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: Oct. 23, 2009

RE: The Levy Company, Inc. -a contractor of Arcelor/Mittal / 127-28456-00026

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

Notice of Decision – Approval

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

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

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

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

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

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

Enclosures
FNPER-AM.dot12/3/07

INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

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Shannon Jordan
Operation Manager
Levy Company, Inc. - a contractor of ISG Burns Harbor, LLC
PO BOX 540
Portage, IN 46368

Oct. 23, 2009

Re: 127-28456-00026
Administrative Amendment to
Part 70 Operating Permit No.: T127-7656-00026

Dear Shannon Jordan:

Levy Company, Inc. - a contractor of ISG Burns Harbor, LLC was issued a Part 70 Operating Permit on June 30, 2006 for a blast furnace and basic oxygen furnace slag finishing operation and separation plant. A letter requesting changes to this permit was received on September 14, 2009. Pursuant to the provisions of 326 IAC 2-7-11(a)(7), an administrative amendment to this permit is hereby approved as described in the attached Technical Support Document.

The amendment consists of adding storage piles.

The Office of Air Quality has been notified that Shannon Jordan, the operations manager, has become the Responsible Official (RO) at Levy Company, Inc. - a contractor of ISG Burns Harbor, LLC. The permit is not affected by this notification.

All other conditions of the permit shall remain unchanged and in effect. For your convenience, the entire Part 70 Operating Permit as amended has been provided with this letter.

This decision is subject to the Indiana Administrative Orders and Procedures Act – IC 4-21.5-3-5. If you have any questions on this matter, please contact Mehul Sura, OAQ, 100 North Senate Avenue, MC 61-53, Room 1003, Indianapolis, Indiana, 46204-2251, or call at (800) 451-6027, and ask for Mehul Sura or extension (3-6868), or dial (317) 233-6868.

Sincerely,

Chrystal A. Wagner, Section Chief
Permits Branch
Office of Air Quality

Attachments:
Updated Permit
Technical Support Document

mns

cc: File – Porter County
Porter Health Department
U.S. EPA, Region V
Northwest Regional Office (NWRO)
Compliance and Enforcement Managers
Compliance Data Section
Permits Administration and Development

Susan Grenzebach
OCS Environmental, Inc.
130 Lincoln Street, Suite 1
Porter, IN 46034

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PART 70 OPERATING PERMIT
OFFICE OF AIR QUALITY

The Levy Company, Inc.-
a contractor of ISG Burns Harbor, LLC
U.S. Highway 12
Burns Harbor, Indiana 46304

(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.: T127-7656-00026	
Original signed by: Nisha Sizemore, Chief Permits Branch Office of Air Quality	Issuance Date: June 30, 2006 Expiration Date: June 30, 2011

First Administrative Amendment No. 127-23652-00026, issued on October 30, 2006.
First Significant Permit Modification No.: 127-24655-0026, issued on October 10, 2007

Second Administrative Amendment No. 127-28456-00026	
Issued by: Chrystal Wagner, Section Chief Permits Branch Office of Air Quality	Issuance Date: Oct. 23, 2009 Expiration Date: June 30, 2011

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SECTION A SOURCE SUMMARY

This approval is based on information requested by the Indiana Department of Environmental Management (IDEM), Office of Air Quality (OAQ). The information describing the emission units contained in conditions A.1, A.2, A.3, and A.4 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 approval 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)]

The Permittee owns and operates a blast furnace and basic oxygen furnace slag finishing operation and separation plant.

Source Address:	U.S. Highway 12, Burns Harbor, Indiana 46304
Mailing Address:	P.O. Box 540, Portage, Indiana 46368
General Source Phone Number:	(219) 787-9583
SIC Code:	3295
County Location:	Porter
Source Location Status:	Nonattainment for PM 2.5 Nonattainment for 8-hour ozone standard Attainment for all other criteria pollutants
Source Status:	Part 70 Permit Program Major Source under PSD, Emission Offset, and Nonattianment NSR Rules Major Source, Section 112 of the Clean Air Act 1 of 28 Listed Source Categories

A.2 Part 70 Source Definition [326 IAC 2-7-1(22)]

The Levy Company, Inc., operates this slag finishing operation and separation plant, and is a contractor of ISG Burns Harbor, LLC:

(a) ISG Burns Harbor, LLC (plant ID 127-00001), the primary operation, is located at U.S. Highway 12, Burns Harbor, Indiana; and

(b) The Levy Company (plant ID 127-00026), the secondary operation, is located at U.S. Highway 12, Burns Harbor, Indiana.

Separate Part 70 permits will be issued to ISG Burns Harbor, LLC (TV 127-6301-00001) and The Levy Company (TV 127-7656-00026) solely for administrative purposes.

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

The Levy Company, Inc. operates the following emission units and pollution control devices:

Burns Harbor Site

(a) An open air Slag Pot Dumping operation constructed in 1969 which receives slag pots by pot carrier from the BOF, identified as EU001-01, with collective fugitive emissions EP001-9011.

(b) An open air Slag Pot Preparation operation constructed in 1969, identified as EU001-04, consisting of relining and conditioning of empty pots, with pot material additive, with collective fugitive emissions EP001-9001.

(c) An open air Blast Furnace and BOF Slag Batch Unloading/Processing/Loading operation (Separation Plant) constructed in 1969, identified as EU001-02, with a maximum capacity of 1,150 tons of material per hour, with PM controlled by water sprays, and collective fugitive emissions EP001-9002, consisting of the following equipment:

(1) One (1) grizzly and feed hopper with a maximum capacity of 350 tons per hour.
(2) One (1) No. 101 feeder with a maximum capacity of 1,150 tons per hour.
(3) One (1) No. 102 belt feeder with a maximum capacity of 1,000 tons per hour.
(4) One (1) No. 103 72” drum magnet.
(5) One (1) No. 103-A swinging pendulum magnet.

(6) One (1) No. 104 main conveyor with a maximum capacity of 1,260 tons per hour.
(7) One (1) 42” mag head pulley.
(8) One (1) Nos. 105 and 106 screens with a maximum capacity of 630 tons per hour each.
(9) One (1) No. 107 conveyor with a maximum capacity of 550 tons per hour.
(10) One (1) No. 109 radial stacker with a maximum capacity of 550 tons per hour.
(11) One (1) 30” mag head pulley.
(12) One (1) No. 107-A conveyor with a maximum capacity of 550 tons per hour.
(13) One (1) No. 110 radial stacker with a maximum capacity of 550 tons per hour.
(14) One (1) 24” mag head pulley.
(15) One (1) No. 111 crusher with a maximum capacity of 700 tons per hour.
(16) One (1) No. 108 conveyor with a maximum capacity of 300 tons per hour.
(17) One (1) No. 139 conveyor with a maximum capacity of 210 tons per hour.
(18) One (1) No. 140 conveyor with a maximum capacity of 550 tons per hour.
(19) One (1) No. 141 secondary crusher with a maximum capacity of 25 tons per hour.
(20) One (1) No. 142 recirculatory conveyor with a maximum capacity of 250 tons per hour.
(21) One (1) No. 143 conveyor with a maximum capacity of 225 tons per hour.
(22) One (1) No. 144 secondary crusher with a maximum capacity of 225 tons per hour.
(23) One (1) No. 145 recirculatory conveyor with a maximum capacity of 225 tons per hour.
(24) One (1) No. 112 recirculatory conveyor with a maximum capacity of 410 tons per hour.
(25) One (1) overband magnet.
(26) One (1) 30” mag head pulley.
(27) One (1) No. 114 recirculatory FE conveyor with a maximum capacity of 500 tons per hour.
(28) One (1) No. 121 recirculatory FE conveyor with a maximum capacity of 50 tons per hour.
(29) One (1) No. 120 conveyor with a maximum capacity of 110 tons per hour.
(30) One (1) No. 120F conveyor with a maximum capacity of 10 tons per hour.
(31) One (1) No. 120A screen with a maximum capacity of 110 tons per hour.
(32) One (1) No. 120B conveyor with a maximum capacity of 120 tons per hour.
(33) One (1) 42” mag head pulley.
(34) One (1) No. 120E conveyor with a maximum capacity of 10 tons per hour.
(35) One (1) No. 120C screen with a maximum capacity of 110 tons per hour.
(36) Two (2) truck loading bins.
(37) One (1) No. L-7 conveyor with a maximum capacity of 35 tons per hour.
(38) One (1) 24” mag head pulley.

(d) An open air Slag Processing operation, identified as CM-13 Plant, approved for construction in 2007 with a maximum capacity of 400 tons of slag per hour, with PM controlled by wet suppression, consisting of:

(1) One (1) grizzly feeder, identified as CM-F1 Grizzly Feeder, with a maximum capacity of 400 tons of material per hour;
(2) One (1) pan feeder, identified as CM-F2 Pan Feeder, with a maximum capacity of 400 tons of material per hour;
(3) One (1) screen, identified as CM-3512 Screen, with a maximum capacity of 400 tons of material per hour;
(4) One (1) screen, identified as CM-3820 Screen, with a maximum capacity of 320 tons of material per hour;
(5) One (1) conveyor, identified as CM-C1 Conveyor, with a maximum capacity of 224 tons of material per hour;
(6) One (1) conveyor, identified as CM-C2 Conveyor, with a maximum capacity of 56 tons of material per hour;
(7) One (1) conveyor, identified as CM-C3 Conveyor, with a maximum capacity of 320 tons of material per hour;
(8) One (1) conveyor, identified as CM-C4 Conveyor, with a maximum capacity of 400 tons of material per hour;
(9) One (1) magnetic head pulley, identified as CM-M1 Magnetic Head Pulley, with a capacity of 400 tons of material per hour;
(10) One (1) magnetic head pulley, identified as CM-M2 Magnetic Head Pulley, with a capacity of 56 tons of material per hour;
(11) One (1) conveyor, identified as CM-S1 Conveyor, with a maximum capacity of 16 tons of material per hour;

(12) One (1) conveyor, identified as CM-S2 Conveyor, with a maximum capacity of 80 tons of material per hour;
(13) One (1) conveyor, identified as CM-S3 Conveyor, with a maximum capacity of 224 tons of material per hour;
(14) One (1) conveyor, identified as CM-S4 Conveyor, with a maximum capacity of 56 tons of material per hour; and
(15) Three (1) conveyors, identified as CM-S5 Conveyor through CM-S7 Conveyor, each with a maximum capacity of 12 tons of material per hour.

