INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
We Protect Hoosiers and Our Environment.

Mitchell E. Daniels Jr.
Governor

Thomas W. Easterly
Commissioner

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

TO: Interested Parties / Applicant

DATE: December 1, 2009

RE: Rose Acre Farms, Inc. / 071-27062-00018

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

Notice of Decision: Approval - Effective Immediately

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

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

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

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

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

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

Enclosures
FNPER.dot12/03/07

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Part 70 Operating Permit Renewal
OFFICE OF AIR QUALITY

Rose Acre Farms, Inc.
6874 North Base Road
Seymour, Indiana 47274

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

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

This permit is issued in accordance with 326 IAC 2 and 40 CFR Part 70 Appendix A and contains the conditions and provisions specified in 326 IAC 2-7 as required by 42 U.S.C. 7401, et. seq. (Clean Air Act as amended by the 1990 Clean Air Act Amendments), 40 CFR Part 70.6, IC 13-15 and IC 13-17.

Operation Permit No.: T071-27062-00018	
Issued by: Donald F. Robin, P.E., Section Chief Permits Branch Office of Air Quality	Issuance Date: December 1, 2009 Expiration Date: December 1, 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 2-7-4(c)][326 IAC 2-7-5(15)][326 IAC 2-7-1(22)]

The Permittee owns and operates a stationary soybean oil production plant.

Source Address:	6874 North Base Road, Seymour, Indiana 47274
Mailing Address:	P.O. Box 1250, Seymour, Indiana 47274
General Source Phone Number:	812-497-2557
SIC Code:	2075
County Location:	Jackson
Source Location Status:	Attainment for all criteria pollutants
Source Status:	Part 70 Operating Permit Program Minor Source, under PSD and Emission Offset Rules Major Source, Section 112 of the Clean Air Act Not 1 of 28 Source Categories

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

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

(a) One (1) cleaning and weighing operation, identified as EP-1, constructed in 1991, and modified in 2008 to reduce plugging, with a maximum throughput rate of 33.3 tons of soybeans per hour, controlled by one (1) baghouse, and exhausting through stack #EP-1.

(b) One (1) drying and conditioning operation, identified as EP-2, constructed in 1991, with a maximum throughput rate of 33.3 tons of soybeans per hour, controlled by four (4) cyclones and scrubber #4, and exhausting through stack #EP-2.

(c) One (1) soybean meal grinding operation, identified as EP-3, constructed in 1991, with a maximum throughput rate of 25 tons/hr, controlled by one (1) baghouse, and exhausting through stack #EP-3.

(d) One (1) Desolventizer-Toaster/Dryer-Cooler (DTDC) system, identified as EP-4, constructed in 1991, and modified in 2008 to increase energy efficiencies, with a maximum throughput rate of 25 tons/hr, controlled by three (3) cyclones and three (3) scrubbers (scrubbers #1, #2, #3), and exhausting through stack #EP-4.

(e) One (1) meal loadout system, identified as EP-5 constructed in 1991, with a maximum throughput rate of 100 tons/hr, controlled by one (1) baghouse and scrubber #5, and exhausting through stack #EP-5.

(f) Two (2) flaking operations with aspirated air, identified as EP-6, constructed in 1991, with a total maximum throughput rate of 25 tons/hr, controlled by one (1) cyclone and scrubber #4, and exhausting through stack #EP-6.

(g) One (1) grain receiving hopper, identified as EP-7, constructed in 1991, with a maximum throughput rate of 300 tons of soybeans per hour, controlled by one (1) baghouse, and exhausting through stack #EP-7.

(h) One (1) hull grinding operation, identified as EP-8 constructed in 1991, and modified in 2008 to reduce plugging, with a maximum throughput rate of 1.67 tons/hr, controlled by one (1) baghouse, and exhausting through stack #EP-8.

(i) One (1) flaking operation with aspirated air, identified as EP-11, constructed in 2001, with a maximum throughput rate of 8.33 tons/hr, controlled by one (1) cyclone and scrubber #4, and exhausting through stack #EP-11.

(j) One (1) oil extraction system, identified as EP-12, constructed in 1991, using a blend of iso-hexane and n-hexane as the extraction solvent, with a maximum throughput rate of 33.3 tons of soybean per hour and a maximum solvent usage of 55.7 lbs/hr, controlled by one (1) mineral oil absorber, and exhausting through stack #EP-12.

(k) Two (2) propane and wood fired boilers, identified as EP-9 and EP-10, constructed in 1999, each with a maximum heat input capacity of 20.5 MMBtu/hr, each equipped with one (1) cyclone for particulate control, and exhausting through stack #EP-9 and stack #EP-10, respectively.

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

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

(a) One (1) specialty soybean meal loadout operation, identified as EP-13, constructed May 2007, with a maximum capacity of 3.0 tons of soybean per hour. [326 IAC 6-3]

(b) Natural gas-fired combustion sources with heat input equal to or less than ten million (10,000,000) Btu per hour, including space heaters with a total maximum heat input rate of 0.95 MMBtu/hr.

(c) Equipment powered by internal combustion engines of capacity equal to or less than 500,000 Btu/hour, except where total capacity of equipment operated by one stationary source exceeds 2,000,000 Btu/hour.

(d) Combustion source flame safety purging on startup.

(e) Vessels storing lubricating oils, hydraulic oils, machining oils, and machining fluids.

(f) Application of oils, greases, lubricants or other nonvolatile materials applied as temporary protective coatings.

(g) Cleaners and solvents having a vapor pressure equal to or less than 2 kPa (15mm Hg or 0.3 psi) measured at 38°C (100° F) or having a vapor pressure equal to or less than 0.7 kPa (5mm Hg or 0.1 psi) measured at 20° C (68° F). The use of which for all cleaners and solvents combined does not exceed 145 gallons per 12 months.

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

(i) Closed loop heating and cooling systems.

(j) Activities associated with the treatment of wastewater streams with an oil and grease content less than or equal to 1% by volume.

(k) Activities associated with the transportation and treatment of sanitary sewage, provided discharge to the treatment plant is under the control of the owner/operator, that is, an on-site sewage treatment facility.

(l) Forced and induced draft cooling tower system not regulated under a NESHAP.

(m) Replacement or repair of electrostatic precipitators, bags in baghouses and filters in other air filtration equipment.

(n) Heat exchanger cleaning and repair.

(o) Process vessel degassing and cleaning to prepare for internal repairs.

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

(q) Equipment used to collect any material that might be released during a malfunction, process upset, or spill cleanup, including catch tanks, temporary liquid separators, tanks, and fluid handling equipment.

(r) Blowdown for any of the following: sight glass; boiler; compressors; pumps; and cooling tower.

(s) On-site fire and emergency response training approved by the department.

(t) Diesel generators not exceeding 1600 horsepower.

(u) Stationary fire pumps.

(v) Filter or coalescer media changeout.

(w) Other emission units, not regulated by a NESHAP, with PM10 and SO_2 emissions less than five (5) pounds per hour or twenty-five (25) pounds per day, CO emissions less than twenty-five (25) pounds per day, lead emissions less than six-tenths (0.6) tons per year or three and twenty-nine hundredths (3.29) pounds per day, and emitting greater than one (1) pound per day but less than five (5) pounds per day or one (1) ton per year of a single HAP, or emitting greater than one (1) pound per day but less than twelve and five tenths (12.5) pounds per day or two and five tenths (2.5) ton per year of any combination of HAPs:

(1) Four (4) soybean storage silos, each with a maximum capacity of 880,000 gallons (80,000 bushels) and a maximum throughput rate of 3,397 lbs/hr.

(2) One (1) circular silo, with a maximum capacity of 4,400,000 gallons (400,000 bushels) and a maximum throughput rate of 16,980 lbs/hr.

(3) One (1) soybean storage bin, with a maximum capacity of 4,950,000 gallons (450,000 bushels) and a maximum throughput rate of 16,047 lbs/hr.

(4) Two (2) soybean storage silos, constructed in 2004, each with a maximum capacity of 536,000 bushels and a maximum throughput rate of 22,753 lbs/hr.

(5) One (1) solvent storage tank, constructed in 1991, with a maximum capacity of 20,800 gallons.

(6) Three (3) working tanks, constructed in 1991, each with a maximum capacity of 14,200 gallons.

(7) Two (2) soybean oil storage tanks, constructed in 1991, each with a maximum capacity of 250,000 gallons.

(8) Three (3) soybean meal storage tanks, each with a maximum capacity of 600 tons.

(9) One (1) soybean meal storage tank, with a maximum capacity of 900 tons.

(10) One (1) soybean meal storage tank, approved in 2009 for construction, with a maximum capacity of 900 tons.

(11) Three (3) soybean hull storage tanks, each with a maximum capacity of 60 tons.

(12) One (1) storage tank used to store wood for the boilers, with a maximum capacity of 225 tons.

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

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

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

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

SECTION B GENERAL CONDITIONS

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

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

B.2 Permit Term [326 IAC 2-7-5(2)][326 IAC 2-1.1-9.5][326 IAC 2-7-4(a)(1)(D)][IC 13-15-3-6(a)]

(a) This permit, T071-27062-00018, is issued for a fixed term of five (5) years from the issuance date of this permit, as determined in accordance with IC 4-21.5-3-5(f) and IC 13-15-5-3. Subsequent revisions, modifications, or amendments of this permit do not affect the expiration date of this permit.

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

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

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

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

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

B.4 Enforceability [326 IAC 2-7-7] [IC 13-17-12]

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)]

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)]

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)]

(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)]

(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) A "responsible official" is defined at 326 IAC 2-7-1(34).

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

(a) The Permittee shall annually submit a compliance certification report which addresses the status of the source's compliance with the terms and conditions contained in this permit, including emission limitations, standards, or work practices. All 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;

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

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

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

B.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]

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

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

B.11 Emergency Provisions [326 IAC 2-7-16]

(a) An emergency, as defined in 326 IAC 2-7-1(12), is not an affirmative defense for an action brought for noncompliance with a federal or state health-based emission limitation.

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

(1) An emergency occurred and the Permittee can, to the extent possible, identify the causes of the emergency;

(2) The permitted facility was at the time being properly operated;

(3) During the period of an emergency, the Permittee took all reasonable steps to minimize levels of emissions that exceeded the emission standards or other requirements in this permit;

(4) For each emergency lasting one (1) hour or more, the Permittee notified IDEM, OAQ, within four (4) daytime business hours after the beginning of the emergency, or after the emergency was discovered or reasonably should have been discovered;

Telephone Number: 1-800-451-6027 (ask for Office of Air Quality, Compliance and Enforcement Branch), or
Telephone Number: 317-233-0178 (ask for Compliance and Enforcement Branch)
Facsimile Number: 317-233-6865

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

Indiana Department of Environmental Management
Compliance 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]

(a) All terms and conditions of permits established prior to 071-27062-00018 and issued pursuant to permitting programs approved into the state implementation plan have been either:

(1) incorporated as originally stated,

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

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

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

B.14 Termination of Right to Operate [326 IAC 2-7-10][326 IAC 2-7-4(a)]

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

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

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

Indiana Department of Environmental Management
Compliance 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.16 Permit Modification, Reopening, Revocation and Reissuance, or Termination [326 IAC 2-7-5(6)(C)][326 IAC 2-7-8(a)][326 IAC 2-7-9]

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

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

(1) That this permit contains a material mistake.

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

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

(c) Proceedings by IDEM, OAQ to reopen and revise this permit shall follow the same procedures as apply to initial permit issuance and shall affect only those parts of this

permit for which cause to reopen exists. Such reopening and revision shall be made as expeditiously as practicable. [326 IAC 2-7-9(b)]

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

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

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

Request for renewal shall be submitted to:

Indiana Department of Environmental Management
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 the deadline specified in writing by IDEM, OAQ any additional information identified as being needed to process the application.

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

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

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

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

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

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

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

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

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

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

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

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

(4) The Permittee notifies the:

Indiana Department of Environmental Management
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 emissions increases and decreases at the source, where the applicable SIP provides for such emission trades without requiring a permit revision, subject to the constraints of Section (a) of this condition and those in 326 IAC 2-7-20(c).

(d) Alternative Operating Scenarios [326 IAC 2-7-20(d)]
The Permittee may make changes at the source within the range of alternative operating scenarios that are described in the terms and conditions of this permit in accordance with 326 IAC 2-7-5(9). No prior notification of IDEM, OAQ, or U.S. EPA is required.

(e) Backup fuel switches specifically addressed in, and limited under, Section D of this permit shall not be considered alternative operating scenarios. Therefore, the notification requirements of part (a) of this condition do not apply.

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

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

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

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

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

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

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

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

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

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

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

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

Indiana Department of Environmental Management
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.24 Annual Fee Payment [326 IAC 2-7-19] [326 IAC 2-7-5(7)][326 IAC 2-1.1-7]

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

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

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

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

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

SECTION C SOURCE OPERATION CONDITIONS

Entire Source

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

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

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

C.2 Opacity [326 IAC 5-1]

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

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

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

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

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

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

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

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

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

C.6 Stack Height [326 IAC 1-7]

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

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

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

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

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

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

(A) Asbestos removal or demolition start date;

(B) Removal or demolition contractor; or

(C) Waste disposal site.

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

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

All required notifications shall be submitted to:

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

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

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

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

(g) Indiana Licensed 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 Licensed Asbestos Inspector to thoroughly inspect the affected portion of the facility for the presence of asbestos. The requirement to use an Indiana Licensed Asbestos inspector is not federally enforceable.

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

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

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

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

Indiana Department of Environmental Management
Compliance 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 test date. The notification submitted by the Permittee does not require certification by the "responsible official" as defined by 326 IAC 2-7-1(34).

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

Compliance Requirements [326 IAC 2-1.1-11]

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

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

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

C.10 Compliance Monitoring [326 IAC 2-7-5(3)][326 IAC 2-7-6(1)]

Unless otherwise specified in this permit, all monitoring and record keeping requirements not already legally required shall be implemented within ninety (90) days of permit issuance or ninety (90) days of initial start-up, whichever is later. 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.11 Monitoring Methods [326 IAC 3] [40 CFR 60] [40 CFR 63]

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

C.12 Instrument Specifications [326 IAC 2-1.1-11] [326 IAC 2-7-5(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.13 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.14 Risk Management Plan [326 IAC 2-7-5(12)] [40 CFR 68]

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

C.15 Response to Excursions or Exceedances [326 IAC 2-7-5] [326 IAC 2-7-6]

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

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

(1) initial inspection and evaluation;

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

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

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

(1) monitoring results;

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

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

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

(e) The Permittee shall maintain the following records:

(1) monitoring data;

(2) monitor performance data, if applicable; and

(3) corrective actions taken.

C.16 Actions Related to Noncompliance Demonstrated by a Stack Test [326 IAC 2-7-5][326 IAC 2-7-6]

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

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

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

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

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

C.17 Emission Statement [326 IAC 2-7-5(3)(C)(iii)][326 IAC 2-7-5(7)][326 IAC 2-7-19(c)][326 IAC 2-6]

(a) Pursuant to 326 IAC 2-6-3(b)(3), starting in 2006 and every three (3) years thereafter, the Permittee shall submit by July 1 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 purpose of fee assessment.

The statement must be submitted to:

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

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

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

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

(b) Unless otherwise specified in this permit, all record keeping requirements not already legally required shall be implemented within ninety (90) days of permit issuance or ninety (90) days of initial start-up, whichever is later.

C.19 General Reporting Requirements [326 IAC 2-7-5(3)(C)] [326 IAC 2-1.1-11]

(a) The Permittee shall submit the attached Quarterly Deviation and Compliance Monitoring Report or its equivalent. Any deviation from permit requirements, the date(s) of each deviation, the cause of the deviation, and the response steps taken must be reported. This report shall be submitted within thirty (30) days of the end of the reporting period. The Quarterly Deviation and Compliance Monitoring Report shall include the certification by the "responsible official" as defined by 326 IAC 2-7-1(34).

(b) The report required in (a) of this condition and reports required by conditions in Section D of this permit shall be submitted to:

Indiana Department of Environmental Management
Compliance 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).

Stratospheric Ozone Protection

C.20 Compliance with 40 CFR 82 and 326 IAC 22-1

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

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

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

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

SECTION D.1 FACILITY OPERATION CONDITIONS

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

(a) One (1) cleaning and weighing operation, identified as EP-1, constructed in 1991, and modified in 2008 to reduce plugging, with a maximum throughput rate of 33.3 tons of soybeans per hour, controlled by one (1) baghouse, and exhausting through stack #EP-1.

(b) One (1) drying and conditioning operation, identified as EP-2, constructed in 1991, with a maximum throughput rate of 33.3 tons of soybeans per hour, controlled by four (4) cyclones and scrubber #4, and exhausting through stack #EP-2.

(c) One (1) soybean meal grinding operation, identified as EP-3, constructed in 1991, with a maximum throughput rate of 25 tons/hr, controlled by one (1) baghouse, and exhausting through stack #EP-3.

(d) One (1) Desolventizer-Toaster/Dryer-Cooler (DTDC) system, identified as EP-4, constructed in 1991, and modified in 2008 to increase energy efficiencies, with a maximum throughput rate of 25 tons/hr, controlled by three (3) cyclones and three (3) scrubbers (scrubbers #1, #2, and #3), and exhausting through stack #EP-4.

(e) One (1) meal loadout system, identified as EP-5 constructed in 1991, with a maximum throughput rate of 100 tons/hr, controlled by one (1) baghouse and scrubber #5, and exhausting through stack #EP-5.

(f) Two (2) flaking operations with aspirated air, identified as EP-6, constructed in 1991, with a total maximum throughput rate of 25 tons/hr, controlled by one (1) cyclone and scrubber #4, and exhausting through stack #EP-2.

(g) One (1) grain receiving hopper, identified as EP-7, constructed in 1991, with a maximum throughput rate of 300 tons of soybeans per hour, controlled by one (1) baghouse, and exhausting through stack #EP-7.

(h) One (1) hull grinding operation, identified as EP-8 constructed in 1991, and modified in 2008 with to reduce plugging, with a maximum throughput rate of 1.67 tons/hr, controlled by one (1) baghouse, and exhausting through stack #EP-8.

(i) One (1) flaking operation with aspirated air, identified as EP-11, constructed in 2001, with a maximum throughput rate of 8.33 tons/hr, controlled by one (1) cyclone and scrubber #4, and exhausting through stack #EP-2.

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

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

D.1.1 PSD Minor Limits [326 IAC 2-2]

In order to make the requirements of 326 IAC 2-2 (PSD) not applicable, the PM and PM10 emissions from the following emission units shall not exceed the emission limits listed in the table below:

Unit ID	Unit Description	PM/PM10 Emission Limits (lbs/hr)
EP-1	Cleaning and Weighing Operation	0.30

Unit ID	Unit Description	PM/PM10 Emission Limits (lbs/hr)
EP-2, EP-6 and EP-11	Drying and Conditioning and Flaking Operations	8.50
EP-3	Meal Grinding Operation	1.00
EP-4	DTDC System	19.0
EP-5	Meal Loadout Operation	2.00
EP-7	Grain Receiving Hopper	1.00
EP-8	Hull Grinding Operation	0.10

Compliance with these limits, combined with the potential to emit PM and PM10 from other emission units at the source, shall limit the PM and PM10 from the entire source to less than 250 tons per twelve consecutive month period and render the requirements of 326 IAC 2-2 not applicable.

D.1.2 Particulate Matter [326 IAC 6-3-2]

Pursuant to 326 IAC 6-3-2 (Particulate Emission Limitations for Manufacturing Processes), allowable particulate emissions from each of following operations shall not exceed the pound per hour limit listed in the table below:

Unit ID	Unit Description	Max. Throughput Rate (tons/hr)	Particulate Emission Limit (lbs/hr)
EP-3	Meal Grinding Operation	25.0	35.4
EP-4	DTDC System	25.0	35.4
EP-5	Meal Loadout Operation	100	51.3
EP-8	Hull Grinding Operation	1.67	5.78

The pounds per hour limitations were calculated with one of the following equations:

(a) 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) Interpolation and extrapolation of the data for the process weight rate in excess of sixty thousand (60,000) pounds per hour shall be accomplished by use of the equation:

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

D.1.3 Preventive Maintenance Plan [326 IAC 2-7-5(13)]

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

Compliance Determination Requirements

D.1.4 PM and PM10 Control

In order to comply with Conditions D.1.1 and D.1.2, the baghouses and cyclones for particulate control shall be in operation and control emissions from the emission units EP-1 through EP-8 and EP-11 at all times that these units are in operation.

D.1.5 Testing Requirements [326 IAC 2-7-6(1),(6)] [326 IAC 2-1.1-11]

The Permittee shall perform PM and PM10 testing on the units listed in Condition D.1.1, to demonstrate compliance with Condition D.1.1. These tests shall be repeated at least once every five years from the date of the last valid compliance demonstration. This testing shall be conducted utilizing methods approved by the Commissioner in accordance with Section C - Performance Testing. PM10 includes filterable and condensable PM.

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

D.1.6 Visible Emissions Notations [40 CFR 64]

(a) Daily visible emission notations of stack exhausts from stacks #EP-1 through #EP-8 and #EP-11 shall be performed during normal daylight operations. A trained employee shall record whether emissions are normal or abnormal.

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

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

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

(e) If abnormal emissions are 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.

D.1.7 Parametric Monitoring [40 CFR 64]

The Permittee shall record the total static pressure drop across the baghouses at least once per shift when the cleaning and weighing operation (EP-1), the meal grinding operation (EP-3), the meal loadout operation (EP-5), the grain receiving operation (EP-7), and the hull grinding operation (EP-8) are in operation. For units EP-1, EP-3, EP-5 and EP-7, the pressure drop across the baghouse shall have a normal range of 2.0 to 8.0 inches of water column. For unit EP-8, the pressure drop across the baghouse shall have a normal range of 0.5 to 4.0 inches of water column. When for any one reading, the pressure drop across the any of the baghouses is outside the normal range, the Permittee shall take reasonable response steps in accordance with Section C - Response to Excursions or Exceedances. A pressure reading that is outside the above mentioned range is not a deviation from this permit. Failure to take response steps in accordance with Section C - Response to Excursions or Exceedances, shall be considered a deviation from this permit. The instrument used for determining the pressure shall comply with Section C - Instrument Specifications, of this permit, shall be subject to approval by IDEM, OAQ, and shall be calibrated at least once every six (6) months.

D.1.8 Broken or Failed Bag Detection

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

Bag failure may be indicated by a significant drop in the baghouse's pressure readings with abnormal visible emissions, by an opacity violation, or by other means, such as gas temperatures, flow rates, air infiltration, leaks, dust traces or triboflows.

D.1.9 Cyclone Failure Detection [40 CFR 64]

In the event that cyclone failure has been observed:

Failed units and the associated process will be shut down immediately until the failed units have been repaired or replaced. Operations may continue only if the event qualifies as an emergency and the Permittee satisfies the requirements of the emergency provisions of this permit (Section B - Emergency Provisions). Failure to take response steps in accordance with Section C - Response to Excursions or Exceedances, shall be considered a deviation from this permit.

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

D.1.10 Record Keeping Requirements

(a) To document compliance with Condition D.1.6, the Permittee shall maintain daily records of visible emission notations of the stack exhausts from stacks #EP-1 through #EP-8 and #EP-11. The Permittee shall include in its daily record when a visible emission notation is not taken and the reason for the lack of visible emission notation (e.g. the process did not operate that day).

(b) To document compliance with Condition D.1.7, the Permittee shall maintain a daily record of the pressure drop across the baghouses required by that condition. The Permittee shall include in its daily record when a pressure drop reading is not taken and the reason for the lack of a pressure drop reading (e.g. the process did not operate that day).

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

SECTION D.2 FACILITY OPERATION CONDITIONS

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

(j) One (1) oil extraction system, identified as EP-12, constructed in 1991, using a blend of iso-hexane and n-hexane as the extraction solvent, with a maximum throughput rate of 33.3 tons of soybean per hour and a maximum solvent usage of 55.7 lbs/hr, controlled by one (1) mineral oil absorber, and exhausting through stack #EP-12.

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

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

D.2.1 PSD Minor Limits [326 IAC 2-2]

The total amount of hexane purchased shall not exceed 245 tons per twelve (12) consecutive month period with compliance determined at the end of each month. Compliance with this limit, combined with the potential to emit VOCs from other emission units at the source, shall limit the VOCs from the entire source to less than 250 tons per twelve consecutive month period and render the requirements of 326 IAC 2-2 not applicable.

D.2.2 General Reduction Requirements for VOC Emissions [326 IAC 8-1-6]

Pursuant to CP #071-1894-00018, issued on November 14, 1990, and 326 IAC 8-1-6 (BACT), the oil extraction system (EP-12) shall be equipped with the following as the BACT for this unit:

(a) a desolventizer-toaster/cooler system (EP-4); and

(b) a mineral oil absorber.

D.2.3 Preventive Maintenance Plan [326 IAC 2-7-5(13)]

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

Compliance Determination Requirements

D.2.4 VOC Control

In order to demonstrate compliance with Condition D.2.2(b), the mineral oil absorber shall operate at all times that the oil extraction system (EP-12) is in operation.

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

D.2.5 VOC Monitoring (40 CFR 64)

The Permittee shall comply with the following monitoring requirements for the mineral oil absorber:

(a) The Permittee shall monitor and record the mineral oil flow rate to the mineral oil absorber at least once per day. The Preventive Maintenance Plan for the absorber shall contain troubleshooting contingency and corrective actions for when the flow rate readings are outside of the normal range for any one reading.

(b) The operating temperatures of the mineral oil absorber shall be established in the Compliance Monitoring Plan. When the process is in operation, an electronic data management system (EDMS) shall record the instantaneous temperature on a frequency of not less that every two hours. As an alternate to installing an EDMS, manual readings shall be taken every two hours.

(c) The mineral oil to the mineral-oil-stripping column shall be kept at a minimum temperature of 160°F or a temperature, as established in the Compliance Response Plan, for adequate stripping of the absorbed iso-hexane from the oil. When the process is in operation, an electronic data management system (EDMS) shall record the instantaneous temperature on a frequency of not less than every two hours. As an alternate to installing an EDMS, manual readings shall be taken every two hours.

(d) In the event that the absorber's failure has been observed, an inspection will be conducted. Based upon the findings of the inspection, any corrective actions will be devised within eight (8) hours of discovery and will include a timetable for completion.

(e) A flow rate or temperature reading that is below the minimum flow rate or temperature reading 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) The instruments used for determining the flow rate and temperature reading shall be subject to approval by IDEM, OAQ, and shall be calibrated at least once every twelve (12) months.

(g) The gauge employed to take the mineral oil flow across the scrubber shall have a scale such that the expected normal reading shall be no less than 20 percent of full scale and be accurate within + 10% of full scale reading. The instrument shall be quality assured and maintained as specified by the vendor.

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

D.2.6 Record Keeping Requirements

(a) To document compliance with Condition D.2.1, the Permittee shall maintain monthly records of total extraction solvents purchased.

(b) To document compliance with Condition D.2.5, the Permittee shall maintain a daily record of the following:

(1) The mineral oil flow rate;

(2) The operating temperature of the mineral oil absorber;

(3) The temperature of the stripping column.

The Permittee shall include in its daily record when a parametric monitoring notation is not taken and the reason for the lack of parametric monitoring notation (e.g. the process did not operate that day).

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

D.2.7 Reporting Requirements

A quarterly summary of the information to document compliance with Condition D.2.1 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 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)]: Insignificant Activities

(a) One (1) specialty soybean meal load out, identified as EP-13, with a maximum capacity of 3.0 tons of soybean per hour. [326 IAC 6-3]

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

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

D.3.1 Particulate Matter (PM) [326 IAC 6-3-2]

Pursuant to 326 IAC 6-3-2 (Particulate Emission Limitations for Manufacturing Processes), the allowable particulate emission rate from the specialty soybean meal load out identified as EP-13 shall not exceed 8.56 pounds per hour when operating at a process weight rate of 3.0 tons per hour.

The pound 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

D.3.2 Preventive Maintenance Plan [326 IAC 2-7-5(13)]

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

SECTION E.1 FACILITY OPERATION CONDITIONS

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

(a) One (1) cleaning and weighing operation, identified as EP-1, constructed in 1991, and modified in 2008 to reduce plugging, with a maximum throughput rate of 33.3 tons of soybeans per hour, controlled by one (1) baghouse, and exhausting through stack #EP-1.

(b) One (1) drying and conditioning operation, identified as EP-2, constructed in 1991, with a maximum throughput rate of 33.3 tons of soybeans per hour, controlled by four (4) cyclones and scrubber #4, and exhausting through stack #EP-2.

(f) Two (2) flaking operations with aspirated air, identified as EP-6, constructed in 1991, with a total maximum throughput rate of 25 tons/hr, controlled by one (1) cyclone and scrubber #4, and exhausting through stack #EP-6.

(g) One (1) grain receiving hopper, identified as EP-7, constructed in 1991, with a maximum throughput rate of 300 tons of soybeans per hour, controlled by one (1) baghouse, and exhausting through stack #EP-7.

(i) One (1) flaking operation with aspirated air, identified as EP-11, constructed in 2001, with a maximum throughput rate of 8.33 tons/hr, controlled by one (1) cyclone and scrubber #4, and exhausting through stack #EP-11.

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

E.1.1 General Provisions Relating to NSPS, Subpart DD [326 IAC 12-1] [40 CFR Part 60, Subpart A]

The provisions of 40 CFR 60, Subpart A - General Provisions, which are incorporated by reference in 326 IAC 12-1, apply to the facilities described in this Section E.1 except when otherwise specified in 40 CFR 60, Subpart DD.

