



Mitchell E. Daniels, Jr.
Governor

Thomas W. Easterly
Commissioner

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

TO: Interested Parties / Applicant
DATE: December 3, 2009
RE: Praxair, Inc. / 089 - 27292 - 00177
FROM: Matthew Stuckey, Deputy 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, and may be revoked or modified in accordance with the provisions of IC 13-15-7-1.

If you wish to challenge this decision, IC 4-21.5-3-7 and IC 13-15-6-1(b) or IC 13-15-6-1(a) 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.

For an **initial Title V Operating Permit**, a petition for administrative review must be submitted to the Office of Environmental Adjudication within **thirty (30)** days from the receipt of this notice provided under IC 13-15-5-3, pursuant to IC 13-15-6-1(b).

For a **Title V Operating Permit renewal**, a petition for administrative review must be submitted to the Office of Environmental Adjudication within **fifteen (15)** days from the receipt of this notice provided under IC 13-15-5-3, pursuant to IC 13-15-6-1(a).

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.

Pursuant to 326 IAC 2-7-18(d), any person may petition the U.S. EPA to object to the issuance of an initial Title V operating permit, permit renewal, or modification within sixty (60) days of the end of the forty-five (45) day EPA review period. Such an objection must be based only on issues that were raised with reasonable specificity during the public comment period, unless the petitioner demonstrates that it was impracticable to raise such issues, or if the grounds for such objection arose after the comment period.

To petition the U.S. EPA to object to the issuance of a Title V operating permit, contact:

U.S. Environmental Protection Agency
401 M Street
Washington, D.C. 20406

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.



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

Part 70 Operating Permit Renewal OFFICE OF AIR QUALITY

Praxair, Inc.
Clark Road & Dean H. Mitchell Road
Gary, Indiana 46406

(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.

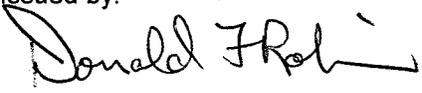
Operation Permit No.: T089-27292-00177	
Issued by:  Donald F. Robin, P.E., Section Chief Permits Branch Office of Air Quality	Issuance Date: December 3, 2009 Expiration Date: December 3, 2014

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Generating Units

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 industrial gas manufacturing plant.

Source Address:	Clark Road & Dean H. Mitchell Road, Gary, Indiana 46406
Mailing Address:	P.O. Box 6188, Gary, Indiana 46406
General Source Phone Number:	716-879-7029
SIC Code:	2813
County Location:	Lake
Source Location Status:	Nonattainment for 8-hour ozone standard Nonattainment for PM _{2.5} standard Attainment for all other criteria pollutants
Source Status:	Part 70 Operating Permit Program Major Source, under PSD and Emission Offset Rules Minor Source, under Nonattainment New Source Review Rules Minor Source, Section 112 of the Clean Air Act Not 1 of 28 Source Categories

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

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

- (a) One (1) natural gas fired turbine, identified as A1, constructed in 1965, with a maximum heat input rate of 160 million British thermal units per hour, exhausting through one (1) stack ID # S001;
- (b) One (1) natural gas fired boiler, identified as A3, constructed in 1966, with a maximum heat input rate of 67 million British thermal units per hour, exhausting through one (1) stack ID # S003;
- (c) One (1) natural gas fired Vaporizer Heater, identified as A12, constructed in 1999, with a maximum heat input rate of 41.8 million British thermal units per hour, equipped with low NOx burners for nitrogen oxide pollution control, exhausting through two (2) stacks ID # S012A and S012B; and
- (d) One (1) natural gas fired boiler, identified as A14, constructed in 2003, with a maximum heat input rate of 12.56 million British thermal units per hour, exhausting through one (1) stack ID # S013.

A.3 Specifically Regulated 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) Five (5) diesel fired emergency generators, identified as A6, A7, A8, A10, and A11 each constructed in 1965, 1971, 1975, 1997, and 1999, respectively, each with a maximum heat input rate of 2.8, 3.3, 2.8, 3.2, and 5.2 million British thermal units per hour per hour, respectively, each exhausting through one (1) stack ID # S006, S007, S008, S010, and S011, respectively;
- (b) Natural gas-fired combustion sources with heat input equal to or less than ten (10) million British thermal units per hour:
 - (1) One (1) thaw heater, identified as A5, with a maximum heat input rate of 6.2 million British thermal units per hour;
 - (2) One (1) regeneration heater, identified as A13, with a maximum heat input rate of 5.7 million British thermal units per hour;
- (c) Paved and unpaved roads and parking lots with public access;
- (d) Four (4) storage tanks, each with a maximum capacity of 1,050, 1,050, 1,000 and 2,000 gallons, respectively, storing diesel oil or fuel oil [326 IAC 8-9];
- (e) New parts washers that meets the requirements of 326 IAC 2.1.1-3(e)(10)(c) of degreasing operations that do not exceed one hundred forty-five (145) gallons per twelve (12) months except if subject to 326 IAC 20-6; and
- (f) A hand held sander which is exempt as per 326 IAC 2.1.1-3(e)(35)(J).

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, 089-27292-00177, 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 April 15 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, and Northwest Regional Office within four (4) daytime business hours after the beginning of the emergency, or after the emergency was discovered or reasonably should have been discovered;

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

Facsimile Number: 317-233-6865
Northwest Regional Office phone: (219) 757-0265; fax: (219) 757-0267.

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

Indiana Department of Environmental Management
Compliance 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. Any emergencies that have been previously reported pursuant to paragraph (b)(5) of this condition and certified by the "responsible official" need only referenced by the date of the original 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 089-27292-00177 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 twenty percent (20%) in any one (1) six (6) minute averaging period as determined in 326 IAC 5-1-4.
- (b) Opacity shall not exceed sixty percent (60%) for more than a cumulative total of fifteen (15) minutes (sixty (60) readings as measured according to 40 CFR 60, Appendix A, Method 9 or fifteen (15) one (1) minute nonoverlapping integrated averages for a continuous opacity monitor) in a six (6) hour period.

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

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

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

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

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

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

C.6 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) In accordance with the compliance schedule specified in 326 IAC 2-6-3(b)(1), the Permittee shall submit by July 1 an emission statement covering the previous calendar year as follows:
- (1) starting in 2004 and every three (3) years thereafter, and
 - (2) any year not already required under (1) if the source emits volatile organic compounds or oxides of nitrogen into the ambient air at levels equal to or greater than twenty-five (25) tons during the previous calendar year.
- (b) 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).

- (c) 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] [326 IAC 2-2][326 IAC 2-3]

- (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) If there is a reasonable possibility (as defined in 40 CFR 51.165(a)(6)(vi)(A), 40 CFR 51.165(a)(6)(vi)(B), 40 CFR 51.166(r)(6)(vi)(a), and/or 40 CFR 51.166(r)(6)(vi)(b)) that a "project" (as defined in 326 IAC 2-2-1(qq) and/or 326 IAC 2-3-1(ll)) at an existing emissions unit, other than projects at a source with a Plantwide Applicability Limitation (PAL), which is not part of a "major modification" (as defined in 326 IAC 2-2-1(ee) and/or 326 IAC 2-3-1(z)) may result in significant emissions increase and the Permittee elects to utilize the "projected actual emissions" (as defined in 326 IAC 2-2-1(rr) and/or 326 IAC 2-3-1(mm)), the Permittee shall comply with following:
- (1) Before beginning actual construction of the "project" (as defined in 326 IAC 2-2-1(qq) and/or 326 IAC 2-3-1(ll)) at an existing emissions unit, document and maintain the following records:
 - (A) A description of the project.
 - (B) Identification of any emissions unit whose emissions of a regulated new source review pollutant could be affected by the project.
 - (C) A description of the applicability test used to determine that the project is not a major modification for any regulated NSR pollutant, including:
 - (i) Baseline actual emissions;
 - (ii) Projected actual emissions;
 - (iii) Amount of emissions excluded under section 326 IAC 2-2-1(rr)(2)(A)(iii) and/or 326 IAC 2-3-1 (mm)(2)(A)(iii); and
 - (iv) An explanation for why the amount was excluded, and any netting calculations, if applicable.
- (d) If there is a reasonable possibility (as defined in 40 CFR 51.165(a)(6)(vi)(A) and/or 40 CFR 51.166(r)(6)(vi)(a)) that a "project" (as defined in 326 IAC 2-2-1(qq) and/or 326 IAC 2-3-1(ll)) at an existing emissions unit, other than projects at a source with a Plantwide Applicability Limitation (PAL), which is not part of a "major modification" (as defined in 326 IAC 2-2-1(ee) and/or 326 IAC 2-3-1(z)) may result in significant emissions increase and the Permittee elects to utilize the "projected actual emissions" (as defined in 326 IAC 2-2-1(rr) and/or 326 IAC 2-3-1(mm)), the Permittee shall comply with following:
- (1) Monitor the emissions of any regulated NSR pollutant that could increase as a result of the project and that is emitted by any existing emissions unit identified in (1)(B) above; and
 - (2) Calculate and maintain a record of the annual emissions, in tons per year on a calendar year basis, for a period of five (5) years following resumption of regular operations after the change, or for a period of ten (10) years following resumption of regular operations after the change if the project increases the design capacity of or the potential to emit that regulated NSR pollutant at the emissions unit.

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

- (a) The Permittee shall submit the attached Quarterly Deviation and Compliance Monitoring Report or its equivalent. Any deviation from permit requirements, the date(s) of each deviation, the cause of the deviation, and the response steps taken must be reported.

This report shall be submitted within thirty (30) days of the end of the reporting period. The Quarterly Deviation and Compliance Monitoring Report shall include the certification by the "responsible official" as defined by 326 IAC 2-7-1(34).