(e) An open air Blast Furnace and BOF Slag Finishing Plant constructed in 2003, identified as EU001-05, with a maximum capacity of 250 tons of material per hour, with particulate fugitive emissions controlled by wet suppression, consisting of the following pieces of equipment:

(1) Two Syntron Feeders (F1 and F2), with a capacity of 250 tons per hour each;
(2) One 36 inch by 95 foot conveyor (B), with a capacity of 250 tons per hour;
(3) One 30 inch conveyor (A1), with a capacity of 250 tons per hour;
(4) One 6 foot by 16 foot D.D. Screen, with a capacity of 250 tons per hour;
(5) One 30 inch by 150 foot Stacker conveyor (C), with a capacity of 48 tons per hour;
(6) One 36 inch conveyor (D), with a capacity of 250 tons per hour;
(7) One 30 inch conveyor (E), with a capacity of 250 tons per hour;
(8) One 8 foot by 20 foot TD Screen (SC2), with a capacity of 250 tons per hour;
(9) One 60 inch conveyor (F), with a capacity of 110 tons per hour;
(10) One 30 inch conveyor (G), with a capacity of 110 tons per hour;
(11) One 30 inch conveyor (H), with a capacity of 50 tons per hour;
(12) One 5 foot by 12 foot horizontal screen (SC3), with a capacity of 50 tons per hour;
(13) One 36 inch by 150 foot radial stack conveyor (S4), with a capacity of 110 tons per hour;
(14) One 24 inch by 100 foot radial stack conveyor (S5), with a capacity of 50 tons per hour;
(15) One 30 inch conveyor (I), with a capacity of 200 tons per hour;
(16) One 24 inch by 150 foot radial stack conveyor (S3), with a capacity of 200 tons per hour;
(17) One 30 inch conveyor (J), with a capacity of 113 tons per hour;
(18) One 24 inch conveyor (K), with a capacity of 113 tons per hour;
(19) One 24 inch by 100 foot radial stack conveyor (S2), with a capacity of 113 tons per hour;
(20) One barge hopper (BH-1) for loading slag and nut coke;
(21) One barge stacker (BS-1) to process slag and nut coke; and

Four additional conveyors constructed in 2004;

(22) One 24 inch by 65 foot conveyor (T1), with a capacity of 110 tons per hour;
(23) One 24 inch by 65 foot conveyor (T2), with a capacity of 200 tons per hour;
(24) One 30 inch by 30 foot conveyor (T3), with a capacity of 48 tons per hour; and
(25) One 30 inch conveyor (A2), with a capacity of 250 tons per hour.

(f) One (1) portable crushing and screening operation, approved for construction in 2007, with a maximum capacity of 600 tons of slag per hour, with PM controlled by wet suppression, consisting of:

(1) Two (2) portable crushers, identified as P1 Crusher and P2 Crusher, each with a maximum capacity of 300 tons per hour;
(2) One (1) portable screen, identified as P1 Screen, with a maximum capacity of 300 tons per hour; and
(3) Nine (9) portable conveyors, identified as P1 Conveyor through P9 Conveyor, each with a maximum capacity of 300 tons per hour.

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

The Levy Company, Inc., also consists of the following insignificant activities that are specifically regulated, as defined in 326 IAC 2-7-1(21):

(a) Degreasing operations that do not exceed 145 gallons per 12 month, except if subject to 326 IAC 20-6. [326 IAC 8-3]

(b) The following equipment related to manufacturing activities not resulting in the emission of HAPs:

brazing equipment, cutting torches, soldering equipment, welding equipment. [326 IAC 6-3-2]

(c) Stock piles with particulate emissions equal to or less than insignificant thresholds [326 IAC 2-7-1(21)].

(d) Activities with emissions equal to or less than insignificant thresholds [326 IAC 2-7-1(21)]:

(1) 17,000 gallon diesel AST identified as EE001-9011 [326 IAC 8-9];
(2) 11,000 gallon diesel AST identified as EE001-9012 [326 IAC 8-9];
(3) Iron breakup processing identified as EE001-9014; and

(e) Product storage piles, located at Port of Indiana storage yard, Portage, with particulate emissions equal to or less than insignificant thresholds [326 IAC 2-7-1(21)].

A.5 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, T127-7656-00026, 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]

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 a 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) The Permittee shall prepare and maintain Preventive Maintenance Plans (PMPs) within ninety (90) days after issuance of this permit, for the source as described in 326 IAC 1-6-3. At a minimum, the PMPs shall include:

(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.

If, due to circumstances beyond the Permittee's control, the PMPs cannot be prepared and maintained within the above time frame, the Permittee may extend the date 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

The PMP extension notification does not require the certification by the "responsible official" as defined by 326 IAC 2-7-1(34).

(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 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 the 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 Section), or
Telephone Number: 317-233-0178 (ask for Compliance Section)
Facsimile Number: 317-233-6865

and for the Northwest Regional Office;

Telephone Number: 1-888-209-8892 (ask for Office of Air Quality, Compliance Section)
Telephone Number: 219-757-0265 (ask for Air Compliance Section)
Facsimile Number: 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.

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 T127-7656-00026 and issued pursuant to permitting programs approved into the state implementation plan have been:

(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 combined permit, all previous registrations and permits are superseded by this combined new source review and 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 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) A modification, construction, or reconstruction is governed by the requirements of 326 IAC 2 and 326 IAC 2-7-10.5.

(b) Any modification at an existing major source is governed by the requirements of 326 IAC 2-2-2 and/or 326 IAC 2-3-2.

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. In the event that the source is a sub-contractor and is combined with a larger Part 70 source, the larger Part 70 source may pay the Permittees' annual fees as part of the larger source billing and subject to the fee cap of the larger source. If, however, the larger Part 70 does not pay its annual Part permit fee, IDEM, OAQ will assess a separate fee in accordance with 326 IAC 2-7-19(c) to be paid by the Permittee. 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.

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

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

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

SECTION C SOURCE OPERATION CONDITIONS

Entire Source

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

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

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

C.2 Opacity [326 IAC 5-1]

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

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

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

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

The Permittee shall not open burn any material except as provided in 326 IAC 4-1-3, 326 IAC 4-1-4 or 326 IAC 4-1-6. The previous sentence notwithstanding, the Permittee may open burn in accordance with an open burning approval issued by the Commissioner under 326 IAC 4-1-4.1. 326 IAC 4-1-3 (a)(2)(A) and (B) are not federally enforceable.

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). 326 IAC 6-4-2(4) is not federally enforceable.

C.6 Fugitive Particulate Matter Emission Limitations [326 IAC 6-5]

Pursuant to 326 IAC 6-5 (Fugitive Particulate Matter Emission Limitations), fugitive particulate matter emissions shall be controlled according to the plan, submitted on May 30, 2007 and revised in October 2009. The plan is included as Attachment A.

C.7 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. The provisions of 326 IAC 1-7-1(3), 326 IAC 1-7-2, 326 IAC 1-7-3(c) and (d), 326 IAC 1-7-4, and 326 IAC 1-7-5(a), (b), and (d) are not federally enforceable.

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

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

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

C.9 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.10 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.11 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. 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.12 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.13 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.14 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 prepare written emergency reduction plans (ERPs) consistent with safe operating procedures.

(b) These ERPs shall be submitted for approval 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 ninety (90) days after the date of issuance of this permit.

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

(c) If the ERP is disapproved by IDEM, OAQ, the Permittee shall have an additional thirty (30) days to resolve the differences and submit an approvable ERP.

(d) These ERPs shall state those actions that will be taken, when each episode level is declared, to reduce or eliminate emissions of the appropriate air pollutants.

(e) Said ERPs shall also identify the sources of air pollutants, the approximate amount of reduction of the pollutants, and a brief description of the manner in which the reduction will be achieved.

(f) 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.15 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.16 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;

(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.17 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 and 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.18 Emission Statement [326 IAC 2-7-5(3)(C)(iii)][326 IAC 2-7-5(7)][326 IAC 2-7-19(c)][326 IAC 2-6]

(a) Pursuant to 326 IAC 2-6-3(a)(1), the Permittee shall submit by July 1 of each year an emission statement covering the previous calendar year. The emission statement shall contain, at a minimum, the information specified in 326 IAC 2-6-4(c) and shall meet the following requirements:

(1) Indicate estimated actual emissions of all pollutants listed in 326 IAC 2-6-4(a);

(2) Indicate estimated actual emissions of regulated pollutants as defined by 326 IAC 2-7-1 (32) ("Regulated pollutant, which is used only for purposes of Section 19 of this rule") from the source, for purpose of fee assessment.

The statement must be submitted to:

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

The emission statement does require the certification by the "responsible official" as defined by 326 IAC

2-7-1(34).

(b) The emission statement required by this permit shall be considered timely if the date postmarked on the envelope or certified mail receipt, or affixed by the shipper on the private shipping receipt, is on or before the date it is due. If the document is submitted by any other means, it shall be considered timely if received by IDEM, OAQ, on or before the date it is due.

C.19 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.

(c) If there is 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)) 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) Prior to commencing the 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.

(2) 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

(3) 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.20 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) The first report shall cover the period commencing on the date of issuance of this permit and ending on the last day of the reporting period. 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 (c) 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 (c)(2) and (3) 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.21 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)]: **Burns Harbor Site**

(a) An open air Slag Pot Dumping operation constructed in 1969 which receives slag pots by front end loader from the BOF, identified as EU001-01, with a maximum of 5 slag pots per hour, with collective fugitive emissions EP001-9011.

(b) An open air Slag Pot Preparation operation constructed in 1969, identified as EU001-04, consisting of relining and conditioning of empty pots, with pot material additive, with collective fugitive emissions EP001-9001.

