



# 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](http://www.idem.IN.gov)

TO: Interested Parties / Applicant

DATE: May 19, 2010

RE: Zachary Confections, Inc. / 023-28687-00039

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

## Notice of Decision: Approval - Effective Immediately

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

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

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

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

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

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

Enclosures  
FNPER.dot12/03/07



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## Federally Enforceable State Operating Permit Renewal OFFICE OF AIR QUALITY

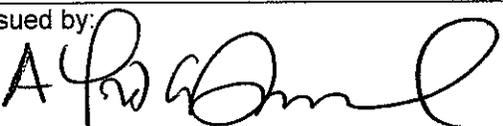
**Zachary Confections, Inc.  
2130 West State Road 28  
Frankfort, Indiana 46041**

(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. 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 2-8 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.

Indiana statutes from IC 13 and rules from 326 IAC, quoted 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 FESOP under 326 IAC 2-8.

Operation Permit No.: F023-28687-00039	
Issued by:  Alfred C. Dumaul, Ph. D., Section Chief Permits Branch Office of Air Quality	Issuance Date: May 19, 2010  Expiration Date: May 19, 2020

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## SECTION A SOURCE SUMMARY

This permit is based on information requested by the Indiana Department of Environmental Management (IDEM), Office of Air Quality (OAQ). The information describing the source contained in conditions A.1 through A.3 is descriptive information and does not constitute enforceable conditions. However, the Permittee should be aware that a physical change or a change in the method of operation that may render this descriptive information obsolete or inaccurate may trigger requirements for the Permittee to obtain additional permits or seek modification of this permit pursuant to 326 IAC 2, or change other applicable requirements presented in the permit application.

### A.1 General Information [326 IAC 2-8-3(b)]

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The Permittee owns and operates a stationary candy manufacturing plant.

Source Address:	2130 West State Road 28, Frankfort, Indiana 46041
General Source Phone Number:	(765) 659-4751
SIC Code:	2064
County Location:	Clinton
Source Location Status:	Attainment for all criteria pollutants
Source Status:	Federally Enforceable State Operating Permit Program Minor Source, under PSD and Emission Offset Rules Minor Source, Section 112 of the Clean Air Act Not 1 of 28 Source Categories

### A.2 Emission Units and Pollution Control Equipment Summary [326 IAC 2-8-3(c)(3)]

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

- (a) One (1) natural gas-fired boiler, identified as EU-1, with a maximum heat input capacity of 25 MMBtu per hour, installed in 1997, and exhausting to stack S1.  
  
Under the NSPS for Standards of Performance for Small Industrial-Commercial-Institutional Steam Generating Units (40 CFR 60.40c, Subpart Dc) the boiler, identified as EU-1, is considered an affected facility.
- (b) Two (2) natural gas-fired boilers, identified as EU-2 and EU-3, each with a maximum heat input capacity of 12.6 MMBtu per hour, both installed in 1958, and exhausting to stacks S2 and S3.
- (c) Two (2) belt polishers, identified as EU-4 and EU-5, each with a maximum throughput capacity of 500 pounds of candy per hour and maximum usage of 1.025 pounds of polish per hour, both installed in 2000, and exhausting to stacks S4 and S5.
- (d) Two (2) belt polishers, identified as EU-6 and EU-7, each with a maximum throughput capacity of 500 pounds of candy per hour and maximum usage of 1.025 pounds of polish per hour, both installed in 2003, and exhausting to stacks S6 and S7.
- (e) One (1) coater & polisher unit, identified as EU-8, with a maximum throughput capacity of 720 pounds of candy per hour and 1.48 pounds of polish per hour, installed in 1997, and exhausting to stack S8.
- (f) One (1) candy corn drum coater, identified as EU-9, with a maximum throughput capacity of 7,816 pounds of candy per hour and maximum usage of rate 35.56 pounds of candy coating per hour, installed in 2002, and exhausting to stack S9.

- (g) One (1) candy corn drum polisher, identified as EU-10, with a maximum throughput capacity of 7,816 pounds of candy per hour and maximum usage rate 19.15 pounds of candy coating per hour, installed in 2002, and exhausting to stack S9.
- (h) Mogul operations
  - (1) One (1) Mogul 1, a mold preparation unit, identified as EU-11, with a maximum throughput capacity of 10,286 pounds of candy per hour, using an integral fabric filter and dust collector DC1M1 for particulate control, installed in 1985, and exhausting indoors.
  - (2) One (1) Mogul 1, a starch conditioning unit, identified as EU-12 with a maximum throughput capacity of 19,842 pounds of starch per hour, using an integral fabric filter and dust collector DC1M1 for particulate control, installed in 1985, and exhausting indoors.
  - (3) One (1) Mogul 2, a mold preparation unit, identified as EU-13, with a maximum throughput capacity of 10,857 pounds of candy per hour, using an integral fabric filter and dust collector DC1M1 for particulate control, installed in 1995, and exhausting indoors.
  - (4) One (1) Mogul 2, a starch conditioner dryer, identified as EU-14, with a maximum throughput capacity of 19,842 pounds of starch per hour, using an integral fabric filter and dust collector DC2M2 for particulate control, installed in 1995, and exhausting to stack S11.
  - (5) One (1) Mogul 2, a starch conditioner cooler, identified as EU-15, with a maximum throughput capacity of 19,842 pounds of starch per hour, using an integral fabric filter and dust collector DC3M2 for particulate control, installed in 1995, and exhausting indoors.
  - (6) One (1) Mogul 3, a mold preparation unit, identified as EU-16, with a maximum throughput capacity of 7,816 pounds of candy per hour, using an integral fabric filter and dust collector DC1M3 for particulate control, installed in 2002, and exhausting indoors.
  - (7) One (1) Mogul 3, a starch conditioner dryer, identified as EU-17, with a maximum throughput capacity of 19,842 pounds of starch per hour, using an integral fabric filter and dust collector DC2M3 for particulate control, installed in 2002, and exhausting to stack S14.
  - (8) One (1) Mogul 3, a starch conditioner cooler, identified as EU-18, with a maximum throughput capacity of 19,842 pounds of starch per hour, using an integral fabric filter and dust collector DC3M3 for particulate control, installed in 2002, and exhausting indoors.
- (i) One (1) laser cleaner, identified as EU-19, with a maximum throughput capacity of 7,816 pounds of candy per hour, using an integral fabric filter and dust collector DC1LC1 for particulate control, installed in 2002, and exhausting indoors.
- (j) Six (6) dust top lines, identified as EU-20 through EU-26, each with a maximum throughput capacity of 4,222 pounds of candy per hour, using an integral fabric filters and dust collectors DC1DT through DC7DT for particulate control, all installed prior to 1989, and exhausting indoors.

A.3 Insignificant Activities [326 IAC 2-7-1(21)][326 IAC 2-8-3(c)(3)(I)]

This stationary source also includes the following insignificant activities:

- (a) Degreasing operations that do not exceed one hundred forty-five (145) gallons per twelve (12) months, except if subject to 326 IAC 20-6 as follows:
  - (1) One (1) Heritage-Crystal Clean parts washer, with a maximum capacity of 30 gallons, installed in 2000, and exhausting indoors. [326 IAC 8-3-2] [326 IAC 8-3-5]
- (b) Paved roads and parking lots with public access. [326 IAC 6-4]
- (c) Three (3) dust collectors, identified as DC8, DC9 and DC10, each with a design grain loading of less than or equal to one one-hundredths (0.01) grains per actual cubic foot and a gas flow rate less than or equal to three thousand (3,000) actual cubic feet per minute, approved in 2010 for construction, and exhausting indoors.

A.4 FESOP Applicability [326 IAC 2-8-2]

This stationary source, otherwise required to have a Part 70 permit as described in 326 IAC 2-7-2(a), has applied to the Indiana Department of Environmental Management (IDEM), Office of Air Quality (OAQ) to renew a Federally Enforceable State Operating Permit (FESOP).

## **SECTION B GENERAL CONDITIONS**

### **B.1 Definitions [326 IAC 2-8-1]**

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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 2-8-4(2)][326 IAC 2-1.1-9.5][IC 13-15-3-6(a)]**

- 
- (a) This permit, F023-28687-00039, is issued for a fixed term of ten (10) 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, until the renewal permit has been issued or denied.

### **B.3 Term of Conditions [326 IAC 2-1.1-9.5]**

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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 2-8-6] [IC 13-17-12]**

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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 2-8-4(4)]**

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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 2-8-4(5)(D)]**

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This permit does not convey any property rights of any sort or any exclusive privilege.

### **B.7 Duty to Provide Information [326 IAC 2-8-4(5)(E)]**

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- (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. 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 2-8-3(d)][326 IAC 2-8-4(3)(C)(i)][326 IAC 2-8-5(1)]

- (a) A certification required by this permit meets the requirements of 326 IAC 2-8-5(a)(1) if:
  - (i) it contains a certification by an "authorized individual", as defined by 326 IAC 2-1.1-1(1), and
  - (ii) the certification states that, based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate, and complete.
- (b) The Permittee may use the attached Certification Form, or its equivalent with each submittal requiring certification. One (1) certification may cover multiple forms in one (1) submittal.
- (c) An "authorized individual" is defined at 326 IAC 2-1.1-1(1).

B.9 Annual Compliance Certification [326 IAC 2-8-5(a)(1)]

- (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 July 1 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
- (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 2-8-4(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 a certification that meets the requirements of 326 IAC 2-8-5(a)(1) by an "authorized individual" as defined by 326 IAC 2-1.1-1(1).

**B.10 Compliance Order Issuance [326 IAC 2-8-5(b)]**

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IDEM, OAQ may issue a compliance order to this Permittee upon discovery that this permit is in nonconformance with an applicable requirement. The order may require immediate compliance or contain a schedule for expeditious compliance with the applicable requirement.

**B.11 Preventive Maintenance Plan [326 IAC 1-6-3][326 IAC 2-8-4(9)][326 IAC 2-8-5(a)(1)]**

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(a) A Preventive Maintenance Plan meets the requirements of 326 IAC 1-6-3 if it includes, at a minimum:

- (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.

The Permittee shall implement the PMPs.

(b) If required by specific condition(s) in Section D of this permit where no PMP was previously required, the Permittee shall prepare and maintain Preventive Maintenance Plans (PMPs) no later than ninety (90) days after issuance of this permit or ninety (90) days after initial start-up, whichever is later, including the following information on each facility:

- (1) Identification of the individual(s) responsible for inspecting, maintaining, and repairing emission control devices;
- (2) A description of the items or conditions that will be inspected and the inspection schedule for said items or conditions; and
- (3) Identification and quantification of the replacement parts that will be maintained in inventory for quick replacement.

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 a certification that meets the requirements of 326 IAC 2-8-5(a)(1) by an "authorized individual" as defined by 326 IAC 2-1.1-1(1).

The Permittee shall implement the PMPs.

(c) 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. The

PMPs and their submittal do not require a certification that meets the requirements of 326 IAC 2-8-5(a)(1) by an "authorized individual" as defined by 326 IAC 2-1.1-1(1).

- (d) To the extent the Permittee is required by 40 CFR Part 60/63 to have an Operation Maintenance, and Monitoring (OMM) Plan for a unit, such Plan is deemed to satisfy the PMP requirements of 326 IAC 1-6-3 for that unit.

B.12 Emergency Provisions [326 IAC 2-8-12]

- (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 except as provided in 326 IAC 2-8-12.
- (b) An emergency, as defined in 326 IAC 2-7-1(12), constitutes an affirmative defense to an action brought for noncompliance with a health-based or 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, within four (4) daytime business hours after the beginning of the emergency, or after the emergency was discovered or reasonably should have been discovered;

Telephone Number: 1-800-451-6027 (ask for Office of Air Quality, Compliance and Enforcement Branch), or  
Telephone Number: 317-233-0178 (ask for Office of Air Quality, Compliance and Enforcement Branch)  
Facsimile Number: 317-233-6865

- (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 2-8-4(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 a certification that meets the requirements of 326 IAC 2-8-5(a)(1) by an "authorized individual" as defined by 326 IAC 2-1.1-1(1).

- (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 2-8-3(c)(6) 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 2-8 and any other applicable rules.
- (g) Operations may continue during an emergency only if the following conditions are met:
  - (1) 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.
  - (2) If an emergency situation causes a deviation from a health-based limit, the Permittee may not continue to operate the affected emissions facilities unless:
    - (A) The Permittee immediately takes all reasonable steps to correct the emergency situation and to minimize emissions; and
    - (B) Continued operation of the facilities is necessary to prevent imminent injury to persons, severe damage to equipment, substantial loss of capital investment, or loss of product or raw material of substantial economic value.

Any operations shall continue no longer than the minimum time required to prevent the situations identified in (g)(2)(B) of this condition.

**B.13 Prior Permits Superseded [326 IAC 2-1.1-9.5]**

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- (a) All terms and conditions of permits established prior to F023-28687-00039 and issued pursuant to permitting programs approved into the state implementation plan have been either:
  - (1) incorporated as originally stated,

- (2) revised, or
- (3) deleted.

(b) All previous registrations and permits are superseded by this permit.

**B.14 Termination of Right to Operate [326 IAC 2-8-9][326 IAC 2-8-3(h)]**

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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 2-8-3(h) and 326 IAC 2-8-9.

**B.15 Permit Modification, Reopening, Revocation and Reissuance, or Termination**

**[326 IAC 2-8-4(5)(C)][326 IAC 2-8-7(a)][326 IAC 2-8-8]**

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- (a) This permit may be modified, reopened, revoked and reissued, or terminated for cause. The filing of a request by the Permittee for a Federally Enforceable State Operating Permit modification, revocation and reissuance, or termination, or of a notification of planned changes or anticipated noncompliance does not stay any condition of this permit. [326 IAC 2-8-4(5)(C)] The notification by the Permittee does require a certification that meets the requirements of 326 IAC 2-8-5(a)(1) by an "authorized individual" as defined by 326 IAC 2-1.1-1(1).
- (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 2-8-8(a)]
- (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 2-8-8(b)]
- (d) The reopening and revision of this permit, under 326 IAC 2-8-8(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 2-8-8(c)]

**B.16 Permit Renewal [326 IAC 2-8-3(h)]**

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- (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 2-8-3. 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 a certification that meets the requirements of 326 IAC 2-8-5(a)(1) by an "authorized individual" as defined by 326 IAC 2-1.1-1(1).

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 2-8 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, pursuant to 326 IAC 2-8-3(g), in writing by IDEM, OAQ any additional information identified as being needed to process the application.

B.17 Permit Amendment or Revision [326 IAC 2-8-10][326 IAC 2-8-11.1]

- (a) Permit amendments and revisions are governed by the requirements of 326 IAC 2-8-10 or 326 IAC 2-8-11.1 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 does require a certification that meets the requirements of 326 IAC 2-8-5(a)(1) by an "authorized individual" as defined by 326 IAC 2-1.1-1(1).

- (c) The Permittee may implement administrative amendment changes addressed in the request for an administrative amendment immediately upon submittal of the request. [326 IAC 2-8-10(b)(3)]

B.18 Operational Flexibility [326 IAC 2-8-15][326 IAC 2-8-11.1]

- (a) The Permittee may make any change or changes at the source that are described in 326 IAC 2-8-15(b) through (d) 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 approval required by 326 IAC 2-8-11.1 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 2-8-15(b) through (d). 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 2-8-15(b)(2), (c)(1), and (d).

(b) Emission Trades [326 IAC 2-8-15(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 2-8-15(c).

(c) Alternative Operating Scenarios [326 IAC 2-8-15(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 2-8-4(7). No prior notification of IDEM, OAQ, or U.S. EPA is required.

(d) 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.19 Source Modification Requirement [326 IAC 2-8-11.1]

A modification, construction, or reconstruction is governed by the requirements of 326 IAC 2.

B.20 Inspection and Entry [326 IAC 2-8-5(a)(2)][IC 13-14-2-2][IC 13-17-3-2][IC 13-30-3-1]

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 FESOP 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, at reasonable times, 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, at reasonable times, 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, at reasonable times, 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.21 Transfer of Ownership or Operational Control [326 IAC 2-8-10]

- (a) The Permittee must comply with the requirements of 326 IAC 2-8-10 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  
  
Any such application does require a certification that meets the requirements of 326 IAC 2-8-5(a)(1) by an "authorized individual" as defined by 326 IAC 2-1.1-1(1).
- (c) The Permittee may implement administrative amendment changes addressed in the request for an administrative amendment immediately upon submittal of the request. [326 IAC 2-8-10(b)(3)]

B.22 Annual Fee Payment [326 IAC 2-7-19] [326 IAC 2-8-4(6)] [326 IAC 2-8-16][326 IAC 2-1.1-7]

- (a) The Permittee shall pay annual fees to IDEM, OAQ no later than thirty (30) calendar days of receipt of a billing. Pursuant to 326 IAC 2-7-19(b), if the Permittee does not receive a bill from IDEM, OAQ the applicable fee is due April 1 of each year.
- (b) Failure to pay may result in administrative enforcement action or revocation of this permit.
- (c) The Permittee may call the following telephone numbers: 1-800-451-6027 or 317-233-4230 (ask for OAQ, Billing, Licensing, and Training Section), to determine the appropriate permit fee.

**B.23 Credible Evidence [326 IAC 2-8-4(3)][326 IAC 2-8-5][62 FR 8314] [326 IAC 1-1-6]**

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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 2-8-4(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 Overall Source Limit [326 IAC 2-8]

The purpose of this permit is to limit this source's potential to emit to less than major source levels for the purpose of Section 502(a) of the Clean Air Act.

(a) Pursuant to 326 IAC 2-8:

- (1) The potential to emit any regulated pollutant, except particulate matter (PM), from the entire source shall be limited to less than one hundred (100) tons per twelve (12) consecutive month period.
- (2) The potential to emit any individual hazardous air pollutant (HAP) from the entire source shall be limited to less than ten (10) tons per twelve (12) consecutive month period; and
- (3) The potential to emit any combination of HAPs from the entire source shall be limited to less than twenty-five (25) tons per twelve (12) consecutive month period.

(b) Pursuant to 326 IAC 2-2 (PSD), potential to emit particulate matter (PM) from the entire source shall be limited to less than two hundred fifty (250) tons per twelve (12) consecutive month period.

(c) This condition shall include all emission points at this source including those that are insignificant as defined in 326 IAC 2-7-1(21). The source shall be allowed to add insignificant activities not already listed in this permit, provided that the source's potential to emit does not exceed the above specified limits.

(d) Section D of this permit contains independently enforceable provisions to satisfy this requirement.

C.3 Opacity [326 IAC 5-1]

Pursuant to 326 IAC 5-1-2 (Opacity Limitations), except as provided in 326 IAC 5-1-1 (Applicability) and 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.4 Open Burning [326 IAC 4-1] [IC 13-17-9]

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

C.5 Incineration [326 IAC 4-2] [326 IAC 9-1-2]

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The Permittee shall not operate an incinerator except as provided in 326 IAC 4-2 or in this permit. The Permittee shall not operate a refuse incinerator or refuse burning equipment except as provided in 326 IAC 9-1-2 or in this permit.

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

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

C.7 Asbestos Abatement Projects [326 IAC 14-10] [326 IAC 18] [40 CFR 61, Subpart M]

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- (a) Notification requirements apply to each owner or operator. If the combined amount of regulated asbestos containing material (RACM) to be stripped, removed or disturbed is at least 260 linear feet on pipes or 160 square feet on other facility components, or at least thirty-five (35) cubic feet on all facility components, then the notification requirements of 326 IAC 14-10-3 are mandatory. All demolition projects require notification whether or not asbestos is present.
- (b) The Permittee shall ensure that a written notification is sent on a form provided by the Commissioner at least ten (10) working days before asbestos stripping or removal work or before demolition begins, per 326 IAC 14-10-3, and shall update such notice as necessary, including, but not limited to the following:
  - (1) When the amount of affected asbestos containing material increases or decreases by at least twenty percent (20%); or
  - (2) If there is a change in the following:
    - (A) Asbestos removal or demolition start date;
    - (B) Removal or demolition contractor; or
    - (C) Waste disposal site.
- (c) The Permittee shall ensure that the notice is postmarked or delivered according to the guidelines set forth in 326 IAC 14-10-3(2).
- (d) The notice to be submitted shall include the information enumerated in 326 IAC 14-10-3(3).

All required notifications shall be submitted to:

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

The notice shall include a signed certification from the owner or operator that the information provided in this notification is correct and that only Indiana licensed workers and project supervisors will be used to implement the asbestos removal project. The notifications do not require a certification by an "authorized individual" as defined by 326 IAC 2-1.1-1(1).

- (e) **Procedures for Asbestos Emission Control**  
The Permittee shall comply with the applicable emission control procedures in 326 IAC 14-10-4 and 40 CFR 61.145(c). Per 326 IAC 14-10-1, emission control requirements are applicable for any removal or disturbance of RACM greater than three (3) linear feet on pipes or three (3) square feet on any other facility components or a total of at least 0.75 cubic feet on all facility components.
- (f) **Demolition and Renovation**  
The Permittee shall thoroughly inspect the affected facility or part of the facility where the demolition or renovation will occur for the presence of asbestos pursuant to 40 CFR 61.145(a).
- (g) **Indiana Licensed Asbestos Inspector**  
The Permittee shall comply with 326 IAC 14-10-1(a) that requires the owner or operator, prior to a renovation/demolition, to use an Indiana Licensed Asbestos Inspector to thoroughly inspect the affected portion of the facility for the presence of asbestos.

### **Testing Requirements [326 IAC 2-8-4(3)]**

#### **C.8 Performance Testing [326 IAC 3-6]**

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- (a) For performance testing required by this permit, 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 a certification by an "authorized individual" as defined by 326 IAC 2-1.1-1(1).
- (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 a certification by an "authorized individual" as defined by 326 IAC 2-1.1-1(1).
- (c) Pursuant to 326 IAC 3-6-4(b), all test reports must be received by IDEM, OAQ not later than forty-five (45) days after the completion of the testing. An extension may be granted by IDEM, OAQ if the Permittee submits to IDEM, OAQ a reasonable written explanation not later than five (5) days prior to the end of the initial forty-five (45) day period.

### **Compliance Requirements [326 IAC 2-1.1-11]**

#### **C.9 Compliance Requirements [326 IAC 2-1.1-11]**

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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 2-8-4][326 IAC 2-8-5(a)(1)]**

#### **C.10 Compliance Monitoring [326 IAC 2-8-4(3)][326 IAC 2-8-5(a)(1)]**

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Unless otherwise specified in this permit, for all monitoring requirements not already legally required, the Permittee shall be allowed up to ninety (90) days from the date of permit issuance or of initial start-up, whichever is later, to begin such monitoring. If due to circumstances beyond the Permittee's control, any monitoring equipment required by this permit cannot be installed and operated no later than ninety (90) days after permit issuance or the date of initial startup, whichever is later, 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 a certification that meets the requirements of 326 IAC 2-8-5(a)(1) by an "authorized individual" as defined by 326 IAC 2-1.1-1(1).

Unless otherwise specified in the approval for the new emission unit(s), compliance monitoring for new emission units or emission units added through a permit revision shall be implemented when operation begins.

#### **C.11 Instrument Specifications [326 IAC 2-1.1-11] [326 IAC 2-8-4(3)][326 IAC 2-8-5(1)]**

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- (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 2-8-4][326 IAC 2-8-5(a)(1)]**

#### **C.12 Risk Management Plan [326 IAC 2-8-4] [40 CFR 68]**

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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.13 Response to Excursions or Exceedances [326 IAC 2-8-4] [326 IAC 2-8-5]

Upon detecting an excursion where a response step is required by the D Section or an exceedance of a limitation in this permit:

- (a) The Permittee shall take reasonable response steps to 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 excess emissions.
- (b) The response shall include minimizing the period of any startup, shutdown or malfunction. The response may include, but is not limited to, the following:
  - (1) initial inspection and evaluation;
  - (2) recording that operations returned or are returning 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 normal or usual manner of operation.
- (c) A determination of whether the Permittee has used acceptable procedures in response to an excursion or exceedance will be based on information available, which may include, but is not limited to, the following:
  - (1) monitoring results;
  - (2) review of operation and maintenance procedures and records; and/or
  - (3) inspection of the control device, associated capture system, and the process.
- (d) Failure to take reasonable response steps shall be considered a deviation from the permit.
- (e) The Permittee shall record the reasonable response steps taken.

