



# 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)

TO: Interested Parties / Applicant

DATE: May 30, 2008

RE: NuStar Terminals Operations Partnership, L.P. / 063-26479-00027

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

## Notice of Decision – Approval

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

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

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

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

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

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

Enclosures  
FNPER-AM.dot12/3/07



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Mr. Lonnie Foust  
NuStar Terminals Operations Partnership L.P.  
3350 N. Raceway Road  
Indianapolis, IN 46234

May 30, 2008

Re: 063-26479-00027  
Second Administrative Amendment to  
F063-17196-00027

Dear Mr. Foust:

Support Terminal Operating Partnership, L.P. (dba Valero, L.P) was issued a Federally Enforceable State Operating Permit (FESOP) Renewal No. F063-17196-00027, on April 26, 2004, for a stationary gasoline terminal located at 3350 North Raceway Road, Indianapolis, Indiana 46234. On April 30, 2008, the Office of Air Quality (OAQ) received an application from the source requesting the permit to be updated as follows:

1. to indicate a change in company name to NuStar Terminals Operations Partnership L.P. This change to the permit is considered an administrative amendment pursuant to 326 IAC 2-8-10(a)(4).
2. to extend the FESOP Renewal permit term to ten (10) years. On December 16, 2007, rule revisions to 326 IAC 2-1.1-9.5 and 326 IAC 2-8-4 were finalized allowing for ten (10) year permit terms on FESOP renewals. IDEM has determined that this change to the permit will be processed as an administrative amendment pursuant to 326 IAC 2-8-10.

Pursuant to the provisions of 326 IAC 2-8-10, the permit is hereby administratively amended as follows with the deleted language as ~~strikeouts~~ and new language **bolded**.

- (a) All occurrences of the company name have been updated in the permit as follows:

~~Support Terminal Operating Partnership, L.P. (dba Valero, L.P)~~  
**NuStar Terminals Operations Partnership L.P.**

- (b) The expiration date on the cover page has been extended by five (5) years as follows:

Issuance Date: April 26, 2004  
Expiration Date: April 26, ~~2009~~ **2014**

- (c) Condition B.3 has been revised to reflect the ten (10) year permit term.

**B.3 Permit Term [326 IAC 2-8-4(2)][326 IAC 2-1.1-9.5]**

This permit, **063-17196-00027**, is issued for a fixed term of ~~five (5)~~ **ten (10)** 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.

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

- (d) All occurrences of IDEM's mailing addresses have been updated in the permit. Any occurrences of the zip code ~~46204~~ have been revised to **46204-2251**, and all addresses have been revised to include a mail code (MC) as follows:

Asbestos Section:	<b>MC 61-52 IGCN 1003</b>
Compliance Branch:	<b>MC 61-53 IGCN 1003</b>
Permits Branch:	<b>MC 61-53 IGCN 1003</b>
Technical Support and Modeling Section:	<b>MC 61-50 IGCN 1003</b>

- (e) IDEM has begun implementing a new procedure and will no longer list the name or title of the Authorized Individual (A.I.) in the permit document. Section A.1 is updated as follows:

Authorized Individual: ~~Terminal Manager~~

- (f) All occurrences of the Compliance Data Branch telephone and facsimile numbers have been revised to 317-233-~~5674~~ **0178** and 317-233-~~5967~~ **6865**, respectively.
- (g) Section A.1 is revised to indicate that Hendricks County is now in attainment for the 8-hour ozone standard. Section A.1 is updated as follows:

Source Location Status: ~~Nonattainment for PM<sub>2.5</sub> and Ozone under 8 hour standard~~  
Attainment area for all other criteria **pollutants**

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

A copy of the permit is available on the Internet at: <http://www.in.gov/ai/appfiles/idem-caats/>. 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)

This decision is subject to the Indiana Administrative Orders and Procedures Act - IC 4-21.5-3-5. If you have any questions on this matter, please contact Pam K. Way of my staff, at 317-234-4794 or 1-800-451-6027, and ask for extension 4-4794

Sincerely/Original Signed By:

Alfred C. Dumauual, Ph. D., Section Chief  
Permits Branch  
Office of Air Quality

Attachments: Updated Permit  
ACD/pkw

cc: File – Hendricks County  
Hendricks County Health Department  
U.S. EPA, Region V  
Air Compliance Section  
Compliance Data Section  
Technical Support and Modeling  
Permits Administrative and Development

NuStar Terminals Operations Partnership L.P.  
Indianapolis, Indiana  
Permit Reviewer: Pam K. Way

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Administrative Amendment No. 063-26479-00027

Billing, Licensing and Training Section



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## FEDERALLY ENFORCEABLE STATE OPERATING PERMIT (FESOP) RENEWAL OFFICE OF AIR QUALITY

**NuStar Terminals Operations Partnership L.P.**  
**3350 North Raceway Road**  
**3218 North Raceway Road**  
**Indianapolis, Indiana 46234**

(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 provision of this permit is grounds for enforcement action; permit termination, revocation and reissuance, or modification; and denial of a permit renewal application. It shall not be a defense for the Permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit. An emergency does constitute an affirmative defense in an enforcement action provided the Permittee complies with the applicable requirements set forth in Section B, Emergency Provisions.**

This permit is issued in accordance with 326 IAC 2 and 40 CFR Part 70 Appendix A and contains the conditions and provisions specified in 326 IAC 2-8 as required by 42 U.S.C. 7401, et. seq. (Clean Air Act as amended by the 1990 Clean Air Act Amendments), 40 CFR Part 70.6, IC 13-15 and IC 13-17.

Operation Permit No.: F063-17196-00027	
Issued by: Paul Dubenetzky, Branch Chief Office of Air Quality	Issuance Date: April 26, 2004  Expiration Date: April 26, 2014

First Significant Permit Revision No.: 063-21351-00027, issued August 26, 2005

First Administrative Amendment No.: 063-22845-00027, issued May 10, 2006

Second Administrative Amendment No. 063-26479-00027	
Issued by/Original Signed By:  Alfred C. Dumauual, Ph.D., Section Chief Permits Branch Office of Air Quality	Issuance Date: May 30, 2008  Expiration Date: April 26, 2014

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## SECTION A SOURCE SUMMARY

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

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

---

The Permittee owns and operates a stationary gasoline terminal.