(c) An open air Blast Furnace and BOF Slag Batch Unloading/Processing/Loading operation (Separation Plant) constructed in 1969, identified as EU001-02, with a maximum capacity of 1,150 tons of material per hour, with PM controlled by water sprays, and collective fugitive emissions EP001-9002, consisting of the following equipment:

(1) One (1) grizzly and feed hopper with a maximum capacity of 350 tons per hour.
(2) One (1) No. 101 feeder with a maximum capacity of 1,150 tons per hour.
(3) One (1) No. 102 belt feeder with a maximum capacity of 1,000 tons per hour.
(4) One (1) No. 103 72” drum magnet.
(5) One (1) No. 103-A swinging pendulum magnet.
(6) One (1) No. 104 main conveyor with a maximum capacity of 1,260 tons per hour.
(7) One (1) 42” mag head pulley.
(8) One (1) Nos. 105 and 106 screens with a maximum capacity of 630 tons per hour each.
(9) One (1) No. 107 conveyor with a maximum capacity of 550 tons per hour.
(10) One (1) No. 109 radial stacker with a maximum capacity of 550 tons per hour.
(11) One (1) 30” mag head pulley.
(12) One (1) No. 107-A conveyor with a maximum capacity of 550 tons per hour.
(13) One (1) No. 110 radial stacker with a maximum capacity of 550 tons per hour.
(14) One (1) 24” mag head pulley.
(15) One (1) No. 111 crusher with a maximum capacity of 700 tons per hour.
(16) One (1) No. 108 conveyor with a maximum capacity of 300 tons per hour.
(17) One (1) No. 139 conveyor with a maximum capacity of 210 tons per hour.
(18) One (1) No. 140 conveyor with a maximum capacity of 550 tons per hour.
(19) One (1) No. 141 secondary crusher with a maximum capacity of 25 tons per hour.
(20) One (1) No. 142 recirculatory conveyor with a maximum capacity of 250 tons per hour.
(21) One (1) No. 143 conveyor with a maximum capacity of 225 tons per hour.
(22) One (1) No. 144 secondary crusher with a maximum capacity of 225 tons per hour.
(23) One (1) No. 145 recirculatory conveyor with a maximum capacity of 225 tons per hour.
(24) One (1) No. 112 recirculatory conveyor with a maximum capacity of 410 tons per hour.
(25) One (1) overband magnet.
(26) One (1) 30” mag head pulley.
(27) One (1) No. 114 recirculatory FE conveyor with a maximum capacity of 500 tons per hour.
(28) One (1) No. 121 recirculatory FE conveyor with a maximum capacity of 50 tons per hour.
(29) One (1) No. 120 conveyor with a maximum capacity of 110 tons per hour.
(30) One (1) No. 120F conveyor with a maximum capacity of 10 tons per hour.
(31) One (1) No. 120A screen with a maximum capacity of 110 tons per hour.
(32) One (1) No. 120B conveyor with a maximum capacity of 120 tons per hour.
(33) One (1) 42” mag head pulley.
(34) One (1) No. 120E conveyor with a maximum capacity of 10 tons per hour.
(35) One (1) No. 120C screen with a maximum capacity of 110 tons per hour.
(36) Two (2) truck loading bins.
(37) One (1) No. L-7 conveyor with a maximum capacity of 35 tons per hour.
(38) One (1) 24” mag head pulley.

(d) An open air Slag Processing operation, identified as CM-13 Plant, approved for construction in 2007 with a maximum capacity of 400 tons of slag per hour, with PM controlled by wet suppression, consisting of:

(1) One (1) grizzly feeder, identified as CM-F1 Grizzly Feeder, with a maximum capacity of 400 tons of material per hour;
(2) One (1) pan feeder, identified as CM-F2 Pan Feeder, with a maximum capacity of 400 tons of material per hour;
(3) One (1) screen, identified as CM-3512 Screen, with a maximum capacity of 400 tons of material per hour;
(4) One (1) screen, identified as CM-3820 Screen, with a maximum capacity of 320 tons of material per hour;
(5) One (1) conveyor, identified as CM-C1 Conveyor, with a maximum capacity of 224 tons of material per hour;
(6) One (1) conveyor, identified as CM-C2 Conveyor, with a maximum capacity of 56 tons of material per hour;
(7) One (1) conveyor, identified as CM-C3 Conveyor, with a maximum capacity of 320 tons of material per hour;
(8) One (1) conveyor, identified as CM-C4 Conveyor, with a maximum capacity of 400 tons of material per hour;
(9) One (1) magnetic head pulley, identified as CM-M1 Magnetic Head Pulley, with a capacity of 400 tons of material per hour;

(10) One (1) magnetic head pulley, identified as CM-M2 Magnetic Head Pulley, with a capacity of 56 tons of material per hour;
(11) One (1) conveyor, identified as CM-S1 Conveyor, with a maximum capacity of 16 tons of material per hour;
(12) One (1) conveyor, identified as CM-S2 Conveyor, with a maximum capacity of 80 tons of material per hour;
(13) One (1) conveyor, identified as CM-S3 Conveyor, with a maximum capacity of 224 tons of material per hour;
(14) One (1) conveyor, identified as CM-S4 Conveyor, with a maximum capacity of 56 tons of material per hour; and
(15) Three (1) conveyors, identified as CM-S5 Conveyor through CM-S7 Conveyor, each with a maximum capacity of 12 tons of material 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.1.1 PSD and Nonattainment NSR Minor Limit [326 IAC 2-2] [326 IAC 2-1.1-5]

Pursuant to 326 IAC 2-2 (PSD Minor Limit) and 326 IAC 2-1.1-5 (Nonattainment NSR), the Permittee shall limit throughput of slag to the CM-13 Plant to less than 3,504,000 tons per twelve (12) consecutive month period with compliance determined at the end of each month.

Compliance with this limitation in conjunction with the PM and PM-10 limits from the portable crushing and screening operation (Section D.3) will ensure that the PM emissions from the CM-13 Plant and portable crushing and screening operation (Section D.3) are less than 25 tons/yr and PM-10 emissions from the CM-13 Plant and portable crushing and screening operation (Section D.3) are less than 15 tons/yr. Therefore, the requirements of 326 IAC 2-2 (PSD) and 326 IAC 2-1.1-5 (Nonattainment NSR) are rendered not applicable.

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

Pursuant to 326 IAC 6-3-2 (Particulate Emission Limitations for Manufacturing Processes), the allowable particulate emission rate from the Separation Plant (EU001-02) and the CM-13 Plant (EU001-03) shall not exceed 79.4 and 66.3 pounds per hour when the Separation Plant is operating at a capacity of 1,150 tons of material per hour, and when the CM-13 Plant is operating at a capacity of 400 tons of slag per hour, respectively. The pounds per hour limitation was calculated with the following equation:

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

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

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

The Preventative Maintenance Plan, in accordance with Section B - Preventative Maintenance Plan, of this permit, is required for this facility and its emission control devices.

Compliance Determination Requirements

D.1.4 Particulate Matter [326 IAC 2-7-6(6)]

The Permittee shall use wet suppression to control emissions of PM and PM-10 from the conveyors, screens, feeders, hoppers, crushers, magnetic head pulleys, and stackers. The suppressant shall be applied in a manner and at a frequency sufficient to ensure compliance with 326 IAC 6-3. If weather conditions preclude the use of wet suppression, the Permittee shall perform chemical analysis on the slag material to ensure it has a moisture content greater than 0.92 percent.

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

D.1.5 Visible Emissions Notations

(a) Visible emission notations of all process emission points shall be performed once per day during normal daylight operations. A trained employee shall record whether emissions are normal or abnormal.

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

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

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

(e) If abnormal emissions are observed, the Permittee shall take reasonable response steps in accordance with Section C- Response to Excursions or Exceedances. Failure to take response steps in accordance with Section C - Response to Excursions or Exceedances shall be considered a deviation from this permit.

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

D.1.6 Record Keeping Requirements

(a) To document compliance with condition D.1.4, the Permittee shall maintain records of the chemical analysis of the slag material, as needed, to demonstrate compliance during times the wet suppression is not used due to weather.

(b) To document compliance with condition D.1.5, the Permittee shall maintain a daily record of visible emission notations of the process emission points. The Permittee shall include in its daily record when a visible emission notation is not taken and the reason for the lack of visible emission notation (e.g. the process did not operate that day).

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

D.1.7 Reporting Requirements

A quarterly summary of the information to document compliance with Condition D.1.1 shall be submitted to the addresses listed in Section C - General Reporting Requirements, of this permit, using the reporting forms located at the end of this permit, or their equivalent, within thirty (30) days after the end of the quarter being reported. The report submitted by the Permittee does require the certification by the “responsible official” as defined by 326 IAC 2-7-1(34).

SECTION D.2 FACILITY OPERATION CONDITIONS

Facility Description [326 IAC 2-7-5(15)]: **Burns Harbor Site**

(e) An open air Blast Furnace and BOF Slag Finishing Plant constructed in 2003, identified as EU001-05, with a maximum capacity of 250 tons of material per hour, with particulate fugitive emissions controlled by wet suppression, consisting of the following pieces of equipment:

(1) Two Syntron Feeders (F1 and F2), with a capacity of 250 tons per hour each;
(2) One 30 inch by 95 foot conveyor (B), with a capacity of 250 tons per hour;
(3) One 30 inch conveyor (A1), with a capacity of 250 tons per hour;
(4) One 6 foot by 16 foot D.D Screen, with a capacity of 250 tons per hour;
(5) One 30 inch by 150 foot Stacker conveyor (C), with a capacity of 48 tons per hour;
(6) One 36 inch conveyor (D), with a capacity of 250 tons per hour;
(7) One 30 inch conveyor (E), with a capacity of 250 tons per hour;
(8) One 8 foot by 20 foot TD Screen (SC2), with a capacity of 250 tons per hour;
(9) One 60 inch conveyor (F), with a capacity of 110 tons per hour;
(10) One 30 inch conveyor (G), with a capacity of 110 tons per hour;
(11) One 30 inch conveyor (H), with a capacity of 50 tons per hour;
(12) One 5 foot by 12 foot horizontal screen (SC3), with a capacity of 50 tons per hour;
(13) One 36 inch by 150 foot radial stack conveyor (S4), with a capacity of 110 tons per hour;
(14) One 24 inch by 100 foot radial stack conveyor (S5), with a capacity of 50 tons per hour;
(15) One 30 inch conveyor (I), with a capacity of 200 tons per hour;
(16) One 24 inch by 150 foot radial stack conveyor (S3), with a capacity of 200 tons per hour;
(17) One 30 inch conveyor (J), with a capacity of 113 tons per hour;
(18) One 24 inch conveyor (K), with a capacity of 113 tons per hour;
(19) One 24 inch by 100 foot radial stack conveyor (S2), with a capacity of 113 tons per hour;
(20) One barge hopper (BH-1) for loading slag and nut coke;
(21) One barge stacker (BS-1) to process slag and nut coke; and

Four additional conveyors constructed in 2004;

(22) One 24 inch by 65 foot conveyor (T1), with a capacity of 110 tons per hour;
(23) One 24 inch by 65 foot conveyor (T2), with a capacity of 200 tons per hour;
(24) One 30 inch by 30 foot conveyor (T3), with a capacity of 48 tons per hour; and
(25) One 30 inch conveyor (A2), with a capacity of 250 tons 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.2.1 Particulate [326 IAC 6-3-2]

Pursuant to 326 IAC 6-3-2 (Particulate Emission Limitations for Manufacturing Processes), the allowable PM emission rate from the Finishing Plant (EU001-05) shall not exceed 60.9 pounds per hour when operating at a process weight rate of 500,000 pounds per hour (250 tons per hour). The pounds per hour limitation was calculated with the following equation:

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

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

D.2.2 PSD Minor Limit [326 IAC 2-2]

