



INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

We Protect Hoosiers and Our Environment.

Mitchell E. Daniels Jr.
Governor

Thomas W. Easterly
Commissioner

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

TO: Interested Parties / Applicant

DATE: July 14, 2009

RE: Bunge North America (East) Inc. / 145-278781-00035

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

Notice of Decision: Approval - Effective Immediately

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

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

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

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

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

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

Enclosures
FNPER.dot12/03/07



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Bunge North America (East), Inc.
700 N. Rangeline Rd.
Morristown, IN 46161

July 14, 2009

Re: Interim Significant Source Modification Petition
145-27878I-00035

Dear Maranda Mullins:

On June 23, 2009, the Office of Air Quality (OAQ) received an interim significant source modification petition from Bunge North America (East), Inc. located at 700 N. Rangeline Rd., Morrilltown, Indiana for construction of a Soybean Ground Pile System.

Public notice of the interim significant source modification petition was published on June 27, 2009. The public comment period ended on July 11, 2009. Since there were no comments received during the public comment period, pursuant to 326 IAC 2-13-1(i), the interim significant source modification petition is in effect on July 14, 2009, and expires on the effective date of the final significant source modification permit. The interim significant source modification petition may be revoked after this effective date upon a written finding by the Indiana Department of Environmental Management (IDEM) that any of the reasons for denial in 326 IAC 2-13-1(h) exist or if the final significant source modification permit is denied. The IDEM has reviewed this interim significant source modification petition and has not found any such reason. The facilities specified in the interim significant source modification petition may not operate until the final significant source modification permit is issued by OAQ.

The interim significant source modification petition is federally enforceable. Detailed construction and operation conditions will be specified in the final significant source modification permit 145-27878-00035.

If you have any questions regarding this interim significant source modification petition, please contact Jean Boling of my staff at 317-234-5400, or at 1-800-451-6027 (ask for extension 4-5400).

Sincerely,

Donald F. Robin, P.E., Section Chief
Permits Branch
Office of Air Quality

DFR/jcb

Enclosure: Interim Permit Evaluation (4 pages)

cc: File -- Shelby County
Shelby County Health Department
Compliance and Enforcement Branch

Indiana Department of Environmental Management Office of Air Management

Interim Significant Source Modification Evaluation Sheet

| | |
|--|--|
| Company Name: Bunge North America (East), Inc. | |
| Location: 700 North Rangeland Road, Morristown, IN | Permit No: 145-27878-00035 |
| Permit Reviewer: Jean Boling | Date Receipt of Application: 06/23/2009 |
| | Date of review: 6/26/2009 |
| Description of the interim construction: Grain Ground Pile and Associated Equipment | |
| Public Notice Period = 6/27/2009 to 7/11/2009 | |
| Public Notice Date + 3 days = 17 days = 7/14/2009 | |

Interim Petition Applicability: 326 IAC 2-13-1

- (a) Existing Source with valid permit;
- (b) Exemptions:
 - (1) construction of a PSD source or PSD modification;
 - (2) construction or modification in nonattainment area that would emit those pollutants for which the nonattainment designation is based.
 - (3) any modification subject to 326 IAC 2-4.1.
- (c) Public notice comment period is 14 calendar days.

Instructions: Check (✓) appropriate answers and make a recommendation.

1. Did the applicant submit a written petition for an interim significant permit revision or significant source modification?

- Yes Go to question 2.
 No Ignore verbal request.

2. Did the applicant pay the applicable interim permit fee? \$625 for TV, FESOP, and SSOA. \$500 for MSOP.

- Yes Go to question 3.
 No Deny the application, pursuant to 326 IAC 2-13-1(c)(1).

Comments: _____

3. Did the applicant state acceptance of federal enforceability of an interim significant permit revision or significant source modification?

- Yes Go to question 4.
 No Deny the application, pursuant to 326 IAC 2-13-1(c)(2)(D).

4. Did the applicant or its authorized agent sign the application?

- Yes Go to question 5.
 No Deny the application, pursuant to 326 IAC 2-13-1(c)(2)(E).

