while the response actions are being implemented.
- (b) A retest to demonstrate compliance shall be performed within one hundred twenty (120) days of receipt of the original test results. Should the Permittee demonstrate to IDEM, OAQ that retesting in one hundred twenty (120) days is not practicable, IDEM, OAQ may extend the retesting deadline.
- (c) IDEM, OAQ reserves the authority to take any actions allowed under law in response to noncompliant stack tests.

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

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

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

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- (a) Pursuant to 326 IAC 2-6-3(a)(1), the Permittee shall submit by July 1 of each year an emission statement covering the previous calendar year. The emission statement shall contain, at a minimum, the information specified in 326 IAC 2-6-4(c) and shall meet the following requirements:
  - (1) Indicate estimated actual emissions of all pollutants listed in 326 IAC 2-6-4(a);
  - (2) Indicate estimated actual emissions of regulated pollutants as defined by 326 IAC 2-7-1(32) ("Regulated pollutant which is used only for purposes of Section 19 of this rule") from the source, for purposes of fee assessment.

The statement must be submitted to:

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

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

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

C.20 General Record Keeping Requirements [326 IAC 2-7-5(3)] [326 IAC 2-7-6] [326 IAC 2-2]  
[326 IAC 2-3]

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- (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) Pursuant to 326 IAC 2-2-8(b) and/or 326 IAC 2-3-2(m), if there is a reasonable possibility that a "project" (as defined in 326 IAC 2-2-1(qq) and/or 326 IAC 2-3-1(II)) at an existing emissions unit, other than projects at a Clean Unit, which is not part of a "major modification" (as defined in 326 IAC 2-2-1(ee) and/or 326 IAC 2-3-1(z)) may result in a significant emissions increase and the Permittee elects to use the "projected actual emissions" (as defined in 326 IAC 2-2-1(rr) and/or 326 IAC 2-3-1(mm)), the Permittee shall comply with following:
- (1) Before beginning actual construction of the project (as defined in 326 IAC 2-2-1(qq) and/or 326 IAC 2-3-1(II)) at an existing emissions unit, document and maintain the following records:
- (A) A description of the project.
- (B) Identification of any emissions unit whose emissions of a regulated new source review (NSR) pollutant could be affected by the project.
- (C) A description of the applicability test used to determine that the project is not a major modification for any regulated NSR pollutant, including:
- (i) Baseline actual emissions;
- (ii) Projected actual emissions;
- (iii) Amount of emissions excluded under 326 IAC 2-2-1(rr)(2)(A)(iii) and/or 326 IAC 2-3-1(mm)(2)(A)(iii); and

- (iv) An explanation for why the amount was excluded, and any netting calculations, if applicable.
- (2) Monitor the emissions of any regulated NSR pollutant that could increase as a result of the project and that is emitted by any emissions unit identified in (1)(B) above; and
- (3) Calculate and maintain a record of the annual emissions, in tons per year on a calendar year basis, for a period of five (5) years following resumption of regular operations after the change, or for a period of ten (10) years following resumption of regular operations after the change if the project increases the design capacity of or the potential to emit that regulated NSR pollutant at the emissions unit.

C.21 General Reporting Requirements [326 IAC 2-7-5(3)(C)] [326 IAC 2-1.1-11] [326 IAC 2-2]  
[326 IAC 2-3]

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- (a) The Permittee shall submit the attached Quarterly Deviation and Compliance Monitoring Report or its equivalent. Any deviation from permit requirements, the date(s) of each deviation, the cause of the deviation, and the response steps taken must be reported. This report shall be submitted within thirty (30) days of the end of the reporting period. The Quarterly Deviation and Compliance Monitoring Report shall include the certification by the "responsible official" as defined by 326 IAC 2-7-1(34).
- (b) The report required in (a) of this condition and reports required by conditions in Section D of this permit shall be submitted to:  
  
Indiana Department of Environmental Management  
Compliance and Enforcement Branch, Office of Air Quality  
100 North Senate Avenue  
MC 61-53 IGCN 1003  
Indianapolis, Indiana 46204-2251
- (c) Unless otherwise specified in this permit, any notice, report, or other submission required by this permit shall be considered timely if the date postmarked on the envelope or certified mail receipt, or affixed by the shipper on the private shipping receipt, is on or before the date it is due. If the document is submitted by any other means, it shall be considered timely if received by IDEM, OAQ, on or before the date it is due.
- (d) Unless otherwise specified in this permit, all reports required in Section D of this permit shall be submitted within thirty (30) days of the end of the reporting period. All reports do require the certification by the "responsible official" as defined by 326 IAC 2-7-1(34).
- (e) The first report shall cover the period commencing on the date of issuance of this permit and ending on the last day of the reporting period. Reporting periods are based on calendar years, unless otherwise specified in this permit. For the purpose of this permit, "calendar year" means the twelve (12) month period from January 1 to December 31 inclusive.
- (f) If the Permittee is required to comply with the recordkeeping provisions of (c) in Section C - General Record Keeping Requirements for any "project" (as defined in 326 IAC 2-2-1(qq) and/or 326 IAC 2-3-1(II)) at an existing Electric Utility Steam Generating Unit, then for that project the Permittee shall:
  - (1) Submit to IDEM, OAQ a copy of the information required by (c)(1) in Section C- General Record Keeping Requirements.
  - (2) Submit a report to IDEM, OAQ within sixty (60) days after the end of each year during which records are generated in accordance with (c)(2) and (3) in Section C- General Record Keeping Requirements. The report shall contain all

information and data describing the annual emissions for the emissions units during the calendar year that preceded the submission of report.

Reports required in this part shall be submitted to:

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

- (g) If the Permittee is required to comply with the recordkeeping provisions of (c) in Section C - General Record Keeping Requirements for any "project" (as defined in 326 IAC 2-2-1(qq) and/or 326 IAC 2-3-1(II)) at an existing emissions unit other than Electric Utility Steam Generating Unit, and the project meets the following criteria, then the Permittee shall submit a report to IDEM, OAQ:
- (1) The annual emissions, in tons per year, from the project identified in (c)(1) in Section C - General Record Keeping Requirements exceed the baseline actual emissions, as documented and maintained under Section C - General Record Keeping Requirements (c)(1)(C)(i), by a significant amount, as defined in 326 IAC 2-2-1(xx) and/or 326 IAC 2-3-1(qq), for that regulated NSR pollutant, and
  - (2) The emissions differ from the preconstruction projection as documented and maintained under Section C - General Record Keeping Requirements (c)(1)(C)(ii).
- (h) The report for a project at an existing emissions unit other than an Electric Utility Steam Generating Unit shall be submitted within sixty (60) days after the end of the year and contain the following:
- (1) The name, address, and telephone number of the major stationary source.
  - (2) The annual emissions calculated in accordance with (c)(2) and (3) in Section C - General Record Keeping Requirements.
  - (3) The emissions calculated under the actual-to-projected actual test stated in 326 IAC 2-2-2(d)(3) and/or 326 IAC 2-3-2(c)(3).
  - (4) Any other information that the Permittee deems fit to include in this report.

Reports required in this part shall be submitted to:

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

- (i) The Permittee shall make the information required to be documented and maintained in accordance with (c) in Section C - General Record Keeping Requirements available for review upon a request for inspection by IDEM, OAQ. The general public may request this information from the IDEM, OAQ under 326 IAC 17.1. [326 IAC 2-2-8(c) and/or 326 IAC 2-3-2(m)(6)]

## **Stratospheric Ozone Protection**

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

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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.
- (d) Pursuant to 40 CFR 82, Subpart E (The Labeling of Products Using Ozone-Depleting Substances), all containers in which a Class I or Class II substance is stored or transported and all products containing a Class I substance shall be labeled as required under 40 CFR Part 82.

## **Ambient Monitoring Requirements [326 IAC 7-3]**

### **C.23 Ambient Monitoring [326 IAC 7-3]**

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The Permittee shall operate continuous ambient sulfur dioxide air quality monitors and a meteorological data acquisition system according to a monitoring plan submitted to the commissioner for approval. The monitoring plan shall include requirements listed in 326 IAC 7-3-2(a)(1), 326 IAC 7-3-2(a)(2) and 326 IAC 7-3-2(a)(3).

## SECTION D.1

## FACILITY OPERATION CONDITIONS

Facility Description [326 IAC 2-7-5(15)] (The information describing the process contained in this facility description box is descriptive information and does not constitute enforceable conditions.)

- (a) Three (3) natural gas-fired boilers, identified as Boiler 4, Boiler 5, and Boiler 6, each with a design heat input capacity of 482 million Btu per hour (MMBtu/hr), exhausting to Stack 1, Stack 2, and Stack 3, respectively, each with a continuous emissions monitoring system (CEMS) for nitrogen oxides (NO<sub>x</sub>). Installation of Boilers 4 and 5 was completed in 1950 and installation of Boiler 6 was completed in 1951.

Specifically Regulated Insignificant Activities [326 IAC 2-7-1(21)]:

Evaporation of boiler chemical cleaning liquids.

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

#### D.1.1 Sulfur Dioxide (SO<sub>2</sub>) [326 IAC 7-4-5]

Pursuant to 326 IAC 7-4-5(4) (LaPorte County sulfur dioxide emission limitations), the SO<sub>2</sub> emissions from Boilers 4, 5 and 6 shall not exceed the following:

- |     |                                      |                     |
|-----|--------------------------------------|---------------------|
| (a) | If only one (1) unit is in operation | 2.2 lb/MMBtu        |
| (b) | If two (2) units are in operation    | 1.11 lb/MMBtu each  |
| (c) | If three (3) units are in operation  | 0.74 lb/MMBtu each. |

#### D.1.2 Particulate Emission Limitations for Sources of Indirect Heating [326 IAC 6-2-1(g)]

Pursuant to 326 IAC 6-2-1(g) (Particulate Emission Limitations for Sources of Indirect Heating), the PM emissions from Boilers 4, 5, and 6 shall not exceed 0.24 pound per million Btu heat input (lb/MMBtu).

#### D.1.3 Temporary Alternative Opacity Limitations [326 IAC 5-1-3]

Pursuant to 326 IAC 5-1-3 (Temporary Alternative Opacity Limitations), the following applies:

- (a) When building a new fire in a boiler, or shutting down a boiler, opacity may exceed the applicable limit established in 326 IAC 5-1-2. However, opacity levels shall not exceed sixty percent (60%) for any six (6)-minute averaging period. Opacity in excess of the applicable limit established in 326 IAC 5-1-2 shall not continue for more than two (2) six (6)-minute averaging periods in any twenty-four (24) hour period. [326 IAC 5-1-3(a)]
- (b) If a facility cannot meet the opacity limitations of 326 IAC 5-1-3(a), the Permittee may submit a written request to IDEM, OAQ, for a temporary alternative opacity limitation in accordance with 326 IAC 5-1-3(d). The Permittee must demonstrate that the alternative limit is needed and justifiable.

### Compliance Determination Requirements

#### D.1.4 Continuous Emissions Monitoring [326 IAC 10-4] [40 CFR 75]

Nothing in this permit shall excuse the Permittee from complying with the requirements to operate a continuous emission monitoring system pursuant to 326 IAC 10-4 or 40 CFR 75.

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

### **D.1.5 Record Keeping Requirements**

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- (a) Pursuant to 326 IAC 7-4-5(4)(A) (LaPorte County sulfur dioxide emission limitations), a log of hourly operating status for Boilers 4, 5, and 6 shall be maintained and made available to the department upon request.
  
- (b) All records shall be maintained in accordance with Section C - General Record Keeping Requirements, of this permit.

### **D.1.6 Reporting Requirements**

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Pursuant to 326 IAC 7-4-5(4)(C) (LaPorte County sulfur dioxide emission limitations), for periods when natural gas is the only fuel being burned in Boilers 4, 5, or 6, the reporting required to demonstrate compliance with Condition D.1.1 shall be satisfied by indicating that natural gas was the only fuel burned. No reporting of sulfur dioxide emission rates is necessary for these periods.

A quarterly report affirming that natural gas is the only fuel fired in Boilers 4, 5, and 6 shall be submitted to the address listed in Section C - General Reporting Requirements, of this permit, within thirty (30) days after the end of the quarter being reported. The report submitted by the Permittee does require the certification by the "responsible official" as defined by 326 IAC 2-7-1(34).

## SECTION D.2

## FACILITY OPERATION CONDITIONS

Facility Description [326 IAC 2-7-5(15)] (The information describing the process contained in this facility description box is descriptive information and does not constitute enforceable conditions.)

- (b) One (1) cyclone coal-fired boiler, identified as Boiler 12, with a design heat input capacity of 4650 million Btu per hour (MMBtu/hr), with construction completed in May 1974, with an electrostatic precipitator (ESP) with a flue gas conditioning (FGC) system for control of particulate matter, exhausting to Stack 4. Natural gas can be fired during startup, shutdown, and malfunctions. Boiler 12 has a selective catalytic reduction (SCR) system for NO<sub>x</sub> control, and has continuous emissions monitoring systems (CEMS) for nitrogen oxides (NO<sub>x</sub>) and for sulfur dioxide (SO<sub>2</sub>) and a continuous opacity monitoring (COM) system.

Specifically Regulated Insignificant Activities [326 IAC 2-7-1(21)]:

Evaporation of boiler chemical cleaning liquids.

### D.2.0 NOV Provisions

U.S. EPA has issued a Notice of Violation to this Permittee for allegedly failing to obtain, and comply with, New Source Review ("NSR"), Prevention of Significant Deterioration, and/or NSR for minor source Permits authorizing construction of physical modifications to units and operation of the modified units, as required by provisions set out in the Clean Air Act and 326 IAC 2. Therefore, the permit shield in Section B - Permit Shield does not shield the Permittee from possible enforcement actions initiated by U.S. EPA, IDEM or citizens involving Boiler 12. Compliance with the terms of this permit does not serve as proof of compliance for Boiler 12 or the matters addressed in the NOV. Following resolution of this action, IDEM will reopen this permit, if necessary to incorporate a compliance schedule or any new applicable requirements. The standard language of Section B - Permit Shield does not shield any activity on which the permit is silent.

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

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

Pursuant to 326 IAC 6-2-3 (Particulate Emission Limitations for Sources of Indirect Heating: Emission limitations for facilities specified in 326 IAC 6-2-1(c)), the PM emissions from Boiler 12 shall not exceed 0.24 pound per million Btu heat input (lb/MMBtu). This limitation was calculated using the following equation:

$$Pt = \frac{(C)(a)(h)}{76.5(Q^{0.75})(N^{0.25})}$$

Where: C = 50 micrograms per cubic meter ( $\mu/m^3$ )

Pt = Pounds of particulate matter emitted per million Btu heat input (lb/MMBtu).

Q = Total source maximum operating capacity rating in million Btu per hour (MMBtu/hr) heat input.

N = Number of stacks in fuel burning operation.

a = 0.8, for Q greater than 1,000 MMBtu/hr heat input.

h = Stack height in feet.

Pursuant to 326 IAC 6-2-3(b), the emission limitations for those indirect heating facilities which began operation after June 8, 1972, and before September 21, 1983, shall be calculated using the above equation where Q, N, and h shall include the parameters for the facility in question and for those facilities which were previously constructed.

#### D.2.2 Temporary Alternative Opacity Limitations [326 IAC 5-1-3]

- (a) Pursuant to 326 IAC 5-1-3(e) (Temporary Alternative Opacity Limitations), the following applies:
- (1) When building a new fire in a boiler, opacity may exceed the applicable limit established in 326 IAC 5-1-2 for a period not to exceed a cumulative total of sixty (60) minutes (ten (10) six (6)-minute averaging periods) during the startup period, or until the flue gas temperature reaches two hundred fifty (250) degrees Fahrenheit at the inlet of the electrostatic precipitator, whichever occurs first.
  - (2) When shutting down a boiler, opacity may exceed the applicable limit established in 326 IAC 5-1-2 for a period not to exceed a cumulative total of sixty (60) minutes (ten (10) six (6)-minute averaging periods) during the shutdown period.
  - (3) Operation of the electrostatic precipitator is not required during these times.
  - (4) NIPSCO shall avoid, whenever possible, cold startups on Boiler 12 when the wind direction is such that excess emissions would be carried over the adjacent boat harbor. NIPSCO shall notify the OAQ by telephone twenty-four (24) hours prior to a cold startup (boiler off line more than 72 hours) of Boiler 12. This requirement is not federally enforceable.
- (b) When removing ashes from the fuel bed or furnace in a boiler or blowing tubes, opacity may exceed the applicable limit established in 326 IAC 5-1-2 and stated in Section C - Opacity. However, opacity levels shall not exceed sixty percent (60%) for any six (6)-minute averaging period and opacity in excess of the applicable limit shall not continue for more than one (1) six (6)-minute averaging period in any sixty (60) minute period. The averaging periods in excess of the limit set in 326 IAC 5-1-2 shall not be permitted for more than three (3) six (6)-minute averaging periods in a twelve (12) hour period. [326 IAC 5-1-3(b)]
- (c) If a facility cannot meet the opacity limitations of 326 IAC 5-1-3(b), the Permittee may submit a written request to IDEM, OAQ, for a temporary alternative opacity limitation in accordance with 326 IAC 5-1-3(d). The Permittee must demonstrate that the alternative limit is needed and justifiable.

#### D.2.3 Sulfur Dioxide (SO<sub>2</sub>) [326 IAC 7-4-5]

Pursuant to 326 IAC 7-4-5(4) (LaPorte County sulfur dioxide emission limitations), the SO<sub>2</sub> emissions from Boiler 12 shall not exceed 6.0 lbs/MMBtu, based on a 30-day rolling weighted average pursuant to 326 IAC 7-2-1.

### **Compliance Determination Requirements**

#### D.2.4 Testing Requirements [326 IAC 2-7-6(1),(6)] [326 IAC 2-1.1-11]

By December 31 of the second calendar year following the most recent stack test, or within 180 days after issuance of this permit, whichever is later, compliance with the PM limitation in Condition D.2.1 shall be determined by a performance stack test conducted using Method 5 or other methods as approved by the Commissioner. This testing shall be repeated by December 31 of every second calendar year following this valid compliance demonstration. Testing shall be conducted in accordance with Section C - Performance Testing.

For the purpose of this permit, "calendar year" means the twelve (12) month period from January 1 to December 31 inclusive.

#### D.2.5 Operation of Electrostatic Precipitator [326 IAC 2-7-6(6)]

Except as otherwise provided by statute or rule or in this permit, the electrostatic precipitator (ESP) shall be operated at all times that Boiler 12 is firing coal. The flue gas conditioning (FGC) system shall be used with the ESP as necessary to maintain compliance with this permit.

#### D.2.6 Continuous Emissions Monitoring [326 IAC 3-5]

- (a) Pursuant to 326 IAC 3-5 (Continuous Monitoring of Emissions), a continuous emissions monitoring system (CEMS) for Boiler 12 shall be calibrated, maintained, and operated for measuring opacity, which meets all applicable performance specifications of 326 IAC 3-5-2.
- (b) If the Permittee notifies the IDEM that CEMS data will be used pursuant to 326 IAC 7-2-1(g) instead of fuel sampling and analysis, then pursuant to 326 IAC 3-5 (Continuous Monitoring of Emissions), a CEMS for Boiler 12 shall be calibrated, maintained, and operated for measuring SO<sub>2</sub>, which meets all applicable performance specifications of 326 IAC 3-5-2.
- (c) All CEMS are subject to monitor system certification requirements pursuant to 326 IAC 3-5-3.
- (d) Pursuant to 326 IAC 3-5-4, if revisions are made to the continuous monitoring standard operating procedures (SOP), the Permittee shall submit updates to the department biennially.
- (e) Nothing in this permit shall excuse the Permittee from complying with the requirements to operate a continuous emission monitoring system pursuant to 326 IAC 3-5, 326 IAC 10-4, or 40 CFR 75.

#### D.2.7 Sulfur Dioxide Emissions and Sulfur Content [326 IAC 3] [326 IAC 7-2] [326 IAC 7-1.1-2]

- (a) Pursuant to 326 IAC 7-2-1(c), the Permittee shall demonstrate that the sulfur dioxide emissions do not exceed the equivalent of 6.0 lbs/MMBtu, using a thirty (30) day rolling weighted average.
- (b) Pursuant to 326 IAC 7-2-1(e) and 326 IAC 3-7, coal sampling and analysis data shall be collected as follows:
  - (1) Coal sampling shall be performed using the methods specified in 326 IAC 3-7-2(a), and sample preparation and analysis shall be performed as specified in 326 IAC 3-7-2(c), (d), and (e); or
  - (2) Pursuant to 326 IAC 3-7-3, manual or other non-ASTM automatic sampling and analysis procedures may be used upon a demonstration, submitted to the department for approval, that such procedures provide sulfur dioxide emission estimates representative either of estimates based on coal sampling and analysis procedures specified in 326 IAC 3-7-2 or of continuous emissions monitoring.
  - (3) Pursuant to 326 IAC 3-7-5(a), the Permittee shall develop a standard operating procedure (SOP) to be followed for sampling, handling, analysis, quality control, quality assurance, and data reporting of the information collected pursuant to 326 IAC 3-7-2 through 326 IAC 3-7-4. In addition, any revision to the SOP shall be submitted to IDEM, OAQ.