Pursuant to Significant Source Modification 127-15319-00026, issued May 30, 2002, Minor Source Modification 127-19102-00026, issued July 23, 2004, and 326 IAC 2-2 (Prevention of Significant Deterioration), the PM and PM-10 emission rates from the Finishing Plant (EU001-05) emission units shall not exceed the values indicated below:

Process	Emission Limit (lb/ton)		Process	Emission Limit (lb/ton)	
	PM	PM-10		PM	PM-10
Two Syntron Feeders	0.0001008	0.000048	Radial Stacker S5	0.0001008	0.000048
Conveyor B	0.0001008	0.000048	Conveyor I	0.0001008	0.000048
Conveyor A1	0.0001008	0.000048	Radial Stacker S3	0.0001008	0.000048
D.D. Screen	0.0017640	0.000840	Conveyor J	0.0001008	0.000048
Stacker Conveyor C	0.0001008	0.000048	Conveyor K	0.0001008	0.000048
Conveyor D	0.0001008	0.000048	Radial Stacker S2	0.0001008	0.000048
Conveyor E	0.0001008	0.000048	Barge Hopper BH-1	0.0001008	0.000048
TD Screen	0.0017640	0.000840	Barge Stacker BS-1	0.0001008	0.000048
Conveyor F	0.0001008	0.000048	Conveyor A2	0.0001008	0.000048
Conveyor G	0.0001008	0.000048	Conveyor T1	0.0001008	0.000048
Conveyor H	0.0001008	0.000048	Conveyor T2	0.0001008	0.000048
SD Horizontal Screen	0.0017640	0.000840	Conveyor T3	0.0001008	0.000048
Radial Stacker S4	0.0001008	0.000048			

These limits will limit emissions to less than 15 tons per year of PM and PM-10 from the Finishing Plant. Therefore, 326 IAC 2-2 (Prevention of Significant Deterioration) does not apply to this modification.

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

The Preventative Maintenance Plan, in accordance with Section B - Preventative Maintenance Plan, of this permit, is required for this facility and its emission control devices.

Compliance Determination Requirements

D.2.4 Particulate Matter [326 IAC 2-7-6(6)]

Pursuant to Significant Source Modification 127-15319-00026, issued May 30, 2002, and Minor Source Modification 127-19102-00026, issued July 23, 2004, the Permittee shall use wet suppression to control emissions of PM and PM_{10} from the conveyors, screens, feeders, hoppers, and stackers. The suppressant shall be applied in a manner and at a frequency sufficient to ensure compliance with 326 IAC 6-3 and 326 IAC 2-2. If weather conditions preclude the use of wet suppression, the Permittee shall perform chemical analysis on the slag material to ensure its moisture content is greater than **0.92** percent.

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

D.2.5 Visible Emissions Notations

(a) Visible emission notations of all process emission points shall be performed once per day during normal daylight operations. A trained employee shall record whether emissions are normal or abnormal.

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

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

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

(e) If abnormal emissions are observed, the Permittee shall take reasonable response steps in accordance with Section C- Response to Excursions or Exceedances. Failure to take response steps in accordance with Section C - Response to Excursions or Exceedances shall be considered a deviation from this permit.

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

D.2.6 Record Keeping Requirements

(a) To document compliance with condition D.2.4, the Permittee shall maintain records of the chemical analysis of the slag material, as needed, to demonstrate compliance during times the wet suppression is not used due to weather.

(b) To document compliance with condition D.2.5, the Permittee shall maintain a daily record of visible emission notations of the process emission points. The Permittee shall include in its daily record when a visible emission notation is not taken and the reason for a lack of visible emission notation (e.g. the process did not operate that day).

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

SECTION D.3 FACILITY OPERATION CONDITIONS

Facility Description [326 IAC 2-7-5(15)]: **Burns Harbor Site**

(a) One (1) portable crushing and screening operation, approved for construction in 2007, with a maximum capacity of 600 tons of slag per hour, with PM controlled by wet suppression, consisting of:
  (1) Two (2) portable crushers, identified as P1 Crusher and P2 Crusher, each with a maximum capacity of 300 tons per hour;
  (2) One (1) portable screen, identified as P1 Screen, with a maximum capacity of 300tons per hour; and
  (3) Nine (9) portable conveyors, identified as P1 Conveyor through P9 Conveyor, each with a maximum capacity of 300 tons 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 PSD and Nonattainment NSR Minor Limit [326 IAC 2-2] [326 IAC 2-1.1-5]

Pursuant to 326 IAC 2-2 (PSD Minor Limit) and 326 IAC 2.1.1-5 (Nonattainemnt NSR), the Permittee shall limit the throughput of slag to the portable crushing and screening operation to less than 5,256,000 tons per twelve (12) consecutive month period with compliance determined at the end of each month.

Compliance with these limits in conjunction with the PM and PM-10 limits from the CM-13 Plant (Section D.1) will ensure that the PM emissions from the CM-13 Plant (Section D.1) and portable crushing and screening operation are less than 25 tons/yr and PM-10 emissions from the CM-13 Plant (Section D.1) and portable crushing and screening operation are less than 15 tons/yr. Therefore, the requirements of 326 IAC 2-2 (PSD) and 326 IAC 2-1.1-5 (Nonattainment NSR) are rendered not applicable.

D.3.2 Particulate [326 IAC 6-3-2]

Pursuant to 326 IAC 6-3-2 (Particulate Emission Limitations for Manufacturing Processes), the allowable PM emission rate from the Portable Crushing and Screening Operation shall not exceed 71.2 pounds per hour when operating at a process weight rate of 600 tons per hour. The pounds per hour limitation was calculated with the following equation:

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

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

D.3.3 Preventative Maintenance Plan [326 IAC 2-7-5(13)]

The Preventative Maintenance Plan, in accordance with Section B - Preventative Maintenance Plan, of this permit, is required for this facility and its emission control devices.

Compliance Determination Requirements

D.3.4 Particulate Matter [326 IAC 2-7-6(6)]

The Permittee shall use wet suppression to control emissions of PM and PM-10 from the crushers, screens, and conveyors. The suppressant shall be applied in a manner and at a frequency sufficient to ensure compliance with 326 IAC 6-3. If weather conditions preclude the use of wet suppression, the Permittee shall perform chemical analysis on the slag material to ensure it has a moisture content greater than 0.92 percent.

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

D.3.5 Visible Emissions Notations

(a) Visible emission notations of all process emission points shall be performed once per day during normal daylight operations. A trained employee shall record whether emissions are normal or abnormal.

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

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

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

(e) If abnormal emissions are observed, the Permittee shall take reasonable response steps in accordance with Section C- Response to Excursions or Exceedances. Failure to take response steps in accordance with Section C - Response to Excursions or Exceedances shall be considered a deviation from this permit.

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

D.3.6 Record Keeping Requirements

(a) To document compliance with condition D.3.4, the Permittee shall maintain records of the chemical analysis of the slag material, as needed, to demonstrate compliance during times the wet suppression is not used due to weather.

(b) To document compliance with condition D.3.5, the Permittee shall maintain a daily record of visible emission notations of the process emission points. The Permittee shall include in its daily record when a visible emission notation is not taken and the reason for the lack of visible emission notation (e.g. the process did not operate that day).

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

D.3.7 Reporting Requirements

A quarterly summary of the information to document compliance with Condition D.3.1 shall be submitted to the addresses listed in Section C - General Reporting Requirements, of this permit, using the reporting forms located at the end of this permit, or their equivalent, within thirty (30) days after the end of the quarter being reported. The report submitted by the Permittee does require the certification by the “responsible official” as defined by 326 IAC 2-7-1(34).

SECTION D.4 FACILITY OPERATION CONDITIONS

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

(a) Degreasing operations that do not exceed 145 gallons per 12 month, except if subject to 326 IAC 20-6. [326 IAC 8-3]

(b) The following equipment related to manufacturing activities not resulting in the emission of HAPs: brazing equipment, cutting torches, soldering equipment, welding equipment. [326 IAC 6-3-2]

(c) Stock piles with particulate emissions equal to or less than insignificant thresholds [326 IAC 2-7-1(21)].

(d) Activities with emissions equal to or less than insignificant thresholds [326 IAC 2-7-1(21)]:

(1) 17,000 gallon diesel AST identified as EE001-9011 [326 IAC 8-9];
(2) 11,000 gallon diesel AST identified as EE001-9012 [326 IAC 8-9];
(3) Iron breakup processing identified as EE001-9014; and

(e) Product storage piles, located at Port of Indiana storage yard, Portage, with particulate emissions equal to or less than insignificant thresholds [326 IAC 2-7-1(21)].

(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.4.1 Insignificant Activities [326 IAC 2-7-1(21)]

The emissions from activities EE001-9011, EE001-9012, and EE001-9014 shall remain below the thresholds listed below to be considered as insignificant:

Lead (Pb)= 0.6 ton/year or 3.29 lbs/day	Carbon Monoxide (CO)= 25lbs/day
Sulfur Dioxide (SO_2)= 5 lbs/hr or 25 lbs/day	Particulate Matter (PM)= 5 lbs/hr or 25 lbs/day
Nitrogen Oxides (NOx)= 5 lbs/hr or 25 lbs/day	Volatile Organic Compounds (VOC)= 3 lbs/hr or 15 lbs/day

D.4.2 Volatile Organic Liquid Storage Vessels [326 IAC 8-9]

Pursuant to 326 IAC 8-9-1(b), stationary vessels with a capacity of less than thirty-nine thousand (39,000) gallons (EE001-9011 and 9012) are subject to the reporting and record keeping provisions of section 6(a) and 6(b) of this rule and are exempt from all other provisions of this rule.

D.4.3 Volatile Organic Compounds (VOC) [326 IAC 8-3]

Pursuant to 326 IAC 8-3-5(a) (Cold Cleaner Degreaser Operation and Control), for cold cleaner degreaser operations without remote solvent reservoirs, the Permittee shall ensure that the following requirements are met:

(1) Equip the degreaser with a cover. The cover must be designed so that it can be easily operated with one (1) hand if:

(A) The solvent volatility is greater than two (2) kiloPascals (fifteen (15) millimeters of mercury or three-tenths (0.3) pounds per square inch) measured at thirty-eight degrees Celsius (38°C) (one hundred degrees Fahrenheit (100°F));

(B) The solvent is agitated; or

(C) The solvent is heated.

(2) Equip the degreaser with a facility for draining cleaned articles. If the solvent volatility is greater than four and three-tenths (4.3) kiloPascals (thirty-two (32) millimeters of mercury or six-tenths (0.6) pounds per square inch) measured at thirty-eight degrees Celsius (38°C) (one hundred degrees Fahrenheit (100°F)), then the drainage facility must be internal such that articles are enclosed under the cover while draining. The drainage facility may be external for applications where an internal type cannot fit into the cleaning system.