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

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

- (c) Unless otherwise specified in this permit, any notice, report, or other submission required by this permit shall be considered timely if the date postmarked on the envelope or certified mail receipt, or affixed by the shipper on the private shipping receipt, is on or before the date it is due. If the document is submitted by any other means, it shall be considered timely if received by IDEM, OAQ on or before the date it is due.
- (d) Unless otherwise specified in this permit, all reports required in Section D of this permit shall be submitted within thirty (30) days of the end of the reporting period. All reports do require the certification by the "responsible official" as defined by 326 IAC 2-7-1(34).
- (e) Reporting periods are based on calendar years, unless otherwise specified in this permit. For the purpose of this permit "calendar year" means the twelve (12) month period from January 1 to December 31 inclusive.
- (f) If the Permittee is required to comply with the recordkeeping provisions of (d) in Section C - General Record Keeping Requirements for any "project" (as defined in 326 IAC 2-2-1 (qq) and/or 326 IAC 2-3-1 (ll)) at an existing emissions unit, and the project meets the following criteria, then the Permittee shall submit a report to IDEM, OAQ:
- (1) The annual emissions, in tons per year, from the project identified in (c)(1) in Section C- General Record Keeping Requirements exceed the baseline actual emissions, as documented and maintained under Section C- General Record Keeping Requirements (c)(1)(C)(i), by a significant amount, as defined in 326 IAC 2-2-1 (xx) and/or 326 IAC 2-3-1 (qq), for that regulated NSR pollutant, and
 - (2) The emissions differ from the preconstruction projection as documented and maintained under Section C - General Record Keeping Requirements (c)(1)(C)(ii).
- (g) The report for project at an existing emissions unit shall be submitted within sixty (60) days after the end of the year and contain the following:
- (1) The name, address, and telephone number of the major stationary source.
 - (2) The annual emissions calculated in accordance with (d)(1) and (2) in Section C - General Record Keeping Requirements.
 - (3) The emissions calculated under the actual-to-projected actual test stated in 326 IAC 2-2-2(d)(3) and/or 326 IAC 2-3-2(c)(3).
 - (4) Any other information that the Permittee deems fit to include in this report.

Reports required in this part shall be submitted to:

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

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

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) natural gas fired turbine, identified as A1, constructed in 1965, with a maximum heat input rate of 160 million British thermal units (MMBtu) per hour, exhausting through one (1) stack ID # S001; and
- (b) One (1) natural gas fired boiler, identified as A3, constructed in 1966, with a maximum heat input rate of 67 MMBtu per hour, exhausting through one (1) stack ID # S003.

(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 Sulfur Dioxide (SO₂) [326 IAC 7-4.1-1]

Pursuant to 326 IAC 7-4.1-1 (Lake County Sulfur Dioxide Emission Limitations), the natural gas fired turbine, identified as A1, shall burn only natural gas fuel.

D.1.2 Particulate [326 IAC 6.8-1-2]

- a) Pursuant to 326 IAC 6.8-1-2(a), particulate emissions from the gas fired turbine, identified as A1, shall not exceed 0.03 grains per dry standard cubic foot (dscf).
- (b) Pursuant to 326 IAC 6.8-1-2(b)(3), particulate emissions from the natural gas fired boiler, identified as A3, shall not exceed 0.01 grains per dry standard cubic foot (dscf).

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 the turbine (A1) and boiler (A3).

SECTION D.2

FACILITY OPERATION CONDITIONS

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

- (c) One (1) natural gas fired Vaporizer Heater, identified as A12, constructed in 1999, with a maximum heat input rate of 41.8 MMBtu per hour, equipped with low NOx burners for nitrogen oxide pollution control, exhausting through two (2) stacks ID # S012A and S012B; and
- (e) One (1) natural gas fired boiler, identified as A14, constructed in 2003, with a maximum heat input rate of 12.56 MMBtu per hour, exhausting through one (1) stack ID # S013.

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

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

D.2.1 Particulate [326 IAC 6.8-1-2]

Pursuant to 326 IAC 6.8-1-2(b)(3), particulate emissions from the natural gas fired Vaporizer Heater, identified as A12 and natural gas fired boiler, identified as A14, shall not exceed 0.01 grains per dry standard cubic foot (dscf) for each unit.

D.2.2 Preventive Maintenance Plan [326 IAC 2-7-5(13)]

A Preventive Maintenance Plan, in accordance with Section B - Preventive Maintenance Plan, of this permit, is required for the Vaporizer Heater (A12).

SECTION D.3

FACILITY OPERATION CONDITIONS

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

Specifically Regulated Insignificant Activities

- (a) Five (5) diesel fired emergency generators, identified as A6, A7, A8, A10, and A11 each constructed in 1965, 1971, 1975, 1997, and 1999, respectively, each with a maximum heat input rate of 2.8, 3.3, 2.8, 3.2, and 5.2 million British thermal units per hour, respectively, each exhausting through one (1) stack ID # S006, S007, S008, S010, and S011, respectively [326 IAC 6.8];
- (b) Natural gas-fired combustion sources with heat input equal to or less than ten (10) million British thermal units per hour [326 IAC 6.8]:
 - (1) One (1) thaw heater, identified as A5, with a maximum heat input rate of 6.2 million British thermal units per hour; and
 - (2) One (1) regeneration heater, identified as A13, with a maximum heat input rate of 5.7 million British thermal units per hour.

(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 6.8-1-2(a)]

- (a) Pursuant to 326 IAC 6.8-1-2(a), particulate emissions from the five (5) diesel fired emergency generators, identified as A6, A7, A8, A10, and A11, shall not exceed 0.03 grains per dry standard cubic foot (dscf) for each unit.
- (b) Pursuant to 326 IAC 6.8-1-2(a), particulate emissions from the thaw heater, identified as A5 and regeneration heater, identified as A13, shall not exceed 0.03 grains per dry standard cubic foot (dscf) for each unit.

SECTION E.1 FACILITY OPERATION CONDITIONS

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

- (c) One (1) natural gas fired Vaporizer Heater, identified as A12, constructed in 1999, with a maximum heat input rate of 41.8 MMBtu per hour, equipped with low NOx burners for nitrogen oxide pollution control, exhausting through two (2) stacks ID # S012A and S012B; and
- (e) One (1) natural gas fired boiler, identified as A14, constructed in 2003, with a maximum heat input rate of 12.56 MMBtu per hour, exhausting through one (1) stack ID # S013.

(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 New Source Performance Standards [326 IAC 12-1] [40 CFR Part 60, Subpart A]

- (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.
- (b) Pursuant to 40 CFR 60.19, the Permittee shall submit all required notifications and reports to:

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

E.1.2 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 A 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)

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

**PART 70 OPERATING PERMIT
CERTIFICATION**

Source Name: Praxair, Inc.
Source Address: Clark Road & Dean H. Mitchell Road, Gary, Indiana 46406
Mailing Address: P.O. Box 6188, Gary, Indiana, 46406
Part 70 Permit No.: 089-27292-00177

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: Praxair, Inc.
Source Address: Clark Road & Dean H. Mitchell Road, Gary, Indiana 46406
Mailing Address: P.O. Box 6188, Gary, Indiana, 46406
Part 70 Permit No.: 089-27292-00177

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 OPERATING PERMIT
QUARTERLY DEVIATION AND COMPLIANCE MONITORING REPORT**

Source Name: Praxair, Inc.
Source Address: Clark Road & Dean H. Mitchell Road, Gary, Indiana 46406
Mailing Address: P.O. Box 6188, Gary, Indiana, 46406
Part 70 Permit No.: 089-27292-00177

Months: _____ **to** _____ **Year:** _____

Page 1 of 2

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

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

Form Completed by: _____

Title / Position: _____

Date: _____

Phone: _____

Attach a signed certification to complete this report.

Attachment A
To
T089-27292-00177

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 (SO₂) 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 SO₂control 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 SO₂control 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 SO₂ emissions (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 SO₂ control 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 SO₂.

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.

§ 60.42c Standard for sulfur dioxide (SO₂).

(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 SO₂ in excess of 87 ng/J (0.20 lb/MMBtu) heat input or 10 percent (0.10) of the potential SO₂ emission rate (90 percent reduction), nor cause to be discharged into the atmosphere from the affected facility any gases that contain SO₂ in 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 SO₂ in excess of 87 ng/J (0.20 lb/MMBtu) heat input or 10 percent (0.10) of the potential SO₂ emission rate (90 percent reduction), nor cause to be discharged into the atmosphere from the affected facility any gases that contain SO₂ in 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 SO₂ in excess of 87 ng/J (0.20 lb/MMBtu) heat input or 20 percent (0.20) of the potential SO₂ emission rate (80 percent reduction); nor

(ii) Cause to be discharged into the atmosphere from that affected facility any gases that contain SO₂ in 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 SO₂ emissions limit or the 90 percent SO₂ reduction 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 SO₂ emissions shall neither:

(i) Cause to be discharged into the atmosphere from that affected facility any gases that contain SO₂ in excess of 50 percent (0.50) of the potential SO₂ emission rate (50 percent reduction); nor

(ii) Cause to be discharged into the atmosphere from that affected facility any gases that contain SO₂ in 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 SO₂ reduction 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 SO₂ in 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 SO₂ in 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 SO₂ in excess of the following:

(1) The percent of potential SO₂ emission rate or numerical SO₂ emission 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 = SO₂ emission 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 SO₂ emission 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 SO₂ emission rate; and

(2) Emissions from the pretreated fuel (without either combustion or post-combustion SO₂ control) 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 SO₂ emission 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 SO₂ emissions 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 SO₂emission 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 SO₂emission limits under §60.42c is based on the average percent reduction and the average SO₂emission 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 SO₂emission 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 SO₂emission rate (E_{ho}) and the 30-day average SO₂emission 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_{ho0}) is used in Equation 19–19 of Method 19 of appendix A of this part to compute the adjusted E_{ao}(E_{ao0}). The E_{ho0} is computed using the following formula:

$$E_{ho0} = \frac{E_{ho} - E_w(1 - X_k)}{X_k}$$

Where:

E_{ho0} = Adjusted E_{ho}, ng/J (lb/MMBtu);

E_{ho}= Hourly SO₂emission rate, ng/J (lb/MMBtu);

E_w= SO₂concentration 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_wfor 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_wif 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_wor X_kif 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 SO₂emission 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 SO₂ emission 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 SO₂ emission rate, in percent;

%R_g = SO₂ removal efficiency of the control device as determined by Method 19 of appendix A of this part, in percent; and

%R_f = SO₂ removal 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_{g0}) is computed from E_{ao0} from paragraph (e)(1) of this section and an adjusted average SO₂ inlet rate (E_{ai0}) using the following formula:

$$\%R_{g0} = 100 \left(1 - \frac{E_{w0}}{E_{ai0}} \right)$$

Where:

%R_{g0} = Adjusted %R_g, in percent;

E_{ao0} = Adjusted E_{ao}, ng/J (lb/MMBtu); and

E_{ai0} = Adjusted average SO₂ inlet rate, ng/J (lb/MMBtu).