Source Address:	3350 North Raceway Road, Indianapolis, Indiana, 46234 3218 North Raceway Road, Indianapolis, Indiana, 46234
Mailing Address:	1800 Frankfurst Avenue, Baltimore, MD 21226
General Source Phone:	(317) 299-2675
SIC Code:	4226
County Location:	Hendricks
Source Location Status:	Nonattainment for PM2.5
Source Status:	Attainment for all other criteria pollutants Federally Enforceable State Operating Permit (FESOP) Minor Source, under PSD, Emission Offset, and Nonattainment New Source Review Rules Minor Source, Section 112 of the Clean Air Act 1 of 28 Source Categories

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

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The source consists of the following permitted emission units and pollution control devices:

- (a) One (1) gasoline storage tank, constructed in 1953, identified as Tank 201, equipped with an internal floating roof, with a maximum capacity of 84,000 gallons.
- (b) One (1) gasoline storage tank, constructed in 1953 and modified in 2003, identified as 1001, equipped with an internal floating roof, with a maximum capacity of 420,000 gallons, and exhausting to vent 1001.
- (c) Five (5) gasoline storage tanks, constructed in 1953, identified as 2001, 2002, 2003, 2004 and 2006, all equipped with internal floating roofs, with maximum capacities of 840,000 gallons each, and exhausting to vents 2001, 2002, 2003, 2004 and 2006, respectively.
- (d) One (1) gasoline storage tank, constructed in 1953, identified as 2401, equipped with an internal floating roof, with a maximum capacity of 1,008,000 gallons, and exhausting to vent 2401.
- (e) Three (3) gasoline storage tanks, constructed in 1953, identified as 4001, 4002 and 4003, all equipped with an internal floating roofs, with maximum capacities of 1,680,000 gallons each, and exhausting to vents 4001, 4002 and 4003, respectively.
- (f) Two (1) kerosene storage tanks, constructed in 1953, identified as 1002 and 1004, each equipped with a vertical fixed roof, with maximum capacities of 420,000 gallons each, and exhausting to vents 1002 and 1004, respectively.
- (g) One (1) kerosene storage tank, constructed in 1953, identified as 2005, equipped with a vertical fixed roof, with a maximum capacity of 840,000 gallons, and exhausting to vent 2005.

- (h) Three (3) diesel storage tanks, constructed in 1953, identified as 1003, 1005 and 1006, all equipped with vertical fixed roofs, with maximum capacities of 420,000 gallons each, and exhausting to vents 1003, 1005 and 1006, respectively.
- (i) One (1) diesel storage tank, constructed in 1953, identified as 3001, equipped with a vertical fixed roof, with a maximum capacity of 1,260,000 gallons, and exhausting to vent 3001.
- (j) One (1) diesel storage tank, constructed in 1953, identified as 5501, equipped with a vertical fixed roof, with a maximum capacity of 2,310,000 gallons, and exhausting to vent 5501.
- (k) One (1) truck loading rack, constructed in 1953 and modified in 2005, identified as NA01, with a maximum capacity of 60,000 gallons per hour, with VOC emissions controlled by an enclosed flare, and exhausting to vent NA01.

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

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

- (a) Four (4) ethanol storage tanks, constructed after 1984, identified as Tanks 1, 2, 3 and 4, each equipped with fixed roofs, with maximum capacities of 15,000 gallons each.
- (b) One (1) additive storage tank, constructed after 1984, identified as Tank A-1, equipped with a fixed roof, with a maximum capacity of 7,400 gallons.
- (c) One (1) distillate loading rack, constructed in 1953, identified as NA02, handling only No. 1 fuel oil (kerosene) and No. 2 fuel oil (diesel fuel), with a maximum capacity of 60,800 gallons per hour and 532,608,000 gallons per year, with VOC emissions controlled by a propane-fired vapor combustion unit with a maximum heat input capacity of 36 MMBtu per hour, and exhausting to vent NA02.

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

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

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

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

## SECTION B GENERAL CONDITIONS

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

---

Indiana statutes from IC 13 and rules from 326 IAC, quoted in conditions in this permit, are those applicable at the time the permit was issued. The issuance or possession of this permit shall not alone constitute a defense against an alleged violation of any law, regulation or standard, except for the requirement to obtain a FESOP under 326 IAC 2-8.

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

---

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

### B.3 Permit Term [326 IAC 2-8-4(2)][326 IAC 2-1.1-9.5]

---

This permit, F063-17196-00027, is issued for a fixed term of ten (10) 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.

### B.4 Enforceability [326 IAC 2-8-6]

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

---

The Permittee's right to operate this source terminates with the expiration of this permit unless a timely and complete renewal application is submitted at least nine (9) months prior to the date of expiration of the source's existing permit, consistent with 326 IAC 2-8-3(h) and 326 IAC 2-8-9.

### B.6 Severability [326 IAC 2-8-4(4)]

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

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

### B.8 Duty to Provide Information [326 IAC 2-8-4(5)(E)]

---

- (a) The Permittee shall furnish to IDEM, OAQ, within a reasonable time, any information that IDEM, OAQ, may request in writing to determine whether cause exists for modifying, revoking and reissuing, or terminating this permit, or to determine compliance with this permit. The submittal by the Permittee does require the certification by the "authorized individual" as defined by 326 IAC 2-1.1-1(1). Upon request, the Permittee shall also furnish to IDEM, OAQ, copies of records required to be kept by this permit.
- (b) For information furnished by the Permittee to IDEM, OAQ, the Permittee may include a claim of confidentiality in accordance with 326 IAC 17.1. When furnishing copies of requested records directly to U. S. EPA, the Permittee may assert a claim of confidentiality in accordance with 40 CFR 2, Subpart B.

### B.9 Compliance Order Issuance [326 IAC 2-8-5(b)]

---

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

### B.10 Certification [326 IAC 2-8-3(d)] [326 IAC 2-8-4(3)(C)(i)] [326 IAC 2-8-5(1)]

---

- (a) Where specifically designated by this permit or required by an applicable requirement, any application form, report, or compliance certification submitted shall contain certification by an authorized individual of truth, accuracy, and completeness. This certification, shall

state that, based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate, and complete.

- (b) One (1) certification shall be included, using the attached Certification Form, with each submittal requiring certification.
- (c) An authorized individual is defined at 326 IAC 2-1.1-1(1).

B.11 Annual Compliance Certification [326 IAC 2-8-5(a)(1)]

- (a) The Permittee shall annually submit a compliance certification report which addresses the status of the source's compliance with the terms and conditions contained in this permit, including emission limitations, standards, or work practices. All certifications shall cover the time period from January 1 to December 31 of the previous year, and shall be submitted in letter form no later than July 1 of each year to:

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

- (b) The annual compliance certification report required by this permit shall be considered timely if the date postmarked on the envelope or certified mail receipt, or affixed by the shipper on the private shipping receipt, is on or before the date it is due. If the document is submitted by any other means, it shall be considered timely if received by IDEM, OAQ, on or before the date it is due.
- (c) The annual compliance certification report shall include the following:
  - (1) The appropriate identification of each term or condition of this permit that is the basis of the certification;
  - (2) The compliance status;
  - (3) Whether compliance was continuous or intermittent;
  - (4) The methods used for determining the compliance status of the source, currently and over the reporting period consistent with 326 IAC 2-8-4(3); and
  - (5) Such other facts as specified in Sections D of this permit, IDEM, OAQ, may require to determine the compliance status of the source.

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

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

- (a) If required by specific condition(s) in Section D of this permit, the Permittee shall maintain and implement Preventive Maintenance Plans (PMPs), including the following information on each facility:
  - (1) Identification of the individual(s) responsible for inspecting, maintaining, and repairing emission control devices;
  - (2) A description of the items or conditions that will be inspected and the inspection schedule for said items or conditions; and
  - (3) Identification and quantification of the replacement parts that will be maintained in inventory for quick replacement.