(3) Provide a permanent, conspicuous label which lists the operating requirements outlined in subsection (b).

(4) The solvent spray, if used, must be a solid, fluid stream and shall be applied at a pressure which does not cause excessive splashing.

(5) Equip the degreaser with one (1) of the following control devices if the solvent volatility is greater than four and three-tenths (4.3) kiloPascals (thirty-two (32) millimeters of mercury or six-tenths (0.6) pounds per square inch) measured at thirty-eight degrees Celsius (38°C) (one hundred degrees Fahrenheit (100°F)), or if the solvent is heated to a temperature greater than forty-eight and nine-tenths degrees Celsius (48.9°C) (one hundred twenty degrees Fahrenheit (120°F)):

(A) A freeboard that attains a freeboard ratio of seventy-five hundredths (0.75) or greater.

(B) A water cover when solvent is used is insoluble in, and heavier than, water.

(C) Other systems of demonstrated equivalent control such as a refrigerated chiller of carbon adsorption. Such systems shall be submitted to the U.S. EPA as a SIP revision.

Pursuant to 326 IAC 8-3-5(b) (Cold Cleaner Degreaser Operation and Control), the owner or operator of a cold cleaning facility construction of which commenced after July 1, 1990, shall ensure that the following operating requirements are met:

(1) Close the cover whenever articles are not being handled in the degreaser.

(2) Drain cleaned articles for at least fifteen (15) seconds or until dripping ceases.

(3) Store waste solvent only in covered containers and prohibit the disposal or transfer of waste solvent in any manner in which greater than twenty percent (20%) of the waste solvent by weight could evaporate.

D.4.4 Volatile Organic Compounds (VOC) [326 IAC 8-3]

Pursuant to 326 IAC 8-3-8 (Material requirements for cold cleaning degreasers), the users, providers, and manufacturers of solvents for use in cold cleaning degreasers in Clark, Floyd, Lake, and Porter Counties, except for solvents intended to be used to clean electronic components shall do the following:

(a) On and after May 1, 2001, no person shall Operate a cold cleaning degreaser with a solvent vapor pressure that exceeds one (1) millimeter of mercury (nineteen-thousandths (0.019) pound per square inch) measured at twenty (20) degrees Celsius (sixty-eight (68) degrees Fahrenheit).

(b) On and after November 1, 1999, all persons subject to the requirements of 326 IAC 8-3-8(c)(1)(B) and (c)(2)(B) shall maintain each of the following records for each purchase:

(1) The name and address of the solvent supplier.

(2) The date of purchase.

(3) The type of solvent.

(4) The volume of each unit of solvent.

(5) The total volume of the solvent.

(6) The true vapor pressure of the solvent measured in millimeters of mercury at twenty (20) degrees Celsius (sixty-eight (68) degrees Fahrenheit).

(c) All records required by 326 IAC 8-3-8 (d) shall be retained on-site for the most recent three (3) year period and shall be reasonably accessible for an additional two (2) year period.

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

D.4.5 Record Keeping Requirements

(a) To document compliance with Condition D.3.2, and pursuant to 326 IAC 8-9, the Permittee must keep records of the following:

(1) The vessel identification number;

(2) The vessel dimensions; and

(3) The vessel capacity.

Records shall be maintained for the life of the vessel.

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

INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
OFFICE OF AIR QUALITY

PART 70 OPERATING PERMIT
CERTIFICATION

Source Name: The Levy Company, Inc.
Source Address: U.S. Highway 12, Burns Harbor, Indiana 46304
Mailing Address: P.O. Box 540, Portage, Indiana 46368
Part 70 Permit No.: T127-7656-00026

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

Please check what document is being certified:

☐ Test Result (specify)

☐ Report (specify)

☐ Notification (specify)

☐ Affidavit (specify)

☐ Other (specify)

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

Signature:

Printed Name:

Title/Position:

Date:

INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
OFFICE OF AIR QUALITY

COMPLIANCE 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: The Levy Company, Inc.
Source Address: U.S. Highway 12, Burns Harbor, Indiana 46304
Mailing Address: P.O. Box 540, Portage, Indiana 46368
Part 70 Permit No.: T127-7656-00026

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

☐ This is an emergency as defined in 326 IAC 2-7-1(12)
- ☐ The Permittee must notify the Office of Air Quality (OAQ), within four (**4**) business hours (1-800-451-6027 or 317-233-0178, ask for Compliance Section); and
- ☐ The Permittee must submit notice in writing or by facsimile within two (**2**) days (Facsimile Number: 317-233-6865), and follow the other requirements of 326 IAC 2-7-16.

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

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

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

Date/Time Emergency started:
Date/Time Emergency was corrected:
Was the facility being properly operated at the time of the emergency? Y N Describe: Type of Pollutants Emitted: TSP, PM-10, SO_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: _____

Attach a signed certification to complete this report.

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

Part 70 Quarterly Report

Source Name: Levy Company, Inc.
Source Address: US Hwy 12, Burns Harbor, IN 46304
Mailing Address: P. O. Box 540, Portage, IN 46368
Part 70 Permit No.: T127-7656-00026
Facility: One (1) Open Air Slag Processing Operation (CM-13 Plant)
Parameter: Throughput of slag
Limit: The total throughput of slag to the Open Air Slag Processing Operation (CM-13 Plant) shall be limited to less than 3,504,000 tons per twelve (12) consecutive month period with compliance determined at the end of each month.

YEAR:

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

☐ No deviation occurred in this quarter.

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

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

Attach a signed certification to complete this report.

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

Part 70 Quarterly Report

Source Name: Levy Company, Inc.
Source Address: US Hwy 12, Burns Harbor, IN 46304
Mailing Address: P. O. Box 540, Portage, IN 46368
Part 70 Permit No.: T127-7656-00026
Facility: One (1) Portable Crushing and Screening Operation
Parameter: Throughput of slag
Limit: The total throughput of slag to the Portable Crushing and Screening Operation shall be limited to less than 5,256,000 tons per twelve (12) consecutive month period with compliance determined at the end of each month.

YEAR:

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

☐ No deviation occurred in this quarter.

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

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

Attach a signed certification to complete this report.

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

PART 70 OPERATING PERMIT
QUARTERLY DEVIATION AND COMPLIANCE MONITORING REPORT

Source Name: The Levy Company, Inc.
Source Address: U.S. Highway 12, Burns Harbor, Indiana 46304
Mailing Address: P.O. Box 540, Portage, Indiana 46368
Part 70 Permit No.: T127-7656-00026

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

This report shall be submitted quarterly based on a calendar year. Any deviation from the requirements, the date(s) of each deviation, the probable cause of the deviation, and the response steps taken must be reported. A deviation required to be reported pursuant to an applicable requirement that exists independent of the permit, shall be reported according to the schedule stated in the applicable requirement and does not need to be included in this report. Additional pages may be attached if necessary. If no deviations occurred, please specify in the box marked "No deviations occurred this reporting period".

☐ NO DEVIATIONS OCCURRED THIS REPORTING PERIOD.

☐ THE FOLLOWING DEVIATIONS OCCURRED THIS REPORTING PERIOD

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

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

Page 2 of 2

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

Fugitive Dust Control Plan (FDCP)

Levy Company, Inc. - a contractor of ISG Burns Harbor, LLC
US Hwy 12, Burns Harbor, IN 46304

Operation Permit No.: T127-7656-00026

THE LEVY COMPANY, INC
MATERIAL PROCESSING OPERATIONS

A CONTRACTOR OF
ARCELORMITTAL – BURNS HARBOR, INDIANA

FUGITIVE DUST CONTROL PLAN
326 IAC 6-5-5

REVISION 1

October 2009

Prepared by:
OCS Environmental, Inc.
130 Lincoln Street, Ste. 1
Porter, IN 46304
(219) 983-1400

TABLE OF CONTENTS

Figures [326 IAC 6-5-5 (a)(4)]

Appendices (kept in onsite plan only)

Introduction and Facility Description [326 IAC 6-5-5 (a)(1)&(2)]

This Fugitive Dust Control Plan is written in accordance with 326 IAC 6-5-5. This source is located in Porter County, Indiana. The Levy Company, Inc (Levy) owns and operates material processing operations located within the ArcelorMittal Burns Harbor Works facility in Burns Harbor, Indiana. ArcelorMittal Burns Harbor Works is a fully integrated steelmaking and finishing facility. Levy also has a storage pile location that is part of the Burns Harbor source but is physically separated from the Burns Harbor operation by approximately 2.7 miles. This pile storage location is in the Port of Indiana. Even though ArcelorMittal Burns Harbor Works and Levy are considered to be one source due to contractual control, Levy operates under its own Part 70 operating permit. The operations manager of this facility is responsible for the execution of this plan.

Roadways and Parking Lots [326 IAC 6-5-5 (a)(3)&(5)]

All roadways at the Burns Harbor site which are under control of the Levy facility are up to 30 feet wide with varying lengths. Levy only has control for the roadways within the boundaries of their immediate stationary operations. ArcelorMittal is responsible for all other roadways in the steel mill. Figures 1 and 2 show the approximate location and designation of the main roadways. Road paths within the processing area change frequently because of the nature of the operation with pile stacking. Trucks and front-end loaders are utilized for transportation of materials throughout the facility. Employee passenger vehicles and passenger trucks are parked in makeshift unpaved parking areas. Appendix A provides a sample of the potential PM_{10} emission calculations taken from the facility's permit application. There are no designated roadways within the Port of Indiana pile storage location which runs adjacent to a paved public roadway.

Storage Piles [326 IAC 6-5-5 (a)(3)&(7)]

The bulk of the feed materials are stored in the blast furnace ore yards which is owned and operated by ArcelorMittal. Feed materials are brought to the Levy site as needed and are stored in various locations onsite and will move within a general area throughout the year. Product materials are stored in various locations on the facility site and product pile locations will move within a general area throughout the year at Burns Harbor. Levy also loads trucks directly from stackers and transports them to their offsite storage pile facility located in the Port of Indiana. Front-end loaders and stacking conveyors are used

to load onto and load out of the storage piles. The moisture content of all materials stored on site is above 0.92% moisture in accordance with AP-42 13.2.4-1 (slag) and greatly depends on atmospheric precipitation throughout the year. Levy has limited production throughput as stated in their Part 70 Permit.

Material Process Flow [326 IAC 6-5-5 (a)(3)&(6)]

Materials are moved through a series of crushers and screens via conveyor system in various configurations depending upon the type of product desired. Materials are size-reduced into final products for sale to outside customers. Water sprays or watering trucks are utilized in the plant which provides up to 90% control efficiency.