- (c) Upon written notification to IDEM by a facility owner or operator, continuous emission monitoring data collected and reported pursuant to 326 IAC 3-5 may be used as the means for determining compliance with the emission limitations in 326 IAC 7. Upon such notification, the other requirements of 326 IAC 7-2 shall not apply. [326 IAC 7-2-1(g)]

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

#### **D.2.8 Transformer-Rectifier (T-R) Sets [326 IAC 2-7-6(1)] [326 IAC 2-7-5(1)]**

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- (a) The ability of the ESP to control particulate emissions shall be monitored once per day, when the unit is in operation, by measuring and recording the number of T-R sets in service and the primary and secondary voltages and the currents of the T-R sets.
- (b) Reasonable response steps shall be taken in accordance with Section C - Response to Excursions or Exceedances whenever the percentage of T-R sets in service falls below ninety percent (90%). T-R set failure resulting in less than ninety percent (90%) availability is not a deviation from this permit. Failure to take response steps in accordance with Section C - Response to Excursions or Exceedances, shall be considered a deviation from this permit.

#### **D.2.9 Opacity Readings [326 IAC 2-7-6(1)] [326 IAC 2-7-5(1)]**

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- (a) In the event of emissions exceeding thirty-five percent (35%) average opacity for three (3) consecutive six (6) minute averaging periods, appropriate response steps shall be taken in accordance with Section C - Response to Excursions or Exceedances such that the cause(s) of the excursion are identified and corrected and opacity levels are brought back below thirty-five percent (35%). Examples of expected response steps include, but are not limited to, boiler loads being reduced and ESP T-R sets being returned to service.
- (b) Opacity readings in excess of thirty-five percent (35%) but not exceeding the opacity limit for the unit are not a deviation from this permit. Failure to take response steps in accordance with Section C - Response to Excursions or Exceedances, shall be considered a deviation from this permit.
- (c) The Permittee may request that the IDEM, OAQ approve a different opacity trigger level than the one specified in (a) and (b) of this condition, provided the Permittee can demonstrate, through stack testing or other appropriate means, that a different opacity trigger level is appropriate for monitoring compliance with the applicable particulate matter mass emission limits.

#### **D.2.10 SO<sub>2</sub> Monitoring System Downtime [326 IAC 2-7-6] [326 IAC 2-7-5(3)]**

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- (a) Whenever both the primary and back-up SO<sub>2</sub> continuous emission monitoring systems are malfunctioning or down for repairs or adjustments for twenty-four (24) hours or more, the following shall be used to provide information related to SO<sub>2</sub> emissions: Either fuel sampling shall and fuel sample preparation and analysis shall be conducted as specified in 326 IAC 3-7-2(b) and (c), 326 IAC 3-7-2(d), and 326 IAC 3-7-2(e), or, alternatively, a portable analyzer properly calibrated according to manufacturer specifications (such as manufacturer operating or maintenance manuals), shall be used to monitor SO<sub>2</sub> emissions. Pursuant to 326 IAC 3-7-3, other manual or non-ASTM automatic sampling and analysis procedures may be used upon a demonstration, submitted to the department for approval, that such procedures provide sulfur dioxide emission estimates representative either of estimates based on coal sampling and analysis procedures specified in 326 IAC 3-7-2 or of continuous emissions monitoring.
- (b) Whenever the primary and back-up SO<sub>2</sub> continuous emission monitoring systems are malfunctioning or down for repairs or adjustments for less than twenty-four (24) hours, the Permittee shall substitute an average of the quality-assured data from the hour immediately before and the hour immediately after the missing data period for each hour of missing data.

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

### **D.2.11 Record Keeping Requirements**

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- (a) To document compliance with Section C - Opacity, Section C - Maintenance of Continuous Opacity Monitoring Equipment, and the particulate matter and opacity requirements in Conditions D.2.1, D.2.2, D.2.6, D.2.8, and D.2.9, the Permittee shall maintain records in accordance with (1) through (4) below. Records shall be complete and sufficient to establish compliance with the limits in Section C - Opacity and Conditions D.2.1 and D.2.2.
  - (1) Data and results from the most recent stack test.
  - (2) All continuous opacity monitoring data, pursuant to 326 IAC 3-5-6.
  - (3) The results of all Method 9 visible emission readings taken during any periods of COM downtime.
  - (4) All ESP parametric monitoring readings.
- (b) To document compliance with SO<sub>2</sub> Conditions D.2.3, D.2.7, and D.2.10, the Permittee shall maintain records in accordance with (1) or (2) below. Records shall be complete and sufficient to establish compliance with the SO<sub>2</sub> limit as required in Conditions D.2.3 and D.2.7.
  - (1) If the Permittee routinely uses fuel sampling and analysis pursuant to 326 IAC 7-2-1, then records shall be maintained in accordance with (A) and (B), below.
    - (A) All fuel sampling and analysis data, pursuant to 326 IAC 7-2, and data collected in accordance with Condition D.2.10.
    - (B) Actual fuel usage since last compliance determination period.
  - (2) If the Permittee routinely uses SO<sub>2</sub> continuous emission monitoring pursuant to 326 IAC 7-2-1(g), then records shall be maintained in accordance with (A), (B), and (C), below.
    - (A) All SO<sub>2</sub> continuous emissions monitoring data, pursuant to 326 IAC 3-5-6 and 326 IAC 7-2-1(g).
    - (B) All fuel sampling and analysis data or portable analyzer data collected for SO<sub>2</sub> CEMS downtime, in accordance with Condition D.2.10.
    - (C) Actual fuel usage during each SO<sub>2</sub> CEMS downtime to the extent that data is required to be collected under Condition D.2.10.
- (c) All records shall be maintained in accordance with Section C - General Record Keeping Requirements, of this permit.

### **D.2.12 Reporting Requirements**

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- (a) A quarterly report of opacity exceedances shall be submitted to the address listed in Section C - General Reporting Requirements, of this permit, within thirty (30) days after the end of the quarter being reported. The report submitted by the Permittee does require the certification by the "responsible official" as defined by 326 IAC 2-7-1(34).
- (b) Pursuant to 326 IAC 7-2-1, the Permittee shall submit reports in accordance with (1) or (2) below.

- (1) If the Permittee routinely uses fuel sampling and analysis pursuant to 326 IAC 7-2-1, a quarterly report of the thirty (30) day rolling weighted average sulfur dioxide emission rate in pounds per million Btus, and records of the daily average coal sulfur content, coal heat content, weighing factor, and daily average sulfur dioxide emission rate in pounds per million Btus shall be submitted to the address listed in Section C - General Reporting Requirements, of this permit, within thirty (30) days after the end of the quarter being reported. [326 IAC 7-2-1(c)(1)]

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

- (2) If the Permittee routinely uses SO<sub>2</sub> continuous emission monitoring pursuant to 326 IAC 7-2-1(g), a quarterly summary of the information to document compliance with Conditions D.2.3 and D.2.6 shall be submitted to the address listed in Section C - General Reporting Requirements, of this permit, within thirty (30) days after the end of the quarter being reported. The report submitted by the Permittee does require the certification by the "responsible official" as defined by 326 IAC 2-7-1(34).

- (c) Pursuant to 326 IAC 3-5-7(5), reporting of continuous monitoring system instrument downtime, except for zero (0) and span checks, which shall be reported separately, shall include the following:

- (1) Date of downtime.
- (2) Time of commencement.
- (3) Duration of each downtime.
- (4) Reasons for each downtime.
- (5) Nature of system repairs and adjustments.

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

## SECTION D.3

## FACILITY OPERATION CONDITIONS

Facility Description [326 IAC 2-7-5(15)]: (The information describing the process contained in this facility description box is descriptive information and does not constitute enforceable conditions.)

- (c) One (1) natural gas-fired auxiliary boiler, identified as AUX1, rated at 109 million Btu per hour (MMBtu/hr), installed in 2003, equipped with low NO<sub>x</sub> burners, exhausting to Stack AUX1, with a continuous emissions monitoring system (CEMS) for nitrogen oxides (NO<sub>x</sub>).

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

#### D.3.1 New Source Performance Standard (NSPS) [326 IAC 12] [40 CFR 60, Subpart Db] [326 IAC 6-2-1(f)]

Pursuant to 326 IAC 12 and 40 CFR 60, Subpart Db (Standards of Performance for Industrial-Commercial-Institutional Steam Generating Units), emissions from the auxiliary boiler AUX 1 shall not exceed the following:

One-tenths (0.10) pound NO<sub>x</sub> per million Btu (MMBtu) heat input for a low heat release rate.

Pursuant to 40 CFR 60.44b(i), except as provided under 40 CFR 60.44b(j), compliance with this NO<sub>x</sub> emission limit is determined on a 30-day rolling average basis.

#### D.3.2 Nitrogen Oxides Emission Limitation [326 IAC 2-1.1-5] [326 IAC 2-2]

The NO<sub>x</sub> emissions from the auxiliary boiler (AUX1) shall not exceed 36.8 tons per twelve (12) consecutive month period with compliance determined at the end of each month. Compliance with this limit shall render the requirements of Major New Source Review not applicable to the auxiliary boiler (AUX1).

#### D.3.3 National Emission Standards for Hazardous Air Pollutants for Industrial, Commercial, and Institutional Boilers and Process Heaters [326 IAC 20-1] [40 CFR Part 63, Subpart DDDDD]

- (a) The auxiliary boiler AUX1 is an existing affected source for the large gaseous fuel subcategory, and is subject to the National Emission Standards for Hazardous Air Pollutants (NESHAP) for Industrial, Commercial, and Institutional Boilers and Process Heaters, (40 CFR 63, Subpart DDDDD), as of the effective date of 40 CFR 63, Subpart DDDDD. Pursuant to this rule, the Permittee must comply with 40 CFR 63, Subpart DDDDD on and after three years after the date of publication of the final rule for 40 CFR 63, Subpart DDDDD in the Federal Register.
- (b) The applicable Subpart DDDDD requirement for the large gaseous fuel subcategory is submittal of an Initial Notification containing the information specified in 40 CFR 63.9(b)(2) not later than March 12, 2005. The Initial Notification for AUX1 was received on December 22, 2004.
- (c) The definitions of 40 CFR 63, Subpart DDDDD at 40 CFR 63.7575 are applicable to the affected source.

#### D.3.4 Particulate Emission Limitations for Sources of Indirect Heating [326 IAC 6-2-4]

Pursuant to 326 IAC 6-2-4 (Particulate Emissions Limitations for Facilities Constructed after September 21, 1983) the particulate emissions from the one (1) auxiliary boiler, rated at 109 million British thermal units per hour, shall be limited to 0.112 pound per million British thermal units heat input.

This limitation is based on the following equation:

$$Pt = 1.09/Q^{0.26}$$

where:

- Pt = Pounds of particulate matter emitted per million British thermal units (lb/MMBtu) heat input
- Q = Total source maximum operating capacity rating in million British thermal units per hour (MMBtu/hr) heat input.

#### D.3.5 Temporary Alternative Opacity Limitations [326 IAC 5-1-3]

Pursuant to 326 IAC 5-1-3 (Temporary Alternative Opacity Limitations), the following applies:

- (a) When building a new fire in a boiler, or shutting down a boiler, opacity may exceed the forty percent (40%) opacity limit established in 326 IAC 5-1-2. However, opacity levels shall not exceed sixty percent (60%) for any six (6)-minute averaging period. Opacity in excess of forty percent (40%) shall not continue for more than two (2) six (6)-minute averaging periods in any twenty-four (24) hour period. [326 IAC 5-1-3(a)]
- (b) If a facility cannot meet the opacity limitations of 326 IAC 5-1-3(a), the Permittee may submit a written request to IDEM, OAQ, for a temporary alternative opacity limitation in accordance with 326 IAC 5-1-3(d). The Permittee must demonstrate that the alternative limit is needed and justifiable.

#### D.3.6 General Provisions Relating to NSPS [326 IAC 12-1] [40 CFR 60, Subpart A]

The provisions of 40 CFR 60 Subpart A - General Provisions, which are incorporated as 326 IAC 12-1, apply to the facility described in this section except when otherwise specified in 40 CFR 60 Subpart Db.

#### D.3.7 General Provisions Relating to NESHAP [326 IAC 20-1] [40 CFR Part 63, Subpart A]

The provisions of 40 CFR 63 Subpart A - General Provisions, which are incorporated as 326 IAC 20-1-1, apply to the affected source, as designated by 40 CFR 63.7506(b), except when otherwise specified in 40 CFR 63 Subpart DDDDD. The Permittee must comply with these requirements on and after the effective date of 40 CFR 63, Subpart DDDDD.

### **Compliance Determination Requirements**

#### D.3.8 NSPS Compliance Provisions [326 IAC 12] [40 CFR 60, Subpart Db]

- (a) The NO<sub>x</sub> emission limitation in Condition D.3.1 applies at all times, including periods of startup, shutdown, and malfunction.
- (b) Compliance with the NO<sub>x</sub> emission limitation in Condition D.3.1 shall be determined by the methods and procedures specified in 40 CFR 60.46b(e).

#### D.3.9 Continuous Emissions Monitoring [326 IAC 3-5] [326 IAC 12] [40 CFR 60, Subpart Db]

- (a) Pursuant to 326 IAC 3-5 (Continuous Monitoring of Emissions) and 40 CFR 60.47b and 60.48b (for Subpart Db), a continuous emissions monitoring system (CEMS) shall be calibrated, maintained, and operated for measuring NO<sub>x</sub> and either CO<sub>2</sub> or O<sub>2</sub> from Stack AUX1 which meets the performance specifications of 326 IAC 3-5-2 and 3-5-3.
- (b) Pursuant to 326 IAC 3-5-1(d)(1), the Permittee is required to use a CEMS to demonstrate compliance with Condition D.3.2 as allowed under the Clean Air Act and 326 IAC 3-5.
  - (1) The CEMS shall measure NO<sub>x</sub> emissions rates in pounds per hour and/or pounds per million British thermal units.
  - (2) The CEMS shall be in operation at all times when the auxiliary boiler (AUX1) is in operation.

- (c) Pursuant to 326 IAC 3-5-4, if revisions are made to the continuous monitoring standard operating procedures (SOP), the Permittee shall submit updates to the department biennially.
- (d) Nothing in this permit shall excuse the Permittee from complying with the requirements to operate a continuous emission monitoring system pursuant to 326 IAC 3-5 or 40 CFR 60.

#### D.3.10 CEMS Missing Data Substitution [326 IAC 2-2] [326 IAC 2-1.1-5]

In order to demonstrate compliance with Condition D.3.2, whenever the NO<sub>x</sub> CEMS is malfunctioning or is down for maintenance or repairs, until a NO<sub>x</sub> CEMS is brought back online, the Permittee shall calculate the hourly NO<sub>x</sub> emission rate using the following fuel usage equation, which includes the NO<sub>x</sub> emission rate limit required in Condition D.3.1 and a maximum fuel heat content of 1,030 million British thermal units per million cubic foot of natural gas:

$$\text{NO}_x \text{ emissions (lbs/hr)} = \text{natural gas usage (MMCF/hr)} * 0.1 \text{ (lbs/mmBtu)} * 1,030 \text{ (mmBtu/MMCF)}$$

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

#### D.3.11 Record Keeping Requirements

- (a) To document compliance with Conditions D.3.1 and D.3.8, the Permittee shall maintain records in accordance with 40 CFR 60.49b(g).
- (b) To document compliance with Condition D.3.2, the Permittee shall maintain records of the monthly NO<sub>x</sub> emissions from the auxiliary boiler (AUX1).
- (c) Records for the CEMS shall be maintained in accordance with 326 IAC 3-5-6.
- (d) To document compliance with Condition D.3.10, the Permittee shall maintain records of the natural gas usage for AUX1, in MMCF, for each hour until a NO<sub>x</sub> CEMS is back online.
- (e) All records shall be maintained in accordance with Section C - General Record Keeping Requirements, of this permit.

#### D.3.12 Reporting Requirement

- (a) Pursuant to 40 CFR 60, Subpart Db (Standards of Performance for Industrial-Commercial-Institutional Steam Generating Units):
  - (1) To document compliance with the NO<sub>x</sub> limit of Condition D.3.1, the Permittee shall submit reports in accordance with 40 CFR 60.49b(i).
  - (2) The Permittee shall report the date of any performance testing for Subpart Db at least 30 days prior to such date.
- (b) A quarterly summary of the information to document compliance with Condition D.3.2 shall be submitted using the reporting form located at the end of this permit, or its equivalent, within thirty (30) days after the end of the quarter being reported.
- (c) All notifications and reports for 40 CFR 60 Subpart Db and for Condition D.3.2 shall be submitted to:

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

- (d) The notifications and reports for 40 CFR 60 Subpart Db and for Condition D.3.2 require certification by the "responsible official" as defined by 326 IAC 2-7-1(34).

## SECTION D.4

## FACILITY OPERATION CONDITIONS

Facility Description [326 IAC 2-7-5(15)] (The information describing the process contained in this facility description box is descriptive information and does not constitute enforceable conditions.)

- (d) A coal storage and handling system for Boiler 12, completed before May 1974.
- (1) One (1) railcar unloading station with particulate emissions controlled by wet suppression and partial enclosure, with a maximum throughput of 1500 tons of coal per hour.
  - (2) An enclosed conveyor system to the coal storage pile(s), with the transfer points underground or enclosed by buildings. A telescoping chute is used to drop coal to the storage pile(s).
  - (3) Coal storage pile(s) and coal pile reclaim, with fugitive dust emissions controlled by compaction and wet suppression.
  - (4) Coal conveyors and the coal junction house, with carryover wet suppression, additional wet suppression and/or foam application, and enclosed transfer points.
  - (5) One coal conveyor, constructed in 1974 and reconstructed in 2009, identified as C08, with a maximum capacity of 1000 tons per hour, using carryover wet suppression.  
  
Under 40 CFR 60, Subpart Y, coal conveyor C08 is an affected facility.
  - (6) Coal crusher house, with a baghouse, identified as CHDC, for PM control, with carryover wet suppression for PM control and enclosed transfer points within an enclosure for ancillary dust control.
  - (7) Coal sample house/breaker building with a baghouse, identified as SHDC, for PM control, with carryover wet suppression for PM control and enclosed transfer points within an enclosure for ancillary dust control.
  - (8) Coal tripper floor to coal bunkers, with a baghouse, identified as TFDC, for PM control, with enclosure for ancillary dust control.

Specifically Regulated Insignificant Activities [326 IAC 2-7-1(21)]:

Conveyors as follows: Underground conveyors.

Coal bunker and coal scale exhausts and associated dust collector vents.

Coal pile wind erosion.

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

#### D.4.1 Particulate [326 IAC 6-3-2]

Pursuant to 326 IAC 6-3-2 (Particulate Emission Limitations for Manufacturing Processes), allowable particulate emissions for the coal handling operations shall be calculated as follows:

- (a) Particulate shall not be emitted in excess of the amount shown in the table in 326 IAC 6-3-2(e). The allowable rate of emission shall be based on the process weight rate for the process.

(b) Pursuant to 326 IAC 6-3-2, the particulate matter (PM) from the conveyor C08 shall not exceed 77.6 pounds per hour when operating at a process weight rate of 1000 tons per hour.

(c) Interpolation of the data in the table in 326 IAC 6-3-2(e) for process weight rates up to sixty thousand (60,000) pounds per hour shall be accomplished by use of the equation:

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

(d) Interpolation and extrapolation of the data in the table in 326 IAC 6-3-2(e) for process weight rates in excess of sixty thousand (60,000) pounds per hour shall be accomplished by use of the equation:

$$E = 55.0 P^{0.11} - 40 \quad \text{where } E = \text{rate of emission in pounds per hour; and} \\ P = \text{process weight rate in tons per hour.}$$

(e) When the process weight rate exceeds two hundred (200) tons per hour, the allowable emission may exceed that shown in the table in 326 IAC 6-3-2(e), provided the concentration of particulate in the discharge gases to the atmosphere is less than one-tenth (0.10) pound per one thousand (1,000) pounds of gases.