(ii) To compute E_{ai0}, an adjusted hourly SO₂ inlet rate (E_{hi0}) is used. The E_{hi0} is computed using the following formula:

$$E_{hi0} = \frac{E_{hi} - E_w(1 - X_1)}{X_1}$$

Where:

E_{hi0} = Adjusted E_{hi}, ng/J (lb/MMBtu);

E_{hi} = Hourly SO₂ inlet rate, ng/J (lb/MMBtu);

E_w = SO₂ concentration 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 SO₂ standards 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 SO₂ standards 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 SO₂ emissions data in calculating %P_s and E_{h0} 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_{h0} 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 (O₂) or carbon dioxide (CO₂) 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 O₂ or CO₂ measurements 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 O₂(or CO₂) 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 the Federal Register, whichever is later, for condensable PM emissions, Method 202 of appendix M of part 51 shall be used; and

(iii) For O₂ (or CO₂), 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 SO₂ emission limits under §60.42c shall install, calibrate, maintain, and operate a CEMS for measuring SO₂ concentrations and either O₂ or CO₂ concentrations at the outlet of the SO₂ control device (or

the outlet of the steam generating unit if no SO₂control 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 SO₂concentrations and either O₂or CO₂concentrations at both the inlet and outlet of the SO₂control device.

(b) The 1-hour average SO₂emission 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 SO₂emission 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 SO₂emission 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 SO₂CEMS at the inlet to the SO₂control device shall be 125 percent of the maximum estimated hourly potential SO₂emission rate of the fuel combusted, and the span value of the SO₂CEMS at the outlet from the SO₂control device shall be 50 percent of the maximum estimated hourly potential SO₂emission 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 SO₂CEMS at the outlet from the SO₂control device (or outlet of the steam generating unit if no SO₂control device is used) shall be 125 percent of the maximum estimated hourly potential SO₂emission rate of the fuel combusted.

(d) As an alternative to operating a CEMS at the inlet to the SO₂control device (or outlet of the steam generating unit if no SO₂control device is used) as required under paragraph (a) of this section, an owner or operator may elect to determine the average SO₂emission rate by sampling the fuel prior to combustion. As an alternative to operating a CEMS at the outlet from the SO₂control device (or outlet of the steam generating unit if no SO₂control device is used) as required under paragraph (a) of this section, an owner or operator may elect to determine the average SO₂emission 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 SO₂input 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 SO₂at the inlet or outlet of the SO₂control 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 SO₂and CO₂measurement 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 SO₂ standards 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, SO₂, 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 SO₂ emissions. 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 SO₂emission 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 SO₂emission 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 SO₂emission 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 SO₂emission 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 SO₂ emission 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 SO₂ or diluent (O₂ or CO₂) 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 SO₂ standard, 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 SO₂ standard, 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.

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:	Praxair, Inc.
Source Location:	Clark Road and Dean H. Mitchell Road, Gary, Indiana 46406
County:	Lake
SIC Code:	2813
Permit Renewal No.:	T089-27292-00177
Permit Reviewer:	Jean Boling

On August 27, 2009, the Office of Air Quality (OAQ) had a notice published in The Post Tribune newspaper in Merrillville, Indiana and The Times newspaper in Munster, Indiana stating that Praxair, 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.

Upon further review, IDEM OAQ has decided to make the following revisions to the permit (bold language has been added, the language with the line through it has been deleted).

- IDEM, OAQ is correcting the summary table in the Potential to Emit After Issuance section of the TSD. Incorrect values for PM, PM₁₀, PM_{2.5} and SO₂ emissions for the Gas Turbine and the corresponding PM, PM₁₀, PM_{2.5} and SO₂ total emissions for the source were inadvertently entered into the table.

Emission Unit	Potential to Emit (tons/year)						
	PM	PM ₁₀	PM _{2.5}	SO ₂	VOC	CO	NO _x
Gas Turbine Engine (A1)	10.32 4.63	10.32 4.63	10.32 4.63	33.54 31.54	1.47	57.47	224.26
Boilers (A3 & A14)	2.60	2.60	2.60	0.20	1.88	28.70	34.16
Emergency Generators ⁽¹⁾ (A6, A7, A8, A10, & A11)	1.34	1.34	1.34	1.25	1.55	4.10	19.02
Vaporizer Heater (A12)	1.36	1.36	1.36	0.11	0.99	15.08	8.97
Insignificant Heaters (A5 & A13)	0.40	0.40	0.40	0.03	0.29	4.38	5.21
Total Potential to Emit	16.02 10.32	16.02 10.32	16.02 10.32	33.13	6.18	109.72	291.63
Nonattainment NSR Major Source Threshold Level	-	-	100	100	-	-	-
Emission Offset Major Source Threshold Level	-	-	-	-	100	-	100
PSD Major Source Threshold Level	250	250	250	250	250	250	250

¹ Reflects potential to emit at 500 hours operation per year.

2. IDEM, OAQ is correcting the summary table in Appendix A of the TSD. Incorrect values for PM_{2.5} were inadvertently entered into the table.

Unit ID	Unit Description	Controlled/Limited Potential Emissions						
		PM (tons/yr)	PM ₁₀ (tons/yr)	PM _{2.5} (tons/yr)	SO ₂ (tons/yr)	NO _x (tons/yr)	VOC (tons/yr)	CO (tons/yr)
A1	Gas Turbine Engine	4.63	4.63	31.54 4.63	31.54	224.26	1.47	57.47
A3 & 14	Boilers	2.60	2.60	0.20 2.60	0.20	34.16	1.88	28.70
A6,7,8,10 & 11	Emergency Generators	1.34	1.34	1.25 1.34	1.25	19.02	1.55	4.10
A12	Vaporizer Heater	1.36	1.36	0.11 1.36	0.11	8.97	0.99	15.08
A5 & 13	Insignificant Heaters	0.40	0.40	0.03 0.40	0.03	5.21	0.29	4.38
Total		10.32	10.32	33.13 10.32	33.13	291.63	6.18	109.72

3. IDEM, OAQ is revising the permit to change the title of section A.3, from Insignificant Activities to Specifically Regulated Insignificant Activities, move the natural gas fired boiler, identified as A14, from section A.3, Specifically Regulated Insignificant Activities to section A.2, Emission Units and Pollution Control Equipment Summary and remove the title, Insignificant Activities, from the facility description boxes sections D.2 and E.1.

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:

- (b) One (1) natural gas fired boiler, identified as A3, constructed in 1966, with a maximum heat input rate of 67 million British thermal units per hour, exhausting through one (1) stack ID # S003; ~~and~~
- (c) One (1) natural gas fired Vaporizer Heater, identified as A12, constructed in 1999, with a maximum heat input rate of 41.8 million British thermal units per hour, equipped with low NO_x burners for nitrogen oxide pollution control, exhausting through two (2) stacks ID # S012A and S012B-; **and**
- (d) **One (1) natural gas fired boiler, identified as A14, constructed in 2003, with a maximum heat input rate of 12.56 million British thermal units per hour, exhausting through one (1) stack ID # S013.**

A.3 **Specifically Regulated** 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):

- (d) Four (4) storage tanks, each with a maximum capacity of 1,050, 1,050, 1,000 and 2,000 gallons, respectively, storing diesel oil or fuel oil [326 IAC 8-9]; **and**
- (fe) New parts washers that meets the requirements of 326 IAC 2.1.1-3(e)(10)(c) of degreasing operations that do not exceed one hundred forty-five (145) gallons per twelve (12) months except if subject to 326 IAC 20-6; ~~and~~.

- (gf) A hand held sander which is exempt as per 326 IAC 2.1.1-3(e)(35)(J).

SECTION D.2 FACILITY OPERATION CONDITIONS

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

- (c) One (1) natural gas fired Vaporizer Heater, identified as A12, constructed in 1999, with a maximum heat input rate of 41.8 MMBtu per hour, equipped with low NOx burners for nitrogen oxide pollution control, exhausting through two (2) stacks ID # S012A and S012B- ; **and**

~~Insignificant Activities~~

- (e) One (1) natural gas fired boiler, identified as A14, constructed in 2003, with a maximum heat input rate of 12.56 MMBtu per hour, exhausting through one (1) stack ID # S013. ~~[326 IAC 6-2-4] [40 CFR Part 60.48c]~~

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

SECTION E.1 FACILITY OPERATION CONDITIONS

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

- (c) One (1) natural gas fired Vaporizer Heater, identified as A12, constructed in 1999, with a maximum heat input rate of 41.8 MMBtu per hour, equipped with low NOx burners for nitrogen oxide pollution control, exhausting through two (2) stacks ID # S012A and S012B- ; **and**

~~Insignificant Activities~~

- (e) One (1) natural gas fired boiler, identified as A14, constructed in 2003, with a maximum heat input rate of 12.56 MMBtu per hour, exhausting through one (1) stack ID # S013. ~~[326 IAC 6-2-4] [40 CFR Part 60.48c]~~

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

4. IDEM, OAQ is revising the permit to include the requirements for 326 IAC 6.8. in section D.1, D.2 and D.3. Although this source is not specifically listed and the potential particulate matter (PM) emissions from the source are less than 100 tons per year and the actual PM emissions from the source are less than 10 tons per year, there is no way to ensure the actual emissions remain below 10 tons per year without limiting the potential PM emissions from the source to less than 10 tons per year. Therefore, the source has agreed to be subject to the requirements of 326 IAC 6.8 instead of limiting the PTE of any of its emission units.