5. Did the applicant submit a notarized affidavit stating that the applicant will proceed at its own risk (if the interim significant permit revision or significant source modification is issued), including, but not limited to:

- (a) Financial risk,
- (b) Risk that additional emission controls may be required,
- (c) Risk that the final significant permit revision or significant source modification may be denied.

- Yes Go to question 6.
- No Deny the application, pursuant to 326 IAC 2-13-1(c)(2)(F).

6. Did the applicant begin construction prior to submitting the interim significant permit revision or significant source modification application?

- Yes Deny the application, pursuant to 326 IAC 2-13-1(h)(6).
- No Go to question 7.

7. What is the type of the interim construction?

- New Source Deny the application, pursuant to 326 IAC 2-13-1(a)
- Modification to an existing source Go to question 8.

8. Did the applicant present data in the interim significant permit revision or significant source modification that is sufficient to determine PSD, NSPS, NESHAP, and state rule compliance?

- Yes Go to question 9.
- No Deny the application pursuant to:
326 IAC 2-13-1(c)(2)(B), for PSD;
326 IAC 2-13-1(c)(2)(C), for NSPS or NESHAP;
326 IAC 2-13-1(c)(2)(C), for state rules.

9. Is the proposed modification to be located in a nonattainment area?

- Yes Go to question 10.
- No Go to question 11.

County: Shelby County

Comments: _____

10. Will the proposed modification emit the pollutant for which the area is nonattainment in quantities greater than the significant levels?

- Yes Deny the application, pursuant to 326 IAC 2-13-1(a)(2).
- No Go to question 11.

11. Did the petition include a complete description of the process?

- Yes Go to question 12.
- No Deny the petition, pursuant to 326 IAC 2-13-1(c)(2).

12. Did the interim significant permit revision or significant source modification petition contain conditions accepting either emission controls (baghouse, afterburners, scrubbers, etc.) or enforceable limits or other suitable restriction to avoid PSD applicability; as well as control parameters (incinerator operating temperature, baghouse pressure drop, etc.)? The specific limits must be explicitly spelled out (i.e.: The gas consumption of the boiler shall not exceed 29 million cubic feet per month.) A statement such as that the company agrees to conditions such that PSD rules are not applicable is not acceptable.

- Yes Go to question 13.
- No Deny the application, pursuant to 326 IAC 2-13-1(c)(2)(B).

13. Do the emission controls and/or throughput limits prevent PSD applicability?
 Yes Go to question 14.
 No Deny the application, pursuant to 326 IAC 2-13-1(c)(2)(B).
14. Will the modification, after application of all emission controls and/or throughput limitations comply with all applicable New Source Performance Standards (NSPS) (40 CFR 60)?
 Yes Go to question 15.
 No Deny the application, pursuant to 326 IAC 2-13-1(c)(2)(C).
15. Will the modification, after application of all emission controls and/or throughput limitations comply with all applicable National Emission Standards for Hazardous Air Pollutants (NESHAP)?
 Yes Go to question 16.
 No Deny the application, pursuant to 326 IAC 2-13-1(c)(2)(C).
16. Will the modification, after application of all emission controls and/or throughput limitations, comply with all applicable state rules?
 Yes Go to question 17.
 No Deny the application, pursuant to 326 IAC 2-13-1(c)(2)(C).
17. Does the applicant dispute applicability of any applicable state or federal rule?
 Yes Deny the application, pursuant to 326 IAC 2-13-1(c)(2)(C).
 No Go to question 18.
18. Is there good reason to believe that the applicant does not intend to construct in accordance with the interim significant permit revision or significant source modification petition?
 Yes Deny the application, pursuant to 326 IAC 2-13-1(h)(1).
 No Go to question 19.
19. Is there good reason to believe that information in the petition has been falsified?
 Yes Deny the application, pursuant to 326 IAC 2-13-1(h)(7).
 No Approve the interim significant permit revision or significant source modification petition.
20. Has the petition been adequately public noticed? A proof of publication copy is necessary.
 Yes Go to question 21.
 No Deny the application, pursuant to 326 IAC 2-13-1(e).
- Newspaper: Shelby News
- Date of publication: 6/27/2009
21. Were comments received within seventeen (17) days after the public notice of the interim significant permit revision or significant source modification?
(14 calendar days for comment period + 3 working days for mailing)
 Yes Evaluate the comments received, and make a recommendation.
 No Issue the final interim significant permit revision or significant source modification approval.