## SECTION D.5

## FACILITY OPERATION CONDITIONS

Facility Description [326 IAC 2-7-5(15)] (The information describing the process contained in this facility description box is descriptive information and does not constitute enforceable conditions.)

- (e) Dry fly ash handling, installed in 1997, including the following:
- (1) Vacuum conveyance of fly ash to a storage silo with particulate emissions controlled by a bin vent filter, with a design throughput rate of 9.3 tons per hour.
  - (2) One (1) enclosed fly ash silo unloading station with a design unloading capacity of 200+ tons per hour, used to load dry fly ash to covered trucks, with particulate emissions controlled by the use of a telescoping chute with a vacuum system and a bin vent filter. Overhead doors with an interlock system are closed when ash trucks are being loaded.

Specifically Regulated Insignificant Activities [326 IAC 2-7-1(21)]:

Vents from ash transport systems not operated at positive pressure.

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

#### D.5.1 Particulate [326 IAC 6-3-2]

- (a) Pursuant to 326 IAC 6-3-2 (Particulate Emission Limitations for Manufacturing Processes), the particulate emission rate from the fly ash conveying system shall not exceed 18.3 pounds per hour when operating at a process weight rate of 9.3 tons per hour. The pounds per hour limitation was calculated using the following equation:

Interpolation of the data for the process weight rate up to sixty thousand (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.

- (b) Pursuant to 326 IAC 6-3-2(e)(3) (Particulate Emission Limitations for Manufacturing Processes), for the ash unloading at a throughput rate greater than 200 tons per hour, the concentration of particulate in the discharge gases to the atmosphere shall be less than 0.10 pounds per one thousand (1,000) pounds of gases.

### Compliance Determination Requirements

#### D.5.2 Particulate Control [326 IAC 2-7-6(6)]

Except as otherwise provided by statute or rule or in this permit, the bin vent filter for particulate control shall be in operation and control emissions at all times that fly ash is being transferred to the associated storage silo, the telescoping chute with a vacuum system and bin vent filter shall be in operation and control emissions at all times that ash is being unloaded from the silo, and the overhead doors shall be closed at all times that ash is being unloaded from the silo.

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

### **D.5.3 Visible Emissions Notations [326 IAC 2-7-6(1)] [326 IAC 2-7-5(1)]**

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- (a) Visible emission notations of the ash silo unloading station openings, or notations that the ash silo bay doors are completely closed, shall be performed at least once per day during normal daylight operations when ash is being unloaded. A trained employee shall record either of the following:
  - (1) whether all silo bay doors are completely closed during ash unloading, or
  - (2) whether emissions are normal or abnormal.
- (b) Visible emission notations of the ash silo bin vent filter exhaust shall be performed at least once per day during normal daylight operations when transferring ash to or from the silo. A trained employee shall record whether emissions are normal or abnormal.
- (c) Visible emission notations of the nozzle of the telescoping chute shall be performed at least once per day during normal daylight operations when transferring ash from the silo. A trained employee shall record whether emissions are normal or abnormal.
- (d) If incomplete closure of a silo bay door is observed, the Permittee shall take reasonable response steps in accordance with Section C - Response to Excursions or Exceedances. Failure to take response steps in accordance with Section C - Response to Excursions or Exceedances, shall be considered a deviation from this permit.
- (e) If abnormal emissions are observed from an ash silo unloading station opening, at the bin vent filter exhaust or from the nozzle of the telescoping chute, the Permittee shall take reasonable response steps in accordance with Section C - Response to Excursions or Exceedances. Observation of abnormal emissions that do not violate 326 IAC 6-4 (Fugitive Dust Emissions) or an applicable opacity limit is not a deviation from this permit. Failure to take response steps in accordance with Section C - Response to Excursions or Exceedances, shall be considered a deviation from this permit.
- (f) For processes operated continuously, "normal" means those conditions prevailing, or expected to prevail, at least eighty percent (80%) of the time the process is in operation.
- (g) In the case of batch or discontinuous operations, readings shall be taken during that part of the operation that would normally be expected to cause the greatest emissions.
- (h) A trained employee is an employee who has worked at the plant at least one (1) month and has been trained in the appearance and characteristics of normal visible emissions for that specific process.

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

### **D.5.4 Record Keeping Requirements**

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- (a) To document compliance with Condition D.5.3, the Permittee shall maintain records of the notations of the ash silo bay doors closure or the visible emission notations of the ash silo unloading station doorways, and the visible emission notations of the bin vent filter exhaust and the telescoping chute nozzle.
- (b) All records shall be maintained in accordance with Section C - General Record Keeping Requirements, of this permit.

## SECTION D.6

## FACILITY OPERATION CONDITIONS

Facility Description [326 IAC 2-7-5(15)] (The information describing the process contained in this facility description box is descriptive information and does not constitute enforceable conditions.)

- (f) Wet process bottom ash handling installed in approximately 1950, with bottom ash sluiced to storage pond(s), with water cover or vegetation sufficient to prevent ash re-entrainment. Ash removed from the pond(s) is stored in piles before being taken offsite by truck.

Specifically Regulated Insignificant Activities [326 IAC 2-7-1(21)]:

Ponded bottom ash handling and removal.

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

#### D.6.1 Fugitive Dust Emission Limitations [326 IAC 6-4-2]

Pursuant to 326 IAC 6-4-2:

- (a) Any ash storage pond generating fugitive dust shall be in deviation from this rule (326 IAC 6-4) if any of the following criteria are violated:

- (1) A source or combination of sources which cause to exist fugitive dust concentrations greater than sixty-seven percent (67%) in excess of ambient upwind concentrations as determined by the following formula:

$$P = \frac{100(R - U)}{U}$$

Where

P = Percentage increase

R = Number of particles of fugitive dust measured at downward receptor site

U = Number of particles of fugitive dust measured at upwind or background site

- (2) The fugitive dust is comprised of fifty percent (50%) or more respirable dust, then the percent increase of dust concentration in subdivision (1) of this section shall be modified as follows:

$$P_R = (1.5 \pm N) P$$

Where

N = Fraction of fugitive dust that is respirable dust;

P<sub>R</sub> = allowable percentage increase in dust concentration above background; and

P = no value greater than sixty-seven percent (67%).

- (3) The ground level ambient air concentrations exceed fifty (50) micrograms per cubic meter above background concentrations for a sixty (60) minute period.
- (4) If fugitive dust is visible crossing the boundary or property line of a source. This subdivision may be refuted by factual data expressed in subdivisions (1), (2) or (3) of this section.
- (b) Pursuant to 326 IAC 6-4-6(6) (Exceptions), fugitive dust from a source caused by adverse meteorological conditions will be considered an exception to this rule (326 IAC 6-4) and therefore not in violation.

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

### **D.6.2 Visible Emissions Notations [326 IAC 2-7-6(1)] [326 IAC 2-7-5(1)]**

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- (a) Any ash storage pond at the source that contains bottom ash shall be observed once per week to determine if sufficient water is present in the pond to cover or saturate ash deposited in the pond. During any period when there is not sufficient water in the pond to cover or saturate ash present in the pond, visible emission notations of the ash storage pond area(s) shall be performed at least once per day during normal daylight operations. A trained employee shall record whether emissions are normal or abnormal.
- (b) If visible emissions are observed crossing the property line or boundaries of the property, right-of-way, or easement on which the source is located, the Permittee shall take reasonable response steps in accordance with Section C - Response to Excursions or Exceedances. Failure to take response steps in accordance with Section C - Response to Excursions or Exceedances, shall be considered a deviation from this permit.
- (c) For processes operated continuously, "normal" means those conditions prevailing, or expected to prevail, at least eighty percent (80%) of the time the process is in operation.
- (d) In the case of batch or discontinuous operations, readings shall be taken during that part of the operation that would normally be expected to cause the greatest emissions.
- (e) A trained employee is an employee who has worked at the plant at least one (1) month and has been trained in the appearance and characteristics of normal visible emissions for that specific process.

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

### **D.6.3 Record Keeping Requirements**

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- (a) To document compliance with Condition D.6.2, the Permittee shall maintain a record of pond observations and any records of visible emission notations of the ash storage pond area(s).
- (b) All records shall be maintained in accordance with Section C - General Record Keeping Requirements, of this permit.

## SECTION D.7

## FACILITY OPERATION CONDITIONS

Facility Description [326 IAC 2-7-5(15)] (The information describing the process contained in this facility description box is descriptive information and does not constitute enforceable conditions.)

Specifically Regulated Insignificant Activities [326 IAC 2-7-1(21)]:

Natural gas-fired combustion sources with heat input equal to or less than ten million (10,000,000) Btu per hour, including one (1) 480,000 BTU boiler in the "A" Building, installed in 1970; one (1) 480,000 BTU boiler in the Gate House, installed in 1964, and one (1) 297,000 BTU boiler, installed in 1953 in the Relay House (Substation Bldg. #G15), each used for building heat.

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

#### D.7.1 Particulate Emission Limitations for Sources of Indirect Heating [326 IAC 6-2-3]

Pursuant to 326 IAC 6-2-3 (Particulate Emission Limitations for Sources of Indirect Heating: Emission limitations for facilities specified in 326 IAC 6-2-1(c)), the PM emissions from the "A" Building boiler, the Gate House boiler, and the Relay House boiler shall not exceed 0.27 pound per million Btu heat input (lb/MMBtu). This limitation was calculated using the following equation:

$$Pt = \frac{(C)(a)(h)}{76.5(Q^{0.75})(N^{0.25})}$$

- Where:
- C = 50 micrograms per cubic meter ( $\mu/m^3$ )
  - Pt = Pounds of particulate matter emitted per million Btu heat input (lb/MMBtu).
  - Q = Total source maximum operating capacity rating in million Btu per hour (MMBtu/hr) heat input.
  - N = Number of stacks in fuel burning operation.
  - a = 0.8, for Q greater than 1,000 MMBtu/hr heat input.
  - h = Stack height in feet.

Pursuant to 326 IAC 6-2-3(b), the emission limitations for those indirect heating facilities which were existing and in operation on or before June 8, 1972, shall be calculated using the above equation where Q, N, and h include the parameters for all facilities in operation on June 8, 1972.

## SECTION D.8

## FACILITY OPERATION CONDITIONS

Facility Description [326 IAC 2-7-5(15)] (The information describing the process contained in this facility description box is descriptive information and does not constitute enforceable conditions.)

Specifically Regulated Insignificant Activities [326 IAC 2-7-1(21)]:

Degreasing operations that do not exceed 145 gallons per 12 months, except if subject to 326 IAC 20-6.

Cleaners and solvents characterized as follows:

- (1) Having a vapor pressure equal to or less than 2 kPa; 15 mm Hg; or 0.3 psi measured at 38 degrees C (100EF) or;
- (2) Having a vapor pressure equal to or less than 0.7 kPa; 5mm Hg; or 0.1 psi measured at 20EC (68EF); the use of which for all cleaners and solvents combined does not exceed 145 gallons per 12 months.

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

#### D.8.1 Organic Solvent Degreasing Operations: Cold Cleaner Operation [326 IAC 8-3-2]

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

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

#### D.8.2 Organic Solvent Degreasing Operations: Cold Cleaner Degreaser Operation and Control [326 IAC 8-3-5]

(a) Pursuant to 326 IAC 8-3-5(a) (Cold Cleaner Degreaser Operation and Control), for cold cleaner degreaser operations without remote solvent reservoirs, constructed after July 1, 1990, the Permittee shall ensure that the following control equipment requirements are met:

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

- (B) The solvent is agitated; or
  - (C) The solvent is heated.
- (2) Equip the degreaser with a facility for draining cleaned articles. If the solvent volatility is greater than four and three-tenths (4.3) kiloPascals (thirty-two (32) millimeters of mercury or six-tenths (0.6) pounds per square inch) measured at thirty-eight degrees Celsius (38<sup>o</sup>C) (one hundred degrees Fahrenheit (100<sup>o</sup>F)), then the drainage facility must be internal such that articles are enclosed under the cover while draining. The drainage facility may be external for applications where an internal type cannot fit into the cleaning system.
  - (3) Provide a permanent, conspicuous label which lists the operating requirements outlined in subsection (b).
  - (4) The solvent spray, if used, must be a solid, fluid stream and shall be applied at a pressure which does not cause excessive splashing.
  - (5) Equip the degreaser with one (1) of the following control devices if the solvent volatility is greater than four and three-tenths (4.3) kiloPascals (thirty-two (32) millimeters of mercury or six-tenths (0.6) pounds per square inch) measured at thirty-eight degrees Celsius (38<sup>o</sup>C) (one hundred degrees Fahrenheit (100<sup>o</sup>F)), or if the solvent is heated to a temperature greater than forty-eight and nine-tenths degrees Celsius (48.9<sup>o</sup>C) (one hundred twenty degrees Fahrenheit (120<sup>o</sup>F)):
    - (A) A freeboard that attains a freeboard ratio of seventy-five hundredths (0.75) or greater.
    - (B) A water cover when solvent is used is insoluble in, and heavier than, water.
    - (C) Other systems of demonstrated equivalent control such as a refrigerated chiller or carbon adsorption. Such systems shall be submitted to the U.S. EPA as a SIP revision.
- (b) Pursuant to 326 IAC 8-3-5(b) (Cold Cleaner Degreaser Operation and Control), the owner or operator of a cold cleaning facility construction of which commenced after July 1, 1990, shall ensure that the following operating requirements are met:
- (1) Close the cover whenever articles are not being handled in the degreaser.
  - (2) Drain cleaned articles for at least fifteen (15) seconds or until dripping ceases.
  - (3) Store waste solvent only in covered containers and prohibit the disposal or transfer of waste solvent in any manner in which greater than twenty percent (20%) of the waste solvent by weight could evaporate.

## SECTION D.9

## FACILITY OPERATION CONDITIONS

Facility Description [326 IAC 2-7-5(15)] (The information describing the process contained in this facility description box is descriptive information and does not constitute enforceable conditions.)

Specifically Regulated Insignificant Activities [326 IAC 2-7-1(21)]:

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 0.03 grains per actual cubic foot and a gas flow rate less than or equal to 4000 actual cubic feet per minute, including the following: deburring; buffing; polishing; abrasive blasting; pneumatic conveying; and woodworking operations.

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

#### D.9.1 Particulate [326 IAC 6-3-2]

- (a) 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 control methods in 326 IAC 6-3-2(b) through (d) do not apply shall not exceed 0.551 pounds per hour.
- (b) Pursuant to 326 IAC 6-3-2 (Particulate Emission Limitations for Manufacturing Processes), the particulate emission rate from the brazing, cutting, soldering, welding, grinding, and machining operations shall not exceed an amount determined by the following, for a process weight rate equal to or greater than 100 pounds per hour:

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

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

### Compliance Determination Requirement

#### D.9.2 Particulate Control [326 IAC 2-7-6(6)]

Except as otherwise provided by statute or rule or in this permit, the fabric filters for particulate control shall be in operation and control emissions from the grinding and machining operations and from the sandblasting at all times that the associated process is in operation.

## SECTION E

## ACID RAIN PROGRAM CONDITIONS

Facility Description [326 IAC 2-7-5(15)] (The information describing the process contained in this facility description box is descriptive information and does not constitute enforceable conditions.)

- (a) Three (3) natural gas-fired boilers, identified as Boiler 4, Boiler 5, and Boiler 6, each with a design heat input capacity of 482 million Btu per hour (MMBtu/hr), exhausting to Stack 1, Stack 2, and Stack 3, respectively, each with a continuous emissions monitoring system (CEMS) for nitrogen oxides (NO<sub>x</sub>). Installation of Boilers 4 and 5 was completed in 1950 and installation of Boiler 6 was completed in 1951.
- (b) One (1) cyclone coal-fired boiler, identified as Boiler 12, with a design heat input capacity of 4650 million Btu per hour (MMBtu/hr), with construction completed in May 1974, with an electrostatic precipitator (ESP) with a flue gas conditioning (FGC) system for control of particulate matter, exhausting to Stack 4. Natural gas can be fired during startup, shutdown, and malfunctions. Boiler 12 has a selective catalytic reduction (SCR) system for NO<sub>x</sub> control, and has continuous emissions monitoring systems (CEMS) for nitrogen oxides (NO<sub>x</sub>) and for sulfur dioxide (SO<sub>2</sub>) and a continuous opacity monitoring (COM) system.

### Acid Rain Program

E.1 Acid Rain Permit [326 IAC 2-7-5(1)(C)] [326 IAC 21] [40 CFR 72 through 40 CFR 78]

Pursuant to 326 IAC 21 (Acid Deposition Control), the Permittee shall comply with all provisions of the Acid Rain permit issued for this source, and any other applicable requirements contained in 40 CFR 72 through 40 CFR 78. The Acid Rain permit for this source is attached to this permit as Appendix B, and is incorporated by reference.

E.2 Title IV Emissions Allowances [326 IAC 2-7-5(4)] [326 IAC 21]

Emissions exceeding any allowances that the Permittee lawfully holds under the Title IV Acid Rain Program of the Clean Air Act are prohibited, subject to the following limitations:

- (a) No revision of this permit shall be required for increases in emissions that are authorized by allowances acquired under the Title IV Acid Rain Program, provided that such increases do not require a permit revision under any other applicable requirement.
- (b) No limit shall be placed on the number of allowances held by the Permittee. The Permittee may not use allowances as a defense to noncompliance with any other applicable requirement.
- (c) Any such allowance shall be accounted for according to the procedures established in regulations promulgated under Title IV of the Clean Air Act.

## **SECTION F Nitrogen Oxides Budget Trading Program - NO<sub>x</sub> Budget Permit for NO<sub>x</sub> Budget Units Under 326 IAC 10-4-1(a)**

**ORIS Code: 997**

NO<sub>x</sub> Budget Source [326 IAC 2-7-5(15)] (The information describing the process contained in this facility description box is descriptive information and does not constitute enforceable conditions.)

- (a) Three (3) natural gas-fired boilers, identified as Boiler 4, Boiler 5, and Boiler 6, each with a design heat input capacity of 482 million Btu per hour (MMBtu/hr), exhausting to Stack 1, Stack 2, and Stack 3, respectively, each with a continuous emissions monitoring system (CEMS) for nitrogen oxides (NO<sub>x</sub>). Installation of Boilers 4 and 5 was completed in 1950 and installation of Boiler 6 was completed in 1951.
- (b) One (1) cyclone coal-fired boiler, identified as Boiler 12, with a design heat input capacity of 4650 million Btu per hour (MMBtu/hr), with construction completed in May 1974, with an electrostatic precipitator (ESP) with a flue gas conditioning (FGC) system for control of particulate matter, exhausting to Stack 4. Natural gas can be fired during startup, shutdown, and malfunctions. Boiler 12 has a selective catalytic reduction (SCR) system for NO<sub>x</sub> control, and has continuous emissions monitoring systems (CEMS) for nitrogen oxides (NO<sub>x</sub>) and for sulfur dioxide (SO<sub>2</sub>) and a continuous opacity monitoring (COM) system.

### **F.1 Automatic Incorporation of Definitions [326 IAC 10-4-7(e)]**

This NO<sub>x</sub> budget permit is deemed to incorporate automatically the definitions of terms under 326 IAC 10-4-2.

### **F.2 Standard Permit Requirements [326 IAC 10-4-4(a)]**

- (a) The owners and operators of the NO<sub>x</sub> budget source and each NO<sub>x</sub> budget unit shall operate each unit in compliance with this NO<sub>x</sub> budget permit.
- (b) The NO<sub>x</sub> budget Boilers subject to this NO<sub>x</sub> budget permit are Boiler 4, Boiler 5, Boiler 6, and Boiler 12.

### **F.3 Monitoring Requirements**

- (a) The owners and operators and, to the extent applicable, the NO<sub>x</sub> authorized account representative of the NO<sub>x</sub> budget source and each NO<sub>x</sub> budget unit at the source shall comply with the monitoring requirements of 40 CFR 75 and 326 IAC 10-4-12.
- (b) The emissions measurements recorded and reported in accordance with 40 CFR 75 and 326 IAC 10-4-12 shall be used to determine compliance by each unit with the NO<sub>x</sub> budget emissions limitation under 326 IAC 10-4-4(c) and Condition F.4, Nitrogen Oxides Requirements.