C.14 Actions Related to Noncompliance Demonstrated by a Stack Test [326 IAC 2-8-4][326 IAC 2-8-5]

- (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 submit a description of its response actions to IDEM, OAQ, no later than seventy-five (75) days after the date of the test.
- (b) A retest to demonstrate compliance shall be performed no later than one hundred eighty (180) days after the date of the test. Should the Permittee demonstrate to IDEM, OAQ that retesting in one hundred eighty (180) 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 a certification that meets the requirements of 326 IAC 2-8-5(a)(1) by an "authorized individual" as defined by 326 IAC 2-1.1-1(1).

## **Record Keeping and Reporting Requirements [326 IAC 2-8-4(3)]**

### **C.15 General Record Keeping Requirements [326 IAC 2-8-4(3)] [326 IAC 2-8-5]**

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- (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, for all record keeping requirements not already legally required, the Permittee shall be allowed up to ninety (90) days from the date of permit issuance or the date of initial start-up, whichever is later, to begin such record keeping.

### **C.16 General Reporting Requirements [326 IAC 2-8-4(3)(C)] [326 IAC 2-1.1-11]**

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- (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 except that 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. This report shall be submitted not later than thirty (30) days after the end of the reporting period. The Quarterly Deviation and Compliance Monitoring Report shall include a certification that meets the requirements of 326 IAC 2-8-5(a)(1) by an "authorized individual" as defined by 326 IAC 2-1.1-1(1). A deviation is an exceedance of a permit limitation or a failure to comply with a requirement of the permit.
- (b) The address for report submittal is:  
  
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) 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.

## **Stratospheric Ozone Protection**

### **C.17 Compliance with 40 CFR 82 and 326 IAC 22-1**

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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 applicable standards for recycling and emissions reduction.

## SECTION D.1 EMISSIONS UNIT OPERATION CONDITIONS

### Emissions Unit Description:

- (a) One (1) natural gas-fired boiler, identified as EU-1, with a maximum heat input capacity of 25 MMBtu per hour, installed in 1997, and exhausting to stack S1.

Under the NSPS for Standards of Performance for Small Industrial-Commercial-Institutional Steam Generating Units (40 CFR 60.40c, Subpart Dc) the boiler, identified as EU-1, is considered an affected facility.

- (b) Two (2) natural gas-fired boilers, identified as EU-2 and EU-3, each with a maximum heat input capacity of 12.6 MMBtu per hour, both installed in 1958, and exhausting to stacks S2 and S3.

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

### Emission Limitations and Standards [326 IAC 2-8-4(1)]

#### D.1.1 Particulate Emissions [326 IAC 6-2-3][326 IAC 6-2-4]

- (a) Pursuant to 326 IAC 6-2-4 (Particulate Emission Limitations for Sources of Indirect Heating), particulate emissions from the boiler, identified as EU-1, shall be limited to 0.39 pound per MMBtu heat input.

This limitation is based on the following equation:

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

Where:

Pt = Emission rate limit (lbs PM per MMBtu)

Q = Total source heat input capacity rating in million Btu per hour (50.2 MMBtu per hour)

- (b) Pursuant to 326 IAC 6-2-3 (d) (Particulate Emission Limitations for Sources of Indirect Heating), emission limitations for facilities specified in 326 IAC 6-2-1(b)), PM from boilers EU-2 and EU-3, shall in no case exceed 0.8 pounds of particulate matter per million British thermal units heat input.

#### D.1.2 Preventive Maintenance Plan [326 IAC 1-6-3][326 IAC 2-8-4(9)]

A Preventive Maintenance Plan is required for the three (3) boilers, identified as EU-1, EU-2 and EU-3. Section B - Preventive Maintenance Plan contains the Permittee's obligation with regard to the preventive maintenance plan required by this condition.

## SECTION D.2 EMISSIONS UNIT OPERATION CONDITIONS

### Emissions Unit Description:

- (c) Two (2) belt polishers, identified as EU-4 and EU-5, each with a maximum throughput capacity of 500 pounds of candy per hour and maximum usage of 1.025 pounds of polish per hour, both installed in 2000, and exhausting to stacks S4 and S5.
- (d) Two (2) belt polishers, identified as EU-6 and EU-7, each with a maximum throughput capacity of 500 pounds of candy per hour and maximum usage of 1.025 pounds of polish per hour, both installed in 2003, and exhausting to stacks S6 and S7.
- (e) One (1) coater & polisher unit, identified as EU-8, with a maximum throughput capacity of 720 pounds of candy per hour and 1.48 pounds of polish per hour, installed in 1997, and exhausting to stack S8.
- (f) One (1) candy corn drum coater, identified as EU-9, with a maximum throughput capacity of 7,816 pounds of candy per hour and maximum usage of rate 35.56 pounds of candy coating per hour, installed in 2002, and exhausting to stack S9.
- (g) One (1) candy corn drum polisher, identified as EU-10, with a maximum throughput capacity of 7,816 pounds of candy per hour and maximum usage rate 19.15 pounds of candy coating per hour, installed in 2002, and exhausting to stack S9.

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

### Emission Limitations and Standards [326 IAC 2-8-4(1)]

#### D.2.1 Volatile Organic Compounds (VOCs) [326 IAC 2-8] [326 IAC 8-1-6]

- (a) The amount of VOC delivered to the one (1) candy corn drum coater, identified as EU-9, shall be limited to less than twenty-five (25) tons per twelve (12) consecutive month period, with compliance determined at the end of each month.
- (b) The amount of VOC delivered to the one (1) candy corn drum polisher, identified as EU-10 shall be limited to less than twenty-five (25) tons per twelve (12) consecutive month period, with compliance determined at the end of each month.

Compliance these limits will render the requirements of 326 IAC 2-7 (Part 70 Permit Program) and 326 IAC 8-1-6 (New Facilities; VOC Reduction Requirements) not applicable.

#### D.2.2 Preventive Maintenance Plan [326 IAC 1-6-3][326 IAC 2-8-4(9)]

A Preventive Maintenance Plan is required for emission units EU-4 through EU-10 and their control devices. Section B - Preventive Maintenance Plan contains the Permittee's obligation with regard to the preventive maintenance plan required by this condition.

### Compliance Determination Requirements

#### D.2.3 Volatile Organic Compounds (VOC)

Compliance with the VOC usage limitations contained in Conditions D.2.1 shall be determined pursuant to 326 IAC 8-1-4(a)(3) and 326 IAC 8-1-2(a) by preparing or obtaining from the manufacturer the copies of the "as supplied" and "as applied" VOC data sheets. IDEM, OAQ, reserves the authority to determine compliance using Method 24 in conjunction with the analytical procedures specified in 326 IAC 8-1-4.

## **Record Keeping and Reporting Requirements [326 IAC 2-8-4(3)]**

### **D.2.4 Record Keeping Requirements**

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- (a) To document the compliance status with Condition D.2.1, the Permittee shall maintain records in accordance with (1) and (2) below. Records maintained for (1) and (2) shall be taken monthly and shall be complete and sufficient to establish compliance with the VOC usage limits established in Condition D.2.4.
- (1) The amount and VOC content of coating/polisher and solvent used on a monthly basis. Records shall include purchase orders, invoices, and material safety data sheets (MSDS) necessary to verify the type and amount used.
  - (2) The total VOC usage for each month.
- (b) Section C - General Record Keeping Requirements of this permit contains the Permittee's obligations with regard to the records required by this condition.

### **D.2.5 Reporting Requirements**

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Quarterly reports of the amount of VOC delivered to the candy corn drum coater (EU-9) and the candy corn drum polisher (EU-10) and a quarterly summary of the information to document the compliance status with Condition D.2.1 shall be submitted not later than thirty (30) days after the end of the quarter being reported. Section C - General Reporting contains the Permittee's obligation with regard to the reporting required by this condition. The report submitted by the Permittee does require a certification that meet the requirements of 326 IAC 2-8-5(a)(1) by an "authorized individual" as defined by 326 IAC 2-1.1-1(1).

### SECTION D.3 EMISSIONS UNIT OPERATION CONDITIONS

**Emissions Unit Description:**

- (h) Mogul operations
  - (1) One (1) Mogul 1, a mold preparation unit, identified as EU-11, with a maximum throughput capacity of 10,286 pounds of candy per hour, using an integral fabric filter and dust collector DC1M1 for particulate control, installed in 1985, and exhausting indoors.
  - (2) One (1) Mogul 1, a starch conditioning unit, identified as EU-12 with a maximum throughput capacity of 19,842 pounds of starch per hour, using an integral fabric filter and dust collector DC1M1 for particulate control, installed in 1985, and exhausting indoors.
  - (3) One (1) Mogul 2, a mold preparation unit, identified as EU-13, with a maximum throughput capacity of 10,857 pounds of candy per hour, using an integral fabric filter and dust collector DC1M1 for particulate control, installed in 1995, and exhausting indoors.
  - (4) One (1) Mogul 2, a starch conditioner dryer, identified as EU-14, with a maximum throughput capacity of 19,842 pounds of starch per hour, using an integral fabric filter and dust collector DC2M2 for particulate control, installed in 1995, and exhausting to stack S11.
  - (5) One (1) Mogul 2, a starch conditioner cooler, identified as EU-15, with a maximum throughput capacity of 19,842 pounds of starch per hour, using an integral fabric filter and dust collector DC3M2 for particulate control, installed in 1995, and exhausting indoors.
  - (6) One (1) Mogul 3, a mold preparation unit, identified as EU-16, with a maximum throughput capacity of 7,816 pounds of candy per hour, using an integral fabric filter and dust collector DC1M3 for particulate control, installed in 2002, and exhausting indoors.
  - (7) One (1) Mogul 3, a starch conditioner dryer, identified as EU-17, with a maximum throughput capacity of 19,842 pounds of starch per hour, using an integral fabric filter and dust collector DC2M3 for particulate control, installed in 2002, and exhausting to stack S14.
  - (8) One (1) Mogul 3, a starch conditioner cooler, identified as EU-18, with a maximum throughput capacity of 19,842 pounds of starch per hour, using an integral fabric filter and dust collector DC3M3 for particulate control, installed in 2002, and exhausting indoors.
- (i) One (1) laser cleaner, identified as EU-19, with a maximum throughput capacity of 7,816 pounds of candy per hour, using an integral fabric filter and dust collector DC1LC1 for particulate control, installed in 2002, and exhausting indoors.
- (j) Six (6) dust top lines, identified as EU-20 through EU-26, each with a maximum throughput capacity of 4,222 pounds of candy per hour, using an integral fabric filters and dust collectors DC1DT through DC7DT for particulate control, all installed prior to 1989, and exhausting indoors.

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

**Emission Limitations and Standards [326 IAC 2-8-4(1)]**

**D.3.1 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 starch handling process lines (identified as EU-11 through EU-26) shall not exceed the pounds per hour limits as described in the table below:

Equipment Description	Unit ID	Max. Throughput Rate (tons per hour)	Particulate Emission Limit (lbs per hour)
Mogul 1	EU-11	5.14	12.3
Starch Conditioner – Mogul 1	EU-12	9.92	19.1
Mogul 2	EU-13	5.42	12.7
Starch Conditioner Dryer – Mogul 2	EU-14	9.92	19.1
Starch Conditioner Cooler – Mogul 2	EU-15	9.92	19.1
Mogul 3	EU-16	3.91	10.2
Starch Conditioner Dryer – Mogul 3	EU-17	9.92	19.1
Starch Conditioner Cooler – Mogul 3	EU-18	9.92	19.1
Laser Cleaner	EU-19	3.90	10.2
Dust Top Line 1	EU-20	2.11	6.76
Dust Top Line 2	EU-21	2.11	6.76
Dust Top Line 3	EU-22	2.11	6.76
Dust Top Line 4	EU-23	2.11	6.76
Dust Top Line 5	EU-24	2.11	6.76
Dust Top Line 6	EU-25	2.11	6.76
Dust Top Line 7	EU-26	2.11	6.76

The pounds per hour limitations were calculated with the following equation:

Interpolation of the data for the process weight rate up to 60,000 pounds per hour shall be accomplished by use of the equation:

$$E = 4.10 P^{0.67} \quad \text{where } E = \text{rate of emission in pounds per hour; and} \\ P = \text{process weight rate in tons per hour}$$

**D.3.2 Preventive Maintenance Plan [326 IAC 1-6-3][326 IAC 2-8-4(9)]**

A Preventive Maintenance Plan is required for emission units EU-11 through EU-26 and their control devices. Section B - Preventive Maintenance Plan contains the Permittee's obligation with regard to the preventive maintenance plan required by this condition.

**Compliance Determination Requirements**

**D.3.3 Particulate Control**

- (a) In order to comply with Condition D.3.1, the fabric filters for particulate control shall be in operation and control emissions from the starch handling process lines (identified as EU-11 through EU-26) at all times the starch handling process lines (identified as EU-11 through EU-26) are in operation.

- (b) In the event that bag failure is observed in a multi-compartment dust collector, if operations will continue for ten (10) days or more after the failure is observed before the failed units will be repaired or replaced, the Permittee shall promptly notify the IDEM, OAQ of the expected date the failed units will be repaired or replaced. The notification shall also include the status of the applicable compliance monitoring parameters with respect to normal, and the results of any response actions taken up to the time of notification.

### **Compliance Monitoring Requirements [326 IAC 2-8-4][326 IAC 2-8-5(a)(1)]**

#### **D.3.4 Visible Emissions Notations**

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- (a) Daily visible emission notations of the starch handling process lines, identified as EU-14 (exhausting at stack 11) and EU-17 (exhausting at stack S14) stack exhausts shall be performed 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. Section C- Response to Excursions or Exceedances contains the Permittee's obligation with regard to the reasonable response steps required by this condition. Failure to take response steps shall be considered a deviation from this permit.

#### **D.3.5 Parametric Monitoring**

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- (a) The Permittee shall record the pressure drop across the fabric filters used in conjunction with the starch handling process lines except emission unit EU-17 at least once per day when the starch handling process lines are in operation. When for any one reading, the pressure drop across the dust collector is outside the normal range of 3.0 and 6.0 of water or a range established during the latest stack test, the Permittee shall take reasonable steps. Section C – Response to Excursions or Exceedances contains the Permittee's obligation with regard to the reasonable response steps required by this condition. A pressure reading that is outside the above mentioned range is not a deviation from this permit. Failure to take response steps shall be considered a deviation from this permit.
- (b) The Permittee shall record the pressure drop across the fabric filter used in conjunction with emission unit EU-17 at least once per day when emission unit EU-17 is in operation. When for any one reading, the pressure drop across the dust collector is outside the normal range of 1.5 to 4.5 inches of water or a range established during the latest stack test, the Permittee shall take reasonable steps. Section C – Response to Excursions or Exceedances contains the Permittee's obligation with regard to the reasonable response steps required by this condition. A pressure reading that is outside the above mentioned range is not a deviation from this permit. Failure to take response steps shall be considered a deviation from this permit.

- (c) The instrument used for determining the pressure shall comply with Section C - Instrument Specifications, of this permit, shall be subject to approval by IDEM, OAQ, and shall be calibrated or replaced at least once every six (6) months.

#### D.3.6 Broken or Failed Fabric Filter Detection

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- (a) For a single compartment dust collector controlling emissions from a process operated continuously, failed units and the associated process shall be shut down immediately until the failed unit have been repaired or replaced. Operations may continue only if the event qualifies as an emergency and the Permittee satisfies the requirements of the emergency provisions of this permit (Section B - Emergency Provisions).
- (b) For a single compartment dust collector controlling emissions from a batch process, the feed to the process shall be shut down immediately until the failed unit has been repaired or replaced. The emissions unit shall be shut down no later than the completion of the processing of the material in the emission units. Operations may continue only if the event qualifies as an emergency and the Permittee satisfies the requirements of the emergency provisions of this permit (Section B - Emergency Provisions).

Bag failure can be indicated by a significant drop in the dust collectors pressure reading with abnormal visible emissions, by an opacity violation, or by other means such as gas temperature, flow rate, air infiltration, leaks, dust traces or triboflows.

### **Record Keeping and Reporting Requirements [326 IAC 2-8-4(3)]**

#### D.3.7 Record Keeping Requirements

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- (a) To document the compliance status with Condition D.3.4, the Permittee shall maintain a daily record of visible emission notations of the starch handling process lines identified as EU-14 (exhausting at stack S11) and EU-17 (exhausting at stack S14) stack exhausts. The Permittee shall include in each daily record when a visible emission notation is not taken and the reason for the lack of the visible emission notation (e.g., the process did not operate that day).
- (b) To document the compliance status with Condition D.3.5, the Permittee shall maintain a daily record of the pressure drop across the dust collectors controlling EU-14 and EU-17. The Permittee shall include in each daily record when a pressure drop reading is not taken and the reason for the lack of the pressure drop reading (e.g. the process did not operate that day).
- (c) Section C - General Record Keeping Requirements of this permit contains the Permittee's obligations with regard to the records required by this condition.

## SECTION D.4 EMISSIONS UNIT OPERATION CONDITIONS

### Emissions Unit Description:

- (a) Degreasing operations that do not exceed one hundred forty-five (145) gallons per twelve (12) months, except if subject to 326 IAC 20-6 as follows:
- (1) One (1) Heritage-Crystal Clean parts washer, with a maximum capacity of 30 gallons, installed in 2000, and exhausting indoors. [326 IAC 8-3-2] [326 IAC 8-3-5]

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

### Emission Limitations and Standards [326 IAC 2-8-4(1)]

#### D.4.1 Volatile Organic Compounds (VOC) [326 IAC 8-3-2]

Pursuant to 326 IAC 8-3-2 (Cold Cleaner Operations) for cold cleaning degreasing operations constructed after January 1, 1980, the owner or operator shall:

- (a) Equip the cleaner with a cover;
- (b) Equip the cleaner with a facility for draining cleaned parts;
- (c) Close the degreaser cover whenever parts are not being handled in the cleaner;
- (d) Drain cleaned parts for at least fifteen (15) seconds or until dripping ceases;
- (e) Provide a permanent, conspicuous label summarizing the operation requirements; and
- (f) Store waste solvent only in covered containers and not dispose of waste solvent or transfer it to another party, in such a manner that greater than twenty percent (20%) of the waste solvent (by weight) can evaporate into the atmosphere.

#### D.4.2 Volatile Organic Compounds (VOC) [326 IAC 8-3-5]

- (a) Pursuant to 326 IAC 8-3-5(a) (Cold Cleaner Degreaser Operation and Control), the owner or operator of a cold cleaner degreaser facility, construction of which commenced after July 1, 1990, shall ensure that the following control equipment 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<sup>o</sup>C) (one hundred degrees Fahrenheit (100<sup>o</sup>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<sup>o</sup>C) (one hundred degrees Fahrenheit (100<sup>o</sup>F)), or if the solvent is heated to a temperature greater than forty-eight and nine-tenths degrees Celsius (48.9<sup>o</sup>C) (one hundred twenty degrees Fahrenheit (120<sup>o</sup>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 or carbon adsorption. Such systems shall be submitted to the U.S. EPA as a SIP revision.
- (b) 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.

## SECTION E.1 EMISSIONS UNIT OPERATION CONDITIONS

### Emissions Unit Description:

- (a) One (1) natural gas-fired boiler, identified as EU-1, with a maximum heat input capacity of 25 MMBtu per hour, installed in 1997, and exhausting to stack S1.

Under the NSPS for Standards of Performance for Small Industrial-Commercial-Institutional Steam Generating Units (40 CFR 60.40c, Subpart Dc) the boiler, identified as EU-1, is considered an affected facility.

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

### New Source Performance Standards (NSPS) Requirements [326 IAC 12]

#### E.1.1 General Provisions Relating to NSPS [326 IAC 12-1][40 CFR Part 60, Subpart A]

- (a) Pursuant to 40 CFR 60.300, the Permittee shall comply with the provisions of 40 CFR Part 60, Subpart A - General Provisions, which are incorporated by reference in 326 IAC 12-1, except when otherwise specified in 40 CFR Part 60, Subpart Dc (included as Attachment A of this permit).
- (b) Pursuant to 40 CFR 60.19, the Permittee shall submit all required notifications and reports 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

#### E.1.2 New Source Performance Standards (NSPS) for Small Industrial-Commercial-Institutional Steam Generating Units [326 IAC 12][40 CFR Part 60.40c, Subpart Dc]

The Permittee which operates boilers at a health care facility shall comply with the following provisions of 40 CFR Part 60, Subpart Dc (included as Attachment A of this permit):

- (1) 40 CFR 60.40c(a)
- (2) 40 CFR 60.41c
- (3) 40 CFR 60.48c(a), (a)(1), and (a)(3)
- (4) 40 CFR 60.48c(g) and (i)

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

**FEDERALLY ENFORCEABLE STATE OPERATING PERMIT (FESOP)  
CERTIFICATION**

Source Name: Zachary Confections, Inc.  
Source Address: 2130 West State Road 28, Frankfort, Indiana 46041  
FESOP Permit No.: F023-28687-00039

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

Please check what document is being certified:

- Annual Compliance Certification Letter
- Test Result (specify)\_\_\_\_\_
- Report (specify)\_\_\_\_\_
- Notification (specify)\_\_\_\_\_
- Affidavit (specify)\_\_\_\_\_
- Other (specify)\_\_\_\_\_

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

Signature:

Printed Name:

Title/Position:

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**

**FEDERALLY ENFORCEABLE STATE OPERATING PERMIT (FESOP)  
EMERGENCY OCCURRENCE REPORT**

Source Name: Zachary Confections, Inc.  
Source Address: 2130 West State Road 28, Frankfort, Indiana 46041  
FESOP Permit No.: F023-28687-00039

**This form consists of 2 pages**

**Page 1 of 2**

- |   |
|---|
| <input type="checkbox"/> This is an emergency as defined in 326 IAC 2-7-1(12) <ul style="list-style-type: none"><li>• 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</li><li>• The Permittee must submit notice in writing or by facsimile within two (2) working days (Facsimile Number: 317-233-6865), and follow the other requirements of 326 IAC 2-7-16</li></ul> |
|---|

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 <sub>2</sub> , VOC, NO <sub>x</sub> , 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: \_\_\_\_\_

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

**FESOP Quarterly Report**

Source Name: Zachary Confections, Inc.  
Source Address: 2130 West State Road 28, Frankfort, Indiana 46041  
FESOP Permit No.: F023-28687-00039  
Facility: Candy corn drum coater EU-9  
Parameter: VOC  
Limit: Less than 25 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
	This Month	Previous 11 Months	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: \_\_\_\_\_

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

**FESOP Quarterly Report**

Source Name: Zachary Confections, Inc.  
Source Address: 2130 West State Road 28, Frankfort, Indiana 46041  
FESOP Permit No.: F023-28687-00039  
Facility: Candy corn drum coater EU-10  
Parameter: VOC  
Limit: Less than 25 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
	This Month	Previous 11 Months	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: \_\_\_\_\_

**INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT  
 OFFICE OF AIR QUALITY  
 COMPLIANCE AND ENFORCEMENT BRANCH  
 FEDERALLY ENFORCEABLE STATE OPERATING PERMIT (FESOP)  
 QUARTERLY DEVIATION AND COMPLIANCE MONITORING REPORT**

Source Name: Zachary Confections, Inc.  
 Source Address: 2130 West State Road 28, Frankfort, Indiana 46041  
 FESOP Permit No.: F023-28687-00039

**Months:** \_\_\_\_\_ **to** \_\_\_\_\_ **Year:** \_\_\_\_\_

<p>This report shall be submitted quarterly based on a calendar year. Any deviation from the requirements of this permit, the date(s) of each deviation, the probable cause of the deviation, and the response steps taken must be reported. A deviation required to be reported pursuant to an applicable requirement that exists independent of the permit, shall be reported according to the schedule stated in the applicable requirement and does not need to be included in this report. Additional pages may be attached if necessary. If no deviations occurred, please specify in the box marked "No deviations occurred this reporting period".</p>	
<input type="checkbox"/> NO DEVIATIONS OCCURRED THIS REPORTING PERIOD.	
<input type="checkbox"/> THE FOLLOWING DEVIATIONS OCCURRED THIS REPORTING PERIOD	
<b>Permit Requirement</b> (specify permit condition #)	
<b>Date of Deviation:</b>	<b>Duration of Deviation:</b>
<b>Number of Deviations:</b>	
<b>Probable Cause of Deviation:</b>	
<b>Response Steps Taken:</b>	
<b>Permit Requirement</b> (specify permit condition #)	
<b>Date of Deviation:</b>	<b>Duration of Deviation:</b>
<b>Number of Deviations:</b>	
<b>Probable Cause of Deviation:</b>	
<b>Response Steps Taken:</b>	

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

Form Completed by: \_\_\_\_\_

Title / Position: \_\_\_\_\_

Date: \_\_\_\_\_

Phone: \_\_\_\_\_

**Attachment A:**

**40 CFR 60.40c, Subpart Dc  
NSPS for Small Industrial-Commercial-Institutional Steam  
Generating Units**

**Subpart Dc—Standards of Performance for Small Industrial-Commercial-Institutional Steam Generating Units**

**Source:** 72 FR 32759, June 13, 2007, unless otherwise noted.

**§ 60.40c Applicability and delegation of authority.**

(a) Except as provided in paragraph (d) of this section, the affected facility to which this subpart applies is each steam generating unit for which construction, modification, or reconstruction is commenced after June 9, 1989 and that has a maximum design heat input capacity of 29 megawatts (MW) (100 million British thermal units per hour (MMBtu/hr)) or less, but greater than or equal to 2.9 MW (10 MMBtu/hr).