E.1.2 New Source Performance Standards (NSPS) for Grain Elevators [40 CFR Part 60, Subpart DD] [326 IAC 12]

The Permittee shall comply with the following provisions of 40 CFR Part 60, Subpart DD (New Source Performance Standards (NSPS) for Grain Elevators) (included as Attachment A of this permit) which are incorporated by reference as 326 IAC 12:

(1) 40 CFR 60.300
(2) 40 CFR 60.301
(3) 40 CFR 60.302 (b)(1), (b)(2), and (c)(2)
(4) 40 CFR 60.303
(5) 40 CFR 60.304

SECTION E.2 FACILITY OPERATION CONDITIONS

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

(k) Two (2) propane and wood fired boilers, identified as EP-9 and EP-10, constructed in 1999, each with a maximum heat input capacity of 20.5 MMBtu/hr, each equipped with one (1) cyclone for particulate control, and exhausting through stack #EP-9 and stack #EP-10, respectively.

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

E.2.1 General Provisions Relating to NSPS, Subpart Dc [326 IAC 12-1] [40 CFR Part 60, Subpart A]

The provisions of 40 CFR 60, Subpart A - General Provisions, which are incorporated by reference in 326 IAC 12-1, apply to the facilities described in this Section E.3 except when otherwise specified in 40 CFR 60, Subpart Dc.

E.2.2 New Source Performance Standards (NSPS) for Industrial-Commercial-Institutional Steam Generating Units [40 CFR Part 60, Subpart Dc] [326 IAC 12]

The Permittee shall comply with the following provisions of 40 CFR Part 60, Subpart Dc (New Source Performance Standards (NSPS) for Industrial-Commercial-Institutional Steam Generating Units) (included as Attachment B of this permit) which are incorporated by reference as 326 IAC 12:

(1) 40 CFR 60.40c (a)(b)(c)
(2) 40 CFR 60.41c
(3) 40 CFR 60.48c (a), (g), (i), (j)

SECTION E.3 FACILITY OPERATION CONDITIONS

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

(j) One (1) oil extraction system, identified as EP-12, constructed in 1991, using a blend of iso-hexane and n-hexane as the extraction solvent, with a maximum throughput rate of 33.3 tons of soybean per hour and a maximum solvent usage of 55.7 lbs/hr, controlled by one (1) mineral oil absorber, and exhausting through stack #EP-12.

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

E.3.1 General Provisions Relating to National Emission Standards for Hazardous Air Pollutants [326 IAC 20-1] [40 CFR Part 63, Subpart A]

The provisions of 40 CFR Part 63, Subpart A (General Provisions), which are incorporated by reference in 326 IAC 20-1, apply to the facilities described in this Section E.2 except when otherwise specified in 40 CFR Part 63, Subpart GGGG.

E.3.2 National Emission Standards for Hazardous Air Pollutants (NESHAPs): Solvent Extraction for Vegetable Oil Production [40 CFR Part 63, Subpart GGGG] [326 IAC 20]

The Permittee shall comply with the following provisions of 40 CFR Part 63, Subpart GGGG (National Emission Standards for Hazardous Air Pollutants (NESHAPs): Solvent Extraction for Vegetable Oil Production (included as Attachment C of this permit) which are incorporated by reference as 326 IAC 20:

(1) 40 CFR 63.2832 (a)
(2) 40 CFR 63.2833
(3) 40 CFR 63.2834 (a)
(4) 40 CFR 63.2840 (a), (b)(1) through (b)(5), and (e) through (f)
(5) 40 CFR 63.2850 (a), (b), (d) (e)(1)(i), (e)(1)(iii) and (e)(2)
(6) 40 CFR 63.2851
(7) 40 CFR 63.2852
(8) 40 CFR 63.2853
(9) 40 CFR 63.2854
(10) 40 CFR 63.2855
(11) 40 CFR 63.2860 (a), (c) and (d)
(12) 40 CFR 63.2861
(13) 40 CFR 63.2862
(14) 40 CFR 63.2863
(15) 40 CFR 63.2870
(16) 40 CFR 63.2871
(17) 40 CFR 63.2872
(18) Table 1 of 63.2833
(19) Item (a) of Table 1 of 63.2834
(20) Item (ix) of Table 1 of 63.2840
(21) Table 1 of 63.2850
(22) Items (a) and (c) of Table 2 of 63.2850
(23) Table 1 of 63.2853
(24) Table 1 of 63.2870

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

Source Name: Rose Acre Farms, Inc.
Source Address: 6874 North Base Road, Seymour, Indiana 47274
Mailing Address: 6874 North Base Road, Seymour, Indiana 47274
Part 70 Permit No.: T071-27062-00018

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

Please check what document is being certified:

☐ Annual Compliance Certification Letter

☐ Test Result (specify)

☐ Report (specify)

☐ Notification (specify)

☐ Affidavit (specify)

☐ Other (specify)

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

INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
OFFICE OF AIR QUALITY

COMPLIANCE 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:	Rose Acre Farms, Inc.
Source Address:	6874 North Base Road, Seymour, Indiana 47274
Mailing Address:	6874 North Base Road, Seymour, Indiana 47274
Part 70 Permit No.:	T071-27062-00018

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

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

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

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

Date/Time Emergency started:
Date/Time Emergency was corrected:
Was the facility being properly operated at the time of the emergency? Y N
Type of Pollutants Emitted: TSP, PM-10, SO_2, VOC, NO_X, CO, Pb, other:
Estimated amount of pollutant(s) emitted during emergency:
Describe the steps taken to mitigate the problem:
Describe the corrective actions/response steps taken:
Describe the measures taken to minimize emissions:
If applicable, describe the reasons why continued operation of the facilities are necessary to prevent imminent injury to persons, severe damage to equipment, substantial loss of capital investment, or loss of product or raw materials of substantial economic value:

Form Completed by:_____

Title / Position: _____

Date:_____

Phone: _____

A certification is not required for this report.

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

Part 70 Quarterly Report

Source Name: Rose Acre Farms, Inc.
Source Address: 6874 North Base Road, Seymour, Indiana 47274
Mailing Address: 6874 North Base Road, Seymour, Indiana 47274
Part 70 Permit No.: T071-27062-00018
Facility: Oil Extraction System (EP-12)
Parameter: Total Extraction Solvent Purchased
Limit: Less than 245 tons per twelve (12) consecutive month period with compliance determined at the end of each month

QUARTER : YEAR:

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

☐ No deviation occurred in this quarter.

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

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

Attach a signed certification to complete this report.

INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
OFFICE OF AIR QUALITY
COMPLIANCE AND ENFORCEMENT BRANCH
PART 70 OPERATING PERMIT
QUARTERLY DEVIATION AND COMPLIANCE MONITORING REPORT

Source Name: Rose Acre Farms, Inc.
Source Address: 6874 North Base Road, Seymour, Indiana 47274
Mailing Address: 6874 North Base Road, Seymour, Indiana 47274
Part 70 Permit No.: T071-27062-00018

Months: _____ to _____ Year: _____

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

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

Form Completed by:_____

Title / Position: _____

Date:_____

Phone: _____

Attach a signed certification to complete this report.

Attachment A
To
T071-27062-00018

Subpart DD—Standards of Performance for Grain Elevators

Source: 43 FR 34347, Aug. 3, 1978, unless otherwise noted.

§ 60.300 Applicability and designation of affected facility.

(a) The provisions of this subpart apply to each affected facility at any grain terminal elevator or any grain storage elevator, except as provided under §60.304(b). The affected facilities are each truck unloading station, truck loading station, barge and ship unloading station, barge and ship loading station, railcar loading station, railcar unloading station, grain dryer, and all grain handling operations.

(b) Any facility under paragraph (a) of this section which commences construction, modification, or reconstruction after August 3, 1978, is subject to the requirements of this part.

[43 FR 34347, Aug. 3, 1978, as amended at 52 FR 42434, Nov. 5, 1988]

§ 60.301 Definitions.

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

(a) *Grain* means corn, wheat, sorghum, rice, rye, oats, barley, and soybeans.

(b) *Grain elevator* means any plant or installation at which grain is unloaded, handled, cleaned, dried, stored, or loaded.

(c) *Grain terminal elevator* means any grain elevator which has a permanent storage capacity of more than 88,100 m^3 (ca. 2.5 million U.S. bushels), except those located at animal food manufacturers, pet food manufacturers, cereal manufacturers, breweries, and livestock feedlots.

(d) *Permanent storage capacity* means grain storage capacity which is inside a building, bin, or silo.

(e) *Railcar* means railroad hopper car or boxcar.

(f) *Grain storage elevator* means any grain elevator located at any wheat flour mill, wet corn mill, dry corn mill (human consumption), rice mill, or soybean oil extraction plant which has a permanent grain storage capacity of 35,200 m^3 (ca. 1 million bushels).

(g) *Process emission* means the particulate matter which is collected by a capture system.

(h) *Fugitive emission* means the particulate matter which is not collected by a capture system and is released directly into the atmosphere from an affected facility at a grain elevator.

(i) *Capture system* means the equipment such as sheds, hoods, ducts, fans, dampers, etc. used to collect particulate matter generated by an affected facility at a grain elevator.

(j) *Grain unloading station* means that portion of a grain elevator where the grain is transferred from a truck, railcar, barge, or ship to a receiving hopper.

(k) *Grain loading station* means that portion of a grain elevator where the grain is transferred from the elevator to a truck, railcar, barge, or ship.

(l) *Grain handling operations* include bucket elevators or legs (excluding legs used to unload barges or ships), scale hoppers and surge bins (garners), turn heads, scalpers, cleaners, trippers, and the headhouse and other such structures.

(m) *Column dryer* means any equipment used to reduce the moisture content of grain in which the grain flows from the top to the bottom in one or more continuous packed columns between two perforated metal sheets.

(n) *Rack dryer* means any equipment used to reduce the moisture content of grain in which the grain flows from the top to the bottom in a cascading flow around rows of baffles (racks).

(o) *Unloading leg* means a device which includes a bucket-type elevator which is used to remove grain from a barge or ship.

[43 FR 34347, Aug. 3, 1978, as amended at 65 FR 61759, Oct. 17, 2000]

§ 60.302 Standard for particulate matter.

(a) On and after the 60th day of achieving the maximum production rate at which the affected facility will be operated, but no later than 180 days after initial startup, no owner or operator subject to the provisions of this subpart shall cause to be discharged into the atmosphere any gases which exhibit greater than 0 percent opacity from any:

(1) Column dryer with column plate perforation exceeding 2.4 mm diameter (ca. 0.094 inch).

(2) Rack dryer in which exhaust gases pass through a screen filter coarser than 50 mesh.

(b) On and after the date on which the performance test required to be conducted by §60.8 is completed, no owner or operator subject to the provisions of this subpart shall cause to be discharged into the atmosphere from any affected facility except a grain dryer any process emission which:

(1) Contains particulate matter in excess of 0.023 g/dscm (ca. 0.01 gr/dscf).

(2) Exhibits greater than 0 percent opacity.

(c) On and after the 60th day of achieving the maximum production rate at which the affected facility will be operated, but no later than 180 days after initial startup, no owner or operator subject to the provisions of this subpart shall cause to be discharged into the atmosphere any fugitive emission from:

(1) Any individual truck unloading station, railcar unloading station, or railcar loading station, which exhibits greater than 5 percent opacity.

(2) Any grain handling operation which exhibits greater than 0 percent opacity.

(3) Any truck loading station which exhibits greater than 10 percent opacity.

(4) Any barge or ship loading station which exhibits greater than 20 percent opacity.

(d) The owner or operator of any barge or ship unloading station shall operate as follows:

(1) The unloading leg shall be enclosed from the top (including the receiving hopper) to the center line of the bottom pulley and ventilation to a control device shall be maintained on both sides of the leg and the grain receiving hopper.

(2) The total rate of air ventilated shall be at least 32.1 actual cubic meters per cubic meter of grain handling capacity (ca. 40 ft^3 /bu).

(3) Rather than meet the requirements of paragraphs (d)(1) and (2) of this section the owner or operator may use other methods of emission control if it is demonstrated to the Administrator's satisfaction that they would reduce emissions of particulate matter to the same level or less.

§ 60.303 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). Acceptable alternative methods and procedures are given in paragraph (c) of this section.

(b) The owner or operator shall determine compliance with the particulate matter standards in §60.302 as follows:

(1) Method 5 shall be used to determine the particulate matter concentration and the volumetric flow rate of the effluent gas. The sampling time and sample volume for each run shall be at least 60 minutes and 1.70 dscm (60 dscf). The probe and filter holder shall be operated without heaters.

(2) Method 2 shall be used to determine the ventilation volumetric flow rate.

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

(c) The owner or operator may use the following as alternatives to the reference methods and procedures specified in this section:

(1) For Method 5, Method 17 may be used.

[54 FR 6674, Feb. 14, 1989]

§ 60.304 Modifications.

(a) The factor 6.5 shall be used in place of “annual asset guidelines repair allowance percentage,” to determine whether a capital expenditure as defined by §60.2 has been made to an existing facility.

(b) The following physical changes or changes in the method of operation shall not by themselves be considered a modification of any existing facility:

(1) The addition of gravity loadout spouts to existing grain storage or grain transfer bins.

(2) The installation of automatic grain weighing scales.

(3) Replacement of motor and drive units driving existing grain handling equipment.

(4) The installation of permanent storage capacity with no increase in hourly grain handling capacity.

Attachment B
To
T071-27062-00018

Subpart Dc—Standards of Performance for Small Industrial-Commercial-Institutional Steam Generating Units

Source: 72 FR 32759, June 13, 2007, unless otherwise noted.

§ 60.40c Applicability and delegation of authority.

(a) Except as provided in paragraphs (d), (e), (f), and (g) of this section, the affected facility to which this subpart applies is each steam generating unit for which construction, modification, or reconstruction is commenced after June 9, 1989 and that has a maximum design heat input capacity of 29 megawatts (MW) (100 million British thermal units per hour (MMBtu/hr)) or less, but greater than or equal to 2.9 MW (10 MMBtu/hr).

(b) In delegating implementation and enforcement authority to a State under section 111(c) of the Clean Air Act, §60.48c(a)(4) shall be retained by the Administrator and not transferred to a State.

(c) Steam generating units that meet the applicability requirements in paragraph (a) of this section are not subject to the sulfur dioxide (SO_2) or particulate matter (PM) emission limits, performance testing requirements, or monitoring requirements under this subpart (§§60.42c, 60.43c, 60.44c, 60.45c, 60.46c, or 60.47c) during periods of combustion research, as defined in §60.41c.

(d) Any temporary change to an existing steam generating unit for the purpose of conducting combustion research is not considered a modification under §60.14.

(e) Heat recovery steam generators that are associated with combined cycle gas turbines and meet the applicability requirements of subpart KKKK of this part are not subject to this subpart. This subpart will continue to apply to all other heat recovery steam generators that are capable of combusting more than or equal to 2.9 MW (10 MMBtu/hr) heat input of fossil fuel but less than or equal to 29 MW (100 MMBtu/hr) heat input of fossil fuel. If the heat recovery steam generator is subject to this subpart, only emissions resulting from combustion of fuels in the steam generating unit are subject to this subpart. (The gas turbine emissions are subject to subpart GG or KKKK, as applicable, of this part).

(f) Any facility covered by subpart AAAA of this part is not subject by this subpart.

(g) Any facility covered by an EPA approved State or Federal section 111(d)/129 plan implementing subpart BBBB of this part is not subject by this subpart.

[72 FR 32759, June 13, 2007, as amended at 74 FR 5090, Jan. 28, 2009]

§ 60.41c Definitions.

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

Annual capacity factor means the ratio between the actual heat input to a steam generating unit from an individual fuel or combination of fuels during a period of 12 consecutive calendar months and the potential heat input to the steam generating unit from all fuels had the steam generating unit been operated for 8,760 hours during that 12-month period at the maximum design heat input capacity. In the case of steam generating units that are rented or leased, the actual heat input shall be determined based on the combined heat input from all operations of the affected facility during a period of 12 consecutive calendar months.

Coal means all solid fuels classified as anthracite, bituminous, subbituminous, or lignite by the American Society of Testing and Materials in ASTM D388 (incorporated by reference, see §60.17), coal refuse, and petroleum coke. Coal-derived synthetic fuels derived from coal for the purposes of creating useful heat, including but not limited to solvent refined coal, gasified coal not meeting the definition of natural gas, coal-oil mixtures, and coal-water mixtures, are also included in this definition for the purposes of this subpart.

Coal refuse means any by-product of coal mining or coal cleaning operations with an ash content greater than 50 percent (by weight) and a heating value less than 13,900 kilojoules per kilogram (kJ/kg) (6,000 Btu per pound (Btu/lb) on a dry basis.

Cogeneration steam generating unit means a steam generating unit that simultaneously produces both electrical (or mechanical) and thermal energy from the same primary energy source.

Combined cycle system means a system in which a separate source (such as a stationary gas turbine, internal combustion engine, or kiln) provides exhaust gas to a steam generating unit.

Combustion research means the experimental firing of any fuel or combination of fuels in a steam generating unit for the purpose of conducting research and development of more efficient combustion or more effective prevention or control of air pollutant emissions from combustion, provided that, during these periods of research and development, the heat generated is not used for any purpose other than preheating combustion air for use by that steam generating unit (*i.e.* , the heat generated is released to the atmosphere without being used for space heating, process heating, driving pumps, preheating combustion air for other units, generating electricity, or any other purpose).

Conventional technology means wet flue gas desulfurization technology, dry flue gas desulfurization technology, atmospheric fluidized bed combustion technology, and oil hydrodesulfurization technology.

Distillate oil means fuel oil that complies with the specifications for fuel oil numbers 1 or 2, as defined by the American Society for Testing and Materials in ASTM D396 (incorporated by reference, see §60.17) or diesel fuel oil numbers 1 or 2, as defined by the American Society for Testing and Materials in ASTM D975 (incorporated by reference, see §60.17).

Dry flue gas desulfurization technology means a SO_2control system that is located between the steam generating unit and the exhaust vent or stack, and that removes sulfur oxides from the combustion gases of the steam generating unit by contacting the combustion gases with an alkaline reagent and water, whether introduced separately or as a premixed slurry or solution and forming a dry powder material. This definition includes devices where the dry powder material is subsequently converted to another form. Alkaline reagents used in dry flue gas desulfurization systems include, but are not limited to, lime and sodium compounds.

Duct burner means a device that combusts fuel and that is placed in the exhaust duct from another source (such as a stationary gas turbine, internal combustion engine, kiln, etc.) to allow the firing of additional fuel to heat the exhaust gases before the exhaust gases enter a steam generating unit.

Emerging technology means any SO_2control system that is not defined as a conventional technology under this section, and for which the owner or operator of the affected facility has received approval from the Administrator to operate as an emerging technology under §60.48c(a)(4).

Federally enforceable means all limitations and conditions that are enforceable by the Administrator, including the requirements of 40 CFR parts 60 and 61, requirements within any applicable State implementation plan, and any permit requirements established under 40 CFR 52.21 or under 40 CFR 51.18 and 51.24.

Fluidized bed combustion technology means a device wherein fuel is distributed onto a bed (or series of beds) of limestone aggregate (or other sorbent materials) for combustion; and these materials are forced upward in the device by the flow of combustion air and the gaseous products of combustion. Fluidized bed combustion technology includes, but is not limited to, bubbling bed units and circulating bed units.

Fuel pretreatment means a process that removes a portion of the sulfur in a fuel before combustion of the fuel in a steam generating unit.

Heat input means heat derived from combustion of fuel in a steam generating unit and does not include the heat derived from preheated combustion air, recirculated flue gases, or exhaust gases from other sources (such as stationary gas turbines, internal combustion engines, and kilns).

Heat transfer medium means any material that is used to transfer heat from one point to another point.

Maximum design heat input capacity means the ability of a steam generating unit to combust a stated maximum amount of fuel (or combination of fuels) on a steady state basis as determined by the physical design and characteristics of the steam generating unit.

Natural gas means:

(1) A naturally occurring mixture of hydrocarbon and nonhydrocarbon gases found in geologic formations beneath the earth's surface, of which the principal constituent is methane; or

(2) Liquefied petroleum (LP) gas, as defined by the American Society for Testing and Materials in ASTM D1835 (incorporated by reference, see §60.17); or

(3) A mixture of hydrocarbons that maintains a gaseous state at ISO conditions. Additionally, natural gas must either be composed of at least 70 percent methane by volume or have a gross calorific value between 34 and 43 megajoules (MJ) per dry standard cubic meter (910 and 1,150 Btu per dry standard cubic foot).

Noncontinental area means the State of Hawaii, the Virgin Islands, Guam, American Samoa, the Commonwealth of Puerto Rico, or the Northern Mariana Islands.

Oil means crude oil or petroleum, or a liquid fuel derived from crude oil or petroleum, including distillate oil and residual oil.

Potential sulfur dioxide emission rate means the theoretical SO_2emissions (nanograms per joule (ng/J) or lb/MMBtu heat input) that would result from combusting fuel in an uncleaned state and without using emission control systems.

Process heater means a device that is primarily used to heat a material to initiate or promote a chemical reaction in which the material participates as a reactant or catalyst.

Residual oil means crude oil, fuel oil that does not comply with the specifications under the definition of distillate oil, and all fuel oil numbers 4, 5, and 6, as defined by the American Society for Testing and Materials in ASTM D396 (incorporated by reference, see §60.17).

Steam generating unit means a device that combusts any fuel and produces steam or heats water or heats any heat transfer medium. This term includes any duct burner that combusts fuel and is part of a combined cycle system. This term does not include process heaters as defined in this subpart.

Steam generating unit operating day means a 24-hour period between 12:00 midnight and the following midnight during which any fuel is combusted at any time in the steam generating unit. It is not necessary for fuel to be combusted continuously for the entire 24-hour period.

Wet flue gas desulfurization technology means an SO_2control system that is located between the steam generating unit and the exhaust vent or stack, and that removes sulfur oxides from the combustion gases of the steam generating unit by contacting the combustion gases with an alkaline slurry or solution and forming a liquid material. This definition includes devices where the liquid material is subsequently converted to another form. Alkaline reagents used in wet flue gas desulfurization systems include, but are not limited to, lime, limestone, and sodium compounds.

Wet scrubber system means any emission control device that mixes an aqueous stream or slurry with the exhaust gases from a steam generating unit to control emissions of PM or SO_2.

Wood means wood, wood residue, bark, or any derivative fuel or residue thereof, in any form, including but not limited to sawdust, sanderdust, wood chips, scraps, slabs, millings, shavings, and processed pellets made from wood or other forest residues.

[72 FR 32759, June 13, 2007, as amended at 74 FR 5090, Jan. 28, 2009]

§ 60.42c Standard for sulfur dioxide (SO_2).

(a) Except as provided in paragraphs (b), (c), and (e) of this section, on and after the date on which the performance test is completed or required to be completed under §60.8, whichever date comes first, the owner or operator of an affected facility that combusts only coal shall neither: cause to be discharged into the atmosphere from the affected facility any gases that contain SO_2in excess of 87 ng/J (0.20 lb/MMBtu) heat input or 10 percent (0.10) of the potential SO_2emission rate (90 percent reduction), nor cause to be discharged into the atmosphere from the affected facility any gases that contain SO_2in excess of 520 ng/J (1.2 lb/MMBtu) heat input. If coal is combusted with other fuels, the affected facility shall neither: cause to be discharged into the atmosphere from the affected facility any gases that contain SO_2in excess of 87 ng/J (0.20 lb/MMBtu) heat input or 10 percent (0.10) of the potential SO_2emission rate (90 percent reduction), nor cause to be discharged into the atmosphere from the affected facility any gases that contain SO_2in excess of the emission limit is determined pursuant to paragraph (e)(2) of this section.

(b) Except as provided in paragraphs (c) and (e) of this section, on and after the date on which the performance test is completed or required to be completed under §60.8, whichever date comes first, the owner or operator of an affected facility that:

(1) Combusts only coal refuse alone in a fluidized bed combustion steam generating unit shall neither:

(i) Cause to be discharged into the atmosphere from that affected facility any gases that contain SO_2in excess of 87 ng/J (0.20 lb/MMBtu) heat input or 20 percent (0.20) of the potential SO_2emission rate (80 percent reduction); nor

(ii) Cause to be discharged into the atmosphere from that affected facility any gases that contain SO_2in excess of SO_2in excess of 520 ng/J (1.2 lb/MMBtu) heat input. If coal is fired with coal refuse, the affected facility subject to paragraph (a) of this section. If oil or any other fuel (except coal) is fired with coal refuse, the affected facility is subject to the 87 ng/J (0.20 lb/MMBtu) heat input SO_2emissions limit or the 90 percent SO_2reduction requirement specified in paragraph (a) of this section and the emission limit is determined pursuant to paragraph (e)(2) of this section.

(2) Combusts only coal and that uses an emerging technology for the control of SO_2emissions shall neither:

(i) Cause to be discharged into the atmosphere from that affected facility any gases that contain SO_2in excess of 50 percent (0.50) of the potential SO_2emission rate (50 percent reduction); nor

(ii) Cause to be discharged into the atmosphere from that affected facility any gases that contain SO_2in excess of 260 ng/J (0.60 lb/MMBtu) heat input. If coal is combusted with other fuels, the affected facility is subject to the 50 percent SO_2reduction requirement specified in this paragraph and the emission limit determined pursuant to paragraph (e)(2) of this section.

(c) On and after the date on which the initial performance test is completed or required to be completed under §60.8, whichever date comes first, no owner or operator of an affected facility that combusts coal, alone or in combination with any other fuel, and is listed in paragraphs (c)(1), (2), (3), or (4) of this section shall cause to be discharged into the atmosphere from that affected facility any gases that contain SO_2in excess of the emission limit determined pursuant to paragraph (e)(2) of this section. Percent reduction requirements are not applicable to affected facilities under paragraphs (c)(1), (2), (3), or (4).

(1) Affected facilities that have a heat input capacity of 22 MW (75 MMBtu/hr) or less.

(2) Affected facilities that have an annual capacity for coal of 55 percent (0.55) or less and are subject to a federally enforceable requirement limiting operation of the affected facility to an annual capacity factor for coal of 55 percent (0.55) or less.

(3) Affected facilities located in a noncontinental area.

(4) Affected facilities that combust coal in a duct burner as part of a combined cycle system where 30 percent (0.30) or less of the heat entering the steam generating unit is from combustion of coal in the duct

burner and 70 percent (0.70) or more of the heat entering the steam generating unit is from exhaust gases entering the duct burner.

(d) On and after the date on which the initial performance test is completed or required to be completed under §60.8, whichever date comes first, no owner or operator of an affected facility that combusts oil shall cause to be discharged into the atmosphere from that affected facility any gases that contain SO_2in excess of 215 ng/J (0.50 lb/MMBtu) heat input; or, as an alternative, no owner or operator of an affected facility that combusts oil shall combust oil in the affected facility that contains greater than 0.5 weight percent sulfur. The percent reduction requirements are not applicable to affected facilities under this paragraph.

(e) On and after the date on which the initial performance test is completed or required to be completed under §60.8, whichever date comes first, no owner or operator of an affected facility that combusts coal, oil, or coal and oil with any other fuel shall cause to be discharged into the atmosphere from that affected facility any gases that contain SO_2in excess of the following:

(1) The percent of potential SO_2emission rate or numerical SO_2emission rate required under paragraph (a) or (b)(2) of this section, as applicable, for any affected facility that

(i) Combusts coal in combination with any other fuel;

(ii) Has a heat input capacity greater than 22 MW (75 MMBtu/hr); and

(iii) Has an annual capacity factor for coal greater than 55 percent (0.55); and

(2) The emission limit determined according to the following formula for any affected facility that combusts coal, oil, or coal and oil with any other fuel:

$$E_s = \frac{(K_a H_a + K_b H_b + K_c H_c)}{(H_a + H_b + H_c)}$$

Where:

E_s= SO_2emission limit, expressed in ng/J or lb/MMBtu heat input;

K_a= 520 ng/J (1.2 lb/MMBtu);

K_b= 260 ng/J (0.60 lb/MMBtu);

K_c= 215 ng/J (0.50 lb/MMBtu);

H_a= Heat input from the combustion of coal, except coal combusted in an affected facility subject to paragraph (b)(2) of this section, in Joules (J) [MMBtu];

H_b= Heat input from the combustion of coal in an affected facility subject to paragraph (b)(2) of this section, in J (MMBtu); and

H_c= Heat input from the combustion of oil, in J (MMBtu).

(f) Reduction in the potential SO_2emission rate through fuel pretreatment is not credited toward the percent reduction requirement under paragraph (b)(2) of this section unless:

(1) Fuel pretreatment results in a 50 percent (0.50) or greater reduction in the potential SO_2emission rate; and

(2) Emissions from the pretreated fuel (without either combustion or post-combustion SO_2control) are equal to or less than the emission limits specified under paragraph (b)(2) of this section.

(g) Except as provided in paragraph (h) of this section, compliance with the percent reduction requirements, fuel oil sulfur limits, and emission limits of this section shall be determined on a 30-day rolling average basis.

(h) For affected facilities listed under paragraphs (h)(1), (2), or (3) of this section, compliance with the emission limits or fuel oil sulfur limits under this section may be determined based on a certification from the fuel supplier, as described under §60.48c(f), as applicable.

(1) Distillate oil-fired affected facilities with heat input capacities between 2.9 and 29 MW (10 and 100 MMBtu/hr).

(2) Residual oil-fired affected facilities with heat input capacities between 2.9 and 8.7 MW (10 and 30 MMBtu/hr).

(3) Coal-fired facilities with heat input capacities between 2.9 and 8.7 MW (10 and 30 MMBtu/hr).

(i) The SO_2emission limits, fuel oil sulfur limits, and percent reduction requirements under this section apply at all times, including periods of startup, shutdown, and malfunction.