- (b) The Permittee shall implement the PMPs, including any required record keeping, as necessary to ensure that failure to implement a PMP does not cause or contribute to an exceedance of any limitation on emissions or potential to emit.
- (c) A copy of the PMPs shall be submitted to IDEM, OAQ, 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 PMP does not require the certification by the "authorized individual" as defined by 326 IAC 2-1.1-1(1).
- (d) To the extent the Permittee is required by 40 CFR Part 60/63 to have an Operation, Maintenance, and Monitoring (OMM) Plan for a unit, such Plan is deemed to satisfy the PMP requirements of 326 IAC 1-6-3 for that unit.

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

- (a) An emergency, as defined in 326 IAC 2-7-1(12), is not an affirmative defense for an action brought for noncompliance with a federal or state health-based emission limitation, except as provided in 326 IAC 2-8-12.
- (b) An emergency, as defined in 326 IAC 2-7-1(12), constitutes an affirmative defense to an action brought for noncompliance with a health-based or technology-based emission limitation if the affirmative defense of an emergency is demonstrated through properly signed, contemporaneous operating logs or other relevant evidence that describes the following:

- (1) An emergency occurred and the Permittee can, to the extent possible, identify the causes of the emergency;
- (2) The permitted facility was at the time being properly operated;
- (3) During the period of an emergency, the Permittee took all reasonable steps to minimize levels of emissions that exceeded the emission standards or other requirements in this permit;
- (4) For each emergency lasting one (1) hour or more, the Permittee notified IDEM, OAQ, within four (4) daytime business hours after the beginning of the emergency, or after the emergency was discovered or reasonably should have been discovered;

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

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

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

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

The notice fulfills the requirement of 326 IAC 2-8-4(3)(C)(ii) and must contain the following:

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

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

- (6) The Permittee immediately took all reasonable steps to correct the emergency.
- (c) In any enforcement proceeding, the Permittee seeking to establish the occurrence of an emergency has the burden of proof.
- (d) This emergency provision supersedes 326 IAC 1-6 (Malfunctions). This permit condition is in addition to any emergency or upset provision contained in any applicable requirement.
- (e) IDEM, OAQ, may require that the Preventive Maintenance Plans required under 326 IAC 2-8-3(c)(6) be revised in response to an emergency.
- (f) Failure to notify IDEM, OAQ, by telephone or facsimile of an emergency lasting more than one (1) hour in accordance with (b)(4) and (5) of this condition shall constitute a violation of 326 IAC 2-8 and any other applicable rules.
- (g) Operations may continue during an emergency only if the following conditions are met:
  - (1) If the emergency situation causes a deviation from a technology-based limit, the Permittee may continue to operate the affected emitting facilities during the emergency provided the Permittee immediately takes all reasonable steps to correct the emergency and minimize emissions.
  - (2) If an emergency situation causes a deviation from a health-based limit, the Permittee may not continue to operate the affected emissions facilities unless:
    - (A) The Permittee immediately takes all reasonable steps to correct the emergency situation and to minimize emissions; and
    - (B) Continued operation of the facilities is necessary to prevent imminent injury to persons, severe damage to equipment, substantial loss of capital investment, or loss of product or raw material of substantial economic value.
- (h) Any operations shall continue no longer than the minimum time required to prevent the situations identified in (g)(2)(B) of this condition.
- (h) The Permittee shall include all emergencies in the Quarterly Deviation and Compliance Monitoring Report.

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

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

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

using the attached Quarterly Deviation and Compliance Monitoring Report, or its equivalent. A deviation required to be reported pursuant to an applicable requirement that exists independently 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 "authorized individual" as defined by 326 IAC 2-1.1-1(1).

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

**B.15 Permit Modification, Reopening, Revocation and Reissuance, or Termination [326 IAC 2-8-4(5)(C)] [326 IAC 2-8-7(a)] [326 IAC 2-8-8]**

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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 FESOP modification, revocation and reissuance, or termination, or of a notification of planned changes or anticipated noncompliance does not stay any condition of this permit. [326 IAC 2-8-4(5)(C)] The notification by the Permittee does require the certification by the "authorized individual" as defined by 326 IAC 2-1.1-1(1).
- (b) This permit shall be reopened and revised under any of the circumstances listed in IC 13-15-7-2 or if IDEM, OAQ determines any of the following:
  - (1) That this permit contains a material mistake.
  - (2) That inaccurate statements were made in establishing the emissions standards or other terms or conditions.
  - (3) That this permit must be revised or revoked to assure compliance with an applicable requirement. [326 IAC 2-8-8(a)]
- (c) Proceedings by IDEM, OAQ, to reopen and revise this permit shall follow the same procedures as apply to initial permit issuance and shall affect only those parts of this permit for which cause to reopen exists. Such reopening and revision shall be made as expeditiously as practicable. [326 IAC 2-8-8(b)]
- (d) The reopening and revision of this permit, under 326 IAC 2-8-8(a), shall not be initiated before notice of such intent is provided to the Permittee by IDEM, OAQ, at least thirty (30) days in advance of the date this permit is to be reopened, except that IDEM, OAQ, may provide a shorter time period in the case of an emergency. [326 IAC 2-8-8(c)]

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

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- (a) The application for renewal shall be submitted using the application form or forms prescribed by IDEM, OAQ and shall include the information specified in 326 IAC 2-8-3. Such information shall be included in the application for each emission unit at this source, except those emission units included on the trivial or insignificant activities list contained in 326 IAC 2-7-1(21) and 326 IAC 2-7-1(40). The renewal application does require the certification by the "authorized individual" as defined by 326 IAC 2-1.1-1(1).

Request for renewal shall be submitted to:

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

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

- (1) A timely renewal application is one that is:
  - (A) Submitted at least nine (9) months prior to the date of the expiration of this permit; and
  - (B) If the date postmarked on the envelope or certified mail receipt, or affixed by the shipper on the private shipping receipt, is on or before the date it is due. If the document is submitted by any other means, it shall be considered timely if received by IDEM, OAQ, on or before the date it is due.
- (2) If IDEM, OAQ upon receiving a timely and complete permit application, fails to issue or deny the permit renewal prior to the expiration date of this permit, this existing permit shall not expire and all terms and conditions shall continue in effect until the renewal permit has been issued or denied.
- (c) Right to Operate After Application for Renewal [326 IAC 2-8-9]  
If the Permittee submits a timely and complete application for renewal of this permit, the source's failure to have a permit is not a violation of 326 IAC 2-8 until IDEM, OAQ takes final action on the renewal application, except that this protection shall cease to apply if, subsequent to the completeness determination, the Permittee fails to submit by the deadline specified in writing by IDEM, OAQ, any additional information identified as needed to process the application.

