



INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

We Protect Hoosiers and Our Environment.

Mitchell E. Daniels Jr.
Governor

Thomas W. Easterly
Commissioner

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Indianapolis, Indiana 46204
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Mr. Jason Ratts
Emporium Grain/Harvest Land Co-op
1838 East U.S. 36
Markleville, Indiana 46056

November 9, 2009

Re: Permit By Rule Status
095-28565-00011

Dear Mr. Ratts:

On March 18, 2003, ADM Grain Company was issued a Permit By Rule Status No. 095-16730-00011 for a stationary grain elevator located at 1838 East U.S. 36, Markleville, Indiana 46056. On October 14, 2009, Harvest Land Co-op submitted a letter with supporting data to the Office of Air Quality (OAQ) indicating the transfer of ownership from ADM Grain Elevator/AG One and that the source satisfies the criteria to operate under the provisions of 326 IAC 2-11 (Permit by Rule for Specific Source Categories). Based on the data and information submitted and the provisions of 326 IAC 2-11 (Permit by Rule for Specific Source Categories), Emporia Grain/Harvest Land Co-op, is now operating under Permit by Rule (PBR) Status. This PBR supersedes Permit by Rule Status No. 095-16730-00011, issued on March 18, 2003.

Pursuant to 326 IAC 2-11-1 (General Provisions) and 326 IAC 2-11-3 (Permit by Rule for Grain Elevators):

- (a) This source shall comply with the following:
 - (1) This grain elevator receives grain by truck and/or rail and ships grain by truck and/or rail. To limit allowable emissions or potential to emit as provided in 326 IAC 2-11-1(c), the annual total throughput limits shall be equal to or less than eleven million two hundred thousand (11,200,000) bushels. [326 IAC 2-11-3(b)(1)]
 - (2) This source shall operate and properly maintain air pollution control devices at the source. [326 IAC 2-11-1(g)(1)]
 - (3) this source shall follow generally accepted industry work practices to minimize emissions of regulated air pollutants. [326 IAC 2-11-1(g)(2)]
 - (4) the source shall not discharge air pollutants so as to create a public nuisance. [326 IAC 2-11-1(g)(3)]
- (b) A source complying with 326 IAC 2-11 is not subject to 326 IAC 2-6.1 unless otherwise required by law. A source complying with 326 IAC 2-11 is not subject to 326 IAC 2-5.1 or 326 IAC 2-7 provided the rule limits the sources allowable emissions or potential to emit below the applicability thresholds for 326 IAC 2-5.1 or 326 IAC 2-7. [326 IAC 2-11-1(c)]
- (c) A source complying with 326 IAC 2-11 may at any time apply for a permit under 326 IAC 2-5.1, 326 IAC 2-6.1, 326 IAC 2-7, 326 IAC 2-8 or an operating agreement under 326 IAC 2-9 as applicable. [326 IAC 2-11-1(d)]

- (d) Before a source subject to 326 IAC 2-11 modifies its facility or operations in such a way that it will no longer comply with 326 IAC 2-11, it shall obtain the appropriate approval from the commissioner under 326 IAC 2-5.1, 326 IAC 2-6.1, 326 IAC 2-2, 326 IAC 2-3, 326 IAC 2-7 or 326 IAC 2-8. [326 IAC 2-11-1(e)]
- (e) No later than thirty (30) days after receipt of a written request by the Department of Environmental Management, Office of Air Quality (OAQ), or the U.S. EPA, the owner or operator of the source shall demonstrate that the source is in compliance with the limits of 326 IAC 2-11, by providing throughput records for the previous twelve (12) months. [326 IAC 2-11-1(f)]
- (f) This Permit by Rule Status does not relieve the source of the responsibility to comply with the provisions of any applicable federal, state or local requirements, such as New Source Performance Standards (NSPS), 40 CFR Part 60, or National Standards for Hazardous Air Pollutants (NESHAP), 40 CFR Part 61 or 40 CFR Part 63. [326 IAC 2-11-1(h)]
- (g) Pursuant to 326 IAC 2-11-1(i), a source subject to 326 IAC 2-11 may be subject to applicable requirements for a major source, including 326 IAC 2-7, if:
 - (1) at any time the source is not in compliance with the conditions provided in an applicable section of 326 IAC 2-11; or
 - (2) the source does not timely or adequately demonstrate compliance with the conditions in an applicable section of 326 IAC 2-11.
- (h) Any violation of 326 IAC 2-11 may result in administrative or judicial enforcement proceedings and penalties under IC 13-30-3. [326 IAC 2-11-1(j)]

A copy of the PBR is available on the Internet at: <http://www.in.gov/ai/appfiles/idem-caats/>. For additional information about air permits and how the public and interested parties can participate, refer to the IDEM's Guide for Citizen Participation and Permit Guide on the Internet at: www.idem.in.gov

If you have any questions on this matter, please contact Gary Freeman, of my staff, at 317-233-5334 or 1-800-451-6027, and ask for extension 3-5334.

Sincerely,



Alfred C. Dumauval, Ph. D., Section Chief
Permits Branch
Office of Air Quality

ACD/gkf

cc: File - Madison County
Madison County Health Department
Compliance and Enforcement Branch
Billing, Licensing and Training Section

Mail Code 61-53

IDEM Staff	LPOGOST 11/9/2009 Emporia Grain/Harvest Land Co-op 095 - 28565 - 00011 pbr			AFFIX STAMP HERE IF USED AS CERTIFICATE OF MAILING
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1		Jason Ratts Emporia Grain/Harvest Land Co-op 1838 E US 36 Markleville IN 46056 (Source CAATS)									
2		Steve Middendorf Region Manager Emporia Grain/Harvest Land Co-op 1435 NW 5th St, Box 516 Richmond IN 47375 (RO CAATS)									
3		Madison County Health Department 206 E 9th St Anderson IN 46016-1512 (Health Department)									
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