(j) For affected facilities located in noncontinental areas and affected facilities complying with the percent reduction standard, only the heat input supplied to the affected facility from the combustion of coal and oil is counted under this section. No credit is provided for the heat input to the affected facility from wood or other fuels or for heat derived from exhaust gases from other sources, such as stationary gas turbines, internal combustion engines, and kilns.

[72 FR 32759, June 13, 2007, as amended at 74 FR 5090, Jan. 28, 2009]

§ 60.43c Standard for particulate matter (PM).

(a) On and after the date on which the initial performance test is completed or required to be completed under §60.8, whichever date comes first, no owner or operator of an affected facility that commenced construction, reconstruction, or modification on or before February 28, 2005, that combusts coal or combusts mixtures of coal with other fuels and has a heat input capacity of 8.7 MW (30 MMBtu/hr) or greater, shall cause to be discharged into the atmosphere from that affected facility any gases that contain PM in excess of the following emission limits:

(1) 22 ng/J (0.051 lb/MMBtu) heat input if the affected facility combusts only coal, or combusts coal with other fuels and has an annual capacity factor for the other fuels of 10 percent (0.10) or less.

(2) 43 ng/J (0.10 lb/MMBtu) heat input if the affected facility combusts coal with other fuels, has an annual capacity factor for the other fuels greater than 10 percent (0.10), and is subject to a federally enforceable requirement limiting operation of the affected facility to an annual capacity factor greater than 10 percent (0.10) for fuels other than coal.

(b) On and after the date on which the initial performance test is completed or required to be completed under §60.8, whichever date comes first, no owner or operator of an affected facility that commenced construction, reconstruction, or modification on or before February 28, 2005, that combusts wood or combusts mixtures of wood with other fuels (except coal) and has a heat input capacity of 8.7 MW (30 MMBtu/hr) or greater, shall cause to be discharged into the atmosphere from that affected facility any gases that contain PM in excess of the following emissions limits:

(1) 43 ng/J (0.10 lb/MMBtu) heat input if the affected facility has an annual capacity factor for wood greater than 30 percent (0.30); or

(2) 130 ng/J (0.30 lb/MMBtu) heat input if the affected facility has an annual capacity factor for wood of 30 percent (0.30) or less and is subject to a federally enforceable requirement limiting operation of the affected facility to an annual capacity factor for wood of 30 percent (0.30) or less.

(c) On and after the date on which the initial performance test is completed or required to be completed under §60.8, whichever date comes first, no owner or operator of an affected facility that can combust coal, wood, or oil and has a heat input capacity of 8.7 MW (30 MMBtu/hr) or greater shall cause to be discharged into the atmosphere from that affected facility any gases that exhibit greater than 20 percent opacity (6-minute average), except for one 6-minute period per hour of not more than 27 percent opacity. Owners and operators of an affected facility that elect to install, calibrate, maintain, and operate a continuous emissions monitoring system (CEMS) for measuring PM emissions according to the requirements of this subpart and are subject to a federally enforceable PM limit of 0.030 lb/MMBtu or less are exempt from the opacity standard specified in this paragraph.

(d) The PM and opacity standards under this section apply at all times, except during periods of startup, shutdown, or malfunction.

(e)(1) On and after the date on which the initial performance test is completed or is required to be completed under §60.8, whichever date comes first, no owner or operator of an affected facility that commences construction, reconstruction, or modification after February 28, 2005, and that combusts coal, oil, wood, a mixture of these fuels, or a mixture of these fuels with any other fuels and has a heat input capacity of 8.7 MW (30 MMBtu/hr) or greater shall cause to be discharged into the atmosphere from that affected facility any gases that contain PM in excess of 13 ng/J (0.030 lb/MMBtu) heat input, except as provided in paragraphs (e)(2), (e)(3), and (e)(4) of this section.

(2) As an alternative to meeting the requirements of paragraph (e)(1) of this section, the owner or operator of an affected facility for which modification commenced after February 28, 2005, may elect to meet the requirements of this paragraph. On and after the date on which the initial performance test is completed or required to be completed under §60.8, whichever date comes first, no owner or operator of an affected facility that commences modification after February 28, 2005 shall cause to be discharged into the atmosphere from that affected facility any gases that contain PM in excess of both:

(i) 22 ng/J (0.051 lb/MMBtu) heat input derived from the combustion of coal, oil, wood, a mixture of these fuels, or a mixture of these fuels with any other fuels; and

(ii) 0.2 percent of the combustion concentration (99.8 percent reduction) when combusting coal, oil, wood, a mixture of these fuels, or a mixture of these fuels with any other fuels.

(3) On and after the date on which the initial performance test is completed or is required to be completed under §60.8, whichever date comes first, no owner or operator of an affected facility that commences modification after February 28, 2005, and that combusts over 30 percent wood (by heat input) on an annual basis and has a heat input capacity of 8.7 MW (30 MMBtu/hr) or greater shall cause to be discharged into the atmosphere from that affected facility any gases that contain PM in excess of 43 ng/J (0.10 lb/MMBtu) heat input.

(4) On and after the date on which the initial performance test is completed or is required to be completed under §60.8, whichever date comes first, an owner or operator of an affected facility that commences construction, reconstruction, or modification after February 28, 2005, and that combusts only oil that contains no more than 0.50 weight percent sulfur or a mixture of 0.50 weight percent sulfur oil with other fuels not subject to a PM standard under §60.43c and not using a post-combustion technology (except a wet scrubber) to reduce PM or SO_2emissions is not subject to the PM limit in this section.

[72 FR 32759, June 13, 2007, as amended at 74 FR 5091, Jan. 28, 2009]

§ 60.44c Compliance and performance test methods and procedures for sulfur dioxide.

(a) Except as provided in paragraphs (g) and (h) of this section and §60.8(b), performance tests required under §60.8 shall be conducted following the procedures specified in paragraphs (b), (c), (d), (e), and (f) of

this section, as applicable. Section 60.8(f) does not apply to this section. The 30-day notice required in §60.8(d) applies only to the initial performance test unless otherwise specified by the Administrator.

(b) The initial performance test required under §60.8 shall be conducted over 30 consecutive operating days of the steam generating unit. Compliance with the percent reduction requirements and SO_2emission limits under §60.42c shall be determined using a 30-day average. The first operating day included in the initial performance test shall be scheduled within 30 days after achieving the maximum production rate at which the affect facility will be operated, but not later than 180 days after the initial startup of the facility. The steam generating unit load during the 30-day period does not have to be the maximum design heat input capacity, but must be representative of future operating conditions.

(c) After the initial performance test required under paragraph (b) of this section and §60.8, compliance with the percent reduction requirements and SO_2emission limits under §60.42c is based on the average percent reduction and the average SO_2emission rates for 30 consecutive steam generating unit operating days. A separate performance test is completed at the end of each steam generating unit operating day, and a new 30-day average percent reduction and SO_2emission rate are calculated to show compliance with the standard.

(d) If only coal, only oil, or a mixture of coal and oil is combusted in an affected facility, the procedures in Method 19 of appendix A of this part are used to determine the hourly SO_2emission rate (E_{ho}) and the 30-day average SO_2emission rate (E_{ao}). The hourly averages used to compute the 30-day averages are obtained from the CEMS. Method 19 of appendix A of this part shall be used to calculate $E_{ao}$when using daily fuel sampling or Method 6B of appendix A of this part.

(e) If coal, oil, or coal and oil are combusted with other fuels:

(1) An adjusted E_{ho}(E_{ho}o) is used in Equation 19–19 of Method 19 of appendix A of this part to compute the adjusted E_{ao}(E_{ao}o). The E_{ho}o is computed using the following formula:

$$E_{ho}o = \frac{E_{ho} - E_w(1 - X_k)}{X_k}$$

Where:

E_{ho}o = Adjusted E_{ho}, ng/J (lb/MMBtu);

E_{ho}= Hourly SO_2emission rate, ng/J (lb/MMBtu);

E_w= SO_2concentration in fuels other than coal and oil combusted in the affected facility, as determined by fuel sampling and analysis procedures in Method 9 of appendix A of this part, ng/J (lb/MMBtu). The value $E_w$for each fuel lot is used for each hourly average during the time that the lot is being combusted. The owner or operator does not have to measure $E_w$if the owner or operator elects to assume E_w= 0.

X_k= Fraction of the total heat input from fuel combustion derived from coal and oil, as determined by applicable procedures in Method 19 of appendix A of this part.

(2) The owner or operator of an affected facility that qualifies under the provisions of §60.42c(c) or (d) (where percent reduction is not required) does not have to measure the parameters $E_w$or $X_k$if the owner or operator of the affected facility elects to measure emission rates of the coal or oil using the fuel sampling and analysis procedures under Method 19 of appendix A of this part.

(f) Affected facilities subject to the percent reduction requirements under §60.42c(a) or (b) shall determine compliance with the SO_2emission limits under §60.42c pursuant to paragraphs (d) or (e) of this section, and shall determine compliance with the percent reduction requirements using the following procedures:

(1) If only coal is combusted, the percent of potential SO_2emission rate is computed using the following formula:

$$\%P_s = 100\left(1 - \frac{\%R_g}{100}\right)\left(1 - \frac{\%R_f}{100}\right)$$

Where:

$\%P_s$= Potential SO_2emission rate, in percent;

$\%R_g$= SO_2removal efficiency of the control device as determined by Method 19 of appendix A of this part, in percent; and

$\%R_f$= SO_2removal efficiency of fuel pretreatment as determined by Method 19 of appendix A of this part, in percent.

(2) If coal, oil, or coal and oil are combusted with other fuels, the same procedures required in paragraph (f)(1) of this section are used, except as provided for in the following:

(i) To compute the $\%P_s$, an adjusted $\%R_g$($\%R_g$o) is computed from E_{ao}o from paragraph (e)(1) of this section and an adjusted average SO_2inlet rate (E_{ai}o) using the following formula:

$$\%R_g o = 100\left(1 - \frac{E_{ao}^{o}}{E_{ai}^{o}}\right)$$

Where:

$\%R_g$o = Adjusted $\%R_g$, in percent;

E_{ao}o = Adjusted E_{ao}, ng/J (lb/MMBtu); and

E_{ai}o = Adjusted average SO_2inlet rate, ng/J (lb/MMBtu).

(ii) To compute E_{ai}o, an adjusted hourly SO_2inlet rate (E_{hi}o) is used. The E_{hi}o is computed using the following formula:

$$E_{hi}o = \frac{E_{hi} - E_w(1 - X_l)}{X_l}$$

Where:

E_{hi}o = Adjusted E_{hi}, ng/J (lb/MMBtu);

E_{hi}= Hourly SO_2inlet rate, ng/J (lb/MMBtu);

E_w= SO_2concentration in fuels other than coal and oil combusted in the affected facility, as determined by fuel sampling and analysis procedures in Method 19 of appendix A of this part, ng/J (lb/MMBtu). The value $E_w$for each fuel lot is used for each hourly average during the time that the lot is being combusted. The owner or operator does not have to measure $E_w$if the owner or operator elects to assume E_w= 0; and

X_k= Fraction of the total heat input from fuel combustion derived from coal and oil, as determined by applicable procedures in Method 19 of appendix A of this part.

(g) For oil-fired affected facilities where the owner or operator seeks to demonstrate compliance with the fuel oil sulfur limits under §60.42c based on shipment fuel sampling, the initial performance test shall consist of sampling and analyzing the oil in the initial tank of oil to be fired in the steam generating unit to demonstrate that the oil contains 0.5 weight percent sulfur or less. Thereafter, the owner or operator of the affected facility shall sample the oil in the fuel tank after each new shipment of oil is received, as described under §60.46c(d)(2).

(h) For affected facilities subject to §60.42c(h)(1), (2), or (3) where the owner or operator seeks to demonstrate compliance with the SO_2standards based on fuel supplier certification, the performance test shall consist of the certification from the fuel supplier, as described in §60.48c(f), as applicable.

(i) The owner or operator of an affected facility seeking to demonstrate compliance with the SO_2standards under §60.42c(c)(2) shall demonstrate the maximum design heat input capacity of the steam generating unit by operating the steam generating unit at this capacity for 24 hours. This demonstration shall be made during the initial performance test, and a subsequent demonstration may be requested at any other time. If the demonstrated 24-hour average firing rate for the affected facility is less than the maximum design heat input capacity stated by the manufacturer of the affected facility, the demonstrated 24-hour average firing rate shall be used to determine the annual capacity factor for the affected facility; otherwise, the maximum design heat input capacity provided by the manufacturer shall be used.

(j) The owner or operator of an affected facility shall use all valid SO_2emissions data in calculating $\%P_s$and E_{ho}under paragraphs (d), (e), or (f) of this section, as applicable, whether or not the minimum emissions data requirements under §60.46c(f) are achieved. All valid emissions data, including valid data collected during periods of startup, shutdown, and malfunction, shall be used in calculating $\%P_s$or E_{ho}pursuant to paragraphs (d), (e), or (f) of this section, as applicable.

[72 FR 32759, June 13, 2007, as amended at 74 FR 5091, Jan. 28, 2009]

§ 60.45c Compliance and performance test methods and procedures for particulate matter.

(a) The owner or operator of an affected facility subject to the PM and/or opacity standards under §60.43c shall conduct an initial performance test as required under §60.8, and shall conduct subsequent performance tests as requested by the Administrator, to determine compliance with the standards using the following procedures and reference methods, except as specified in paragraph (c) of this section.

(1) Method 1 of appendix A of this part shall be used to select the sampling site and the number of traverse sampling points.

(2) Method 3A or 3B of appendix A–2 of this part shall be used for gas analysis when applying Method 5 or 5B of appendix A–3 of this part or 17 of appendix A–6 of this part.

(3) Method 5, 5B, or 17 of appendix A of this part shall be used to measure the concentration of PM as follows:

(i) Method 5 of appendix A of this part may be used only at affected facilities without wet scrubber systems.

(ii) Method 17 of appendix A of this part may be used at affected facilities with or without wet scrubber systems provided the stack gas temperature does not exceed a temperature of 160 °C (320 °F). The procedures of Sections 8.1 and 11.1 of Method 5B of appendix A of this part may be used in Method 17 of appendix A of this part only if Method 17 of appendix A of this part is used in conjunction with a wet scrubber system. Method 17 of appendix A of this part shall not be used in conjunction with a wet scrubber system if the effluent is saturated or laden with water droplets.

(iii) Method 5B of appendix A of this part may be used in conjunction with a wet scrubber system.

(4) The sampling time for each run shall be at least 120 minutes and the minimum sampling volume shall be 1.7 dry standard cubic meters (dscm) [60 dry standard cubic feet (dscf)] except that smaller sampling times or volumes may be approved by the Administrator when necessitated by process variables or other factors.

(5) For Method 5 or 5B of appendix A of this part, the temperature of the sample gas in the probe and filter holder shall be monitored and maintained at 160 ±14 °C (320±25 °F).

(6) For determination of PM emissions, an oxygen (O_2) or carbon dioxide (CO_2) measurement shall be obtained simultaneously with each run of Method 5, 5B, or 17 of appendix A of this part by traversing the duct at the same sampling location.

(7) For each run using Method 5, 5B, or 17 of appendix A of this part, the emission rates expressed in ng/J (lb/MMBtu) heat input shall be determined using:

(i) The O_2or CO_2measurements and PM measurements obtained under this section, (ii) The dry basis F factor, and

(iii) The dry basis emission rate calculation procedure contained in Method 19 of appendix A of this part.

(8) Method 9 of appendix A–4 of this part shall be used for determining the opacity of stack emissions.

(b) The owner or operator of an affected facility seeking to demonstrate compliance with the PM standards under §60.43c(b)(2) shall demonstrate the maximum design heat input capacity of the steam generating unit by operating the steam generating unit at this capacity for 24 hours. This demonstration shall be made during the initial performance test, and a subsequent demonstration may be requested at any other time. If the demonstrated 24-hour average firing rate for the affected facility is less than the maximum design heat input capacity stated by the manufacturer of the affected facility, the demonstrated 24-hour average firing rate shall be used to determine the annual capacity factor for the affected facility; otherwise, the maximum design heat input capacity provided by the manufacturer shall be used.

(c) In place of PM testing with Method 5 or 5B of appendix A–3 of this part or Method 17 of appendix A–6 of this part, an owner or operator may elect to install, calibrate, maintain, and operate a CEMS for monitoring PM emissions discharged to the atmosphere and record the output of the system. The owner or operator of an affected facility who elects to continuously monitor PM emissions instead of conducting performance testing using Method 5 or 5B of appendix A–3 of this part or Method 17 of appendix A–6 of this part shall install, calibrate, maintain, and operate a CEMS and shall comply with the requirements specified in paragraphs (c)(1) through (c)(14) of this section.

(1) Notify the Administrator 1 month before starting use of the system.

(2) Notify the Administrator 1 month before stopping use of the system.

(3) The monitor shall be installed, evaluated, and operated in accordance with §60.13 of subpart A of this part.

(4) The initial performance evaluation shall be completed no later than 180 days after the date of initial startup of the affected facility, as specified under §60.8 of subpart A of this part or within 180 days of notification to the Administrator of use of CEMS if the owner or operator was previously determining compliance by Method 5, 5B, or 17 of appendix A of this part performance tests, whichever is later.

(5) The owner or operator of an affected facility shall conduct an initial performance test for PM emissions as required under §60.8 of subpart A of this part. Compliance with the PM emission limit shall be determined by using the CEMS specified in paragraph (d) of this section to measure PM and calculating a 24-hour block arithmetic average emission concentration using EPA Reference Method 19 of appendix A of this part, section 4.1.

(6) Compliance with the PM emission limit shall be determined based on the 24-hour daily (block) average of the hourly arithmetic average emission concentrations using CEMS outlet data.

(7) At a minimum, valid CEMS hourly averages shall be obtained as specified in paragraph (c)(7)(i) of this section for 75 percent of the total operating hours per 30-day rolling average.

(i) At least two data points per hour shall be used to calculate each 1-hour arithmetic average.

(ii) [Reserved]

(8) The 1-hour arithmetic averages required under paragraph (c)(7) of this section shall be expressed in ng/J or lb/MMBtu heat input and shall be used to calculate the boiler operating day daily arithmetic average emission concentrations. The 1-hour arithmetic averages shall be calculated using the data points required under §60.13(e)(2) of subpart A of this part.

(9) All valid CEMS data shall be used in calculating average emission concentrations even if the minimum CEMS data requirements of paragraph (c)(7) of this section are not met.

(10) The CEMS shall be operated according to Performance Specification 11 in appendix B of this part.

(11) During the correlation testing runs of the CEMS required by Performance Specification 11 in appendix B of this part, PM and O_2(or CO_2) data shall be collected concurrently (or within a 30- to 60-minute period) by both the continuous emission monitors and performance tests conducted using the following test methods.

(i) For PM, Method 5 or 5B of appendix A–3 of this part or Method 17 of appendix A–6 of this part shall be used; and

(ii) After July 1, 2010 or after Method 202 of appendix M of part 51 has been revised to minimize artifact measurement and notice of that change has been published in theFederal Register,whichever is later, for condensable PM emissions, Method 202 of appendix M of part 51 shall be used; and

(iii) For O2 (or CO_2), Method 3A or 3B of appendix A–2 of this part, as applicable shall be used.

(12) Quarterly accuracy determinations and daily calibration drift tests shall be performed in accordance with procedure 2 in appendix F of this part. Relative Response Audit's must be performed annually and Response Correlation Audits must be performed every 3 years.

(13) When PM emissions data are not obtained because of CEMS breakdowns, repairs, calibration checks, and zero and span adjustments, emissions data shall be obtained by using other monitoring systems as approved by the Administrator or EPA Reference Method 19 of appendix A of this part to provide, as necessary, valid emissions data for a minimum of 75 percent of total operating hours on a 30-day rolling average.

(14) After July 1, 2011, within 90 days after the date of completing each performance evaluation required by paragraph (c)(11) of this section, the owner or operator of the affected facility must either submit the test data to EPA by successfully entering the data electronically into EPA's WebFIRE data base available at *http://cfpub.epa.gov/oarweb/index.cfm?action=fire.main* or mail a copy to: United States Environmental Protection Agency; Energy Strategies Group; 109 TW Alexander DR; Mail Code: D243–01; RTP, NC 27711.

(d) The owner or operator of an affected facility seeking to demonstrate compliance under §60.43c(e)(4) shall follow the applicable procedures under §60.48c(f). For residual oil-fired affected facilities, fuel supplier certifications are only allowed for facilities with heat input capacities between 2.9 and 8.7 MW (10 to 30 MMBtu/hr).

[72 FR 32759, June 13, 2007, as amended at 74 FR 5091, Jan. 28, 2009]

§ 60.46c Emission monitoring for sulfur dioxide.

(a) Except as provided in paragraphs (d) and (e) of this section, the owner or operator of an affected facility subject to the SO_2emission limits under §60.42c shall install, calibrate, maintain, and operate a CEMS for measuring SO_2concentrations and either O_2or CO_2concentrations at the outlet of the SO_2control device (or

the outlet of the steam generating unit if no SO_2control device is used), and shall record the output of the system. The owner or operator of an affected facility subject to the percent reduction requirements under §60.42c shall measure SO_2concentrations and either O_2or CO_2concentrations at both the inlet and outlet of the SO_2control device.

(b) The 1-hour average SO_2emission rates measured by a CEMS shall be expressed in ng/J or lb/MMBtu heat input and shall be used to calculate the average emission rates under §60.42c. Each 1-hour average SO_2emission rate must be based on at least 30 minutes of operation, and shall be calculated using the data points required under §60.13(h)(2). Hourly SO_2emission rates are not calculated if the affected facility is operated less than 30 minutes in a 1-hour period and are not counted toward determination of a steam generating unit operating day.

(c) The procedures under §60.13 shall be followed for installation, evaluation, and operation of the CEMS.

(1) All CEMS shall be operated in accordance with the applicable procedures under Performance Specifications 1, 2, and 3 of appendix B of this part.

(2) Quarterly accuracy determinations and daily calibration drift tests shall be performed in accordance with Procedure 1 of appendix F of this part.

(3) For affected facilities subject to the percent reduction requirements under §60.42c, the span value of the SO_2CEMS at the inlet to the SO_2control device shall be 125 percent of the maximum estimated hourly potential SO_2emission rate of the fuel combusted, and the span value of the SO_2CEMS at the outlet from the SO_2control device shall be 50 percent of the maximum estimated hourly potential SO_2emission rate of the fuel combusted.

(4) For affected facilities that are not subject to the percent reduction requirements of §60.42c, the span value of the SO_2CEMS at the outlet from the SO_2control device (or outlet of the steam generating unit if no SO_2control device is used) shall be 125 percent of the maximum estimated hourly potential SO_2emission rate of the fuel combusted.

(d) As an alternative to operating a CEMS at the inlet to the SO_2control device (or outlet of the steam generating unit if no SO_2control device is used) as required under paragraph (a) of this section, an owner or operator may elect to determine the average SO_2emission rate by sampling the fuel prior to combustion. As an alternative to operating a CEMS at the outlet from the SO_2control device (or outlet of the steam generating unit if no SO_2control device is used) as required under paragraph (a) of this section, an owner or operator may elect to determine the average SO_2emission rate by using Method 6B of appendix A of this part. Fuel sampling shall be conducted pursuant to either paragraph (d)(1) or (d)(2) of this section. Method 6B of appendix A of this part shall be conducted pursuant to paragraph (d)(3) of this section.

(1) For affected facilities combusting coal or oil, coal or oil samples shall be collected daily in an as-fired condition at the inlet to the steam generating unit and analyzed for sulfur content and heat content according the Method 19 of appendix A of this part. Method 19 of appendix A of this part provides procedures for converting these measurements into the format to be used in calculating the average SO_2input rate.

(2) As an alternative fuel sampling procedure for affected facilities combusting oil, oil samples may be collected from the fuel tank for each steam generating unit immediately after the fuel tank is filled and before any oil is combusted. The owner or operator of the affected facility shall analyze the oil sample to determine the sulfur content of the oil. If a partially empty fuel tank is refilled, a new sample and analysis of the fuel in the tank would be required upon filling. Results of the fuel analysis taken after each new shipment of oil is received shall be used as the daily value when calculating the 30-day rolling average until the next shipment is received. If the fuel analysis shows that the sulfur content in the fuel tank is greater than 0.5 weight percent sulfur, the owner or operator shall ensure that the sulfur content of subsequent oil shipments is low enough to cause the 30-day rolling average sulfur content to be 0.5 weight percent sulfur or less.

(3) Method 6B of appendix A of this part may be used in lieu of CEMS to measure SO_2at the inlet or outlet of the SO_2control system. An initial stratification test is required to verify the adequacy of the Method 6B of appendix A of this part sampling location. The stratification test shall consist of three paired runs of a suitable $SO_2$and CO_2measurement train operated at the candidate location and a second similar train operated according to the procedures in §3.2 and the applicable procedures in section 7 of Performance

Specification 2 of appendix B of this part. Method 6B of appendix A of this part, Method 6A of appendix A of this part, or a combination of Methods 6 and 3 of appendix A of this part or Methods 6C and 3A of appendix A of this part are suitable measurement techniques. If Method 6B of appendix A of this part is used for the second train, sampling time and timer operation may be adjusted for the stratification test as long as an adequate sample volume is collected; however, both sampling trains are to be operated similarly. For the location to be adequate for Method 6B of appendix A of this part 24-hour tests, the mean of the absolute difference between the three paired runs must be less than 10 percent (0.10).

(e) The monitoring requirements of paragraphs (a) and (d) of this section shall not apply to affected facilities subject to §60.42c(h) (1), (2), or (3) where the owner or operator of the affected facility seeks to demonstrate compliance with the SO_2standards based on fuel supplier certification, as described under §60.48c(f), as applicable.

(f) The owner or operator of an affected facility operating a CEMS pursuant to paragraph (a) of this section, or conducting as-fired fuel sampling pursuant to paragraph (d)(1) of this section, shall obtain emission data for at least 75 percent of the operating hours in at least 22 out of 30 successive steam generating unit operating days. If this minimum data requirement is not met with a single monitoring system, the owner or operator of the affected facility shall supplement the emission data with data collected with other monitoring systems as approved by the Administrator.

§ 60.47c Emission monitoring for particulate matter.

(a) Except as provided in paragraphs (c), (d), (e), (f), and (g) of this section, the owner or operator of an affected facility combusting coal, oil, or wood that is subject to the opacity standards under §60.43c shall install, calibrate, maintain, and operate a continuous opacity monitoring system (COMS) for measuring the opacity of the emissions discharged to the atmosphere and record the output of the system. The owner or operator of an affected facility subject to an opacity standard in §60.43c(c) and that is not required to install a COMS due to paragraphs (c), (d), (e), or (f) of this section that elects not to install a COMS shall conduct a performance test using Method 9 of appendix A–4 of this part and the procedures in §60.11 to demonstrate compliance with the applicable limit in §60.43c and shall comply with either paragraphs (a)(1), (a)(2), or (a)(3) of this section. If during the initial 60 minutes of observation all 6-minute averages are less than 10 percent and all individual 15-second observations are less than or equal to 20 percent, the observation period may be reduced from 3 hours to 60 minutes.

(1) Except as provided in paragraph (a)(2) and (a)(3) of this section, the owner or operator shall conduct subsequent Method 9 of appendix A–4 of this part performance tests using the procedures in paragraph (a) of this section according to the applicable schedule in paragraphs (a)(1)(i) through (a)(1)(iv) of this section, as determined by the most recent Method 9 of appendix A–4 of this part performance test results.

(i) If no visible emissions are observed, a subsequent Method 9 of appendix A–4 of this part performance test must be completed within 12 calendar months from the date that the most recent performance test was conducted;

(ii) If visible emissions are observed but the maximum 6-minute average opacity is less than or equal to 5 percent, a subsequent Method 9 of appendix A–4 of this part performance test must be completed within 6 calendar months from the date that the most recent performance test was conducted;

(iii) If the maximum 6-minute average opacity is greater than 5 percent but less than or equal to 10 percent, a subsequent Method 9 of appendix A–4 of this part performance test must be completed within 3 calendar months from the date that the most recent performance test was conducted; or

(iv) If the maximum 6-minute average opacity is greater than 10 percent, a subsequent Method 9 of appendix A–4 of this part performance test must be completed within 30 calendar days from the date that the most recent performance test was conducted.

(2) If the maximum 6-minute opacity is less than 10 percent during the most recent Method 9 of appendix A–4 of this part performance test, the owner or operator may, as an alternative to performing subsequent Method 9 of appendix A–4 of this part performance tests, elect to perform subsequent monitoring using Method 22 of appendix A–7 of this part according to the procedures specified in paragraphs (a)(2)(i) and (ii) of this section.

(i) The owner or operator shall conduct 10 minute observations (during normal operation) each operating day the affected facility fires fuel for which an opacity standard is applicable using Method 22 of appendix A–7 of this part and demonstrate that the sum of the occurrences of any visible emissions is not in excess of 5 percent of the observation period (*i.e.* , 30 seconds per 10 minute period). If the sum of the occurrence of any visible emissions is greater than 30 seconds during the initial 10 minute observation, immediately conduct a 30 minute observation. If the sum of the occurrence of visible emissions is greater than 5 percent of the observation period (*i.e.* , 90 seconds per 30 minute period) the owner or operator shall either document and adjust the operation of the facility and demonstrate within 24 hours that the sum of the occurrence of visible emissions is equal to or less than 5 percent during a 30 minute observation (*i.e.* , 90 seconds) or conduct a new Method 9 of appendix A–4 of this part performance test using the procedures in paragraph (a) of this section within 30 calendar days according to the requirements in §60.45c(a)(8).

(ii) If no visible emissions are observed for 30 operating days during which an opacity standard is applicable, observations can be reduced to once every 7 operating days during which an opacity standard is applicable. If any visible emissions are observed, daily observations shall be resumed.