(b) In delegating implementation and enforcement authority to a State under section 111(c) of the Clean Air Act, §60.48c(a)(4) shall be retained by the Administrator and not transferred to a State.

(c) Steam generating units that meet the applicability requirements in paragraph (a) of this section are not subject to the sulfur dioxide (SO<sub>2</sub>) or particulate matter (PM) emission limits, performance testing requirements, or monitoring requirements under this subpart (§§60.42c, 60.43c, 60.44c, 60.45c, 60.46c, or 60.47c) during periods of combustion research, as defined in §60.41c.

(d) Any temporary change to an existing steam generating unit for the purpose of conducting combustion research is not considered a modification under §60.14.

(e) Heat recovery steam generators that are associated with combined cycle gas turbines and meet the applicability requirements of subpart GG or KKKK of this part are not subject to this subpart. This subpart will continue to apply to all other heat recovery steam generators that are capable of combusting more than or equal to 2.9 MW (10 MMBtu/hr) heat input of fossil fuel but less than or equal to 29 MW (100 MMBtu/hr) heat input of fossil fuel. If the heat recovery steam generator is subject to this subpart, only emissions resulting from combustion of fuels in the steam generating unit are subject to this subpart. (The gas turbine emissions are subject to subpart GG or KKKK, as applicable, of this part).

(f) Any facility covered by subpart AAAA of this part is not covered by this subpart.

(g) Any facility covered by an EPA approved State or Federal section 111(d)/129 plan implementing subpart BBBB of this part is not covered by this subpart.

**§ 60.41c Definitions.**

As used in this subpart, all terms not defined herein shall have the meaning given them in the Clean Air Act and in subpart A of this part.

*Annual capacity factor* means the ratio between the actual heat input to a steam generating unit from an individual fuel or combination of fuels during a period of 12 consecutive calendar months and the potential heat input to the steam generating unit from all fuels had the steam generating unit been operated for 8,760 hours during that 12-month period at the maximum design heat input capacity. In the case of steam generating units that are rented or leased, the actual heat input shall be determined based on the combined heat input from all operations of the affected facility during a period of 12 consecutive calendar months.

*Coal* means all solid fuels classified as anthracite, bituminous, subbituminous, or lignite by the American Society of Testing and Materials in ASTM D388 (incorporated by reference, see §60.17), coal refuse, and petroleum coke. Coal-derived synthetic fuels derived from coal for the purposes of creating useful heat, including but not limited to solvent refined coal, gasified coal, coal-oil mixtures, and coal-water mixtures, are also included in this definition for the purposes of this subpart.

*Coal refuse* means any by-product of coal mining or coal cleaning operations with an ash content greater than 50 percent (by weight) and a heating value less than 13,900 kilojoules per kilogram (kJ/kg) (6,000 Btu per pound (Btu/lb) on a dry basis.

*Cogeneration steam generating unit* means a steam generating unit that simultaneously produces both electrical (or mechanical) and thermal energy from the same primary energy source.

*Combined cycle system* means a system in which a separate source (such as a stationary gas turbine, internal combustion engine, or kiln) provides exhaust gas to a steam generating unit.

*Combustion research* means the experimental firing of any fuel or combination of fuels in a steam generating unit for the purpose of conducting research and development of more efficient combustion or more effective prevention or control of air pollutant emissions from combustion, provided that, during these periods of research and development, the heat generated is not used for any purpose other than preheating combustion air for use by that steam generating unit ( *i.e.* , the heat generated is released to the atmosphere without being used for space heating, process heating, driving pumps, preheating combustion air for other units, generating electricity, or any other purpose).

*Conventional technology* means wet flue gas desulfurization technology, dry flue gas desulfurization technology, atmospheric fluidized bed combustion technology, and oil hydrodesulfurization technology.

*Distillate oil* means fuel oil that complies with the specifications for fuel oil numbers 1 or 2, as defined by the American Society for Testing and Materials in ASTM D396 (incorporated by reference, see §60.17).

*Dry flue gas desulfurization technology* means a SO<sub>2</sub> control system that is located between the steam generating unit and the exhaust vent or stack, and that removes sulfur oxides from the combustion gases of the steam generating unit by contacting the combustion gases with an alkaline reagent and water, whether introduced separately or as a premixed slurry or solution and forming a dry powder material. This definition includes devices where the dry powder material is subsequently converted to another form. Alkaline reagents used in dry flue gas desulfurization systems include, but are not limited to, lime and sodium compounds.

*Duct burner* means a device that combusts fuel and that is placed in the exhaust duct from another source (such as a stationary gas turbine, internal combustion engine, kiln, etc.) to allow the firing of additional fuel to heat the exhaust gases before the exhaust gases enter a steam generating unit.

*Emerging technology* means any SO<sub>2</sub> control system that is not defined as a conventional technology under this section, and for which the owner or operator of the affected facility has received approval from the Administrator to operate as an emerging technology under §60.48c(a)(4).

*Federally enforceable* means all limitations and conditions that are enforceable by the Administrator, including the requirements of 40 CFR parts 60 and 61, requirements within any applicable State implementation plan, and any permit requirements established under 40 CFR 52.21 or under 40 CFR 51.18 and 51.24.

*Fluidized bed combustion technology* means a device wherein fuel is distributed onto a bed (or series of beds) of limestone aggregate (or other sorbent materials) for combustion; and these materials are forced upward in the device by the flow of combustion air and the gaseous products of combustion. Fluidized bed combustion technology includes, but is not limited to, bubbling bed units and circulating bed units.

*Fuel pretreatment* means a process that removes a portion of the sulfur in a fuel before combustion of the fuel in a steam generating unit.

*Heat input* means heat derived from combustion of fuel in a steam generating unit and does not include the heat derived from preheated combustion air, recirculated flue gases, or exhaust gases from other sources (such as stationary gas turbines, internal combustion engines, and kilns).

*Heat transfer medium* means any material that is used to transfer heat from one point to another point.

*Maximum design heat input capacity* means the ability of a steam generating unit to combust a stated maximum amount of fuel (or combination of fuels) on a steady state basis as determined by the physical design and characteristics of the steam generating unit.

*Natural gas* means: (1) A naturally occurring mixture of hydrocarbon and nonhydrocarbon gases found in geologic formations beneath the earth's surface, of which the principal constituent is methane; or (2) liquefied petroleum (LP) gas, as defined by the American Society for Testing and Materials in ASTM D1835 (incorporated by reference, see §60.17).

*Noncontinental area* means the State of Hawaii, the Virgin Islands, Guam, American Samoa, the Commonwealth of Puerto Rico, or the Northern Mariana Islands.

*Oil* means crude oil or petroleum, or a liquid fuel derived from crude oil or petroleum, including distillate oil and residual oil.

*Potential sulfur dioxide emission rate* means the theoretical SO<sub>2</sub> emissions (nanograms per joule (ng/J) or lb/MMBtu heat input) that would result from combusting fuel in an uncleaned state and without using emission control systems.

*Process heater* means a device that is primarily used to heat a material to initiate or promote a chemical reaction in which the material participates as a reactant or catalyst.

*Residual oil* means crude oil, fuel oil that does not comply with the specifications under the definition of distillate oil, and all fuel oil numbers 4, 5, and 6, as defined by the American Society for Testing and Materials in ASTM D396 (incorporated by reference, see §60.17).

*Steam generating unit* means a device that combusts any fuel and produces steam or heats water or any other heat transfer medium. This term includes any duct burner that combusts fuel and is part of a combined cycle system. This term does not include process heaters as defined in this subpart.

*Steam generating unit operating day* means a 24-hour period between 12:00 midnight and the following midnight during which any fuel is combusted at any time in the steam generating unit. It is not necessary for fuel to be combusted continuously for the entire 24-hour period.

*Wet flue gas desulfurization technology* means an SO<sub>2</sub> control system that is located between the steam generating unit and the exhaust vent or stack, and that removes sulfur oxides from the combustion gases of the steam generating unit by contacting the combustion gases with an alkaline slurry or solution and forming a liquid material. This definition includes devices where the liquid material is subsequently converted to another form. Alkaline reagents used in wet flue gas desulfurization systems include, but are not limited to, lime, limestone, and sodium compounds.

*Wet scrubber system* means any emission control device that mixes an aqueous stream or slurry with the exhaust gases from a steam generating unit to control emissions of PM or SO<sub>2</sub>.

*Wood* means wood, wood residue, bark, or any derivative fuel or residue thereof, in any form, including but not limited to sawdust, sanderdust, wood chips, scraps, slabs, millings, shavings, and processed pellets made from wood or other forest residues.

**§ 60.42c Standard for sulfur dioxide (SO<sub>2</sub>).**

(a) Except as provided in paragraphs (b), (c), and (e) of this section, on and after the date on which the performance test is completed or required to be completed under §60.8, whichever date comes first, the owner or operator of an affected facility that combusts only coal shall neither: cause to be discharged into the atmosphere from the affected facility any gases that contain SO<sub>2</sub> in excess of 87 ng/J (0.20 lb/MMBtu) heat input or 10 percent (0.10) of the potential SO<sub>2</sub> emission rate (90 percent reduction), nor cause to be discharged into the atmosphere from the affected facility any gases that contain SO<sub>2</sub> in excess of 520 ng/J (1.2 lb/MMBtu) heat input. If coal is combusted with other fuels, the affected facility shall neither: cause to be discharged into the atmosphere from the affected facility any gases that contain SO<sub>2</sub> in excess of 87 ng/J (0.20 lb/MMBtu) heat input or 10 percent (0.10) of the potential SO<sub>2</sub> emission rate (90 percent reduction), nor cause to be discharged into the atmosphere from the affected facility any gases that contain SO<sub>2</sub> in excess of the emission limit is determined pursuant to paragraph (e)(2) of this section.

(b) Except as provided in paragraphs (c) and (e) of this section, on and after the date on which the performance test is completed or required to be completed under §60.8, whichever date comes first, the owner or operator of an affected facility that:

(1) Combusts only coal refuse alone in a fluidized bed combustion steam generating unit shall neither:

(i) Cause to be discharged into the atmosphere from that affected facility any gases that contain SO<sub>2</sub> in excess of 87 ng/J (0.20 lb/MMBtu) heat input or 20 percent (0.20) of the potential SO<sub>2</sub> emission rate (80 percent reduction); nor

(ii) Cause to be discharged into the atmosphere from that affected facility any gases that contain SO<sub>2</sub> in excess of SO<sub>2</sub> in excess of 520 ng/J (1.2 lb/MMBtu) heat input. If coal is fired with coal refuse, the affected facility subject to paragraph (a) of this section. If oil or any other fuel (except coal) is fired with coal refuse, the affected facility is subject to the 87 ng/J (0.20 lb/MMBtu) heat input SO<sub>2</sub> emissions limit or the 90 percent SO<sub>2</sub> reduction requirement specified in paragraph (a) of this section and the emission limit is determined pursuant to paragraph (e)(2) of this section.

(2) Combusts only coal and that uses an emerging technology for the control of SO<sub>2</sub> emissions shall neither:

(i) Cause to be discharged into the atmosphere from that affected facility any gases that contain SO<sub>2</sub> in excess of 50 percent (0.50) of the potential SO<sub>2</sub> emission rate (50 percent reduction); nor

(ii) Cause to be discharged into the atmosphere from that affected facility any gases that contain SO<sub>2</sub> in excess of 260 ng/J (0.60 lb/MMBtu) heat input. If coal is combusted with other fuels, the affected facility is

subject to the 50 percent SO<sub>2</sub> reduction requirement specified in this paragraph and the emission limit determined pursuant to paragraph (e)(2) of this section.

(c) On and after the date on which the initial performance test is completed or required to be completed under §60.8, whichever date comes first, no owner or operator of an affected facility that combusts coal, alone or in combination with any other fuel, and is listed in paragraphs (c)(1), (2), (3), or (4) of this section shall cause to be discharged into the atmosphere from that affected facility any gases that contain SO<sub>2</sub> in excess of the emission limit determined pursuant to paragraph (e)(2) of this section. Percent reduction requirements are not applicable to affected facilities under paragraphs (c)(1), (2), (3), or (4).

(1) Affected facilities that have a heat input capacity of 22 MW (75 MMBtu/hr) or less.

(2) Affected facilities that have an annual capacity for coal of 55 percent (0.55) or less and are subject to a federally enforceable requirement limiting operation of the affected facility to an annual capacity factor for coal of 55 percent (0.55) or less.

(3) Affected facilities located in a noncontinental area.

(4) Affected facilities that combust coal in a duct burner as part of a combined cycle system where 30 percent (0.30) or less of the heat entering the steam generating unit is from combustion of coal in the duct burner and 70 percent (0.70) or more of the heat entering the steam generating unit is from exhaust gases entering the duct burner.

(d) On and after the date on which the initial performance test is completed or required to be completed under §60.8, whichever date comes first, no owner or operator of an affected facility that combusts oil shall cause to be discharged into the atmosphere from that affected facility any gases that contain SO<sub>2</sub> in excess of 215 ng/J (0.50 lb/MMBtu) heat input; or, as an alternative, no owner or operator of an affected facility that combusts oil shall combust oil in the affected facility that contains greater than 0.5 weight percent sulfur. The percent reduction requirements are not applicable to affected facilities under this paragraph.

(e) On and after the date on which the initial performance test is completed or required to be completed under §60.8, whichever date comes first, no owner or operator of an affected facility that combusts coal, oil, or coal and oil with any other fuel shall cause to be discharged into the atmosphere from that affected facility any gases that contain SO<sub>2</sub> in excess of the following:

(1) The percent of potential SO<sub>2</sub> emission rate or numerical SO<sub>2</sub> emission rate required under paragraph (a) or (b)(2) of this section, as applicable, for any affected facility that

(i) Combusts coal in combination with any other fuel;

(ii) Has a heat input capacity greater than 22 MW (75 MMBtu/hr); and

(iii) Has an annual capacity factor for coal greater than 55 percent (0.55); and

(2) The emission limit determined according to the following formula for any affected facility that combusts coal, oil, or coal and oil with any other fuel:

$$E_f = \frac{(K_a H_a + K_b H_b + K_c H_c)}{(H_a + H_b + H_c)}$$

Where:

$E_s$  = SO<sub>2</sub> emission limit, expressed in ng/J or lb/MMBtu heat input;

$K_a$  = 520 ng/J (1.2 lb/MMBtu);

$K_b$  = 260 ng/J (0.60 lb/MMBtu);

$K_c$  = 215 ng/J (0.50 lb/MMBtu);

$H_a$  = Heat input from the combustion of coal, except coal combusted in an affected facility subject to paragraph (b)(2) of this section, in Joules (J) [MMBtu];

$H_b$  = Heat input from the combustion of coal in an affected facility subject to paragraph (b)(2) of this section, in J (MMBtu); and

$H_c K_a H_b$  = Heat input from the combustion of oil, in J (MMBtu).

(f) Reduction in the potential SO<sub>2</sub> emission rate through fuel pretreatment is not credited toward the percent reduction requirement under paragraph (b)(2) of this section unless:

(1) Fuel pretreatment results in a 50 percent (0.50) or greater reduction in the potential SO<sub>2</sub> emission rate; and

(2) Emissions from the pretreated fuel (without either combustion or post-combustion SO<sub>2</sub> control) are equal to or less than the emission limits specified under paragraph (b)(2) of this section.

(g) Except as provided in paragraph (h) of this section, compliance with the percent reduction requirements, fuel oil sulfur limits, and emission limits of this section shall be determined on a 30-day rolling average basis.

(h) For affected facilities listed under paragraphs (h)(1), (2), or (3) of this section, compliance with the emission limits or fuel oil sulfur limits under this section may be determined based on a certification from the fuel supplier, as described under §60.48c(f), as applicable.

(1) Distillate oil-fired affected facilities with heat input capacities between 2.9 and 29 MW (10 and 100 MMBtu/hr).

(2) Residual oil-fired affected facilities with heat input capacities between 2.9 and 8.7 MW (10 and 30 MMBtu/hr).

(3) Coal-fired facilities with heat input capacities between 2.9 and 8.7 MW (10 and 30 MMBtu/hr).

(i) The SO<sub>2</sub> emission limits, fuel oil sulfur limits, and percent reduction requirements under this section apply at all times, including periods of startup, shutdown, and malfunction.

(j) Only the heat input supplied to the affected facility from the combustion of coal and oil is counted under this section. No credit is provided for the heat input to the affected facility from wood or other fuels or for heat derived from exhaust gases from other sources, such as stationary gas turbines, internal combustion engines, and kilns.

**§ 60.43c Standard for particulate matter (PM).**

(a) On and after the date on which the initial performance test is completed or required to be completed under §60.8, whichever date comes first, no owner or operator of an affected facility that commenced construction, reconstruction, or modification on or before February 28, 2005, that combusts coal or combusts mixtures of coal with other fuels and has a heat input capacity of 8.7 MW (30 MMBtu/hr) or greater, shall cause to be discharged into the atmosphere from that affected facility any gases that contain PM in excess of the following emission limits:

(1) 22 ng/J (0.051 lb/MMBtu) heat input if the affected facility combusts only coal, or combusts coal with other fuels and has an annual capacity factor for the other fuels of 10 percent (0.10) or less.

(2) 43 ng/J (0.10 lb/MMBtu) heat input if the affected facility combusts coal with other fuels, has an annual capacity factor for the other fuels greater than 10 percent (0.10), and is subject to a federally enforceable requirement limiting operation of the affected facility to an annual capacity factor greater than 10 percent (0.10) for fuels other than coal.

(b) On and after the date on which the initial performance test is completed or required to be completed under §60.8, whichever date comes first, no owner or operator of an affected facility that commenced construction, reconstruction, or modification on or before February 28, 2005, that combusts wood or combusts mixtures of wood with other fuels (except coal) and has a heat input capacity of 8.7 MW (30 MMBtu/hr) or greater, shall cause to be discharged into the atmosphere from that affected facility any gases that contain PM in excess of the following emissions limits:

(1) 43 ng/J (0.10 lb/MMBtu) heat input if the affected facility has an annual capacity factor for wood greater than 30 percent (0.30); or

(2) 130 ng/J (0.30 lb/MMBtu) heat input if the affected facility has an annual capacity factor for wood of 30 percent (0.30) or less and is subject to a federally enforceable requirement limiting operation of the affected facility to an annual capacity factor for wood of 30 percent (0.30) or less.

(c) On and after the date on which the initial performance test is completed or required to be completed under §60.8, whichever date comes first, no owner or operator of an affected facility that combusts coal, wood, or oil and has a heat input capacity of 8.7 MW (30 MMBtu/hr) or greater shall cause to be discharged into the atmosphere from that affected facility any gases that exhibit greater than 20 percent opacity (6-minute average), except for one 6-minute period per hour of not more than 27 percent opacity.

(d) The PM and opacity standards under this section apply at all times, except during periods of startup, shutdown, or malfunction.

(e)(1) On and after the date on which the initial performance test is completed or is required to be completed under §60.8, whichever date comes first, no owner or operator of an affected facility that commences construction, reconstruction, or modification after February 28, 2005, and that combusts coal, oil, wood, a mixture of these fuels, or a mixture of these fuels with any other fuels and has a heat input capacity of 8.7 MW (30 MMBtu/hr) or greater shall cause to be discharged into the atmosphere from that affected facility any gases that contain PM in excess of 13 ng/J (0.030 lb/MMBtu) heat input, except as provided in paragraphs (e)(2), (e)(3), and (e)(4) of this section.

(2) As an alternative to meeting the requirements of paragraph (e)(1) of this section, the owner or operator of an affected facility for which modification commenced after February 28, 2005, may elect to meet the requirements of this paragraph. On and after the date on which the initial performance test is completed or required to be completed under §60.8, whichever date comes first, no owner or operator of an affected facility that commences modification after February 28, 2005 shall cause to be discharged into the atmosphere from that affected facility any gases that contain PM in excess of both:

(i) 22 ng/J (0.051 lb/MMBtu) heat input derived from the combustion of coal, oil, wood, a mixture of these fuels, or a mixture of these fuels with any other fuels; and

(ii) 0.2 percent of the combustion concentration (99.8 percent reduction) when combusting coal, oil, wood, a mixture of these fuels, or a mixture of these fuels with any other fuels.

(3) On and after the date on which the initial performance test is completed or is required to be completed under §60.8, whichever date comes first, no owner or operator of an affected facility that commences modification after February 28, 2005, and that combusts over 30 percent wood (by heat input) on an annual basis and has a heat input capacity of 8.7 MW (30 MMBtu/hr) or greater shall cause to be discharged into the atmosphere from that affected facility any gases that contain PM in excess of 43 ng/J (0.10 lb/MMBtu) heat input.

(4) On and after the date on which the initial performance test is completed or is required to be completed under §60.8, whichever date comes first, an owner or operator of an affected facility that commences construction, reconstruction, or modification after February 28, 2005, and that combusts only oil that contains no more than 0.50 weight percent sulfur or a mixture of 0.50 weight percent sulfur oil with other fuels not subject to a PM standard under §60.43c and not using a post-combustion technology (except a wet scrubber) to reduce PM or SO<sub>2</sub> emissions is not subject to the PM limit in this section.

**§ 60.44c Compliance and performance test methods and procedures for sulfur dioxide.**

(a) Except as provided in paragraphs (g) and (h) of this section and §60.8(b), performance tests required under §60.8 shall be conducted following the procedures specified in paragraphs (b), (c), (d), (e), and (f) of this section, as applicable. Section 60.8(f) does not apply to this section. The 30-day notice required in §60.8(d) applies only to the initial performance test unless otherwise specified by the Administrator.

(b) The initial performance test required under §60.8 shall be conducted over 30 consecutive operating days of the steam generating unit. Compliance with the percent reduction requirements and SO<sub>2</sub> emission limits under §60.42c shall be determined using a 30-day average. The first operating day included in the initial performance test shall be scheduled within 30 days after achieving the maximum production rate at which the affect facility will be operated, but not later than 180 days after the initial startup of the facility. The steam generating unit load during the 30-day period does not have to be the maximum design heat input capacity, but must be representative of future operating conditions.

(c) After the initial performance test required under paragraph (b) of this section and §60.8, compliance with the percent reduction requirements and SO<sub>2</sub> emission limits under §60.42c is based on the average percent reduction and the average SO<sub>2</sub> emission rates for 30 consecutive steam generating unit operating days. A separate performance test is completed at the end of each steam generating unit operating day,

and a new 30-day average percent reduction and SO<sub>2</sub>emission rate are calculated to show compliance with the standard.

(d) If only coal, only oil, or a mixture of coal and oil is combusted in an affected facility, the procedures in Method 19 of appendix A of this part are used to determine the hourly SO<sub>2</sub>emission rate (E<sub>ho</sub>) and the 30-day average SO<sub>2</sub>emission rate (E<sub>ao</sub>). The hourly averages used to compute the 30-day averages are obtained from the CEMS. Method 19 of appendix A of this part shall be used to calculate E<sub>ao</sub>when using daily fuel sampling or Method 6B of appendix A of this part.