### **F.4 Nitrogen Oxides Requirements [326 IAC 10-4-4(c)]**

- (a) The owners and operators of the NO<sub>x</sub> budget source and each NO<sub>x</sub> budget unit at the source shall hold NO<sub>x</sub> allowances available for compliance deductions under 326 IAC 10-4-10(j), as of the NO<sub>x</sub> allowance transfer deadline, in each unit's compliance account and the source's overdraft account in an amount:
  - (1) Not less than the total NO<sub>x</sub> emissions for the ozone control period from the unit, as determined in accordance with 40 CFR 75 and 326 IAC 10-4-12;
  - (2) To account for excess emissions for a prior ozone control period under 326 IAC 10-4-10(k)(5); or

- (3) To account for withdrawal from the NO<sub>x</sub> budget trading program, or a change in regulatory status of a NO<sub>x</sub> budget opt-in unit.
- (b) Each ton of NO<sub>x</sub> emitted in excess of the NO<sub>x</sub> budget emissions limitation shall constitute a separate violation of the Clean Air Act (CAA) and 326 IAC 10-4.
- (c) NO<sub>x</sub> allowances shall be held in, deducted from, or transferred among NO<sub>x</sub> allowance tracking system accounts in accordance with 326 IAC 10-4-9 through 11, 326 IAC 10-4-13, and 326 IAC 10-4-14.
- (d) A NO<sub>x</sub> allowance shall not be deducted, in order to comply with the requirements under (a) above and 326 IAC 10-4-4(c)(1), for an ozone control period in a year prior to the year for which the NO<sub>x</sub> allowance was allocated.
- (e) A NO<sub>x</sub> allowance allocated under the NO<sub>x</sub> budget trading program is a limited authorization to emit one (1) ton of NO<sub>x</sub> in accordance with the NO<sub>x</sub> budget trading program. No provision of the NO<sub>x</sub> budget trading program, the NO<sub>x</sub> budget permit application, the NO<sub>x</sub> budget permit, or an exemption under 326 IAC 10-4-3 and no provision of law shall be construed to limit the authority of the U.S. EPA or IDEM, OAQ to terminate or limit the authorization.
- (f) A NO<sub>x</sub> allowance allocated under the NO<sub>x</sub> budget trading program does not constitute a property right.
- (g) Upon recordation by the U.S. EPA under 326 IAC 10-4-10, 326 IAC 10-4-11, or 326 IAC 10-4-13, every allocation, transfer, or deduction of a NO<sub>x</sub> allowance to or from each NO<sub>x</sub> budget unit's compliance account or the overdraft account of the source where the unit is located is deemed to amend automatically, and become a part of, this NO<sub>x</sub> budget permit of the NO<sub>x</sub> budget unit by operation of law without any further review.

#### F.5 Excess Emissions Requirements [326 IAC 10-4-4(d)]

The owners and operators of each NO<sub>x</sub> budget unit that has excess emissions in any ozone control period shall do the following:

- (a) Surrender the NO<sub>x</sub> allowances required for deduction under 326 IAC 10-4-10(k)(5).
- (b) Pay any fine, penalty, or assessment or comply with any other remedy imposed under 326 IAC 10-4-10(k)(7).

#### F.6 Record Keeping Requirements [326 IAC 10-4-4(e)] [326 IAC 2-7-5(3)]

Unless otherwise provided, the owners and operators of the NO<sub>x</sub> budget source and each NO<sub>x</sub> budget unit at the source shall keep, either on site at the source or at a central location within Indiana for those owners or operators with unattended sources, each of the following documents for a period of five (5) years:

- (a) The account certificate of representation for the NO<sub>x</sub> authorized account representative for the source and each NO<sub>x</sub> budget unit at the source and all documents that demonstrate the truth of the statements in the account certificate of representation, in accordance with 326 IAC 10-4-6(h). The certificate and documents shall be retained either on site at the source or at a central location within Indiana for those owners or operators with unattended sources beyond the five (5) year period until the documents are superseded because of the submission of a new account certificate of representation changing the NO<sub>x</sub> authorized account representative.
- (b) All emissions monitoring information, in accordance with 40 CFR 75 and 326 IAC 10-4-12, provided that to the extent that 40 CFR 75 and 326 IAC 10-4-12 provide for a three (3) year period for record keeping, the three (3) year period shall apply.

- (c) Copies of all reports, compliance certifications, and other submissions and all records made or required under the NO<sub>x</sub> budget trading program.
- (d) Copies of all documents used to complete a NO<sub>x</sub> budget permit application and any other submission under the NO<sub>x</sub> budget trading program or to demonstrate compliance with the requirements of the NO<sub>x</sub> budget trading program.

This period may be extended for cause, at any time prior to the end of five (5) years, in writing by IDEM, OAQ or the U.S. EPA. Records retained at a central location within Indiana shall be available immediately at the location and submitted to the department or U.S. EPA within three (3) business days following receipt of a written request. Nothing in 326 IAC 10-4-4(e) shall alter the record retention requirements for a source under 40 CFR 75. Unless otherwise provided, all records shall be maintained in accordance with Section C - General Record Keeping Requirements, of this permit.

#### F.7 Reporting Requirements [326 IAC 10-4-4(e)]

- (a) The NO<sub>x</sub> authorized account representative of the NO<sub>x</sub> budget source and each NO<sub>x</sub> budget unit at the source shall submit the reports and compliance certifications required under the NO<sub>x</sub> budget trading program, including those under 326 IAC 10-4-8, 326 IAC 10-4-12, or 326 IAC 10-4-13.
- (b) Pursuant to 326 IAC 10-4-4(e) and 326 IAC 10-4-6(e)(1), each submission shall include the following certification statement by the NO<sub>x</sub> authorized account representative: "I am authorized to make this submission on behalf of the owners and operators of the NO<sub>x</sub> budget sources or NO<sub>x</sub> budget units for which the submission is made. I certify under penalty of law that I have personally examined, and am familiar with, the statements and information submitted in this document and all its attachments. Based on my inquiry of those individuals with primary responsibility for obtaining the information, I certify that the statements and information are to the best of my knowledge and belief true, accurate, and complete. I am aware that there are significant penalties for submitting false statements and information or omitting required statements and information, including the possibility of fine or imprisonment."
- (c) Where 326 IAC 10-4 requires a submission to IDEM, OAQ, the NO<sub>x</sub> authorized account representative shall submit required information to:

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

- (d) Where 326 IAC 10-4 requires a submission to U.S. EPA, the NO<sub>x</sub> authorized account representative shall submit required information to:

U.S. Environmental Protection Agency  
Clean Air Markets Division  
1200 Pennsylvania Avenue, NW  
Mail Code 6204N  
Washington, DC 20460

#### F.8 Liability [326 IAC 10-4-4(f)]

The owners and operators of each NO<sub>x</sub> budget source shall be liable as follows:

- (a) Any person who knowingly violates any requirement or prohibition of the NO<sub>x</sub> budget trading program, a NO<sub>x</sub> budget permit, or an exemption under 326 IAC 10-4-3 shall be subject to enforcement pursuant to applicable state or federal law.

- (b) Any person who knowingly makes a false material statement in any record, submission, or report under the NO<sub>x</sub> budget trading program shall be subject to criminal enforcement pursuant to the applicable state or federal law.
- (c) No permit revision shall excuse any violation of the requirements of the NO<sub>x</sub> budget trading program that occurs prior to the date that the revision takes effect.
- (d) Each NO<sub>x</sub> budget source and each NO<sub>x</sub> budget unit shall meet the requirements of the NO<sub>x</sub> budget trading program.
- (e) Any provision of the NO<sub>x</sub> budget trading program that applies to a NO<sub>x</sub> budget source, including a provision applicable to the NO<sub>x</sub> authorized account representative of a NO<sub>x</sub> budget source, shall also apply to the owners and operators of the source and of the NO<sub>x</sub> budget units at the source.
- (f) Any provision of the NO<sub>x</sub> budget trading program that applies to a NO<sub>x</sub> budget unit, including a provision applicable to the NO<sub>x</sub> authorized account representative of a NO<sub>x</sub> budget unit, shall also apply to the owners and operators of the unit. Except with regard to the requirements applicable to units with a common stack under 40 CFR 75 and 326 IAC 10-4-12, the owners and operators and the NO<sub>x</sub> authorized account representative of one (1) NO<sub>x</sub> budget unit shall not be liable for any violation by any other NO<sub>x</sub> budget unit of which they are not owners or operators or the NO<sub>x</sub> authorized account representative and that is located at a source of which they are not owners or operators or the NO<sub>x</sub> authorized account representative.

F.9 Effect on Other Authorities [326 IAC 10-4-4(g)]

No provision of the NO<sub>x</sub> budget trading program, a NO<sub>x</sub> budget permit application, a NO<sub>x</sub> budget permit, or an exemption under 326 IAC 10-4-3 shall be construed as exempting or excluding the owners and operators and, to the extent applicable, the NO<sub>x</sub> authorized account representative of a NO<sub>x</sub> budget source or NO<sub>x</sub> budget unit from compliance with any other provision of the applicable, approved state implementation plan, a federally enforceable permit, or the CAA.

**SECTION G Clean Air Interstate Rule (CAIR) Nitrogen Oxides Annual, Sulfur Dioxide, and Nitrogen Oxides Ozone Season Trading Programs – CAIR Permit for CAIR Units Under 326 IAC 24-1-1(a), 326 IAC 24-2-1(a), and 326 IAC 24-3-1(a)**

**ORIS Code: 997**

**CAIR Permit for CAIR Units Under 326 IAC 24-1-1(a), 326 IAC 24-2-1(a), and 326 IAC 24-3-1(a)**

- (a) Three (3) natural gas-fired boilers, identified as Boiler 4, Boiler 5, and Boiler 6, each with a design heat input capacity of 482 million Btu per hour (MMBtu/hr), exhausting to Stack 1, Stack 2, and Stack 3, respectively, each with a continuous emissions monitoring system (CEMS) for nitrogen oxides (NO<sub>x</sub>). Installation of Boilers 4 and 5 was completed in 1950 and installation of Boiler 6 was completed in 1951.
- (b) One (1) cyclone coal-fired boiler, identified as Boiler 12, with a design heat input capacity of 4650 million Btu per hour (MMBtu/hr), with construction completed in May 1974, with an electrostatic precipitator (ESP) with a flue gas conditioning (FGC) system for control of particulate matter, exhausting to Stack 4. Natural gas can be fired during startup, shutdown, and malfunctions. Boiler 12 has a selective catalytic reduction (SCR) system for NO<sub>x</sub> control, and has continuous emissions monitoring systems (CEMS) for nitrogen oxides (NO<sub>x</sub>) and for sulfur dioxide (SO<sub>2</sub>) and a continuous opacity monitoring (COM) system.

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

**G.1 Automatic Incorporation of Definitions [326 IAC 24-1-7(e)] [326 IAC 24-2-7(e)] [326 IAC 24-3-7(e)] [40 CFR 97.123(b)] [40 CFR 97.223(b)] [40 CFR 97.323(b)]**

This CAIR permit is deemed to incorporate automatically the definitions of terms under 326 IAC 24-1-2, 326 IAC 24-2-2, and 326 IAC 24-3-2.

**G.2 Standard Permit Requirements [326 IAC 24-1-4(a)] [326 IAC 24-2-4(a)] [326 IAC 24-3-4(a)] [40 CFR 97.106(a)] [40 CFR 97.206(a)] [40 CFR 97.306(a)]**

- (a) The owners and operators of each CAIR NO<sub>x</sub> source, CAIR SO<sub>2</sub> source, and CAIR NO<sub>x</sub> ozone season source and CAIR NO<sub>x</sub> unit, CAIR SO<sub>2</sub> unit, and CAIR NO<sub>x</sub> ozone season unit shall operate each source and unit in compliance with this CAIR permit.
- (b) The CAIR NO<sub>x</sub> units, CAIR SO<sub>2</sub> units, and CAIR NO<sub>x</sub> ozone season units subject to this CAIR permit are Boiler 4, Boiler 5, Boiler 6, and Boiler 12.

**G.3 Monitoring, Reporting, and Record Keeping Requirements [326 IAC 24-1-4(b)] [326 IAC 24-2-4(b)] [326 IAC 24-3-4(b)] [40 CFR 97.106(b)] [40 CFR 97.206(b)] [40 CFR 97.306(b)]**

- (a) The owners and operators, and the CAIR designated representative, of each CAIR NO<sub>x</sub> source, CAIR SO<sub>2</sub> source, and CAIR NO<sub>x</sub> ozone season source and CAIR NO<sub>x</sub> unit, CAIR SO<sub>2</sub> unit, and CAIR NO<sub>x</sub> ozone season unit at the source shall comply with the applicable monitoring, reporting, and record keeping requirements of 326 IAC 24-1-11, 326 IAC 24-2-10, and 326 IAC 24-3-11.
- (b) The emissions measurements recorded and reported in accordance with 326 IAC 24-1-11, 326 IAC 24-2-10, and 326 IAC 24-3-11 shall be used to determine compliance by each CAIR NO<sub>x</sub> source, CAIR SO<sub>2</sub> source, and CAIR NO<sub>x</sub> ozone season source with the CAIR NO<sub>x</sub> emissions limitation under 326 IAC 24-1-4(c), CAIR SO<sub>2</sub> emissions limitation under 326 IAC 24-2-4(c), and CAIR NO<sub>x</sub> ozone season emissions limitation under 326 IAC 24-3-4(c) and Condition G.4.1, Nitrogen Oxides Emission Requirements, Condition G.4.2, Sulfur Dioxide Emission Requirements, and Condition G.4.3, Nitrogen Oxides Ozone Season Emission Requirements.

#### G.4.1 Nitrogen Oxides Emission Requirements [326 IAC 24-1-4(c)] [40 CFR 97.106(c)]

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- (a) As of the allowance transfer deadline for a control period, the owners and operators of each CAIR NO<sub>x</sub> source and each CAIR NO<sub>x</sub> unit at the source shall hold, in the source's compliance account, CAIR NO<sub>x</sub> allowances available for compliance deductions for the control period under 326 IAC 24-1-9(i) in an amount not less than the tons of total nitrogen oxides emissions for the control period from all CAIR NO<sub>x</sub> units at the source, as determined in accordance with 326 IAC 24-1-11.
- (b) A CAIR NO<sub>x</sub> unit shall be subject to the requirements under 326 IAC 24-1-4(c)(1) for the control period starting on the applicable date, as determined under 326 IAC 24-1-4(c)(2), and for each control period thereafter.
- (c) A CAIR NO<sub>x</sub> allowance shall not be deducted for compliance with the requirements under 326 IAC 24-1-4(c)(1), for a control period in a calendar year before the year for which the CAIR NO<sub>x</sub> allowance was allocated.
- (d) CAIR NO<sub>x</sub> allowances shall be held in, deducted from, or transferred into or among CAIR NO<sub>x</sub> allowance tracking system accounts in accordance with 326 IAC 24-1-9, 326 IAC 24-1-10, and 326 IAC 24-1-12.
- (e) A CAIR NO<sub>x</sub> allowance is a limited authorization to emit one (1) ton of nitrogen oxides in accordance with the CAIR NO<sub>x</sub> annual trading program. No provision of the CAIR NO<sub>x</sub> annual trading program, the CAIR permit application, the CAIR permit, or an exemption under 326 IAC 24-1-3 and no provision of law shall be construed to limit the authority of the State of Indiana or the United States to terminate or limit the authorization.
- (f) A CAIR NO<sub>x</sub> allowance does not constitute a property right.
- (g) Upon recordation by the U.S. EPA under 326 IAC 24-1-8, 326 IAC 24-1-9, 326 IAC 24-1-10, or 326 IAC 24-1-12, every allocation, transfer, or deduction of a CAIR NO<sub>x</sub> allowance to or from a CAIR NO<sub>x</sub> source's compliance account is incorporated automatically in this CAIR permit.

#### G.4.2 Sulfur Dioxide Emission Requirements [326 IAC 24-2-4(c)] [40 CFR 97.206(c)]

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- (a) As of the allowance transfer deadline for a control period, the owners and operators of each CAIR SO<sub>2</sub> source and each CAIR SO<sub>2</sub> unit at the source shall hold, in the source's compliance account, a tonnage equivalent of CAIR SO<sub>2</sub> allowances available for compliance deductions for the control period under 326 IAC 24-2-8(j) and 326 IAC 24-2-8(k) not less than the tons of total sulfur dioxide emissions for the control period from all CAIR SO<sub>2</sub> units at the source, as determined in accordance with 326 IAC 24-2-10.
- (b) A CAIR SO<sub>2</sub> unit shall be subject to the requirements under 326 IAC 24-2-4(c)(1) for the control period starting on the applicable date, as determined under 326 IAC 24-2-4(c)(2), and for each control period thereafter.
- (c) A CAIR SO<sub>2</sub> allowance shall not be deducted for compliance with the requirements under 326 IAC 24-2-4(c)(1), for a control period in a calendar year before the year for which the CAIR SO<sub>2</sub> allowance was allocated.
- (d) CAIR SO<sub>2</sub> allowances shall be held in, deducted from, or transferred into or among CAIR SO<sub>2</sub> allowance tracking system accounts in accordance with 326 IAC 24-2-8, 326 IAC 24-2-9, and 326 IAC 24-2-11.

- (e) A CAIR SO<sub>2</sub> allowance is a limited authorization to emit sulfur dioxide in accordance with the CAIR SO<sub>2</sub> trading program. No provision of the CAIR SO<sub>2</sub> trading program, the CAIR permit application, the CAIR permit, or an exemption under 326 IAC 24-2-3 and no provision of law shall be construed to limit the authority of the State of Indiana or the United States to terminate or limit the authorization.
- (f) A CAIR SO<sub>2</sub> allowance does not constitute a property right.
- (g) Upon recordation by the U.S. EPA under 326 IAC 24-2-8, 326 IAC 24-2-9, or 326 IAC 24-2-11, every allocation, transfer, or deduction of a CAIR SO<sub>2</sub> allowance to or from a CAIR SO<sub>2</sub> source's compliance account is incorporated automatically in this CAIR permit.

G.4.3 Nitrogen Oxides Ozone Season Emission Requirements [326 IAC 24-3-4(c)] [40 CFR 97.306(c)]

- (a) As of the allowance transfer deadline for a control period, the owners and operators of each CAIR NO<sub>x</sub> ozone season source and each CAIR NO<sub>x</sub> ozone season unit at the source shall hold, in the source's compliance account, CAIR NO<sub>x</sub> ozone season allowances available for compliance deductions for the control period under 326 IAC 24-3-9(i) in an amount not less than the tons of total nitrogen oxides emissions for the control period from all CAIR NO<sub>x</sub> ozone season units at the source, as determined in accordance with 326 IAC 24-3-11.
- (b) A CAIR NO<sub>x</sub> ozone season unit shall be subject to the requirements under 326 IAC 24-3-4(c)(1) for the control period starting on the applicable date, as determined under 326 IAC 24-3-4(c)(2), and for each control period thereafter.
- (c) A CAIR NO<sub>x</sub> ozone season allowance shall not be deducted for compliance with the requirements under 326 IAC 24-3-4(c)(1), for a control period in a calendar year before the year for which the CAIR NO<sub>x</sub> ozone season allowance was allocated.
- (d) CAIR NO<sub>x</sub> ozone season allowances shall be held in, deducted from, or transferred into or among CAIR NO<sub>x</sub> ozone season allowance tracking system accounts in accordance with 326 IAC 24-3-9, 326 IAC 24-3-10, and 326 IAC 24-3-12.
- (e) A CAIR NO<sub>x</sub> ozone season allowance is a limited authorization to emit one (1) ton of nitrogen oxides in accordance with the CAIR NO<sub>x</sub> ozone season trading program. No provision of the CAIR NO<sub>x</sub> ozone season trading program, the CAIR permit application, the CAIR permit, or an exemption under 326 IAC 24-3-3 and no provision of law shall be construed to limit the authority of the State of Indiana or the United States to terminate or limit the authorization.
- (f) A CAIR NO<sub>x</sub> ozone season allowance does not constitute a property right.
- (g) Upon recordation by the U.S. EPA under 326 IAC 24-3-8, 326 IAC 24-3-9, 326 IAC 24-3-10, or 326 IAC 24-3-12, every allocation, transfer, or deduction of a CAIR NO<sub>x</sub> ozone season allowance to or from a CAIR NO<sub>x</sub> ozone season source's compliance account is incorporated automatically in this CAIR permit.

G.5 Excess Emissions Requirements [326 IAC 24-1-4(d)] [326 IAC 24-2-4(d)] [326 IAC 24-3-4(d)] [40 CFR 97.106(d)] [40 CFR 97.206(d)] [40 CFR 97.306(d)]

- (a) The owners and operators of a CAIR NO<sub>x</sub> source and each CAIR NO<sub>x</sub> unit that emits nitrogen oxides during any control period in excess of the CAIR NO<sub>x</sub> emissions limitation shall do the following:
  - (1) Surrender the CAIR NO<sub>x</sub> allowances required for deduction under 326 IAC 24-1-9(j)(4).

