



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: August 19, 2009

RE: Heartland Aluminum, Inc. / 069-282711-00060

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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Ms. Tiffany Maher
Heartland Aluminum, Inc.
P.O. Box 150
Warren, IN 46792

August 19, 2009

Re: Interim Significant Permit Revision Petition Approval
069-28271-00060

Dear Ms. Maher:

On July 27, 2009, the Office of Air Quality (OAQ) received an interim Significant Permit Revision petition from Heartland Aluminum, Inc., located at 706 East 9th Street, in Warren, Indiana for construction of one (1) natural gas-fired reverberatory furnace and one (1) natural gas-fired holding furnace.

A public notice of the interim Significant Permit Revision petition was published in Huntington County Tab on July 30, 2009. The public comment period ended on August 13, 2009.

Since there are no comments received during the public comment period, pursuant to 326 IAC 2-13-1(i), the interim Significant Permit Revision petition is in effect on August 16, 2009 and expires on the effective date of the final Significant Permit Revision permit.

The interim Significant Permit Revision petition may be revoked after its 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 Permit Revision permit is denied. The IDEM has reviewed this interim Significant Permit Revision petition and has not found any such reason. The facilities specified in the interim Significant Permit Revision petition may not operate until the final Significant Permit Revision permit is issued by OAQ.

The interim Significant Permit Revision petition is federally enforceable. Detailed construction and operation conditions will be specified in the final Significant Permit Revision permit 069-28271-00060.

If you have any questions regarding this interim Significant Permit Revision petition, please contact Brian Williams, OAQ, 100 North Senate Avenue, MC 61-53, Room 1003, Indianapolis, Indiana, 46204-2251, or call at (800) 451-6027, and ask for Brian Williams or extension 4-5375, or dial (317) 234-5375.

Sincerely,

Iryn Galilung, Section Chief
Permits Branch
Office of Air Quality

Enclosure: Interim Permit Evaluation (4 pages)

BMW

cc: File – Huntington County
Huntington County Health Department
U.S. EPA, Region V

U.S. EPA, Region V
Compliance and Enforcement Branch
Billing, Licensing and Training Section

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

Interim Significant Permit Revision Evaluation Sheet

Company Name: Heartland Aluminum, Inc.		
Location: 706 East 9th Street, Warren, Indiana 46792	Permit No: 069-282711-00060	
Permit Reviewer: Brian Williams	Date Receipt of Application: 07/27/2009	Date of review: 08/18/2009
Description of the interim construction: One (1) natural gas-fired reverberatory furnace, identified as Lucy 2 Furnace, rated at 14 MMBtu/hr, with a maximum capacity of 4 tons of scrap metal per hour, equipped with a baghouse for particulate control, and exhausting to stack EP-04. One (1) natural gas-fired holding furnace, identified as holding furnace, rated at 12 MMBtu/hr, with a maximum capacity of 2.5 tons of scrap metal per hour, and exhausting to stack EP-05.		
Public Notice Date + 17 days = 08/16/2009		
Date the Application was received + 19 days = 08/15/2009		

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. any modification subject to 326 IAC 2-4.1.

- (c) For a modification that requires a Significant Permit Revision or Significant Source Modification, a public notice comment period of 14 calendar days is required.

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 \$625 interim permit fee?
 - Yes Go to question 3.
 - No Deny the application, pursuant to 326 IAC 2-13-1(c)(1).

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: Huntington County
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: Huntington County Tab

Date of publication: 07/30/2009

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.



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Commissioner

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

TO: Tiffany Maher
Heartland Aluminum, Inc.
POB 150
Warren, IN 46792

DATE: August 19, 2009

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

SUBJECT: Final Decision
Interim
069-282711-00060

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:
Mr. Jim Thorpe
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

IDEM Staff	CDENNY 8/19/2009 Heartland Aluminum, Inc. 069-282711-00060 (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		Tiffany Maher Heartland Aluminum, Inc. PO Box 150 Warren IN 46792 (Source CAATS)										
2		Mr. Charles L. Berger Attorney Berger & Berger, Attorneys at Law 313 Main Street Evansville IN 47700 (Affected Party)										
3		Huntington County Board of Commissioners 354 N. Jefferson St. Suite 201 Huntington IN 46750 (Local Official)										
4		Frederick & Iva Moore 6019 W 650 N Ligonier IN 46767 (Affected Party)										
5		Ms. Mary Shipley 10968 E 100 S Marion IN 46953 (Affected Party)										
6		Huntington County Health Department 354 N. Jefferson Street, Suite 201 Huntington IN 46750 (Health Department)										
7		Melvin & Deborah Gillespie 5616 N 200 E Huntington IN 46750 (Affected Party)										
8		Warren Town Council PO Box 477 Warren IN 46792 (Local Official)										
9		Mr. Jim Thorpe Air Analysis, Inc. 3604 Clarks Creek Rd Plainfield IN 46792 (Consultant)										
10												
11												
12												
13												
14												
15												

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