(e) If coal, oil, or coal and oil are combusted with other fuels:

(1) An adjusted E<sub>ho</sub>(E<sub>ho0</sub>) is used in Equation 19–19 of Method 19 of appendix A of this part to compute the adjusted E<sub>ao</sub>(E<sub>ao0</sub>). The E<sub>ho0</sub> is computed using the following formula:

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

Where:

E<sub>ho0</sub> = Adjusted E<sub>ho</sub>, ng/J (lb/MMBtu);

E<sub>ho</sub>= Hourly SO<sub>2</sub>emission rate, ng/J (lb/MMBtu);

E<sub>w</sub>= SO<sub>2</sub>concentration in fuels other than coal and oil combusted in the affected facility, as determined by fuel sampling and analysis procedures in Method 9 of appendix A of this part, ng/J (lb/MMBtu). The value E<sub>w</sub>for each fuel lot is used for each hourly average during the time that the lot is being combusted. The owner or operator does not have to measure E<sub>w</sub>if the owner or operator elects to assume E<sub>w</sub>= 0.

X<sub>k</sub>= Fraction of the total heat input from fuel combustion derived from coal and oil, as determined by applicable procedures in Method 19 of appendix A of this part.

(2) The owner or operator of an affected facility that qualifies under the provisions of §60.42c(c) or (d) (where percent reduction is not required) does not have to measure the parameters E<sub>w</sub>or X<sub>k</sub>if the owner or operator of the affected facility elects to measure emission rates of the coal or oil using the fuel sampling and analysis procedures under Method 19 of appendix A of this part.

(f) Affected facilities subject to the percent reduction requirements under §60.42c(a) or (b) shall determine compliance with the SO<sub>2</sub>emission limits under §60.42c pursuant to paragraphs (d) or (e) of this section, and shall determine compliance with the percent reduction requirements using the following procedures:

(1) If only coal is combusted, the percent of potential SO<sub>2</sub>emission rate is computed using the following formula:

$$\%P_s = 100 \left( 1 - \frac{\%R_e}{100} \right) \left( 1 - \frac{\%R_f}{100} \right)$$

Where:

%P<sub>s</sub>= Potential SO<sub>2</sub>emission rate, in percent;

$\%R_g$  = SO<sub>2</sub> removal efficiency of the control device as determined by Method 19 of appendix A of this part, in percent; and

$\%R_f$  = SO<sub>2</sub> removal efficiency of fuel pretreatment as determined by Method 19 of appendix A of this part, in percent.

(2) If coal, oil, or coal and oil are combusted with other fuels, the same procedures required in paragraph (f)(1) of this section are used, except as provided for in the following:

(i) To compute the  $\%P_s$ , an adjusted  $\%R_g$  ( $\%R_{g0}$ ) is computed from  $E_{ao0}$  from paragraph (e)(1) of this section and an adjusted average SO<sub>2</sub> inlet rate ( $E_{ai0}$ ) using the following formula:

$$\%R_{g0} = 100 \left( 1 - \frac{E_{ao}^*}{E_{ai}^*} \right)$$

Where:

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

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

$E_{ai0}$  = Adjusted average SO<sub>2</sub> inlet rate, ng/J (lb/MMBtu).

(ii) To compute  $E_{ai0}$ , an adjusted hourly SO<sub>2</sub> inlet rate ( $E_{hi0}$ ) is used. The  $E_{hi0}$  is computed using the following formula:

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

Where:

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

$E_{hi}$  = Hourly SO<sub>2</sub> inlet rate, ng/J (lb/MMBtu);

$E_w$  = SO<sub>2</sub> concentration in fuels other than coal and oil combusted in the affected facility, as determined by fuel sampling and analysis procedures in Method 19 of appendix A of this part, ng/J (lb/MMBtu). The value  $E_w$  for each fuel lot is used for each hourly average during the time that the lot is being combusted. The owner or operator does not have to measure  $E_w$  if the owner or operator elects to assume  $E_w = 0$ ; and

$X_k$  = Fraction of the total heat input from fuel combustion derived from coal and oil, as determined by applicable procedures in Method 19 of appendix A of this part.

(g) For oil-fired affected facilities where the owner or operator seeks to demonstrate compliance with the fuel oil sulfur limits under §60.42c based on shipment fuel sampling, the initial performance test shall consist of sampling and analyzing the oil in the initial tank of oil to be fired in the steam generating unit to demonstrate that the oil contains 0.5 weight percent sulfur or less. Thereafter, the owner or operator of the affected facility shall sample the oil in the fuel tank after each new shipment of oil is received, as described under §60.46c(d)(2).

(h) For affected facilities subject to §60.42c(h)(1), (2), or (3) where the owner or operator seeks to demonstrate compliance with the SO<sub>2</sub> standards based on fuel supplier certification, the performance test shall consist of the certification, the certification from the fuel supplier, as described under §60.48c(f), as applicable.

(i) The owner or operator of an affected facility seeking to demonstrate compliance with the SO<sub>2</sub> standards under §60.42c(c)(2) shall demonstrate the maximum design heat input capacity of the steam generating unit by operating the steam generating unit at this capacity for 24 hours. This demonstration shall be made during the initial performance test, and a subsequent demonstration may be requested at any other time. If the demonstrated 24-hour average firing rate for the affected facility is less than the maximum design heat input capacity stated by the manufacturer of the affected facility, the demonstrated 24-hour average firing rate shall be used to determine the annual capacity factor for the affected facility; otherwise, the maximum design heat input capacity provided by the manufacturer shall be used.

(j) The owner or operator of an affected facility shall use all valid SO<sub>2</sub> emissions data in calculating %P<sub>s</sub> and E<sub>h<sub>o</sub></sub> under paragraphs (d), (e), or (f) of this section, as applicable, whether or not the minimum emissions data requirements under §60.46c(f) are achieved. All valid emissions data, including valid data collected during periods of startup, shutdown, and malfunction, shall be used in calculating %P<sub>s</sub> or E<sub>h<sub>o</sub></sub> pursuant to paragraphs (d), (e), or (f) of this section, as applicable.

**§ 60.45c Compliance and performance test methods and procedures for particulate matter.**

(a) The owner or operator of an affected facility subject to the PM and/or opacity standards under §60.43c shall conduct an initial performance test as required under §60.8, and shall conduct subsequent performance tests as requested by the Administrator, to determine compliance with the standards using the following procedures and reference methods, except as specified in paragraph (c) of this section.

(1) Method 1 of appendix A of this part shall be used to select the sampling site and the number of traverse sampling points.

(2) Method 3 of appendix A of this part shall be used for gas analysis when applying Method 5, 5B, or 17 of appendix A of this part.

(3) Method 5, 5B, or 17 of appendix A of this part shall be used to measure the concentration of PM as follows:

(i) Method 5 of appendix A of this part may be used only at affected facilities without wet scrubber systems.

(ii) Method 17 of appendix A of this part may be used at affected facilities with or without wet scrubber systems provided the stack gas temperature does not exceed a temperature of 160 °C (320 °F). The procedures of Sections 8.1 and 11.1 of Method 5B of appendix A of this part may be used in Method 17 of appendix A of this part only if Method 17 of appendix A of this part is used in conjunction with a wet scrubber system. Method 17 of appendix A of this part shall not be used in conjunction with a wet scrubber system if the effluent is saturated or laden with water droplets.

(iii) Method 5B of appendix A of this part may be used in conjunction with a wet scrubber system.

(4) The sampling time for each run shall be at least 120 minutes and the minimum sampling volume shall be 1.7 dry standard cubic meters (dscm) [60 dry standard cubic feet (dscf)] except that smaller sampling times or volumes may be approved by the Administrator when necessitated by process variables or other factors.

(5) For Method 5 or 5B of appendix A of this part, the temperature of the sample gas in the probe and filter holder shall be monitored and maintained at  $160 \pm 14$  °C ( $320 \pm 25$  °F).

(6) For determination of PM emissions, an oxygen (O<sub>2</sub>) or carbon dioxide (CO<sub>2</sub>) measurement shall be obtained simultaneously with each run of Method 5, 5B, or 17 of appendix A of this part by traversing the duct at the same sampling location.

(7) For each run using Method 5, 5B, or 17 of appendix A of this part, the emission rates expressed in ng/J (lb/MMBtu) heat input shall be determined using:

(i) The O<sub>2</sub> or CO<sub>2</sub> measurements and PM measurements obtained under this section, (ii) The dry basis F factor, and

(iii) The dry basis emission rate calculation procedure contained in Method 19 of appendix A of this part.

(8) Method 9 of appendix A of this part (6-minute average of 24 observations) shall be used for determining the opacity of stack emissions.

(b) The owner or operator of an affected facility seeking to demonstrate compliance with the PM standards under §60.43c(b)(2) shall demonstrate the maximum design heat input capacity of the steam generating unit by operating the steam generating unit at this capacity for 24 hours. This demonstration shall be made during the initial performance test, and a subsequent demonstration may be requested at any other time. If the demonstrated 24-hour average firing rate for the affected facility is less than the maximum design heat input capacity stated by the manufacturer of the affected facility, the demonstrated 24-hour average firing rate shall be used to determine the annual capacity factor for the affected facility; otherwise, the maximum design heat input capacity provided by the manufacturer shall be used.

(c) In place of PM testing with EPA Reference Method 5, 5B, or 17 of appendix A of this part, an owner or operator may elect to install, calibrate, maintain, and operate a CEMS for monitoring PM emissions discharged to the atmosphere and record the output of the system. The owner or operator of an affected facility who elects to continuously monitor PM emissions instead of conducting performance testing using EPA Method 5, 5B, or 17 of appendix A of this part shall install, calibrate, maintain, and operate a CEMS and shall comply with the requirements specified in paragraphs (c)(1) through (c)(13) of this section.

(1) Notify the Administrator 1 month before starting use of the system.

(2) Notify the Administrator 1 month before stopping use of the system.

(3) The monitor shall be installed, evaluated, and operated in accordance with §60.13 of subpart A of this part.

(4) The initial performance evaluation shall be completed no later than 180 days after the date of initial startup of the affected facility, as specified under §60.8 of subpart A of this part or within 180 days of notification to the Administrator of use of CEMS if the owner or operator was previously determining compliance by Method 5, 5B, or 17 of appendix A of this part performance tests, whichever is later.

(5) The owner or operator of an affected facility shall conduct an initial performance test for PM emissions as required under §60.8 of subpart A of this part. Compliance with the PM emission limit shall be determined by using the CEMS specified in paragraph (d) of this section to measure PM and calculating a 24-hour block arithmetic average emission concentration using EPA Reference Method 19 of appendix A of this part, section 4.1.

(6) Compliance with the PM emission limit shall be determined based on the 24-hour daily (block) average of the hourly arithmetic average emission concentrations using CEMS outlet data.

(7) At a minimum, valid CEMS hourly averages shall be obtained as specified in paragraph (d)(7)(i) of this section for 75 percent of the total operating hours per 30-day rolling average.

(i) At least two data points per hour shall be used to calculate each 1-hour arithmetic average.

(ii) [Reserved]

(8) The 1-hour arithmetic averages required under paragraph (d)(7) of this section shall be expressed in ng/J or lb/MMBtu heat input and shall be used to calculate the boiler operating day daily arithmetic average emission concentrations. The 1-hour arithmetic averages shall be calculated using the data points required under §60.13(e)(2) of subpart A of this part.

(9) All valid CEMS data shall be used in calculating average emission concentrations even if the minimum CEMS data requirements of paragraph (d)(7) of this section are not met.

(10) The CEMS shall be operated according to Performance Specification 11 in appendix B of this part.

(11) During the correlation testing runs of the CEMS required by Performance Specification 11 in appendix B of this part, PM and O<sub>2</sub>(or CO<sub>2</sub>) data shall be collected concurrently (or within a 30- to 60-minute period) by both the continuous emission monitors and the test methods specified in paragraph (d)(7)(i) of this section.

(i) For PM, EPA Reference Method 5, 5B, or 17 of appendix A of this part shall be used.

(ii) For O<sub>2</sub>(or CO<sub>2</sub>), EPA reference Method 3, 3A, or 3B of appendix A of this part, as applicable shall be used.

(12) Quarterly accuracy determinations and daily calibration drift tests shall be performed in accordance with procedure 2 in appendix F of this part. Relative Response Audit's must be performed annually and Response Correlation Audits must be performed every 3 years.

(13) When PM emissions data are not obtained because of CEMS breakdowns, repairs, calibration checks, and zero and span adjustments, emissions data shall be obtained by using other monitoring systems as approved by the Administrator or EPA Reference Method 19 of appendix A of this part to provide, as necessary, valid emissions data for a minimum of 75 percent of total operating hours on a 30-day rolling average.

(d) The owner or operator of an affected facility seeking to demonstrate compliance under §60.43c(e)(4) shall follow the applicable procedures under §60.48c(f). For residual oil-fired affected facilities, fuel supplier certifications are only allowed for facilities with heat input capacities between 2.9 and 8.7 MW (10 to 30 MMBtu/hr).

**§ 60.46c Emission monitoring for sulfur dioxide.**

(a) Except as provided in paragraphs (d) and (e) of this section, the owner or operator of an affected facility subject to the SO<sub>2</sub> emission limits under §60.42c shall install, calibrate, maintain, and operate a CEMS for measuring SO<sub>2</sub> concentrations and either O<sub>2</sub> or CO<sub>2</sub> concentrations at the outlet of the SO<sub>2</sub> control device (or the outlet of the steam generating unit if no SO<sub>2</sub> control device is used), and shall record the output of the system. The owner or operator of an affected facility subject to the percent reduction requirements under §60.42c shall measure SO<sub>2</sub> concentrations and either O<sub>2</sub> or CO<sub>2</sub> concentrations at both the inlet and outlet of the SO<sub>2</sub> control device.

(b) The 1-hour average SO<sub>2</sub> emission rates measured by a CEMS shall be expressed in ng/J or lb/MMBtu heat input and shall be used to calculate the average emission rates under §60.42c. Each 1-hour average SO<sub>2</sub> emission rate must be based on at least 30 minutes of operation, and shall be calculated using the data points required under §60.13(h)(2). Hourly SO<sub>2</sub> emission rates are not calculated if the affected facility is operated less than 30 minutes in a 1-hour period and are not counted toward determination of a steam generating unit operating day.

(c) The procedures under §60.13 shall be followed for installation, evaluation, and operation of the CEMS.

(1) All CEMS shall be operated in accordance with the applicable procedures under Performance Specifications 1, 2, and 3 of appendix B of this part.

(2) Quarterly accuracy determinations and daily calibration drift tests shall be performed in accordance with Procedure 1 of appendix F of this part.

(3) For affected facilities subject to the percent reduction requirements under §60.42c, the span value of the SO<sub>2</sub> CEMS at the inlet to the SO<sub>2</sub> control device shall be 125 percent of the maximum estimated hourly potential SO<sub>2</sub> emission rate of the fuel combusted, and the span value of the SO<sub>2</sub> CEMS at the outlet from the SO<sub>2</sub> control device shall be 50 percent of the maximum estimated hourly potential SO<sub>2</sub> emission rate of the fuel combusted.

(4) For affected facilities that are not subject to the percent reduction requirements of §60.42c, the span value of the SO<sub>2</sub> CEMS at the outlet from the SO<sub>2</sub> control device (or outlet of the steam generating unit if no SO<sub>2</sub> control device is used) shall be 125 percent of the maximum estimated hourly potential SO<sub>2</sub> emission rate of the fuel combusted.

(d) As an alternative to operating a CEMS at the inlet to the SO<sub>2</sub> control device (or outlet of the steam generating unit if no SO<sub>2</sub> control device is used) as required under paragraph (a) of this section, an owner or operator may elect to determine the average SO<sub>2</sub> emission rate by sampling the fuel prior to combustion. As an alternative to operating a CEMS at the outlet from the SO<sub>2</sub> control device (or outlet of the steam generating unit if no SO<sub>2</sub> control device is used) as required under paragraph (a) of this section, an owner or operator may elect to determine the average SO<sub>2</sub> emission rate by using Method 6B of appendix A of this part. Fuel sampling shall be conducted pursuant to either paragraph (d)(1) or (d)(2) of this section. Method 6B of appendix A of this part shall be conducted pursuant to paragraph (d)(3) of this section.

(1) For affected facilities combusting coal or oil, coal or oil samples shall be collected daily in an as-fired condition at the inlet to the steam generating unit and analyzed for sulfur content and heat content according to the Method 19 of appendix A of this part. Method 19 of appendix A of this part provides

procedures for converting these measurements into the format to be used in calculating the average SO<sub>2</sub> input rate.

(2) As an alternative fuel sampling procedure for affected facilities combusting oil, oil samples may be collected from the fuel tank for each steam generating unit immediately after the fuel tank is filled and before any oil is combusted. The owner or operator of the affected facility shall analyze the oil sample to determine the sulfur content of the oil. If a partially empty fuel tank is refilled, a new sample and analysis of the fuel in the tank would be required upon filling. Results of the fuel analysis taken after each new shipment of oil is received shall be used as the daily value when calculating the 30-day rolling average until the next shipment is received. If the fuel analysis shows that the sulfur content in the fuel tank is greater than 0.5 weight percent sulfur, the owner or operator shall ensure that the sulfur content of subsequent oil shipments is low enough to cause the 30-day rolling average sulfur content to be 0.5 weight percent sulfur or less.

(3) Method 6B of appendix A of this part may be used in lieu of CEMS to measure SO<sub>2</sub> at the inlet or outlet of the SO<sub>2</sub> control system. An initial stratification test is required to verify the adequacy of the Method 6B of appendix A of this part sampling location. The stratification test shall consist of three paired runs of a suitable SO<sub>2</sub> and CO<sub>2</sub> measurement train operated at the candidate location and a second similar train operated according to the procedures in §3.2 and the applicable procedures in section 7 of Performance Specification 2 of appendix B of this part. Method 6B of appendix A of this part, Method 6A of appendix A of this part, or a combination of Methods 6 and 3 of appendix A of this part or Methods 6C and 3A of appendix A of this part are suitable measurement techniques. If Method 6B of appendix A of this part is used for the second train, sampling time and timer operation may be adjusted for the stratification test as long as an adequate sample volume is collected; however, both sampling trains are to be operated similarly. For the location to be adequate for Method 6B of appendix A of this part 24-hour tests, the mean of the absolute difference between the three paired runs must be less than 10 percent (0.10).

(e) The monitoring requirements of paragraphs (a) and (d) of this section shall not apply to affected facilities subject to §60.42c(h) (1), (2), or (3) where the owner or operator of the affected facility seeks to demonstrate compliance with the SO<sub>2</sub> standards based on fuel supplier certification, as described under §60.48c(f), as applicable.

(f) The owner or operator of an affected facility operating a CEMS pursuant to paragraph (a) of this section, or conducting as-fired fuel sampling pursuant to paragraph (d)(1) of this section, shall obtain emission data for at least 75 percent of the operating hours in at least 22 out of 30 successive steam generating unit operating days. If this minimum data requirement is not met with a single monitoring system, the owner or operator of the affected facility shall supplement the emission data with data collected with other monitoring systems as approved by the Administrator.

**§ 60.47c Emission monitoring for particulate matter.**

(a) Except as provided in paragraphs (c), (d), (e), and (f) of this section, the owner or operator of an affected facility combusting coal, oil, or wood that is subject to the opacity standards under §60.43c shall install, calibrate, maintain, and operate a COMS for measuring the opacity of the emissions discharged to the atmosphere and record the output of the system.

(b) All COMS for measuring opacity shall be operated in accordance with the applicable procedures under Performance Specification 1 of appendix B of this part. The span value of the opacity COMS shall be between 60 and 80 percent.

(c) Affected facilities that burn only distillate oil that contains no more than 0.5 weight percent sulfur and/or liquid or gaseous fuels with potential sulfur dioxide emission rates of 26 ng/J (0.06 lb/MMBtu) heat input or less and that do not use a post-combustion technology to reduce SO<sub>2</sub> or PM emissions are not

required to operate a CEMS for measuring opacity if they follow the applicable procedures under §60.48c(f).

(d) Owners or operators complying with the PM emission limit by using a PM CEMS monitor instead of monitoring opacity must calibrate, maintain, and operate a CEMS, and record the output of the system, for PM emissions discharged to the atmosphere as specified in §60.45c(d). The CEMS specified in paragraph §60.45c(d) shall be operated and data recorded during all periods of operation of the affected facility except for CEMS breakdowns and repairs. Data is recorded during calibration checks, and zero and span adjustments.

(e) An affected facility that does not use post-combustion technology (except a wet scrubber) for reducing PM, SO<sub>2</sub>, or carbon monoxide (CO) emissions, burns only gaseous fuels or fuel oils that contain less than or equal to 0.5 weight percent sulfur, and is operated such that emissions of CO to the atmosphere from the affected facility are maintained at levels less than or equal to 0.15 lb/MMBtu on a boiler operating day average basis is not required to operate a CEMS for measuring opacity. Owners and operators of affected facilities electing to comply with this paragraph must demonstrate compliance according to the procedures specified in paragraphs (e)(1) through (4) of this section.

(1) You must monitor CO emissions using a CEMS according to the procedures specified in paragraphs (e)(1)(i) through (iv) of this section.

(i) The CO CEMS must be installed, certified, maintained, and operated according to the provisions in §60.58b(i)(3) of subpart Eb of this part.

(ii) Each 1-hour CO emissions average is calculated using the data points generated by the CO CEMS expressed in parts per million by volume corrected to 3 percent oxygen (dry basis).

(iii) At a minimum, valid 1-hour CO emissions averages must be obtained for at least 90 percent of the operating hours on a 30-day rolling average basis. At least two data points per hour must be used to calculate each 1-hour average.

(iv) Quarterly accuracy determinations and daily calibration drift tests for the CO CEMS must be performed in accordance with procedure 1 in appendix F of this part.

(2) You must calculate the 1-hour average CO emissions levels for each steam generating unit operating day by multiplying the average hourly CO output concentration measured by the CO CEMS times the corresponding average hourly flue gas flow rate and divided by the corresponding average hourly heat input to the affected source. The 24-hour average CO emission level is determined by calculating the arithmetic average of the hourly CO emission levels computed for each steam generating unit operating day.

(3) You must evaluate the preceding 24-hour average CO emission level each steam generating unit operating day excluding periods of affected source startup, shutdown, or malfunction. If the 24-hour average CO emission level is greater than 0.15 lb/MMBtu, you must initiate investigation of the relevant equipment and control systems within 24 hours of the first discovery of the high emission incident and, take the appropriate corrective action as soon as practicable to adjust control settings or repair equipment to reduce the 24-hour average CO emission level to 0.15 lb/MMBtu or less.

(4) You must record the CO measurements and calculations performed according to paragraph (e) of this section and any corrective actions taken. The record of corrective action taken must include the date and time during which the 24-hour average CO emission level was greater than 0.15 lb/MMBtu, and the date, time, and description of the corrective action.

(f) An affected facility that burns only gaseous fuels or fuel oils that contain less than or equal to 0.5 weight percent sulfur and operates according to a written site-specific monitoring plan approved by the appropriate delegated permitting authority is not required to operate a COMS for measuring opacity. This monitoring plan must include procedures and criteria for establishing and monitoring specific parameters for the affected facility indicative of compliance with the opacity standard.

**§ 60.48c Reporting and recordkeeping requirements.**

(a) The owner or operator of each affected facility shall submit notification of the date of construction or reconstruction and actual startup, as provided by §60.7 of this part. This notification shall include:

(1) The design heat input capacity of the affected facility and identification of fuels to be combusted in the affected facility.

(2) If applicable, a copy of any federally enforceable requirement that limits the annual capacity factor for any fuel or mixture of fuels under §60.42c, or §60.43c.

(3) The annual capacity factor at which the owner or operator anticipates operating the affected facility based on all fuels fired and based on each individual fuel fired.

(4) Notification if an emerging technology will be used for controlling SO<sub>2</sub> emissions. The Administrator will examine the description of the control device and will determine whether the technology qualifies as an emerging technology. In making this determination, the Administrator may require the owner or operator of the affected facility to submit additional information concerning the control device. The affected facility is subject to the provisions of §60.42c(a) or (b)(1), unless and until this determination is made by the Administrator.

(b) The owner or operator of each affected facility subject to the SO<sub>2</sub> emission limits of §60.42c, or the PM or opacity limits of §60.43c, shall submit to the Administrator the performance test data from the initial and any subsequent performance tests and, if applicable, the performance evaluation of the CEMS and/or COMS using the applicable performance specifications in appendix B of this part.