- (2) Pay any fine, penalty, or assessment or comply with any other remedy imposed, for the same violations, the Clean Air Act (CAA) or applicable state law.

Each ton of such excess emissions and each day of such control period shall constitute a separate violation of 326 IAC 24-1-4, the Clean Air Act (CAA), and applicable state law.

- (b) The owners and operators of a CAIR SO<sub>2</sub> source and each CAIR SO<sub>2</sub> unit that emits sulfur dioxide during any control period in excess of the CAIR SO<sub>2</sub> emissions limitation shall do the following:

- (1) Surrender the CAIR SO<sub>2</sub> allowances required for deduction under 326 IAC 24-2-8(k)(4).
- (2) Pay any fine, penalty, or assessment or comply with any other remedy imposed, for the same violations, the Clean Air Act (CAA) or applicable state law.

Each ton of such excess emissions and each day of such control period shall constitute a separate violation of 326 IAC 24-2-4, the Clean Air Act (CAA), and applicable state law.

- (c) The owners and operators of a CAIR NO<sub>x</sub> ozone season source and each CAIR NO<sub>x</sub> ozone season unit that emits nitrogen oxides during any control period in excess of the CAIR NO<sub>x</sub> ozone season emissions limitation shall do the following:

- (1) Surrender the CAIR NO<sub>x</sub> ozone season allowances required for deduction under 326 IAC 24-3-9(j)(4).
- (2) Pay any fine, penalty, or assessment or comply with any other remedy imposed, for the same violations, the Clean Air Act (CAA) or applicable state law.

Each ton of such excess emissions and each day of such control period shall constitute a separate violation of 326 IAC 24-3-4, the Clean Air Act (CAA), and applicable state law.

G.6 Record Keeping Requirements [326 IAC 24-1-4(e)] [326 IAC 24-2-4(e)] [326 IAC 24-3-4(e)] [326 IAC 2-7-5(3)] [40 CFR 97.106(e)] [40 CFR 97.206(e)] [40 CFR 97.306(e)]

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Unless otherwise provided, the owners and operators of the CAIR NO<sub>x</sub> source, CAIR SO<sub>2</sub> source, and CAIR NO<sub>x</sub> ozone season source and each CAIR NO<sub>x</sub> unit, CAIR SO<sub>2</sub> unit, and CAIR NO<sub>x</sub> ozone season unit at the source shall keep on site at the source or at a central location within Indiana for those owners or operators with unattended sources, each of the following documents for a period of five (5) years from the date the document was created:

- (a) The certificate of representation under 326 IAC 24-1-6(h), 326 IAC 24-2-6(h), and 326 IAC 24-3-6(h) for the CAIR designated representative for the source and each CAIR NO<sub>x</sub> unit, CAIR SO<sub>2</sub> unit, and CAIR NO<sub>x</sub> ozone season unit at the source and all documents that demonstrate the truth of the statements in the certificate of representation. The certificate and documents shall be retained on site at the source or at a central location within Indiana for those owners or operators with unattended sources beyond such five (5) year period until such documents are superseded because of the submission of a new account certificate of representation under 326 IAC 24-1-6(h), 326 IAC 24-2-6(h), and 326 IAC 24-3-6(h) changing the CAIR designated representative.
- (b) All emissions monitoring information, in accordance with 326 IAC 24-1-11, 326 IAC 24-2-10, and 326 IAC 24-3-11, provided that to the extent that 326 IAC 24-1-11, 326 IAC 24-2-10, and 326 IAC 24-3-11 provides for a three (3) year period for record keeping, the three (3) year period shall apply.
- (c) Copies of all reports, compliance certifications, and other submissions and all records made or required under the CAIR NO<sub>x</sub> annual trading program, CAIR SO<sub>2</sub> trading program, and CAIR NO<sub>x</sub> ozone season trading program.

- (d) Copies of all documents used to complete a CAIR permit application and any other submission under the CAIR NO<sub>x</sub> annual trading program, CAIR SO<sub>2</sub> trading program, and CAIR NO<sub>x</sub> ozone season trading program or to demonstrate compliance with the requirements of the CAIR NO<sub>x</sub> annual trading program, CAIR SO<sub>2</sub> trading program, and CAIR NO<sub>x</sub> ozone season trading program.

This period may be extended for cause, at any time before the end of five (5) years, in writing by IDEM, OAQ or the U.S. EPA. Unless otherwise provided, all records shall be maintained in accordance with Section C - General Record Keeping Requirements, of this permit.

G.7 Reporting Requirements [326 IAC 24-1-4(e)] [326 IAC 24-2-4(e)] [326 IAC 24-3-4(e)]  
[40 CFR 97.106(e)] [40 CFR 97.206(e)] [40 CFR 97.306(e)]

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- (a) The CAIR designated representative of the CAIR NO<sub>x</sub> source, CAIR SO<sub>2</sub> source, and CAIR NO<sub>x</sub> ozone season source and each CAIR NO<sub>x</sub> unit, CAIR SO<sub>2</sub> unit, and CAIR NO<sub>x</sub> ozone season unit at the source shall submit the reports required under the CAIR NO<sub>x</sub> annual trading program, CAIR SO<sub>2</sub> trading program, and CAIR NO<sub>x</sub> ozone season trading program, including those under 326 IAC 24-1-11, 326 IAC 24-2-10, and 326 IAC 24-3-11.
- (b) Pursuant to 326 IAC 24-1-4(e), 326 IAC 24-2-4(e), and 326 IAC 24-3-4(e) and 326 IAC 24-1-6(e)(1), 326 IAC 24-2-6(e)(1), and 326 IAC 24-3-6(e)(1), each submission under the CAIR NO<sub>x</sub> annual trading program, CAIR SO<sub>2</sub> trading program, and CAIR NO<sub>x</sub> ozone season trading program shall include the following certification statement by the CAIR designated representative: "I am authorized to make this submission on behalf of the owners and operators of the source or units for which the submission is made. I certify under penalty of law that I have personally examined, and am familiar with, the statements and information submitted in this document and all its attachments. Based on my inquiry of those individuals with primary responsibility for obtaining the information, I certify that the statements and information are to the best of my knowledge and belief true, accurate, and complete. I am aware that there are significant penalties for submitting false statements and information or omitting required statements and information, including the possibility of fine or imprisonment."
- (c) Where 326 IAC 24-1, 326 IAC 24-2, and 326 IAC 24-3 requires a submission to IDEM, OAQ, the information shall be submitted to:

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

- (d) Where 326 IAC 24-1, 326 IAC 24-2, and 326 IAC 24-3 requires a submission to U.S. EPA, the information shall be submitted to:

U.S. Environmental Protection Agency  
Clean Air Markets Division  
1200 Pennsylvania Avenue, NW  
Mail Code 6204N  
Washington, DC 20460

G.8 Liability [326 IAC 24-1-4(f)] [326 IAC 24-2-4(f)] [326 IAC 24-3-4(f)] [40 CFR 97.106(f)]  
[40 CFR 97.206(f)] [40 CFR 97.306(f)]

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The owners and operators of each CAIR NO<sub>x</sub> source, CAIR SO<sub>2</sub> source, and CAIR NO<sub>x</sub> ozone season source and each CAIR NO<sub>x</sub> unit, CAIR SO<sub>2</sub> unit, and CAIR NO<sub>x</sub> ozone season unit shall be liable as follows:

- (a) Each CAIR NO<sub>x</sub> source, CAIR SO<sub>2</sub> source, and CAIR NO<sub>x</sub> ozone season source and each CAIR NO<sub>x</sub> unit, CAIR SO<sub>2</sub> unit, and CAIR NO<sub>x</sub> ozone season unit shall meet the requirements of the CAIR NO<sub>x</sub> annual trading program, CAIR SO<sub>2</sub> trading program, and CAIR NO<sub>x</sub> ozone season trading program, respectively.
- (b) Any provision of the CAIR NO<sub>x</sub> annual trading program, CAIR SO<sub>2</sub> trading program, and CAIR NO<sub>x</sub> ozone season trading program that applies to a CAIR NO<sub>x</sub> source, CAIR SO<sub>2</sub> source, and CAIR NO<sub>x</sub> ozone season source or the CAIR designated representative of a CAIR NO<sub>x</sub> source, CAIR SO<sub>2</sub> source, and CAIR NO<sub>x</sub> ozone season source shall also apply to the owners and operators of such source and of the CAIR NO<sub>x</sub> units, CAIR SO<sub>2</sub> units, and CAIR NO<sub>x</sub> ozone season units at the source.
- (c) Any provision of the CAIR NO<sub>x</sub> annual trading program, CAIR SO<sub>2</sub> trading program, and CAIR NO<sub>x</sub> ozone season trading program that applies to a CAIR NO<sub>x</sub> unit, CAIR SO<sub>2</sub> unit, and CAIR NO<sub>x</sub> ozone season unit or the CAIR designated representative of a CAIR NO<sub>x</sub> unit, CAIR SO<sub>2</sub> unit, and CAIR NO<sub>x</sub> ozone season unit shall also apply to the owners and operators of such units.

G.9 Effect on Other Authorities [326 IAC 24-1-4(g)] [326 IAC 24-2-4(g)] [326 IAC 24-3-4(g)]  
[40 CFR 97.106(g)] [40 CFR 97.206(g)] [40 CFR 97.306(g)]

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No provision of the CAIR NO<sub>x</sub> annual trading program, CAIR SO<sub>2</sub> trading program, and CAIR NO<sub>x</sub> ozone season trading program, a CAIR permit application, a CAIR permit, or an exemption under 326 IAC 24-1-3, 326 IAC 24-2-3, and 326 IAC 24-3-3 shall be construed as exempting or excluding the owners and operators, and the CAIR designated representative, of a CAIR NO<sub>x</sub> source, CAIR SO<sub>2</sub> source, and CAIR NO<sub>x</sub> ozone season source or CAIR NO<sub>x</sub> unit, CAIR SO<sub>2</sub> unit, and CAIR NO<sub>x</sub> ozone season unit from compliance with any other provision of the applicable, approved state implementation plan, a federally enforceable permit, or the Clean Air Act (CAA).

G.10 CAIR Designated Representative and Alternate CAIR Designated Representative  
[326 IAC 24-1-6] [326 IAC 24-2-6] [326 IAC 24-3-6] [40 CFR 97, Subpart BB] [40 CFR 97, Subpart BBB] [40 CFR 97, Subpart BBBB]

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Pursuant to 326 IAC 24-1-6, 326 IAC 24-2-6, and 326 IAC 24-3-6:

- (a) Except as specified in 326 IAC 24-1-6(f)(3), 326 IAC 24-2-6(f)(3), and 326 IAC 24-3-6(f)(3), each CAIR NO<sub>x</sub> source, CAIR SO<sub>2</sub> source, and CAIR NO<sub>x</sub> ozone season source, including all CAIR NO<sub>x</sub> units, CAIR SO<sub>2</sub> units, and CAIR NO<sub>x</sub> ozone season units at the source, shall have one (1) and only one (1) CAIR designated representative, with regard to all matters under the CAIR NO<sub>x</sub> annual trading program, CAIR SO<sub>2</sub> trading program, and CAIR NO<sub>x</sub> ozone season trading program concerning the source or any CAIR NO<sub>x</sub> unit, CAIR SO<sub>2</sub> unit, and CAIR NO<sub>x</sub> ozone season unit at the source.
- (b) The provisions of 326 IAC 24-1-6(f), 326 IAC 24-2-6(f), and 326 IAC 24-3-6(f) shall apply where the owners or operators of a CAIR NO<sub>x</sub> source, CAIR SO<sub>2</sub> source, and CAIR NO<sub>x</sub> ozone season source choose to designate an alternate CAIR designated representative.

Except as specified in 326 IAC 24-1-6(f)(3), 326 IAC 24-2-6(f)(3), and 326 IAC 24-3-6(f)(3), whenever the term "CAIR designated representative" is used, the term shall be construed to include the CAIR designated representative or any alternate CAIR designated representative.

## SECTION H.1 STANDARDS OF PERFORMANCE FOR NEW STATIONARY SOURCES

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

- (5) One coal conveyor, constructed in 1974 and reconstructed in 2009, identified as C08, with a maximum capacity of 1000 tons per hour, using carryover wet suppression.

Under 40 CFR 60, Subpart Y, coal conveyor C08 is an affected facility.

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

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

#### H.1.1 General Provisions Relating to NSPS [326 IAC 12][40 CFR Part 60, Subpart A]

- (a) Pursuant to 40 CFR 60.1, the Permittee shall comply with the provisions of 40 CFR Part 60, Subpart A - General Provisions, which are incorporated by reference as 326 IAC 12-1, except as otherwise specified in 40 CFR 60, Subpart Y.
- (b) Pursuant to 40 CFR 60.10, the Permittee shall submit all required notifications and reports to:

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

#### H.1.2 New Source Performance Standards (NSPS) for Coal Preparation Plants [40 CFR Part 60, Subpart Y] [326 IAC 12]

The Permittee shall comply with the following provisions of 40 CFR Part 60, Subpart Y (included as Attachment A of this permit), which are incorporated by reference as 326 IAC 12, except as otherwise specified in 40 CFR Part 60, Subpart Y:

- (1) 40 CFR 60.250  
(2) 40 CFR 60.251  
(3) 40 CFR 60.252(c)  
(4) 40 CFR 60.254(b)(2)

## INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT OFFICE OF AIR QUALITY

### PART 70 OPERATING PERMIT CERTIFICATION

Source Name: Northern Indiana Public Service Company (NIPSCO)  
Michigan City Generating Station  
Source Address: 101 Wabash Street, Michigan City, Indiana 46360  
Mailing Address: 801 East 86th Avenue, Merrillville, Indiana 46410  
Part 70 Permit No.: T091-6637-00021

**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:

Telephone:

Date:

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

**PART 70 OPERATING PERMIT  
EMERGENCY OCCURRENCE REPORT**

Source Name: Northern Indiana Public Service Company (NIPSCO)  
Michigan City Generating Station  
Source Address: 101 Wabash Street, Michigan City, Indiana 46360  
Mailing Address: 801 E. 86th Avenue, Merrillville, Indiana, 46410  
Part 70 Permit No.: T091-6637-00021

**This form consists of 2 pages**

**Page 1 of 2**

- |  |
|--|
| <input type="checkbox"/> This is an emergency as defined in 326 IAC 2-7-1(12) <ul style="list-style-type: none"><li>• 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</li><li>• 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.</li></ul> |
|--|

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 <sub>2</sub> , VOC, NO <sub>x</sub> , 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: \_\_\_\_\_

Telephone: \_\_\_\_\_

A certification is not required for this report.

## INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT OFFICE OF AIR QUALITY COMPLIANCE AND ENFORCEMENT BRANCH

### Part 70 Quarterly Report: Auxiliary Boiler NO<sub>x</sub> Emissions

Source Name: Northern Indiana Public Service Company (NIPSCO)  
Michigan City Generating Station  
Source Address: 101 Wabash Street, Michigan City, Indiana 46360  
Mailing Address: Arthur E. Smith, 801 E. 86th Avenue, Merrillville, Indiana, 46410  
Part 70 Permit No.: T091-6637-00021  
Facilities: Auxiliary Boiler AUX1  
Parameter: Minor PSD Limit (NO<sub>x</sub> Emissions)  
Limit: Not to exceed 36.8 tons per twelve (12) consecutive month period with compliance determined at the end of each month.

**MONTHS:** \_\_\_\_\_ **to** \_\_\_\_\_ **YEAR:** \_\_\_\_\_

Month	Column 1	Column 2	Column 1 + Column 2
	NO <sub>x</sub> Emissions (tons) This Month	NO <sub>x</sub> Emissions (tons) Previous 11 Months	Total NO <sub>x</sub> Emissions (tons) 12 Month Period
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: \_\_\_\_\_

Telephone: \_\_\_\_\_

Attach a signed certification to complete this report.

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

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

Source Name: Northern Indiana Public Service Company (NIPSCO)  
Michigan City Generating Station  
Source Address: 101 Wabash Street, Michigan City, Indiana 46360  
Mailing Address: Arthur E. Smith, 801 E. 86th Avenue, Merrillville, Indiana, 46410  
Part 70 Permit No.: T091-6637-00021

Months: \_\_\_\_\_ to \_\_\_\_\_ Year: \_\_\_\_\_

Page 1 of 2

This report shall be submitted quarterly based on a calendar year. For the purpose of this permit, "calendar year" means the twelve (12) month period from January 1 to December 31 inclusive. 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	
<b>Permit Requirement</b> (specify permit condition #)	
<b>Date of Deviation:</b>	<b>Duration of Deviation:</b>
<b>Number of Deviations:</b>	
<b>Probable Cause of Deviation:</b>	
<b>Response Steps Taken:</b>	
<b>Permit Requirement</b> (specify permit condition #)	
<b>Date of Deviation:</b>	<b>Duration of Deviation:</b>
<b>Number of Deviations:</b>	
<b>Probable Cause of Deviation:</b>	
<b>Response Steps Taken:</b>	

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

Form Completed By: \_\_\_\_\_

Title/Position: \_\_\_\_\_

Date: \_\_\_\_\_

Telephone: \_\_\_\_\_

Attach a signed certification to complete this report.

**Attachment A, NSPS Subpart Y**

**Northern Indiana Public Service Company (NIPSCO)-  
Michigan City Generating Station  
101 North Wabash Street  
Michigan City, Indiana 46360**

**Significant Modification No.: 091-27522-00021**

**Subpart Y—Standards of Performance for Coal Preparation Plants**

**§ 60.250 Applicability and designation of affected facility.**

(a) The provisions of this subpart are applicable to any of the following affected facilities in coal preparation plants which process more than 181 Mg (200 tons) per day: Thermal dryers, pneumatic coal-cleaning equipment (air tables), coal processing and conveying equipment (including breakers and crushers), coal storage systems, and coal transfer and loading systems.

(b) Any facility under paragraph (a) of this section that commences construction or modification after October 24, 1974, is subject to the requirements of this subpart.

[42 FR 37938, July 25, 1977; 42 FR 44812, Sept. 7, 1977, as amended at 65 FR 61757, Oct. 17, 2000]

**§ 60.251 Definitions.**

As used in this subpart, all terms not defined herein have the meaning given them in the Act and in subpart A of this part.

(a) *Coal preparation plant* means any facility (excluding underground mining operations) which prepares coal by one or more of the following processes: breaking, crushing, screening, wet or dry cleaning, and thermal drying.

(b) *Bituminous coal* means solid fossil fuel classified as bituminous coal by ASTM Designation D388–77, 90, 91, 95, or 98a (incorporated by reference—see §60.17).

(c) *Coal* means all solid fossil fuels classified as anthracite, bituminous, subbituminous, or lignite by ASTM Designation D388–77, 90, 91, 95, or 98a (incorporated by reference—see §60.17).

(d) *Cyclonic flow* means a spiraling movement of exhaust gases within a duct or stack.

(e) *Thermal dryer* means any facility in which the moisture content of bituminous coal is reduced by contact with a heated gas stream which is exhausted to the atmosphere.

(f) *Pneumatic coal-cleaning equipment* means any facility which classifies bituminous coal by size or separates bituminous coal from refuse by application of air stream(s).

(g) *Coal processing and conveying equipment* means any machinery used to reduce the size of coal or to separate coal from refuse, and the equipment used to convey coal to or remove coal and refuse from the machinery. This includes, but is not limited to, breakers, crushers, screens, and conveyor belts.

(h) *Coal storage system* means any facility used to store coal except for open storage piles.

(i) *Transfer and loading system* means any facility used to transfer and load coal for shipment.

[41 FR 2234, Jan. 15, 1976, as amended at 48 FR 3738, Jan. 27, 1983; 65 FR 61757, Oct. 17, 2000]

**§ 60.252 Standards for particulate matter.**

(a) On and after the date on which the performance test required to be conducted by §60.8 is completed, an owner or operator subject to the provisions of this subpart shall not cause to be discharged into the atmosphere from any thermal dryer gases which:

- (1) Contain particulate matter in excess of 0.070 g/dscm (0.031 gr/dscf).
- (2) Exhibit 20 percent opacity or greater.

(b) On and after the date on which the performance test required to be conducted by §60.8 is completed, an owner or operator subject to the provisions of this subpart shall not cause to be discharged into the atmosphere from any pneumatic coal cleaning equipment, gases which:

- (1) Contain particulate matter in excess of 0.040 g/dscm (0.017 gr/dscf).
- (2) Exhibit 10 percent opacity or greater.