(3) If the maximum 6-minute opacity is less than 10 percent during the most recent Method 9 of appendix A–4 of this part performance test, the owner or operator may, as an alternative to performing subsequent Method 9 of appendix A–4 performance tests, elect to perform subsequent monitoring using a digital opacity compliance system according to a site-specific monitoring plan approved by the Administrator. The observations shall be similar, but not necessarily identical, to the requirements in paragraph (a)(2) of this section. For reference purposes in preparing the monitoring plan, see OAQPS “Determination of Visible Emission Opacity from Stationary Sources Using Computer-Based Photographic Analysis Systems.” This document is available from the U.S. Environmental Protection Agency (U.S. EPA); Office of Air Quality and Planning Standards; Sector Policies and Programs Division; Measurement Policy Group (D243–02), Research Triangle Park, NC 27711. This document is also available on the Technology Transfer Network (TTN) under Emission Measurement Center Preliminary Methods.

(b) All COMS shall be operated in accordance with the applicable procedures under Performance Specification 1 of appendix B of this part. The span value of the opacity COMS shall be between 60 and 80 percent.

(c) Owners and operators of an affected facilities that burn only distillate oil that contains no more than 0.5 weight percent sulfur and/or liquid or gaseous fuels with potential sulfur dioxide emission rates of 26 ng/J (0.060 lb/MMBtu) heat input or less and that do not use a post-combustion technology to reduce SO2 or PM emissions and that are subject to an opacity standard in §60.43c(c) are not required to operate a COMS if they follow the applicable procedures in §60.48c(f).

(d) Owners or operators complying with the PM emission limit by using a PM CEMS must calibrate, maintain, operate, and record the output of the system for PM emissions discharged to the atmosphere as specified in §60.45c(c). The CEMS specified in paragraph §60.45c(c) shall be operated and data recorded during all periods of operation of the affected facility except for CEMS breakdowns and repairs. Data is recorded during calibration checks, and zero and span adjustments.

(e) Owners and operators of an affected facility that is subject to an opacity standard in §60.43c(c) and that does not use post-combustion technology (except a wet scrubber) for reducing PM, SO_2, or carbon monoxide (CO) emissions, burns only gaseous fuels or fuel oils that contain less than or equal to 0.5 weight percent sulfur, and is operated such that emissions of CO discharged to the atmosphere from the affected facility are maintained at levels less than or equal to 0.15 lb/MMBtu on a boiler operating day average basis is not required to operate a COMS. Owners and operators of affected facilities electing to comply with this paragraph must demonstrate compliance according to the procedures specified in paragraphs (e)(1) through (4) of this section; or

(1) You must monitor CO emissions using a CEMS according to the procedures specified in paragraphs (e)(1)(i) through (iv) of this section.

(i) The CO CEMS must be installed, certified, maintained, and operated according to the provisions in §60.58b(i)(3) of subpart Eb of this part.

(ii) Each 1-hour CO emissions average is calculated using the data points generated by the CO CEMS expressed in parts per million by volume corrected to 3 percent oxygen (dry basis).

(iii) At a minimum, valid 1-hour CO emissions averages must be obtained for at least 90 percent of the operating hours on a 30-day rolling average basis. The 1-hour averages are calculated using the data points required in §60.13(h)(2).

(iv) Quarterly accuracy determinations and daily calibration drift tests for the CO CEMS must be performed in accordance with procedure 1 in appendix F of this part.

(2) You must calculate the 1-hour average CO emissions levels for each steam generating unit operating day by multiplying the average hourly CO output concentration measured by the CO CEMS times the corresponding average hourly flue gas flow rate and divided by the corresponding average hourly heat input to the affected source. The 24-hour average CO emission level is determined by calculating the arithmetic average of the hourly CO emission levels computed for each steam generating unit operating day.

(3) You must evaluate the preceding 24-hour average CO emission level each steam generating unit operating day excluding periods of affected source startup, shutdown, or malfunction. If the 24-hour average CO emission level is greater than 0.15 lb/MMBtu, you must initiate investigation of the relevant equipment and control systems within 24 hours of the first discovery of the high emission incident and, take the appropriate corrective action as soon as practicable to adjust control settings or repair equipment to reduce the 24-hour average CO emission level to 0.15 lb/MMBtu or less.

(4) You must record the CO measurements and calculations performed according to paragraph (e) of this section and any corrective actions taken. The record of corrective action taken must include the date and time during which the 24-hour average CO emission level was greater than 0.15 lb/MMBtu, and the date, time, and description of the corrective action.

(f) Owners and operators of an affected facility that is subject to an opacity standard in §60.43c(c) and that uses a bag leak detection system to monitor the performance of a fabric filter (baghouse) according to the most recent requirements in section §60.48Da of this part is not required to operate a COMS.

(g) Owners and operators of an affected facility that is subject to an opacity standard in §60.43c(c) and that burns only gaseous fuels or fuel oils that contain less than or equal to 0.5 weight percent sulfur and operates according to a written site-specific monitoring plan approved by the permitting authority is not required to operate a COMS. This monitoring plan must include procedures and criteria for establishing and monitoring specific parameters for the affected facility indicative of compliance with the opacity standard.

[72 FR 32759, June 13, 2007, as amended at 74 FR 5091, Jan. 28, 2009]

§ 60.48c Reporting and recordkeeping requirements.

(a) The owner or operator of each affected facility shall submit notification of the date of construction or reconstruction and actual startup, as provided by §60.7 of this part. This notification shall include:

(1) The design heat input capacity of the affected facility and identification of fuels to be combusted in the affected facility.

(2) If applicable, a copy of any federally enforceable requirement that limits the annual capacity factor for any fuel or mixture of fuels under §60.42c, or §60.43c.

(3) The annual capacity factor at which the owner or operator anticipates operating the affected facility based on all fuels fired and based on each individual fuel fired.

(4) Notification if an emerging technology will be used for controlling SO_2emissions. The Administrator will examine the description of the control device and will determine whether the technology qualifies as an emerging technology. In making this determination, the Administrator may require the owner or operator of the affected facility to submit additional information concerning the control device. The affected facility is

subject to the provisions of §60.42c(a) or (b)(1), unless and until this determination is made by the Administrator.

(b) The owner or operator of each affected facility subject to the SO_2emission limits of §60.42c, or the PM or opacity limits of §60.43c, shall submit to the Administrator the performance test data from the initial and any subsequent performance tests and, if applicable, the performance evaluation of the CEMS and/or COMS using the applicable performance specifications in appendix B of this part.

(c) In addition to the applicable requirements in §60.7, the owner or operator of an affected facility subject to the opacity limits in §60.43c(c) shall submit excess emission reports for any excess emissions from the affected facility that occur during the reporting period and maintain records according to the requirements specified in paragraphs (c)(1) through (3) of this section, as applicable to the visible emissions monitoring method used.

(1) For each performance test conducted using Method 9 of appendix A–4 of this part, the owner or operator shall keep the records including the information specified in paragraphs (c)(1)(i) through (iii) of this section.

(i) Dates and time intervals of all opacity observation periods;

(ii) Name, affiliation, and copy of current visible emission reading certification for each visible emission observer participating in the performance test; and

(iii) Copies of all visible emission observer opacity field data sheets;

(2) For each performance test conducted using Method 22 of appendix A–4 of this part, the owner or operator shall keep the records including the information specified in paragraphs (c)(2)(i) through (iv) of this section.

(i) Dates and time intervals of all visible emissions observation periods;

(ii) Name and affiliation for each visible emission observer participating in the performance test;

(iii) Copies of all visible emission observer opacity field data sheets; and

(iv) Documentation of any adjustments made and the time the adjustments were completed to the affected facility operation by the owner or operator to demonstrate compliance with the applicable monitoring requirements.

(3) For each digital opacity compliance system, the owner or operator shall maintain records and submit reports according to the requirements specified in the site-specific monitoring plan approved by the Administrator

(d) The owner or operator of each affected facility subject to the SO_2emission limits, fuel oil sulfur limits, or percent reduction requirements under §60.42c shall submit reports to the Administrator.

(e) The owner or operator of each affected facility subject to the SO_2emission limits, fuel oil sulfur limits, or percent reduction requirements under §60.42c shall keep records and submit reports as required under paragraph (d) of this section, including the following information, as applicable.

(1) Calendar dates covered in the reporting period.

(2) Each 30-day average SO_2emission rate (ng/J or lb/MMBtu), or 30-day average sulfur content (weight percent), calculated during the reporting period, ending with the last 30-day period; reasons for any noncompliance with the emission standards; and a description of corrective actions taken.

(3) Each 30-day average percent of potential SO_2emission rate calculated during the reporting period, ending with the last 30-day period; reasons for any noncompliance with the emission standards; and a description of the corrective actions taken.

(4) Identification of any steam generating unit operating days for which SO_2or diluent (O_2or CO_2) data have not been obtained by an approved method for at least 75 percent of the operating hours; justification for not obtaining sufficient data; and a description of corrective actions taken.

(5) Identification of any times when emissions data have been excluded from the calculation of average emission rates; justification for excluding data; and a description of corrective actions taken if data have been excluded for periods other than those during which coal or oil were not combusted in the steam generating unit.

(6) Identification of the F factor used in calculations, method of determination, and type of fuel combusted.

(7) Identification of whether averages have been obtained based on CEMS rather than manual sampling methods.

(8) If a CEMS is used, identification of any times when the pollutant concentration exceeded the full span of the CEMS.

(9) If a CEMS is used, description of any modifications to the CEMS that could affect the ability of the CEMS to comply with Performance Specifications 2 or 3 of appendix B of this part.

(10) If a CEMS is used, results of daily CEMS drift tests and quarterly accuracy assessments as required under appendix F, Procedure 1 of this part.

(11) If fuel supplier certification is used to demonstrate compliance, records of fuel supplier certification as described under paragraph (f)(1), (2), (3), or (4) of this section, as applicable. In addition to records of fuel supplier certifications, the report shall include a certified statement signed by the owner or operator of the affected facility that the records of fuel supplier certifications submitted represent all of the fuel combusted during the reporting period.

(f) Fuel supplier certification shall include the following information:

(1) For distillate oil:

(i) The name of the oil supplier;

(ii) A statement from the oil supplier that the oil complies with the specifications under the definition of distillate oil in §60.41c; and

(iii) The sulfur content or maximum sulfur content of the oil.

(2) For residual oil:

(i) The name of the oil supplier;

(ii) The location of the oil when the sample was drawn for analysis to determine the sulfur content of the oil, specifically including whether the oil was sampled as delivered to the affected facility, or whether the sample was drawn from oil in storage at the oil supplier's or oil refiner's facility, or other location;

(iii) The sulfur content of the oil from which the shipment came (or of the shipment itself); and

(iv) The method used to determine the sulfur content of the oil.

(3) For coal:

(i) The name of the coal supplier;

(ii) The location of the coal when the sample was collected for analysis to determine the properties of the coal, specifically including whether the coal was sampled as delivered to the affected facility or whether the sample was collected from coal in storage at the mine, at a coal preparation plant, at a coal supplier's facility, or at another location. The certification shall include the name of the coal mine (and coal seam), coal storage facility, or coal preparation plant (where the sample was collected);

(iii) The results of the analysis of the coal from which the shipment came (or of the shipment itself) including the sulfur content, moisture content, ash content, and heat content; and

(iv) The methods used to determine the properties of the coal.

(4) For other fuels:

(i) The name of the supplier of the fuel;

(ii) The potential sulfur emissions rate or maximum potential sulfur emissions rate of the fuel in ng/J heat input; and

(iii) The method used to determine the potential sulfur emissions rate of the fuel.

(g)(1) Except as provided under paragraphs (g)(2) and (g)(3) of this section, the owner or operator of each affected facility shall record and maintain records of the amount of each fuel combusted during each operating day.

(2) As an alternative to meeting the requirements of paragraph (g)(1) of this section, the owner or operator of an affected facility that combusts only natural gas, wood, fuels using fuel certification in §60.48c(f) to demonstrate compliance with the SO_2standard, fuels not subject to an emissions standard (excluding opacity), or a mixture of these fuels may elect to record and maintain records of the amount of each fuel combusted during each calendar month.

(3) As an alternative to meeting the requirements of paragraph (g)(1) of this section, the owner or operator of an affected facility or multiple affected facilities located on a contiguous property unit where the only fuels combusted in any steam generating unit (including steam generating units not subject to this subpart) at that property are natural gas, wood, distillate oil meeting the most current requirements in §60.42C to use fuel certification to demonstrate compliance with the SO_2standard, and/or fuels, excluding coal and residual oil, not subject to an emissions standard (excluding opacity) may elect to record and maintain records of the total amount of each steam generating unit fuel delivered to that property during each calendar month.

(h) The owner or operator of each affected facility subject to a federally enforceable requirement limiting the annual capacity factor for any fuel or mixture of fuels under §60.42c or §60.43c shall calculate the annual capacity factor individually for each fuel combusted. The annual capacity factor is determined on a 12-month rolling average basis with a new annual capacity factor calculated at the end of the calendar month.

(i) All records required under this section shall be maintained by the owner or operator of the affected facility for a period of two years following the date of such record.

(j) The reporting period for the reports required under this subpart is each six-month period. All reports shall be submitted to the Administrator and shall be postmarked by the 30th day following the end of the reporting period.

[72 FR 32759, June 13, 2007, as amended at 74 FR 5091, Jan. 28, 2009]

Attachment C
To
T071-27062-00018

Subpart GGGG—National Emission Standards for Hazardous Air Pollutants: Solvent Extraction for Vegetable Oil Production

Source: 66 FR 19011, Apr. 12, 2001, unless otherwise noted.

What This Subpart Covers

§ 63.2830 What is the purpose of this subpart?

This subpart establishes national emission standards for hazardous air pollutants (NESHAP) for emissions during vegetable oil production. This subpart limits hazardous air pollutant (HAP) emissions from specified vegetable oil production processes. This subpart also establishes requirements to demonstrate initial and continuous compliance with the emission standards.

§ 63.2831 Where can I find definitions of key words used in this subpart?

You can find definitions of key words used in this subpart in §63.2872.

§ 63.2832 Am I subject to this subpart?

(a) You are an affected source subject to this subpart if you meet all of the criteria listed in paragraphs (a)(1) and (2) of this section:

(1) You own or operate a vegetable oil production process that is a major source of HAP emissions or is collocated within a plant site with other sources that are individually or collectively a major source of HAP emissions.

(i) A *vegetable oil production process* is defined in §63.2872. In general, it is the collection of continuous process equipment and activities that produce crude vegetable oil and meal products by removing oil from oilseeds listed in Table 1 to §63.2840 through direct contact with an organic solvent, such as a hexane isomer blend.

(ii) A major source of HAP emissions is a plant site that emits or has the potential to emit any single HAP at a rate of 10 tons (9.07 megagrams) or more per year or any combination of HAP at a rate of 25 tons (22.68 megagrams) or more per year.

(2) Your vegetable oil production process processes any combination of eight types of oilseeds listed in paragraphs (a)(2)(i) through (viii) of this section:

(i) Corn germ;

(ii) Cottonseed;

(iii) Flax;

(iv) Peanut;

(v) Rapeseed (for example, canola);

(vi) Safflower;

(vii) Soybean; and

(viii) Sunflower.

(b) You are not subject to this subpart if your vegetable oil production process meets any of the criteria listed in paragraphs (b)(1) through (4) of this section:

(1) It uses only mechanical extraction techniques that use no organic solvent to remove oil from a listed oilseed.

(2) It uses only batch solvent extraction and batch desolventizing equipment.

(3) It processes only agricultural products that are not listed oilseeds as defined in §63.2872.

(4) It functions only as a research and development facility and is not a major source.

(c) As listed in §63.1(c)(5) of the General Provisions, if your HAP emissions increase such that you become a major source, then you are subject to all of the requirements of this subpart.

§ 63.2833 Is my source categorized as existing or new?

(a) This subpart applies to each existing and new affected source. You must categorize your vegetable oil production process as either an existing or a new source in accordance with the criteria in Table 1 of this section, as follows:

Table 1 to §63.2833—Categorizing Your Source as Existing or New

If your affected source...	And if...	Then your affected source...
(1) was constructed or began construction before May 26, 2000	reconstruction has not occurred	is an existing source.
(2) began reconstruction, as defined in §63.2, on or after May 26, 2000	(i) reconstruction was part of a scheduled plan to comply with the existing source requirements of this subpart; and (ii) reconstruction was completed no later than 3 years after the effective date of this subpart	remains an existing source.
(3) began a significant modification, as defined in §63.2872, at any time on an existing source	the modification does not constitute reconstruction	remains an existing source.
(4) began a significant modification, as defined in §63.2872, at any time on a new source	the modification does not constitute reconstruction	remains a new source.
(5) began reconstruction on or after May 26, 2000	reconstruction was completed later than 3 years after the effective date of this subpart	is a new source
(6) began construction on or after May 26, 2000		is a new source.

(b) *Reconstruction of a source.* Any affected source is reconstructed if components are replaced so that the criteria in the definition of *reconstruction* in §63.2 are satisfied. In general, a vegetable oil production process is reconstructed if the fixed capital cost of the new components exceeds 50 percent of the fixed capital cost for constructing a new vegetable oil production process, and it is technically and economically feasible for the reconstructed source to meet the relevant new source requirements of this subpart. The effect of reconstruction on the categorization of your existing and new affected source is described in paragraphs (b)(1) and (2) of this section:

(1) After reconstruction of an existing source, the affected source is recategorized as a new source and becomes subject to the new source requirements of this subpart.

(2) After reconstruction of a new source, the affected source remains categorized as a new source and remains subject to the new source requirements of this subpart.

(c) *Significant modification of a source.* A significant modification to an affected source is a term specific to this subpart and is defined in §63.2872.

(1) In general, a significant modification to your source consists of adding new equipment or the modification of existing equipment within the affected source that significantly affects solvent losses from the affected source. Examples include adding or replacing extractors, desolventizer-toasters (conventional and specialty), and meal dryer-coolers. All other significant modifications must meet the criteria listed in paragraphs (c)(1)(i) and (ii) of this section:

(i) The fixed capital cost of the modification represents a significant percentage of the fixed capital cost of building a comparable new vegetable oil production process.

(ii) It does not constitute reconstruction as defined in §63.2.

(2) A significant modification has no effect on the categorization of your source as existing and new. An existing source remains categorized as an existing source and subject to the existing source requirements of this subpart. A new source remains categorized as a new source and subject to the new source requirements of this subpart.

(d) Changes in the type of oilseed processed by your affected source does not affect the categorization of your source as new or existing. Recategorizing an affected source from existing to new occurs only when you add or modify process equipment within the source which meets the definition of *reconstruction.*

§ 63.2834 When do I have to comply with the standards in this subpart?

You must comply with this subpart in accordance with one of the schedules in Table 1 of this section, as follows:

Table 1 of §63.2834—Compliance Dates for Existing and New Sources

If your affected source is categorized as...	And if...	Then your compliance date is...
(a) an existing source		3 years after the effective date of this subpart.
(b) a new source	you startup your affected source before the effective date of this subpart	the effective date of this subpart.
(c) a new source	you startup your affected source on or after the effective date of this subpart	your startup date.

Standards

§ 63.2840 What emission requirements must I meet?

For each facility meeting the applicability criteria in §63.2832, you must comply with either the requirements specified in paragraphs (a) through (d), or the requirements in paragraph (e) of this section.

(a)(1) The emission requirements limit the number of gallons of HAP lost per ton of listed oilseeds processed. For each operating month, you must calculate a compliance ratio which compares your actual HAP loss to your allowable HAP loss for the previous 12 operating months as shown in Equation 1 of this section. An operating month, as defined in §63.2872, is any calendar month in which a source processes a listed oilseed, excluding any entire calendar month in which the source operated under an initial startup period subject to §63.2850(c)(2) or (d)(2) or a malfunction period subject to §63.2850(e)(2). Equation 1 of this section follows:

$$\text{Compliance Ratio} = \frac{\text{Actual Hap Loss}}{\text{Allowable Hap Loss}} \qquad (Eq.\ 1)$$

(2) Equation 1 of this section can also be expressed as a function of total solvent loss as shown in Equation 2 of this section. Equation 2 of this section follows:

$$\text{Compliance Ratio} = \frac{f * \text{Actual Solvent Loss}}{0.64 * \sum_{i=1}^{n}\left((\text{Oilseed})_i * (\text{SLF})_i\right)} \qquad (Eq.\ 2)$$

Where:

f = The weighted average volume fraction of HAP in solvent received during the previous 12 operating months, as determined in §63.2854, dimensionless.

0.64 = The average volume fraction of HAP in solvent in the baseline performance data, dimensionless.

Actual Solvent Loss = Gallons of actual solvent loss during previous 12 operating months, as determined in §63.2853.

Oilseed = Tons of each oilseed type “i” processed during the previous 12 operating months, as shown in §63.2855.

SLF = The corresponding solvent loss factor (gal/ton) for oilseed “i” listed in Table 1 of this section, as follows:

Table 1 of §63.2840—Oilseed Solvent Loss Factors for Determining Allowable HAP Loss

Type of oilseed process	A source that...	Oilseed solvent loss factor (gal/ton)	
		Existing sources	New sources
(i) Corn Germ, Wet Milling	processes corn germ that has been separated from other corn components using a "wet" process of centrifuging a slurry steeped in a dilute sulfurous acid solution	0.4	0.3
(ii) Corn Germ, Dry Milling	processes corn germ that has been separated from the other corn components using a "dry" process of mechanical chafing and air sifting	0.7	0.7
(iii) Cottonseed, Large	processes 120,000 tons or more of a combination of cottonseed and other listed oilseeds during all normal operating periods in a 12 operating month period	0.5	0.4
(iv) Cottonseed, Small	processes less than 120,000 tons of a combination of cottonseed and other listed oilseeds during all normal operating periods in a 12 operating month period	0.7	0.4
(v) Flax	processes flax	0.6	0.6
(vi) Peanuts	processes peanuts	1.2	0.7
(vii) Rapeseed	processes rapeseed	0.7	0.3
(viii) Safflower	processes safflower	0.7	0.7
(ix) Soybean, Conventional	uses a conventional style desolventizer to produce crude soybean oil products and soybean animal feed products	0.2	0.2
(x) Soybean, Specialty	uses a special style desolventizer to produce soybean meal products for human and animal consumption	1.7	1.5
(xi) Soybean, Combination Plant with Low Specialty Production	processes soybeans in both specialty and conventional desolventizers and the quantity of soybeans processed in specialty desolventizers during normal operating periods is less than 3.3 percent of total soybeans processed during all normal operating periods in a 12 operating month period. The corresponding solvent loss factor is an overall value and applies to the total quantity of soybeans processed.	0.25	0.25
(xii) Sunflower	processes sunflower	0.4	0.3

(b) When your source has processed listed oilseed for 12 operating months, calculate the compliance ratio by the end of each calendar month following an operating month using Equation 2 of this section. When calculating your compliance ratio, consider the conditions and exclusions in paragraphs (b)(1) through (6) of this section:

(1) If your source processes any quantity of listed oilseeds in a calendar month and the source is not operating under an initial startup period or malfunction period subject to §63.2850, then you must categorize the month as an operating month, as defined in §63.2872.

(2) The 12-month compliance ratio may include operating months occurring prior to a source shutdown and operating months that follow after the source resumes operation.

(3) If your source shuts down and processes no listed oilseed for an entire calendar month, then you must categorize the month as a nonoperating month, as defined in §63.2872. Exclude any nonoperating months from the compliance ratio determination.

(4) If your source is subject to an initial startup period as defined in §63.2872, exclude from the compliance ratio determination any solvent and oilseed information recorded for the initial startup period.

(5) If your source is subject to a malfunction period as defined in §63.2872, exclude from the compliance ratio determination any solvent and oilseed information recorded for the malfunction period.

(6) For sources processing cottonseed or specialty soybean, the solvent loss factor you use to determine the compliance ratio may change each operating month depending on the tons of oilseed processed during all normal operating periods in a 12 operating month period.

(c) If the compliance ratio is less than or equal to 1.00, your source was in compliance with the HAP emission requirements for the previous operating month.

(d) To determine the compliance ratio in Equation 2 of this section, you must select the appropriate oilseed solvent loss factor from Table 1 of this section. First, determine whether your source is new or existing using Table 1 of §63.2833. Then, under the appropriate existing or new source column, select the oilseed solvent loss factor that corresponds to each type oilseed or process operation for each operating month.

(e) *Low-HAP solvent option.* For all vegetable oil production processes subject to this subpart, you must exclusively use solvent where the volume fraction of each HAP comprises 1 percent or less by volume of the solvent (low-HAP solvent) in each delivery, and you must meet the requirements in paragraphs (e)(1) through (5) of this section. Your vegetable oil production process is not subject to the requirements in §§63.2850 through 63.2870 unless specifically referenced in paragraphs (e)(1) through (5) of this section.

(1) You shall determine the HAP content of your solvent in accordance with the specifications in §63.2854(b)(1).

(2) You shall maintain documentation of the HAP content determination for each delivery of the solvent at the facility at all times.

(3) You must submit an initial notification for existing sources in accordance with §63.2860(a).

(4) You must submit an initial notification for new and reconstructed sources in accordance with §63.2860(b).

(5) You must submit an annual compliance certification in accordance with §63.2861(a). The certification should only include the information required under §63.2861(a)(1) and (2), and a certification indicating whether the source complied with all of the requirements in paragraph (e) of this section.

(f) You may change compliance options for your source if you submit a notice to the Administrator at least 60 days prior to changing compliance options. If your source changes from the low-HAP solvent option to the compliance ratio determination option, you must determine the compliance ratio for the most recent 12 operating months beginning with the first month after changing compliance options.

[66 FR 19011, Apr. 12, 2001, as amended at 69 FR 53341, Sept. 1, 2004]

Compliance Requirements

§ 63.2850 How do I comply with the hazardous air pollutant emission standards?

(a) *General requirements.* The requirements in paragraphs (a)(1)(i) through (iv) of this section apply to all affected sources:

(1) Submit the necessary notifications in accordance with §63.2860, which include:

(i) Initial notifications for existing sources.

(ii) Initial notifications for new and reconstructed sources.

(iii) Initial notifications for significant modifications to existing or new sources.

(iv) Notification of compliance status.

(2) Develop and implement a plan for demonstrating compliance in accordance with §63.2851.

(3) Develop a written startup, shutdown and malfunction (SSM) plan in accordance with the provisions in §63.2852.

(4) Maintain all the necessary records you have used to demonstrate compliance with this subpart in accordance with §63.2862.

(5) Submit the reports in paragraphs (a)(5)(i) through (iii) of this section:

(i) Annual compliance certifications in accordance with §63.2861(a).

(ii) Periodic SSM reports in accordance with §63.2861(c).

(iii) Immediate SSM reports in accordance with §63.2861(d).

(6) Submit all notifications and reports and maintain all records required by the General Provisions for performance testing if you add a control device that destroys solvent.

(b) *Existing sources under normal operation.* You must meet all of the requirements listed in paragraph (a) of this section and Table 1 of this section for sources under normal operation, and the schedules for demonstrating compliance for existing sources under normal operation in Table 2 of this section.

(c) *New sources.* Your new source, including a source that is categorized as new due to reconstruction, must meet the requirements associated with one of two compliance options. Within 15 days of the startup date, you must choose to comply with one of the options listed in paragraph (c)(1) or (2) of this section:

(1) *Normal operation.* Upon startup of your new source, you must meet all of the requirements listed in §63.2850(a) and Table 1 of this section for sources under normal operation, and the schedules for demonstrating compliance for new sources under normal operation in Table 2 of this section.

(2) *Initial startup period.* For up to 6 calendar months after the startup date of your new source, you must meet all of the requirements listed in paragraph (a) of this section and Table 1 of this section for sources operating under an initial startup period, and the schedules for demonstrating compliance for new sources operating under an initial startup period in Table 2 of this section. After a maximum of 6 calendar months, your new source must then meet all of the requirements listed in Table 1 of this section for sources under normal operation.

(d) *Existing or new sources that have been significantly modified.* Your existing or new source that has been significantly modified must meet the requirements associated with one of two compliance options. Within 15 days of the modified source startup date, you must choose to comply with one of the options listed in paragraph (d)(1) or (2) of this section:

(1) *Normal operation.* Upon startup of your significantly modified existing or new source, you must meet all of the requirements listed in paragraph (a) of this section and Table 1 of this section for sources under normal operation, and the schedules for demonstrating compliance for an existing or new source that has been significantly modified in Table 2 of this section.

(2) *Initial startup period.* For up to 3 calendar months after the startup date of your significantly modified existing or new source, you must meet all of the requirements listed in paragraph (a) of this section and Table 1 of this section for sources operating under an initial startup period, and the schedules for demonstrating compliance for a significantly modified existing or new source operating under an initial startup period in Table 2 of this section. After a maximum of 3 calendar months, your new or existing source must meet all of the requirements listed in Table 1 of this section for sources under normal operation.

(e) *Existing or new sources experiencing a malfunction.* A *malfunction* is defined in §63.2. In general, it means any sudden, infrequent, and not reasonably preventable failure of air pollution control equipment or process equipment to function in a usual manner. If your existing or new source experiences an unscheduled shutdown as a result of a malfunction, continues to operate during a malfunction (including the period reasonably necessary to correct the malfunction), or starts up after a shutdown resulting from a malfunction, then you must meet the requirements associated with one of two compliance options. Routine or scheduled process startups and shutdowns resulting from, but not limited to, market demands, maintenance activities, and switching types of oilseed processed, are not startups or shutdowns resulting from a malfunction and, therefore, do not qualify for this provision. Within 15 days of the beginning date of the malfunction, you must choose to comply with one of the options listed in paragraphs (e)(1) through (2) of this section:

(1) *Normal operation.* Your source must meet all of the requirements listed in paragraph (a) of this section and one of the options listed in paragraphs (e)(1)(i) through (iii) of this section:

(i) Existing source normal operation requirements in paragraph (b) of this section.