(c) The owner or operator of each coal-fired, oil-fired, or wood-fired affected facility subject to the opacity limits under §60.43c(c) shall submit excess emission reports for any excess emissions from the affected facility that occur during the reporting period.

(d) The owner or operator of each affected facility subject to the SO<sub>2</sub> emission limits, fuel oil sulfur limits, or percent reduction requirements under §60.42c shall submit reports to the Administrator.

(e) The owner or operator of each affected facility subject to the SO<sub>2</sub> emission limits, fuel oil sulfur limits, or percent reduction requirements under §60.42c shall keep records and submit reports as required under paragraph (d) of this section, including the following information, as applicable.

(1) Calendar dates covered in the reporting period.

(2) Each 30-day average SO<sub>2</sub> emission rate (ng/J or lb/MMBtu), or 30-day average sulfur content (weight percent), calculated during the reporting period, ending with the last 30-day period; reasons for any noncompliance with the emission standards; and a description of corrective actions taken.

(3) Each 30-day average percent of potential SO<sub>2</sub> emission rate calculated during the reporting period, ending with the last 30-day period; reasons for any noncompliance with the emission standards; and a description of the corrective actions taken.

(4) Identification of any steam generating unit operating days for which SO<sub>2</sub> or diluent (O<sub>2</sub> or CO<sub>2</sub>) data have not been obtained by an approved method for at least 75 percent of the operating hours; justification for not obtaining sufficient data; and a description of corrective actions taken.

(5) Identification of any times when emissions data have been excluded from the calculation of average emission rates; justification for excluding data; and a description of corrective actions taken if data have been excluded for periods other than those during which coal or oil were not combusted in the steam generating unit.

(6) Identification of the F factor used in calculations, method of determination, and type of fuel combusted.

(7) Identification of whether averages have been obtained based on CEMS rather than manual sampling methods.

(8) If a CEMS is used, identification of any times when the pollutant concentration exceeded the full span of the CEMS.

(9) If a CEMS is used, description of any modifications to the CEMS that could affect the ability of the CEMS to comply with Performance Specifications 2 or 3 of appendix B of this part.

(10) If a CEMS is used, results of daily CEMS drift tests and quarterly accuracy assessments as required under appendix F, Procedure 1 of this part.

(11) If fuel supplier certification is used to demonstrate compliance, records of fuel supplier certification is used to demonstrate compliance, records of fuel supplier certification as described under paragraph (f)(1), (2), (3), or (4) of this section, as applicable. In addition to records of fuel supplier certifications, the report shall include a certified statement signed by the owner or operator of the affected facility that the records of fuel supplier certifications submitted represent all of the fuel combusted during the reporting period.

(f) Fuel supplier certification shall include the following information:

(1) For distillate oil:

(i) The name of the oil supplier;

(ii) A statement from the oil supplier that the oil complies with the specifications under the definition of distillate oil in §60.41c; and

(iii) The sulfur content of the oil.

(2) For residual oil:

(i) The name of the oil supplier;

(ii) The location of the oil when the sample was drawn for analysis to determine the sulfur content of the oil, specifically including whether the oil was sampled as delivered to the affected facility, or whether the sample was drawn from oil in storage at the oil supplier's or oil refiner's facility, or other location;

(iii) The sulfur content of the oil from which the shipment came (or of the shipment itself); and

(iv) The method used to determine the sulfur content of the oil.

(3) For coal:

(i) The name of the coal supplier;

(ii) The location of the coal when the sample was collected for analysis to determine the properties of the coal, specifically including whether the coal was sampled as delivered to the affected facility or whether the sample was collected from coal in storage at the mine, at a coal preparation plant, at a coal supplier's facility, or at another location. The certification shall include the name of the coal mine (and coal seam), coal storage facility, or coal preparation plant (where the sample was collected);

(iii) The results of the analysis of the coal from which the shipment came (or of the shipment itself) including the sulfur content, moisture content, ash content, and heat content; and

(iv) The methods used to determine the properties of the coal.

(4) For other fuels:

(i) The name of the supplier of the fuel;

(ii) The potential sulfur emissions rate of the fuel in ng/J heat input; and

(iii) The method used to determine the potential sulfur emissions rate of the fuel.

(g)(1) Except as provided under paragraphs (g)(2) and (g)(3) of this section, the owner or operator of each affected facility shall record and maintain records of the amount of each fuel combusted during each operating day.

(2) As an alternative to meeting the requirements of paragraph (g)(1) of this section, the owner or operator of an affected facility that combusts only natural gas, wood, fuels using fuel certification in §60.48c(f) to demonstrate compliance with the SO<sub>2</sub> standard, fuels not subject to an emissions standard (excluding opacity), or a mixture of these fuels may elect to record and maintain records of the amount of each fuel combusted during each calendar month.

(3) As an alternative to meeting the requirements of paragraph (g)(1) of this section, the owner or operator of an affected facility or multiple affected facilities located on a contiguous property unit where the only fuels combusted in any steam generating unit (including steam generating units not subject to this subpart) at that property are natural gas, wood, distillate oil meeting the most current requirements in §60.42C to use fuel certification to demonstrate compliance with the SO<sub>2</sub> standard, and/or fuels, excluding coal and residual oil, not subject to an emissions standard (excluding opacity) may elect to record and maintain records of the total amount of each steam generating unit fuel delivered to that property during each calendar month.

(h) The owner or operator of each affected facility subject to a federally enforceable requirement limiting the annual capacity factor for any fuel or mixture of fuels under §60.42c or §60.43c shall calculate the annual capacity factor individually for each fuel combusted. The annual capacity factor is determined on a 12-month rolling average basis with a new annual capacity factor calculated at the end of the calendar month.

(i) All records required under this section shall be maintained by the owner or operator of the affected facility for a period of two years following the date of such record.

(j) The reporting period for the reports required under this subpart is each six-month period. All reports shall be submitted to the Administrator and shall be postmarked by the 30th day following the end of the reporting period.

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

Addendum to the Technical Support Document (ATSD) for a Federally  
Enforceable State Operating Permit Renewal

**Source Background and Description**

<b>Source Name:</b>	<b>Zachary Confections, Inc.</b>
<b>Source Location:</b>	<b>2130 West State Road 28, Frankfort, Indiana 46041</b>
<b>County:</b>	<b>Clinton</b>
<b>SIC Code:</b>	<b>2064</b>
<b>Permit Renewal No.:</b>	<b>F023-28687-00039</b>
<b>Permit Reviewer:</b>	<b>Sarah Conner, Ph. D.</b>

On April 14, 2010, the Office of Air Quality (OAQ) had a notice published in The Times, in Frankfort, Indiana, stating that Zachary Confections, Inc. had applied for a renewal of their Federally Enforceable State Operating Permit No. F023-21425-00039, issued on November 18, 2005. The notice also stated that OAQ proposed to issue a Federally Enforceable State Operating Permit Renewal for this existing stationary candy manufacturing plant and provided information on how the public could review the proposed permit and other documentation. Finally, the notice informed interested parties that there was a period of thirty (30) days to provide comments on whether or not this permit should be issued as proposed.

**Comments and Responses**

No comments were received during the public notice period.

**Additional Changes**

IDEM, OAQ has decided to make revisions to the permit as described below, with deleted language as ~~strikeouts~~ and new language **bolded**.

- (1) IDEM, OAQ has decided to clarify Section B - Certification to be consistent with the rule.
- B.8 Certification [326 IAC 2-8-3(d)][326 IAC 2-8-4(3)(C)(i)][326 IAC 2-8-5(1)]
- (a) A certification required by this permit meets the requirements of 326 IAC 2-8-5(a)(1) if:
- (i) it contains a certification by an "authorized individual", as defined by 326 IAC 2-1.1-1(1), and
  - (ii) the certification ~~is~~ **states that**, based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate, and complete.
- (b) The Permittee may use the attached Certification Form, or its equivalent with each submittal requiring certification. One (1) certification may cover multiple forms in one (1) submittal.
- (c) An "authorized individual" is defined at 326 IAC 2-1.1-1(1).

- (2) IDEM, OAQ has decided to remove all references to the source mailing address. IDEM, OAQ will continue to maintain records of the mailing address.

A.1 General Information [326 IAC 2-8-3(b)]

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The Permittee owns and operates a stationary candy manufacturing plant.

Source Address: 2130 West State Road 28, Frankfort, Indiana  
46041

~~Mailing Address: P.O. Box 219, Frankfort, Indiana 46041~~

...

FEDERALLY ENFORCEABLE STATE OPERATING PERMIT (FESOP)  
CERTIFICATION

Source Name: Zachary Confections, Inc.  
Source Address: 2130 West State Road 28, Frankfort, Indiana 46041  
~~Mailing Address: P.O. Box 219, Frankfort, Indiana 46041~~  
FESOP Permit No.: F023-28687-00039

...

FEDERALLY ENFORCEABLE STATE OPERATING PERMIT (FESOP)  
EMERGENCY OCCURRENCE REPORT

Source Name: Zachary Confections, Inc.  
Source Address: 2130 West State Road 28, Frankfort, Indiana 46041  
~~Mailing Address: P.O. Box 219, Frankfort, Indiana 46041~~  
FESOP Permit No.: F023-28687-00039

...

FESOP Quarterly Report

Source Name: Zachary Confections, Inc.  
Source Address: 2130 West State Road 28, Frankfort, Indiana 46041  
~~Mailing Address: P.O. Box 219, Frankfort, Indiana 46041~~  
FESOP Permit No.: F023-28687-00039  
Facility: Candy corn drum coater EU-9  
Parameter: VOC  
Limit: Less than 25 tons per twelve (12) consecutive month period with compliance determined at the end of each month.

...

FESOP Quarterly Report

Source Name: Zachary Confections, Inc.  
Source Address: 2130 West State Road 28, Frankfort, Indiana 46041  
~~Mailing Address: P.O. Box 219, Frankfort, Indiana 46041~~  
FESOP Permit No.: F023-28687-00039  
Facility: Candy corn drum coater EU-10  
Parameter: VOC  
Limit: Less than 25 tons per twelve (12) consecutive month period with compliance determined at the end of each month.

...

FEDERALLY ENFORCEABLE STATE OPERATING PERMIT (FESOP)  
QUARTERLY DEVIATION AND COMPLIANCE MONITORING REPORT

Source Name: Zachary Confections, Inc.  
Source Address: 2130 West State Road 28, Frankfort, Indiana 46041  
Mailing Address: P.O. Box 219, Frankfort, Indiana 46041  
FESOP Permit No.: F023-28687-00039

<b>IDEM Contact</b>
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- (a) Questions regarding this Federally Enforceable State Operating Permit Renewal can be directed to Sarah Conner, Ph. D. at the Indiana Department Environmental Management, Office of Air Quality, Permits Branch, 100 North Senate Avenue, MC 61-53 IGCN 1003, Indianapolis, Indiana 46204-2251 or by telephone at (317) 234-6555 or toll free at 1-800-451-6027 extension 4-6555.
- (b) A copy of the permit is available on the Internet at: <http://www.in.gov/ai/appfiles/idem-caats/>
- (c) 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](http://www.idem.in.gov)

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

Technical Support Document (TSD) for a Federally Enforceable State Operating Permit  
Renewal

**Source Background and Description**

<b>Source Name:</b>	<b>Zachary Confections, Inc.</b>
<b>Source Location:</b>	<b>2130 West State Road 28, Frankfort, Indiana 46041</b>
<b>County:</b>	<b>Clinton</b>
<b>SIC Code:</b>	<b>2064</b>
<b>Permit Renewal No.:</b>	<b>F023-28687-00039</b>
<b>Permit Reviewer:</b>	<b>Sarah Conner, Ph. D.</b>

The Office of Air Quality (OAQ) has reviewed the operating permit renewal application from Zachary Confections relating to the operation of a stationary candy manufacturing plant.

**History**

On November 24, 2009, Zachary Confections submitted an application to the OAQ requesting to renew its operating permit. Zachary Confections was issued a FESOP No. F023-28687-00039 on November 18, 2005. Zachary Confections was issued an Administrative Amendment No. 023-24209-00039 on February 19, 2007. Zachary Confections was issued an Administrative Amendment No. 023-24541-00039 on May 21, 2007.

**Permitted Emission Units and Pollution Control Equipment**

- (a) One (1) natural gas-fired boiler, identified as EU-1, with a maximum heat input capacity of 25 MMBtu per hour, installed in 1997, and exhausting to stack S1.  
  
Under the NSPS for Standards of Performance for Small Industrial-Commercial-Institutional Steam Generating Units (40 CFR 60.40c, Subpart Dc) the boiler, identified as EU-1, is considered an affected facility.
- (b) Two (2) natural gas-fired boilers, identified as EU-2 and EU-3, each with a maximum heat input capacity of 12.6 MMBtu per hour, both installed in 1958, and exhausting to stacks S2 and S3.
- (c) Two (2) belt polishers, identified as EU-4 and EU-5, each with a maximum throughput capacity of 500 pounds of candy per hour and maximum usage of 1.025 pounds of polish per hour, both installed in 2000, and exhausting to stacks S4 and S5.
- (d) Two (2) belt polishers, identified as EU-6 and EU-7, each with a maximum throughput capacity of 500 pounds of candy per hour and maximum usage of 1.025 pounds of polish per hour, both installed in 2003, and exhausting to stacks S6 and S7.
- (e) One (1) coater & polisher unit, identified as EU-8, with a maximum throughput capacity of 720 pounds of candy per hour and 1.48 pounds of polish per hour, installed in 1997, and exhausting to stack S8.
- (f) One (1) candy corn drum coater, identified as EU-9, with a maximum throughput capacity of 7,816 pounds of candy per hour and maximum usage of rate 35.56 pounds of candy coating per hour, installed in 2002, and exhausting to stack S9.

- (g) One (1) candy corn drum polisher, identified as EU-10, with a maximum throughput capacity of 7,816 pounds of candy per hour and maximum usage rate 19.15 pounds of candy coating per hour, installed in 2002, and exhausting to stack S9.
- (h) Mogul operations
  - (1) One (1) Mogul 1, a mold preparation unit, identified as EU-11, with a maximum throughput capacity of 10,286 pounds of candy per hour, using an integral fabric filter and dust collector DC1M1 for particulate control, installed in 1985, and exhausting indoors.
  - (2) One (1) Mogul 1, a starch conditioning unit, identified as EU-12 with a maximum throughput capacity of 19,842 pounds of starch per hour, using an integral fabric filter and dust collector DC1M1 for particulate control, installed in 1985, and exhausting indoors.
  - (3) One (1) Mogul 2, a mold preparation unit, identified as EU-13, with a maximum throughput capacity of 10,857 pounds of candy per hour, using an integral fabric filter and dust collector DC1M1 for particulate control, installed in 1995, and exhausting indoors.
  - (4) One (1) Mogul 2, a starch conditioner dryer, identified as EU-14, with a maximum throughput capacity of 19,842 pounds of starch per hour, using an integral fabric filter and dust collector DC2M2 for particulate control, installed in 1995, and exhausting to stack S11.
  - (5) One (1) Mogul 2, a starch conditioner cooler, identified as EU-15, with a maximum throughput capacity of 19,842 pounds of starch per hour, using an integral fabric filter and dust collector DC3M2 for particulate control, installed in 1995, and exhausting indoors.
  - (6) One (1) Mogul 3, a mold preparation unit, identified as EU-16, with a maximum throughput capacity of 7,816 pounds of candy per hour, using an integral fabric filter and dust collector DC1M3 for particulate control, installed in 2002, and exhausting indoors.
  - (7) One (1) Mogul 3, a starch conditioner dryer, identified as EU-17, with a maximum throughput capacity of 19,842 pounds of starch per hour, using an integral fabric filter and dust collector DC2M3 for particulate control, installed in 2002, and exhausting to stack S14.
  - (8) One (1) Mogul 3, a starch conditioner cooler, identified as EU-18, with a maximum throughput capacity of 19,842 pounds of starch per hour, using an integral fabric filter and dust collector DC3M3 for particulate control, installed in 2002, and exhausting indoors.
- (i) One (1) laser cleaner, identified as EU-19, with a maximum throughput capacity of 7,816 pounds of candy per hour, using an integral fabric filter and dust collector DC1LC1 for particulate control, installed in 2002, and exhausting indoors.
- (j) Six (6) dust top lines, identified as EU-20 through EU-26, each with a maximum throughput capacity of 4,222 pounds of candy per hour, using an integral fabric filters and dust collectors DC1DT through DC7DT for particulate control, all installed prior to 1989, and exhausting indoors.

### Insignificant Activities

- (a) Degreasing operations that do not exceed one hundred forty-five (145) gallons per twelve (12) months, except if subject to 326 IAC 20-6 as follows:
  - (1) One (1) Heritage-Crystal Clean parts washer, with a maximum capacity of 30 gallons, installed in 2000, and exhausting indoors. [326 IAC 8-3-2] [326 IAC 8-3-5]
- (b) Paved roads and parking lots with public access. [326 IAC 6-4]
- (c) Three (3) dust collectors, identified as DC8, DC9 and DC10, each with a design grain loading of less than or equal to one one-hundredths (0.01) grains per actual cubic foot and a gas flow rate less than or equal to three thousand (3,000) actual cubic feet per minute, approved in 2010 for construction, and exhausting indoors.

### Existing Approvals

Since the issuance of the FESOP No. F023-21425-00039 on November 18, 2005, the source has constructed or has been operating under the following approvals as well:

- (a) Administrative Amendment No. No. 023-24209-00039 issued on February 19, 2007; and
- (b) Administrative Amendment No. 023-24541-00039 issued on May 21, 2007.

All terms and conditions of previous permits issued pursuant to permitting programs approved into the state implementation plan have been either incorporated as originally stated, revised, or deleted by this permit. All previous registrations and permits are superseded by this permit.

The following terms and conditions from previous approvals have been revised in this FESOP Renewal:

- (1) Condition D.3.5, Parametric Monitoring as revised in the Second Administrative Amendment No. 023-24541-00039, issued on May 21, 2007 was incorrect and has been revised similarly to the language for Condition D.3.5, Parametric Monitoring as shown in the First Administrative Amendment No. 023-24209-00039, issued on February 19, 2007. The wording "when venting to the atmosphere" has been removed from Parametric Monitoring because the source is required to record the pressure drop of all candy and starch handling process lines, EU-11 through EU-26, regardless of whether the emission unit vents indoors or through a stack. In addition, Parametric Monitoring is required because the fabric filters must control particulate in order for the source to comply with 326 IAC 6-3-2.

IDEM, OAQ has decided to make revisions to the permit as described below. Conditions within the permit have been re-numbered to account for the revisions.

- (2) IDEM has decided that the phrases "no later than" and "not later than" are clearer than "within" in relation to the end of a timeline. Therefore all timelines have been switched to "no later than" or "not later than" except for the timeline in Condition B.12 (Emergency Provisions). The underlying rule(s) state(s) "within."

The permit conditions affected by this change include the following: Condition B.11 (Preventive Maintenance Plan), Condition B.22 (Annual Fee Payment), Condition C.10 (Compliance Monitoring, Condition C.14 (Actions Related to Noncompliance Demonstrated by a Stack Test), and Condition C.16 (General Reporting Requirements).

The changes made to the conditions are shown with deleted language as ~~strikeouts~~ and new language **bolded**.

~~"...within no later than..."~~ or ~~"...within not later than..."~~

- (3) IDEM has decided to clarify what rule requirements a certification needs to meet.

The permit conditions affected by this change include the following Conditions: B.9 (Annual Compliance Certification), B.12 (Emergency Provisions), B.15 (Permit Modification, Reopening, Revocation and Reissuance, or Termination), B.16 Permit Renewal), B.17 (Permit Amendment or Revision), B.21 (Transfer of Ownership or Operational Control), C.10 (Compliance Monitoring), C.14 (Actions Related to Noncompliance Demonstrated by a Stack Test), and C.16 (General Reporting Requirements).

The changes made to the conditions are shown with deleted language as ~~strikeouts~~ and new language **bolded**.

~~"...require the a certification that meets the requirements of 326 IAC 2-8-5(a)(1) by an "authorized individual" as defined by 326 IAC 2-1.1-1(1)."~~

- (4) Section B- Permit Amendment or Revision has been revised with deleted language as ~~strikeouts~~ and new language **bolded**.

~~Any such application shall be certified by an "authorized individual" as defined by 326 IAC 2-1.1-1(1).~~

**Any such application does require a certification that meets the requirements of 326 IAC 2-8-5(a)(1) by an "authorized individual" as defined by 326 IAC 2-1.1-1(1).**

- (5) Section B - Transfer of Ownership or Operational Control has been revised with deleted language as ~~strikeouts~~ and new language **bolded**.

~~The application which shall be submitted by the Permittee does require the certification by an "authorized individual" as defined by 326 IAC 2-1.1-1(1).~~

**Any such application does require a certification that meets the requirements of 326 IAC 2-8-5(a)(1) by an "authorized individual" as defined by 326 IAC 2-1.1-1(1).**

- (6) IDEM has decided to remove the last sentence dealing with the need for certification from the following forms: The Emergency Occurrence Report, FESOP Quarterly Report, and the Quarterly Deviation and Compliance Monitoring Report because the Conditions requiring the forms already address this issue.

- (7) Section B -Duty to Provide Information has been revised with deleted language as ~~strikeouts~~ and new language **bolded**.

**B.7 Duty to Provide Information [326 IAC 2-8-4(5)(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 an "authorized individual" as defined by 326 IAC 2-1.1-1(1).~~ Upon request, the Permittee shall also furnish to IDEM, OAQ copies of records required to be kept by this permit.

- (8) To clarify that Section B - Certification only states what a certification must be, IDEM has revised the condition with deleted language as ~~strikeouts~~ and new language **bolded**.

B.8 Certification [326 IAC 2-8-3(d)][326 IAC 2-8-4(3)(C)(i)][326 IAC 2-8-5(1)]

- (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 an "authorized individual" of truth, accuracy, and completeness. This certification shall state that, A certification required by this permit meets the requirements of 326 IAC 2-8-5(a)(1) if:~~
- (i) **it contains a certification by an "authorized individual", as defined by 326 IAC 2-1.1-1(1), and**
- (ii) **the certification is 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 Permittee may use** the attached Certification Form, **or its equivalent** with each submittal requiring certification. One (1) certification may cover multiple forms in one (1) submittal.
- (9) IDEM has added a new paragraph (b) to handle a future situation where the Permittee adds units that need preventive maintenance plans developed. IDEM has decided to clarify other aspects of Section B - Preventive Maintenance Plan.

B.11 Preventive Maintenance Plan  
[326 IAC 1-6-3][326 IAC 2-8-4(9)][326 IAC 2-8-5(a)(1)]

- (a) **A Preventive Maintenance Plan meets the requirements of 326 IAC 1-6-3 if it includes, at a minimum:** ~~If required by specific condition(s) in Section D of this permit, the Permittee shall maintain and implement Preventive Maintenance Plans (PMPs) including the following information on each facility:~~
- (1) Identification of the individual(s) responsible for inspecting, maintaining, and repairing emission control devices;
- (2) A description of the items or conditions that will be inspected and the inspection schedule for said items or conditions; and
- (3) Identification and quantification of the replacement parts that will be maintained in inventory for quick replacement.
- The Permittee shall implement the PMPs.**
- (b) **If required by specific condition(s) in Section D of this permit where no PMP was previously required, the Permittee shall prepare and maintain Preventive Maintenance Plans (PMPs) no later than ninety (90) days after issuance of this permit or ninety (90) days after initial start-up, whichever is later, including the following information on each facility:**
- (1) **Identification of the individual(s) responsible for inspecting, maintaining, and repairing emission control devices;**

- (2) **A description of the items or conditions that will be inspected and the inspection schedule for said items or conditions; and**
- (3) **Identification and quantification of the replacement parts that will be maintained in inventory for quick replacement.**

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 a certification that meets the requirements of 326 IAC 2-8-5(a)(1) by an "authorized individual" as defined by 326 IAC 2-1.1-1(1).**

**The Permittee shall implement the PMPs.**

- (bc) 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~~ **PMPs and their submittal** do not require ~~the a~~ **a certification that meets the requirements of 326 IAC 2-8-5(a)(1)** by an "authorized individual" as defined by 326 IAC 2-1.1-1(1).
  - (ed) To the extent the Permittee is required by 40 CFR Part 60/63 to have an Operation Maintenance, and Monitoring (OMM) Plan for a unit, such Plan is deemed to satisfy the PMP requirements of 326 IAC 1-6-3 for that unit.
- (10) IDEM, OAQ is revising Section B - Emergency Provisions to delete paragraph (h). 326 IAC 2-8-4(3)(C)(ii) allows that deviations reported under an independent requirement do not have to be included in the Quarterly Deviation and Compliance Monitoring Report.