(c) On and after the date on which the performance test required to be conducted by §60.8 is completed, an owner or operator subject to the provisions of this subpart shall not cause to be discharged into the atmosphere from any coal processing and conveying equipment, coal storage system, or coal transfer and loading system processing coal, gases which exhibit 20 percent opacity or greater.

[41 FR 2234, Jan. 15, 1976, as amended at 65 FR 61757, Oct. 17, 2000]

**§ 60.253 Monitoring of operations.**

(a) The owner or operator of any thermal dryer shall install, calibrate, maintain, and continuously operate monitoring devices as follows:

(1) A monitoring device for the measurement of the temperature of the gas stream at the exit of the thermal dryer on a continuous basis. The monitoring device is to be certified by the manufacturer to be accurate within  $\pm 1.7$  °C ( $\pm 3$  °F).

(2) For affected facilities that use venturi scrubber emission control equipment:

(i) A monitoring device for the continuous measurement of the pressure loss through the venturi constriction of the control equipment. The monitoring device is to be certified by the manufacturer to be accurate within  $\pm 1$  inch water gauge.

(ii) A monitoring device for the continuous measurement of the water supply pressure to the control equipment. The monitoring device is to be certified by the manufacturer to be accurate within  $\pm 5$  percent of design water supply pressure. The pressure sensor or tap must be located close to the water discharge point. The Administrator may be consulted for approval of alternative locations.

(b) All monitoring devices under paragraph (a) of this section are to be recalibrated annually in accordance with procedures under §60.13(b).

[41 FR 2234, Jan. 15, 1976, as amended at 54 FR 6671, Feb. 14, 1989; 65 FR 61757, Oct. 17, 2000]

**§ 60.254 Test methods and procedures.**

(a) In conducting the performance tests required in §60.8, the owner or operator shall use as reference methods and procedures the test methods in appendix A of this part or other methods and procedures as specified in this section, except as provided in §60.8(b).

(b) The owner or operator shall determine compliance with the particular matter standards in §60.252 as follows:

(1) Method 5 shall be used to determine the particulate matter concentration. The sampling time and sample volume for each run shall be at least 60 minutes and 0.85 dscm (30 dscf). Sampling shall begin no less than 30 minutes after startup and shall terminate before shutdown procedures begin.

(2) Method 9 and the procedures in §60.11 shall be used to determine opacity.

[54 FR 6671, Feb. 14, 1989]



*Mitchell E. Daniels*  
Governor

*Thomas W. Easterly*  
Commissioner

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

**TITLE IV ACID RAIN PERMIT RENEWAL  
OFFICE OF AIR QUALITY**

**Northern Indiana Public Service Company (NIPSCO)  
Michigan City Generating Station  
Wabash Street & Lake Michigan  
Michigan City, Indiana 46360**

**ORIS: 997**

The owners and operators (hereinafter collectively known as the Permittee) of the above source are issued this permit under the provisions of 326 Indiana Administrative Code (IAC) 21 with conditions listed on the attached pages.

Operation Permit No.: AR 091-19670-00021	
Issued by:	Issuance Date: August 8, 2006
Original signed by Nisha Sizemore Branch Chief Office of Air Quality	Expiration Date: August 8, 2011

## Title IV Operating Conditions

### Title IV Source Description:

- (a) Three (3) natural gas-fired boilers, designated as Unit 4, 5, and 6 (identified as Boiler 4, Boiler 5, and Boiler 6 in the Title V permit), each with a design capacity of 482 million Btu per hour (MMBtu/hr), exhausting to Stack 1, Stack 2, and Stack 3, respectively. Each unit has a continuous emissions monitoring system (CEMS) for nitrogen oxides (NO<sub>x</sub>). Installation of Unit 4 and 5 was completed in 1950 and installation of Unit 6 was completed in 1951.
- (b) One (1) cyclone coal-fired boiler, designated as Unit 12 (identified as Boiler 12 in the Title V permit), with a design heat input capacity of 4,650 million Btu per hour (MMBtu/hr), with an electrostatic precipitator (ESP) and a flue gas conditioning (FGC) system for particulate matter control, and exhausting to Stack 4. Natural gas will be fired during startup, shutdown, and malfunctions. Unit 12 has a selective catalytic reduction (SCR) system for NO<sub>x</sub> emissions control, continuous emissions monitoring systems (CEMS) for NO<sub>x</sub> and sulfur dioxide (SO<sub>2</sub>), and a continuous opacity monitoring (COM) system.

(The information contained in this box is descriptive information and does not constitute enforceable conditions.)

#### 1. Statutory and Regulatory Authorities

In accordance with IC 13-17-3-4 and IC 13-17-3-11 as well as Titles IV and V of the Clean Air Act, the Indiana Department of Environmental Management (IDEM), Office of Air Quality (OAQ) issues this permit pursuant to 326 IAC 2 and 326 IAC 21 (incorporates by reference 40 Code of Federal Regulations (CFR) 72 through 78).

#### 2. Standard Permit Requirements [326 IAC 21]

- (a) The designated representative has submitted a complete acid rain permit application in accordance with 40 CFR 72.30.
- (b) The Permittee shall operate Units 4, 5, 6, and 12 in compliance with this permit.

#### 3. Monitoring Requirements [326 IAC 21]

- (a) The Permittee and, to the extent applicable, the designated representative of Units 4, 5, 6, and 12 shall comply with the monitoring requirements as provided in 40 CFR 75 and 76.
- (b) The emissions measurements recorded and reported in accordance with 40 CFR 75 and 76 shall be used to determine compliance by Units 4, 5, 6, and 12 with the acid rain emissions limitations and emissions reduction requirements for sulfur dioxide and nitrogen oxides under the Acid Rain Program.
- (c) The requirements of 40 CFR 75 and 76 shall not affect the responsibility of the Permittee to monitor emissions of other pollutants or other emissions characteristics at Units 4, 5, 6, and 12 under other applicable requirements of the Clean Air Act and other provisions of the operating permit for the source.

#### 4. Sulfur Dioxide Requirements [326 IAC 21]

- (a) The Permittee shall:
  - (1) Hold allowances, as of the allowance transfer deadline (as defined in 40 CFR 72.2), in the compliance subaccount of Units 4, 5, 6, and 12, after deductions under 40 CFR 73.34(c), not less than the total annual emissions of sulfur dioxide for the previous calendar year from Units 4, 5, 6, and 12; and,
  - (2) Comply with the applicable acid rain emissions limitations for sulfur dioxide.
- (b) Each ton of sulfur dioxide emitted in excess of the acid rain emissions limitations for sulfur dioxide shall constitute a separate violation of the Clean Air Act.

- (c) Units 4, 5, 6, and 12 shall be subject to the requirements under paragraph 4(a) of the sulfur dioxide requirements as follows:
  - (1) Starting January 1, 2000, an affected unit under 40 CFR 72.6(a)(2); or,
  - (2) Starting on the latter of January 1, 2000, or the deadline for monitor certification under 40 CFR 75, an affected unit under 40 CFR 72.6(a)(3).
- (d) Allowances shall be held in, deducted from, or transferred among Allowance Tracking System accounts in accordance with the Acid Rain Program.
- (e) An allowance shall not be deducted in order to comply with the requirements under paragraph 4(a) of the sulfur dioxide requirements prior to the calendar year for which the allowance was allocated.
- (f) An allowance allocated by the U.S. EPA under the Acid Rain Program is a limited authorization to emit sulfur dioxide in accordance with the Acid Rain Program. No provision of the Acid Rain Program, the acid rain permit application, the acid rain permit, the acid rain portion of an operating permit, or the written exemption under 40 CFR 72.7 and 72.8 and 326 IAC 21, and no provision of law shall be construed to limit the authority of the United States to terminate or limit such authorization.
- (g) An allowance allocated by U.S. EPA under the Acid Rain Program does not constitute a property right.
- (h) No permit revision may be required for increases in emissions that are authorized by allowances acquired pursuant to the Acid Rain Program, provided that the increases do not require a permit revision under any other applicable requirement. [326 IAC 2-7-5(4)(A)]
- (i) No limit shall be placed on the number of allowances held by the Permittee. The Permittee may not, however, use allowances as a defense to noncompliance with any applicable requirement other than the requirements of the Acid Rain Program. [326 IAC 2-7-5(4)(B)]
- (j) Sulfur dioxide allowances shall be allocated to each unit at the source as follows:

SO <sub>2</sub> Annual Allowance Allocations (tons)					
	2005	2006	2007	2008	2009
Unit 4	909*	909*	909*	909*	909*
Unit 5	1010*	1010*	1010*	1010*	1010*
Unit 6	1019*	1019*	1019*	1019*	1019*
Unit 12	10,052*	10,052*	10,052*	10,052*	10,052*

\* The number of allowances allocated to Phase II affected units by U.S. EPA may change in a revision to 40 CFR 73 Tables 2, 3 and 4 and 326 IAC 21. In addition, the number of allowances actually held by an affected source in a unit account may differ from the number allocated by U.S. EPA. Neither of the aforementioned conditions necessitates a revision to the unit SO<sub>2</sub> allowance allocations identified in this permit. (See 40 CFR 72.84)

5. Nitrogen Oxides Requirements [326 IAC 21]

- (a) The Permittee shall comply with the applicable acid rain emissions limitation of nitrogen oxides (NO<sub>x</sub>) for Units 4, 5, 6, and 12.
- (b) NO<sub>x</sub> Emission Averaging Plan for Unit 12:

- (1) Pursuant to 40 CFR 76.11, the Indiana Department of Environmental Management, Office of Air Quality approves a NO<sub>x</sub> emissions averaging plan for Unit 12, effective from calendar years 2005 through 2009. Under the plan the NO<sub>x</sub> emissions from Unit 12 shall not exceed the annual average alternative contemporaneous emission limitation (ACEL) of 0.65 lb/MMBtu. In addition, Unit 12 shall not have an annual heat input less than 24,200,000 MMBtu.
  - (2) Under the plan, the actual Btu-weighted annual average NO<sub>x</sub> emission rate for all the units in the plan shall be less than or equal to the Btu-weighted annual average NO<sub>x</sub> emission rate for same units had they each been operated, during the same period of time, in compliance with the applicable emission limitations under 40 CFR 76.5, 76.6, or 76.7, except that for any early election units, the applicable emission limitations shall be under 40 CFR 76.7. If the designated representative demonstrates that the requirement of the prior sentence (as set forth in 40 CFR 76.11(d)(1)(ii)(A)) is met for a year under the plan, then Unit 12 shall be deemed to be in compliance for that year with its annual ACEL and annual heat input limit.
  - (3) In addition to the described NO<sub>x</sub> compliance plan, Unit 12 shall comply with all other applicable requirements of 40 CFR 76, including the duty to reapply for a NO<sub>x</sub> compliance plan and requirements covering excess emissions.
- (c) The Permittee may revise the NO<sub>x</sub> averaging plan following the procedure in 40 CFR 76.
- (d) Pursuant to 40 CFR 76, Acid Rain Nitrogen Oxides Emission Reduction Program, the natural gas-fired Units, 4, 5, and 6 are not subject to the nitrogen oxide limitations set out in 40 CFR 76.

6. Excess Emissions Requirements [326 IAC 21]

- (a) If Unit 4, 5, 6, or 12 has excess emissions of sulfur dioxide in any calendar year, the designated representative shall submit a proposed offset plan to U.S. EPA and IDEM, OAQ as required under 40 CFR 77 and 326 IAC 21.

- (b) The designated representative shall submit required information to:

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

and

Ms. Cecilia Mijares  
Air and Radiation Division  
U.S. Environmental Protection Agency, Region V  
77 West Jackson Boulevard  
Chicago, IL 60604-3590

and

U.S. Environmental Protection Agency  
Clean Air Markets Division  
1200 Pennsylvania Avenue, NW  
Mail Code (6204N)  
Washington, DC 20460

- (c) If Unit 4, 5, 6, or 12 has excess emissions, as defined in 40 CFR 72.2, in any calendar year the Permittee shall:

- (1) Pay to U.S. EPA without demand the penalty required, and pay to U.S. EPA upon demand the interest on that penalty, as required by 40 CFR 77 and 326 IAC 21; and,
- (2) Comply with the terms of an approved sulfur dioxide offset plan, as required by 40 CFR 77 and 326 IAC 21.

7. Record Keeping and Reporting Requirements [326 IAC 21]

- (a) Unless otherwise provided, the Permittee of Units 4, 5, 6 and 12 shall keep on site each of the following documents for a period of 5 years, as required by 40 CFR 72.9(f), from the date the document is created. This period may be extended for cause, at any time prior to the end of the 5 years, in writing by U.S. EPA or IDEM, OAQ:
  - (1) The certificate of representation for the designated representative for of Units 4, 5, 6 and 12 and all documents that demonstrate the truth of the statements in the certificate of representation, in accordance with 40 CFR 72.24; provided that the certificate and documents shall be retained on site at the source beyond such 5 year period until such documents are superseded because of the submission of a new certificate of representation changing the designated representative;
  - (2) All emissions monitoring information collected in accordance with 40 CFR 75 shall be retained on site for 3 years;
  - (3) Copies of all reports, compliance certifications, and other submissions and all records made or required under the Acid Rain Program; and,
  - (4) Copies of all documents used to complete an acid rain permit application and any other submission under the Acid Rain Program or to demonstrate compliance with the requirements of the Acid Rain Program.
- (b) The designated representative of Units 4, 5, 6, and 12 shall submit the reports and compliance certifications required under the Acid Rain Program, including those under 40 CFR 72.90, Subpart I, 40 CFR 75, and 326 IAC 21. The required information is to be submitted to the appropriate authority(ies) as specified in 40 CFR 72.90, Subpart I, and 40 CFR 75.

8. Submissions [326 IAC 21]

- (a) The designated representative of Units 4, 5, 6, and 12 shall submit a certificate of representation, and any superseding certificate of representation, to U.S. EPA and IDEM, OAQ in accordance with 40 CFR 72 and 326 IAC 21.
- (b) The designated representative shall submit required information to:

Indiana Department of Environmental Management  
Permits Branch, Office of Air Quality  
100 North Senate Avenue  
Indianapolis, IN 46204-2251

and

U.S. Environmental Protection Agency  
Clean Air Markets Division  
1200 Pennsylvania Avenue, NW  
Mail Code (6204N)  
Washington, DC 20460
- (c) Each such submission under the Acid Rain Program shall be submitted, signed and certified by the designated representative for all sources on behalf of which the submission is made.

- (d) In each submission under the Acid Rain Program, the designated representative shall certify, by his or her signature, the following statements which shall be included verbatim in the submission:
  - (1) “I am authorized to make this submission on behalf of the owners and operators of the affected source or affected units for which the submission is made.”; and,
  - (2) “I certify under penalty of law that I have personally examined, and am familiar with, the statements and information submitted in this document and all its attachments. Based on my inquiry of those individuals with primary responsibility for obtaining the information, I certify that the statements and information are to the best of my knowledge and belief true, accurate, and complete. I am aware that there are significant penalties for submitting false statements and information or omitting required statements and information, including the possibility of fine or imprisonment.”
- (e) The designated representative of Units 4, 5, 6, and 12 shall notify the Permittee:
  - (1) By the date of submission, of any Acid Rain Program submissions by the designated representative;
  - (2) Within 10 business days of receipt of any written determination by U.S. EPA or IDEM, OAQ; and,
  - (3) Provided that the submission or determination covers Unit 4, 5, 6, or 12.
- (f) The designated representative of Units 4, 5, 6, and 12 shall provide the Permittee a copy of any submission or determination under paragraph 8 (e) of this section, unless the Permittee expressly waives the right to receive a copy.

9. Severability [326 IAC 21]

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Invalidation of the acid rain portion of an operating permit does not affect the continuing validity of the rest of the operating permit, nor shall invalidation of any other portion of the operating permit affect the continuing validity of the acid rain portion of the permit. [40 CFR 72.72(b), 326 IAC 21, and 326 IAC 2-7-5(5)]

10. Liability [326 IAC 21]

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- (a) Any person who knowingly violates any requirement or prohibition of the Acid Rain Program, an acid rain permit, an acid rain portion of an operation permit, or a written exemption under 40 CFR 72.7 or 72.8, including any requirement for the payment of any penalty owed to the United States, shall be subject to enforcement by U.S. EPA pursuant to Section 113(c) of the Clean Air Act and shall be subject to enforcement by IDEM pursuant to 326 IAC 21 and IC 13-30-3.
- (b) Any person who knowingly makes a false, material statement in any record, submission, or report under the Acid Rain Program shall be subject to criminal enforcement pursuant to Section 113(c) of the Clean Air Act, 18 U.S.C. 1001 and IDEM pursuant to 326 IAC 21 and IC 13-30-6-2.
- (c) No permit revision shall excuse any violation of the requirements of the Acid Rain Program that occurs prior to the date that the revision takes effect.
- (d) Units 4, 5, 6, and 12 shall meet the requirements of the Acid Rain Program.
- (e) Any provision of the Acid Rain Program that applies to Unit 4, 5, 6, or 12, including a provision applicable to the designated representative of Unit 4, 5, 6, or 12, shall also apply to the Permittee.
- (f) Any provision of the Acid Rain Program that applies to Unit 4, 5, 6, or 12, including a provision applicable to the designated representative, shall also apply to the Permittee. Except as provided under 40 CFR 72.44 (Phase II repowering extension plans) and 40

CFR 76.11 (NOx averaging plans), and except with regard to the requirements applicable to units with a common stack under 40 CFR 75, including 40 CFR 75.16, 75.17, and 75.18, the Permittee and the designated representative of one affected unit shall not be liable for any violation by any other affected unit of which they are not owners or operators or the designated representative and that is located at a source of which they are not owners or operators or the designated representative.

- (g) Each violation of a provision of 40 CFR 72, 73, 75, 76, 77, and 78 by Unit 4, 5, 6, or 12, or by the Permittee or designated representative shall be a separate violation of the Clean Air Act.

11. Effect on Other Authorities [326 IAC 21]

No provision of the Acid Rain Program, an acid rain permit application, an acid rain permit, an acid rain portion of an operation permit, or a written exemption under 40 CFR 72.7 or 72.8 shall be construed as:

- (a) Except as expressly provided in Title IV of the Clean Air Act (42 USC 7651 to 7651(o)), exempting or excluding the Permittee and, to the extent applicable, the designated representative of Unit 4, 5, 6, or 12 from compliance with any other provision of the Clean Air Act, including the provisions of Title I of the Clean Air Act relating to applicable National Ambient Air Quality Standards or State Implementation Plans;
- (b) Limiting the number of allowances a unit can hold; provided, that the number of allowances held by the unit shall not affect the source's obligation to comply with any other provisions of the Clean Air Act;
- (c) Requiring a change of any kind in any state law regulating electric utility rates and charges, affecting any state law regarding such state regulation, or limiting such state regulation, including any prudence review requirements under such state law;
- (d) Modifying the Federal Power Act (16 USC 791(a) et seq.) or affecting the authority of the Federal Energy Regulatory Commission under the Federal Power Act; or,
- (e) Interfering with or impairing any program for competitive bidding for power supply in a state in which such a program is established.

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

Addendum to the Technical Support Document (TSD) for a Part 70  
Operating Significant Permit Modification

**Source Background and Description**

<b>Source Name:</b>	<b>Northern Indiana Public Service Company (NIPSCO)- Michigan City Generating Station</b>
<b>Source Location:</b>	<b>101 N. Wabash Street, Michigan City, Indiana</b>
<b>County:</b>	<b>LaPorte</b>
<b>SIC Code:</b>	<b>4911</b>
<b>Operating Permit No.:</b>	<b>T 091-6637-00021</b>
<b>Operating Permit Issuance Date:</b>	<b>July 18, 2006</b>
<b>Significant Permit Modification No.:</b>	<b>091-26395-00021</b>
<b>Permit Reviewer:</b>	<b>Pam K. Way</b>

On March 11, 2009, the Office of Air Quality (OAQ) had a notice published in The LaPorte News Dispatch, Laporte, Indiana stating that Northern Indiana Public Service Company (NIPSCO) - Michigan City Generating Station had applied for a Part 70 Operating Permit Significant Permit Modification No. 091-26395-00021 to modify the Part 70 Operating Permit No. 091-6637-00021 to include the requirements of the Clean Air Interstate Rule (CAIR). 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.

A notice was also inadvertently published in The LaPorte News Dispatch, Laporte, Indiana, for Significant Permit Modification No 091-27522-00021 on the same date. Significant Permit Modification No. 091-27522-00021 was issued final on April 14, 2009. This permit modification will now be the Third Significant Permit Modification No. 091-26395-00021.