Control Measures and Practices [326 IAC 6-5-5 (a)(8), (9) & (10)]

Control measures utilized to control dust have limited application in fugitive sources. This section details measures to be used in the facility to control fugitive emissions. Since water application will be the control measure utilized, application will be suspended based on weather events as follows:

- during periods of precipitation
- when temperatures are at or below freezing
- when ice or snow cover is present.

If chemical application is utilized at some future date, the same weather restrictions will apply. The phrase "weather permitting" used in the following paragraphs herein designates the suspension of control application during the weather events listed above. Additionally, daily visible emission notations will be conducted to monitor fugitive emissions.

I. Site Roadways / Plant Yard

Dust on unpaved roads will be controlled by applications of water (an acceptable chemical compound may be used in the future) during operating hours, weather permitting. There are no paved roadways in the immediate stationary operating facility. Applications of dust control material will be done as often as necessary to meet applicable limits.

II. Process Operations

To help minimize dust emissions, the drop distance at each conveyor transfer point in the plant will be set at the minimum distance in which the equipment can operate effectively. Water application will be utilized, when needed and weather permitting, at strategic locations throughout the plant to control dust emissions. During water application, caution must be taken to avoid saturating the material which results in blinding the screens or crushers.

III. Storage Piles

To reduce potential dust emissions, stockpiling will be performed at minimum drop distances, to the extent practicable. Product storage piles are watered on an as needed basis during operating hours, weather permitting.

IV. Loading and Transfer; Trucks and Front-End Loaders

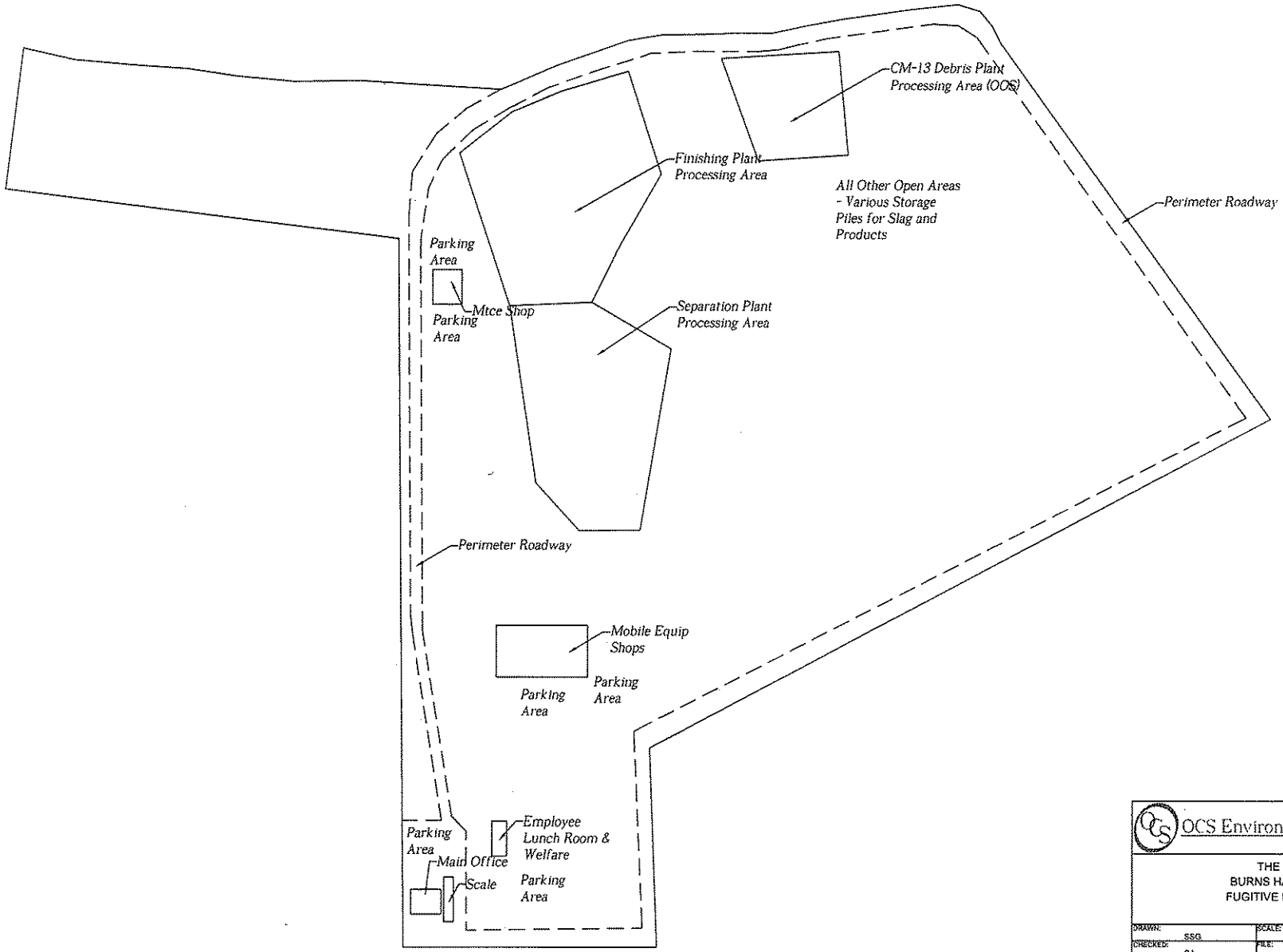
Trucks will be loaded in a manner to reduce or prevent materials from blowing or otherwise escaping. This may be accomplished by loading the vehicle with the center of gravity for the load at a safe distance below the top of the sideboard. Drop heights for front-end loader buckets will be held within a few feet above the sideboard of the truck during loading.

Schedule of Compliance [326 IAC 6-5-5 (a)(11)]

Levy has and will implement the provisions of this control plan upon startup of the operation. This plan will be revised when significant changes occur to the facility. Any revision to this plan requires an administrative amendment to the Part 70 Permit.

Documentation and Record Keeping [326 IAC 6-5-5 (b)]

Records will be maintained to document control measures and activities in accordance with this plan. These records may be kept as part of the facility's daily operation or maintenance logs. These records will be available upon the request of the commissioner and shall be retained for five (5) years.



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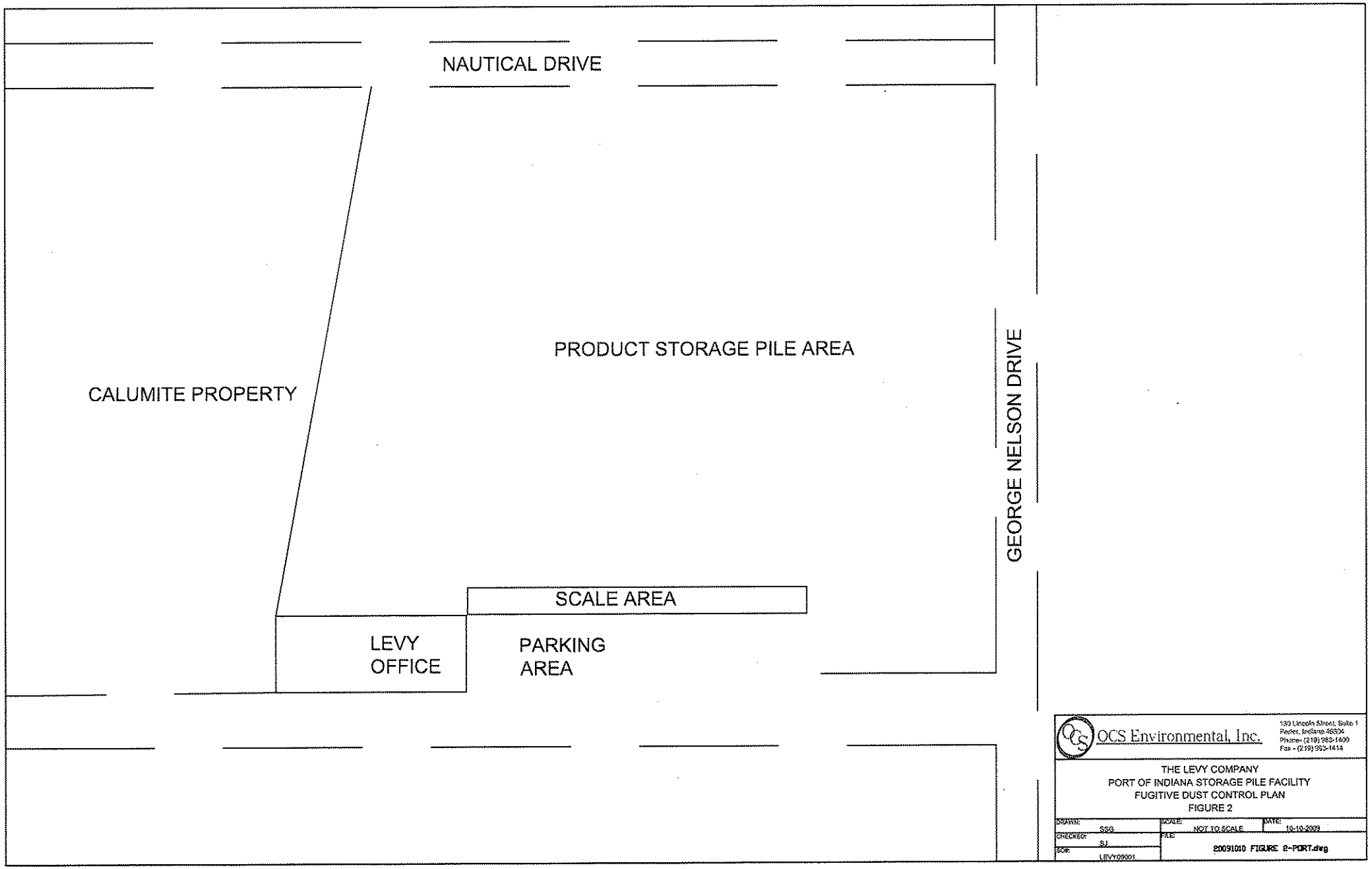
130 Lincoln Street, Suite 1
Porter, Indiana 46304
Phone- (219) 983-1400
Fax - (219) 983-1414

THE LEVY COMPANY
BURNS HARBOR OPERATIONS
FUGITIVE DUST CONTROL PLAN
FIGURE 1

DRAWN: SSG	SCALE: NOT TO SCALE	DATE: 10-10-2009
CHECKED: SJ	FILE:	
SO#: LEVY09001	20091010 FIGURE 1-BH.dwg	



OCS Environmental, Inc.