B.12 Emergency Provisions [326 IAC 2-8-12]

...

- ~~(h) The Permittee shall include all emergencies in the Quarterly Deviation and Compliance Monitoring Report. Any emergencies that have been previously reported pursuant to paragraph (b)(5) of this condition and certified by an "authorized individual" need only referenced by the date of the original report.~~

- (11) IDEM, OAQ has decided that having a separate condition for the reporting of deviations is unnecessary. Therefore, IDEM has removed Section B - Deviation from Permit Requirements and Conditions and added the requirements of that condition to Section C - General Reporting Requirements. Paragraph (d) of Section C - General Reporting Requirements has been removed because IDEM already states the timeline and certification needs of each report in the condition requiring the report

~~B.15 Deviations from Permit Requirements and Conditions [326 IAC 2-8-4(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 46204-2254~~

~~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 an "authorized individual" as defined by 326 IAC 2-1.1-1(1).~~

- ~~(b) A deviation is an exceedance of a permit limitation or a failure to comply with a requirement of the permit.~~

C.16 General Reporting Requirements [326 IAC 2-8-4 (3)(C)] [326 IAC 2-1.1-11]

- (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 **except that 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.** This report shall be submitted not later than thirty (30) days after the end of the reporting period. The Quarterly Deviation and Compliance Monitoring Report shall include ~~the a~~ **a certification that meets the requirements of 326 IAC 2-8-5(a)(1)** by an "authorized individual" as defined by 326 IAC 2-1.1-11(1). **A deviation is an exceedance of a permit limitation or a failure to comply with a requirement of the permit.**
- (b) ~~The report required in (a) of this condition and reports required by conditions in Section D of this permit shall be submitted to address for report submittal is:~~

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 an "authorized individual" as defined by 326 IAC 2-1.1-1(1).~~
- (ed) 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.~~
- (12) IDEM has decided to state which rule establishes the authority to set a deadline for the Permittee to submit additional information. Therefore, Section B - Permit Renewal has been revised.

B.16 Permit Renewal [326 IAC 2-8-3 (h)]

...

- (c) If the Permittee submits a timely and complete application for renewal of this permit, the source's failure to have permit is not a violation of 326 IAC 2-8 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, **pursuant to 326 IAC 2-8-3 (g)**, in writing by IDEM, OAQ any additional information identified as being needed to process the application.
- (13) IDEM has added 326 IAC 5-1-1 to the exception clause of Section C - Opacity, since 326 IAC 5-1-1 does list exceptions.

C.3 Opacity [326 IAC 5-1]

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

- (14) IDEM has revised Section C - Incineration to more closely reflect the two underlying rules.

C.5 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~~ **or in this permit. The Permittee shall not operate a refuse incinerator or refuse burning equipment except as provided in 326 IAC 9-1-2 or in this permit.**

- (15) IDEM has removed the first paragraph of Section C - Performance Testing due to the fact that specific testing conditions elsewhere in the permit will specify the timeline and procedures.

C.8 Performance Testing [326 IAC 3-6]

~~(a) All testing shall be performed according to the provisions of 326 IAC 3-6 (Source Sampling Procedures), except as provided elsewhere in this permit, utilizing any applicable procedures and analysis methods specified in 40 CFR 51, 40 CFR 60, 40 CFR 61, 40 CFR 63, 40 CFR 75, or other procedures approved by IDEM, OAQ.~~

**(a) A-For performance testing required by this permit, a test protocol, except as provided elsewhere in this permit, shall be submitted to:**

- (16) IDEM has revised Section C - Compliance Monitoring. The reference to recordkeeping has been removed due to the fact that other conditions already address recordkeeping. The voice of the condition has been changed to clearly indicate that it is the Permittee that must follow the requirements of the condition.

C.10 Compliance Monitoring [326 IAC 2-8-4(3)][326 IAC 2-8-5(a)(1)]

Unless otherwise specified in this permit, **for all monitoring and record keeping requirements not already legally required, the Permittee shall be allowed up to** ~~shall be implemented within ninety (90) days of~~ **from the date of** permit issuance or ~~ninety (90) days of initial start-up, whichever is later, to begin such~~ **monitoring.** ~~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~~ **the Permittee's** control, ~~that any monitoring equipment required by this permit cannot be installed and operated within~~ **no later than ninety (90) days after permit issuance or the date of initial startup, whichever is later,** the Permittee may extend the compliance schedule related to the equipment for an additional ninety (90) days provided the Permittee notifies:

- (17) IDEM has removed Section C - Monitoring Methods. The conditions that require the monitoring or testing, if required, state what methods shall be used.

C.11 Monitoring Methods [326 IAC 3] [40 CFR 60] [40 CFR 63]

~~Any monitoring or testing required by Section D of this permit shall be performed according to the provisions of 326 IAC 3, 40 CFR 60, Appendix A, 40 CFR 60, Appendix B, 40 CFR 63, or other approved methods as specified in this permit.~~

- (18) IDEM has revised Section C - Response to Excursions or Exceedances. The introduction sentence has been added to clarify that it is only when an excursion or exceedance is detected that the requirements of this condition need to be followed. The word "excess" was added to the last sentence of paragraph (a) because the Permittee only has to minimize excess emissions. The middle of paragraph (b) has been deleted as it was duplicative of paragraph (a). The phrase "or are returning" was added to subparagraph (b)(2) as this is an acceptable response assuming the operation or emission unit does return to normal or its usual manner of operation. The phrase "within the indicator range, designated condition, or below the applicable emission limitation or standard, as applicable" was replaced with "normal or usual manner of operation" because the first phrase is just a limited list of the second phrase. The recordkeeping required by paragraph (e) was changed to require only records of the response because the previously listed items are required to be recorded elsewhere in the permit.

C.13 Response to Excursions or Exceedances [326 IAC 2-8-4] [326 IAC 2-8-5]

**Upon detecting an excursion where a response step is required by the D Section or an exceedance of a limitation in this permit:**

- (a) ~~Upon detecting an excursion or exceedance,~~ The Permittee shall **take reasonable response steps to** 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 **excess** 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 **The response** may include, but ~~are~~ **is** not limited to, the following:
- (1) initial inspection and evaluation;
  - (2) recording that operations returned **or are returning** 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~~ **normal or usual manner of operation.**
- (c) A determination of whether the Permittee has used acceptable procedures in response to an excursion or exceedance will be based on information available, which may include, but is not limited to, the following:
- (1) monitoring results;
  - (2) review of operation and maintenance procedures and records; and/or
  - (3) inspection of the control device, associated capture system, and the process.
- (d) Failure to take reasonable response steps shall be considered a deviation from the permit.
- (e) The Permittee shall **record** ~~maintain the following records~~ **the reasonable responses steps taken. :**
- (1) ~~monitoring data;~~
  - (2) ~~monitor performance data, if applicable; and~~
  - (3) ~~corrective actions taken.~~

- (19) IDEM has revised Section C - Actions Related to Noncompliance Demonstrated by a Stack Test. The requirements to take response steps and minimize excess emissions have been removed because Section C - Response to Excursions or Exceedances already requires response steps related to exceedances and excess emissions minimization. The start of the timelines was switched from "the receipt of the test results" to "the date of the test." There was confusion if the "receipt" was by IDEM, the Permittee, or someone else. Since the start of the timelines has been moved up, the length of the timelines was increased. The new timelines require action within a comparable timeline; and the new timelines still ensure that the Permittee will return to compliance within a reasonable timeframe.

C.14 Actions Related to Noncompliance Demonstrated by a Stack Test  
~~[326 IAC 2-8-4][326 IAC 2-8-5]~~

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- (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 ~~its these~~ response actions to IDEM, OAQ, ~~within no later than thirty (30) days of receipt of the test results~~ **seventy-five (75) days after the date of the test.** 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 no later than one hundred eighty (180) twenty (120)~~ **no later than one hundred eighty (180) days after the date of the test.** Should the Permittee demonstrate to IDEM, OAQ that retesting in one hundred **eighty (180)** ~~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 a~~ certification **that meets the requirements of 326 IAC 2-8-5(a)(1)** by an "authorized individual" as defined by 326 IAC 2-1.1-1(1).

- (20) The voice of paragraph (b) of Section C - General Record Keeping Requirements has been changed to clearly indicate that it is the Permittee that must follow the requirements of the paragraph.

C.15 General Record Keeping Requirements [326 IAC 2-8-4(3)] [326 IAC 2-8-5]

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...

- (b) Unless otherwise specified in this permit, for all record keeping requirements not already legally required, the Permittee shall be allowed up to shall be implemented within ninety (90) days **from the date** of permit issuance or ~~ninety (90) days~~ **the date** of initial start-up, whichever is later, **to begin such record keeping.**
- (21) IDEM has decided to simplify the referencing in Section C - Compliance with 40 CFR 82 and 326 IAC 22-1.

C.17 Compliance with 40 CFR 82 and 326 IAC 22-1

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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 **applicable** 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.~~

- (22) For clarity, IDEM has changed references to the general conditions: "in accordance with Section B", "in accordance with Section C", or other similar language, to "Section ... contains the Permittee's obligations with regard to the ... required by this condition."

Sections D.1.2, D.2.2, D.3.2, D.3.4 and D.3.5 have been revised to remove the "in accordance with" reference from this condition.

D.1.2 Preventive Maintenance Plan [326 IAC 1-6-3]

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A Preventive Maintenance Plan, ~~in accordance with Section B - Preventive Maintenance Plan, of this permit,~~ is required for the three (3) boilers, identified as EU-1, EU-2 and EU-3. **Section B - Preventive Maintenance Plan contains the Permittee's obligation with regard to the preventive maintenance plan required by this condition.**

D.2.2 Preventive Maintenance Plan [326 IAC 1-6-3]

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A Preventive Maintenance Plan, ~~in accordance with Section B - Preventive Maintenance Plan, of this permit,~~ is required for emission units EU-4 through EU-10 and their control devices. **Section B - Preventive Maintenance Plan contains the Permittee's obligation with regard to the preventive maintenance plan required by this condition.**

D.3.2 Preventive Maintenance Plan [326 IAC 2-8-4(9)]

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A Preventive Maintenance Plan, ~~in accordance with Section B - Preventive Maintenance Plan, of this permit,~~ is required for emission units EU-11 through EU-26 and their control devices. **Section B - Preventive Maintenance Plan contains the Permittee's obligation with regard to the preventive maintenance plan required by this condition.**

D.3.4 Visible Emissions Notations

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...

- (e) If abnormal emissions are observed, the Permittee shall take reasonable response steps. ~~in accordance with Section C- Response to Excursions or Exceedances~~ **contains the Permittee's obligation with regard to the reasonable response steps required by this condition.** Failure to take response steps ~~in accordance with Section C - Response to Excursions or Exceedances~~ shall be considered a deviation from this permit.

#### D.3.5 Parametric Monitoring

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- (a) The Permittee shall record the pressure drop across the fabric filters used in conjunction with the starch handling process lines except emission unit EU-17 at least once per day when the starch handling process lines are in operation. When for any one reading, the pressure drop across the dust collector is outside the normal range of 3.0 and 6.0 of water or a range established during the latest stack test, the Permittee shall take reasonable steps. ~~in accordance with Section C – Response to Excursions and or Exceedances~~ **contains the Permittee's obligation with regard to the reasonable response steps required by this condition.** A pressure reading that is outside the above mentioned range is not a deviation from this permit. Failure to take response steps ~~in accordance with Section C – Response to Excursions or Exceedances,~~ shall be considered a deviation from this permit.
- (b) The Permittee shall record the pressure drop across the fabric filter used in conjunction with emission unit EU-17 at least once per day when emission unit EU-17 is in operation. When for any one reading, the pressure drop across the dust collector is outside the normal range of 1.5 to 4.5 inches of water or a range established during the latest stack test, the Permittee shall take reasonable steps. ~~in accordance with Section C – Response to Excursions and or Exceedances~~ **contains the Permittee's obligation with regard to the reasonable response steps required by this condition.** A pressure reading that is outside the above mentioned range is not a deviation from this permit. Failure to take response steps ~~in accordance with Section C – Response to Excursions or Exceedances,~~ shall be considered a deviation from this permit.
- (23) IDEM has included the replacement of an instrument as an acceptable action under Parametric Monitoring.

#### D.3.5 Parametric Monitoring

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- ...
- (c) The instrument used for determining the pressure shall comply with Section C - Instrument Specifications, of this permit, shall be subject to approval by IDEM, OAQ, and shall be calibrated **or replaced** at least once every six (6) months.
- (24) The word "status" has been added to Section D - Reporting Requirements. The Permittee has the obligation to document the compliance status. The wording has been revised to properly reflect this.

#### D.2.5 Reporting Requirements

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**Quarterly reports of the amount of VOC delivered to the candy corn drum coater (EU-9) and the candy corn drum polisher (EU-10) and Aa** quarterly summary of the information to document **the compliance status** with Condition D.2.1 shall be submitted ~~to the addresses listed in Section C – General Reporting Requirements, of this permit, within~~ **not later than thirty (30) days** after the end of the quarter being reported. **Section C - General Reporting contains the Permittee's obligation with regard to the reporting required by this condition.** The report submitted by the Permittee does require ~~the~~ **a certification that meet the requirements of 326 IAC 2-8-5(a)(1)** by an "authorized individual" as defined by 326 IAC 2-1.1-1(1).

- (25) The phrase "of this permit" has been added to the paragraph of the Quarterly Deviation and Compliance Monitoring Report to match the underlying rule.

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This report shall be submitted quarterly based on a calendar year. Any deviation from the requirements **of this permit**, 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".

- (26) The word "status" has been added to Section D - Record Keeping Requirements. The Permittee has the obligation to document the compliance status. The wording has been revised to properly reflect this.

#### D.2.4 Record Keeping Requirements

- (a) To document **the** compliance **status** with Condition D.2.1, the Permittee shall maintain records in accordance with (1) and (2) below. Records maintained for (1) and (2) shall be taken monthly and shall be complete and sufficient to establish compliance with the VOC usage limits established in Condition D.2.4.

...

- (b) All records shall be maintained in ~~accordance with~~ Section C - General Record Keeping Requirements of this permit **contains the Permittee's obligations with regard to the records required by this condition.**

#### D.3.7 Record Keeping Requirements

- (a) To document **the** compliance **status** with Condition D.3.4, the Permittee shall maintain a daily record of visible emission notations of the starch handling process lines identified as EU-14 (exhausting at stack S11) and EU-17 (exhausting at stack S14) stack exhausts. The Permittee shall include in each daily record when a visible emission notation is not taken and the reason for the lack of the visible emission notation (e.g., the process did not operate that day).
- (b) To document **the** compliance **status** with Condition D.3.5, the Permittee shall maintain a daily record of the pressure drop across the dust collectors controlling EU-14 and EU-17. The Permittee shall include in each daily record when a pressure drop reading is not taken and the reason for the lack of the pressure drop reading (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 **contains the Permittee's obligations with regard to the records required by this condition.**

The following terms and conditions from previous approvals have been determined no longer applicable; therefore, were not incorporated into this FESOP Renewal:

- (27) All construction conditions from all previously issued permits.

Reason not incorporated: All facilities previously permitted have already been constructed; therefore, the construction conditions are no longer necessary as part of the operating permit. Any facilities that were previously permitted but have not yet been constructed would need new pre-construction approval before beginning construction.

### **Air Pollution Control Justification as an Integral Part of the Process**

Pursuant to permit Federally Enforceable State Operating Permit No: F023-21425-00039, issued on November 18, 2005, the company has submitted the following justification such that the fabric filters used in conjunction with the mold preparation units, starch conditioner, starch conditioner dryer and cooler, and dust top lines be considered as an integral part of these processes:

- (a) The primary purpose of the fabric filters is to collect materials (seasoned starch) necessary for production.

Mogul operations (i.e. mold preparation and starch conditioning) involve preparing a candy mold with starch, which is seasoned or conditioned (i.e. moisture content is reduced) prior to its application. The seasoned starch is deposited onto a board to form a mold for the candy shape. Liquid ingredients are added and then removed once they solidify. The seasoned starch serves three functions after being deposited: It holds the shape of the mold, does not stick to the print board, and removes moisture from the candy.

Use of unconditioned starch is not practical because it has a high moisture content, which does not hold its form once deposited and sticks to the print board. Furthermore, use of unconditioned starch does not create a significant difference in the moisture content between the starch and the liquid ingredients that is deemed necessary in order to remove moisture from the candy. Presence of high moisture in candy will result in distorted shapes and cause fermentation or mold growth. Therefore, the target moisture content range for conditioned starch is between 6 to 8 percent, with absolute maximum of 9 percent; while for the unconditioned starch it is typically at 12 percent. When running a high moisture item like marshmallows, the conditioned starch moisture content increases to 9 percent. The starch conditioning equipment is then employed to reduce the moisture content of the starch from 9 percent to the target range.

Use of new starch for every production run would prove inefficient since it would take considerable time for starch conditioning, i.e. reducing the moisture content from 12 percent to the target range. According to the Permittee, when new equipment (mogul for candy corn) was purchased, all trays contained new starch and the operation ran for seven days without any candy production in order to condition the starch such that it began to hold a good print and release properly from the print board. The purpose of the high efficiency fabric filters is to collect the seasoned starch to be reused in production after being removed from the board.

(b) The operation of fabric filters result in a significant cost savings.

(1) Dust Tops Lines EU-20 through EU-26

A typical dust top line fabric filter collects 50 pounds of starch in 9.5 hours and operates 2,600 hours per year. The starch is returned to the moguls for reuse for mold preparation. If the starch was not collected and discharged, it would need to be replaced with new starch at an equivalent rate. The cost of starch is \$0.215 per pound and the source operates seven (7) dust top lines. Therefore, annual savings are equal to:

$$50 \text{ lbs}/9.5 \text{ hours} * \$ 0.215 /\text{lb starch} * 2,600 \text{ hours}/\text{year} * 7 \text{ units} = \$ 20,813 \text{ per year.}$$

According to the Permittee, the combined capital cost for all of the dust top line fabric filters is equal to \$1,680; and the combined operation & maintenance cost is equal to \$4,200 per year. Therefore, there is a significant cost savings as compared to the cost of the controls.

(2) Laser Cleaner EU-19

The laser cleaner fabric filter collects 125 pounds of starch per hour, and operates 1,188 hours per year. The starch is returned to the moguls for reuse. If the starch was not collected and re-used, it would need to be replaced with new starch at an equivalent rate. The cost of starch is \$ 0.215 per pound. Therefore, the annual savings are equal to:

$$125 \text{ lbs}/\text{hour} * \$ 0.215 /\text{lb starch} * 1,188 \text{ hours}/\text{year} = \$ 31,927 \text{ per year.}$$

According to the Permittee, the capital cost for the laser cleaner fabric filter is equal to \$1,680; and the operation & maintenance cost is equal to \$4,200 per year. Therefore, there is a significant cost savings as compared to the cost of the controls.

(3) Units EU-11 through EU-18

Three (3) moguls are used in conjunction with starch handling process lines identified as EU-11 through EU-18. One mogul operates at a rate of 28 boards per minute and uses 11 pounds of starch per board. This is equivalent to 18,480 pounds of starch per hour. The facility adds approximately 1,000 pounds of new starch per day to each mogul, equivalent to 105 pounds of new starch per hour (when operating 9.5 hours per day). If the fabric filters used in conjunction with the moguls were not in operation, the starch cannot be collected for reuse. Therefore, the net increase of new starch consumption would be equal to 18,375 pounds of starch per hour (18,480 – 105). The cost of starch is equal to \$ 0.215 per pound. Therefore, for one hour an addition of new starch per mogul would cost \$3,950.63. For 2,600 hours of operation per year, the annual losses are equal to:

$$18,375 \text{ lbs starch}/\text{hour} * \$ 0.215 /\text{lb starch} * 2,600 \text{ hours}/\text{year} * 3 \text{ units} = \$30,814,875 \text{ per year.}$$

According to the Permittee, the capital cost for the fabric filters used in conjunction with the moguls is equal to \$25,920; and the operation & maintenance cost is equal to \$105,000 per year. Therefore, there is a significant cost savings as compared to the cost of the controls. Furthermore, since the new starch has a moisture content of approximately 12 percent, it would be necessary to condition it in order to reduce the moisture content to the target range. The conditioners (dryers and coolers) are not capable of seasoning the new starch fast enough to keep up with production rate. Therefore, this would lead to additional losses.

IDEM, OAQ has evaluated the justifications and agreed that the fabric filters will be considered as an integral part of the starch handling process lines because the fabric filters are used as collection devices and their operation results in a significant cost savings. Therefore, the permitting level will be determined using the potential to emit after the fabric filters. Operating conditions in the proposed permit will specify that the fabric filters shall operate at all times when the starch handling process lines are in operation. The determination that the fabric filters are integral to the process was made pursuant to permit Federally Enforceable State Operating Permit No: F023-21425-00039, issued November 18, 2005.

### Enforcement Issue

There are no enforcement actions pending.

### Emission Calculations

See Appendix A of this document for detailed emission calculations.

### County Attainment Status

The source is located in Clinton County

Pollutant	Designation
SO <sub>2</sub>	Better than national standards.
CO	Unclassifiable or attainment effective November 15, 1990.
O <sub>3</sub>	Unclassifiable or attainment effective June 15, 2004, for the 8-hour ozone standard. <sup>1</sup>
PM <sub>10</sub>	Unclassifiable effective November 15, 1990.
NO <sub>2</sub>	Cannot be classified or better than national standards.
Pb	Not designated.
<sup>1</sup> Unclassifiable or attainment effective October 18, 2000, for the 1-hour ozone standard which was revoked effective June 15, 2005. Unclassifiable or attainment effective 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) On September 6, 2007, the Indiana Air Pollution Control Board finalized a temporary emergency rule to re-designate Allen, Clark, Elkhart, Floyd, LaPorte, and St. Joseph as attainment for the 8-hour ozone standard.
  - (3) On November 9, 2007, the Indiana Air Pollution Control Board finalized a temporary emergency rule to re-designate Boone, Clark, Elkhart, Floyd, LaPorte, Hamilton, Hancock, Hendricks, Johnson, Madison, Marion, Morgan, Shelby, and St. Joseph as attainment for the 8-hour ozone standard.

- (4) Volatile organic compounds (VOC) and Nitrogen Oxides (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 ozone. Clinton County has been designated as attainment or unclassifiable for ozone. Therefore, VOC and NOx emissions were reviewed pursuant to the requirements for Prevention of Significant Deterioration (PSD), 326 IAC 2-2.
- (b) **PM2.5**  
Clinton County has been classified as attainment for PM2.5. On May 8, 2008 U.S. EPA promulgated the requirements for Prevention of Significant Deterioration (PSD) for PM2.5 emissions, and the effective date of these rules was July 15, 2008. Indiana has three years from the publication of these rules to revise its PSD rules, 326 IAC 2-2, to include those requirements. The May 8, 2008 rule revisions require IDEM to regulate PM10 emissions as a surrogate for PM2.5 emissions until 326 IAC 2-2 is revised.
- (c) **Other Criteria Pollutants**  
Clinton County has been classified as attainment or unclassifiable in Indiana for all other criteria pollutants. Therefore, these emissions were reviewed pursuant to the requirements for Prevention of Significant Deterioration (PSD), 326 IAC 2-2.
- (d) **Fugitive Emissions**  
Since this type of operation is not one of the twenty-eight (28) listed source categories under 326 IAC 2-2 or 326 IAC 2-3, fugitive emissions are not counted toward the determination of PSD and Emission Offset applicability.

### **Unrestricted Potential Emissions**

Appendix A of this TSD reflects the unrestricted potential emissions of the source.