**Existing Approvals**

The source was issued Part 70 Operating Permit No. 091-6637-00021 on July 18, 2006. The source has since received the following approvals:

- (a) First Significant Permit Modification No. 091-23550-00021, issued on May 13, 2008.
- (b) Acid Rain Permit Renewal No. 029-19670-00021, issued on August 8, 2006.
- (c) Second Significant Permit Modification No. 091-27522-00021, issued on April 14, 2009.

**Comments and Responses**

On April 10, 2009, Northern Indiana Public Service Company (NIPSCO) submitted comments to IDEM, OAQ on the draft significant permit modification.

The Technical Support Document (TSD) is used by IDEM, OAQ for historical purposes. IDEM, OAQ does not make any changes to the original TSD, but the Permit will have the updated changes. The comments and revised permit language are provided below with deleted language as ~~strikeouts~~ and new language **bolded**.

**Comment 1:**

Please update Significant Permit Modification No. 091-26395-00021 to include the permit changes that were made as part of Significant Permit Modification No. 091-27522-00021.

**Response to Comment 1:**

As requested, the permit has been revised to include the permit changes that were made as part of Significant Permit Modification No. 091-27522-00021. The Second Significant Permit Modification No. 091-27522-00021 was issued final on April 14, 2009. This permit modification will now be the Third Significant Permit Modification No. 091-26395-00021.

The following permit changes were made as part of Significant Permit Modification No. 091-27522-00021, with deleted language appearing as ~~striketroughs~~ and new language appearing in **bold**:

Change 1: The description of the coal storage and handling system for Boiler 12 in Condition A.2 was revised as follows:

A.2 Emission Units and Pollution Control Equipment Summary [326 IAC 2-7-4(c)(3)]  
[326 IAC 2-7-5(15)]

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

...

(d) A coal storage and handling system for Boiler 12, completed before May 1974.

...

**(5) One coal conveyor, constructed in 1974 and reconstructed in 2009, identified as C08, with a maximum capacity of 1000 tons per hour, using carryover wet suppression.**

**Under 40 CFR 60, Subpart Y, coal conveyor C08 is an affected facility.**

~~(5)~~**(6)** Coal crusher house, with a baghouse, **identified as CHDC**, for PM control, with carryover wet suppression for PM control and enclosed transfer points within an enclosure for ancillary dust control.

~~(6)~~**(7)** Coal sample house/breaker building with a baghouse, **identified as SHDC**, for PM control, with carryover wet suppression for PM control and enclosed transfer points within an enclosure for ancillary dust control.

~~(7)~~**(8)** Coal tripper floor to coal bunkers, with a baghouse, **identified as TFDC**, for PM control, with enclosure for ancillary dust control.

Change 2: Section D.4 was revised as follows:

SECTION D.4

FACILITY OPERATION CONDITIONS

Facility Description [326 IAC 2-7-5(15)] (The information describing the process contained in this facility description box is descriptive information and does not constitute enforceable conditions.)

- (d) A coal storage and handling system for Boiler 12, completed before May 1974.
- (1) One (1) railcar unloading station with particulate emissions controlled by wet suppression and partial enclosure, with a maximum throughput of 1500 tons of coal per hour.
  - (2) An enclosed conveyor system to the coal storage pile(s), with the transfer points underground or enclosed by buildings. A telescoping chute is used to drop coal to the storage pile(s).
  - (3) Coal storage pile(s) and coal pile reclaim, with fugitive dust emissions controlled by compaction and wet suppression.
  - (4) Coal conveyors and the coal junction house, with carryover wet suppression, additional wet suppression and/or foam application, and enclosed transfer points.
  - (5) One coal conveyor, constructed in 1974 and reconstructed in 2009, identified as C08, with a maximum capacity of 1000 tons per hour, using carryover wet suppression.**  
**Under 40 CFR 60, Subpart Y, coal conveyor C08 is an affected facility.**
  - ~~(5)~~(6) Coal crusher house, with a baghouse, **identified as CHDC**, for PM control, with carryover wet suppression for PM control and enclosed transfer points within an enclosure for ancillary dust control.
  - ~~(6)~~(7) Coal sample house/breaker building with a baghouse, **identified as SHDC**, for PM control, with carryover wet suppression for PM control and enclosed transfer points within an enclosure for ancillary dust control.
  - ~~(7)~~(8) Coal tripper floor to coal bunkers, with a baghouse, **identified as TFDC**, for PM control, with enclosure for ancillary dust control.

Specifically Regulated Insignificant Activities [326 IAC 2-7-1(21)]:

Conveyors as follows: Underground conveyors.

Coal bunker and coal scale exhausts and associated dust collector vents.

Coal pile wind erosion.

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

### D.4.1 Particulate [326 IAC 6-3-2]

Pursuant to 326 IAC 6-3-2 (Particulate Emission Limitations for Manufacturing Processes), allowable particulate emissions for the coal handling operations shall be calculated as follows:

(a) Particulate shall not be emitted in excess of the amount shown in the table in 326 IAC 6-3-2(e). The allowable rate of emission shall be based on the process weight rate for the process.

**(b) Pursuant to 326 IAC 6-3-2, the particulate matter (PM) from the conveyor C08 shall not exceed 77.6 pounds per hour when operating at a process weight rate of 1000 tons per hour.**

~~(b)(c)~~ Interpolation of the data in the table in 326 IAC 6-3-2(e) for process weight rates up to sixty thousand (60,000) pounds per hour shall be accomplished by use of the equation:

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

~~(c)(d)~~ Interpolation and extrapolation of the data in the table in 326 IAC 6-3-2(e) for process weight rates in excess of sixty thousand (60,000) pounds per hour shall be accomplished by use of the equation:

$$E = 55.0 P^{0.11} - 40 \quad \text{where } E = \text{rate of emission in pounds per hour; and} \\ P = \text{process weight rate in tons per hour.}$$

~~(d)(e)~~ When the process weight rate exceeds two hundred (200) tons per hour, the allowable emission may exceed that shown in the table in 326 IAC 6-3-2(e), provided the concentration of particulate in the discharge gases to the atmosphere is less than one-tenth (0.10) pound per one thousand (1,000) pounds of gases.

Change 3: Section H was added to the permit in order to incorporate 40 CFR 60, Subpart Y.

## SECTION H.1 STANDARDS OF PERFORMANCE FOR NEW STATIONARY SOURCES

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

(5) **One coal conveyor, constructed in 1974 and reconstructed in 2009, identified as C08, with a maximum capacity of 1000 tons per hour, using carryover wet suppression.**

**Under 40 CFR 60, Subpart Y, coal conveyor C08 is an affected facility.**

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

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

### H.1.1 General Provisions Relating to NSPS [326 IAC 12][40 CFR Part 60, Subpart A]

(a) Pursuant to 40 CFR 60.1, the Permittee shall comply with the provisions of 40 CFR Part 60, Subpart A - General Provisions, which are incorporated by reference as 326 IAC 12-1, except as otherwise specified in 40 CFR 60, Subpart Y.

- (b) Pursuant to 40 CFR 60.10, the Permittee shall submit all required notifications and reports to:**

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

**H.1.2 New Source Performance Standards (NSPS) for Coal Preparation Plants  
[40 CFR Part 60, Subpart Y] [326 IAC 12]**

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**The Permittee shall comply with the following provisions of 40 CFR Part 60, Subpart Y (included as Attachment A of this permit), which are incorporated by reference as 326 IAC 12, except as otherwise specified in 40 CFR Part 60, Subpart Y:**

- (1) 40 CFR 60.250**
- (2) 40 CFR 60.251**
- (3) 40 CFR 60.252(c)**
- (4) 40 CFR 60.254(b)(2)**

<b>IDEM Contact</b>
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- (a) Questions regarding this proposed significant permit modification can be directed to Pam K. Way at the Indiana Department Environmental Management, Office of Air Quality, Permits Branch, 100 North Senate Avenue, MC 61-53 IGCN 1003, Indianapolis, Indiana 46204-2251 or by telephone at (317) 234-4794 or toll free at 1-800-451-6027 extension (4-4794).
- (b) A copy of the permit is available on the Internet at: <http://www.in.gov/ai/appfiles/idem-caats/>
- (c) For additional information about air permits and how the public and interested parties can participate, refer to the IDEM's Guide for Citizen Participation and Permit Guide on the Internet at: [www.idem.in.gov](http://www.idem.in.gov)

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

**Technical Support Document (TSD) for a Part 70 Significant  
Permit Modification.**

**Source Description and Location**

<b>Source Name:</b>	NIPSCO – Michigan City Generating Station
<b>Source Location:</b>	101 Wabash Street, Michigan City, Indiana 46360
<b>County:</b>	LaPorte
<b>SIC Code:</b>	4911
<b>Operation Permit No.:</b>	091-6637-00021
<b>Operation Permit Issuance Date:</b>	July 18, 2006
<b>Significant Permit Modification No.:</b>	091-26395-00021
<b>Permit Reviewer:</b>	Pam K. Way

**Source Definition**

This source consists of an electric utility generating station.

**Existing Approvals**

The source was issued Part 70 Operating Permit No. 091-6637-00021, issued on July 18, 2006.

The source has since received the following approvals:

- (a) First Significant Permit Modification No. 091-23550-00021, issued on May 13, 2008.
- (b) Acid Rain Permit Renewal No. 029-19670-00021, issued on August 8, 2006.

**Description of Proposed Modification**

This modification consists of modifying the existing Part 70 Operating Permit Conditions to reflect the addition of Section G which includes requirements of the Clean Air Interstate Rule (CAIR).

**Enforcement Issues**

There are no pending enforcement actions related to this modification.

**Permit Level Determination – Part 70**

There is no increase in the potential to emit of any regulated pollutants as the source is not adding new emission units.

Pursuant to 326 IAC 2-7-12(d)(1), this modification is considered as a Significant Permit Modification, because modifying the existing part 70 Operating Permit condition to reflect the inclusion of the CAIR permit involves significant changes to the existing Part 70 permit.

### Federal Rule Applicability Determination

The following federal rules are applicable to the source:

Clean Air Interstate Rule (CAIR)

Boiler 4, Boiler 5, Boiler 6, and Boiler 12 are subject to the Clean Air Interstate Rule (CAIR)

Nitrogen Oxides Annual, Sulfur Dioxide, and Nitrogen Oxides Ozone Season Trading Programs – CAIR Permit for CAIR Units Under 40 CFR 97.

### State Rule Applicability Determination

The following state rules are applicable to the source:

326 IAC 24 (Clean Air Interstate Rule (CAIR))

Boiler 4, Boiler 5, Boiler 6, and Boiler 12 are subject to the Clean Air Interstate Rule (CAIR)

Nitrogen Oxides Annual, Sulfur Dioxide, and Nitrogen Oxides Ozone Season Trading Programs – CAIR Permit for CAIR Units Under 326 IAC 24-1-1(a), 326 IAC 24-2-1(a), and 326 IAC 24-3-1(a).

### Proposed Changes

The changes listed below have been made to the Part 70 Operating Permit No. T091-6637-00021 that reflect the inclusion of the CAIR permit. Deleted language appears as ~~strikethroughs~~ and new language appears in **bold**:

#### **SECTION G Clean Air Interstate Rule (CAIR) Nitrogen Oxides Annual, Sulfur Dioxide, and Nitrogen Oxides Ozone Season Trading Programs – CAIR Permit for CAIR Units Under 326 IAC 24-1-1(a), 326 IAC 24-2-1(a), and 326 IAC 24-3-1(a)**

ORIS Code: 997

#### **CAIR Permit for CAIR Units Under 326 IAC 24-1-1(a), 326 IAC 24-2-1(a), and 326 IAC 24-3-1(a)**

- (a) Three (3) natural gas-fired boilers, identified as Boiler 4, Boiler 5, and Boiler 6, each with a design heat input capacity of 482 million Btu per hour (MMBtu/hr), exhausting to Stack 1, Stack 2, and Stack 3, respectively, each with a continuous emissions monitoring system (CEMS) for nitrogen oxides (NO<sub>x</sub>). Installation of Boilers 4 and 5 was completed in 1950 and installation of Boiler 6 was completed in 1951.**
- (b) One (1) cyclone coal-fired boiler, identified as Boiler 12, with a design heat input capacity of 4650 million Btu per hour (MMBtu/hr), with construction completed in May 1974, with an electrostatic precipitator (ESP) with a flue gas conditioning (FGC) system for control of particulate matter, exhausting to Stack 4. Natural gas can be fired during startup, shutdown, and malfunctions. Boiler 12 has a selective catalytic reduction (SCR) system for NO<sub>x</sub> control, and has continuous emissions monitoring systems (CEMS) for nitrogen oxides (NO<sub>x</sub>) and for sulfur dioxide (SO<sub>2</sub>) and a continuous opacity monitoring (COM) system.**

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

#### **G.1 Automatic Incorporation of Definitions [326 IAC 24-1-7(e)] [326 IAC 24-2-7(e)] [326 IAC 24-3-7(e)] [40 CFR 97.123(b)] [40 CFR 97.223(b)] [40 CFR 97.323(b)]**

**This CAIR permit is deemed to incorporate automatically the definitions of terms under 326 IAC 24-1-2, 326 IAC 24-2-2, and 326 IAC 24-3-2.**

**G.2 Standard Permit Requirements [326 IAC 24-1-4(a)] [326 IAC 24-2-4(a)] [326 IAC 24-3-4(a)] [40 CFR 97.106(a)] [40 CFR 97.206(a)] [40 CFR 97.306(a)]**

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- (a) The owners and operators of each CAIR NO<sub>x</sub> source, CAIR SO<sub>2</sub> source, and CAIR NO<sub>x</sub> ozone season source and CAIR NO<sub>x</sub> unit, CAIR SO<sub>2</sub> unit, and CAIR NO<sub>x</sub> ozone season unit shall operate each source and unit in compliance with this CAIR permit.
- (b) The CAIR NO<sub>x</sub> units, CAIR SO<sub>2</sub> units, and CAIR NO<sub>x</sub> ozone season units subject to this CAIR permit are Boiler 4, Boiler 5, Boiler 6, and Boiler 12.

**G.3 Monitoring, Reporting, and Record Keeping Requirements [326 IAC 24-1-4(b)] [326 IAC 24-2-4(b)] [326 IAC 24-3-4(b)] [40 CFR 97.106(b)] [40 CFR 97.206(b)] [40 CFR 97.306(b)]**

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- (a) The owners and operators, and the CAIR designated representative, of each CAIR NO<sub>x</sub> source, CAIR SO<sub>2</sub> source, and CAIR NO<sub>x</sub> ozone season source and CAIR NO<sub>x</sub> unit, CAIR SO<sub>2</sub> unit, and CAIR NO<sub>x</sub> ozone season unit at the source shall comply with the applicable monitoring, reporting, and record keeping requirements of 326 IAC 24-1-11, 326 IAC 24-2-10, and 326 IAC 24-3-11.
- (b) The emissions measurements recorded and reported in accordance with 326 IAC 24-1-11, 326 IAC 24-2-10, and 326 IAC 24-3-11 shall be used to determine compliance by each CAIR NO<sub>x</sub> source, CAIR SO<sub>2</sub> source, and CAIR NO<sub>x</sub> ozone season source with the CAIR NO<sub>x</sub> emissions limitation under 326 IAC 24-1-4(c), CAIR SO<sub>2</sub> emissions limitation under 326 IAC 24-2-4(c), and CAIR NO<sub>x</sub> ozone season emissions limitation under 326 IAC 24-3-4(c) and Condition G.4.1, Nitrogen Oxides Emission Requirements, Condition G.4.2, Sulfur Dioxide Emission Requirements, and Condition G.4.3, Nitrogen Oxides Ozone Season Emission Requirements.

**G.4.1 Nitrogen Oxides Emission Requirements [326 IAC 24-1-4(c)] [40 CFR 97.106(c)]**

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- (a) As of the allowance transfer deadline for a control period, the owners and operators of each CAIR NO<sub>x</sub> source and each CAIR NO<sub>x</sub> unit at the source shall hold, in the source's compliance account, CAIR NO<sub>x</sub> allowances available for compliance deductions for the control period under 326 IAC 24-1-9(i) in an amount not less than the tons of total nitrogen oxides emissions for the control period from all CAIR NO<sub>x</sub> units at the source, as determined in accordance with 326 IAC 24-1-11.
- (b) A CAIR NO<sub>x</sub> unit shall be subject to the requirements under 326 IAC 24-1-4(c)(1) for the control period starting on the applicable date, as determined under 326 IAC 24-1-4(c)(2), and for each control period thereafter.
- (c) A CAIR NO<sub>x</sub> allowance shall not be deducted for compliance with the requirements under 326 IAC 24-1-4(c)(1), for a control period in a calendar year before the year for which the CAIR NO<sub>x</sub> allowance was allocated.
- (d) CAIR NO<sub>x</sub> allowances shall be held in, deducted from, or transferred into or among CAIR NO<sub>x</sub> allowance tracking system accounts in accordance with 326 IAC 24-1-9, 326 IAC 24-1-10, and 326 IAC 24-1-12.

- (e) **A CAIR NO<sub>x</sub> allowance is a limited authorization to emit one (1) ton of nitrogen oxides in accordance with the CAIR NO<sub>x</sub> annual trading program. No provision of the CAIR NO<sub>x</sub> annual trading program, the CAIR permit application, the CAIR permit, or an exemption under 326 IAC 24-1-3 and no provision of law shall be construed to limit the authority of the State of Indiana or the United States to terminate or limit the authorization.**
- (f) **A CAIR NO<sub>x</sub> allowance does not constitute a property right.**
- (g) **Upon recordation by the U.S. EPA under 326 IAC 24-1-8, 326 IAC 24-1-9, 326 IAC 24-1-10, or 326 IAC 24-1-12, every allocation, transfer, or deduction of a CAIR NO<sub>x</sub> allowance to or from a CAIR NO<sub>x</sub> source's compliance account is incorporated automatically in this CAIR permit.**

**G.4.2 Sulfur Dioxide Emission Requirements [326 IAC 24-2-4(c)] [40 CFR 97.206(c)]**

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- (a) **As of the allowance transfer deadline for a control period, the owners and operators of each CAIR SO<sub>2</sub> source and each CAIR SO<sub>2</sub> unit at the source shall hold, in the source's compliance account, a tonnage equivalent of CAIR SO<sub>2</sub> allowances available for compliance deductions for the control period under 326 IAC 24-2-8(j) and 326 IAC 24-2-8(k) not less than the tons of total sulfur dioxide emissions for the control period from all CAIR SO<sub>2</sub> units at the source, as determined in accordance with 326 IAC 24-2-10.**
- (b) **A CAIR SO<sub>2</sub> unit shall be subject to the requirements under 326 IAC 24-2-4(c)(1) for the control period starting on the applicable date, as determined under 326 IAC 24-2-4(c)(2), and for each control period thereafter.**
- (c) **A CAIR SO<sub>2</sub> allowance shall not be deducted for compliance with the requirements under 326 IAC 24-2-4(c)(1), for a control period in a calendar year before the year for which the CAIR SO<sub>2</sub> allowance was allocated.**
- (d) **CAIR SO<sub>2</sub> allowances shall be held in, deducted from, or transferred into or among CAIR SO<sub>2</sub> allowance tracking system accounts in accordance with 326 IAC 24-2-8, 326 IAC 24-2-9, and 326 IAC 24-2-11.**
- (e) **A CAIR SO<sub>2</sub> allowance is a limited authorization to emit sulfur dioxide in accordance with the CAIR SO<sub>2</sub> trading program. No provision of the CAIR SO<sub>2</sub> trading program, the CAIR permit application, the CAIR permit, or an exemption under 326 IAC 24-2-3 and no provision of law shall be construed to limit the authority of the State of Indiana or the United States to terminate or limit the authorization.**
- (f) **A CAIR SO<sub>2</sub> allowance does not constitute a property right.**
- (g) **Upon recordation by the U.S. EPA under 326 IAC 24-2-8, 326 IAC 24-2-9, or 326 IAC 24-2-11, every allocation, transfer, or deduction of a CAIR SO<sub>2</sub> allowance to or from a CAIR SO<sub>2</sub> source's compliance account is incorporated automatically in this CAIR permit.**

**G.4.3 Nitrogen Oxides Ozone Season Emission Requirements [326 IAC 24-3-4(c)]  
[40 CFR 97.306(c)]**

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- (a) As of the allowance transfer deadline for a control period, the owners and operators of each CAIR NO<sub>x</sub> ozone season source and each CAIR NO<sub>x</sub> ozone season unit at the source shall hold, in the source's compliance account, CAIR NO<sub>x</sub> ozone season allowances available for compliance deductions for the control period under 326 IAC 24-3-9(i) in an amount not less than the tons of total nitrogen oxides emissions for the control period from all CAIR NO<sub>x</sub> ozone season units at the source, as determined in accordance with 326 IAC 24-3-11.
- (b) A CAIR NO<sub>x</sub> ozone season unit shall be subject to the requirements under 326 IAC 24-3-4(c)(1) for the control period starting on the applicable date, as determined under 326 IAC 24-3-4(c)(2), and for each control period thereafter.
- (c) A CAIR NO<sub>x</sub> ozone season allowance shall not be deducted for compliance with the requirements under 326 IAC 24-3-4(c)(1), for a control period in a calendar year before the year for which the CAIR NO<sub>x</sub> ozone season allowance was allocated.
- (d) CAIR NO<sub>x</sub> ozone season allowances shall be held in, deducted from, or transferred into or among CAIR NO<sub>x</sub> ozone season allowance tracking system accounts in accordance with 326 IAC 24-3-9, 326 IAC 24-3-10, and 326 IAC 24-3-12.
- (e) A CAIR NO<sub>x</sub> ozone season allowance is a limited authorization to emit one (1) ton of nitrogen oxides in accordance with the CAIR NO<sub>x</sub> ozone season trading program. No provision of the CAIR NO<sub>x</sub> ozone season trading program, the CAIR permit application, the CAIR permit, or an exemption under 326 IAC 24-3-3 and no provision of law shall be construed to limit the authority of the State of Indiana or the United States to terminate or limit the authorization.
- (f) A CAIR NO<sub>x</sub> ozone season allowance does not constitute a property right.
- (g) Upon recordation by the U.S. EPA under 326 IAC 24-3-8, 326 IAC 24-3-9, 326 IAC 24-3-10, or 326 IAC 24-3-12, every allocation, transfer, or deduction of a CAIR NO<sub>x</sub> ozone season allowance to or from a CAIR NO<sub>x</sub> ozone season source's compliance account is incorporated automatically in this CAIR permit.