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

- (a) Permit amendments and revisions are governed by the requirements of 326 IAC 2-8-10 or 326 IAC 2-8-11.1 whenever the Permittee seeks to amend or modify this permit.
- (b) Any application requesting an amendment or modification of this permit shall be submitted to:  
  
Indiana Department of Environmental Management  
Permits Branch, Office of Air Quality  
100 North Senate Avenue  
MC 61-53 IGCN 1003  
Indianapolis, Indiana 46204-2251  
  
Any such application shall be certified by the "authorized individual" as defined by 326 IAC 2-1.1-1(1).
- (c) The Permittee may implement the administrative amendment changes addressed in the request for an administrative amendment immediately upon submittal of the request. [326 IAC 2-8-10(b)(3)]
- (d) No permit amendment or modification is required for the addition, operation or removal of a nonroad engine, as defined in 40 CFR 89.2.

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

- (a) The Permittee may make any change or changes at this source that are described in 326 IAC 2-8-15(b) through (d), without prior permit revision, if each of the following conditions is met:
  - (1) The changes are not modifications under any provision of Title I of the Clean Air Act;
  - (2) Any approval required by 326 IAC 2-8-11.1 has been obtained;
  - (3) The changes do not result in emissions which exceed the emissions allowable under this permit (whether expressed herein as a rate of emissions or in terms of total emissions);

- (4) The Permittee notifies the:

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

and

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

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

- (5) The Permittee maintains records on-site which document, on a rolling five (5) year basis, all such changes and emissions trading that are subject to 326 IAC 2-8-15(b) through (d) and makes such records available, upon reasonable request, to public review.

Such records shall consist of all information required to be submitted to IDEM, OAQ, in the notices specified in 326 IAC 2-8-15(b)(2), (c)(1), and (d).

- (b) Emission Trades [326 IAC 2-8-15(c)]  
The Permittee may trade increases and decreases in emissions in the source, where the applicable SIP provides for such emission trades without requiring a permit revision, subject to the constraints of Section (a) of this condition and those in 326 IAC 2-8-15(c).
- (c) Alternative Operating Scenarios [326 IAC 2-8-15(d)]  
The Permittee may make changes at the source within the range of alternative operating scenarios that are described in the terms and conditions of this permit in accordance with 326 IAC 2-8-4(7). No prior notification of IDEM, OAQ or U.S. EPA is required.

**B.19 Permit Revision Requirement [326 IAC 2-8-11.1]**

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

**B.20 Inspection and Entry [326 IAC 2-8-5(a)(2)] [IC 13-14-2-2] [IC 13-30-3-1] [IC13-17-3-2]**

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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 FESOP source is located, or emissions related activity is conducted, or where records must be kept under the conditions of this permit;
- (b) As authorized by the Clean Air Act, IC 13-14-2-2, IC 13-17-3-2, and IC 13-30-3-1, have access to and copy, at reasonable times, any records that must be kept under the conditions of this permit;
- (c) As authorized by the Clean Air Act, IC 13-14-2-2, IC 13-17-3-2, and IC 13-30-3-1, inspect, at reasonable times, any facilities, equipment (including monitoring and air pollution control equipment), practices, or operations regulated or required under this permit;

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

B.21 Transfer of Ownership or Operational Control [326 IAC 2-8-10]

- (a) The Permittee must comply with the requirements of 326 IAC 2-8-10 whenever the Permittee seeks to change the ownership or operational control of the source and no other change in the permit is necessary.
- (b) Any application requesting a change in the ownership or operational control of the source shall contain a written agreement containing a specific date for transfer of permit responsibility, coverage and liability between the current and new Permittee. The application shall be submitted to:  
  
Indiana Department of Environmental Management  
Permits Branch, Office of Air Quality  
100 North Senate Avenue  
MC 61-53 IGCN 1003  
Indianapolis, Indiana 46204-2251  
  
The application which shall be submitted by the Permittee does require the certification by the "authorized individual" as defined by 326 IAC 2-1.1-1(1).
- (c) The Permittee may implement administrative amendment changes addressed in the request for an administrative amendment immediately upon submittal of the request. [326 IAC 2-8-10(b)(3)]

B.22 Annual Fee Payment [326 IAC 2-7-19] [326 IAC 2-8-4(6)] [326 IAC 2-8-16] [326 IAC 2-1.1-7]

- (a) The Permittee shall pay annual fees to IDEM, OAQ, within thirty (30) calendar days of receipt of a billing. Pursuant to 326 IAC 2-7-19(b), if the Permittee does not receive a bill from IDEM, OAQ the applicable fee is due April 1 of each year.
- (b) Failure to pay may result in administrative enforcement action, or revocation of this permit.
- (c) The Permittee may call the following telephone numbers: 1-800-451-6027 or 317-233-4230 (ask for OAQ, Billing, Licensing, and Training Section), to determine the appropriate permit fee.

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

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

## SECTION C SOURCE OPERATION CONDITIONS

Entire Source

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

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

- (a) Pursuant to 40 CFR 52 Subpart P, particulate matter emissions from any process not already regulated by 326 IAC 6-1 or any New Source Performance Standard, and which has a maximum process weight rate less than 100 pounds per hour shall not exceed 0.551 pounds per hour.
- (b) Pursuant to 326 IAC 6-3-2(e)(2), particulate emissions from any process not exempt under 326 IAC 6-3-1(b) or (c) which has a maximum process weight rate less than 100 pounds per hour and the methods in 326 IAC 6-3-2(b) through (d) do not apply shall not exceed 0.551 pounds per hour.

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

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

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

#### C.3 Opacity [326 IAC 5-1]

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

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

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

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

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

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

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

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

C.7 Operation of Equipment [326 IAC 2-8-5(a)(4)]

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

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

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

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

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

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

- (e) **Procedures for Asbestos Emission Control**  
The Permittee shall comply with the applicable emission control procedures in 326 IAC 14-10-4 and 40 CFR 61.145(c). Per 326 IAC 14-10-1 emission control requirements are applicable for any removal or disturbance of RACM greater than three (3) linear feet on pipes or three (3) square feet on any other facility components or a total of at least 0.75 cubic feet on all facility components.
- (f) **Demolition and renovation**  
The Permittee shall thoroughly inspect the affected facility or part of the facility where the demolition or renovation will occur for the presence of asbestos pursuant to 40 CFR 61.145(a).
- (g) **Indiana Accredited Asbestos Inspector**  
The Permittee shall comply with 326 IAC 14-10-1(a) that requires the owner or operator, prior to a renovation/demolition, to use an Indiana Accredited Asbestos Inspector to thoroughly inspect the affected portion of the facility for the presence of asbestos. The requirement to use an Indiana Accredited Asbestos inspector be accredited is not federally enforceable.

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

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

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

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

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

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

- (b) The Permittee shall notify IDEM, OAQ of the actual test date at least fourteen (14) days prior to the actual test date. The notification submitted by the Permittee does not require certification by the "authorized individual" as defined by 326 IAC 2-1.1-1(1).
- (c) Pursuant to 326 IAC 3-6-4(b), all test reports must be received by IDEM, OAQ not later than forty-five (45) days after the completion of the testing. An extension may be granted by IDEM, OAQ, if the Permittee submits to IDEM, OAQ, a reasonable written explanation not later than five (5) days prior to the end of the initial forty-five (45) day period.