- (a) The potential to emit (as defined in 326 IAC 2-7-1(29)) of pollutant VOC is equal to or greater than 100 tons per year. The source is subject to the provisions of 326 IAC 2-7. However, the source has agreed to limit their VOC emissions to less than Title V levels, therefore the source will be issued a FESOP.
- (b) The potential to emit (as defined in 326 IAC 2-7-1(29)) of all other criteria pollutants are less than 100 tons per year.
- (c) The potential to emit (as defined in 326 IAC 2-7-1(29)) of any single HAP is less than ten (10) tons per year and the potential to emit (as defined in 326 IAC 2-7-1(29)) of a combination of HAPs is less than twenty-five (25) tons per year.

Since this type of operation is not one of the twenty-eight (28) listed source categories under 326 IAC 2-7, fugitive emissions are not counted toward the determination of Part 70 applicability.

### **Potential to Emit After Issuance**

The source has opted to remain a FESOP source. The table below summarizes the potential to emit, reflecting all limits of the emission units. Any control equipment is considered enforceable only after issuance of this FESOP and only to the extent that the effect of the control equipment is made practically enforceable in the permit.

Process/ Emission Unit	Potential To Emit (tons/year)							
	PM	PM <sub>10</sub>	PM <sub>2.5</sub>	SO <sub>2</sub>	NO <sub>x</sub>	VOC	CO	HAPs
Natural Gas-Fired Boilers EU-1, EU-2 and EU-3	0.42	1.67	1.67	0.13	21.99	1.21	18.47	0.41
Belt Polisher EU-4	-	-	-	-	-	3.01	-	-
Belt Polisher EU-5	-	-	-	-	-	3.01	-	-
Belt Polisher EU-6	-	-	-	-	-	3.01	-	-
Belt Polisher EU-7	-	-	-	-	-	3.01	-	-
Coater & Polisher EU-8	-	-	-	-	-	4.33	-	-
Candy Corn Drum Coater EU-9	-	-	-	-	-	<25.00 <sup>1</sup>	-	-
Candy Corn Drum Coater EU-10	-	-	-	-	-	<25.00 <sup>1</sup>	-	-
EU-11 through EU-18	1.09	1.09	1.09	-	-	-	-	-
EU-19 through EU-26	2.71	2.71	2.71	-	-	-	-	-
Degreasing operations	-	-	-	-	-	-	-	-
Paved Roads	0.61	0.12	0.02	-	-	-	-	-
<b>Total Emissions</b>	<b>4.84</b>	<b>5.59</b>	<b>5.49</b>	<b>0.13</b>	<b>21.99</b>	<b>&lt;67.57</b>	<b>18.47</b>	<b>0.41</b>

Note 1: Pursuant to FESOP No. F023-21425-00039, issued on November 18, 2005, the source limited the VOC emissions from EU-9 and EU-10 to less than 25 tons per year each, and to less than major source threshold levels under 326 IAC 2-8 in order to render 326 IAC 2-7 and 326 IAC 8-1-6 not applicable.

- (a) This existing stationary source is not major for PSD because the emissions of each criteria pollutant are less than two hundred fifty (<250) tons per year, and it is not one of the twenty-eight (28) listed source categories.
- (b) Fugitive Emissions  
 Since this type of operation is not one of the twenty-eight (28) listed source categories under 326 IAC 2-2 or 326 IAC 2-3, fugitive emissions are not counted toward the determination of PSD and Emission Offset applicability.

**Federal Rule Applicability**

- (a) The requirements of the New Source Performance Standards for Standards of Performance for Fossil-Fuel-Fired Steam Generators for Which Construction Is Commenced After August 17, 1971 (40 CFR 60.40, Subpart D), are not included in the permit for the boiler identified as EU-1, because the boiler is rated at less than two hundred and fifty (250) MMBtu per hour.
- (b) The requirements of the New Source Performance Standards for Standards of Performance for Fossil-Fuel-Fired Steam Generators for Which Construction Is Commenced After August 17, 1971 (40 CFR 60.40, Subpart D), are not included in the permit for the two (2) boilers identified as EU-2 and EU-3, because each boiler was constructed prior to August 17, 1971, and each boiler is rated at less than two hundred and fifty (250) MMBtu per hour.

- (c) The requirements of the New Source Performance Standards for Standards of Performance for Electric Utility Steam Generating Units for Which Construction is Commenced After September 18, 1978 (40 CFR 60.40, Subpart Da), are not included in the permit for the boiler identified as EU-1, because the boiler is rated at less than two hundred and fifty (250) MMBtu per hour.
- (d) The requirements of the New Source Performance Standards for Standards of Performance for Electric Utility Steam Generating Units for Which Construction is Commenced After September 18, 1978 (40 CFR 60.40, Subpart Da), are not included in the permit for the two (2) boilers identified as EU-2 and EU-3, because each boiler was constructed prior to September 18, 1978, and each boiler is rated at less than two hundred and fifty (250) MMBtu per hour.
- (e) The requirements of the New Source Performance Standards for Standards of Performance for Industrial-Commercial-Institutional Steam Generating Units (40 CFR 60.40, Subpart Db), are not included in the permit for the boiler identified as EU-1, because the boiler is rated at less than one hundred (100) MMBtu per hour.
- (f) The requirements of the New Source Performance Standards for Standards of Performance for Industrial-Commercial-Institutional Steam Generating Units (40 CFR 60.40, Subpart Db), are not included in the permit for the two (2) boilers identified as EU-2 and EU-3, because each boiler is rated at less than one hundred (100) MMBtu per hour.
- (g) The requirements of the New Source Performance Standard for Standards of Performance for Small Industrial-Commercial-Institutional Steam Generating Units (40 CFR 60.40c, Subpart Dc), are not included in the permit for two (2) boilers identified as EU-2 and EU-3, because each boiler was constructed prior to June 9, 1989.
- (h) The boiler, identified as EU-1, is subject to the New Source Performance Standard for Standards of Performance for Small Industrial-Commercial-Institutional Steam Generating Units (40 CFR 60.40, Subpart Dc), which is incorporated by reference as 326 IAC 12. The boiler is subject to this NSPS because the boiler was constructed in 1997, which is after the rule applicability date of June 1989, and the boiler is rated at less than one hundred (100) MMBtu, but greater than ten (10) MMBtu per hour. However, EU-1 is subject to limited requirements because it combusts only natural gas and is rated at less than 30 MMBtu per hour.

The one natural gas-fired boiler, identified as EU-1, is subject to the following portions of Subpart Dc.

- (1) 40 CFR 60.40c(a)
- (2) 40 CFR 60.41c
- (3) 40 CFR 60.48c(a), (a)(1), and (a)(3)
- (4) 40 CFR 60.48c(g) and (i)

The requirements of 40 CFR Part 60, Subpart A – General Provisions, which are incorporated as 326 IAC 12-1, apply to the boiler, identified as EU-1, except as otherwise specified in 40 CFR 60, Subpart Dc.

- (i) There are no other New Source Performance Standards (NSPS) (326 IAC 12 and 40 CFR Part 60) included in the permit for this source.
- (j) There are no National Emission Standards for Hazardous Air Pollutants (NESHAP) (326 IAC 14, 326 IAC 20 and 40 CFR Part 63) included in this permit renewal.

### **State Rule Applicability - Entire Source**

#### **326 IAC 2-2 (Prevention of Significant Deterioration(PSD))**

This source is not a major stationary source, under PSD (326 IAC 2-2), because the potential to emit of all attainment regulated pollutants are less than 250 tons per year, and this source is not one of the twenty-eight (28) listed source categories, as specified in 326 IAC 2-2-1(gg)(1). Therefore, pursuant to 326 IAC 2-2, the PSD requirements do not apply.

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

The potential to emit of any single HAP is less than ten (10) tons per year and the potential to emit of a combination of HAPs is less than twenty-five (25) tons per year. Therefore, this source is an area source under Section 112 of the Clean Air Act (CAA) and not subject to the provisions of 326 IAC 2-4.1.

#### **326 IAC 2-6 (Emission Reporting)**

This source is located in Clinton County and the potential to emit of each criteria pollutant is less than one hundred (100) tons per year. Therefore, 326 IAC 2-6 does not apply.

#### **326 IAC 2-8-4 (FESOP)**

Pursuant to this 326 IAC 2-8-4, the source shall limit pollutant VOC to less than one hundred (100) tons per year. Therefore, the requirements of 326 IAC 2-7 are not applicable.

In order to comply with the requirements of 326 IAC 2-8-4 (FESOP), the source shall comply with the following:

- (a) The amount of VOC delivered to the one (1) candy corn drum coater, identified as EU-9 shall be limited to less than twenty-five (25) tons per twelve (12) consecutive month period, with compliance determined at the end of each month.
- (b) The amount of VOC delivered to the one (1) candy corn drum polisher, identified as EU-10 shall be limited to less than twenty-five (25) tons per twelve (12) consecutive month period, with compliance determined at the end of each month.

Compliance with VOC limits in paragraph (a) and (b) plus unrestricted VOC emissions from units EU-4 through EU-8, three (3) natural gas-fired boilers, and all other VOC emissions from the entire source will limit the source-wide potential to emit VOC to less than 100 tons per year and render the requirements of 326 IAC 2-7 not applicable.

#### **326 IAC 5-1 (Opacity Limitations)**

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

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

#### **326 IAC 6-4 (Fugitive Dust Emissions Limitations)**

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

326 IAC 6-5 (Fugitive Particulate Matter Emission Limitations)

The source is not subject to the requirements of 326 IAC 6-5, because the paved roads have potential fugitive particulate emissions less than 25 tons per year.

326 IAC 7-1.1 (Sulfur Dioxide Emission Limitations)

All emission units at the source have potential to emit less than twenty-five (25) tons per year and less than ten (10) pounds per hour of sulfur dioxide; therefore, all emission units at the source are not subject to the requirements of 326 IAC 7-1.1

326 IAC 8-6-1 (Organic Solvent Emission Limitations)

The source is located in Clinton County and was constructed after January 1, 1980; therefore, the requirements of 326 IAC 8-6-1 do not apply to this source.

326 IAC 8-9 (Volatile Organic Liquid Vessels)

The source is located in Clinton County; therefore, the requirements of 326 IAC 8-9 (Volatile Organic Liquid Vessels) do not apply to this source.

**State Rule Applicability – Individual Facilities**

Belt Polishers, Coater & Polisher, Candy Corn Drum Coaters

326 IAC 6-3-2 (Particulate Emission Limitations for Manufacturing Processes)

The belt polishers, identified as EU-4, EU-5, EU-6, and EU-7, coater & polisher unit, identified as EU-8, candy corn drum coater, identified as EU-9, and candy corn drum polisher, identified as EU-10 each have potential particulate emissions less than 0.551 lbs per hour. Therefore, pursuant to 326 IAC 6-3-1(14), emission units EU-4 through EU-10 are not subject to the requirements of 326 IAC 6-3.

326 IAC 8-1-6 (VOC Rules: General Reduction Requirements for New Facilities)

- (a) The belt polishers (identified as EU-4, EU-5, EU-6, and EU-7), coater & polisher unit (identified as EU-8) are not subject to the requirements of 326 IAC 8-1-6, since the unlimited VOC potential emissions from emission units EU-4, EU-5, EU-6, EU-7, and EU-8 are each less than twenty-five (25) tons per year.
- (b) The unlimited VOC potential emissions from the candy corn drum coater (EU-9) and candy corn drum polisher (EU-10) are each greater than twenty-five (25) tons per year. However, the source shall limit the VOC potential emissions from the candy corn drum coater (EU-9) and candy corn drum polisher (EU-10) to less than twenty-five (25) tons per year each. Therefore, the requirements of 326 IAC 8-1-6 do not apply.

In order to render the requirements of 326 IAC 8-1-6 not applicable, the candy corn drum coater (EU-9) and candy corn drum polisher (EU-10) shall be limited as follows:

- (1) The amount of VOC delivered to the one (1) candy corn drum coater, identified as EU-9 shall be limited to less than twenty-five (25) tons per twelve (12) consecutive month period, with compliance determined at the end of each month.
- (2) The amount of VOC delivered to the one (1) candy corn drum polisher, identified as EU-10 shall be limited to less than twenty-five (25) tons per twelve (12) consecutive month period, with compliance determined at the end of each month.

Compliance with these limits shall limit the potential to emit VOC from the candy corn drum coater (EU-9) and candy corn drum polisher (EU-10) to less than twenty-five (25) tons per 12 consecutive month period each and shall render 326 IAC 8-1-6 (VOC Rules: General Reduction Requirements for New Facilities) not applicable.

## Boilers

### 326 IAC 6-2-3 (Particulate Emission Limitations for Sources of Indirect Heating)

The natural gas-fired boilers identified as EU-2 and EU-3 were constructed in 1958 and each has a maximum heat input capacity of 12.6 MMBtu per hour. Therefore, pursuant to 326 IAC 6-2-3(a), the particulate emissions from the two (2) natural gas-fired boilers, identified as EU-2 and EU-3, which were existing and in operation before September 21, 1983 shall be calculated using the following equation:

$$Pt = \frac{C*a*h}{76.5*Q^{0.75}*N^{0.25}}$$

Where:

- Pt = Pounds of particulate matter emitted per million Btu heat input (lb/MMBtu).  
C = 50 ug/m<sup>3</sup>  
a = Plume rise factor. The value 0.67 shall be used for Q less than or equal to 1,000 mmBtu/hr heat input.  
Q = Total source maximum operating capacity rating in million Btu per hour (mmBtu/hr) heat input. (25.2 MMBtu per hour)  
N = Number of stacks (2)  
h = Stack height in feet. (30.5 feet). Both stacks are 30.5ft, so an average stack height was not calculated.

The emission rate limit using the above equation is equal to 0.99 pounds PM per MMBtu. However, 326 IAC 6-2-3 (d) (Particulate Emission Limitations for Sources of Indirect Heating), PM emissions from all facilities used for indirect heating purposes which were existing and in operation on or before June 8, 1972, shall not exceed 0.8 pounds of particulate matter per million British thermal units heat input (lb/MMBtu). Therefore, each of the two (2) boilers, identified as EU-2 and EU-3, shall not exceed 0.8 pounds of PM per MMBtu heat input.

Based on the AP-42 particulate emission factor for natural gas combustion, the potential to emit particulate emissions from the two (2) boilers, identified as EU-2 and EU-3, is 0.002 pounds per million British thermal units. Therefore, the two (2) boilers, identified as EU-2 and EU-3, are able to comply with this rule when burning natural gas.

### 326 IAC 6-2-4 (Particulate Emission Limitations for Sources of Indirect Heating)

Pursuant to 326 IAC 6-2-4, indirect heating units constructed after September 21, 1983 shall be limited using the following equation:

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

where: Pt = Pounds of particulate matter emitted per million British thermal units (lb/MMBtu) heat input

Q = Total source maximum operating capacity rating in million British thermal units per hour (MMBtu/hr) heat input. The maximum operating capacity rating is defined as the maximum capacity at which the facility is operated or the nameplate capacity, whichever is specified in the facility's permit application, except when some lower capacity is contained in the facility's operation permit; in which case, the capacity specified in the operation permit shall be used.

For Boiler EU-1 Q= 12.6+12.6+ 25.0

$$Pt = 1.09/(50.2)^{0.26} = 0.39 \text{ lbs PM/MMBtu heat input}$$

Based on the AP-42 particulate emission factor for natural gas combustion, the potential to emit particulate emissions from the boiler, identified as EU-1, is 0.002 pounds per million British thermal units. Therefore, the boiler, identified as EU-1, is able to comply with this rule when burning natural gas.

326 IAC 6-3 (Particulate Emission Limitations for Manufacturing Processes)

The three (3) boilers, identified as EU-1, EU-2 and EU-3, are each exempt from the requirements of 326 IAC 6-3 since they are sources of indirect heating.

326 IAC 8-1-6 (VOC Rules: General Reduction Requirements for New Facilities)

Each boiler is not subject to the requirements of 326 IAC 8-1-6, since the uncontrolled VOC potential emissions for VOC from each boiler is less than twenty-five (25) tons per year.

Starch Handling Process Lines (EU-11 through EU-26)

326 IAC 6-3-2 (Particulate Emission Limitations for Manufacturing Processes)

Pursuant to 326 IAC 6-3-2 (Particulate Emission Limitations for Manufacturing Processes), the allowable particulate emissions from the starch handling process lines (identified as EU-11 through EU-26) shall not exceed the pounds per hour limits as shown in the table on the next page.

Equipment Description	Unit ID	Maximum Process Weight (tons/hour) for each unit of that type	326 IAC 6-3 Allowable Emission Rate (lbs/hr)	Maximum Particulate Emissions before integral controls (lb/hour)
Mold Preparation - Mogul 1	EU-11	5.14	12.3	103.6
Starch Conditioner - Mogul 1	EU-12	9.92	19.1	103.6
Mold Preparation - Mogul 2	EU-13	5.42	12.7	103.6
Starch Cond. Dryer - Mogul 2	EU-14	9.92	19.1	88.8
Starch Cond. Cooler - Mogul 2	EU-15	9.92	19.1	88.8
Mold Preparation - Mogul 3	EU-16	3.91	10.2	26.3
Starch Cond. Dryer - Mogul 3	EU-17	9.92	19.1	80.6
Starch Cond. Cooler - Mogul 3	EU-18	9.92	19.1	88.8
Laser Cleaner	EU-19	3.90	10.2	49.3
Dust Top Line 1	EU-20	2.11	6.76	162.8
Dust Top Line 2	EU-21	2.11	6.76	162.8
Dust Top Line 3	EU-22	2.11	6.76	162.8
Dust Top Line 4	EU-23	2.11	6.76	162.8
Dust Top Line 5	EU-24	2.11	6.76	162.8
Dust Top Line 6	EU-25	2.11	6.76	162.8
Dust Top Line 7	EU-26	2.11	6.76	162.8

The pounds per hour limitations were calculated using the following equation:

Interpolation of the data for the process weight rate up to 60,000 pounds per hour shall be accomplished by use of the equation:

$$E = 4.10 P^{0.67}$$

where E = rate of emission in pounds per hour; and  
 P = process weight rate in tons per hour

The fabric filters for particulate control shall be in operation and control emissions from the starch handling process lines at all times that the starch handling process lines are in operation, in order to comply with these limits.

Degreasing operations

326 IAC 6-3-2 (Particulate Emission Limitations for Manufacturing Processes)

Pursuant to 326 IAC 6-3-1(b)(14), the one (1) Heritage-Crystal Clean parts washer is not subject to the requirements of 326 IAC 6-3 because it does not have the potential to emit particulate matter (i.e., less than 0.551 pounds per hour).

326 IAC 8-3-2 (Cold Cleaner Operations)

The one (1) Heritage-Crystal Clean parts washer is a cold cleaner degreaser constructed after January 1, 1980. Therefore, pursuant to 326 IAC 8-3-2 (Cold Cleaner Operations), the owner or operator shall:

- (a) Equip the cleaner with a cover;
- (b) Equip the cleaner with an emissions unit for draining cleaned parts;
- (c) Close the degreaser cover whenever parts are not being handled in the cleaner;
- (d) Drain cleaned parts for at least fifteen (15) seconds or until dripping ceases;
- (e) Provide a permanent, conspicuous label summarizing the operation requirements;
- (f) Store waste solvent only in covered containers and not dispose of waste solvent or transfer it to another party, in such a manner that greater than twenty percent (20%) of the waste solvent (by weight) can evaporate into the atmosphere.

326 IAC 8-3-5 (Cold Cleaner Degreaser Operation and Control)

The one (1) Heritage-Crystal Clean parts washer is a cold cleaner degreaser constructed after January 1, 1980. Therefore, Pursuant to 326 IAC 8-3-5(a) (Cold Cleaner Degreaser Operation and Control), the owner or operator of a cold cleaner degreaser facility shall ensure that the following control equipment 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 used is insoluble in, and heavier than, water.
  - (C) Other systems of demonstrated equivalent control such as a refrigerated chiller or 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 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.

### **Compliance Determination and Monitoring Requirements**

Permits issued under 326 IAC 2-8 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 2-8-4. As a result, Compliance Determination Requirements are included in the permit. The Compliance Determination Requirements in Section D of the permit are those conditions that are found directly within state and federal rules and the violation of which serves as grounds for enforcement action.

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

The compliance determination requirements applicable to this source are as follows:

- (a) Compliance with the VOC usage limitations for emission units EU-9 and EU-10 shall be determined pursuant to 326 IAC 8-1-4(a)(3) and 326 IAC 8-1-2(a) by preparing or obtaining from the manufacturer the copies of the "as supplied" and "as applied" VOC data sheets. IDEM, OAQ, reserves the authority to determine compliance using Method 24 in conjunction with the analytical procedures specified in 326 IAC 8-1-4.

These requirements are necessary emission units EU-9 and EU-10 in order to ensure compliance with 326 IAC 2-8 (FESOP) and 326 IAC 8-1-6.

- (b) In order to comply with 326 IAC 6-3-2, the fabric filters for particulate control shall be in operation and control emissions from the starch handling process lines (identified as EU-11 through EU-26) at all times the starch handling process lines (identified as EU-11 through EU-26) are in operation.
- (c) In the event that bag failure is observed in a multi-compartment baghouse, if operations will continue for ten (10) days or more after the failure is observed before the failed units will be repaired or replaced, the Permittee shall promptly notify the IDEM, OAQ of the expected date the failed units will be repaired or replaced. The notification shall also include the status of the applicable compliance monitoring parameters with respect to normal, and the results of any response actions taken up to the time of notification.

The compliance monitoring requirements applicable to this source are as follows:

<b>Emission Unit</b>	<b>Parameter</b>	<b>Frequency</b>	<b>Range</b>	<b>Excursions and Exceedances</b>
EU-14(stack S11) and EU-17(stack S14)	Visible Emissions	Daily	Normal-Abnormal	Response Steps
EU-11 through EU-16 and EU-18 through EU-26	Water Pressure Drop	Daily	3 to 6 inches	Response Steps
EU-17	Water Pressure Drop	Daily	1.5 to 4.5 inches	Response Steps

These requirements are necessary because the fabric filters for the starch handling process lines, identified as EU-11 through EU-26, must operate properly to ensure compliance with 326 IAC 2-8 (FESOP) and 326 IAC 6-3-2.

### **Recommendation**

The staff recommends to the Commissioner that the FESOP Renewal be approved. This recommendation is based on the following facts and conditions:

Unless otherwise stated, information used in this review was derived from the application and additional information submitted by the applicant.

An application for the purposes of this review was received on November 24, 2009. Additional information was received on January 11, 2010.

### **Conclusion**

The operation of this stationary candy manufacturing plant shall be subject to the conditions of the attached FESOP Renewal No. F023-28687-00039.

**Appendix A: Emissions Calculations  
Summary**

**Company Name:** Zachary Confections, Inc.  
**Address City IN Zip:** 2130 West State Road 28, Frankfort, Indiana 46041  
**Permit Number:** F023-28687-00039  
**Reviewer:** Sarah Conner, Ph. D.  
**Date:** 11/25/2009

Emission Unit	<sup>1</sup> Uncontrolled PTE (tons/year)								
	PM	PM10	PM2.5	SO <sub>2</sub>	NO <sub>x</sub>	VOC	CO	Total HAPs	Single HAP
Natural Gas-Fired Boilers EU-1, EU-2 and EU-3	0.42	1.67	1.67	0.13	21.99	1.21	18.47	0.41	0.396 (Hexane)
Belt Polisher EU-4	-	-	-	-	-	3.01	-	-	-
Belt Polisher EU-5	-	-	-	-	-	3.01	-	-	-
Belt Polisher EU-6	-	-	-	-	-	3.01	-	-	-
Belt Polisher EU-7	-	-	-	-	-	3.01	-	-	-
Coater & Polisher EU-8	-	-	-	-	-	4.33	-	-	-
Candy Corn Drum Coater EU-9	-	-	-	-	-	104.36	-	-	-
Candy Corn Drum Coater EU-10	-	-	-	-	-	56.19	-	-	-
EU-11 through EU-18	1.09	1.09	1.09	-	-	-	-	-	-
EU-19 through EU-26	2.71	2.71	2.71	-	-	-	-	-	-
Degreasing operations	-	-	-	-	-	-	-	-	-
Paved Roads	0.61	0.12	0.02	-	-	-	-	-	-
<b>TOTAL =</b>	<b>4.84</b>	<b>5.59</b>	<b>5.49</b>	<b>0.13</b>	<b>21.99</b>	<b>178.13</b>	<b>18.47</b>	<b>0.41</b>	<b>0.396 (Hexane)</b>

Note 1: Uncontrolled PTE is equal to Controlled PTE because the fabric filters from emission units EU-11 through EU-26 are integral to the process pursuant to FESOP No. F023-21425-00039, issued on November 18, 2005.