**G.5 Excess Emissions Requirements [326 IAC 24-1-4(d)] [326 IAC 24-2-4(d)] [326 IAC 24-3-4(d)]  
[40 CFR 97.106(d)] [40 CFR 97.206(d)] [40 CFR 97.306(d)]**

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- (a) The owners and operators of a CAIR NO<sub>x</sub> source and each CAIR NO<sub>x</sub> unit that emits nitrogen oxides during any control period in excess of the CAIR NO<sub>x</sub> emissions limitation shall do the following:
  - (1) Surrender the CAIR NO<sub>x</sub> allowances required for deduction under 326 IAC 24-1-9(j)(4).
  - (2) Pay any fine, penalty, or assessment or comply with any other remedy imposed, for the same violations, the Clean Air Act (CAA) or applicable state law.

Each ton of such excess emissions and each day of such control period shall constitute a separate violation of 326 IAC 24-1-4, the Clean Air Act (CAA), and applicable state law.

- (b) The owners and operators of a CAIR SO<sub>2</sub> source and each CAIR SO<sub>2</sub> unit that emits sulfur dioxide during any control period in excess of the CAIR SO<sub>2</sub> emissions limitation shall do the following:

- (1) Surrender the CAIR SO<sub>2</sub> allowances required for deduction under 326 IAC 24-2-8(k)(4).
- (2) Pay any fine, penalty, or assessment or comply with any other remedy imposed, for the same violations, the Clean Air Act (CAA) or applicable state law.

Each ton of such excess emissions and each day of such control period shall constitute a separate violation of 326 IAC 24-2-4, the Clean Air Act (CAA), and applicable state law.

- (c) The owners and operators of a CAIR NO<sub>x</sub> ozone season source and each CAIR NO<sub>x</sub> ozone season unit that emits nitrogen oxides during any control period in excess of the CAIR NO<sub>x</sub> ozone season emissions limitation shall do the following:
  - (1) Surrender the CAIR NO<sub>x</sub> ozone season allowances required for deduction under 326 IAC 24-3-9(j)(4).
  - (2) Pay any fine, penalty, or assessment or comply with any other remedy imposed, for the same violations, the Clean Air Act (CAA) or applicable state law.

Each ton of such excess emissions and each day of such control period shall constitute a separate violation of 326 IAC 24-3-4, the Clean Air Act (CAA), and applicable state law.

**G.6 Record Keeping Requirements [326 IAC 24-1-4(e)] [326 IAC 24-2-4(e)] [326 IAC 24-3-4(e)] [326 IAC 2-7-5(3)] [40 CFR 97.106(e)] [40 CFR 97.206(e)] [40 CFR 97.306(e)]**

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Unless otherwise provided, the owners and operators of the CAIR NO<sub>x</sub> source, CAIR SO<sub>2</sub> source, and CAIR NO<sub>x</sub> ozone season source and each CAIR NO<sub>x</sub> unit, CAIR SO<sub>2</sub> unit, and CAIR NO<sub>x</sub> ozone season unit at the source shall keep on site at the source or at a central location within Indiana for those owners or operators with unattended sources, each of the following documents for a period of five (5) years from the date the document was created:

- (a) The certificate of representation under 326 IAC 24-1-6(h), 326 IAC 24-2-6(h), and 326 IAC 24-3-6(h) for the CAIR designated representative for the source and each CAIR NO<sub>x</sub> unit, CAIR SO<sub>2</sub> unit, and CAIR NO<sub>x</sub> ozone season unit at the source and all documents that demonstrate the truth of the statements in the certificate of representation. The certificate and documents shall be retained on site at the source or at a central location within Indiana for those owners or operators with unattended sources beyond such five (5) year period until such documents are superseded because of the submission of a new account certificate of representation under 326 IAC 24-1-6(h), 326 IAC 24-2-6(h), and 326 IAC 24-3-6(h) changing the CAIR designated representative.
- (b) All emissions monitoring information, in accordance with 326 IAC 24-1-11, 326 IAC 24-2-10, and 326 IAC 24-3-11, provided that to the extent that 326 IAC 24-1-11, 326 IAC 24-2-10, and 326 IAC 24-3-11 provides for a three (3) year period for record keeping, the three (3) year period shall apply.
- (c) Copies of all reports, compliance certifications, and other submissions and all records made or required under the CAIR NO<sub>x</sub> annual trading program, CAIR SO<sub>2</sub> trading program, and CAIR NO<sub>x</sub> ozone season trading program.

- (d) **Copies of all documents used to complete a CAIR permit application and any other submission under the CAIR NO<sub>x</sub> annual trading program, CAIR SO<sub>2</sub> trading program, and CAIR NO<sub>x</sub> ozone season trading program or to demonstrate compliance with the requirements of the CAIR NO<sub>x</sub> annual trading program, CAIR SO<sub>2</sub> trading program, and CAIR NO<sub>x</sub> ozone season trading program.**

**This period may be extended for cause, at any time before the end of five (5) years, in writing by IDEM, OAQ or the U.S. EPA. Unless otherwise provided, all records shall be maintained in accordance with Section C - General Record Keeping Requirements, of this permit.**

**G.7 Reporting Requirements [326 IAC 24-1-4(e)] [326 IAC 24-2-4(e)] [326 IAC 24-3-4(e)] [40 CFR 97.106(e)] [40 CFR 97.206(e)] [40 CFR 97.306(e)]**

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- (a) **The CAIR designated representative of the CAIR NO<sub>x</sub> source, CAIR SO<sub>2</sub> source, and CAIR NO<sub>x</sub> ozone season source and each CAIR NO<sub>x</sub> unit, CAIR SO<sub>2</sub> unit, and CAIR NO<sub>x</sub> ozone season unit at the source shall submit the reports required under the CAIR NO<sub>x</sub> annual trading program, CAIR SO<sub>2</sub> trading program, and CAIR NO<sub>x</sub> ozone season trading program, including those under 326 IAC 24-1-11, 326 IAC 24-2-10, and 326 IAC 24-3-11.**
- (b) **Pursuant to 326 IAC 24-1-4(e), 326 IAC 24-2-4(e), and 326 IAC 24-3-4(e) and 326 IAC 24-1-6(e)(1), 326 IAC 24-2-6(e)(1), and 326 IAC 24-3-6(e)(1), each submission under the CAIR NO<sub>x</sub> annual trading program, CAIR SO<sub>2</sub> trading program, and CAIR NO<sub>x</sub> ozone season trading program shall include the following certification statement by the CAIR designated representative: "I am authorized to make this submission on behalf of the owners and operators of the source or units for which the submission is made. I certify under penalty of law that I have personally examined, and am familiar with, the statements and information submitted in this document and all its attachments. Based on my inquiry of those individuals with primary responsibility for obtaining the information, I certify that the statements and information are to the best of my knowledge and belief true, accurate, and complete. I am aware that there are significant penalties for submitting false statements and information or omitting required statements and information, including the possibility of fine or imprisonment."**
- (c) **Where 326 IAC 24-1, 326 IAC 24-2, and 326 IAC 24-3 requires a submission to IDEM, OAQ, the information shall be submitted to:**
- Indiana Department of Environmental Management  
Compliance and Enforcement Branch, Office of Air Quality  
100 North Senate Avenue  
MC 61-53, IGCN 1003  
Indianapolis, Indiana 46204-2251**
- (d) **Where 326 IAC 24-1, 326 IAC 24-2, and 326 IAC 24-3 requires a submission to U.S. EPA, the information shall be submitted to:**
- U.S. Environmental Protection Agency  
Clean Air Markets Division  
1200 Pennsylvania Avenue, NW  
Mail Code 6204N  
Washington, DC 20460**

**G.8 Liability [326 IAC 24-1-4(f)] [326 IAC 24-2-4(f)] [326 IAC 24-3-4(f)] [40 CFR 97.106(f)] [40 CFR 97.206(f)] [40 CFR 97.306(f)]**

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The owners and operators of each CAIR NO<sub>x</sub> source, CAIR SO<sub>2</sub> source, and CAIR NO<sub>x</sub> ozone season source and each CAIR NO<sub>x</sub> unit, CAIR SO<sub>2</sub> unit, and CAIR NO<sub>x</sub> ozone season unit shall be liable as follows:

- (a) Each CAIR NO<sub>x</sub> source, CAIR SO<sub>2</sub> source, and CAIR NO<sub>x</sub> ozone season source and each CAIR NO<sub>x</sub> unit, CAIR SO<sub>2</sub> unit, and CAIR NO<sub>x</sub> ozone season unit shall meet the requirements of the CAIR NO<sub>x</sub> annual trading program, CAIR SO<sub>2</sub> trading program, and CAIR NO<sub>x</sub> ozone season trading program, respectively.
- (b) Any provision of the CAIR NO<sub>x</sub> annual trading program, CAIR SO<sub>2</sub> trading program, and CAIR NO<sub>x</sub> ozone season trading program that applies to a CAIR NO<sub>x</sub> source, CAIR SO<sub>2</sub> source, and CAIR NO<sub>x</sub> ozone season source or the CAIR designated representative of a CAIR NO<sub>x</sub> source, CAIR SO<sub>2</sub> source, and CAIR NO<sub>x</sub> ozone season source shall also apply to the owners and operators of such source and of the CAIR NO<sub>x</sub> units, CAIR SO<sub>2</sub> units, and CAIR NO<sub>x</sub> ozone season units at the source.
- (c) Any provision of the CAIR NO<sub>x</sub> annual trading program, CAIR SO<sub>2</sub> trading program, and CAIR NO<sub>x</sub> ozone season trading program that applies to a CAIR NO<sub>x</sub> unit, CAIR SO<sub>2</sub> unit, and CAIR NO<sub>x</sub> ozone season unit or the CAIR designated representative of a CAIR NO<sub>x</sub> unit, CAIR SO<sub>2</sub> unit, and CAIR NO<sub>x</sub> ozone season unit shall also apply to the owners and operators of such units.

**G.9 Effect on Other Authorities [326 IAC 24-1-4(g)] [326 IAC 24-2-4(g)] [326 IAC 24-3-4(g)] [40 CFR 97.106(g)] [40 CFR 97.206(g)] [40 CFR 97.306(g)]**

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No provision of the CAIR NO<sub>x</sub> annual trading program, CAIR SO<sub>2</sub> trading program, and CAIR NO<sub>x</sub> ozone season trading program, a CAIR permit application, a CAIR permit, or an exemption under 326 IAC 24-1-3, 326 IAC 24-2-3, and 326 IAC 24-3-3 shall be construed as exempting or excluding the owners and operators, and the CAIR designated representative, of a CAIR NO<sub>x</sub> source, CAIR SO<sub>2</sub> source, and CAIR NO<sub>x</sub> ozone season source or CAIR NO<sub>x</sub> unit, CAIR SO<sub>2</sub> unit, and CAIR NO<sub>x</sub> ozone season unit from compliance with any other provision of the applicable, approved state implementation plan, a federally enforceable permit, or the Clean Air Act (CAA).

**G.10 CAIR Designated Representative and Alternate CAIR Designated Representative [326 IAC 24-1-6] [326 IAC 24-2-6] [326 IAC 24-3-6] [40 CFR 97, Subpart BB] [40 CFR 97, Subpart BBB] [40 CFR 97, Subpart BBBB]**

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Pursuant to 326 IAC 24-1-6, 326 IAC 24-2-6, and 326 IAC 24-3-6:

- (a) Except as specified in 326 IAC 24-1-6(f)(3), 326 IAC 24-2-6(f)(3), and 326 IAC 24-3-6(f)(3), each CAIR NO<sub>x</sub> source, CAIR SO<sub>2</sub> source, and CAIR NO<sub>x</sub> ozone season source, including all CAIR NO<sub>x</sub> units, CAIR SO<sub>2</sub> units, and CAIR NO<sub>x</sub> ozone season units at the source, shall have one (1) and only one (1) CAIR designated representative, with regard to all matters under the CAIR NO<sub>x</sub> annual trading program, CAIR SO<sub>2</sub> trading program, and CAIR NO<sub>x</sub> ozone season trading program concerning the source or any CAIR NO<sub>x</sub> unit, CAIR SO<sub>2</sub> unit, and CAIR NO<sub>x</sub> ozone season unit at the source.
- (b) The provisions of 326 IAC 24-1-6(f), 326 IAC 24-2-6(f), and 326 IAC 24-3-6(f) shall apply where the owners or operators of a CAIR NO<sub>x</sub> source, CAIR SO<sub>2</sub> source, and CAIR NO<sub>x</sub> ozone season source choose to designate an alternate CAIR designated representative.

**Except as specified in 326 IAC 24-1-6(f)(3), 326 IAC 24-2-6(f)(3), and 326 IAC 24-3-6(f)(3), whenever the term "CAIR designated representative" is used, the term shall be construed to include the CAIR designated representative or any alternate CAIR designated representative.**

In addition, the source has requested to update the source address throughout the permit as follows, with deleted language as ~~strike through~~ text and new language as **bold** text:

Source Address: 101 ~~North~~-Wabash Street, Michigan City, Indiana 46360

#### Additional Changes

IDEM, OAQ has decided to make additional revisions to the permit as described below, with deleted language as ~~strikeouts~~ and new language **bolded**.

1. Several of IDEM's Branches and sections have been renamed. Therefore, IDEM has updated the addresses listed in the permit. References to "Permit Administration and Development Section" and the "Permits Branch" have been changed to "Permit Administration and Support Section". References to "Asbestos Section", "Compliance Data Section", "Air Compliance Section", and "Compliance Branch" have been changed to "Compliance and Enforcement Branch".

Indiana Department of Environmental Management  
**Permit Administration and Support Section**, Office of Air Quality  
100 North Senate Avenue  
MC 61-53 IGCN 1003  
Indianapolis, Indiana 46204-2251

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

2. IDEM has decided not to list the submission date of the ERP because the ERP can be updated without permit change. The revisions are as follows:

#### C.15 Emergency Reduction Plans [326 IAC 1-5-2] [326 IAC 1-5-3]

Pursuant to 326 IAC 1-5-2 (Emergency Reduction Plans; Submission):

- (a) The Permittee ~~prepared and~~ **shall maintain the most recently** submitted written emergency reduction plans (ERPs) consistent with safe operating procedures ~~on December 28, 1979.~~

#### Conclusions and Recommendation

The source shall be subject to the conditions of the attached proposed Part 70 Significant Permit Modification No. 091-26395-00021. The staff recommends to the Commissioner that this Part 70 Significant Permit Modification be approved.



# 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](http://www.idem.IN.gov)

## **SENT VIA U.S. MAIL: CONFIRMED DELIVERY AND SIGNATURE REQUESTED**

**TO:** Kelly R. Carmichael  
NIPSCO - Michigan City  
801 E. 86th Ave.  
Merrillville, IN 46410

**DATE:** July 1, 2009

**FROM:** Matt Stuckey, Branch Chief  
Permits Branch  
Office of Air Quality

**SUBJECT:** Final Decision  
Third Significant Permit Modification  
091-26395-00021

Enclosed is the final decision and supporting materials for the air permit application referenced above. Please note that this packet contains the original, signed, permit documents.

The final decision is being sent to you because our records indicate that you are the contact person for this application. However, if you are not the appropriate person within your company to receive this document, please forward it to the correct person.

A copy of the final decision and supporting materials has also been sent via standard mail to:  
Jerome B. Weeden - VP  
OAQ Permits Branch Interested Parties List

If you have technical questions regarding the enclosed documents, please contact the Office of Air Quality, Permits Branch at (317) 233-0178, or toll-free at 1-800-451-6027 (ext. 3-0178), and ask to speak to the permit reviewer who prepared the permit. If you think you have received this document in error, please contact Joanne Smiddie-Brush of my staff at 1-800-451-6027 (ext 3-0185), or via e-mail at [jbrush@idem.IN.gov](mailto:jbrush@idem.IN.gov).

Final Applicant Cover letter.dot 11/30/07



# 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](http://www.idem.IN.gov)

July 1, 2009

TO: Michigan City Public Library

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

Subject: **Important Information for Display Regarding a Final Determination**

**Applicant Name: NIPSCO - Michigan City Generating Station**  
**Permit Number: 091-26395-00021**

You previously received information to make available to the public during the public comment period of a draft permit. Enclosed is a copy of the final decision and supporting materials for the same project. Please place the enclosed information along with the information you previously received. To ensure that your patrons have ample opportunity to review the enclosed permit, **we ask that you retain this document for at least 60 days.**

The applicant is responsible for placing a copy of the application in your library. If the permit application is not on file, or if you have any questions concerning this public review process, please contact Joanne Smiddie-Brush, OAQ Permits Administration Section at 1-800-451-6027, extension 3-0185.

Enclosures  
Final Library.dot 11/30/07

# Mail Code 61-53

IDEM Staff	GHOTOPP 7/1/2009 NIPSCO - Michigan City 091-26395-00021 Final		Type of Mail:  <b>CERTIFICATE OF MAILING ONLY</b>	AFFIX STAMP HERE IF USED AS CERTIFICATE OF MAILING
Name and address of Sender		Indiana Department of Environmental Management Office of Air Quality – Permits Branch 100 N. Senate Indianapolis, IN 46204		

Line	Article Number	Name, Address, Street and Post Office Address	Postage	Handing Charges	Act. Value (If Registered)	Insured Value	Due Send if COD	R.R. Fee	S.D. Fee	S.H. Fee	Rest. Del. Fee	Remarks
1		Kelly R. Carmichael NIPSCO - Michigan City 801 E 86th Ave Merrillville IN 46410 (Source CAATS) via confirmed delivery										
2		Jerome B Weeden VP NIPSCO - Michigan City 801 E 86th Ave Merrillville IN 46410 (RO CAATS)										
3		Mr. Rudolph Nichols United Steelworkers of America 1301 Texas St, Room 217 Gary IN 46402 (Affected Party)										
4		Laurence A. McHugh Barnes & Thornburg 100 North Michigan South Bend IN 46601-1632 (Affected Party)										
5		Michigan City Public Library 4th and Franklin Michigan City IN 46360-3393 (Library)										
6		LaPorte County Commissioners 555 Michigan Avenue # 202 LaPorte IN 46350 (Local Official)										
7		Mr. Chris Hernandez Pipefitters Association, Local Union 597 8762 Louisiana St., Suite G Merrillville IN 46410 (Affected Party)										
8		LaPorte County Health Department County Complex, 4th Floor, 809 State St. LaPorte IN 46350-3329 (Health Department)										
9		Mr. Dick Paulen Barnes & Thornburg 121 W Franklin Street Elkhart IN 46216 (Affected Party)										
10		Ms. Mindy Heidel 9223 Broadway Suite A Merrillville IN 46410 (Affected Party)										
11												
12												
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9			