Comments: _____

Recommendation: _____

Date the applicant was informed of the decision: 7/13/2009

Method of informing the applicant: phone and mail



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Governor

Thomas W. Easterly
Commissioner

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(317) 232-8603
Toll Free (800) 451-6027
www.idem.IN.gov

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

TO: Maranda Mullis
Bunge North America (East) Inc.
700 N Rangeline Road
Morristown, Indiana 46161

DATE: July 14, 2009

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

SUBJECT: Final Decision
Interim SSM
145-278781-00035

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:
Brian Searfoss (Bunge North America (East) Inc.)
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

Mail Code 61-53

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|----------------------------|---|---|--|--|
| IDEM Staff | CDENNY 07/14/2009 Bunge North America (East), Inc. 145-278781-00035 (final) | | AFFIX STAMP HERE IF USED AS CERTIFICATE OF MAILING | |
| Name and address of Sender |  | Indiana Department of Environmental Management Office of Air Quality – Permits Branch 100 N. Senate Indianapolis, IN 46204 | Type of Mail: CERTIFICATE OF MAILING ONLY | |

| Line | Article Number | Name, Address, Street and Post Office Address | Postage | Handing Charges | Act. Value (If Registered) | Insured Value | Due Send if COD | R.R. Fee | S.D. Fee | S.H. Fee | Rest. Del. Fee | Remarks |
|------|----------------|---|---------|-----------------|----------------------------|---------------|-----------------|----------|----------|----------|----------------|---------|
| 1 | | Maranda Mullis Bunge North America (East), Inc. 700 N Rangeline Rd Morristown IN 46161-0860 (Source CAATS) | | | | | | | | | | |
| 2 | | Brian Searfoss Facility Mgr Bunge North America (East), Inc. 700 N Rangeline Rd Morristown IN 46161-0860 (RO CAATS) | | | | | | | | | | |
| 3 | | Mr. Daniel Evans 45 Carriage Lake Dr. Brownsburg IN 46112 (Affected Party) | | | | | | | | | | |
| 4 | | Mr. Charles L. Berger Berger & Berger, Attorneys at Law 313 Main Street Evansville IN 47700 (Affected Party) | | | | | | | | | | |
| 5 | | Mr. John Evans 316 2nd Street Huntington Beach CA 92648 (Affected Party) | | | | | | | | | | |
| 6 | | Mr. Hugh Garner 10203 S Degelow Road Milroy IN 46156 (Affected Party) | | | | | | | | | | |
| 7 | | Michael & Pamela Bassett 4738 East 1100 North Morristown IN 46161 (Affected Party) | | | | | | | | | | |
| 8 | | Maxine Evans 9066 North 700 East Morristown IN 46161 (Affected Party) | | | | | | | | | | |
| 9 | | Christopher, Brandon, Kim & Sarah Everhart 10493 N 800 E Arlington IN 46404-9602 (Affected Party) | | | | | | | | | | |
| 10 | | Ms. Lisa Fox 6820 East 600 South Morristown IN 46161 (Affected Party) | | | | | | | | | | |
| 11 | | Mr. Kent Gordon 662 South Wash R 1 Morristown IN 46161 (Affected Party) | | | | | | | | | | |
| 12 | | Ms. Nikki Griffin 4698 East 1100 North Morristown IN 46161 (Affected Party) | | | | | | | | | | |
| 13 | | Ms. Kathy Hannemann 7004 East 600 South Morristown IN 46161 (Affected Party) | | | | | | | | | | |
| 14 | | Gary & Mary Harris 6488 East 600 South Morristown IN 46161 (Affected Party) | | | | | | | | | | |
| 15 | | Robert & Margaret Halvin 6290 East 600 South Morristown IN 46161 (Affected Party) | | | | | | | | | | |