### **Compliance Requirements [326 IAC 2-1.1-11]**

#### **C.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 2-8-4] [326 IAC 2-8-5(a)(1)]**

#### **C.11 Compliance Monitoring [326 IAC 2-8-4(3)] [326 IAC 2-8-5(a)(1)]**

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Unless otherwise specified in this permit, all monitoring and record keeping requirements not already legally required shall be implemented upon issuance of this permit. If required by Section D, the Permittee shall be responsible for installing any necessary equipment and initiating any required monitoring related to that equipment.

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

#### **C.12 Monitoring Methods [326 IAC 3] [40 CFR 60] [40 CFR 63]**

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Any monitoring or testing performed 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.13 Pressure Gauge and Other Instrument Specifications [326 IAC 2-1.1-11] [326 IAC 2-8-4(3)] [326 IAC 2-8-5(1)]**

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- (a) Whenever a condition in this permit requires the measurement of pressure drop across any part of the unit or its control device, the gauge employed shall have a scale such that the expected normal reading shall be no less than twenty percent (20%) of full scale and be accurate within plus or minus two percent ( $\pm 2\%$ ) of full scale reading.
- (b) Whenever a condition in this permit requires the measurement of a temperature or flow rate, the instrument employed shall have a scale such that the expected normal reading shall be no less than twenty percent (20%) of full scale and be accurate within plus or minus two percent ( $\pm 2\%$ ) of full scale reading.
- (c) The Permittee may request the IDEM, OAQ approve the use of a pressure gauge or other instrument that does not meet the above specifications provided the Permittee can demonstrate an alternative pressure gauge or other instrument specification will adequately ensure compliance with permit conditions requiring the measurement of pressure drop or other parameters.

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

#### **C.14 Risk Management Plan [326 IAC 2-8-4] [40 CFR 68]**

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

#### **C.15 Compliance Response Plan - Preparation, Implementation, Records, and Reports [326 IAC 2-8-4] [326 IAC 2-8-5]**

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- (a) The Permittee is required to prepare a Compliance Response Plan (CRP) for each compliance monitoring condition of this permit. If a Permittee is required to have an Operation, Maintenance and Monitoring (OMM) Plan under 40 CFR 60/63, such plans shall be deemed to satisfy the requirements for a CRP for those compliance monitoring conditions. A CRP shall be submitted to IDEM, OAQ upon request. The CRP shall be prepared within ninety (90) days after issuance of this permit by the Permittee, supplemented from time to time by the Permittee, maintained on site, and is comprised of:
  - (1) Reasonable response steps that may be implemented in the event that a response step is needed pursuant to the requirements of Section D of this permit; and an expected timeframe for taking reasonable response steps.

- (2) If, at any time, the Permittee takes reasonable response steps that are not set forth in the Permittee's current Compliance Response Plan or Operation, Maintenance and Monitoring (OMM) Plan and the Permittee documents such response in accordance with subsection (e) below, the Permittee shall amend its Compliance Response Plan or Operation, Maintenance and Monitoring (OMM) Plan to include such response steps taken.

The OMM Plan shall be submitted within the time frames specified by the applicable 40 CFR60/63 requirement.

- (b) For each compliance monitoring condition of this permit, reasonable response steps shall be taken when indicated by the provisions of that compliance monitoring condition as follows:
  - (1) Reasonable response steps shall be taken as set forth in the Permittee's current Compliance Response Plan or Operation, Maintenance and Monitoring (OMM) Plan; or
  - (2) If none of the reasonable response steps listed in the Compliance Response Plan or Operation, Maintenance and Monitoring (OMM) Plan is applicable or responsive to the excursion, the Permittee shall devise and implement additional response steps as expeditiously as practical. Taking such additional response steps shall not be considered a deviation from this permit so long as the Permittee documents such response steps in accordance with this condition.
  - (3) If the Permittee determines that additional response steps would necessitate that the emissions unit or control device be shut down, and it will be 10 days or more until the unit or device will be shut down, then the permittee shall promptly notify the IDEM, OAQ of the expected date of the shut down, the status of the applicable compliance monitoring parameter with respect to normal, and the results of the actions taken up to the time of notification.
  - (4) Failure to take reasonable response steps shall be considered a deviation from the permit.
- (c) The Permittee is not required to take any further response steps for any of the following reasons:
  - (1) A false reading occurs due to the malfunction of the monitoring equipment and prompt action was taken to correct the monitoring equipment.
  - (2) The Permittee has determined that the compliance monitoring parameters established in the permit conditions are technically inappropriate, has previously submitted a request for an administrative amendment to the permit, and such request has not been denied.
  - (3) An automatic measurement was taken when the process was not operating.
  - (4) The process has already returned or is returning to operating within "normal" parameters and no response steps are required.
- (d) When implementing reasonable steps in response to a compliance monitoring condition, if the Permittee determines that an exceedance of an emission limitation has occurred, the Permittee shall report such deviations pursuant to Section B-Deviations from Permit Requirements and Conditions.
- (e) The Permittee shall record all instances when, in accordance with Section D, response steps are taken. In the event of an emergency, the provisions of 326 IAC 2-8-12

(Emergency Provisions) requiring prompt corrective action to mitigate emissions shall prevail.

- (f) Except as otherwise provided by a rule or provided specifically in Section D, all monitoring as required in Section D shall be performed when the emission unit is operating, except for time necessary to perform quality assurance and maintenance activities.

**C.16 Actions Related to Noncompliance Demonstrated by a Stack Test [326 IAC 2-8-4]  
[326 IAC 2-8-5]**

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

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

**C.17 General Record Keeping Requirements [326 IAC 2-8-4(3)] [326 IAC 2-8-5]**

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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 unless otherwise specified. 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.18 General Reporting Requirements [326 IAC 2-8-4(3)(C)] [326 IAC 2-1.1-11]**

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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 "authorized individual" as defined by 326 IAC 2-1.1-1(1).
- (b) The report required in (a) of this condition and reports required by conditions in Section D of this permit shall be submitted to:

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

- (c) Unless otherwise specified in this permit, any notice, report, or other submission required by this permit shall be considered timely if the date postmarked on the envelope or certified mail receipt, or affixed by the shipper on the private shipping receipt, is on or before the date it is due. If the document is submitted by any other means, it shall be considered timely if received by IDEM, OAQ, on or before the date it is due.
- (d) Unless otherwise specified in this permit, all reports required in Section D of this permit shall be submitted within thirty (30) days of the end of the reporting period. All reports do require the certification by the "authorized individual" as defined by 326 IAC 2-1.1-1(1).
- (e) Reporting periods are based on calendar years.