Pursuant to 326 IAC 6.8-1-2(a), particulate emissions from the natural gas fired emission units listed in sections D.1, D.2 and D.3 shall not exceed 0.03 grains per dry standard cubic foot (dscf) for the turbine (A1) and 0.01 dscf for the remaining units (A3, A5, A6, A7, A8, A10, A11, A12 A13 and A14) listed in these sections. IDEM is confident that these units are capable of meeting their respective limits because each of them, except the emergency diesel generators, are permitted to burn natural gas only and the emergency diesel generators are limited to 500 hours per year of run time; which will limit PM emissions from these units.

SECTION D.1 FACILITY OPERATION CONDITIONS

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

- (a) One (1) natural gas fired turbine, identified as A1, constructed in 1965, with a maximum heat input rate of 160 million British thermal units (MMBtu) per hour, exhausting through one (1) stack ID # S001; and
- (b) One (1) natural gas fired boiler, identified as A3, constructed in 1966, with a maximum heat input rate of 67 MMBtu per hour, exhausting through one (1) stack ID # S003.

(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.1.3 Particulate [326 IAC 6.8-1-2]

- a) Pursuant to 326 IAC 6.8-1-2(a), particulate emissions from the natural gas fired turbine, identified as A1, shall not exceed 0.03 grains per dry standard cubic foot (dscf).
- (b) Pursuant to 326 IAC 6.8-1-2(b)(3), particulate emissions from the natural gas fired boiler, identified as A3, shall not exceed 0.01 grains per dry standard cubic foot (dscf).

D.1.34 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 the turbine (A1) and boiler (A3).

SECTION D.2 FACILITY OPERATION CONDITIONS

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

- (c) One (1) natural gas fired Vaporizer Heater, identified as A12, constructed in 1999, with a maximum heat input rate of 41.8 MMBtu per hour, equipped with low NOx burners for nitrogen oxide pollution control, exhausting through two (2) stacks ID # S012A and S012B; and

Insignificant Activities

- (e) One (1) natural gas fired boiler, identified as A14, constructed in 2003, with a maximum heat input rate of 12.56 MMBtu per hour, exhausting through one (1) stack ID # S013. ~~[326 IAC 6-2-4] [40 CFR Part 60.48c]~~

(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.2.2 Particulate Matter (PM) [326 IAC 6-2-4]

Pursuant to 326 IAC 6.8-1-2(b)(3), particulate emissions from the natural gas fired

Vaporizer Heater, identified as A12, and natural gas fired boiler, identified as A14, shall not exceed 0.01 grains per dry standard cubic foot (dscf) for each unit.

D.2.23 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 the Vaporizer Heater (A12) and boiler (A14).

SECTION D.3 FACILITY OPERATION CONDITIONS

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

Specifically Regulated Insignificant Activities

- (a) **Five (5) diesel fired emergency generators, identified as A6, A7, A8, A10, and A11 each constructed in 1965, 1971, 1975, 1997, and 1999, respectively, each with a maximum heat input rate of 2.8, 3.3, 2.8, 3.2, and 5.2 million British thermal units per hour per hour, respectively, each exhausting through one (1) stack ID # S006, S007, S008, S010, and S011, respectively [326 IAC 6.8];**
- (b) **Natural gas-fired combustion sources with heat input equal to or less than ten (10) million British thermal units per hour [326 IAC 6.8]:**
 - (1) **One (1) thaw heater, identified as A5, with a maximum heat input rate of 6.2 million British thermal units per hour;**
 - (2) **One (1) regeneration heater, identified as A13, with a maximum heat input rate of 5.7 million British thermal units per hour; and**

(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 6.8-1-2]

- (a) **Pursuant to 326 IAC 6.8-1-2(a), particulate emissions from the five (5) diesel fired emergency generators, identified as A6, A7, A8, A10, and A11, shall not exceed 0.03 grains per dry standard cubic foot (dscf) for each unit.**
- (b) **Pursuant to 326 IAC 6.8-1-2(a), particulate emissions from the thaw heater, identified as A5 and regeneration heater, identified as A13, shall not exceed 0.03 grains per dry standard cubic foot (dscf) for each unit.**

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:	Praxair, Inc.
Source Location:	Clark Road and Dean H. Mitchell Road, Gary, Indiana 46406
County:	Lake
SIC Code:	2813
Permit Renewal No.:	T089-27292-00177
Permit Reviewer:	Jean Boling

The Office of Air Quality (OAQ) has reviewed a Part 70 Operating Permit Renewal application from Praxair, Inc. relating to the operation of an industrial gas manufacturing plant.

History

On December 23, 2008, Praxair, Inc. submitted an application to the OAQ requesting to renew its operating permit. Praxair, Inc. was issued a Part 70 Operating Permit Renewal on October 12, 2004.

Permitted Emission Units and Pollution Control Equipment

- (a) One (1) natural gas fired turbine, identified as A1, constructed in 1965, with a maximum heat input rate of 160 million British thermal units per hour, exhausting through one (1) stack ID # S001;
- (b) One (1) natural gas fired boiler, identified as A3, constructed in 1966, with a maximum heat input rate of 67 million British thermal units per hour, exhausting through one (1) stack ID # S003; and
- (c) One (1) natural gas fired Vaporizer Heater, identified as A12, constructed in 1999, with a maximum heat input rate of 41.8 million British thermal units per hour, equipped with low NO_x burners for nitrogen oxide pollution control, exhausting through two (2) stacks ID # S012A and S012B.

Insignificant Activities

The source also consists of the following insignificant activities, as defined in 326 IAC 2-7-1(21):

- (a) Five (5) diesel fired emergency generators, identified as A6, A7, A8, A10, and A11 each constructed in 1965, 1971, 1975, 1997, and 1999, respectively, each with a maximum heat input rate of 2.8, 3.3, 2.8, 3.2, and 5.2 million British thermal units per hour per hour, respectively, each exhausting through one (1) stack ID # S006, S007, S008, S010, and S01, respectively;
- (b) Natural gas-fired combustion sources with heat input equal to or less than ten (10) million British thermal units per hour:
 - (1) One (1) thaw heater, identified as A5, with a maximum heat input rate of 6.2 million British thermal units per hour;
 - (2) One (1) regeneration heater, identified as A13, with a maximum heat input rate of 5.7 million British thermal units per hour;
- (c) Paved and unpaved roads and parking lots with public access;

- (d) Four (4) storage tanks, each with a maximum capacity of 1,050, 1050, 1,000 and 2,000 gallons, respectively, storing diesel oil or fuel oil [326 IAC 8-9]; and
- (e) One (1) natural gas fired boiler, identified as A14, constructed in 2003, with a maximum heat input rate of 12.56 million British thermal units per hour, exhausting through one (1) stack ID # S013 [326 IAC 6.8] [40 CFR Part 60.48c];
- (f) New Parts Washers that meets the requirements of 326 IAC 2.1.1-3(e)(10)(c) of degreasing operations that do not exceed one hundred forty-five (145) gallons per twelve (12) months, except if subject to 326 IAC 20-6.
- (g) A hand held sander which is exempt as per 326 IAC 2.1.1-3(e)(35)(J).

Existing Approvals

Since the issuance of the Part 70 Operating Permit Renewal No. T089-18552-00177, issued on October 12, 2004, the source has been operating under the following approval as well:

- Administrative Amendment No. 089-18696-00177, issued on April 22, 2004.

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.

Enforcement Issue

There are no enforcement actions pending.

County Attainment Status

The source is located in Lake County.

Pollutant	Designation
SO ₂	Better than national standards.
CO	Attainment effective February 18, 2000, for the part of the city of East Chicago bounded by Columbus Drive on the north; the Indiana Harbor Canal on the west; 148 th Street, if extended, on the south; and Euclid Avenue on the east. Unclassifiable or attainment effective November 15, 1990, for the remainder of East Chicago and Lake County.
O ₃	Nonattainment Subpart 2 Moderate effective June 15, 2004, for the 8-hour ozone standard. ¹
PM ₁₀	Attainment effective March 11, 2003, for the cities of East Chicago, Hammond, Whiting, and Gary. Unclassifiable effective November 15, 1990, for the remainder of Lake County.
NO ₂	Cannot be classified or better than national standards.
Pb	Not designated.
¹ Nonattainment Severe 17, effective November 15, 1990, for the Chicago-Gary-Lake County area for the 1-hour ozone standard which was revoked effective June 15, 2005. Basic nonattainment designation effective federally 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 (NO_x) are regulated under the Clean Air Act (CAA) for the purposes of attaining and maintaining the National Ambient Air Quality Standards (NAAQS) for ozone.

(i) 1-hour ozone standard

On December 22, 2006 the United States Court of Appeals, District of Columbia issued a decision which served to partially vacate and remand the U.S. EPA's final rule for implementation of the eight-hour National Ambient Air quality Standard for ozone. *South Coast Air Quality Mgmt. Dist. v. EPA*, 472 F.3d 882 (D.C. Cir., December 22, 2006), *rehearing denied* 2007 U.S. App. LEXIS 13748 (D.C. Cir., June 8, 2007). The U.S. EPA has instructed IDEM to issue permits in accordance with its interpretation of the *South Coast* decision as follows: Gary-Lake-Porter County was previously designated as a severe non-attainment area prior to revocation of the one-hour ozone standard, therefore, pursuant to the anti-backsliding provisions of the Clean Air Act, any new or existing source must be subject to the major source applicability cut-offs and offset ratios under the area's previous one-hour standard designation. This means that a source must achieve the Lowest Achievable Emission Rate (LAER) if it exceeds 25 tons per year of VOC emissions and must offset any increase in VOC emissions by a decrease of 1.3 times that amount.

On January 26, 1996 in 40 CFR 52.777(i), the U.S. EPA granted a waiver of the requirements of Section 182(f) of the CAA for Lake and Porter Counties, including the lower NO_x threshold for nonattainment new source review. Therefore, VOC emissions alone are considered when evaluating the rule applicability relating to the 1-hour ozone standards. Therefore, VOC emissions were reviewed pursuant to the requirements for Emission Offset, 326 IAC 2-3. See the State Rule Applicability for the source section.