(ii) New source normal operation requirements in paragraph (c)(1) of this section.

(iii) Normal operation requirements for sources that have been significantly modified in paragraph (d)(1) of this section.

(2) *Malfunction period.* Throughout the malfunction period, you must meet all of the requirements listed in paragraph (a) of this section and Table 1 of this section for sources operating during a malfunction period. At the end of the malfunction period, your source must then meet all of the requirements listed in Table 1 of this section for sources under normal operation. Table 1 of this section follows:

Table 1 of §63.2850—Requirements for Compliance with HAP Emission Standards

Are you required to . . .	For periods of normal operation?	For initial startup periods subject to §63.2850(c)(2) or (d)(2)?	For malfunction periods subject to §63.2850(e)(2)?
(a) Operate and maintain your source in accordance with general duty provisions of §63.6(e)?	Yes. Additionally, the HAP emission limits will apply.	Yes, you are required to minimize emissions to the extent practible throughout the initial startup period. Such measures should be described in the SSM plan.	Yes, you are required to minimizwe emissions to the extent practible throughout the initial startup period. Such measures should be described in the SSM plan.
(b) Determine and record the extraction solvent loss in gallons from your source?	Yes, as described in §63.2853	Yes, as described in §63.2862(e)	Yes, as described in §63.2862(e).
(c) Record the volume fraction of HAP present at greater than 1 percent by volume and gallons of extraction solvent in shipment received?	Yes	Yes	Yes.
(d) Determine and record the tons of each oilseed type processed by your source?	Yes, as described in §63.2855	No	No.
(e) Determine the weighted average volume fraction of HAP in extraction solvent received as described in §63.2854 by the end of the following calendar month?	Yes	No. Except for solvent received by a new or reconstructed source commencing operation under an initial startup period, the HAP volume fraction in any solvent received during an initial startup period is included in the weighted average HAP determination for the next operating month	No, the HAP volume fraction in any solvent received during a malfunction period is included in the weighted average HAP determination for the next operating month.
(f) Determine and record the actual solvent loss, weighted average volume fraction HAP, oilseed processed and compliance ratio for each 12 operating month period as described in §63.2840 by the end of the following calendar month?	Yes,	No, these requirements are not applicable because your source is not required to determine the compliance ratio with data recorded for an initial startup period	No, these requirements are not applicable because your source is not required to determine the compliance ratio with data recorded for a malfunction period.
(g) Submit a Notification of Compliance Status or Annual Compliance Certification as appropriate?	Yes, as described in §§63.2860(d) and 63.2861(a)	No. However, you may be required to submit an annual compliance certification for previous operating months, if the deadline for the annual	No. However, you may be required to submit an annual compliance certification for previous operating months, if the deadline for the annual

Are you required to . . .	For periods of normal operation?	For initial startup periods subject to §63.2850(c)(2) or (d)(2)?	For malfunction periods subject to §63.2850(e)(2)?
		compliance certification happens to occur during the initial startup period	compliance certification happens to occur during the malfunction period.
(h) Submit a Deviation Notification Report by the end of the calendar month following the month in which you determined that the compliance ratio exceeds 1.00 as described in §63.2861(b)?	Yes	No, these requirements are not applicable because your source is not required to determine the compliance ratio with data recorded for an initial startup period	No, these requirements are not applicable because your source is not required to determine the compliance ratio with data recorded for a malfunction period.
(i) Submit a Periodic SSM Report as described in §63.2861(c)?	No, a SSM activity is not categorized as normal operation	Yes	Yes.
(j) Submit an Immediate SSM Report as described in §63.2861(d)?	No, a SSM activity is not categorized as normal operation	Yes, only if your source does not follow the SSM plan	Yes, only if your source does not follow the SSM plan.

Table 2 of §63.2850—Schedules for Demonstrating Compliance Under Various Source Operating Modes

If your source is . . .	and is operating under. . .	then your recordkeeping schedule. . .	You must determine your first compliance ratio by the end of the calendar month following. . .	Base your first compliance ratio on information recorded. . .
(a) Existing	Normal operation	Begins on the compliance date	The first 12 operating months after the compliance date	During the first 12 operating months after the compliance date.
(b) New	(1) Normal operation	Begins on the startup date of your new source	The first 12 operating months after the startup date of the new source	During the first 12 operating months after the startup date of the new source.
	(2) An initial startup period	Begins on the startup date of your new source	The first 12 operating months after termination of the initial startup period, which can last for up to 6 months	During the first 12 operating months after the initial startup period, which can last for up to 6 months.
(c) Existing or new that has been significantly modified	(1) Normal operation	Resumes on the startup date of the modified source	The first operating month after the startup date of the modified source	During the previous 11 operating months prior to the significant modification and the first operating month following the initial startup date of the source.
	(2) An initial startup period	Resumes on the startup date of the modified source	The first operating month after termination of the initial startup period, which can last up to 3 months	During the 11 operating months before the significant modification and the first operating month after the initial startup period.

[66 FR 19011, Apr. 12, 2001, as amended at 71 FR 20463, Apr. 20, 2006]

§ 63.2851 What is a plan for demonstrating compliance?

(a) You must develop and implement a written plan for demonstrating compliance that provides the detailed procedures you will follow to monitor and record data necessary for demonstrating compliance with this subpart. Procedures followed for quantifying solvent loss from the source and amount of oilseed processed vary from source to source because of site-specific factors such as equipment design characteristics and operating conditions. Typical procedures include one or more accurate measurement methods such as weigh scales, volumetric displacement, and material mass balances. Because the industry does not have a uniform set of procedures, you must develop and implement your own site-specific plan for demonstrating compliance before the compliance date for your source. You must also incorporate the plan for demonstrating compliance by reference in the source's title V permit and keep the plan on-site and readily available as long as the source is operational. If you make any changes to the plan for demonstrating compliance, then you must keep all previous versions of the plan and make them readily available for inspection for at least 5 years after each revision. The plan for demonstrating compliance must include the items in paragraphs (a)(1) through (7) of this section:

(1) The name and address of the owner or operator.

(2) The physical address of the vegetable oil production process.

(3) A detailed description of all methods of measurement your source will use to determine your solvent losses, HAP content of solvent, and the tons of each type of oilseed processed.

(4) When each measurement will be made.

(5) Examples of each calculation you will use to determine your compliance status. Include examples of how you will convert data measured with one parameter to other terms for use in compliance determination.

(6) Example logs of how data will be recorded.

(7) A plan to ensure that the data continue to meet compliance demonstration needs.

(b) The responsible agency of these NESHAP may require you to revise your plan for demonstrating compliance. The responsible agency may require reasonable revisions if the procedures lack detail, are inconsistent or do not accurately determine solvent loss, HAP content of the solvent, or the tons of oilseed processed.

§ 63.2852 What is a startup, shutdown, and malfunction plan?

You must develop a written SSM plan in accordance with §63.6(e)(3). You must complete the SSM plan before the compliance date for your source. You must also keep the SSM plan on-site and readily available as long as the source is operational. The SSM plan provides detailed procedures for operating and maintaining your source to minimize emissions during a qualifying SSM event for which the source chooses the §63.2850(e)(2) malfunction period, or the §63.2850(c)(2) or (d)(2) initial startup period. The SSM plan must specify a program of corrective action for malfunctioning process and air pollution control equipment and reflect the best practices now in use by the industry to minimize emissions. Some or all of the procedures may come from plans you developed for other purposes such as a Standard Operating Procedure manual or an Occupational Safety and Health Administration Process Safety Management plan. To qualify as a SSM plan, other such plans must meet all the applicable requirements of these NESHAP.

[66 FR 19011, Apr. 12, 2001, as amended at 67 FR 16321, Apr. 5, 2002; 71 FR 20463, Apr. 20, 2006]

§ 63.2853 How do I determine the actual solvent loss?

By the end of each calendar month following an operating month, you must determine the total solvent loss in gallons for the previous operating month. The total solvent loss for an operating month includes all solvent losses that occur during normal operating periods within the operating month. If you have determined solvent losses for 12 or more operating months, then you must also determine the 12 operating months rolling sum of actual solvent loss in gallons by summing the monthly actual solvent loss for the previous 12 operating months. The 12 operating months rolling sum of solvent loss is the “actual solvent loss,” which is used to calculate your compliance ratio as described in §63.2840.

(a) To determine the actual solvent loss from your source, follow the procedures in your plan for demonstrating compliance to determine the items in paragraphs (a)(1) through (7) of this section:

(1) *The dates that define each operating status period during a calendar month.* The dates that define each operating status period include the beginning date of each calendar month and the date of any change in the source operating status. If the source maintains the same operating status during an entire calendar month, these dates are the beginning and ending dates of the calendar month. If, prior to the effective date of this rule, your source determines the solvent loss on an *accounting month,* as defined in §63.2872, rather than a calendar month basis, and you have 12 complete accounting months of approximately equal duration in a calendar year, you may substitute the accounting month time interval for the calendar month time interval. If you choose to use an accounting month rather than a calendar month, you must document this measurement frequency selection in your plan for demonstrating compliance, and you must remain on this schedule unless you request and receive written approval from the agency responsible for these NESHAP.

(2) *Source operating status.* You must categorize the operating status of your source for each recorded time interval in accordance with criteria in Table 1 of this section, as follows:

Table 1 of §63.2853—Categorizing Your Source Operating Status

If during a recorded time interval . . .	then your source operating status is . . .
(i) Your source processes any amount of listed oilseed and source is not operating under an initial startup operating period or a malfunction period subject to §63.2850(c)(2), (d)(2), or (e)(2)	A normal operating period.
(ii) Your source processes no agricultural product and your source is not operating under an initial startup period or malfunction period subject to §63.2850(c)(2), (d)(2), or (e)(2)	A nonoperating period.
(iii) You choose to operate your source under an initial startup period subject to §63.2850(c)(2) or (d)(2)	An initial startup period.
(iv) You choose to operate your source under a malfunction period subject to §63.2850(e)(2)	A malfunction period.
(v) Your source processes agricultural products not defined as listed oilseed	An exempt period.

(3) *Measuring the beginning and ending solvent inventory.* You are required to measure and record the solvent inventory on the beginning and ending dates of each normal operating period that occurs during an operating month. An operating month is any calendar month with at least one normal operating period. You must consistently follow the procedures described in your plan for demonstrating compliance, as specified in §63.2851, to determine the extraction solvent inventory, and maintain readily available records of the actual solvent loss inventory, as described in §63.2862(c)(1). In general, you must measure and record the solvent inventory only when the source is actively processing any type of agricultural product. When the source is not active, some or all of the solvent working capacity is transferred to solvent storage tanks which can artificially inflate the solvent inventory.

(4) *Gallons of extraction solvent received.* Record the total gallons of extraction solvent received in each shipment. For most processes, the gallons of solvent received represents purchases of delivered solvent added to the solvent storage inventory. However, if your process refines additional vegetable oil from off-site sources, recovers solvent from the off-site oil, and adds it to the on-site solvent inventory, then you must determine the quantity of recovered solvent and include it in the gallons of extraction solvent received.

(5) *Solvent inventory adjustments.* In some situations, solvent losses determined directly from the measured solvent inventory and quantity of solvent received is not an accurate estimate of the “actual solvent loss” for use in determining compliance ratios. In such cases, you may adjust the total solvent loss for each normal operating period as long as you provide a reasonable justification for the adjustment. Situations that may require adjustments of the total solvent loss include, but are not limited to, situations in paragraphs (a)(5)(i) and (ii) of this section:

(i) *Solvent destroyed in a control device.* You may use a control device to reduce solvent emissions to meet the emission standard. The use of a control device does not alter the emission limit for the source. If you use a control device that reduces solvent emissions through destruction of the solvent instead of recovery, then determine the gallons of solvent that enter the control device and are destroyed there during each normal operating period. All solvent destroyed in a control device during a normal operating period can be subtracted from the total solvent loss. Examples of destructive emission control devices include catalytic incinerators, boilers, or flares. Identify and describe, in your plan for demonstrating compliance, each type of reasonable and sound measurement method that you use to quantify the gallons of solvent entering and exiting the control device and to determine the destruction efficiency of the control device. You may use design evaluations to document the gallons of solvent destroyed or removed by the control device instead of performance testing under §63.7. The design evaluations must be based on the procedures and options

described in §63.985(b)(1)(i)(A) through (C) or §63.11, as appropriate. All data, assumptions, and procedures used in such evaluations must be documented and available for inspection. If you use performance testing to determine solvent flow rate to the control device or destruction efficiency of the device, follow the procedures as outlined in §63.997(e)(1) and (2). Instead of periodic performance testing to demonstrate continued good operation of the control device, you may develop a monitoring plan, following the procedures outlined in §63.988(c) and using operational parametric measurement devices such as fan parameters, percent measurements of lower explosive limits, and combustion temperature.

(ii) Changes in solvent working capacity. In records you keep on-site, document any process modifications resulting in changes to the solvent working capacity in your vegetable oil production process. *Solvent working capacity* is defined in §63.2872. In general, solvent working capacity is the volume of solvent normally retained in solvent recovery equipment such as the extractor, desolventizer-toaster, solvent storage, working tanks, mineral oil absorber, condensers, and oil/solvent distillation system. If the change occurs during a normal operating period, you must determine the difference in working solvent volume and make a one-time documented adjustment to the solvent inventory.

(b) Use Equation 1 of this section to determine the actual solvent loss occurring from your affected source for all normal operating periods recorded within a calendar month. Equation 1 of this section follows:

$$\text{Monthly Actual Solvent (gal)} = \sum_{i=1}^{n} \left(SOLV_B - SOLV_E + SOLV_R \pm SOLV_A \right)_i \qquad (Eq.\ 1)$$

Where:

$SOLV_B$= Gallons of solvent in the inventory at the beginning of normal operating period “i” as determined in paragraph (a)(3) of this section.

$SOLV_E$= Gallons of solvent in the inventory at the end of normal operating period “i” as determined in paragraph (a)(3) of this section.

$SOLV_R$= Gallons of solvent received between the beginning and ending inventory dates of normal operating period “i” as determined in paragraph (a)(4) of this section.

$SOLV_A$= Gallons of solvent added or removed from the extraction solvent inventory during normal operating period “i” as determined in paragraph (a)(5) of this section.

n = Number of normal operating periods in a calendar month.

(c) The actual solvent loss is the total solvent losses during normal operating periods for the previous 12 operating months. You determine your actual solvent loss by summing the monthly actual solvent losses for the previous 12 operating months. You must record the actual solvent loss by the end of each calendar month following an operating month. Use the actual solvent loss in Equation 2 of §63.2840 to determine the compliance ratio. Actual solvent loss does not include losses that occur during operating status periods listed in paragraphs (c)(1) through (4) of this section. If any one of these four operating status periods span an entire month, then the month is treated as nonoperating and there is no compliance ratio determination.

(1) Nonoperating periods as described in paragraph (a)(2)(ii) of this section.

(2) Initial startup periods as described in §63.2850(c)(2) or (d)(2).

(3) Malfunction periods as described in §63.2850(e)(2).

(4) Exempt operation periods as described in paragraph (a)(2)(v) of this section.

§ 63.2854 How do I determine the weighted average volume fraction of HAP in the actual solvent loss?

(a) This section describes the information and procedures you must use to determine the weighted average volume fraction of HAP in extraction solvent received for use in your vegetable oil production process. By the end of each calendar month following an operating month, determine the weighted average volume fraction of HAP in extraction solvent received since the end of the previous operating month. If you have determined the monthly weighted average volume fraction of HAP in solvent received for 12 or more operating months, then also determine an overall weighted average volume fraction of HAP in solvent received for the previous 12 operating months. Use the volume fraction of HAP determined as a 12 operating months weighted average in Equation 2 of §63.2840 to determine the compliance ratio.

(b) To determine the volume fraction of HAP in the extraction solvent determined as a 12 operating months weighted average, you must comply with paragraphs (b)(1) through (3) of this section:

(1) Record the volume fraction of each HAP comprising more than 1 percent by volume of the solvent in each delivery of solvent, including solvent recovered from off-site oil. To determine the HAP content of the material in each delivery of solvent, the reference method is EPA Method 311 of appendix A of this part. You may use EPA Method 311, an approved alternative method, or any other reasonable means for determining the HAP content. Other reasonable means of determining HAP content include, but are not limited to, a material safety data sheet or a manufacturer's certificate of analysis. A certificate of analysis is a legal and binding document provided by a solvent manufacturer. The purpose of a certificate of analysis is to list the test methods and analytical results that determine chemical properties of the solvent and the volume percentage of all HAP components present in the solvent at quantities greater than 1 percent by volume. You are not required to test the materials that you use, but the Administrator may require a test using EPA Method 311 (or an approved alternative method) to confirm the reported HAP content. However, if the results of an analysis by EPA Method 311 are different from the HAP content determined by another means, the EPA Method 311 results will govern compliance determinations.

(2) Determine the weighted average volume fraction of HAP in the extraction solvent each operating month. The weighted average volume fraction of HAP for an operating month includes all solvent received since the end of the last operating month, regardless of the operating status at the time of the delivery. Determine the monthly weighted average volume fraction of HAP by summing the products of the HAP volume fraction of each delivery and the volume of each delivery and dividing the sum by the total volume of all deliveries as expressed in Equation 1 of this section. Record the result by the end of each calendar month following an operating month. Equation 1 of this section follows:

$$\begin{array}{c}\text{Monthly Weighted}\\ \textit{Average}\ \text{HAP Content}\\ \text{of Extraction Solvent}\\ \text{(volume fraction)}\end{array} = \frac{\sum_{i=1}^{n}(\text{Received}_i * \textit{Content}_i)}{\textit{Total}\ \text{Received}} \qquad (\textit{Eq.}\ 1)$$

Where:

Received_i= Gallons of extraction solvent received in delivery “i.”

Content_i= The volume fraction of HAP in extraction solvent delivery “i.”

Total Received = Total gallons of extraction solvent received since the end of the previous operating month.

n = Number of extraction solvent deliveries since the end of the previous operating month.

(3) Determine the volume fraction of HAP in your extraction solvent as a 12 operating months weighted average. When your source has processed oilseed for 12 operating months, sum the products of the monthly weighted average HAP volume fraction and corresponding volume of solvent received, and divide the sum by the total volume of solvent received for the 12 operating months, as expressed by Equation 2 of this section. Record the result by the end of each calendar month following an operating month and use it in Equation 2 of §63.2840 to determine the compliance ratio. Equation 2 of this section follows:

$$\begin{array}{c}\text{12-Month Weighted}\\ \textit{Average}\text{ of HAP Content}\\ \text{in Solvent Received}\\ \text{(volume fraction)}\end{array} = \frac{\sum_{i=1}^{12}\left(\text{Received}_i * \textit{Content}_i\right)}{\textit{Total}\text{ Received}} \qquad (\textit{Eq. } 2)$$

Where:

Received_i= Gallons of extraction solvent received in operating month “i” as determined in accordance with §63.2853(a)(4).

Content_i= Average volume fraction of HAP in extraction solvent received in operating month “i” as determined in accordance with paragraph (b)(1) of this section.

Total Received = Total gallons of extraction solvent received during the previous 12 operating months.

§ 63.2855 How do I determine the quantity of oilseed processed?

All oilseed measurements must be determined on an *as received* basis, as defined in §63.2872. The as received basis refers to the oilseed chemical and physical characteristics as initially received by the source and prior to any oilseed handling and processing. By the end of each calendar month following an operating month, you must determine the tons as received of each listed oilseed processed for the operating month. The total oilseed processed for an operating month includes the total of each oilseed processed during all normal operating periods that occur within the operating month. If you have determined the tons of oilseed processed for 12 or more operating months, then you must also determine the 12 operating months rolling sum of each type oilseed processed by summing the tons of each type of oilseed processed for the previous 12 operating months. The 12 operating months rolling sum of each type of oilseed processed is used to calculate the compliance ratio as described in §63.2840.

(a) To determine the tons as received of each type of oilseed processed at your source, follow the procedures in your plan for demonstrating compliance to determine the items in paragraphs (a)(1) through (5) of this section:

(1) *The dates that define each operating status period.* The dates that define each operating status period include the beginning date of each calendar month and the date of any change in the source operating status. If, prior to the effective date of this rule, your source determines the oilseed inventory on an accounting month rather than a calendar month basis, and you have 12 complete accounting months of approximately equal duration in a calendar year, you may substitute the accounting month time interval for the calendar month time interval. If you choose to use an accounting month rather than a calendar month, you must document this measurement frequency selection in your plan for demonstrating compliance, and you must remain on this schedule unless you request and receive written approval from the agency responsible for these NESHAP. The dates on each oilseed inventory log must be consistent with the dates recorded for the solvent inventory.

(2) *Source operating status.* You must categorize the source operation for each recorded time interval. The source operating status for each time interval recorded on the oilseed inventory for each type of oilseed must be consistent with the operating status recorded on the solvent inventory logs as described in §63.2853(a)(2).

(3) *Measuring the beginning and ending inventory for each oilseed.* You are required to measure and record the oilseed inventory on the beginning and ending dates of each normal operating period that occurs during an operating month. An operating month is any calendar month with at least one normal operating period. You must consistently follow the procedures described in your plan for demonstrating compliance, as specified in §63.2851, to determine the oilseed inventory on an as received basis and maintain readily available records of the oilseed inventory as described by §63.2862(c)(3).

(4) *Tons of each oilseed received.* Record the type of oilseed and tons of each shipment of oilseed received and added to your on-site storage.

(5) *Oilseed inventory adjustments.* In some situations, determining the quantity of oilseed processed directly from the measured oilseed inventory and quantity of oilseed received is not an accurate estimate of the tons of oilseed processed for use in determining compliance ratios. For example, spoiled and molded oilseed removed from storage but not processed by your source will result in an overestimate of the quantity of oilseed processed. In such cases, you must adjust the oilseed inventory and provide a justification for the adjustment. Situations that may require oilseed inventory adjustments include, but are not limited to, the situations listed in paragraphs (a)(5)(i) through (v) of this section:

(i) Oilseed that mold or otherwise become unsuitable for processing.

(ii) Oilseed you sell before it enters the processing operation.

(iii) Oilseed destroyed by an event such as a process malfunction, fire, or natural disaster.

(iv) Oilseed processed through operations prior to solvent extraction such as screening, dehulling, cracking, drying, and conditioning; but that are not routed to the solvent extractor for further processing.

(v) Periodic physical measurements of inventory. For example, some sources periodically empty oilseed storage silos to physically measure the current oilseed inventory. This periodic measurement procedure typically results in a small inventory correction. The correction factor, usually less than 1 percent, may be used to make an adjustment to the source's oilseed inventory that was estimated previously with indirect measurement techniques. To make this adjustment, your plan for demonstrating compliance must provide for such an adjustment.

(b) Use Equation 1 of this section to determine the quantity of each oilseed type processed at your affected source during normal operating periods recorded within a calendar month. Equation 1 of this section follows:

$$\begin{array}{l}\text{Monthly Quantity}\\ \text{of Each Oilseed}\\ \text{Processed (tons)}\end{array} = \sum_{n=1}^{n}\left(SEED_B - SEED_E + SEED_R \pm SEED_A\right) \qquad (Eq.\ 1)$$

Where:

$SEED_B$= Tons of oilseed in the inventory at the beginning of normal operating period “i” as determined in accordance with paragraph (a)(3) of this section.

$SEED_E$= Tons of oilseed in the inventory at the end of normal operating period “i” as determined in accordance with paragraph (a)(3) of this section.

$SEED_R$= Tons of oilseed received during normal operating period “i” as determined in accordance with paragraph (a)(4) of this section.

$SEED_A$= Tons of oilseed added or removed from the oilseed inventory during normal operating period “i” as determined in accordance with paragraph (a)(5) of this section.

n = Number of normal operating periods in the calendar month during which this type oilseed was processed.

(c) The quantity of each oilseed processed is the total tons of each type of listed oilseed processed during normal operating periods in the previous 12 operating months. You determine the tons of each oilseed processed by summing the monthly quantity of each oilseed processed for the previous 12 operating months. You must record the 12 operating months quantity of each type of oilseed processed by the end of each calendar month following an operating month. Use the 12 operating months quantity of each type of oilseed processed to determine the compliance ratio as described in §63.2840. The quantity of oilseed processed does not include oilseed processed during the operating status periods in paragraphs (c)(1) through (4) of this section:

(1) Nonoperating periods as described in §63.2853 (a)(2)(ii).

(2) Initial startup periods as described in §63.2850(c)(2) or (d)(2).

(3) Malfunction periods as described in §63.2850(e)(2).

(4) Exempt operation periods as described in §63.2853 (a)(2)(v).

(5) If any one of these four operating status periods span an entire calendar month, then the calendar month is treated as a nonoperating month and there is no compliance ratio determination.

Notifications, Reports, and Records

§ 63.2860 What notifications must I submit and when?

You must submit the one-time notifications listed in paragraphs (a) through (d) of this section to the responsible agency:

(a) *Initial notification for existing sources.* For an existing source, submit an initial notification to the agency responsible for these NESHAP no later than 120 days after the effective date of this subpart. In the notification, include the items in paragraphs (a)(1) through (5) of this section:

(1) The name and address of the owner or operator.

(2) The physical address of the vegetable oil production process.

(3) Identification of the relevant standard, such as the vegetable oil production NESHAP, and compliance date.

(4) A brief description of the source including the types of listed oilseeds processed, nominal operating capacity, and type of desolventizer(s) used.

(5) A statement designating the source as a major source of HAP or a demonstration that the source meets the definition of an area source. An area source is a source that is not a major source and is not collocated within a plant site with other sources that are individually or collectively a major source.

(b) *Initial notifications for new and reconstructed sources.* New or reconstructed sources must submit a series of notifications before, during, and after source construction per the schedule listed in §63.9. The information requirements for the notifications are the same as those listed in the General Provisions with the exceptions listed in paragraphs (b)(1) and (2) of this section:

(1) The application for approval of construction does not require the specific HAP emission data required in §63.5(d)(1)(ii)(H) and (iii), (d)(2) and (d)(3)(ii). The application for approval of construction would include,

instead, a brief description of the source including the types of listed oilseeds processed, nominal operating capacity, and type of desolventizer(s) used.

(2) The notification of actual startup date must also include whether you have elected to operate under an initial startup period subject to §63.2850(c)(2) and provide an estimate and justification for the anticipated duration of the initial startup period.

(c) *Significant modification notifications.* Any existing or new source that plans to undergo a significant modification as defined in §63.2872 must submit two reports as described in paragraphs (c)(1) and (2) of this section:

(1) Initial notification. You must submit an initial notification to the agency responsible for these NESHAP 30 days prior to initial startup of the significantly modified source. The initial notification must demonstrate that the proposed changes qualify as a significant modification. The initial notification must include the items in paragraphs (c)(1)(i) and (ii) of this section:

(i) The expected startup date of the modified source.

(ii) A description of the significant modification including a list of the equipment that will be replaced or modified. If the significant modification involves changes other than adding or replacing extractors, desolventizer-toasters (conventional and specialty), and meal dryer-coolers, then you must also include the fixed capital cost of the new components, expressed as a percentage of the fixed capital cost to build a comparable new vegetable oil production process; supporting documentation for the cost estimate; and documentation that the proposed changes will significantly affect solvent losses.

(2) Notification of actual startup. You must submit a notification of actual startup date within 15 days after initial startup of the modified source. The notification must include the items in paragraphs (c)(2)(i) through (iv) of this section:

(i) The initial startup date of the modified source.

(ii) An indication whether you have elected to operate under an initial startup period subject to §63.2850(d)(2).

(iii) The anticipated duration of any initial startup period.

(iv) A justification for the anticipated duration of any initial startup period.

(d) *Notification of compliance status.* As an existing, new, or reconstructed source, you must submit a notification of compliance status report to the responsible agency no later than 60 days after determining your initial 12 operating months compliance ratio. If you are an existing source, you generally must submit this notification no later than 50 calendar months after the effective date of these NESHAP (36 calendar months for compliance, 12 operating months to record data, and 2 calendar months to complete the report). If you are a new or reconstructed source, the notification of compliance status is generally due no later than 20 calendar months after initial startup (6 calendar months for the initial startup period, 12 operating months to record data, and 2 calendar months to complete the report). The notification of compliance status must contain the items in paragraphs (d)(1) through (6) of this section:

(1) The name and address of the owner or operator.

(2) The physical address of the vegetable oil production process.

(3) Each listed oilseed type processed during the previous 12 operating months.

(4) Each HAP identified under §63.2854(a) as being present in concentrations greater than 1 percent by volume in each delivery of solvent received during the 12 operating months period used for the initial compliance determination.

(5) A statement designating the source as a major source of HAP or a demonstration that the source qualifies as an area source. An area source is a source that is not a major source and is not collocated within a plant site with other sources that are individually or collectively a major source.

(6) A compliance certification indicating whether the source complied with all of the requirements of this subpart throughout the 12 operating months used for the initial source compliance determination. This certification must include a certification of the items in paragraphs (d)(6)(i) through (iii) of this section:

(i) The plan for demonstrating compliance (as described in §63.2851) and SSM plan (as described in §63.2852) are complete and available on-site for inspection.

(ii) You are following the procedures described in the plan for demonstrating compliance.

(iii) The compliance ratio is less than or equal to 1.00.

§ 63.2861 What reports must I submit and when?

After the initial notifications, you must submit the reports in paragraphs (a) through (d) of this section to the agency responsible for these NESHAP at the appropriate time intervals:

(a) *Annual compliance certifications.* The first annual compliance certification is due 12 calendar months after you submit the notification of compliance status. Each subsequent annual compliance certification is due 12 calendar months after the previous annual compliance certification. The annual compliance certification provides the compliance status for each operating month during the 12 calendar months period ending 60 days prior to the date on which the report is due. Include the information in paragraphs (a)(1) through (6) of this section in the annual certification:

(1) The name and address of the owner or operator.