### **Stratospheric Ozone Protection**

#### **C.19 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.

**SECTION D.1**

**FACILITY OPERATION CONDITIONS**

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

- (a) One (1) gasoline storage tank, constructed in 1953, identified as Tank 201, equipped with an internal floating roof, with a maximum capacity of 84,000 gallons.
- (b) One (1) gasoline storage tank, constructed in 1953 and modified in 2003, identified as 1001, equipped with an internal floating roof, with a maximum capacity of 420,000 gallons, and exhausting to vent 1001.
- (c) Five (5) gasoline storage tanks, constructed in 1953, identified as 2001, 2002, 2003, 2004 and 2006, all equipped with internal floating roofs, with maximum capacities of 840,000 gallons each, and exhausting to vents 2001, 2002, 2003, 2004 and 2006, respectively.
- (d) One (1) gasoline storage tank, constructed in 1953, identified as 2401, equipped with an internal floating roof, with a maximum capacity of 1,008,000 gallons, and exhausting to vent 2401.
- (e) Three (3) gasoline storage tanks, constructed in 1953, identified as 4001, 4002 and 4003, all equipped with an internal floating roofs, with maximum capacities of 1,680,000 gallons each, and exhausting to vents 4001, 4002 and 4003, respectively.
- (f) Two (1) kerosene storage tanks, constructed in 1953, identified as 1002 and 1004, each equipped with a vertical fixed roof, with maximum capacities of 420,000 gallons each, and exhausting to vents 1002 and 1004, respectively.
- (g) One (1) kerosene storage tank, constructed in 1953, identified as 2005, equipped with a vertical fixed roof, with a maximum capacity of 840,000 gallons, and exhausting to vent 2005.
- (h) Three (3) diesel storage tanks, constructed in 1953, identified as 1003, 1005 and 1006, all equipped with vertical fixed roofs, with maximum capacities of 420,000 gallons each, and exhausting to vents 1003, 1005 and 1006, respectively.
- (i) One (1) diesel storage tank, constructed in 1953, identified as 3001, equipped with a vertical fixed roof, with a maximum capacity of 1,260,000 gallons, and exhausting to vent 3001.
- (j) One (1) diesel storage tank, constructed in 1953, identified as 5501, equipped with a vertical fixed roof, with a maximum capacity of 2,310,000 gallons, and exhausting to vent 5501.
- (k) One (1) truck loading rack, constructed in 1953 and modified in 2005, identified as NA01, with a maximum capacity of 60,000 gallons per hour, with VOC emissions controlled by an enclosed flare, and exhausting to vent NA01.

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

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

**D.1.1 Volatile Organic Compounds (VOC) [326 IAC 8-4-3]**

The Permittee shall comply will the requirements for internal floating roofs equipped with closure seals for the eight (8) gasoline storage tanks identified as 1001, 2001, 2002, 2003, 2004, 4001, 4002 and 4003 having fixed external roofs.

**D.1.2 Volatile Organic Compounds (VOC) [326 IAC 8-4-4][326 IAC 8-4-7]**

- (a) The Permittee shall not permit the loading of gasoline into any transport, excluding railroad tank cars or barges, unless:

- (1) the bulk gasoline terminal is equipped with a vapor control system, in good working order, in operation and consisting of a vapor collection system which directs all vapors to a fuel gas system or incinerator;
  - (2) displaced vapors and gases are vented only to the vapor control system;
  - (3) a means is provided to prevent liquid drainage from the loading device when it is not in use or to accomplish complete drainage before the loading device is disconnected;
  - (4) all loading and vapor lines are equipped with fittings which make vapor tight connections and which will be closed upon disconnection; and
  - (5) the vapor recovery unit is attached to all transports during transfer operations.
- (b) If employees of the Permittee of the bulk gasoline terminal are not present during loading, it shall be the responsibility of the owner of the transport to make certain the vapor control system is attached to the transport. The Permittee shall take all reasonable steps to insure that owners of transports loading at the terminal during unsupervised times comply with this section.

#### D.1.3 Volatile Organic Compounds (VOC) [326 IAC 8-4-9]

- (a) Pursuant to 326 IAC 8-4-9, the Permittee shall not allow a gasoline transport that is subject to 326 IAC 8-4-7 and that has a capacity of two thousand (2,000) gallons or more to be filled or emptied unless the gasoline transport completes the following:
- (1) Annual leak detection testing before the end of the twelfth calendar month following the previous year's test, according to test procedures contained in 40 CFR 63.425(e), as follows:
    - (A) Conduct the pressure and vacuum tests for the transport's cargo tank using a time period of five (5) minutes. The initial pressure for the pressure test shall be four hundred sixty (460) millimeters H<sub>2</sub>O (eighteen (18) inches H<sub>2</sub>O) gauge. The initial vacuum for the vacuum test shall be one hundred fifty (150) millimeters H<sub>2</sub>O (six (6) inches H<sub>2</sub>O) gauge. The maximum allowable pressure or vacuum change is twenty-five (25) millimeters H<sub>2</sub>O (one (1) inch H<sub>2</sub>O) in five (5) minutes.
    - (B) Conduct the pressure test of the cargo tank's internal vapor valve as follows:
      - (i) After completing the test under clause (A), use the procedures in 40 CFR 60, Appendix A, Method 27\* to repressurize the tank to four hundred sixty (460) millimeters H<sub>2</sub>O (eighteen (18) inches H<sub>2</sub>O) gauge. Close the transport's internal vapor valve or valves, thereby isolating the vapor return line and manifold from the tank.
      - (ii) Relieve the pressure in the vapor return line to atmospheric pressure, then reseal the line. After five (5) minutes, record the gauge pressure in the vapor return line and manifold. The maximum allowable five (5) minute pressure increase is one hundred thirty (130) millimeters H<sub>2</sub>O (five (5) inches H<sub>2</sub>O).
  - (2) Repairs by the gasoline transport owner or operator, if the transport does not meet the criteria of subdivision (1), and retesting to prove compliance with the criteria of subdivision (1).
- (b) The Permittee operating a vapor balance system or vapor control system shall:

- (1) Design and operate the applicable system and the gasoline loading equipment in a manner that prevents:
  - (A) Gauge pressure from exceeding four thousand five hundred (4,500) pascals (eighteen (18) inches of H<sub>2</sub>O) and a vacuum from exceeding one thousand five hundred (1,500) pascals (six (6) inches of H<sub>2</sub>O) in the gasoline truck;
  - (B) A reading equal to or greater than one hundred percent (100%) of the lower explosive limit (LEL, measured as propane) at two and five-tenths (2.5) centimeters from all points on the perimeter of a potential leak source when measured by a method approved by the commissioner during loading or unloading operations at gasoline bulk terminals; and
  - (C) Avoidable visible liquid leaks during loading or unloading operations at gasoline bulk terminals; and
- (2) Within fifteen (15) days, repair and retest a vapor collection or control system that exceeds the limits in subdivision (1).
- (c) The Permittee operating a vapor balance or vapor control system subject to this section shall maintain records of all certification testing. The records shall identify the following:
  - (1) The vapor balance, vapor collection, or vapor control system.
  - (2) The date of the test and, if applicable, retest.
  - (3) The results of the test and, if applicable, retest.