(ii) 8-hour ozone standard

VOC and NO_x emissions are considered when evaluating the rule applicability relating to the 8-hour ozone standard. Lake County has been designated as nonattainment for the 8-hour ozone standard. Therefore, VOC and NO_x emissions were reviewed pursuant to the requirements for Emission Offset, 326 IAC 2-3. See the State Rule Applicability – Entire Source section.

(b) PM_{2.5}

U.S. EPA, in the Federal Register Notice 70 FR 943 dated January 5, 2005, has designated Lake County as nonattainment for PM_{2.5}. On March 7, 2005 the Indiana Attorney General's Office, on behalf of IDEM, filed a law suit with the Court of Appeals for the District of Columbia Circuit challenging U.S. EPA's designation of nonattainment areas without sufficient data. However, in order to ensure that sources are not potentially liable for a violation of the Clean Air Act, the OAQ is following the U.S. EPA's New Source Review Rule for PM_{2.5} promulgated on May 8, 2008, and effective on July 15, 2008. Therefore, direct PM_{2.5} and SO₂ emissions were reviewed pursuant to the requirements of Nonattainment New Source Review, 326 IAC 2-1.1-5. See the State Rule Applicability – Entire Source section.

- (c) **Other Criteria Pollutants**
Lake County has been classified as attainment or unclassifiable in Indiana for all other criteria pollutants. Therefore, these emissions were reviewed pursuant to the requirements for Prevention of Significant Deterioration (PSD), 326 IAC 2-2.
- (d) **Fugitive Emissions**
Since this type of operation is not one of the twenty-eight (28) listed source categories under 326 IAC 2-2 or 326 IAC 2-3, fugitive emissions are not 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	32.40
PM ₁₀	32.40
PM _{2.5}	32.40
SO ₂	53.79
VOC	31.82
CO	177.40
NO _x	614.78

HAPs	tons/year
Benzene	1.20E-03
Dichlorobenzene	7.00E-04
Formaldehyde	4.35E-02
Hexane	1.03
Toluene	2.09E-03
Lead	2.00E-04
Barium	2.50E-03
Chromium	9.00E-04
Vanadium	8.00E-04
Nickel	1.20E-03
Single Worst HAP	<10
TOTAL HAPs	<25

- (a) The potential to emit (as defined in 326 IAC 2-7-1(29)) of CO and NO_x 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) Since this type of operation is not one of the twenty-eight (28) listed source categories under 326 IAC 2-7, fugitive emissions are not counted toward the determination of Part 70 applicability.

Actual Emissions

The following table shows the actual emissions from the source. This information reflects the 2006 OAQ emission data.

Pollutant	Actual Emissions (tons/year)
PM	0.52
PM-10	0.52
SO ₂	0.21
VOC	0.82
CO	6.13
NO _x	19.50
HAP	Not reported

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.

Emission Unit	Potential to Emit (tons/year)						
	PM	PM ₁₀	PM _{2.5}	SO ₂	VOC	CO	NO _x
Gas Turbine Engine (A1)	4.63	4.63	4.63	31.54	1.47	57.47	224.26
Boilers (A3 & A14)	2.60	2.60	2.60	0.20	1.88	28.70	34.16
Emergency Generators ⁽¹⁾ (A6, A7, A8, A10, & A11)	1.34	1.34	1.34	1.25	1.55	4.10	19.02
Vaporizer Heater (A12)	1.36	1.36	1.36	0.11	0.99	15.08	8.97
Insignificant Heaters (A5 & A13)	0.40	0.40	0.40	0.03	0.29	4.38	5.21
Total Potential to Emit	10.32	10.32	10.32	33.13	6.18	109.72	291.63
Nonattainment NSR Major Source Threshold Level	-	-	100	100	-	-	-
Emission Offset Major Source Threshold Level	-	-	-	-	100	-	100
PSD Major Source Threshold Level	250	250	250	250	250	250	250

¹ Reflects potential to emit at 500 hours operation per year.

- (a) This existing stationary source is major for PSD because the emissions of at least one attainment pollutant is greater than two hundred fifty (>250) tons per year, and is not one of the twenty-eight (28) listed source categories.
- (b) This existing stationary source is major for Emission Offset because the emissions of the nonattainment pollutant, NO_x, is greater than one hundred (>100) tons per year.
- (c) This existing stationary source is not major for Nonattainment New Source Review because the emissions of the nonattainment pollutants, PM_{2.5} and SO₂, are less than one hundred (<100) tons per year.
- (d) Since this type of operation is not one of the twenty-eight (28) listed source categories under 326 IAC 2-7, fugitive emissions are not counted toward the determination of Part 70 applicability.

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.

This source is not subject to the requirements of CAM, 40 CFR 64, because there are no pollutant-specific emission units that meet these criteria.

NSPS

- (b) The natural gas fired turbine (A1) is not subject to the requirements of the New Source Performance Standard for Gas Turbine Engines, 40 CFR 60, Subpart GG, because the gas turbine (A1) was constructed before the rule applicability date of October 3, 1977.
- (c) The Vaporizer Heater, identified as A12, and natural gas fired boiler (A14) 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 IAC12 and 40 CFR Part 60.40c through 60.48c because the Vaporizer Heater (A12) and boiler (A14) was constructed after the rule applicability date of June 9, 1989 and each has a heat input capacity greater than 10 MMBtu/hr and less than 100 MMBtu/hr.

Pursuant to 40 CFR 60.41c, the Vaporizer Heater meets the definition for a steam generating unit. Therefore, the Vaporizer Heater is subject to the requirements of 326 IAC12 and 40 CFR 60, Subpart Dc.

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 A 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 installation date of the natural gas fired boiler (A3) is not subject to the New Source Performance Standards for Small Industrial-Commercial-Institutional Steam Generating Units), 40 CFR 60, Subpart Dc, because the installation date of the boiler (A3) is before the rule applicability date of June 9, 1989.
- (e) This source is not subject to the New Source Performance Standards, 40 CFR 60, Subpart JJJJ (Stationary Spark Ignition Internal Combustion Engines), because the five (5) diesel fired emergency generators, identified as A6, A7, A8, A10, and A11 are emergency engines that were manufactured prior to January 1, 2009.
- (f) The four (4) diesel and fuel oil storage tanks, with capacities of 1,000, 1,050, 1,050, and 2,000 gallons, listed as insignificant activities, are not subject to the New Source Performance Standard for Volatile Organic Liquid Storage, 40 CFR Part 60, Subpart Kb, because each have a storage capacity of less than 75 cubic meters.

NESHAPS

- (g) The natural gas fired boiler (A3) 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.
- (h) The five (5) diesel fired emergency generators, identified as A6, A7, A8, A10, and A11 are not subject to the National Emission Standards for Hazardous Air Pollutants, 40 CFR 63, Subpart ZZZZ (Stationary Reciprocating Internal Combustion Engines (RICE)), because this source is not a major source of HAP emissions.
- (i) There are no National Emission Standards for Hazardous Air Pollutants (NESHAPs) (326 IAC 14, 20 and 40 CFR Part 61, 63) applicable to this source.

State Rule Applicability – Entire Source

326 IAC 1-5-2 (Emergency Reduction Plans)

The source submitted an Emergency Reduction Plan (ERP) on November 21, 2003. The ERP has been verified to fulfill the requirements of 326 IAC 1-5-2 (Emergency Reduction Plans).

326 IAC 1-6-3 (Preventive Maintenance Plan)

The source is subject to 326 IAC 1-6-3.

326 IAC 2-1.1-5 (Nonattainment New Source Review)

Lake County has been designated as nonattainment for the PM_{2.5} standard on January 5, 2005. Direct PM_{2.5} emissions are evaluated pursuant to the requirements of Nonattainment New Source Review (NSR). The potential to emit PM_{2.5} of this source is less than 100 tons per year and no modifications were made to this source after the attainment status revision date; therefore, this source is not a major source pursuant to 326 IAC 2-1.1-5 (Nonattainment NSR).

326 IAC 2-2 (Prevention of Significant Deterioration)

This source is a major stationary source constructed in 1965, prior to the August 7, 1977 rule applicability date, is not one of the twenty-eight (28) categories defined in 326 IAC 2-2-1(gg)(1) and has the potential to emit (PTE) NO_x, which is regulated under 326 IAC 2-2, greater than 250 tons per year. Since, no modifications made to this source resulted in potential emissions above the PSD significant levels; the requirements of 326 IAC 2-2 do not apply.

326 IAC 2-3 (Emission Offset)

This source is a major stationary source constructed in 1965 and located in Lake County, which has been designated as nonattainment for the 8-hour ozone standard. VOC and NO_x emissions are considered when evaluating the rule applicability relating to the 8-hour ozone standard; however VOC emissions alone are considered when evaluating the rule applicability relating to the 1-hour ozone standards. On January 26, 1996 in 40 CFR 52.777(i), the U.S. EPA granted a waiver of the requirements of Section 182(f) of the CAA for Lake and Porter Counties, including the lower NO_x threshold for nonattainment new source review. The PTE of VOC and NO_x are less than 100 tons per year, therefore, the requirements for Emission Offset, 326 IAC 2-3 do not apply.

326 IAC 2-4.1 (Major Sources of Hazardous Air Pollutants)

The requirements of 326 IAC 2-4.1 are not applicable to this source, since the potential to emit of any single HAP is less than ten (10) tons per year and the potential to emit of a combination of HAPs are less than twenty-five (25) tons per year.

326 IAC 2-6 (Emission Reporting)

Since this source is located in Lake County, and has a potential to emit NO_x greater than or equal to twenty-five (25) tons per year, an emission statement covering the previous calendar year must be submitted by July 1 of each year. The emission statement shall contain, at a minimum, the information specified in 326 IAC 2-6-4.

326 IAC 4-1 (Open Burning)

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

326 IAC 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 (20%) in any one (1) six (6) minute averaging period as determined in 326 IAC 5-1-4.
- (b) Opacity shall not exceed sixty percent (60%) for more than a cumulative total of fifteen (15) minutes (sixty (60) readings as measured according to 40 CFR 60, Appendix A, Method 9 or fifteen (15) one (1) minute nonoverlapping integrated averages for a continuous opacity monitor) in a six (6) hour period.