(2) The physical address of the vegetable oil production process.

(3) Each listed oilseed type processed during the 12 calendar months period covered by the report.

(4) Each HAP identified under §63.2854(a) as being present in concentrations greater than 1 percent by volume in each delivery of solvent received during the 12 calendar months period covered by the report.

(5) A statement designating the source as a major source of HAP or a demonstration that the source qualifies as an area source. An area source is a source that is not a major source and is not collocated within a plant site with other sources that are individually or collectively a major source.

(6) A compliance certification to indicate whether the source was in compliance for each compliance determination made during the 12 calendar months period covered by the report. For each such compliance determination, you must include a certification of the items in paragraphs (a)(6)(i) through (ii) of this section:

(i) You are following the procedures described in the plan for demonstrating compliance.

(ii) The compliance ratio is less than or equal to 1.00.

(b) *Deviation notification report.* Submit a deviation report for each compliance determination you make in which the compliance ratio exceeds 1.00 as determined under §63.2840(c). Submit the deviation report by the end of the month following the calendar month in which you determined the deviation. The deviation notification report must include the items in paragraphs (b)(1) through (4) of this section:

(1) The name and address of the owner or operator.

(2) The physical address of the vegetable oil production process.

(3) Each listed oilseed type processed during the 12 operating months period for which you determined the deviation.

(4) The compliance ratio comprising the deviation. You may reduce the frequency of submittal of the deviation notification report if the agency responsible for these NESHAP does not object as provided in §63.10(e)(3)(iii).

(c) *Periodic startup, shutdown, and malfunction report.* If you choose to operate your source under an initial startup period subject to §63.2850(c)(2) or (d)(2) or a malfunction period subject to §63.2850(e)(2), you must submit a periodic SSM report by the end of the calendar month following each month in which the initial startup period or malfunction period occurred. The periodic SSM report must include the items in paragraphs (c)(1) through (3) of this section:

(1) The name, title, and signature of a source's responsible official who is certifying that the report accurately states that all actions taken during the initial startup or malfunction period were consistent with the SSM plan.

(2) A description of events occurring during the time period, the date and duration of the events, and reason the time interval qualifies as an initial startup period or malfunction period.

(3) An estimate of the solvent loss during the initial startup or malfunction period with supporting documentation.

(d) *Immediate SSM reports.* If you handle a SSM during an initial startup period subject to §63.2850(c)(2) or (d)(2) or a malfunction period subject to §63.2850(e)(2) differently from procedures in the SSM plan and the relevant emission requirements in §63.2840 are exceeded, then you must submit an immediate SSM report. Immediate SSM reports consist of a telephone call or facsimile transmission to the responsible agency within 2 working days after starting actions inconsistent with the SSM plan, followed by a letter within 7 working days after the end of the event. The letter must include the items in paragraphs (d)(1) through (3) of this section:

(1) The name, title, and signature of a source's responsible official who is certifying the accuracy of the report, an explanation of the event, and the reasons for not following the SSM plan.

(2) A description and date of the SSM event, its duration, and reason it qualifies as a SSM.

(3) An estimate of the solvent loss for the duration of the SSM event with supporting documentation.

[66 FR 19011, Apr. 12, 2001, as amended at 67 FR 16321, Apr. 5, 2002]

§ 63.2862 What records must I keep?

(a) You must satisfy the recordkeeping requirements of this section by the compliance date for your source specified in Table 1 of §63.2834.

(b) Prepare a plan for demonstrating compliance (as described in §63.2851) and a SSM plan (as described in §63.2852). In these two plans, describe the procedures you will follow in obtaining and recording data, and determining compliance under normal operations or a SSM subject to the §63.2850(c)(2) or (d)(2) initial startup period or the §63.2850(e)(2) malfunction period. Complete both plans before the compliance date for your source and keep them on-site and readily available as long as the source is operational.

(c) If your source processes any listed oilseed, record the items in paragraphs (c)(1) through (5) of this section:

(1) For the solvent inventory, record the information in paragraphs (c)(1)(i) through (vii) of this section in accordance with your plan for demonstrating compliance:

(i) Dates that define each operating status period during a calendar month.

(ii) The operating status of your source such as normal operation, nonoperating, initial startup period, malfunction period, or exempt operation for each recorded time interval.

(iii) Record the gallons of extraction solvent in the inventory on the beginning and ending dates of each normal operating period.

(iv) The gallons of all extraction solvent received, purchased, and recovered during each calendar month.

(v) All extraction solvent inventory adjustments, additions or subtractions. You must document the reason for the adjustment and justify the quantity of the adjustment.

(vi) The total solvent loss for each calendar month, regardless of the source operating status.

(vii) The actual solvent loss in gallons for each operating month.

(2) For the weighted average volume fraction of HAP in the extraction solvent, you must record the items in paragraphs (c)(2)(i) through (iii) of this section:

(i) The gallons of extraction solvent received in each delivery.

(ii) The volume fraction of each HAP exceeding 1 percent by volume in each delivery of extraction solvent.

(iii) The weighted average volume fraction of HAP in extraction solvent received since the end of the last operating month as determined in accordance with §63.2854(b)(2).

(3) For each type of listed oilseed processed, record the items in paragraphs (c)(3)(i) through (vi) of this section, in accordance with your plan for demonstrating compliance:

(i) The dates that define each operating status period. These dates must be the same as the dates entered for the extraction solvent inventory.

(ii) The operating status of your source such as normal operation, nonoperating, initial startup period, malfunction period, or exempt operation for each recorded time interval. On the log for each type of listed oilseed that is not being processed during a normal operating period, you must record which type of listed oilseed is being processed in addition to the source operating status.

(iii) The oilseed inventory for the type of listed oilseed being processed on the beginning and ending dates of each normal operating period.

(iv) The tons of each type of listed oilseed received at the affected source each normal operating period.

(v) All listed oilseed inventory adjustments, additions or subtractions for normal operating periods. You must document the reason for the adjustment and justify the quantity of the adjustment.

(vi) The tons of each type of listed oilseed processed during each operating month.

(d) After your source has processed listed oilseed for 12 operating months, and you are not operating during an initial startup period as described in §63.2850(c)(2) or (d)(2), or a malfunction period as described in §63.2850(e)(2), record the items in paragraphs (d)(1) through (5) of this section by the end of the calendar month following each operating month:

(1) The 12 operating months rolling sum of the actual solvent loss in gallons as described in §63.2853(c).

(2) The weighted average volume fraction of HAP in extraction solvent received for the previous 12 operating months as described in §63.2854(b)(3).

(3) The 12 operating months rolling sum of each type of listed oilseed processed at the affected source in tons as described in §63.2855(c).

(4) A determination of the compliance ratio. Using the values from §§63.2853, 63.2854, 63.2855, and Table 1 of §63.2840, calculate the compliance ratio using Equation 2 of §63.2840.

(5) A statement of whether the source is in compliance with all of the requirements of this subpart. This includes a determination of whether you have met all of the applicable requirements in §63.2850.

(e) For each SSM event subject to an initial startup period as described in §63.2850(c)(2) or (d)(2), or a malfunction period as described in §63.2850(e)(2), record the items in paragraphs (e)(1) through (3) of this section by the end of the calendar month following each month in which the initial startup period or malfunction period occurred:

(1) A description and date of the SSM event, its duration, and reason it qualifies as an initial startup or malfunction.

(2) An estimate of the solvent loss in gallons for the duration of the initial startup or malfunction period with supporting documentation.

(3) A checklist or other mechanism to indicate whether the SSM plan was followed during the initial startup or malfunction period.

§ 63.2863 In what form and how long must I keep my records?

(a) Your records must be in a form suitable and readily available for review in accordance with §63.10(b)(1).

(b) As specified in §63.10(b)(1), you must keep each record for 5 years following the date of each occurrence, measurement, maintenance, corrective action, report, or record.

(c) You must keep each record on-site for at least 2 years after the date of each occurrence, measurement, maintenance, corrective action, report, or record, in accordance with §3.10(b)(1). You can keep the records off-site for the remaining 3 years.

Other Requirements and Information

§ 63.2870 What parts of the General Provisions apply to me?

Table 1 of this section shows which parts of the General Provisions in §§63.1 through 63.15 apply to you. Table 1 of §63.2870 follows:

Table 1 of §63.2870—Applicability of 40 CFR Part 63, Subpart A, to 40 CFR, Part 63, Subpart GGGG

General provisions citation	Subject of citation	Brief description of requirement	Applies to subpart	Explanation
§63.1	Applicability	Initial applicability determination; applicability after standard established; permit requirements; extensions; notifications	Yes	
§63.2	Definitions	Definitions for part 63 standards	Yes	Except as specifically provided in this subpart.
§63.3	Units and abbreviations	Units and abbreviations for part 63 standards	Yes	
§63.4	Prohibited activities and circumvention	Prohibited activities; compliance date; circumvention; severability	Yes	
§63.5	Construction/reconstruction	Applicability; applications; approvals	Yes	Except for subsections of §63.5 as listed below.
§63.5(c)	[Reserved]			
§63.5(d)(1)(ii)(H)	Application for approval	Type and quantity of HAP, operating parameters	No	All sources emit HAP. Subpart GGGG does not require control from specific emission points.
§63.5(d)(1)(ii)(I)	[Reserved]			
§63.5(d)(1)(iii), (d)(2), (d)(3)(ii)		Application for approval	No	The requirements of the application for approval for new, reconstructed and significantly modified sources are described in §63.2860(b) and (c) of subpart GGGG. General provision requirements for identification of HAP emission points or estimates of actual emissions are not required. Descriptions of control and methods, and the estimated and actual control efficiency of such do not apply. Requirements for

General provisions citation	Subject of citation	Brief description of requirement	Applies to subpart	Explanation
				describing control equipment and the estimated and actual control efficiency of such equipment apply only to control equipment to which the subpart GGGG requirements for quantifying.
§63.6	Applicability of General Provisions	Applicability	Yes	Except for subsections of §63.6 as listed below.
§63.6(b)(1)–(3)	Compliance dates, new and reconstructed sources		No	Section 63.2834 of subpart GGGG specifies the compliance dates for new and reconstructed sources.
§63.6(b)(6)	[Reserved]			
§63.6(c)(3)–(4)	[Reserved]			
§63.6(d)	[Reserved]			
§63.6(e)(1) through (e)(3)(ii) and §63.6(e)(3)(v) through (vii)	Operation and maintenance requirements		Yes	Minimize emissions to the extent practical.
§63.6(e)(3)(iii)	Operation and maintenance requirements		No	Minimize emissions to the extent practical
§63.6(e)(3)(iv)	Operation and maintenance requirements		No	Report SSM and in accordance with §63.2861(c) and (d).
§63.6(e)(3)(viii)	Operation and maintenance requirements		Yes	Except, report each revision to your SSM plan in accordance with §63.2861(c) rather than §63.10(d)(5) as required under §63.6(e)(3) (viii).
§63.6(e)(3)(ix)	Title V permit		Yes	
§63.6(f)–(g)	Compliance with nonopacity emission standards except during SSM	Comply with emission standards at all times except during SSM	No	Subpart GGGG does not have nonopacity requirements.
§63.6(h)	Opacity/Visible emission (VE) standards		No	Subpart GGGG has no opacity or VE standards.
§63.6(i)	Compliance extension	Procedures and criteria for	Yes	

General provisions citation	Subject of citation	Brief description of requirement	Applies to subpart	Explanation
		responsible agency to grant compliance extension		
§63.6(j)	Presidential compliance exemption	President may exempt source category from requirement to comply with subpart	Yes	
§63.7	Performance testing requirements	Schedule, conditions, notifications and procedures	Yes	Subpart GGGG requires performance testing only if the source applies additional control that destroys solvent. Section 63.2850(a)(6) requires sources to follow the performance testing guidelines of the General Provisions if a control is added.
§63.8	Monitoring requirements		No	Subpart GGGG does not require monitoring other than as specified therein.
§63.9	Notification requirements	Applicability and state delegation	Yes	Except for subsections of §63.9 as listed below.
§63.9(b)(2)	Notification requirements	Initial notification requirements for existing sources	No	Section 63.2860(a) of subpart GGGG specifies the requirements of the initial notification for existing sources.
§63.9(b)(3)–(5)	Notification requirements	Notification requirement for certain new/reconstructed sources	Yes	Except the information requirements differ as described in §63.2860(b) of subpart GGGG.
§63.9(e)	Notification of performance test	Notify responsible agency 60 days ahead	Yes	Applies only if performance testing is performed.
§63.9(f)	Notification of VE/opacity observations	Notify responsible agency 30 days ahead	No	Subpart GGGG has no opacity or VE standards.
§63.9(g)	Additional notifications when using a continuous monitoring system (CMS)	Notification of performance evaluation; Notification using COMS data; notification that exceeded criterion	No	Subpart GGGG has no CMS requirements.

General provisions citation	Subject of citation	Brief description of requirement	Applies to subpart	Explanation
		for relative accuracy		
§63.9(h)	Notification of compliance status	Contents	No	Section 63.2860(d) of subpart GGGG specifies requirements for the notification of compliance status.
§63.10	Recordkeeping/reporting	Schedule for reporting, record storage	Yes	Except for subsections of §63.10 as listed below.
§63.10(b)(2)(i)	Recordkeeping	Record SSM event	Yes	Applicable to periods when sources must implement their SSM plan as specified in subpart GGGG.
§63.10(b)(2)(ii)–(iii)	Recordkeeping	Malfunction of air pollution equipment	No	Applies only if air pollution control equipment has been added to the process and is necessary for the source to meet the emission limit.
§63.10(b)(2)(vi)	Recordkeeping	CMS recordkeeping	No	Subpart GGGG has no CMS requirements.
§63.10(b)(2)(viii)–(ix)	Recordkeeping	Conditions of performance test	Yes	Applies only if performance tests are performed. Subpart GGGG does not have any CMS opacity or VE observation requirements.
§63.10(b)(2)(x)–(xii)	Recordkeeping	CMS, performance testing, and opacity and VE observations recordkeeping	No	Subpart GGGG does not require CMS.
§63.10(c)	Recordkeeping	Additional CMS recordkeeping	No	Subpart GGGG does not require CMS.
§63.10(d)(2)	Reporting	Reporting performance test results	Yes	Applies only if performance testing is performed.
§63.10(d)(3)	Reporting	Reporting opacity or VE observations	No	Subpart GGGG has no opacity or VE standards.
§63.10(d)(4)	Reporting	Progress reports	Yes	Applies only if a condition of compliance extension exists.
§63.10(d)(5)	Reporting	SSM reporting	No	Section 63.2861(c) and

General provisions citation	Subject of citation	Brief description of requirement	Applies to subpart	Explanation
				(d) specify SSM reporting requirements.
§63.10(e)	Reporting	Additional CMS reports	No	Subpart GGGG does not require CMS.
§63.11	Control device requirements	Requirements for flares	Yes	Applies only if your source uses a flare to control solvent emissions. Subpart GGGG does not require flares.
§63.12	State authority and delegations	State authority to enforce standards	Yes	
§63.13	State/regional addresses	Addresses where reports, notifications, and requests are sent	Yes	
§63.14	Incorporation by reference	Test methods incorporated by reference	Yes	
§63.15	Availability of information and confidentiality	Public and confidential information	Yes	

[66 FR 19011, Apr. 12, 2001, as amended at 67 FR 16321, Apr. 5, 2002; 71 FR 20463, Apr. 20, 2006]

§ 63.2871 Who implements and enforces this subpart?

(a) This subpart can be implemented by us, the U.S. EPA, or a delegated authority such as your State, local, or tribal agency. If the U.S. EPA Administrator has delegated authority to your State, local, or tribal agency, then that agency, as well as the U.S. EPA, has the authority to implement and enforce this subpart. You should contact your U.S. EPA Regional Office to find out if this subpart is delegated to your State, local, or tribal agency.

(b) In delegating implementation and enforcement authority of this subpart to a State, local, or tribal agency under section 40 CFR part 63, subpart E, the authorities contained in paragraph (c) of this section are retained by the Administrator of the U.S. EPA and are not transferred to the State, local, or tribal agency.

(c) The authorities that will not be delegated to State, local, or tribal agencies are as follows:

(1) Approval of alternative nonopacity emissions standards under §63.6(g).

(2) Approval of alternative opacity standards under §63.6(h)(9).

(3) Approval of major alternatives to test methods under §63.7(e)(2)(ii) and (f) and as defined in §63.90.

(4) Approval of major alternatives to monitoring under §63.8(f) and as defined in §63.90.

(5) Approval of major alternatives to recordkeeping and reporting under §63.10(f) and as defined in §63.90.

§ 63.2872 What definitions apply to this subpart?

Terms used in this subpart are defined in the sources listed:

(a) The Clean Air Act, section 112(a).

(b) In 40 CFR 63.2, the NESHAP General Provisions.

(c) In this section as follows:

Accounting month means a time interval defined by a business firm during which corporate economic and financial factors are determined on a consistent and regular basis. An accounting month will consist of approximately 4 to 5 calendar weeks and each accounting month will be of approximate equal duration. An accounting month may not correspond exactly to a calendar month, but 12 accounting months will correspond exactly to a calendar year.

Actual solvent loss means the gallons of solvent lost from a source during 12 operating months as determined in accordance with §63.2853.

Agricultural product means any commercially grown plant or plant product.

Allowable HAP loss means the gallons of HAP that would have been lost from a source if the source was operating at the solvent loss factor for each listed oilseed type. The allowable HAP loss in gallons is determined by multiplying the tons of each oilseed type processed during the previous 12 operating months, as determined in accordance with §63.2855, by the corresponding oilseed solvent loss factor (gal/ton) listed in Table 1 of §63.2840, and by the dimensionless constant 0.64, and summing the result for all oilseed types processed.

Area source means any source that does not meet the major source definition.

As received is the basis upon which all oilseed measurements must be determined and refers to the oilseed chemical and physical characteristics as initially received by the source and prior to any oilseed handling and processing.

Batch operation means any process that operates in a manner where the addition of raw material and withdrawal of product do not occur simultaneously. Typically, raw material is added to a process, operational steps occur, and a product is removed from the process. More raw material is then added to the process and the cycle repeats.

Calendar month means 1 month as specified in a calendar.

Compliance date means the date on which monthly compliance recordkeeping begins. For existing sources, recordkeeping typically begins 3 years after the effective date of the subpart. For new and reconstructed sources, recordkeeping typically begins upon initial startup, except as noted in §63.2834.

Compliance ratio means a ratio of the actual HAP loss in gallons from the previous 12 operating months to an allowable HAP loss in gallons, which is determined by using oilseed solvent loss factors in Table 1 of §63.2840, the weighted average volume fraction of HAP in solvent received for the previous 12 operating months, and the tons of each type of listed oilseed processed in the previous 12 operating months. Months during which no listed oilseed is processed, or months during which the §63.2850(c)(2) or (d)(2) initial startup period or the §63.2850(e)(2) malfunction period applies, are excluded from this calculation. Equation 2 of §63.2840 is used to calculate this value. If the value is less than or equal to 1.00, the source is in compliance. If the value is greater than 1.00, the source is deviating from compliance.

Continuous operation means any process that adds raw material and withdraws product simultaneously. Mass, temperature, concentration and other properties typically approach steady-state conditions.

Conventional desolventizer means a desolventizer toaster that operates with indirect and direct-contact steam to remove solvent from the extracted meal. Oilseeds processed in a conventional desolventizer produce crude vegetable oil and crude meal products, such as animal feed.

Corn germ dry milling means a source that processes corn germ that has been separated from the other corn components using a “dry” process of mechanical chafing and air sifting.

Corn germ wet milling means a source that processes corn germ that has been separated from other corn components using a “wet” process of centrifuging a slurry steeped in a dilute sulfurous acid solution.

Exempt period means a period of time during which a source processes agricultural products not defined as listed oilseed.

Extraction solvent means an organic chemical medium used to remove oil from an oilseed. Typically, the extraction solvent is a commercial grade of hexane isomers which have an approximate HAP content of 64 percent by volume.

Hazardous air pollutant (HAP) means any substance or mixture of substances listed as a hazardous air pollutant under section 112(b) of the Clean Air Act, as of April 12, 2001.

Initial startup date means the first calendar day that a new, reconstructed or significantly modified source processes any listed oilseed.

Initial startup period means a period of time from the initial startup date of a new, reconstructed or significantly modified source, for which you choose to operate the source under an initial startup period subject to §63.2850(c)(2) or (d)(2). During an initial startup period, a source complies with the standards by minimizing HAP emissions to the extent practical. The initial startup period following initial startup of a new or reconstructed source may not exceed 6 calendar months. The initial startup period following a significant modification may not exceed 3 calendar months. Solvent and oilseed inventory information recorded during the initial startup period is excluded from use in any compliance ratio determinations.

Large cottonseed plant means a vegetable oil production process that processes 120,000 tons or more of cottonseed and other listed oilseed during all normal operating periods in a 12 operating months period used to determine compliance.

Malfunction period means a period of time between the beginning and end of a process malfunction and the time reasonably necessary for a source to correct the malfunction for which you choose to operate the source under a malfunction period subject to §63.2850(e)(2). This period may include the duration of an unscheduled process shutdown, continued operation during a malfunction, or the subsequent process startup after a shutdown resulting from a malfunction. During a malfunction period, a source complies with the standards by minimizing HAP emissions to the extent practical. Therefore, solvent and oilseed inventory information recorded during a malfunction period is excluded from use in any compliance ratio determinations.

Mechanical extraction means removing vegetable oil from oilseeds using only mechanical devices such as presses or screws that physically force the oil from the oilseed. Mechanical extraction techniques use no organic solvents to remove oil from an oilseed.

Nonoperating period means any period of time in which a source processes no agricultural product. This operating status does not apply during any period in which the source operates under an initial startup period as described in §63.2850(c)(2) or (d)(2), or a malfunction period, as described in §63.2850(e)(2).

Normal operating period means any period of time in which a source processes a listed oilseed that is not categorized as an initial startup period as described in §63.2850(c)(2) or (d)(2), or a malfunction period, as described in §63.2850(e)(2). At the beginning and ending dates of a normal operating period, solvent and oilseed inventory information is recorded and included in the compliance ratio determination.

Oilseed or listed oilseed means the following agricultural products: corn germ, cottonseed, flax, peanut, rapeseed (for example, canola), safflower, soybean, and sunflower.

Oilseed solvent loss factor means a ratio expressed as gallons of solvent loss per ton of oilseed processed. The solvent loss factors are presented in Table 1 of §63.2840 and are used to determine the allowable HAP loss.

Operating month means any calendar or accounting month in which a source processes any quantity of listed oilseed, excluding any entire calendar or accounting month in which the source operated under an initial startup period as described in §63.2850(c)(2) or (d)(2), or a malfunction period as described in §63.2850(e)(2). An operating month may include time intervals characterized by several types of operating status. However, an operating month must have at least one normal operating period.

Significant modification means the addition of new equipment or the modification of existing equipment that:

(1) Significantly affects solvent losses from your vegetable oil production process;

(2) The fixed capital cost of the new components represents a significant percentage of the fixed capital cost of building a comparable new vegetable oil production process;

(3) The fixed capital cost of the new equipment does not constitute reconstruction as defined in §63.2; and

(4) Examples of significant modifications include replacement of or major changes to solvent recovery equipment such as extractors, desolventizer-toasters/dryer-coolers, flash desolventizers, and distillation equipment associated with the mineral oil system, and equipment affecting desolventizing efficiency and steady-state operation of your vegetable oil production process such as flaking mills, oilseed heating and conditioning equipment, and cracking mills.

Small cottonseed plant means a vegetable oil production process that processes less than 120,000 tons of cottonseed and other listed oilseed during all normal operating periods in a 12 operating months period used to determine compliance.

Solvent extraction means removing vegetable oil from listed oilseed using an organic solvent in a direct-contact system.

Solvent working capacity means the volume of extraction solvent normally retained in solvent recovery equipment. Examples include components such as the solvent extractor, desolventizer-toaster, solvent storage and working tanks, mineral oil absorption system, condensers, and oil/solvent distillation system.

Specialty desolventizer means a desolventizer that removes excess solvent from soybean meal using vacuum conditions, energy from superheated solvent vapors, or reduced operating conditions (e.g., temperature) as compared to the typical operation of a conventional desolventizer. Soybeans processed in a specialty desolventizer result in high-protein vegetable meal products for human and animal consumption, such as calf milk replacement products and meat extender products.

Vegetable oil production process means the equipment comprising a continuous process for producing crude vegetable oil and meal products, including specialty soybean products, in which oil is removed from listed oilseeds through direct contact with an organic solvent. Process equipment typically includes the following components: oilseed preparation operations (including conditioning, drying, dehulling, and cracking), solvent extractors, desolventizer-toasters, meal dryers, meal coolers, meal conveyor systems, oil distillation units, solvent evaporators and condensers, solvent recovery system (also referred to as a mineral oil absorption system), vessels storing solvent-laden materials, and crude meal packaging and storage vessels. A vegetable oil production process does not include vegetable oil refining operations (including operations such as bleaching, hydrogenation, and deodorizing) and operations that engage in additional chemical treatment of crude soybean meals produced in specialty desolventizer units (including operations such as soybean isolate production).

[66 FR 19011, Apr. 12, 2001, as amended at 71 FR 20464, Apr. 20, 2006]

Indiana Department of Environmental Management
Office of Air Quality

Addendum to the
Technical Support Document for a for a Part 70 Operating Permit Renewal

Source Name:	**Rose Acre Farms, Inc.**
Source Location:	**6874 North Base Road, Seymour, IN 47274**
County:	**Jackson**
SIC Code:	**2075**
Permit Renewal No.:	**T071-27062-00018**
Permit Reviewer:	**Jean Boling**

On September 25, 2009, the Office of Air Quality (OAQ) had a notice published in The Tribune newspaper in Seymour, Indiana stating that Rose Acre Farms, Inc. had applied to renew its Part 70 Operating Permit to continue the operation of its industrial gas manufacturing plant. The notice also stated that OAQ proposed to issue a permit for this operation and provided information on how the public could review the proposed permit and other documentation. Finally, the notice informed interested parties that there was a period of thirty (30) days to provide comments on whether or not this permit should be issued as proposed.

On October 26, 2009, Rick Brown of Rose Acre Farms, Inc. submitted comments on the proposed Part 70 Operating Permit Renewal. The summary of the comments is as follows:

Comment 1: Revise Section A.3(w)(1) to change five soybean silos to four.

Response 1: Section A.3(w)(1) has been changed as follows to reflect the correct number of soybean storage silos.

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

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

***

~~Five (5)~~**Four (4)** soybean storage silos, each with a maximum capacity of 880,000 gallons (80,000 bushels) and a maximum throughput rate of 3,397 lbs/hr.

Comment 2: Revise Section D.2.5 to include the manual readings to be taken every two hours, in lieu of a continuous monitoring system or electronic data management system and the calibration period of twelve months instead of six for instruments used for determining the flow rate and temperature reading.

Response 2: Section D.2.5 has been changed as follows to the language in the source's previous operating (T071-17439-00018) permit regarding manual readings and the calibration period.

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

D.2.5 VOC Monitoring (40 CFR 64)

The Permittee shall comply with the following monitoring requirements for the mineral oil absorber:

(a) The Permittee shall monitor and record the mineral oil flow rate to the mineral oil absorber at least once per day. **The Preventive Maintenance Plan for the absorber**

shall contain troubleshooting contingency and corrective actions for when the flow rate readings are outside of the normal range for any one reading.

~~(b) A continuous monitoring system shall be calibrated, maintained, and operated on the mineral oil absorber for measuring operating temperature. For purposes of this condition continuous shall mean temperature measurement no less than once every 15 minutes. The output of this system shall be recorded as a 3-hour average. The Permittee shall operate the mineral oil absorber at or above the 3-hour average temperature as recommended by the manufacturer.~~

~~(1) The Permittee shall determine the 3-hour average temperature that demonstrates compliance with the limits in conditions D.2.1, as approved by IDEM.~~

~~(2) The Permittee shall maintain the temperature of the mineral oil to the absorber at or above the 3-hour average temperature as observed during the compliant stack test.~~

~~(c) A continuous monitoring system shall be calibrated, maintained, and operated on the soybean oil super stripper for measuring the temperature of soybean oil in the stripper. For purposes of this condition continuous shall mean temperature measurement no less than once every 15 minutes. The output of this system shall be recorded as a 3-hour average. The Permittee shall maintain the mineral oil temperature in the stripper at or above the 3-hour average temperature as recommended by the manufacturer.~~

~~(1) The Permittee shall determine the 3-hour average temperature that demonstrates compliance with limits in condition D.2.1, as approved by IDEM.~~

~~(2) The Permittee shall operate the mineral oil absorber at or above the 3-hour average temperature.~~

(b) The operating temperatures of the mineral oil absorber shall be established in the Compliance Monitoring Plan. When the process is in operation, an electronic data management system (EDMS) shall record the instantaneous temperature on a frequency of not less that every two hours. As an alternate to installing an EDMS, manual readings shall be taken every two hours.

(c) The mineral oil to the mineral-oil-stripping column shall be kept at a minimum temperature of 160°F or a temperature, as established in the Compliance Monitoring Plan, for adequate stripping of the absorbed hexane from the oil. When the process is in operation, an electronic data management system (EDMS) shall record the instantaneous temperature on a frequency of not less than every two hours. As an alternate to installing an EDMS, manual readings shall be taken every two hours.

(d) In the event that the absorber's failure has been observed, an inspection shall be conducted. Based upon the findings of the inspection, any corrective actions shall be initiated within eight (8) hours of discovery and shall include a timetable for completion.