The records shall be maintained in a legible, readily available condition for at least two (2) years after the date the testing and, if applicable, retesting were completed.

D.1.4 Volatile Organic Compounds and Hazardous Air Pollutants [326 IAC 2-3] [326 IAC 2-8] [40 CFR 63, Subpart R]

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- (a) The emissions of VOC from the truck loading rack (NA01) shall be limited to less than 0.338 pounds per thousand (1,000) gallons of throughput.
- (b) The emissions of HAP from the truck loading rack (NA01) shall be limited to less than 18.93 pounds per million (1,000,000) gallons of throughput.
- (c) The total gasoline throughput rate for the truck loading rack NA01 shall be limited to less than 450,000,000 gallons per twelve (12) consecutive month period with compliance determined at the end of each month.

Compliance with the above conditions will limit the source-wide VOC, single HAP, and total HAPs emissions to less than one hundred (100), ten (10) and twenty-five (25) tons, respectively, per twelve (12) consecutive month period, with compliance determined at the end of each month. Therefore, the requirements of 326 IAC 2-7 (Part 70) and 40 CFR 63, Subpart R do not apply. Compliance with these limits also makes the source an existing minor source under Emission Offset (326 IAC 2-3).

D.1.5 New Source Performance Standards [326 IAC 12-1] [40 CFR Part 60, Subpart A] [40 CFR Part 60, Subpart XX]

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The provisions of 40 CFR Part 60, Subpart A - General Provisions, which are incorporated by reference in 326 IAC 12-1, apply to truck loading rack NA01 except when otherwise specified in 40 CFR Part 60, Subpart XX.

#### D.1.6 New Source Performance Standards [326 IAC 12-1] [40 CFR Part 60, Subpart XX]

The provisions of 40 CFR 60, Subpart XX (Standards of Performance for Bulk Gasoline Terminals) apply to truck loading rack NA01. The requirements of Subpart XX are as follows:

- (a) Pursuant to 40 CFR 60.502(a), the Permittee shall equip all loading racks with a vapor collection system designed to collect the total organic compound vapors displaced from tank trucks during product loading.
- (b) Pursuant to 40 CFR 60.502(c), emissions to the atmosphere from the vapor collection system due to the loading of liquid product into gasoline tank trucks are not to exceed 80 milligrams of total organic compounds per liter of gasoline loaded.
- (c) Pursuant to 40 CFR 60.502(d), each vapor collection system shall be designed to prevent any total organic compounds vapors collected at one loading rack from passing to another loading rack.
- (d) Pursuant to 40 CFR 60.502(e), loadings of liquid product into gasoline tank trucks shall be limited to vapor tight gasoline tank trucks using the procedures outlined in 40 CFR 60.502(e)(1) through (6). Vapor-tight gasoline tank truck shall mean a gasoline tank truck which has demonstrated within the twelve (12) preceding months that its product delivery tank will sustain a pressure change of not more than 750 pascals (75 mm of H<sub>2</sub>O) within five (5) minutes after it is pressurized to 4,500 pascals (450 mm of H<sub>2</sub>O). This capability is to be demonstrated using the pressure test procedure specified in Reference Method 27 (40 CFR 60 Appendix A Method 27).
- (e) Pursuant to 40 CFR 60.502(f), the Permittee shall act to assure that loadings of gasoline tank trucks are made only into tanks equipped with vapor collection equipment that is compatible with the terminal's vapor collection system.
- (f) Pursuant to 40 CFR 60.502(g), the Permittee shall act to ensure that the terminal's and the tank truck's vapor collection systems are connected during each loading of a gasoline tank truck at the loading rack.
- (g) Pursuant to 40 CFR 60.502(h), the vapor collection and liquid loading equipment shall be designed and operated to prevent gauge pressure in the delivery tank from exceeding 4,500 pascals (450 mm of H<sub>2</sub>O) during product loading. This level is not to be exceeded when measured by the procedures specified in 40 CFR 60.503(d).
- (h) Pursuant to 40 CFR 60.502(i), no pressure vacuum vent in the bulk gasoline terminal's vapor collection system shall begin to open at a system pressure less than 4,500 pascals (450 mm of H<sub>2</sub>O).
- (i) Pursuant to 40 CFR 60.502(j), each calendar month, the vapor collection system, the vapor processing system, and each loading rack handling gasoline shall be inspected during the loading of gasoline tank trucks for total organic compounds liquid or vapor leaks. For purposes of this paragraph, detection methods incorporating sight, sound, or smell are acceptable. The source of the leak shall be repaired within fifteen (15) calendar days after it is detected.

#### D.1.7 Preventive Maintenance Plan [326 IAC 2-8-4(9)]

A Preventive Maintenance Plan, in accordance with Section B - Preventive Maintenance Plan, of this permit, is required for the loading rack and its control device.

### **Compliance Determination Requirements**

#### D.1.8 Testing Requirements [326 IAC 2-8-5(a)(1),(4)] [40 CFR 60, Subpart XX]

Pursuant to 326 IAC 2-8-5(a)(1),(4) and 40 CFR 60.503, the Permittee shall perform outlet VOC testing of the vapor control system (vapor combustor) on the loading rack (NA01) within 60 days after achieving the maximum capacity, but no later than 180 days after issuance of SPR #063-

21351-00027 using methods approved by the Commissioner. This test shall be repeated within five (5) years from the date of the first valid compliance demonstration test and shall be repeated every five years thereafter.

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

#### **D.1.9 Monitoring [326 IAC 2-8-4] [326 IAC 2-8-5(a)(1)]**

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- (a) The vapor control system shall operate at all times that the petroleum product loading rack is operated. The vapor control system shall be interfaced with the loading rack to prevent loading if the control system is not operational. An indicator light shall detect the presence of a pilot flame. This indicator shall be inspected once per business day, and the result shall be recorded. When operating, the vapor combustion unit shall maintain a minimum operating temperature of 1400°F or a temperature, fan amperage and duct velocity determined in the compliance tests to maintain an overall control efficiency of 96%.
- (b) Additional inspections and preventive measures shall be performed as prescribed in the Preventive Maintenance Plan.