326 IAC 6-4 (Fugitive Dust Emissions Limitations)

Pursuant to 326 IAC 6-4, the source 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 6-5 (Fugitive Particulate Matter Emission Limitations)

The potential to emit of fugitive particulate matter from the entire source is limited to less than twenty-five (25) tons per year. Therefore, pursuant to 326 IAC 6-5-1 (a), the requirements of this rule do not apply.

326 IAC 6.8 (Particulate Matter Limitations for Lake County)

This source is not subject to the requirements of 326 IAC 6.8, because it is not specifically listed and the potential particulate matter (PM) emissions from the source are less than 100 tons per year and the actual PM emissions from the source are less than 10 tons per year.

326 IAC 8-6 (Organic Solvent Emission Limitations)

This source is located in Lake County and the potential to emit VOC from the entire source is less than one hundred (100) tons per year. Therefore, pursuant to 326 IAC 8-6-1 (1), the requirements of this rule do not apply.

326 IAC 8-7 (Specific VOC Reduction Requirements for Lake, Porter, Clark and Floyd Counties)

This source is not subject to the requirements of 326 IAC 8-7 (Specific VOC Reduction Requirements for Lake, Porter, Clark and Floyd Counties) because, the total potential to emit VOC from the one (1) gas turbine (A1), two (2) boilers (A3 and A14), five (5) emergency generators (A6, A7, A8, A10, and A11), and the vaporized heater (A12) at the source is limited to less than the rule applicability threshold of 25 tons per year. Therefore, the source is not subject to the requirements of 326 IAC 8-7 (Specific VOC Reduction Requirements for Lake, Porter, Clark and Floyd Counties).

State Rule Applicability – Individual Facilities

326 IAC 6-2 (Particulate Emission Limitations for Sources of Indirect Heating)

- (a) The particulate matter (PM) emissions from the one (1) boiler (A3) shall be limited by the following:

The one (1) boiler (A3), with a maximum heat input capacity of 67.0 MMBtu per hour, constructed in 1966, is subject to 326 IAC 6-2-2. Pursuant to this rule, particulate emissions from indirect heating facilities existing and in operation before June 8, 1972, and located in Lake County shall be limited by the following equation:

$$Pt = \frac{0.87}{Q^{0.16}}$$

where: Pt = pounds of PM emitted per MMBtu (lb/MMBtu) heat input
Q = total source capacity on June 8, 1972, for indirect heating facilities existing and operating before this date

Pt for A3 is based on boilers A2 and A3, which were in existence on June 8, 1972 with a total heat input of 100 MMBtu/hr (A2 at 33 MMBtu/hr and A3 at 67 MMBtu/hr).

$$Pt = \frac{0.87}{(100)^{0.16}} = 0.42 \text{ lb/MMBtu}$$

The allowable particulate emission rate from one (1) boiler (A3), based on the above equation, is 0.42 pounds per MMBtu heat input. Boiler A2 has been removed from the source during this review. Boiler A3 has a potential PM emission rate of 0.01 pounds per MMBtu heat input, therefore, A3 will comply with 326 IAC 6-2-2.

- (b) The particulate matter (PM) emissions from the one (1) boiler (A14) shall be limited by the following:

The one (1) boiler (A14), with a maximum heat input capacity of 12.56 MMBtu per hour, constructed in 2003, is subject to 326 IAC 6-2-4. Pursuant to this rule, particulate emissions from indirect heating facilities constructed after September 21, 1983, shall be limited by the following equation:

$$Pt = \frac{1.09}{Q^{0.26}}$$

where: Pt = pounds of PM emitted per MMBtu (lb/MMBtu) heat input
Q = total source maximum operating capacity rating in million Btu per hour (MMBtu/hr) heat input.

Pt for A14 is based on boilers A3 and A14 and vaporizer heater A12, with a total heat input of 121.36 MMBtu/hr (A3 at 67 MMBtu/hr, A14 at 12.56 MMBtu/hr, and Vaporizer Heater at 41.8 MMBtu/hr).

$$Pt = \frac{1.09}{(121.36)^{0.26}} = 0.31 \text{ lb/MMBtu}$$

The allowable particulate emission rate from the one (1) boiler (A14), based on the above equation, is 0.31 pounds per MMBtu heat input. Boiler A14 has a potential PM emission rate of 0.01 pounds per MMBtu heat input, therefore, A14 will comply with 326 IAC 6-2-4.

- (c) Pursuant to 326 IAC 1-2-19, the combustion for indirect heating is defined as the combustion of fuel to produce usable heat that is to be transferred through a heat-conducting materials barrier or by a heat storage medium to a material to be heated so that the material being heated is not contacted by, and adds no substance to the products of combustion. The purpose of vaporizer heater is to convert very cold liquid oxygen or nitrogen into gaseous form and warm it to near ambient temperature. This is done within the Vaporizer vessel, which is water-filled and functions basically as a heat exchanger. Water and gaseous nitrogen do not come in contact with the products of combustion. Therefore, Vaporizer Heater (A12) is an indirect heating facility.

The particulate matter (PM) emissions from the one (1) Vaporizer Heater (A12) shall be limited by the following:

The one (1) Vaporizer Heater (A12), with a maximum heat input capacity of 41.8 MMBtu per hour, constructed in 1999, is subject to 326 IAC 6-2-4. Pursuant to this rule, particulate emissions from indirect heating facilities constructed after September 21, 1983, shall be limited by the following equation:

$$Pt = \frac{1.09}{Q^{0.26}}$$

where: Pt = pounds of PM emitted per MMBtu (lb/MMBtu) heat input
Q = total source maximum operating capacity rating in million Btu per hour (MMBtu/hr) heat input.

Pt for A12 is based on boiler A3 and vaporizer heater A12, with a total heat input of 108.8 MMBtu/hr (A3 at 67 MMBtu/hr and Vaporizer Heater at 41.8 MMBtu/hr).

$$Pt = \frac{1.09}{(108.8)^{0.26}} = 0.32 \text{ lb/MMBtu}$$

The allowable particulate emission rate from the one (1) Vaporizer Heater (A12), based on the above equation, is 0.32 pounds per MMBtu heat input. Vaporizer Heater A12 has a potential PM emission rate of 0.0003 pounds per MMBtu heat input, therefore, A12 will comply with 326 IAC 6-2-4.

326 IAC 6-3-2 (Particulate Emission Limitations, Work Practices, and Control Technologies)

This source is not subject to 326 IAC 6-3-2 (Process Operations). This source does not contain any process operations except for the natural gas and/or oil fired combustion units. Pursuant to 326 IAC 1-2-59, liquid and gaseous fuels are not considered as process weight rate and, therefore, 326 IAC 6-3-2 (e) does not apply.

326 IAC 7-4-1.1 (Lake County Sulfur Dioxide Emission Limitations)

- (a) The one (1) gas turbine engine (A1) is subject to the requirements of 326 IAC 7-4-1.1 (Lake County Sulfur Dioxide Emission Limitations) because the potential to emit of sulfur dioxide (SO₂) from this facility is greater than 25 tons per year. Pursuant to this rule, the gas turbine engine (A1) shall burn natural gas only.
- (b) The two (2) boilers (A3 and A14) and the vaporizer heater (A12) are not subject to the requirements of 326 IAC 7-4-1.1 (Lake County Sulfur Dioxide Emission Limitations) because the potential to emit of sulfur dioxide (SO₂) from each facility is less than 25 tons per year.
- (c) The five (5) emergency generators (A6, A7, A8, A10, and A11) are not subject to the requirements of 326 IAC 7-4-1.1 (Lake County Sulfur Dioxide Emission Limitations). The potential to emit of SO₂ is less than 25 tons per year for each generator and, therefore, the requirements of the rule do not apply to these facilities.

326 IAC 8-1-6 (New Facilities; General VOC Reduction Requirements)

The requirements of 326 IAC 8-1-6 are not applicable to this source, because no facility at this source has a potential to emit VOC at 25 tons per year or more.

326 IAC 8-4-3 (Petroleum Liquid Storage Facilities)

This source is located in Lake County. However, the four (4) diesel fuel oil storage tanks, with storage capacities of 1,050, 1,050, 1,000 and 2,000 gallons, are not subject to this rule because their individual capacities are below the rule applicability threshold capacity of thirty-nine thousand (39,000) gallons.

326 IAC 8-9 (Volatile Organic Liquid Storage Vessels)

This source is located in Lake County. Although, the four (4) diesel fuel oil storage tanks, with storage capacities of 1,050, 1,050, 1,000 and 2,000 gallons, have individual storage capacities below the rule applicability threshold capacity of thirty-nine thousand (39,000) gallons, the record keeping and reporting requirements of 326 IAC 8-9-6 apply.

326 IAC 9-1-2 (Carbon Monoxide Emission Limits)

This source is not subject to 326 IAC 9-1-2 (Carbon Monoxide Emission Limits).

- (a) The one (1) gas turbine (A1), one (1) boiler (A3) and the two (2) emergency generators (A6 and A7) were constructed before the applicability date of March 21, 1972.
- (b) The three (3) emergency generators (A8, A10, and A11), one (1) boiler (A14) and the vaporized heater (A12) are not petroleum refining, ferrous metal smelters or refuse incineration and burning equipment.

326 IAC 10 (Nitrogen Oxide Rules)

(a) 326 IAC 10-1 (NO_x Control in Clark and Floyd Counties)

Pursuant to 326 IAC 10-1-1, the requirements of this rule apply to stationary sources located in Clark and Floyd Counties that emit or have the potential to emit NO_x at 100 tons per year or more. The source is located in Lake County and, therefore, this rule is not applicable to this source.

- (b) 326 IAC 10-3 (NOx Reduction Program for Specific Source Categories)
Pursuant to 326 IAC 10-3-1, the requirements of this rule apply to any of the specifically listed source categories. This source is not one of the specifically listed sources, therefore, this rule is not applicable to this source.
- (c) 326 IAC 10-4 (NOx Budget Trading Program)
Pursuant to 326 IAC 10-4-1, the requirements of this rule apply to electricity generating units (EGUs) and large affected units, as respectively defined at Sections 2 (16) and (27) of the rule. Based on these definitions, the combustion units at this source are not considered as an EGU or a large affected unit and the requirements of this rule does not apply to this source.