(e) A flow rate or temperature reading that is below the minimum flow rate or temperature reading 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) The instruments used for determining the flow rate and temperature reading shall be subject to approval by IDEM, OAQ, and shall be calibrated at least once every ~~six (6)~~**twelve (12)** months.

(g) The gauge employed to measure the mineral oil flow across the scrubber shall have a scale such that the expected normal reading shall be no less than 20 percent of full scale and be accurate within + 10% of full scale reading. The instrument shall be quality assured and maintained as specified by the vendor.

No change will be made to the original TSD. The OAQ prefers that the TSD reflect the permit that was on public notice. Changes to the permit or technical support material that occur after public notice are documented in this Addendum to the Technical Support Document. This accomplishes the desired result of ensuring that these types of concerns are documented and part of the record regarding this permit decision.

Indiana Department of Environmental Management
Office of Air Quality

Technical Support Document (TSD) for a Part 70 Operating Permit Renewal

Source Background and Description

Source Name:	Rose Acre Farms, Inc.
Source Location:	6874 North Base Road, Seymour, Indiana 47274
County:	Jackson
SIC Code:	2075
Permit Renewal No.:	T071-27062-00018
Permit Reviewer:	Jean Boling

The Office of Air Quality (OAQ) has reviewed the operating permit renewal application from Rose Acre Farms relating to the operation of a soybean oil production plant.

History

On October 2, 2008, Rose Acre Farms, Inc. submitted an application to the OAQ requesting to renew its operating permit. Rose Acre Farms, Inc. was issued a Part 70 Operating Permit on July 29, 2004.

Permitted Emission Units and Pollution Control Equipment

(a) One (1) cleaning and weighing operation, identified as EP-1, constructed in 1991, and modified in 2008 to reduce plugging, with a maximum throughput rate of 33.3 tons of soybeans per hour, controlled by one (1) baghouse, and exhausting through stack #EP-1.

(b) One (1) drying and conditioning operation, identified as EP-2, constructed in 1991, with a maximum throughput rate of 33.3 tons of soybeans per hour, controlled by four (4) cyclones and scrubber #4, and exhausting through stack #EP-2.

(c) One (1) soybean meal grinding operation, identified as EP-3, constructed in 1991, with a maximum throughput rate of 25 tons/hr, controlled by one (1) baghouse, and exhausting through stack #EP-3.

(d) One (1) Desolventizer-Toaster/Dryer-Cooler (DTDC) system, identified as EP-4, constructed in 1991, and modified in 2008 to increase energy efficiencies, with a maximum throughput rate of 25 tons/hr, controlled by three (3) cyclones and three (3) scrubbers (scrubbers #1, #2, #3), and exhausting through stack #EP-4.

(e) One (1) meal loadout system, identified as EP-5 constructed in 1991, with a maximum throughput rate of 100 tons/hr, controlled by one (1) baghouse and scrubber #5, and exhausting through stack #EP-5.

(f) Two (2) flaking operations with aspirated air, identified as EP-6, constructed in 1991, with a total maximum throughput rate of 25 tons/hr, controlled by one (1) cyclone and scrubber #4, and exhausting through stack #EP-2.

(g) One (1) grain receiving hopper, identified as EP-7, constructed in 1991, with a maximum throughput rate of 300 tons of soybeans per hour, controlled by one (1) baghouse, and exhausting through stack #EP-7.

(h) One (1) hull grinding operation, identified as EP-8 constructed in 1991, and modified in 2008 to reduce plugging, with a maximum throughput rate of 1.67 tons/hr, controlled by one (1) baghouse, and exhausting through stack #EP-8.

(i) One (1) flaking operation with aspirated air, identified as EP-11, constructed in 2001, with a maximum throughput rate of 8.33 tons/hr, controlled by one (1) cyclone and scrubber #4, and exhausting through stack #EP-2.

(j) One (1) oil extraction system, identified as EP-12, constructed in 1991, using a blend of iso-hexane and n-hexane as the extraction solvent, with a maximum throughput rate of 33.3 tons of soybean per hour and a maximum solvent usage of 55.7 lbs/hr, controlled by one (1) mineral oil absorber, and exhausting through stack #EP-12.

(k) Two (2) propane and wood fired boilers, identified as EP-9 and EP-10, constructed in 1999, each with a maximum heat input capacity of 20.5 MMBtu/hr, each equipped with one (1) cyclone for particulate control, and exhausting through stack #EP-9 and stack #EP-10, respectively.

Insignificant Activities

The source also consists of the following insignificant activities, as defined in 326 IAC 2-7-1(21):

(a) One (1) specialty soybean meal loadout operation, identified as EP-13, constructed May 2007, with a maximum capacity of 3.0 tons of soybean per hour. [326 IAC 6-3]

(b) Natural gas-fired combustion sources with heat input equal to or less than ten million (10,000,000) Btu per hour, including space heaters with a total maximum heat input rate of 0.95 MMBtu/hr.

(c) Equipment powered by internal combustion engines of capacity equal to or less than 500,000 Btu/hour, except where total capacity of equipment operated by one stationary source exceeds 2,000,000 Btu/hour.

(d) Combustion source flame safety purging on startup.

(e) Vessels storing lubricating oils, hydraulic oils, machining oils, and machining fluids.

(f) Application of oils, greases, lubricants or other nonvolatile materials applied as temporary protective coatings.

(g) Cleaners and solvents having a vapor pressure equal to or less than 2 kPa (15mm Hg or 0.3 psi) measured at 38EC (100$_o$F) or having a vapor pressure equal to or less than 0.7 kPa (5mm Hg or 0.1 psi) measured at 20$_o$C (68$_o$F). The use of which for all cleaners and solvents combined does not exceed 145 gallons per 12 months.

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

(i) Closed loop heating and cooling systems.

(j) Activities associated with the treatment of wastewater streams with an oil and grease content less than or equal to 1% by volume.

(k) Activities associated with the transportation and treatment of sanitary sewage, provided discharge to the treatment plant is under the control of the owner/operator, that is, an on-site sewage treatment facility.

(l) Forced and induced draft cooling tower system not regulated under a NESHAP.

(m) Replacement or repair of electrostatic precipitators, bags in baghouses and filters in other air filtration equipment.

(n) Heat exchanger cleaning and repair.

(o) Process vessel degassing and cleaning to prepare for internal repairs.

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

(q) Equipment used to collect any material that might be released during a malfunction, process upset, or spill cleanup, including catch tanks, temporary liquid separators, tanks, and fluid handling equipment.

(r) Blowdown for any of the following: sight glass; boiler; compressors; pumps; and cooling tower.

(s) On-site fire and emergency response training approved by the department.

(t) Diesel generators not exceeding 1600 horsepower.

(u) Stationary fire pumps.

(v) Filter or coalescer media changeout.

(w) Other emission units, not regulated by a NESHAP, with PM10 and SO_2 emissions less than five (5) pounds per hour or twenty-five (25) pounds per day, CO emissions less than twenty-five (25) pounds per day, lead emissions less than six-tenths (0.6) tons per year or three and twenty-nine hundredths (3.29) pounds per day, and emitting greater than one (1) pound per day but less than five (5) pounds per day or one (1) ton per year of a single HAP, or emitting greater than one (1) pound per day but less than twelve and five tenths (12.5) pounds per day or two and five tenths (2.5) ton per year of any combination of HAPs:

(1) Five (5) soybean storage silos, each with a maximum capacity of 880,000 gallons (80,000 bushels) and a maximum throughput rate of 3,397 lbs/hr.

(2) One (1) circular silo, with a maximum capacity of 4,400,000 gallons (400,000 bushels) and a maximum throughput rate of 16,980 lbs/hr.

(3) One (1) soybean storage bin, with a maximum capacity of 4,950,000 gallons (450,000 bushels) and a maximum throughput rate of 16,047 lbs/hr.

(4) Two (2) soybean storage silos, constructed in 2004, each with a maximum capacity of 536,000 bushels and a maximum throughput rate of 22,753 lbs/hr.

(5) One (1) solvent storage tank, constructed in 1991, with a maximum capacity of 20,800 gallons.

(6) Three (3) working tanks, constructed in 1991, each with a maximum capacity of 14,200 gallons.

(7) Two (2) soybean oil storage tanks, constructed in 1991, each with a maximum capacity of 250,000 gallons.

(8) Three (3) soybean meal storage tanks, each with a maximum capacity of 600 tons.

(9) One (1) soybean meal storage tank, with a maximum capacity of 900 tons.

(10) One (1) soybean meal storage tank, approved in 2009 for construction, with a maximum capacity of 900 tons.

(11) Three (3) soybean hull storage tanks, each with a maximum capacity of 60 tons.

(12) One (1) storage tank used to store wood for the boilers, with a maximum capacity of 225 tons.

Existing Approvals

(a) Since the issuance of the Part 70 Operating Permit (T071-17439-00018) on July 29, 2004, the source has constructed or has been operating under the following approvals as well:

(1) Administrative Amendment No. 071-21404-00018 issued on September 2, 2005;

(2) Administrative Amendment No. 071-24067-00018 issued on November 27, 2007;

(3) Minor Permit Modification No. 071-24339-00018 issued on May 14, 2007; and

(4) Administrative Amendment No. 071-26251-00018 issued on April 1, 2008.

All terms and conditions of previous permits issued pursuant to permitting programs approved into the state implementation plan have been either incorporated as originally stated, revised, or deleted by this permit. All previous registrations and permits are superseded by this permit.

(b) The following terms and conditions from previous approvals have been revised in this Part 70 Operating Permit Renewal:

(1) Insignificant activities list modified to include all insignificant activities.

(2) New 30' x 64' concrete storage silo, with a throughput rate of 30 tons/hr, will be added to the insignificant activities listed in Section A of the permit.

(3) Requirements for New Source Performance Standards for Volatile Organic Liquid Storage Vessels, 40 CFR 60, Subpart Kb, have been removed.

(4) Oil Extraction Process CAM evaluation for VOCs incorporated.

(5) PSD Minor limits in D.1.1 modified to combine EP-2, EP-6 and EP-11, since these emission units all exhaust to the same stack. The total allowable emissions in D.1.1 do not change as a result of this modification.

Enforcement Issue

There are no enforcement actions pending.

County Attainment Status

The source is located in Jackson County

Pollutant	Designation
SO_2	Better than national standards.
CO	Unclassifiable or attainment effective November 15, 1990.
O_3	Attainment effective December 29, 2005, for the 8-hour ozone standard.[1]
PM_{10}	Unclassifiable effective November 15, 1990.
NO_2	Cannot be classified or better than national standards.
Pb	Not designated.
[1]Unclassifiable or attainment effective October 18, 2000, for the 1-hour ozone standard which was revoked effective June 15, 2005. Unclassifiable or attainment effective April 5, 2005, for $PM_{2.5}$.	

(a) Ozone Standards

(1) On October 25, 2006, the Indiana Air Pollution Control Board finalized a rule revision to 326 IAC 1-4-1 revoking the one-hour ozone standard in Indiana.

(2) On September 6, 2007, the Indiana Air Pollution Control Board finalized a temporary emergency rule to re-designate Allen, Clark, Elkhart, Floyd, LaPorte, and St. Joseph as attainment for the 8-hour ozone standard.

(3) On November 9, 2007, the Indiana Air Pollution Control Board finalized a temporary emergency rule to re-designate Boone, Clark, Elkhart, Floyd, LaPorte, Hamilton, Hancock, Hendricks, Johnson, Madison, Marion, Morgan, Shelby, and St. Joseph as attainment for the 8-hour ozone standard.

(4) Volatile organic compounds (VOC) and Nitrogen Oxides (NOx) are regulated under the Clean Air Act (CAA) for the purposes of attaining and maintaining the National Ambient Air Quality Standards (NAAQS) for ozone. Therefore, VOC and NOx emissions are considered when evaluating the rule applicability relating to ozone. Jackson County has been designated as attainment or unclassifiable for ozone. Therefore, VOC and NOx emissions were reviewed pursuant to the requirements for Prevention of Significant Deterioration (PSD), 326 IAC 2-2.

(b) $PM_{2.5}$
Jackson County has been classified as attainment for $PM_{2.5}$. On May 8, 2008 U.S. EPA promulgated the requirements for Prevention of Significant Deterioration (PSD) for $PM_{2.5}$ emissions, and the effective date of these rules was July 15, 2008. Indiana has three years from the publication of these rules to revise its PSD rules, 326 IAC 2-2, to include those requirements. The May 8, 2008 rule revisions require IDEM to regulate PM10 emissions as a surrogate for $PM_{2.5}$ emissions until 326 IAC 2-2 is revised.

(c) Other Criteria Pollutants
Jackson County has been classified as attainment or unclassifiable in Indiana for all other criteria pollutants. Therefore, these emissions were reviewed pursuant to the requirements for Prevention of Significant Deterioration (PSD), 326 IAC 2-2.

(d) Fugitive Emissions
This type of operation is not one of the twenty-eight (28) listed source categories under 326 IAC 2-2 or 326 IAC 2-3, however, there is an applicable New Source Performance Standard that was in effect on August 7, 1980. Therfore, fugutive emissions are counted toward the determination of PSD and Emission Offset applicability.

Emission Calculations

See Appendix A of this document for detailed emission calculations.

Unrestricted Potential Emissions

This table reflects the unrestricted potential emissions of the source.

Pollutant	tons/year
PM	10,581.63
PM_{10}	10,570.86
SO_2	4.49
VOC	<249.05
CO	107.75
NO_x	87.99

HAPs	tons/year
Single Worst HAP	78.49
Total HAPS	78.49

(a) The potential to emit (as defined in 326 IAC 2-7-1(29)) of PM, $PM_{10,}$ VOC and CO is equal to or greater than 100 tons per year. Therefore, the source is subject to the provisions of 326 IAC 2-7.

(b) The potential to emit (as defined in 326 IAC 2-7-1(29)) of all other criteria pollutants is less than 100 tons per year.

(c) The potential to emit (as defined in 326 IAC 2-7-1(29)) of any single HAP is equal to or greater than ten (10) tons per year and the potential to emit (as defined in 326 IAC 2-7-1(29)) of a combination of HAPs is equal to or greater than twenty-five (25) tons per year. Therefore, the source is subject to the provisions of 326 IAC 2-7.

(d) This type of operation is not one of the twenty-eight (28) listed source categories under 326 IAC 2-7; however, there is an applicable New Source Performance Standard that was in effect on August 7, 1980. Therefore, fugitive emissions from the affected units are counted toward the determination of Part 70 applicability.

Actual Emissions

The following table shows the actual emissions from the source. This information reflects the 2005 OAQ emission data.

Pollutant	Actual Emissions (tons/year)
PM	no data
PM10	15
SO_2	3
VOC	186
CO	no data
NO_x	58
HAP	no data

Part 70 Permit Conditions

This source is subject to the requirements of 326 IAC 2-7, pursuant to which the source has to meet the following:

(a) Emission limitations and standards, including those operational requirements and limitations that assure compliance with all applicable requirements at the time of issuance of Part 70 permits.

(b) Monitoring and related record keeping requirements which assume that all reasonable information is provided to evaluate continuous compliance with the applicable requirements.

Potential to Emit After Issuance

The table below summarizes the potential to emit, reflecting all limits, of the emission units. Any control equipment is considered federally enforceable only after issuance of this Part 70 permit renewal, and only to the extent that the effect of the control equipment is made practically enforceable in the permit.

	Potential to Emit (tons/year)					
Process/ Emission Unit	**PM**	**PM_{10}**	**SO_2**	**VOC**	**CO**	**NO_X**
Grain/Meal Receiving and Handling Process[1]	119.59	119.59	0	0	0	0
Boilers	34.19	30.53	4.49	3.05	107.75	87.99
Oil Extraction System	0	0	0	245.00	0	0
Insignificant Activities	15	15	0	1	0	0
Total	**168.78**	**165.12**	**4.49**	**249.05**	**107.75**	**87.99**
PSD Major Source Threshold	**250**	**250**	**250**	**250**	**250**	**250**

[1]Grain/Meal Receiving and Handling Process have not changed due to the addition of the new soybean meal storage tank because the existing grain throughput limit has remained unchanged.

(a) This existing stationary source is not major for PSD because the emissions of each criteria pollutant are less than two hundred fifty (<250) tons per year, and it is not one of the twenty-eight (28) listed source categories.

(b) This type of operation is not one of the twenty-eight (28) listed source categories under 326 IAC 2-2 or 326 IAC 2-3, however, there is an applicable New Source Performance Standard that was in effect on August 7, 1980. Therfore, fugutive emissions are counted toward the determination of PSD and Emission Offset applicability for NSPS affected emission units.

Federal Rule Applicability

CAM

(a) Pursuant to 40 CFR 64.2, Compliance Assurance Monitoring (CAM) is applicable to existing emission units that involve a pollutant-specific emission unit and meet the following criteria:

(1) has a potential to emit before controls equal to or greater than the major source threshold for the pollutant involved;

(2) is subject to an emission limitation or standard for that pollutant; and

(3) uses a control device, as defined in 40 CFR 64.1, to comply with that emission limitation or standard.

The following table is used to identify the applicability of each of the criteria, under 40 CFR 64.1, to each new emission unit and specified pollutant subject to CAM:

Emission Unit	Control Device Used	Emission Limitation or Standard (Y/N)	Uncontrolled PTE (tons/year)	Controlled PTE (tons/year)	Part 70 Major Source Threshold (tons/year)	CAM Applicable (Y/N)	Large Unit (Y/N)
Cleaning and Weighing Operation[(a)]	baghouse	Y	1102.80	1.10	100	Y	N
Drying and Conditioning Operation[(a)]	cyclone	Y	583.42	11.67	100	Y	N
Meal Grinding Operation[(a)]	baghouse	Y	3723.00	3.72	100	Y	N
DTDC System[(a)]	cyclone	Y	4051.50	81.03	100	Y	N
Meal Loadout System[(a)]	baghouse	Y	118.26	0.12	100	Y	N
2 Flaking Operations[(a)]	cyclone	Y	405.15	16.21	100	Y	N
Grain Receiving Hopper[(a)]	baghouse	Y	197.10	0.20	100	Y	N
Hull Grinding[(a)]	baghouse	Y	146.29	0.15	100	Y	N
Propane/Wood Boilers[(a)]	cyclone	Y	100.56	34.19	100	Y	N
Flaking Operation[(a)]	cyclone	Y	135.00	5.40	100	Y	N
Oil Extraction[(b)] System	mineral oil scrubber	Y	245	6.7	100	Y	N

[(a)] Emission units evaluated for CAM applicability for PM/PM10.
[(b)] Emission units evaluated for CAM applicability for VOC.

(1) Based on this evaluation, the requirements of 40 CFR Part 64, CAM are applicable to the Cleaning and Weighing Operation, Drying and Conditioning Operation, Meal Grinding Operation, DTDC System, Meal Loadout System, Two (2) Flaking Operation, Grain Receiving Hopper, Hull Grinding, Propane/Wood Boilers and Flaking Operation for PM/PM_{10} and the Oil Extraction System for VOC. A CAM plan for these units was submitted October 30, 2003 and the CAM plan will be incorporated into this Part 70 Renewal.

(2) The Oil Extraction System was not evaluated for CAM applicability for the Hazardous Air Pollutant n-Hexane because this pollutant is subject to the requirements of the National Emission Standards for Hazardous Air Pollutants (NESHAPs): Solvent Extraction for Vegetable Oil Production), 40 CFR 63.2830 through 63.2872.

(3) A detailed evaluation for CAM applicability for PM/PM_{10} was not conducted for the insignificant activites. Since the uncontrolled emissions (based on actual operational restictions) are less than one hundred (100) tons per year, the requirements of CAM do not apply to the insignificant activites for PM/PM_{10}.

NSPS

(b) The oil extraction system is subject to the New Source Performance Standard for Grain Elevators, 40 CFR 60, Subpart DD, which is incorporated by reference as 326 IAC 12. The grain dryers, the grain receiving operations, and the grain handling operations at this source are subject to the requirements of 326 IAC 12 and 40 CFR Part 60.300 through 60.304 because the soybean oil extraction plant was constructed after August 3, 1978 and have a grain storage elevator with a permanent storage capacity greater than 1 million bushels.

Since, soybean meal and hull do not meet the “grain” definition in 40 CFR 60.301(a), the requirements of this rule does not apply to the meal and hull processing operations at this source.

The grain dryer at this source is not a column dryer or a rack dryer as defined in 40 CFR 60.301. Therefore, the requirements in 40 CFR 60.302(a) are not applicable.

The affected facilities are subject to the following sections of 326 IAC 12 and 40 CFR Part 60, Subpart DD, which is included as Attachment A to the permit.

(1) 40 CFR 60.300
(2) 40 CFR 60.301
(3) 40 CFR 60.302 (b), and (c)(2)
(4) 40 CFR 60.303
(5) 40 CFR 60.304

The provisions of 40 CFR Part 60, Subpart A (General Provisions), which are incorporated as 326 IAC 12-1, apply to the affected facilities described in 40 CFR 60.300 except when otherwise specified in 40 CFR Part 60, Subpart DD.

(c) The propane and wood fired boilers are subject to the New Source Performance Standard for Small Industrial-Commercial-Institutional Steam Generating Units, 40 CFR 60, Subpart Dc, which is incorporated by reference as 326 IAC 12 and 40 CFR Part 60.40c through 60.48c because the boilers (EP-9 and EP-10) were constructed after June 9, 1989 and each has a heat input capacity greater than 10 MMBtu/hr and less than 100 MMBtu/hr.

The affected facilities are subject to the following sections of 326 IAC 12 and 40 CFR Part 60, Subpart Dc, which is included as Attachment B to the permit.

(1) 40 CFR 60.40c (a)(b)(c)
(2) 40 CFR 60.41c
(3) 40 CFR 60.48c (a), (g), (i), (j)

The provisions of 40 CFR Part 60, Subpart A (General Provisions), which are incorporated as 326 IAC 12-1, apply to the affected facilities described in 40 CFR 60.40c except when otherwise specified in 40 CFR Part 60, Subpart Dc.

(d) The solvent storage tank with a maximum capacity of 20,800 gallons and three (3) working tanks, with maximum capacities of 14,200 gallons, listed as insignificant activities, are not subject to the New Source Performance Standard, 40 CFR Part 60.110b, Subpart Kb, Standards of Performance for Volatile Organic Liquid Storage, because each have a storage capacity of less than 39,000 gallons.

NESHAPS

(e) The oil extraction system is subject to the National Emission Standards for Hazardous Air Pollutants for Haxardous Air Pollutants: Solvent Extraction for Vegetable Oil Production, 40 CFR 63, Subpart GGGG, which is incorporated by reference as 326 IAC 12 and 40 CFR Part 60.2830 through 60.2872 because the soybean oil extraction plant was before May 26, 2000 at a major source of HAPS emissions and no reconstruction has occurred.

The affected facilities are subject to the following sections of 326 IAC 20 and 40 CFR Part 63, Subpart GGGG, which is included as Attachment C to the permit.

(1) 40 CFR 63.2830
(2) 40 CFR 63.2831
(3) 40 CFR 63.2832 (a)
(4) 40 CFR 63.2833 (a)(1)
(5) 40 CFR 63.2834 (a)
(6) 40 CFR 63.2840 (a)(1), (a)(2)(ix), (b)(1) through (b)(5), (c), (d), (e), (f)
(7) 40 CFR 63.2850 (a), (b), (d) (e)(1)(i), (e)(1)(iii) and (e)(2)
(8) 40 CFR 63.2851
(9) 40 CFR 63.2852
(10) 40 CFR 63.2853
(11) 40 CFR 63.2854
(12) 40 CFR 63.2855
(13) 40 CFR 63.2860 (a), (c) and (d)
(14) 40 CFR 63.2861
(15) 40 CFR 63.2862
(16) 40 CFR 63.2863
(17) 40 CFR 63.2870
(18) 40 CFR 63.2871
(19) 40 CFR 63.2872

The provisions of 40 CFR Part 63, Subpart A (General Provisions), which are incorporated as 326 IAC 20-1, apply to the affected source except when otherwise specified in 40 CFR Part 63, Subpart GGGG.

(f) The propane and wood fired boilers would have been subject to the requirements of the National Emission Standards for Hazardous Air Pollutants for Industrial, Commercial, and Institutional Boilers and Process Heaters, 40 CFR 63, Subpart DDDDD. However, on June 8, 2007, the United States Court of appeals for the District of Columbia Circuit (in NRDC v. EPA, no. 04-1386) vacated in its entirety the National Emission Standards for Hazardous Air Pollutants for Industrial, Commercial, and Institutional Boilers and Process Heaters, 40 CFR 63, Subpart DDDDD. Additionally, since the state rule at 326 IAC 20-95 incorporated the requirements of the NESHAP 40 CFR 63, Subpart DDDDD by reference, the requirements of 326 IAC 20-95 are no longer effective. Therefore, the requirements of 40 CFR 63, Subpart DDDDD and 326 IAC 20-95 are not included in the permit.

State Rule Applicability - Entire Source

326 IAC 1-5-2 (Emergency Reduction Plans)
The source is subject to 326 IAC 1-5-2.

326 IAC 1-6-3 (Preventive Maintenance Plan)
The source is subject to the requirements of 326 IAC 1-6-3.

326 IAC 2-2 (Prevention of Significant Deterioration (PSD))

This source was constructed in 1991 and modified in 1999, 2001 and 2007. This source is not in one of 28 source categories defined in 326 IAC 2-2-1(gg)(1), and the potential to emit PM, PM10, and VOC before control from the entire source is each greater than 250 tons/yr. However, the source has been using baghouses and cyclones to control PM/PM10 emissions. When this source was constructed in 1991, the PM/PM10 from the entire source after control was less than 140 tons/yr assuming 8,760 hours of operation per year.

The modification in 1999 consisted of two (2) propane/wood fired boilers (EP-9 and EP-10). The potential to emit for this modification is limited to less than 34.2 tons/yr for PM and less than 30.5 tons/yr for PM10. The modification in 2001 consisted of one (1) flaking operation (EP-11), which is controlled by a cyclone and has potential to emit PM/PM10 of 5.40 tons/yr after control. The modification in 2007 consisted of one (1) specialty soybean meal loadout. The potential to emit PM/PM10 for this modification is 3.55 tons per year. Therefore, these modifications were considered minor under PSD and the potential to emit PM and PM10 from the entire source was limited to less than 250 tons/yr after these modifications. Therefore, the source remained minor under the PSD rules.

The source estimates VOC emissions through a mass-balance approach using the amount of additional solvent purchased and assuming all solvent loss, including the VOC lost from the desolventizer, the toaster, the dryer, the cooler, and the solvent storage tanks, are VOC emissions. Although the potential VOC emissions are greater than 250 tons/yr, the source stated that their actual VOC emissions are between 200 and 250 tons/yr based on their solvent purchase records and their mass-balance calculations. Therefore, this existing source is and remains a PSD minor source.

In order to maintain the PSD minor source status, the Permitee shall comply with the following:

(a) The PM and PM10 emissions from the following emission units shall be limited as follows:

Unit ID	Unit Description	PM/PM10 Emission Limits (lbs/hr)
EP-1	Cleaning and Weighting Operation	0.30
EP-2, EP-6 and EP11	Drying and Conditioning and Flaking Operations	8.50
EP-3	Meal Grinding Operation	1.00
EP-4	DTDC System	19.00
EP-5	Meal Loadout System	2.00
EP-7	Grain Receiving Hopper	1.00
EP-8	Hull Grinding Operation	0.10

This is equivalent to 140 tons/yr of PM/PM10 emissions. According to the emission calculations (see Appendix A), these units are capable of complying with the emission limits above after control. The baghouses and cyclones, controlling particulate emissions from these units, shall be in operation at all times that the units are in operation, in order to comply with the above limits. Combined with the PM/PM10 emissions from the boilers and the insignificant activities, the PM/PM10 emissions from the entire source are limited to less than 250 tons/yr.

(b) The extraction solvents purchased shall be limited to less than 245 tons per twelve (12) consecutive month period with compliance determined at the end of each month. Combined with the VOC emissions from the boilers and other insignificant activities, the VOC emissions from the entire source are limited to less than 250 tons/yr.

Therefore, the requirements of 326 IAC 2-2 (PSD) are not applicable.

326 IAC 2-4.1-1 (Major Sources of HAP, New Source Toxic Control)
This source was constructed in 1991 and modified in 1999. When this source was constructed in 1991, it was a major source for HAP emissions. Since this source was constructed before July 27, 1997, the requirements of 326 IAC 2-4.1-1 (MACT) are not applicable to the construction of this source.

The modifications in 1999, 2001 and 2007 did not have potential to emit HAPs greater than 10 tons/yr for a single HAP and 25 tons/yr for any combination of HAPs. Therefore, the requirements of 326 IAC 2-4.1-1 (MACT) are not applicable to the modifications in 1999, 2001 and 2007.

326 IAC 2-6 (Emission Reporting)
This source is subject to 326 IAC 2-6 (Emission Reporting) because it is required to have an operating permit under 326 IAC 2-7, Part 70 program. Pursuant to this rule, the Permittee shall submit an emission statement certified pursuant to the requirements of 326 IAC 2-6. In accordance with the compliance schedule specified in 326 IAC 2-6-3, an emission statement must be submitted triennially by July 1 beginning in 2006 and every 3 years after. Therefore, the next emission statement for this source must be submitted by July 1, 2012. The emission statement shall contain, at a minimum, the information specified in 326 IAC 2-6-4.