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Porter, Indiana 46304
Phone - (219) 983-1400
Fax - (219) 983-1414

THE LEVY COMPANY
PORT OF INDIANA STORAGE PILE FACILITY
FUGITIVE DUST CONTROL PLAN
FIGURE 2

DRAWN: SSG	SCALE: NOT TO SCALE	DATE: 10-10-2009
CHECKED: SJ	FILE: 20091010 FIGURE 2-PORT.dwg	
SO#: LEVY09001		

Indiana Department of Environmental Management
Office of Air Quality

Technical Support Document (TSD) for a Part 70 Administrative Amendment

Source Description and Location

Source Name:	**Levy Company, Inc. - a contractor of ISG Burns Harbor, LLC**
Source Location:	**US Hwy 12, Burns Harbor, IN 46304**
County:	**Porter**
SIC Code:	**3295**
Operation Permit No.:	**T127-7656-00026**
Operation Permit Issuance Date:	**June 30, 2006**
Administrative Amendment No.:	**127-28456-00026**
Permit Reviewer:	**Mehul Sura**

Source Definition

This blast furnace and basic oxygen furnace slag finishing plant, separation plant, and calumite plant is operated by a contractor of an integrated steel mill:

(a) ISG Burns Harbor, LLC (plant ID 127-00001), the primary operation, is located at U.S. Highway 12, Burns Harbor, Indiana; and

(b) Levy Company (plant ID 127-00026), the secondary operation, is located at U.S. Highway 12, Burns Harbor, Indiana; and

(c) The Levy Company (plant ID 127-00024), another secondary operation, is located at Port of Indiana, 900 George Nelson Drive, Portage, Indiana.

IDEM has determined that ISG Burns Harbor, LLC and Levy Company are under the common control of ISG Burns Harbor, LLC. These plants are considered one source due to contractual control. Therefore, the term “source” in the Part 70 documents refers to both ISG Burns Harbor, LLC, and Levy Company (Burns Harbor site and Port of Indiana site) as one source.

Separate Part 70 permits have been issued to ISG Burns Harbor, LLC (T127-6301-00001) and The Levy Company (T127-7656-00026) solely for administrative purposes.

Source Determination for the proposed storage piles to be located at Port of Indiana storage yard, Portage (please refer the 'Description of Proposed Modification' section of this TSD for the details of the proposed storage piles).

The Levy Company, Inc. plant (source ID 127-00026) will be transporting materials to a new Levy Company plant located 2.8 miles away. The existing Levy plant is part of the same major source as ArcelorMittal. IDEM, OAQ has examined whether the new Levy plant and the existing plant are part of the same major source. The term “major source” is defined at 326 IAC 2-7-1 (22). In order for these plants to be considered part of the same major source, they must meet all three of the following criteria:

(1) the plants must be under common ownership or common control;

(2) the plants must have the same two-digit Standard Industrial Classification (SIC) Code or one must serve as a support facility for the other(s); and,

(3) the plants must be located on contiguous or adjacent properties.

Both plants are owned by the The Levy Company, Inc. Since common ownership exists, the first part of the definition is met.

The SIC Code Manual of 1987 sets out how to determine the proper SIC Code for each type of business. More information about SIC Codes is available at http://www.osha.gov/pls/imis/sic_manual.html on the internet. Both plants have the two-digit SIC Code, 32, for the Major Group of Stone, Clay, Glass, and Concrete. The existing plant crushes slag. Slag crushed at the existing plant will be transported by trucks operated by Levy employees to the new plant. The material will be stored in piles until sold to customers.

A plant is considered a support facility if at least fifty percent of its output is dedicated to another plant. The existing plant will provide about 25% of its total output to the new plant. The new plant will not send any output to the existing plant. Neither plant qualifies as a support facility. However, since the plants have the same two-digit SIC Code they meet the second part of the source definition.

The last criterion of the definition is whether the plants are on contiguous or adjacent properties. The two plants are 2.8 miles apart; therefore they are not located on contiguous properties. The term “adjacent” is not defined in Indiana’s air permitting rules. IDEM, OAQ has located a May 21, 1998 letter from U.S. EPA Region VIII to the Utah Division of Air Quality regarding the term “adjacent”. This letter is in no way binding on IDEM, OAQ, but it is persuasive. Region VIII stated that any evaluation of what is “adjacent” must relate the guiding principal of a common sense notion of “source”. The evaluation should look at whether the distance between the plants is sufficiently small that it enables them to operate as a single source. Some sample questions are:

1. Are materials routinely transferred between the plants?

2. Do managers or other workers frequently shuttle back and forth to be involved actively in the plants?

Materials will be routinely transferred to the new plant. This will be 100% of all the material stored at the new site. The same plant manager will be responsible for both sites. The plants will use the same human resources and payroll personnel. The same dust control equipment will be operated at both plants. The new plant will be totally dependent on the existing plant for material. The distance between the two plants is small enough that it enables them to operate as a single source. IDEM, OAQ determines that the plants are adjacent. Since the plants meet all three parts of the major source definition, IDEM, OAQ finds that the plants are part of the same major source.

Existing Approvals

The source was issued Part 70 Operating Permit No. T127-7656-00026 on June 30, 2006. The source has since received the following approvals:

(a) Administrative Amendment No. 127-23652-00026, issued on October 30, 2006.

(b) Administrative Amendment No. 127-24655-00026, issued on October 10, 2007.

County Attainment Status

The source is located in Porter County.

Pollutant	Designation
SO_2	Cannot be classified for the area bounded on the north by Lake Michigan; on the west by the Lake County and Porter County line; on the south by I-80 and I-90; and

Pollutant	Designation
	on the east by the LaPorte County and Porter County line. The remainder of Porter County is better than national standards.
CO	Unclassifiable or attainment effective November 15, 1990.
O_3	Nonattainment Subpart 2 Moderate effective June 15, 2004, for the 8-hour ozone standard.[1]
PM_{10}	Unclassifiable effective November 15, 1990.
NO_2	Cannot be classified or better than national standards.
Pb	Not designated.
[1]Nonattainment Severe 17 effective November 15, 1990, for the Chicago-Gary-Lake County area, including Porter County, for the 1-hour standard which was revoked effective June 15, 2005. Basic nonattainment designation effective federally April 5, 2005, for PM2.5.	

(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) Volatile organic compounds (VOC) and Nitrogen Oxides (NOx) are regulated under the Clean Air Act (CAA) for the purposes of attaining and maintaining the National Ambient Air Quality Standards (NAAQS) for ozone. Therefore, VOC and NOx emissions are considered when evaluating the rule applicability relating to the ozone standards. Porter County has been designated as nonattainment for the 8-hour ozone standard. Therefore, VOC and NOx emissions were reviewed pursuant to the requirements for Emission Offset, 326 IAC 2-3.

(3) Volatile organic compounds (VOC) and Nitrogen Oxides (NOx) are regulated under the Clean Air Act (CAA) for the purposes of attaining and maintaining the National Ambient Air Quality Standards (NAAQS) for ozone.

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

(b) PM2.5
U.S. EPA, in the Federal Register Notice 70 FR 943 dated January 5, 2005, has designated Porter County as nonattainment for PM2.5. On March 7, 2005 the Indiana Attorney General's Office, on behalf of IDEM, filed a lawsuit 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 PM2.5 promulgated on May 8, 2008, and effective on July 15, 2008. Therefore, direct PM2.5 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
Porter County has been classified as attainment or unclassifiable in Indiana for all other pollutants. Therefore, these emissions were reviewed pursuant to the requirements for Prevention of Significant Deterioration (PSD), 326 IAC 2-2.

(d) Since this source is classified as a steel mill plant, it is considered one of the twenty-eight (28) listed source categories, as specified in 326 IAC 2-2-1(gg)(1).

(e) Fugitive Emissions
Since this type of operation is in one of the twenty-eight (28) listed source categories under 326 IAC 2-2 or 326 IAC 2-3, fugitive emissions are counted toward the determination of PSD and Emission Offset applicability.

Description of Proposed Modification

The Office of Air Quality (OAQ) has reviewed a modification application, submitted by Levy Company, Inc. - a contractor of ISG Burns Harbor, LLC on September 16, 2009, relating to adding storage piles.

Enforcement Issues

There are no pending enforcement actions related to this modification.

Emission Calculations

IDEM has reviewed the PTE calculations submitted by the source and determined them to be complete for the purpose of the proposed modification approval. See Appendix A of this document for detailed emission calculations.

Permit Level Determination – Part 70

Pursuant to 326 IAC 2-1.1-1(16), Potential to Emit is defined as "the maximum capacity of a stationary source or emission unit to emit any air pollutant under its physical and operational design. Any physical or operational limitation on the capacity of a source to emit an air pollutant, including air pollution control equipment and restrictions on hours of operation or type or amount of material combusted, stored, or processed shall be treated as part of its design if the limitation is enforceable by the U. S. EPA, IDEM, or the appropriate local air pollution control agency."

The following table is used to determine the appropriate permit level under 326 IAC 2-7-10.5. This table reflects the PTE before controls. Control equipment is not considered federally enforceable until it has been required in a federally enforceable permit.

PTE Before Controls of the Modification	
Pollutant	**Potential To Emit** (ton/yr)
PM	3.89
PM_{10}	1.84
$PM_{2.5}$	0.28
SO_2	-
VOC	-
CO	-
NO_X	-

This source modification is not subject to 326 IAC 2-7-10.5 (Part 70 Permits; Source Modifications) because PM and PM10 PTE, each, is less than 5 tons per year.

The changes in the permit due to this approval are considered an administrative amendment pursuant to 326 IAC 2-7-11(a)(7), because the changes include revising descriptive information only, and the revision to the description does not trigger any new applicable requirement or violate a permit term.

Permit Level Determination – PSD or Emission Offset

The table below summarizes the potential to emit, reflecting all limits, of the emission units.

	Potential to Emit (ton/yr)						
Process / Emission Unit	**PM**	**PM10**	**PM2.5**	**SO_2**	**VOC**	**CO**	**NO_X**
storage piles	3.89	1.84	0.28	-	-	-	-
PSD Significant Level	25	15	--	40	NA	100	40
Emission Offset significant levels	NA	NA	--	--	40	NA	--
Nonattainment NSR	NA	NA	15	NA	NA	NA	NA

This modification to an existing major stationary source is not major because the emissions increase is less than the Emission Offset significant levels. Therefore, pursuant to 326 IAC 2-3, the Emission Offset requirements do not apply.

This modification to an existing minor stationary source is not major because the emissions increase is less than the Emission Offset and Nonattainment NSR major levels. Therefore, pursuant to 326 IAC 2-3 and 326 IAC 2-1.1-5, the Emission Offset and Nonattainment NSR requirements do not apply.

Federal Rule Applicability Determination

There are no new federal rules that are applicable due to this permit modification.