Compliance 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 one (1) natural gas fired turbine (A1), two (2) natural gas fired boilers (A3 and A14), five (5) diesel fired emergency generators (A6, A7, A8, A10, and A11), and one (1) natural gas fired vaporizer heater (A12) do not have applicable compliance monitoring requirements.

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 December 23, 2008.

Conclusion

The operation of this industrial gas manufacturing plant shall be subject to the conditions of the attached Part 70 Operating Permit Renewal No. 089-27292-00177.

**Appendix A: Emission Calculations
Summary**

Company Name: Praxair, Inc.

Address City IN Zip: Clark Road & Dean H. Mitchell Road, Gary, IN 46406

Permit Renewal No.: T089-27292-00177

Reviewer: Jean Boling

Date: December 23, 2008

Unit ID	Unit Description	Controlled/Limited Potential Emissions						
		PM (tons/yr)	PM ₁₀ (tons/yr)	PM _{2.5} (tons/yr)	SO ₂ (tons/yr)	NOx (tons/yr)	VOC (tons/yr)	CO (tons/yr)
A1	Gas Turbine Engine	4.63	4.63	31.54	31.54	224.26	1.47	57.47
A3 & 14	Boilers	2.60	2.60	0.20	0.20	34.16	1.88	28.70
A6,7,8,10 & 11	Emergency Generators	1.34	1.34	1.25	1.25	19.02	1.55	4.10
A12	Vaporizer Heater	1.36	1.36	0.11	0.11	8.97	0.99	15.08
A5 & 13	Insignificant Heaters	0.40	0.40	0.03	0.03	5.21	0.29	4.38
Total		10.32	10.32	33.13	33.13	291.63	6.18	109.72

**Appendix A: Emission Calculations
Natural Gas Combustion
Gas Turbine Engine**

**Company Name: Praxair, Inc.
Address City IN Zip: Clark Road & Dean H. Mitchell Road, Gary, IN 46406
Permit Renewal No.: T089-27292-00177
Reviewer: Jean Boling
Date: December 23, 2008**

Heat Input Capacity MMBtu/hr	Potential Throughput MMCF/yr
160.0	1401.6

Emission Factor in lb/MMBtu	Pollutant					
	PM	PM10	SO2	NOx	* VOC	CO
Potential Emission in tons/yr	4.625	4.625	31.536	224.256	1.472	57.466

*Total Nonmethane Organic Compound emission factors used for VOC.

Methodology

Emission Factors are from AP-42, Chapter 3.1, Table 3.1-1, SCC #2-02-002-01
 Potential Emission (tons/yr) = Throughput (MMBtu/hr) x Emission Factor (lb/MMBtu) x (8760 hr/yr)/(2,000 lb/ton)
 See page 3 for HAPs emissions calculations.

**Appendix A: Emission Calculations
Natural Gas Combustion HAPS
Gas Turbine Engine**

**Company Name: Praxair, Inc.
Address City IN Zip: Clark Road & Dean H. Mitchell Road, Gary, IN 46406
Permit Renewal No.: T089-27292-00177
Reviewer: Jean Boling
Date: December 23, 2008**

HAPs - Organics

	Acetaldehyde	Propylene Oxide	Formaldehyde	Xylene	Toluene
Emission Factor in lb/MMCF	4.0E-05	2.9E-05	7.1E-04	6.4E-05	1.3E-04
Potential Emission in tons/yr	2.80E-05	2.03E-05	4.98E-04	4.49E-05	9.11E-05

Methodology is the same as page 2.

The five highest organic HAPs emission factors are provided above.
Additional HAPs emission factors are available in AP-42, Chapter 1.4.

Appendix A: Emission Calculations
Natural Gas Combustion
Two (2) Small Industrial Boilers
MMBtu/Hr < 100

Company Name: Praxair, Inc.
Address City IN Zip: Clark Road & Dean H. Mitchell Road, Gary, IN 46406
Permit Renewal No.: T089-27292-00177
Reviewer: Jean Boling
Date: December 23, 2008

Heat Input Capacity (Boiler A3) MMBtu/hr	Potential Throughput MMCF/yr
67.00	575.41

Emission Factor in lb/MMscf	Pollutant					
	PM	PM10	SO2	NOx	VOC	CO
	7.6	7.6	0.6	100.0 *see below	5.5	84.0
Potential Emission in tons/yr	2.2	2.2	0.2	28.8	1.6	24.2

Heat Input Capacity (Boiler A14) MMBtu/hr	Potential Throughput MMCF/yr
12.56	107.87

Emission Factor in lb/MMscf	Pollutant					
	PM	PM10	SO2	NOx	VOC	CO
	7.6	7.6	0.6	100.0 *see below	5.5	84.0
Potential Emission in tons/yr	0.4	0.4	0.0	5.4	0.3	4.5

PM emission factors are condensable and filterable.

Methodology

All emission factors are based on tangential firing.

MMBtu = 1,000,000 BTU

MMscf = 1,000,000 Cubic Feet of Gas

Emission Factors are from AP 42, Chapter 1.4, Tables 1.4-1, 1.4-2, 1.4-3, SCC #1-02-006-02, 1-01-006-02, 1-03-006-02, and 1-03-006-03 (SUPPLEMENT D 3/98)

Emission Factors for NOx: Uncontrolled = 100, Low NOx Burner = 50, Low NOx Burners/Flue gas recirculation = 32

Potential Throughput (mmscf/yr) = Heat Input Capacity (mmBTU/hr) x 8,760 (hrs/yr) x (1 mmscf/1,020 mmBTU)

Potential Emissions (tons/yr) = Throughput (mmscf/yr) x Emission Factor (lb/mmscf)/2,000 (lb/ton)

See page 5 for HAPs emissions calculations.

Appendix A: Emission Calculations
Natural Gas Combustion HAPS
Two (2) Small Industrial Boilers
MMBtu/Hr < 100

Company Name: Praxair, Inc.
Address City IN Zip: Clark Road & Dean H. Mitchell Road, Gary, IN 46406
Permit Renewal No.: T089-27292-00177
Reviewer: Jean Boling
Date: December 23, 2008

HAPs - Organics (Boiler A3)

	Benzene	Dichlorobenzene	Formaldehyde	Hexane	Toluene
Emission Factor in lb/MMcf	2.1E-03	1.2E-03	7.5E-02	1.8E+00	3.4E-03
Potential Emission in tons/yr	0.0006	0.0003	0.0216	0.5179	0.0010

HAPs - Metals (Boiler A3)

	Lead	Barium	Chromium	Vanadium	Nickel
Emission Factor in lb/MMcf	5.0E-04	4.4E-03	1.4E-03	2.3E-03	2.1E-03
Potential Emission in tons/yr	0.0001	0.0013	0.0004	0.0007	0.0006

HAPs - Organics (Boiler A14)

	Benzene	Dichlorobenzene	Formaldehyde	Hexane	Toluene
Emission Factor in lb/MMcf	2.1E-03	1.2E-03	7.5E-02	1.8E+00	3.4E-03
Potential Emission in tons/yr	0.0001	0.0001	0.0040	0.0971	0.0002

HAPs - Metals (Boiler A14)

	Lead	Barium	Chromium	Vanadium	Nickel
Emission Factor in lb/MMcf	5.0E-04	4.4E-03	1.4E-03	2.3E-03	2.1E-03
Potential Emission in tons/yr	0.0000	0.0002	0.0001	0.0001	0.0001

Methodology is the same as Page 4.

The five highest organic and metal HAPs emission factors are provided above.
 Additional HAPs emission factors are available in AP-42, Chapter 1.4.

**Appendix A: Emission Calculations
Internal Combustion Engines - Diesel Fuel
Five (5) Emergency Generators (>250 and <600 HP)**

Company Name: Praxair, Inc.
Address City IN Zip: Clark Road & Dean H. Mitchell Road, Gary, IN 46406
Permit Renewal No.: T089-27292-00177
Reviewer: Jean Boling
Date: December 23, 2008

Potential Emissions calculated based on 8760 hours per year.

Heat Input Capacity*
MMBtu/hr

17.25

Emission Factor in lb/MMBtu	Pollutant					
	PM	PM10	SO2	NOx	VOC	CO
	0.31	0.31	0.29	4.41	0.4	0.95
Potential Emission in tons/yr	23.42	23.42	21.91	333.20	27.20	71.78

Potential Emissions calculated based on 500 hours per year for emergency generators:

Heat Input Capacity
MMBtu/hr

17.25

Emission Factor in lb/MMBtu	Pollutant					
	PM	PM10	SO2	NOx	VOC	CO
	0.31	0.31	0.29	4.41	0.4	0.95
Potential Emission in tons/yr	1.34	1.34	1.25	19.02	1.55	4.10

*Total heat input capacity for five diesel fired emergency generators, each with maximum heat input capacity of 2.8, 3.3, 2.8, 3.2 and 5.2 MMBtu/hr

Methodology

Emission Factors are from AP42 (Fifth edition, January 1995), Table 3.3-2
 Potential Emissions (tons/yr) = [Heat input rate (MMBtu/hr) x Emission Factor (lb/MMBtu)] * 8760 hr/yr / (2,000 lb/ton)
 Actual Emissions (tons/yr) = [Heat input rate (MMBtu/hr) x Emission Factor (lb/MMBtu)] * 500 hr/yr / (2,000 lb/ton)

Appendix A: Emission Calculations
Natural Gas Combustion
Vaporizer Heater
MMBtu/Hr < 100

Company Name: Praxair, Inc.
Address City IN Zip: Clark Road & Dean H. Mitchell Road, Gary, IN 46406
Permit Renewal No.: T089-27292-00177
Reviewer: Jean Boling
Date: December 23, 2008

Heat Input Capacity Potential Throughput
MMBtu/hr MMCF/yr

41.8	359.0
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Emission Factor in lb/MMscf	Pollutant					
	PM	PM10	SO2	NOx	VOC	CO
	7.6	7.6	0.6	50.0 *see below	5.5	84.0
Potential Emission in tons/yr	1.4	1.4	0.1	9.0	1.0	15.1

PM emission factors are condensable and filterable.