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

State Rule Applicability - Grain/Meal Handling Processes

326 IAC 6-3-2 (Particulate Emission Limitations for Manufacturing Processes)
(a) The cleaning and weighing operation (EP-1), the drying and conditioning operation (EP-2), the flaking operations (EP-6 and EP-11), and the grain receiving hopper (EP-7) are subject to a more stringent particulate matter limitation, pursuant to 40 CFR 60, Subpart DD (NSPS for Grain Elevators). Therefore, these operations are exempt from the requirements of 326 IAC 6-3, pursuant to 326 IAC 6-3-1(c)(5).

(b) Pursuant to 326 IAC 6-3-2, particulate emissions from each of following operations shall not exceed the pound per hour limits listed in the table below:

Unit ID	Unit Description	Maximum Process Weight Rate (tons/hr)	Allowable Particulate Emission Rate (lbs/hr)
EP-3	Meal Grinding Operation	25	35.4
EP-4	DTDC System	25	35.4
EP-5	Meal Loadout System	100	51.3
EP-8	Hull Grinding Operation	1.67	5.78

The pounds per hour limits were calculated with one of the following equations:

(a) 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) Interpolation and extrapolation of the data for the process weight rate in excess of sixty thousand (60,000) pounds per hour shall be accomplished by use of the equation:

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

According to the emission calculations (see Appendix A), the potential to emit PM, after control, from each of the operations EP-3, EP-4, EP-5 and EP-8 is less than the emission limits above. Therefore, operations EP-3, EP-4, EP-5 and EP-8 are capable of complying with 326 IAC 6-3-2, after control. The baghouses and cyclones, controlling particulate emissions from these units, shall be in operation at all times that the units they control are in operation, in order to comply with the above limits.

State Rule Applicability - Oil Extraction System

326 IAC 8-1-6 (General Reduction Requirements for VOC Emissions)
The oil extraction system at this source was constructed after 1980 and has potential VOC emissions greater than 25 tons/yr. Therefore, this oil extraction system is subject to the requirements of 326 IAC 8-1-6 and is required to control the VOC emissions with the Best Available Control Technology (BACT).

Pursuant to CP #071-1894-00018, issued on November 14, 1990, the BACT for the oil extraction system (EP-12) was determined to be the following:

(a) an equipment design of a desolventizer-toaster/cooler system; and

(b) a mineral oil absorber to control the emissions from the oil extraction system.

This source currently operates a desolventizer-toaster/cooler system (EP-4) and oil extraction system (EP-12). These units are controlled by a mineral oil absorber (95% efficiency), which is used to recover the solvent from the extraction system. Therefore, the oil extraction system (EP-12) at this source is in compliance with the requirements of 326 IAC 8-1-6 (BACT).

State Rule Applicability - Wood Fired Boilers

326 IAC 6-2-4 (Emission Limitations for Sources of Indirect Heating)
The wood fired boilers, EP-9 and EP-10, are sources of indirect heat and were constructed after September 21, 1983, however they are not subject to the requirements of this rule because emission units subject to 40 CFR 60, Subpart Dc are exempt from these requirements, pursuant to 326 IAC 6-2-1(f).

326 IAC 7-1.1-2 (Sulfur Dioxide Emission Limitations)
The potential to emit SO_2 from each of the wood fired boilers (EP-9 and EP-10) is less than 25 tons/yr. Therefore, the requirements of 326 IAC 7-1.1-2 are not applicable.

326 IAC 8-1-6 (Volatile Organic Compounds – BACT)
The wood fired boilers, EP-9 and EP-10, were constructed after 1980; however they are not subject to the requirements of this rule because the potential VOC emissions are less than twenty-five (25) tons per year.

State Rule Applicability - Insignificant Activities

326 IAC 6-3 (Particulate Emission Limitations for Manufacturing Processes)

(a) Pursuant to 326 IAC 6-3-1(b)(9) & (10), the welding operations at this source consume less than 625 pounds of wire per day and the torch cutting operations, cut less than 3,400 inches per hour of one inch thickness stock, therefore they are exempt from this rule.

(b) Pursuant to 326 IAC 6-3-2, the particulate matter (PM) from the specialty soybean meal loadout shall not exceed 8.56 pounds per hour when operating at a process weight rate of 3.0 tons per hour. The pound per hour limitation was calculated with the same equation shown above.

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

In accordance with 326 IAC 6-3-2 (e)(1), the allowable emission rate based on the process weight rate for the soybean meal loadout emission unit is 8.56 pounds per hour. The potential to emit for this process is 0.81 pounds per hour. Therefore, this unit is capable of complying with this limit without control equipment.

326 IAC 6-4 (Fugitive Dust Emissions)

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

326 IAC 8-9 (Volatile Organic Liquid Storage Vessels)

This source is not located in Clark, Floyd, Lake, or Porter County. Therefore, the requirements of 326 IAC 8-9-1 are not applicable to the VOC storage tanks at this source.

Compliance Determination and Monitoring Requirements

Permits issued under 326 IAC 2-7 are required to ensure that sources can demonstrate compliance with all applicable state and federal rules on a continuous basis. All state and federal rules contain compliance provisions; however, these provisions do not always fulfill the requirement for a continuous demonstration. When this occurs, IDEM, OAQ, in conjunction with the source, must develop specific conditions to satisfy 326 IAC 2-7-5. As a result, Compliance Determination Requirements are included in the permit. The Compliance Determination Requirements in Section D of the permit are those conditions that are found directly within state and federal rules and the violation of which serves as grounds for enforcement action.

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

The compliance monitoring requirements applicable to this source are as follows:

(a) Cleaning and Weighing Operations (EP-1), Drying and Conditioning Operation (EP-2), Meal Grinding Operation (EP-3), Desolventizer-Toater/Dryer-Cooler (DTDC) System (EP-4), Meal Loadout Operation (EP-5), Flaking Operations with aspirated air (EP-6 and EP-11) Grain Receiving Operation (EP-7) and Hull Grinding Operation (EP-8).

(1) Testing Requirements
The Permittee shall perform PM and PM10 testing on the units listed in Condition D.1.1, to demonstrate compliance with Condition D.1.1. These tests shall be repeated at least once every five years from the date of the last valid compliance demonstration. This testing shall be conducted utilizing methods approved by the Commissioner in accordance with Section C - Performance Testing. PM10 includes filterable and condensable PM.

(2) Particulate Control
In order to comply with Conditions D.1.1 and D.1.2, the baghouses, cyclones and scrubbers for particulate control shall be in operation and control emissions from the emission units EP-1 through EP-8 and EP-11 at all times that these units are in operation.

(3) Visible Emission Notations

(a) Daily visible emission notations of stack exhausts from stacks #EP-1 through #EP-8, and #EP-11 shall be performed during normal daylight operations. A trained employee shall record whether emissions are normal or abnormal.

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

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

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

(e) If abnormal emissions are 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.

(4) Parametric Monitoring
The Permittee shall record the total static pressure drop across the baghouses at least once per shift when the cleaning and weighing operation (EP-1), the meal grinding operation (EP-3), the meal loadout operation (EP-5), the grain receiving operation (EP-7), and the hull grinding operation (EP-8) are in operation. For units EP-1, EP-3, EP-5 and EP-7, the pressure drop across the baghouse shall have a normal range of 2.0 to 8.0 inches of water column. For unit EP-8, the pressure drop across the baghouse shall have a normal range of 0.5 to 4.0 inches of water column. When for any one reading, the pressure drop across the any of the baghouses is outside the normal range, the Permittee shall take reasonable response steps in accordance with Section C - Response to Excursions or Exceedances. A pressure reading that is outside the above mentioned range is not a deviation from this permit. Failure to take response steps in accordance with Section C - Response to Excursions or Exceedances, shall be considered a deviation from this permit. The instrument used for determining the pressure shall comply with Section C - Instrument Specifications, of this permit, shall be subject to approval by IDEM, OAQ, and shall be calibrated at least once every six (6) months.

(5) Broken or Failed Bag Detection

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

(b) Bag failure may be indicated by a significant drop in the baghouse's pressure readings with abnormal visible emissions, by an opacity violation, or by other means, such as gas temperatures, flow rates, air infiltration, leaks, dust traces or triboflows.

(6) Cyclone Failure Detection

In the event that cyclone failure has been observed:

Failed units and the associated process will be shut down immediately until the failed units have been repaired or replaced. Operations may continue only if the event qualifies as an emergency and the Permittee satisfies the requirements of the emergency provisions of this permit (Section B - Emergency Provisions). Failure to take response steps in accordance with Section C - Response to Excursions or Exceedances, shall be considered a deviation from this permit.

These monitoring conditions are necessary because the cyclones used to control the drying and conditioning operation (EP-2), the desolventizer-toaster/dryer-cooler (EP-4) and the flaking operations (EP-6 and EP-11) must operate properly to ensure compliance with 326 IAC 2-2 (PSD), 326 IAC 6-3 (Particulate Emission Limitations for Manufacturing Processes), 326 IAC 2-7 (Part 70), 40 CFR 60, Subpart DD (NSPS for Grain Elevators) and 40 CFR 64 (CAM).

(b) Oil Extraction System

(1) VOC Control

Pursuant to 326 IAC 2-2-3 and in order to comply with Conditions D.2.2(b), the mineral oil absorber shall be operated at all times that the hexane solvent oil extraction process (EU38) is in operation.

(2) VOC Monitoring

(a) The Permittee shall monitor and record the mineral oil flow rate to the mineral oil absorber at least once per day.

(b) A continuous monitoring system shall be calibrated, maintained, and operated on the mineral oil absorber for measuring operating temperature. For purposes of this condition continuous shall mean temperature measurement no less than once per minute. The output of this system shall be recorded as a 3-hour average. The Permittee shall operate the mineral oil absorber at or above the 3-hour average temperature as recommended by the manufacturer.

(1) The Permittee shall determine the 3-hour average temperature that demonstrates compliance with the limits in conditions D.2.1, as approved by IDEM.

(2) The Permittee shall maintain the temperature of the mineral oil to the absorber at or above the 3-hour average temperature as observed during the compliant stack test.

(c) A continuous monitoring system shall be calibrated, maintained, and operated on the soybean oil super stripper for measuring the temperature of soybean oil in the stripper. For purposes of this condition continuous shall mean temperature measurement no less than once per minute. The output of this system shall be recorded as a 3-hour average. The Permittee shall maintain the mineral oil temperature in the stripper at or above the 3-hour average temperature as recommended by the manufacturer.

(1) The Permittee shall determine the 3-hour average temperature that demonstrates compliance with limits in condition D.2.1, as approved by IDEM.

(2) The Permittee shall operate the mineral oil absorber at or above the 3-hour average temperature.

(d) If any of the following operating conditions occur, 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.

(1) When the mineral oil flow rate reading is below the minimum mineral oil flow rate for any one reading. The minimum mineral oil flow rate to the mineral oil absorber will be as recommended by the manufacturer.

(2) When the temperature reading of the mineral oil to the absorber is below the minimum temperature for any one reading. The minimum temperature of the mineral oil to the absorber will be as recommended by the manufacturer.

(3) When the temperature reading of the mineral oil in the super stripper is below the minimum temperature for any one reading. The minimum temperature of the mineral oil in the super stripper will be as recommended by the manufacturer.

(e) A flow rate or temperature reading that is below the minimum flow rate or temperature reading 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) The instruments used for determining the flow rate and temperature reading shall be subject to approval by IDEM, OAQ, and shall be calibrated at least once every six (6) months.

(g) The gauge employed to take the mineral oil flow across the scrubber shall have a scale such that the expected normal reading shall be no less than 20 percent of full scale and be accurate within + 10% of full scale reading. The instrument shall be quality assured and maintained as specified by the vendor.

These monitoring conditions are necessary to ensure that the mineral oil absorber is working properly to demonstrate compliance with 326 IAC 2-2 (PSD), 326 IAC 8-1-6 (BACT) and 40 CFR 64 (CAM).

(c) Boilers EP-9 and EP-10

(1) Visible Emissions Notations

(a) Daily visible emission notations of the exhaust of boiler stacks EP-9 and EP-10 shall be performed during normal daylight operations. A trained employee shall record whether emissions are normal or abnormal.

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

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

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

(e) If abnormal emissions are 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.

(2) Cyclone Failure Detection
In the event that cyclone failure has been observed:

Failed units and the associated process will be shut down immediately until the failed units have been repaired or replaced. Operations may continue only if the event qualifies as an emergency and the Permittee satisfies the requirements of the emergency provisions of this permit (Section B - Emergency Provisions). Failure to take response steps in accordance with Section C - Response to Excursions or Exceedances, shall be considered a deviation from this permit.

These monitoring conditions are necessary because the cyclones used to control the boilers (EP-9 and EP-10) must operate properly to ensure compliance with 326 IAC 6-2-4 (Emission Limitations for Sources of Indirect Heating).

Recommendation

The staff recommends to the Commissioner that the Part 70 Operating Permit Renewal be approved. This recommendation is based on the following facts and conditions:

Unless otherwise stated, information used in this review was derived from the application and additional information submitted by the applicant.

An application for the purposes of this review was received on October 2, 2008. Additional information was received on February 5, 2009.

Conclusion

The operation of this soybean oil production plant shall be subject to the conditions of the attached Part 70 Operating Permit Renewal No. T071-27062-00018.

Appendix A: Emission Calculations
Summary
Company Name: Rose Acre Farms, Inc.
Address: 6874 North Base Rd., Seymour, IN 47274
Permit Renewal No.: T071-27062-00018
Reviewer: Jean Boling
Date: October 2, 2008

		Uncontrolled Emissions						
Unit ID	Unit Description	PM (tons/yr)	PM10 (tons/yr)	SO2 (tons/yr)	NOx (tons/yr)	VOC (tons/yr)	CO (tons/yr)	Single Worst HAP n-Hexane (tons/yr)
EP-1	Cleaning and Weighing Operation	1102.80	1102.80	-	-	-	-	-
EP-2	Drying and Conditioning Operation	583.42	583.42	-	-	-	-	-
EP-3	Meal Grinding Operation	3723.00	3723.00	-	-	-	-	-
EP-4	DTDC System	4051.50	4051.50	-	-	-	-	-
EP-5	Meal Loadout System	118.26	118.26	-	-	-	-	-
EP-6	2 Flaking Operations	405.15	405.15	-	-	-	-	-
EP-7	Grain Receiving Hopper	197.10	197.10	-	-	-	-	-
EP-8	Hull Grinding	146.29	146.29	-	-	-	-	-
EP-9 & 10	Propane/Wood Boilers	100.56	92.84	4.49	87.99	3.05	107.75	-
EP-11	Flaking Operation	135.00	135.00	-	-	-	-	-
EP-12	Oil Extraction System	-	-	-	-	>245	-	156.80
EP-13	Meal Loadout System	3.55	3.55	-	-	-	-	-
	Other Insignificant Activities	15.00	15.00	-	-	1.00	-	-
	Total	**10,581.63**	**10,573.91**	**4.49**	**87.99**	**>249.05**	**107.75**	**156.80**

		Controlled Emissions						
Unit ID	Unit Description	PM (tons/yr)	PM10 (tons/yr)	SO2 (tons/yr)	NOx (tons/yr)	VOC (tons/yr)	CO (tons/yr)	Single Worst HAP n-Hexane (tons/yr)
EP-1	Cleaning and Weighing Operation	1.10	1.10	-	-	-	-	-
EP-2	Drying and Conditioning Operation	11.67	11.67	-	-	-	-	-
EP-3	Meal Grinding Operation	3.72	3.72	-	-	-	-	-
EP-4	DTDC System	81.03	81.03	-	-	-	-	-
EP-5	Meal Loadout System	0.12	0.12	-	-	-	-	-
EP-6	2 Flaking Operations	16.21	16.21	-	-	-	-	-
EP-7	Grain Receiving Hopper	0.20	0.20	-	-	-	-	-
EP-8	Hull Grinding	0.15	0.15	-	-	-	-	-
EP-9 & 10	Propane/Wood Boilers	34.19	31.57	4.49	87.99	3.05	107.75	-
EP-11	Flaking Operation	5.40	5.40	-	-	-	-	-
EP-12	Oil Extraction System	-	-	-	-	245.00	-	156.80
EP-13	Meal Loadout System	3.55	3.55	-	-		-	-
	Other Insignificant Activities	15.00	15.00	-	-	1.00	-	-
	Total	**172.33**	**169.71**	**4.49**	**87.99**	**249.05**	**107.75**	**156.80**

*PM and PM10 emissions from insignificant activities at the source is assumed to be less than 15 tons per year, therefore 15 tons per year was added to the PM and PM10 total emissions. This includes all insignificant activities that emit PM and PM10 at the source except for the Meal Loadout System, identified as EP-13, which is listed in the table above.

**VOC emissions from insignificant activities is assumed to be one ton per year, therefore 1 ton per year was added to the VOC total emissions. This includes all insignificant activities that emit VOCs at the source except for those listed in the table above.

Appendix A: Emission Calculations
PM and PM10 Emissions from
Grain/Meal Receiving and Processing Emissions
Company Name: Rose Acre Farms, Inc.
Address: 6874 North Base Rd., Seymour, IN 47274
Permit Renewal No.: T071-27062-00018
Reviewer: Jean Boling
Date: October 2, 2008

Unit ID	Unit Description	Max. Throughput Rate (tons/hr)	Uncontrolled Emission Factor (lbs/ton)	PTE of PM/PM10 before Control (lbs/hr)	PTE of PM/PM10 before Control (tons/yr)	Control Device	Control Efficiency[e]	PTE of PM/PM10 after Control (lbs/hr)	PTE of PM/PM10 after Control (tons/yr)
EP-1	Cleaning and Weighing Operation [a]	33.30	7.56	251.78	1102.80	baghouse	99.9%	0.25	1.10
EP-2	Drying and Conditioning Operation[b]	33.30	4.00	133.20	583.42	cyclone	98.0%	2.66	11.67
EP-3	Meal Grinding Operation[c]	25.00	34.00	850.00	3723.00	baghouse	99.9%	0.85	3.72
EP-4	DTDC System[d]	25.00	37.00	925.00	4051.50	cyclone	98.0%	18.50	81.03
EP-5	Meal Loadout System[c]	100.00	0.27	27.00	118.26	baghouse	99.9%	0.03	0.12
EP-6	2 Flaking Operations[c]	25.00	3.70	92.50	405.15	cyclone	96.0%	3.70	16.21
EP-7	Grain Receiving Hopper[c]	300.00	0.15	45.00	197.10	baghouse	99.9%	0.05	0.20
EP-8	Hull Grinding[c]	1.67	20.00	33.40	146.29	baghouse	99.9%	0.03	0.15
EP-11	Flaking Operation[c]	8.33	3.70	30.82	135.00	cyclone	96.0%	1.23	5.40
EP-13	Meal Loadout Operation[c]	3.00	0.27	0.80	3.55	N/A	N/A	0.80	3.55
				Total	**10466.07**				**123.14**

Assume PM emissions are equal to PM10 emissions. PTE = Potential to Emit.

[a] The emission factor (EF) for this process is the sum of the EF for grain cleaning process and the EF for grain handling (AP-42, Table 9.9.1-1, SCC 3-02-005-30 and 3-02-005-03, date 03/03).
Assume uncontrolled EF = controlled EF / (1-99%).

[b] The EF for this process is the sum of the EFs for grain drying process (AP-42, Table 9.9.1-1, SCC 3-02-005-28, date 03/03) and the EF for conditioning process (AP-42, Table 9.11.1-1, SCC 3-02-007-87, date 11/95).
Assume uncontrolled EF = controlled EF / (1-99%).

[c] The EFs for these processes are from AP-42, Table 9.11.1-1, SCC 3-02-007-93, 3-02-007-91, 3-02-007-88, 3-02-007-81, 3-02-007-86, date 11/95.
Assume uncontrolled EF = controlled EF / (1-99%).

[d] The EF for this process is the sum of the EF for meal dryer process (SCC 3-02-007-89) and the EF for meal cooler process (AP-42, Table 9.11.1-1, SCC 3-02-007-90, date 11/95).
Assume uncontrolled EF = controlled EF / (1-99%).

[e] This information is provided by the source.

PTE of PM/PM10 before Control (lbs/hr) = Max. Throughput Rate (tons/hr) x Uncontrolled Emission Factor (lbs/ton)
PTE of PM/PM10 before Control (tons/yr) = Max. Throughput Rate (tons/hr) x Uncontrolled Emission Factor (lbs/ton) x 8760 hr/yr x 1 ton/2000 lbs
PTE of PM/PM10 after Control (lbs/hr) = Max. Throughput Rate (tons/hr) x Uncontrolled Emission Factor (lbs/ton) x (1- Control Efficiency)
PTE of PM/PM10 after Control (tons/yr) = Max. Throughput Rate (tons/hr) x Uncontrolled Emission Factor (lbs/ton) x 8760 hr/yr x 1 ton/2000 lbs x (1-Control Efficiency)

Appendix A: Emission Calculations
Oil Extraction System (EP-12)
Company Name: Rose Acre Farms, Inc.
Address: 6874 North Base Rd., Seymour, IN 47274
Permit Renewal No.: T071-27062-00018
Reviewer: Jean Boling
Date: October 2, 2008

1. Process Description:

Maximum Process Rate	=	33.3	tons/hr of soybeans
Solvent Used	=	36% iso-hexane (Non-HAP Solvent) and 64% n-hexane	
Control Device	=	mineral oil absorber (95% efficiency)	

*Note: The solvent loss is based on the total amount of the solvents purchased during a given time period. Since the VOC emissions are mainly fugitive emissions, AP-42, Chapter 9.11.1 - Vegetable Oil Processing suggests to estimate the VOC emissions using the extraction solvent usage records. This includes the VOC loss from the mineral oil scrubber, meal dryer/cooler, wastewater and oil storage, cooled meal, cooled soybean oil, and fugitive losses.

2. Potential to Emit VOC = 245 tons/yr

The Permittee has taken a limit for the total extraction solvents shall be limited to less tan 245 twelve (12) consecutive month period in order to render 326 IAC 2-2 not applicable to this source. Therefore, a limited potential to emit (PTE) of 245 tons per year VOC is a conservative estimate of the VOC PTE for the oil extraction system.

VOC Emissions

Main Vent Ctrl. Eff.	=	99%	%	Mineral Oil Scrubber w/Condenser Efficiency
Main Vent Fxn. (uncontrolled)	=	73.84	%	Percent Emissions from Main Vent
Dryer/Cooler Vent Fxn.	=	6.88	%	Percent Emissions from Dryer/Cooler
Fugitives Fxn.	=	19.28	%	Percent Emissions from Fugitive
Main Vent Fxn. (controlled)	=	0.74	%	Main Vent Fxn. (uncontrolled) x 1 - Main Vent Ctrl. Eff.
Dryer/Cooler Emissions	=	62.7	tpy	VOC Potential Emissions x Dryer/Cooler Vent Function / (Dryer/Cooler Vent Fxn + Fugitive Fxn + Main Vent Fxn)
Fugitive Emissions	=	175.6	tpy	VOC Potential Emissions x Fugitive Fxn / (Dryer/Cooler Vent Fxn + Fugitive Fxn + Main Vent Fxn)
Main Vent Emissions	=	6.7	tpy	VOC Potential Emissions x Main Vent Function (controlled / (Dryer/Cooler Vent Fxn + Fugitive Fxn + Main Vent Fxn)

*Note: The sources of VOC emissions from soybean oil extraction are from the main vent, dryer/cooler and fugitives. The percent emissions from eacl these sources are based on one ton of raw soybean input and found in a U.S. Environmental Protection Agency (EPA) publication, as part of th Control Technology Guidelines series, titled Control of Volatile Organic Emissions from Manufacture of Vegetable Oils.

Appendix A: Emission Calculations
Oil Extraction System (EP-12)
Company Name: Rose Acre Farms, Inc.
Address: 6874 North Base Rd., Seymour, IN 47274
Permit Renewal No.: T071-27062-00018
Reviewer: Jean Boling
Date: October 2, 2008

3. Potential to Emit HAPs = 245 tons/yr x 64%
= **156.80 tons/yr**

*Note: The n-hexane solvent used at this source contains 64% by weight of hexane, which is a federally regulated HAP.

HAP Emissions

Main Vent Ctrl. Eff. =	95%	%	Mineral Oil Scrubber w/Condenser Efficiency
Main Vent Fxn. (uncontrolled) =	73.84	%	Percent Emissions from Main Vent
Dryer/Cooler Vent Fxn. =	6.88	%	Percent Emissions from Dryer/Cooler
Fugitives Fxn. =	19.28	%	Percent Emissions from Fugitive
Main Vent Fxn. (controlled) =	3.69	%	Main Vent Fxn. (uncontrolled) x 1 - Main Vent Ctrl. Eff.
Dryer/Cooler Emissions =	56.5	tpy	HAP Potential Emissions x Dryer/Cooler Vent Function / (Dryer/Cooler Vent Fxn + Fugitive Fxn + Main Vent Fxn)
Fugitive Emissions =	158.2	tpy	HAP Potential Emissions x Fugitive Fxn / (Dryer/Cooler Vent Fxn + Fugitive Fxn + Main Vent Fxn)
Main Vent Emissions =	30.3	tpy	HAP Potential Emissions x Main Vent Function (controlled / (Dryer/Cooler Vent Fxn + Fugitive Fxn + Main Vent Fxn)

*Note: The HAP information above was obtained using the main vent, fugitive and dryer/cooler functions for the VOC information on page 3.

Appendix A: Emission Calculations
Boilers (EP-9 and EP-10)
Company Name: Rose Acre Farms
Address: 6874 North Base Rd., Seymour, IN 47274
Permit Renewal No.: T071-27062-00018
Reviewer: Jean Boling
Date: October 2, 2008

1. Potential to Emit (PTE) While Using Wood as Fuel:

Heat Input Capacity
MMBtu/hr
41.0 **(2 boilers total)**

	Pollutant					
	PM	PM_{10}	SO_2	NO_x	VOC	CO
Emission Factor in lb/MMBtu	0.56	0.52	0.025	0.49	0.017	0.60
Potential to Emit in tons/yr	**101**	**92.8**	**4.49**	**88.0**	**3.05**	**108**

Emission factors are from AP-42, Tables 1.6-1, 1.6-2, and 1.6-3 (09/03), and are the worst case scenario.

Methodology

PTE (tons/yr) = Heat Input Capacity (MMBtu/hr) x Emission Factor (lb/MMBtu) x 8760 hr/yr x 1 ton/2000 lbs

2. Potential to Emit (PTE) While Using Propane as Fuel:

Heat Input Capacity MMBtu/hr	Potential Throughput kgals/year	S = Weight % Sulfur
41.0	3925.2	0.5

	Pollutant					
	PM*	PM_{10}*	SO_2	NO_x	VOC	CO
Emission Factor in lb/kgal	0.2	0.7	0.05 *(0.10S)*	13	0.8	7.5
Potential to Emit in tons/yr	**0.39**	**1.37**	**0.10**	**25.5**	**1.57**	**14.72**

*Assume PM emissions are equal to PM10 emissions.
Emission factors are from AP-42, Tables 1.5-1(SCC 1-002-010-02), Supplement B (10/96).
1 gallon of propane has a heating value of 91,500 Btu.

Methodology

Potential Throughput (kgals/year) = Heat Input Capacity (MMBtu/hr) x 8,760 hrs/yr x 1 kgal/1,000 gal x 1 gal/0.0915 MMBtu
PTE (tons/yr) = Throughput (kgals/yr) x Emission Factor (lb/kgal) x 1 ton/2000 lbs

3. PTE of Boilers EP-9 and EP-10:

	Pollutant					
	PM	PM_{10}	SO_2	NO_x	VOC	CO
PTE before Control (tons/yr)	**101**	**92.8**	**4.49**	**88.0**	**3.05**	**108**
Control Efficiency (Cyclone)	**66%**	**66%**	**NA**	**NA**	**NA**	**NA**
PTE after Control (tons/yr)	**34.2**	**31.6**	**4.49**	**88.0**	**3.05**	**108**

Methodology

PTE before Control (tons/yr) = The worst case scenario between using wood and propane as fuel.
PTE after Control (tons/yr) = PTE before Control (tons/yr) x (1- Control Efficiency)

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

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

TO: Rick Brown
Rose Acre Farms, Inc.
6874 N Base Road
Seymour, IN 47274

DATE: December 1, 2009

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

SUBJECT: Final Decision
Part 70 - Renewal
017-27062-00018

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:
Tony Wesner - VP
Scott Flack - Air Consulting Services
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.

Final Applicant Cover letter.dot 11/30/07

INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
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Commissioner

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December 1, 2009

TO: Brownstown Public Library

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

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

Applicant Name: Rose Acre Farms, Inc.
Permit Number: 071-27062-00018

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 12/1/2009 Rose Acre Farms, Inc. 071-27062-00018 Final			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	Type of Mail: **CERTIFICATE OF MAILING ONLY**	

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		Rick Brown Rose Acre Farms, Inc. 6874 N Base Rd Seymour IN 47274 (Source CAATS) via confirmed delivery									
2		Tony Wesner VP Rose Acre Farms, Inc. 6874 N Base Rd Setmour IN 47274 *(RO CAATS)*									
3		Brownstown Public Library 120 E Spring St Brownstown IN 47220 *(Library)*									
4		Jackson County Commissioner Jackson County Courthouse Brownstown IN 47220 *(Local Official)*									
5		Mr. Randy Brown Plumbers & Steam Fitters Union, Local 136 2300 St. Joe Industrial Park Dr Evansville IN 47720 *(Affected Party)*									
6		Mr. Tome Earnhart 3960 N. CR 300 W. North Vernon IN 47265 *(Affected Party)*									
7		Seymour City Council and Mayors Office 301 North Chestnut Street Seymour IN 47274 *(Local Official)*									
8		Jackson County Health Department 801 West 2nd Street Seymour IN 47274-2711 *(Health Department)*									
9		Mr. Scott Flack Air Consulting Services P.O. Box 4813 Lafayette IN 47903 *(Consultant)*									
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