State Rule Applicability Determination

326 IAC 2-1.1-5 (Nonattainment New Source Review)
Nonattainment New Source Review applicability is discussed under the Permit Level Determination – PSD and Emission Offset section.

326 IAC 2-2 and 2-3 (PSD and Emission Offset)
PSD and Emission Offset applicability is discussed under the Permit Level Determination – PSD and Emission Offset section.

326 IAC 6-5 (Particulate Emission Limitations for Manufacturing Processes)
Pursuant to 326 IAC 6-5-4, the particulate matter (PM) from the storage piles shall be controlled according to the Fugitive Dust Control Plan (FDCP), attached with the permit as Attachment A. The FDCP for the existing facilities has been revised through this administrative amendment. The Permittee shall comply for existing facilities using the revised FDCP, attached with the permit as Attachment A.

Compliance Determination and Monitoring Requirements

Permits issued under 326 IAC 2-7 are required to ensure that sources can demonstrate compliance with all applicable state and federal rules on a continuous basis. All state and federal rules contain compliance provisions; however, these provisions do not always fulfill the requirement for a continuous demonstration. When this occurs, IDEM, OAQ, in conjunction with the source, must develop specific conditions to satisfy 326 IAC 2-7-5. As a result, Compliance Determination Requirements are included in the permit. The Compliance Determination Requirements in Section D of the permit are those conditions that are found directly within state and federal rules and the violation of which serves as grounds for enforcement action.

If the Compliance Determination Requirements are not sufficient to demonstrate continuous compliance, they will be supplemented with Compliance Monitoring Requirements, also in Section D of the permit. Unlike Compliance Determination Requirements, failure to meet Compliance Monitoring conditions would serve as a trigger for corrective actions and not grounds for enforcement action. However, a violation in relation to a compliance monitoring condition will arise through a source's failure to take the appropriate corrective actions within a specific time period.

There are no new compliance monitoring requirements applicable to this modification.

Proposed Changes

The changes listed below have been made to Part 70 Operating Permit No. T127-7656-00026. Deleted language appears as ~~strikethroughs~~ and new language appears in **bold**:

(a) Several of IDEM's Branches and sections have been renamed. Therefore, IDEM has updated the addresses listed in the permit. References to Permit Administration and Development Section and the Permits Branch have been changed to Permit Administration and Support Section. References to Asbestos Section, Compliance Data Section, Air Compliance Section, and Compliance Branch have been changed to Compliance and Enforcement Branch.

(b) Fugitive Particulate Matter Emission Limitations [under 326 IAC 6-5] from all D sections have been removed and then added in Section C through a single condition. The Section C and D condition numbers have been updated due to this change.

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

. . .

(e) Product storage piles, located at Port of Indiana storage yard, Portage, with particulate emissions equal to or less than insignificant thresholds [326 IAC 2-7-1(21)].

C.6 Fugitive Particulate Matter Emission Limitations [326 IAC 6-5]

Pursuant to 326 IAC 6-5 (Fugitive Particulate Matter Emission Limitations), fugitive particulate matter emissions shall be controlled according to the plan, submitted on May 30, 2007 and revised in October 2009. The plan is included as Attachment A.

SECTION D.1 FACILITY OPERATION CONDITIONS

. . .

Compliance Determination Requirements

D.1.4 Particulate Matter [326 IAC 2-7-6(6)]

. . .

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

D.1.5 Visible Emissions Notations

. . .

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

D.1.6 Record Keeping Requirements

(a) To document compliance with condition D.1.4, the Permittee shall maintain records of the chemical analysis of the slag material, as needed, to demonstrate compliance during times the wet suppression is not used due to weather.

(b) To document compliance with condition D.1.5, the Permittee shall maintain a daily record of visible emission notations of the process emission points. The Permittee shall include in its daily record when a visible emission notation is not taken and the reason for the lack of visible emission notation (e.g. the process did not operate that day).

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

D.1.9 Reporting Requirements

. . .

SECTION D.2 FACILITY OPERATION CONDITIONS

. . .

Compliance Determination Requirements

D.2.4 Particulate Matter [326 IAC 2-7-6(6)]

. . .

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

D.2.5 Visible Emissions Notations

. . .

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

D.2.6 Record Keeping Requirements

(a) To document compliance with condition D.2.4, the Permittee shall maintain records of the chemical analysis of the slag material, as needed, to demonstrate compliance during times the wet suppression is not used due to weather.

(b) To document compliance with condition D.2.5, the Permittee shall maintain a daily record of visible emission notations of the process emission points. The Permittee shall include in its daily record when a visible emission notation is not taken and the reason for a lack of visible emission notation (e.g. the process did not operate that day).

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

SECTION D.3 FACILITY OPERATION CONDITIONS

. . .

Compliance Determination Requirements

D.3.4 Particulate Matter [326 IAC 2-7-6(6)]

. . .

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

D.3.5 Visible Emissions Notations

. . .

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

D.3.6 Record Keeping Requirements

(a) To document compliance with condition D.3.4, the Permittee shall maintain records of the chemical analysis of the slag material, as needed, to demonstrate compliance during times the wet suppression is not used due to weather.

(b) To document compliance with condition D.3.5, the Permittee shall maintain a daily record of visible emission notations of the process emission points. The Permittee shall include in its daily record when a visible emission notation is not taken and the reason for the lack of visible emission notation (e.g. the process did not operate that day).

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

D.3.7 Reporting Requirements

. . .

SECTION D.4 FACILITY OPERATION CONDITIONS

. . .

(e) Product storage piles, located at Port of Indiana storage yard, Portage, with particulate emissions equal to or less than insignificant thresholds [326 IAC 2-7-1(21)].

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

. . .

Conclusion and Recommendation

The operation of this proposed modification shall be subject to the conditions of the attached Part 70 Administrative Amendment No. 127-28456-00026. The staff recommend to the Commissioner that this Part 70 Administrative Amendment be approved.

TSD Appendix A

Emission Calculations Submitted by Levy Company, Inc. - a contractor of ISG Burns Harbor, LLC

Administrative Amendment No.: 127-28456-00026

The Levy Company - Burns Harbor Facility
Emission Calculations-Additional material drops.

Uncontrolled Emissions (TPY)			
	PM	**PM_{10}**	**$PM_{2.5}$**
Loading/Unloading at Port of Indiana	3.89	1.84	0.28
Total	3.89	1.84	0.28
Net Emissions Increase/Decrease	**3.89**	**1.84**	**0.28**
PSD Signifcant Threshold	**25**	**15**	**10**

The Levy Company - Burns Harbor Facility
Emission Calculations-Additional material drops.

Loading & Unloading Operations
AP-42 13.2.4, Drop Operations, January 1995

$$E = k(0.0032)\frac{\left(\frac{U}{5}\right)^{1.3}}{\left(\frac{M}{2}\right)^{1.4}}$$

	PM10	PM2.5	PM
k =	0.35	0.053	0.74

Where:
E = emission factor (lb/tn)
k = particle size multiplier (dimensionless)
U = mean wind speed, miles per hour
M = material moisture content (%)

450,000 throughput, tons
10 mean wind speed, mph
0.92 %, mean moisture, see below

Emission Factors (lb/tn)		
PM10	PM2.5	PM
0.00817892	0.001239	0.017293

Process	Throughput (tons/yr)	Uncontrolled Emissions (lb/ton)			*Control Efficiency	Controlled Emissions (tpy)		
		PM	PM_{10}	$PM_{2.5}$		PM	PM_{10}	$PM_{2.5}$
Loading-Unloading	450,000	3.89	1.84	0.28	90%	0.39	0.18	0.03

Methodology
Uncontrolled Emissions (tpy) = Throughput (tpy) * Uncontrolled Emission Factor (lb/ton) * 8760 (day/yr) / 2000 (lb/ton) * (1 - % Control Efficiency)
Controlled Emissions (tpy) = Uncontrolled Emission (tpy) * (1 - % Control Efficiency)
*Control efficiency for wet & chemical suppression (per AP-42 13.2.4.4 11/06)

Slag	0.92	Moisture	Table 13.2.4-1, AP-42
	5.3	Silt	Table 13.2.4-1, AP-42

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: Shannon Jordan
Ops Mgr
The Levy Company, Inc. - a contractor of Arcelor/Mittal
PO Box 540
Portage IN 46368

DATE: Oct. 23, 2009

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

SUBJECT: Final Decision
Administrative Amendment
127-28456-00026

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:
Susan Grenzebach OCS Environmental
VP & GM ISG Burns Harbor
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.

Mail Code 61-53

IDEM Staff	BMILLER 10/23/2009 The Levy Company, Inc. - a contractor of ArcelorMittal 127-28456-00026 (final)		AFFIX STAMP HERE IF USED AS CERTIFICATE OF MAILING
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2		Laurence A. McHugh Barnes & Thornburg 100 North Michigan South Bend IN 46601-1632 *(Affected Party)*									
3		Porter County Board of Commissioners 155 Indiana Ave Valparaiso IN 46383 *(Local Official)*									
4		Porter County Health Department 155 Indiana Ave, Suite 104 Valparaiso IN 46383-5502 *(Health Department)*									
5		Shawn Sobocinski 3229 E. Atlanta Court Portage IN 46368 *(Affected Party)*									
6		Mr. Ed Dybel 2440 Schrage Avenue Whiting IN 46394 *(Affected Party)*									
7		Ms. Carolyn Marsh Lake Michigan Calumet Advisory Council 1804 Oliver St Whiting IN 46394-1725 *(Affected Party)*									
8		Mr. Dee Morse National Park Service 12795 W Alameda Pky, P.O. Box 25287 Denver CO 80225-0287 *(Affected Party)*									
9		Mr. Joseph Virgil 128 Kinsale Avenue Valparaiso IN 46385 *(Affected Party)*									
10		Mark Coleman 9 Locust Place Ogden Dunes IN 46368 *(Affected Party)*									
11		Mr. Chris Hernandez Pipefitters Association, Local Union 597 8762 Louisiana St., Suite G Merrillville IN 46410 *(Affected Party)*									
12		Ms. Kathy Luther Northern Regional Planning Commission 6100 Southport Rd Portage IN 46368 *(Affected Party)*									
13		Burns Harbor Town Council 1240 N. Boo Rd Burns Harbor IN 46304 (Local Official)									
14		Eric & Sharon Haussman 57 Shore Drive Ogden Dunes IN 46368 *(Affected Party)*									
15		Vice President and General Manager ISG Burns Harbor 260 W US Hwy 12 Burns Harbor IN 46304 *(Source ? addl contact)*									

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1		Susan OCS Environmental 130 Lincoln St. Porter IN 46304 (Consultant)									
2		Joseph Hero 11723 S Oakridge Drive St. John IN 46373 *(Affected Party)*									
3											
4											
5											
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