Methodology

All emission factors are based on normal firing.

MMBTU = 1,000,000 BTU

MMCF = 1,000,000 Cubic Feet of Gas

Emission Factors are from AP 42, Chapter 1.4, Tables 1.4-1, 1.4-2, 1.4-3, SCC #1-02-006-02, 1-01-006-02, 1-03-006-02, and 1-03-006-03 (SUPPLEMENT D 3/98)

Emission Factors for NOx: Uncontrolled = 100, Low NOx Burner = 50, Low NOx Burners/Flue gas recirculation = 32

Potential Throughput (mmscf) = Heat Input Capacity (MMBtu/hr) x 8,760 hrs/yr x 1 MMCF/1,020 MMBtu

Potential Emissions (tons/yr) = Throughput (MMCF/yr) x Emission Factor (lb/MMCF)/2,000 lb/ton

See page 8 for HAPs emissions calculations.

Appendix A: Emission Calculations
Natural Gas Combustion HAPS
Vaporizer Heater
MMBtu/Hr < 100

Company Name: Praxair, Inc.
Address City IN Zip: Clark Road & Dean H. Mitchell Road, Gary, IN 46406
Permit Renewal No.: T089-27292-00177
Reviewer: Jean Boling
Date: December 23, 2008

HAPs - Organics

	Benzene	Dichlorobenzene	Formaldehyde	Hexane	Toluene
Emission Factor in lb/MMCF	2.1E-03	1.2E-03	7.5E-02	1.8E+00	3.4E-03
Potential Emission in tons/yr	0.0004	0.0002	0.0135	0.3231	0.0006

HAPs - Metals

	Lead	Barium	Chromium	Vanadium	Nickel
Emission Factor in lb/MMcf	5.0E-04	4.4E-03	1.4E-03	2.3E-04	2.1E-03
Potential Emission in tons/yr	0.0001	0.0008	0.0003	0.0000	0.0004

Methodology is the same as page 7.

The five highest organic and metal HAPs emission factors are provided above.
 Additional HAPs emission factors are available in AP-42, Chapter 1.4.

Appendix A: Emission Calculations
Natural Gas Combustion
Thaw Heater and Regeneration Heater
MMBtu/Hr < 100

Company Name: Praxair, Inc.
Address City IN Zip: Clark Road & Dean H. Mitchell Road, Gary, IN 46406
Permit Renewal No.: T089-27292-00177
Reviewer: Jean Boling
Date: December 23, 2008

POTENTIAL EMISSIONS

Heat Input Capacity* Potential Throughput
MMBtu/hr MMCF/yr

11.9	104.2
------	-------

Emission Factor in lb/mmcf	Pollutant					
	PM	PM10	SO2	NOx	VOC	CO
	7.6	7.6	0.6	100.0	5.5	84.0
Potential Emission in tons/yr	0.4	0.4	0.0	5.2	0.3	4.4

PM emission factors are condensable and filterable.

* Total heat input capacity for two (2) heaters, each with maximum heat input capacity of 6.2 and 5.7 MMBtu/hr

Methodology

All emission factors are based on normal firing.

MMBTU = 1,000,000 BTU

MMCF = 1,000,000 Cubic Feet of Gas

Emission Factors are from AP 42, Chapter 1.4, Tables 1.4-1, 1.4-2, 1.4-3, SCC #1-02-006-02, 1-01-006-02, 1-03-006-02, and 1-03-006-03 (SUPPLEMENT D 3/98)

Emission Factors for NOx: Uncontrolled = 100, Low NOx Burner = 50, Low NOx Burners/Flue gas recirculation = 32

Potential Throughput (MMscf) = Heat Input Capacity (MMBtu/hr) x 8,760 hrs/yr x 1 MMCF/1,020 MMBtu

See page 10 for HAPs emissions calculations.

Appendix A: Emission Calculations
Natural Gas Combustion HAPS
Thaw Heater and Regeneration Heater
MMBtu/Hr < 100

Company Name: Praxair, Inc.
Address City IN Zip: Clark Road & Dean H. Mitchell Road, Gary, IN 46406
Permit Renewal No.: T089-27292-00177
Reviewer: Jean Boling
Date: December 23, 2008

HAPs - Organics

	Benzene	Dichlorobenzene	Formaldehyde	Hexane	Toluene
Emission Factor in lb/MMCF	2.1E-03	1.2E-03	7.5E-02	1.8E+00	3.4E-03
Potential Emission in tons/yr	0.0001	0.0001	0.0039	0.0938	0.0002

HAPs - Metals

	Lead	Barium	Chromium	Vanadium	Nickel
Emission Factor in lb/MMCF	5.0E-04	4.4E-03	1.4E-03	2.3E-04	2.1E-03
Potential Emission in tons/yr	0.0000	0.0002	0.0001	0.0000	0.0001

Methodology is the same as page 9.

The five highest organic and metal HAPs emission factors are provided above.
 Additional HAPs emission factors are available in AP-42, Chapter 1.4.



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: Doug Wilcox
Praxair, Inc.
4400 Kennedy Ave
East Chicago, IN 46312

DATE: December 3, 2009

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

SUBJECT: Final Decision
Title V - Renewal
089 - 27292 - 00177

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:
Dennis Maxwell, Operations Manager
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

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
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December 3, 2009

TO: Gary Public Library

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

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

Applicant Name: Praxair, Inc.
Permit Number: 089 - 27292 - 00177

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	LPOGOST 12/3/2009 Praxair, Inc. 089 - 27292 - 00177 (final)		Type of Mail: CERTIFICATE OF MAILING ONLY	AFFIX STAMP HERE IF USED AS CERTIFICATE OF MAILING
Name and address of Sender		Indiana Department of Environmental Management Office of Air Quality – Permits Branch 100 N. Senate Indianapolis, IN 46204		

Line	Article Number	Name, Address, Street and Post Office Address	Postage	Handing Charges	Act. Value (If Registered)	Insured Value	Due Send if COD	R.R. Fee	S.D. Fee	S.H. Fee	Rest. Del. Fee
											Remarks
1		Doug Wilcox Praxair, Inc. 4400 Kennedy Ave East Chicago IN 46312 (Source CAATS) Via confirmed delivery									
2		Dennis Maxwell Operations Manager Praxair, Inc. 4400 Kennedy Ave East Chicago IN 46312 (RO CAATS)									
3		Gary - Hobart Water Corp 650 Madison St, P.O. Box M486 Gary IN 46401-0486 (Affected Party)									
4		Gary Mayors Office 401 Broadway # 203 Gary IN 46402 (Local Official)									
5		Gary Public Library 220 W 5th Avenue Gary IN 46402 (Library)									
6		Lake County Health Department-Gary 1145 W. 5th Ave Gary IN 46402-1795 (Health Department)									
7		WJOB / WZVN Radio 6405 Olcott Ave Hammond IN 46320 (Affected Party)									
8		Laurence A. McHugh Barnes & Thornburg 100 North Michigan South Bend IN 46601-1632 (Affected Party)									
9		Shawn Sobocinski 3229 E. Atlanta Court Portage IN 46368 (Affected Party)									
10		Ms. Carolyn Marsh Lake Michigan Calumet Advisory Council 1804 Oliver St Whiting IN 46394-1725 (Affected Party)									
11		Mark Coleman 9 Locust Place Ogden Dunes IN 46368 (Affected Party)									
12		Mr. Chris Hernandez Pipefitters Association, Local Union 597 8762 Louisiana St., Suite G Merrillville IN 46410 (Affected Party)									
13		Craig Hogarth 7901 West Morris Street Indianapolis IN 46231 (Affected Party)									
14		Lake County Commissioners 2293 N. Main St, Building A 3rd Floor Crown Point IN 46307 (Local Official)									
15		Anthony Copeland 2006 E. 140th Street East Chicago IN 46312 (Affected Party)									

Total number of pieces Listed by Sender	Total number of Pieces Received at Post Office	Postmaster, Per (Name of Receiving employee)	The full declaration of value is required on all domestic and international registered mail. The maximum indemnity payable for the reconstruction of nonnegotiable documents under Express Mail document reconstructing insurance is \$50,000 per piece subject to a limit of \$50,000 per occurrence. The maximum indemnity payable on Express mail merchandise insurance is \$500. The maximum indemnity payable is \$25,000 for registered mail, sent with optional postal insurance. See Domestic Mail Manual R900, S913, and S921 for limitations of coverage on insured and COD mail. See International Mail Manual for limitations of coverage on international mail. Special handling charges apply only to Standard Mail (A) and Standard Mail (B) parcels.
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1		Barbara G. 506 Lilac Street East Chicago IN 46312 (Affected Party)										
2		Mr. Robert Garcia 3733 Parrish Avenue East Chicago IN 46312 (Affected Party)										
3		Ms. Karen Kroczek 8212 Madison Ave Munster IN 46321-1627 (Affected Party)										
4		Calumet Township Trustee 35 E 5th Avenue Gary IN 46402 (Affected Party)										
5		Joseph Hero 11723 S Oakridge Drive St. John IN 46373 (Affected Party)										
6		Gary City Council 401 Broadway # 209 Gary IN 46402 (Local Official)										
7												
8												
9												
10												
11												
12												
13												
14												
15												

Total number of pieces Listed by Sender	Total number of Pieces Received at Post Office	Postmaster, Per (Name of Receiving employee)	The full declaration of value is required on all domestic and international registered mail. The maximum indemnity payable for the reconstruction of nonnegotiable documents under Express Mail document reconstructing insurance is \$50,000 per piece subject to a limit of \$50,000 per occurrence. The maximum indemnity payable on Express mail merchandise insurance is \$500. The maximum indemnity payable is \$25,000 for registered mail, sent with optional postal insurance. See Domestic Mail Manual R900, S913, and S921 for limitations of coverage on insured and COD mail. See International Mail Manual for limitations of coverage on international mail. Special handling charges apply only to Standard Mail (A) and Standard Mail (B) parcels.
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