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

#### **D.1.10 Record Keeping Requirements [326 IAC 8-4-3] [326 IAC 2-8-4] [326 IAC 2-8-5(a)(1)] [40 CFR 60.505]**

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- (a) Gasoline Storage Tanks (1001, 2001, 2002, 2003, 2004, 4001, 4002 and 4003)

Pursuant to 326 IAC 8-4-3 and in order to document compliance with Condition D.1.1, the Permittee shall maintain records of the types and amounts of each volatile petroleum liquid stored, the maximum true vapor pressure of the liquid as stored, and the results of the inspections performed on the storage vessels. Such records shall be maintained for a period of two (2) years.
- (b) To document compliance with Condition D.1.4(c), the Permittee shall maintain monthly records of the amount of gasoline loaded out for loading rack NA01.
- (c) Pursuant to 40 CFR 60.505, the Permittee shall keep the following records:
  - (1) The tank truck vapor tightness documentation required under 40 CFR 60.502(e)(1) shall be kept on file at the terminal in a permanent form available for inspection. The documentation file for each gasoline tank truck shall be updated at least once per year to reflect current test results as determined by Method 27. This documentation shall include, at a minimum, the following information:
    - (A) Test title: Gasoline Delivery Tank Pressure Test - EPA Reference Method 27.
    - (B) Tank owner and address.
    - (C) Tank identification number.
    - (D) Testing location.
    - (E) Date of test.
    - (F) Tester name and signature.
    - (G) Witnessing inspector, if any: Name, signature, and affiliation.
    - (H) Test results: actual pressure change in five (5) minutes, mm of H<sub>2</sub>O (average for 2 runs).

- (2) In order to demonstrate compliance with Condition D.1.6(i) and 40 CFR 60.502(j), a record of each monthly leak inspection shall be kept on file at the terminal. Inspection records shall include, as a minimum, the following information:
  - (A) Date of inspection.
  - (B) Inspection findings (may indicate no leaks discovered; or location, nature, and severity of each leak).
  - (C) Leak determination method.
  - (D) Corrective action (date each leak repaired; reasons for any repair interval in excess of fifteen (15) days).
  - (E) Inspector name and signature.
- (3) The Permittee shall keep documentation of all notifications required under 40 CFR 60.502(e)(4) on file at the terminal.
- (4) The Permittee shall keep records of all replacements or additions of components performed on an existing vapor processing system.
- (d) Vapor Combustor (NA01)
  - (1) In order to document compliance with Condition D.1.9, the Permittee shall maintain a log of flame indicator inspections.
  - (2) In order to document compliance with Condition D.1.7, the Permittee shall maintain a log of the additional inspections prescribed by the Preventive Maintenance Plan.
- (e) All records shall be maintained in accordance with Section C - General Record Keeping Requirements, of this permit and shall be made available to the commissioner upon written request.

#### D.1.11 Reporting Requirements

A quarterly summary of the information to document compliance with Condition D.1.4(c) shall be submitted to the address listed in Section C - General Reporting Requirements, of this permit, using the reporting forms located at the end of this permit, or their equivalent, within thirty (30) days after the end of the quarter being reported. The report submitted by the Permittee does require the certification by an "authorized individual" as defined by 326 IAC 2-1.1-1(1).

## SECTION D.2

## FACILITY OPERATION CONDITIONS

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

- (a) Four (4) ethanol storage tanks, constructed after 1984, identified as Tanks 1, 2, 3 and 4, each equipped with fixed roofs, with maximum capacities of 15,000 gallons each.

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

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

#### D.2.1 Record Keeping [326 IAC 12-1]

- (a) Pursuant to 326 IAC 12, the Permittee shall maintain readily accessible records of the following for the ethanol storage tanks:

- (1) The dimension of the storage vessel; and
- (2) An analysis showing the capacity of the storage vessel.

These records shall be maintained for the life of the source.

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

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

**FEDERALLY ENFORCEABLE STATE OPERATING PERMIT (FESOP)  
CERTIFICATION**

Source Name: NuStar Terminals Operations Partnership L.P..  
Source Address: 3350 North Raceway Road Indianapolis, Indiana, 46234  
3218 North Raceway Road Indianapolis, Indiana, 46234  
Mailing Address: 1800 Frankfurst Avenue, Baltimore, MD 21226  
FESOP No.: F063-17196-00027

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

Please check what document is being certified:

Annual Compliance Certification Letter

Test Result (specify)

Report (specify)

Notification (specify)

Affidavit (specify)

Other (specify)

I certify that, based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate, and complete.

Signature:

Printed Name:

Title/Position:

Date:

**INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT  
OFFICE OF AIR QUALITY  
COMPLIANCE BRANCH  
100 North Senate Avenue  
Indianapolis, Indiana 46204  
Phone: 317-233-0178  
Fax: 317-233-6865**

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

Source Name: NuStar Terminals Operations Partnership L.P..  
Source Address: 3350 North Raceway Road Indianapolis, Indiana, 46234  
3218 North Raceway Road Indianapolis, Indiana, 46234  
Mailing Address: 1800 Frankfurst Avenue, Baltimore, MD 21226  
FESOP No.: F063-17196-00027

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

This is an emergency as defined in 326 IAC 2-7-1(12)

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

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

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

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

**Page 2 of 2**

Date/Time Emergency started:
Date/Time Emergency was corrected:
Was the facility being properly operated at the time of the emergency?    Y    N 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: \_\_\_\_\_

Phone: \_\_\_\_\_

A certification is not required for this report.

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

**FESOP Quarterly Report**

Source Name: NuStar Terminals Operations Partnership L.P..  
Source Address: 3350 North Raceway Road Indianapolis, Indiana, 46234  
3218 North Raceway Road Indianapolis, Indiana, 46234  
Mailing Address: 1800 Frankfurst Avenue, Baltimore, MD 21226  
FESOP No.: F063-17196-00027  
Facility: Truck Loading Rack NA01  
Parameter: Gasoline Throughput Rate  
Limit: Less than 450,000,000 gallons per twelve (12) consecutive month period with compliance determined at the end of each month.

YEAR:

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

No deviation occurred in this quarter.

Deviation/s occurred in this quarter.  
Deviation has been reported on:

Submitted by: \_\_\_\_\_  
Title / Position: \_\_\_\_\_  
Signature: \_\_\_\_\_  
Date: \_\_\_\_\_  
Phone: \_\_\_\_\_

Attach a signed certification to complete this report.

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

**FEDERALLY ENFORCEABLE STATE OPERATING PERMIT (FESOP)  
QUARTERLY DEVIATION AND COMPLIANCE MONITORING REPORT**

Source Name: NuStar Terminals Operations Partnership L.P..  
Source Address: 3350 North Raceway Road Indianapolis, Indiana, 46234  
3218 North Raceway Road Indianapolis, Indiana, 46234  
Mailing Address: 1800 Frankfurst Avenue, Baltimore, MD 21226  
FESOP No.: F063-17196-00027

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

Page 1 of 2

This report shall be submitted quarterly based on a calendar year. Any deviation from the requirements, the date(s) of each deviation, the probable cause of the deviation, and the response steps taken must be reported. Deviations that are required to be reported by an applicable requirement shall be reported according to the schedule stated in the applicable requirement and do not need to be included in this report. Additional pages may be attached if necessary. If no deviations occurred, please specify in the box marked "No deviations occurred this reporting period".	
NO DEVIATIONS OCCURRED THIS REPORTING PERIOD.	
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 (specify permit condition #)</b>	
<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 (specify permit condition #)</b>	
<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 (specify permit condition #)</b>	
<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: \_\_\_\_\_

Phone: \_\_\_\_\_

Attach a signed certification to complete this report.