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| 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 mil 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 inured and COD mail. See International Mail Manual for limitations o coverage on international mail. Special handling charges apply only to Standard Mail (A) and Standard Mail (B) parcels. |
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Mail Code 61-53

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| 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 | | Sandra & Ray PO Box 163 Morristown IN 46161 (Affected Party) | | | | | | | | | | |
| 2 | | Mr. Louis Hudson 6433 East 1100 North Morristown IN 46161 (Affected Party) | | | | | | | | | | |
| 3 | | Ms. Norma Kraft 9266 North Blue River Road Morristown IN 46161 (Affected Party) | | | | | | | | | | |
| 4 | | Frances & Katrina Macy PO Box 474 Morristown IN 46161 (Affected Party) | | | | | | | | | | |
| 5 | | Connie Scott 4359 Est 1100 North Morristown IN 46161 (Affected Party) | | | | | | | | | | |
| 6 | | Ms. Shirley Shepherdson 8849 North Blue River Road Morristown IN 46161 (Affected Party) | | | | | | | | | | |
| 7 | | Merrill & Donna Storm 11317 North 500 East Morristown IN 46161 (Affected Party) | | | | | | | | | | |
| 8 | | Ms. Betty Tribby PO Box 174 Morristown IN 46161 (Affected Party) | | | | | | | | | | |
| 9 | | Morristown Town Council and Town Manager P.O. Box 389 Morristown IN 46161 (Local Official) | | | | | | | | | | |
| 10 | | Harold, Joan & Laurel Nelson 1133 Warrick Road Muncie IN 47304 (Affected Party) | | | | | | | | | | |
| 11 | | Heather & Sean Christopher 4385 West Woodbridge Lane New Palestine IN 46163-9487 (Affected Party) | | | | | | | | | | |
| 12 | | Mr. Quin McLoughlin 300 South Plum Grove Road Palatine IL 60067 (Affected Party) | | | | | | | | | | |
| 13 | | Dennis & Rita Corn 341 East 5th Street Rushville IN 46173 (Affected Party) | | | | | | | | | | |
| 14 | | Ms. Junita Nigh 5381 East 850 North Shelbyville IN 46176 (Affected Party) | | | | | | | | | | |
| 15 | | Shelby County Commissioners 25 West Polk Shelbyville IN 46176 (Local Official) | | | | | | | | | | |

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| 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 mil 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 inured and COD mail. See International Mail Manual for limitations o coverage on international mail. Special handling charges apply only to Standard Mail (A) and Standard Mail (B) parcels. |
| 15 | | | |

Mail Code 61-53

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| 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 | | Larry 505 Hintz Rd. Owosso MI 48867 (Affected Party) | | | | | | | | | | |
| 2 | | Larry & Patricia Cassidy 7066 East Union Road Shelbyville IN 46176-9109 (Affected Party) | | | | | | | | | | |
| 3 | | Ronald & Marianne Smalley 5433 East 1200 North Morristown IN 46161 (Affected Party) | | | | | | | | | | |
| 4 | | Mildred, Robert & Doug Smith 10687 North 300 North Morristown IN 46161 (Affected Party) | | | | | | | | | | |
| 5 | | Ms. Jackie Shannon PO Box 59 Gwynneville IN 46144 (Affected Party) | | | | | | | | | | |
| 6 | | Shelby County Health Department 1600 E. SR 44B Shelbyville IN 46176 (Health Department) | | | | | | | | | | |
| 7 | | Margaret Brunk Shelby County Council PO Box 107 Fountaintown In 46130 (Affected Party) | | | | | | | | | | |
| 8 | | Tami Grubbs Shelby County Council 2961 N 100 W Shelbyville In 46176 (Affected Party) | | | | | | | | | | |
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| 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 mil 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 inured and COD mail. See International Mail Manual for limitations o coverage on international mail. Special handling charges apply only to Standard Mail (A) and Standard Mail (B) parcels. |
| 8 | | | |