Emission Unit	<sup>2</sup> Limited PTE (tons/year)								
	PM	PM10	PM2.5	SO <sub>2</sub>	NO <sub>x</sub>	VOC	CO	Total HAPs	Single HAP
Natural Gas-Fired Boilers EU-1, EU-2 and EU-3	0.42	1.67	1.67	0.13	21.99	1.21	18.47	0.41	0.396 (Hexane)
Belt Polisher EU-4	-	-	-	-	-	3.01	-	-	-
Belt Polisher EU-5	-	-	-	-	-	3.01	-	-	-
Belt Polisher EU-6	-	-	-	-	-	3.01	-	-	-
Belt Polisher EU-7	-	-	-	-	-	3.01	-	-	-
Coater & Polisher EU-8	-	-	-	-	-	4.33	-	-	-
Candy Corn Drum Coater EU-9	-	-	-	-	-	<25.00	-	-	-
Candy Corn Drum Coater EU-10	-	-	-	-	-	<25.00	-	-	-
EU-11 through EU-18	1.09	1.09	1.09	-	-	-	-	-	-
EU-19 through EU-26	2.71	2.71	2.71	-	-	-	-	-	-
Degreasing operations	-	-	-	-	-	0.00	-	-	-
Paved Roads	0.61	0.12	0.02	-	-	-	-	-	-
<b>TOTAL =</b>	<b>4.84</b>	<b>5.59</b>	<b>5.49</b>	<b>0.13</b>	<b>21.99</b>	<b>&lt;67.57</b>	<b>18.47</b>	<b>0.41</b>	<b>0.396 (Hexane)</b>

Note 2: Pursuant to FESOP No. F023-21425-00039, issued on November 18, 2005, the source limited the VOC emissions from EU-9 and EU-10 to less than 25 tons per year each, and to less than major source threshold levels under 326 IAC 2-8 in order to render 326 IAC 2-7 and 326 IAC 8-1-6 not applicable.

**Appendix A: Emissions Calculations  
Natural Gas Combustion Only  
MM BTU/HR <100**

**Company Name: Zachary Confections, Inc.  
Address City IN Zip: 2130 West State Road 28, Frankfort, Indiana 46041  
Permit Number: F023-28687-00039  
Reviewer: Sarah Conner, Ph. D.  
Date: 11/25/2009**

Heat Input Capacity  
MMBtu/hr

Potential Throughput  
MMCF/yr

50.2

439.8

Total for emission units EU-1, EU-2, and EU-3

Emission Factor in lb/MMCF	Pollutant						
	PM*	PM10*	PM2.5	SO <sub>2</sub>	NOx	VOC	CO
	1.9	7.6	7.6	0.6	100 **see below	5.5	84
Potential Emission in tons/yr	0.42	1.67	1.67	0.13	21.99	1.21	18.47

\*PM emission factor is filterable PM only. PM10 emission factor is filterable and condensable PM10 combined.

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

**Methodology**

All emission factors are based on normal firing.

MMBtu = 1,000,000 Btu

MMCF = 1,000,000 Cubic Feet of Gas

Emission Factors are from AP 42, Chapter 1.4, Tables 1.4-1, 1.4-2, 1.4-3, SCC #1-02-006-02, 1-01-006-02, 1-03-006-02, and 1-03-006-03

Potential Throughput (MMCF) = Heat Input Capacity (MMBtu/hr) x 8,760 hrs/yr x 1 MMCF/1,000 MMBtu

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

See next page for HAPs emissions calculations.

**Appendix A: Emissions Calculations**  
**Natural Gas Combustion Only**  
**MM BTU/HR <100**  
**HAPs Emissions**

**Company Name: Zachary Confections, Inc.**  
**Address City IN Zip: 2130 West State Road 28, Frankfort, Indiana 46041**  
**Permit Number: F023-28687-00039**  
**Reviewer: Sarah Conner, Ph. D.**  
**Date: 11/25/2009**

HAPs - Organics					
Emission Factor in lb/MMcf	Benzene 2.1E-03	Dichlorobenzene 1.2E-03	Formaldehyde 7.5E-02	Hexane 1.8E+00	Toluene 3.4E-03
Potential Emission in tons/yr	4.617E-04	2.639E-04	0.016	0.396	7.476E-04

HAPs - Metals						
Emission Factor in lb/MMcf	Lead 5.0E-04	Cadmium 1.1E-03	Chromium 1.4E-03	Manganese 3.8E-04	Nickel 2.1E-03	Total
Potential Emission in tons/yr	1.099E-04	2.419E-04	3.078E-04	8.355E-05	4.617E-04	0.415

Methodology is the same as previous page.

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

**Appendix A: Emissions Calculations  
PTE of Volatile Organic Compounds**

**Company Name: Zachary Confections, Inc.**  
**Address City IN Zip: 2130 West State Road 28, Frankfort, Indiana 46041**  
**Permit Number: F023-28687-00039**  
**Reviewer: Sarah Conner, Ph. D.**  
**Date: 11/25/2009**

Unit Name	Unit ID	Process Description	Operation (Panning Department)	Maximum Capacity (lbs candy/hour)	Maximum Process Rate (lbs/hour)	* Weight % VOC	PTE of VOC (lbs/hour)	PTE of VOC (tons/year)
Belt Polisher No. 1	EU-4	**Liquid polish is sprayed on candy as it is tumbled out on a rotating belt	Belt Polish Unit	500	1.03	67%	0.69	3.01
Belt Polisher No. 2	EU-5			500	1.03	67%	0.69	3.01
Belt Polisher No. 3	EU-6			500	1.03	67%	0.69	3.01
Belt Polisher No. 4	EU-7			500	1.03	67%	0.69	3.01
Coater & Polisher	EU-8	**Liquid polish is applied to candy	Dumonlin Coater/Polisher	720	1.48	67%	0.99	4.33

\* Weight % VOC (ethanol) from the MSDS as provided by the Permittee.

\*\*The polish contains wax dissolved in alcohol. The material is applied to the candy through a non-air spray nozzle and the transfer efficiency is close to 100% and would result in negligible particulate emissions from EU-4 through EU-10.

**METHODOLOGY**

Maximum Process Rate = (lbs candy/hr) \* (0.205 lbs polish / 100lbs candy) \* 1 unit

PTE of VOC (lbs/hour) = Maximum Process Rate (lbs/hour) \* Weight % VOC

PTE of VOC from EU #4 through EU #8 (tons/year) = Maximum Process Rate (lbs/hour) \* Weight % VOC \* 8760 hours/year \* 1 ton/2000 lbs

**Appendix A: Emissions Calculations  
PTE of Volatile Organic Compounds**

**Company Name: Zachary Confections, Inc.**  
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**Permit Number: F023-28687-00039**  
**Reviewer: Sarah Conner, Ph. D.**  
**Date: 11/25/2009**

Unit Name	Unit ID	Process Description	Operation (Panning Department)	Maximum Capacity (lbs candy/hour)	Maximum Process Rate (lbs/hour)	* Weight % VOC	PTE of VOC (lbs/hour)	PTE of VOC (tons/year)	***Limited VOC (tons/year)
Candy Corn Drum Coater	*** EU-9	**Liquid coating is sprayed as candy rotates in a horizontal drum	Mellow Crème Drum Coater	7816	35.56	67%	23.83	104.36	<25.0
Candy Corn Drum Coater	*** EU-10	**Liquid coating is sprayed as candy rotates in a horizontal drum	Mellow Crème Drum Polisher	7816	19.15	67%	12.83	56.19	<25.0

\* Weight % VOC (ethanol) from the MSDS as provided by the Permittee.

\*\*The polish contains wax dissolved in alcohol. The material is applied to the candy through a non-air spray nozzle and the transfer efficiency is close to 100% and would result in negligible particulate emissions from EU-4 through EU-10.

\*\*\*All materials processed through EU #9 and EU #10 are first processed through the three (3) stoving rooms, with a combined holding capacity of 148, 500 lbs of candy per day. The candy is cured for a day in these rooms before it can be processed through the coaters.

**METHODOLOGY**

Maximum Process Rate = Maximum candy produced (lbs candy/day) \* coating content (%) / maximum daily operating hours (hrs/day)

PTE of VOC (lbs/hour) = Maximum Process Rate (lbs/hour) \* Weight % VOC

PTE of VOC from EU #9 and EU #10 (tons/year) = Maximum Process Rate (lbs/hour) \* Weight % VOC \* 8760 hours/year \* 1 ton/2000 lbs

\*\*\* Pursuant to FESOP No. F023-21425-00039, issued on November 18, 2005, the source limited the VOC emissions from EU-9 and EU-10 to less than 25 tons per year each, and to less than major source threshold levels under 326 IAC 2-8 in order to render 326 IAC 2-7 and 326 IAC 8-1-6 not applicable.

**Appendix A: Emissions Calculations  
PTE of PM, PM10 and PM2.5**

**Company Name: Zachary Confections, Inc.  
Address City IN Zip: 2130 West State Road 28, Frankfort, Indiana 46041  
Permit Number: F023-28687-00039  
Reviewer: Sarah Conner, Ph. D.  
Date: 11/25/2009**

Control ID	Unit ID	Equipment Description	Stack ID	Fabric Filters - Integral to Process	*PTE After Control (tons/year)	** Particulate Emission Limit (lbs/hour)	
DC1M1	EU-11 EU-12 EU-13	Mold Preparation - Mogul 1 Starch Conditioner - Mogul 1 Mold Preparation - Mogul 2	S10	Fabric Filter	0.001 6300 99%	0.24	12.3 19.1 12.7
				Grain Loading (grains/acf)			
				Air Flow Rate (acf/minute)			
				Control Efficiency (%)			
DC2M2	EU-14	Starch Cond. Dryer - Mogul 2	S11	Fabric Filter	0.0009 6000 99%	0.20	19.1
				Grain Loading (grains/acf)			
				Air Flow Rate (acf/minute)			
				Control Efficiency (%)			
DC3M2	EU-15	Starch Cond. Cooler - Mogul 2	S12	Fabric Filter	0.0009 6000 99%	0.20	19.1
				Grain Loading (grains/acf)			
				Air Flow Rate (acf/minute)			
				Control Efficiency (%)			
DC1M3	EU-16	Mold Preparation - Mogul 3	S13	Fabric Filter	0.0004 4000 99%	0.06	10.2
				Grain Loading (grains/acf)			
				Air Flow Rate (acf/minute)			
				Control Efficiency (%)			
DC2M3	EU-17	Starch Cond. Dryer - Mogul 3	S14	Fabric Filter	0.0007 7000 99%	0.18	19.1
				Grain Loading (grains/acf)			
				Air Flow Rate (acf/minute)			
				Control Efficiency (%)			
DC3M3	EU-18	Starch Cond. Cooler - Mogul 3	S15	Fabric Filter	0.0009 6000 99%	0.20	19.1
				Grain Loading (grains/acf)			
				Air Flow Rate (acf/minute)			
				Control Efficiency (%)			

**TOTAL PTE in tons per year = 1.09**

Assume all PM emissions are equal to PM10, and all PM10 emissions are equal to PM2.5.

**METHODOLOGY**

After Control PTE of PM/PM10/PM2.5 (tons/year) = Grain loading (gr/acf) \* Air flow rate (acf/minute) \* 60 minute/hour \* 1 lb/7000 grains \* 8760 hours/year \* 1 ton/2000 lbs.

\*PTE After Control is equal to Uncontrolled PTE because all of the fabric filters are integral to the process pursuant to FESOP No. F023-21425-00039, issued on November 18, 2005.

\*\*Pursuant to 326 IAC 6-3-2, the allowable particulate emission rate from each of the listed emission units shall be limited by the following:

Interpolation of the data for the process weight rate up to sixty thousand (60,000) pounds per hour shall be accomplished by use of the equation:

$$E = 4.10 P^{0.67}$$

where E = rate of emission in pounds per hour and  
P = process weight rate in tons per hour

**Appendix A: Emissions Calculations  
PTE of PM, PM10 and PM2.5**

**Company Name: Zachary Confections, Inc.  
Address City IN Zip: 2130 West State Road 28, Frankfort, Indiana 46041  
Permit Number: F023-28687-00039  
Reviewer: Sarah Conner, Ph. D.  
Date: 11/25/2009**

Control ID	Unit ID	Equipment Description	Stack ID	Fabric Filters - Integral to Process		*PTE After Control (tons/year)	** Particulate Emission Limit (lbs/hour)
DC1LC1	EU-19	Laser Cleaner	NA	Fabric Filter Grain Loading (grains/acf) Air Flow Rate (acf/minute) Control Efficiency (%)	0.001 3000 99%	0.11	10.2
DC1DT	EU-20	Dust Top Line 1	NA	Fabric Filter Grain Loading (grains/acf) Air Flow Rate (acf/minute) Control Efficiency (%)	0.011 900 99%	0.37	6.76
DC2DT	EU-21	Dust Top Line 2	NA	Fabric Filter Grain Loading (grains/acf) Air Flow Rate (acf/minute) Control Efficiency (%)	0.011 900 99%	0.37	6.76
DC3DT	EU-22	Dust Top Line 3	NA	Fabric Filter Grain Loading (grains/acf) Air Flow Rate (acf/minute) Control Efficiency (%)	0.011 900 99%	0.37	6.76
DC4DT	EU-23	Dust Top Line 4	NA	Fabric Filter Grain Loading (grains/acf) Air Flow Rate (acf/minute) Control Efficiency (%)	0.011 900 99%	0.37	6.76
DC5DT	EU-24	Dust Top Line 5	NA	Fabric Filter Grain Loading (grains/acf) Air Flow Rate (acf/minute) Control Efficiency (%)	0.011 900 99%	0.37	6.76
DC6DT	EU-25	Dust Top Line 6	NA	Fabric Filter Grain Loading (grains/acf) Air Flow Rate (acf/minute) Control Efficiency (%)	0.011 900 99%	0.37	6.76
DC7DT	EU-26	Dust Top Line 7	NA	Fabric Filter Grain Loading (grains/acf) Air Flow Rate (acf/minute) Control Efficiency (%)	0.011 900 99%	0.37	6.76
<b>TOTAL PTE in tons per year =</b>						<b>2.71</b>	

Assume all PM emissions are equal to PM10, and all PM10 emissions are equal to PM2.5.

**METHODOLOGY**

After Control PTE of PM/PM10 (tons/year) = Grain loading (gr/acf) \* Air flow rate (acf/minute) \* 60 minute/hour \* 1 lb/7000 grains \* 8760 hours/year \* 1 ton/2000 lbs.

\*PTE After Control is equal to Uncontrolled PTE because all of the fabric filters are integral to the process pursuant to FESOP No. F023-21425-00039, issued on November 18, 2005.

\*\*Pursuant to 326 IAC 6-3-2, the allowable particulate emission rate from each of the listed emission units shall be limited by the following:

Interpolation of the data for the process weight rate up to sixty thousand (60,000) pounds per hour shall be accomplished by use of the equation:

$$E = 4.10 P^{0.67}$$

where E = rate of emission in pounds per hour and  
P = process weight rate in tons per hour

**Appendix A: Emission Calculations  
Fugitive Dust Emissions - Paved Roads**

**Company Name:** Zachary Confections, Inc.  
**Address City IN Zip:** 2130 West State Road 28, Frankfort, Indiana 46041  
**Permit Number:** F023-28687-00039  
**Reviewer:** Sarah Conner, Ph. D.  
**Date:** 11/25/2009

53 foot box trucks  
chocolate tankers  
package trucks  
  
350 employees  
15-20 trucks outbound  
4-5 trucks in bound ub biybd  
worst case in & out 40 trucks  
2 docks approx 100 yds & 2 docks 250 yds  
parking lot - furthest distance 100yds

**Paved Roads at Industrial Site**

The following calculations determine the amount of emissions created by paved roads, based on 8,760 hours of use and AP-42, Ch 13.2.1 (12/2003).

Vehicle Information (provided by source)

Type	Maximum number of vehicles per day	Number of one-way trips per day per vehicle	Maximum trips per day (trip/day)	Maximum Weight Loaded (tons/trip)	Total Weight driven per day (ton/day)	Maximum one-way distance (feet/trip)	Maximum one-way distance (mi/trip)	Maximum one-way miles (miles/day)	Maximum one-way miles (miles/yr)
Vehicle (entering plant) (one-way trip)	350.0	1.0	350.0	2.0	700.0	300	0.057	19.9	7258.5
Vehicle (leaving plant) (one-way trip)	350.0	1.0	350.0	2.0	700.0	300	0.057	19.9	7258.5
Vehicle (entering plant) (one-way trip)	20.0	1.0	20.0	30.0	600.0	300	0.057	1.1	414.8
Vehicle (leaving plant) (one-way trip)	20.0	1.0	20.0	30.0	600.0	300	0.057	1.1	414.8
Vehicle (entering plant) (one-way trip)	20.0	1.0	20.0	30.0	600.0	750	0.142	2.8	1036.9
Vehicle (leaving plant) (one-way trip)	20.0	1.0	20.0	30.0	600.0	750	0.142	2.8	1036.9
<b>Total</b>			<b>780.0</b>		<b>3800.0</b>			<b>47.7</b>	<b>17420.5</b>

Average Vehicle Weight Per Trip =  tons/trip  
Average Miles Per Trip =  miles/trip

Unmitigated Emission Factor, Ef = [k \* (sL/2)^0.65 \* (W/3)^1.5 - C] (Equation 1 from AP-42 13.2.1)

	PM	PM10	PM2.5	
where k =	0.082	0.016	0.0024	lb/mi = particle size multiplier (AP-42 Table 13.2.1-1)
W =	4.9	4.9	4.9	tons = average vehicle weight (provided by source)
C =	0.00047	0.00047	0.00036	lb/mi = emission factor for vehicle exhaust, brake wear, and tire wear (AP-42 Table 13.2.1-2)
sL =	0.6	0.6	0.6	g/m^2 = Ubiquitous Baseline Silt Loading Values of paved roads (Table 13.2.1-3 for summer month)

Taking natural mitigation due to precipitation into consideration, Mitigated Emission Factor, Eext = E \* [1 - (p/4N)]

Mitigated Emission Factor, Eext = Ef \* [1 - (p/4N)]  
where p =  days of rain greater than or equal to 0.01 inches (see Fig. 13.2.1-2)  
N =  days per year

	PM	PM10	PM2.5	
Unmitigated Emission Factor, Ef =	0.08	0.01	0.00	lb/mile
Mitigated Emission Factor, Eext =	0.07	0.01	0.00	lb/mile

Process	Unmitigated PTE of PM (tons/yr)	Unmitigated PTE of PM10 (tons/yr)	Unmitigated PTE of PM2.5 (tons/yr)	Mitigated PTE of PM (tons/yr)	Mitigated PTE of PM10 (tons/yr)	Mitigated PTE of PM2.5 (tons/yr)
Vehicle (entering plant) (one-way trip)	0.28	0.05	0.01	0.26	0.05	0.01
Vehicle (leaving plant) (one-way trip)	0.28	0.05	0.01	0.26	0.05	0.01
Vehicle (entering plant) (one-way trip)	0.02	0.00	0.00	0.01	0.00	0.00
Vehicle (leaving plant) (one-way trip)	0.02	0.00	0.00	0.01	0.00	0.00
Vehicle (entering plant) (one-way trip)	0.04	0.01	0.00	0.04	0.01	0.00
Vehicle (leaving plant) (one-way trip)	0.04	0.01	0.00	0.04	0.01	0.00
<b>Total</b>	<b>0.67</b>	<b>0.13</b>	<b>0.02</b>	<b>0.61</b>	<b>0.12</b>	<b>0.02</b>

**Methodology**

Total Weight driven per day (ton/day) = [Maximum Weight Loaded (tons/trip)] \* [Maximum trips per day (trip/day)]  
Maximum one-way distance (mi/trip) = [Maximum one-way distance (feet/trip)] / [5280 ft/mile]  
Maximum one-way miles (miles/day) = [Maximum trips per year (trip/day)] \* [Maximum one-way distance (mi/trip)]  
Average Vehicle Weight Per Trip (ton/trip) = SUM[Total Weight driven per day (ton/day)] / SUM[Maximum trips per day (trip/day)]  
Average Miles Per Trip (miles/trip) = SUM[Maximum one-way miles (miles/day)] / SUM[Maximum trips per year (trip/day)]  
Unmitigated PTE (tons/yr) = [Maximum one-way miles (miles/yr)] \* [Unmitigated Emission Factor (lb/mile)] \* (ton/2000 lbs)  
Mitigated PTE (tons/yr) = [Maximum one-way miles (miles/yr)] \* [Mitigated Emission Factor (lb/mile)] \* (ton/2000 lbs)  
Controlled PTE (tons/yr) = [Mitigated PTE (tons/yr)] \* [1 - Dust Control Efficiency]

**Abbreviations**

PM = Particulate Matter  
PM10 = Particulate Matter (<10 um)  
PM2.5 = Particle Matter (<2.5 um)  
PTE = Potential to Emit

**Appendix A: 326 IAC 6-3-2 Compliance  
Summary**

**Company Name:** Zachary Confections, Inc.  
**Address City IN Zip:** 2130 West State Road 28, Frankfort, Indiana 46041  
**Permit Number:** F023-28687-00039  
**Reviewer:** Sarah Conner, Ph. D.  
**Date:** 11/25/2009

**Allowable Emissions Under 326 IAC 6-3-2**

Emissions Unit Description	Maximum Process Weight (lbs/hr) for each unit of that type	Maximum Process Weight (tons/hr) for each unit of that type	Control Efficiency (%)	PM Emissions Before Control (lbs/hr)	326 IAC 6-3-2 Allowable PM Emissions (lbs/hr)	PM Emissions After Control (lbs/hr)	Able to comply with 326 IAC 6-3-2 without the use of integral control devices?
Mold Preparation - Mogul 1	10,286	5.14	99%	103.6	12.28	1.04	No
Starch Conditioner - Mogul 1	19,842	9.92	99%	103.6	19.08	1.04	No
Mold Preparation - Mogul 2	10,857	5.43	99%	103.6	12.74	1.04	No
Starch Cond. Dryer - Mogul 2	19,842	9.92	99%	88.8	19.08	0.89	No
Starch Cond. Cooler - Mogul 2	19,842	9.92	99%	88.8	19.08	0.89	No
Mold Preparation - Mogul 3	7,816	3.91	99%	26.3	10.22	0.26	No
Starch Cond. Dryer - Mogul 3	19,842	9.92	99%	80.6	19.08	0.81	No
Starch Cond. Cooler - Mogul 3	19,842	9.92	99%	88.8	19.08	0.89	No
Laser Cleaner	7,816	3.91	99%	49.3	10.22	0.49	No
Dust Top Line 1	4,222	2.11	99%	162.8	6.76	1.63	No
Dust Top Line 2	4,222	2.11	99%	162.8	6.76	1.63	No
Dust Top Line 3	4,222	2.11	99%	162.8	6.76	1.63	No
Dust Top Line 4	4,222	2.11	99%	162.8	6.76	1.63	No
Dust Top Line 5	4,222	2.11	99%	162.8	6.76	1.63	No
Dust Top Line 6	4,222	2.11	99%	162.8	6.76	1.63	No
Dust Top Line 7	4,222	2.11	99%	162.8	6.76	1.63	No

Interpolation of the data for the process weight rate up to sixty thousand (60,000) pounds per hour shall be accomplished by use of the equation:

$$E = 4.10 P^{0.67}$$



# 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](http://www.idem.IN.gov)

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

TO: Joe Harrison  
Zachary Confections, Inc.  
PO Box 219  
Frankfort, IN 46041

DATE: May 19, 2010

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

SUBJECT: Final Decision  
FESOP Renewal  
023-28687-00039

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:  
George Anichini - Senior VP/GM  
Kathy Moore - KERAMIDA Environmental, Inc.  
OAQ Permits Branch Interested Parties List

If you have technical questions regarding the enclosed documents, please contact the Office of Air Quality, Permits Branch at (317) 233-0178, or toll-free at 1-800-451-6027 (ext. 3-0178), and ask to speak to the permit reviewer who prepared the permit. If you think you have received this document in error, please contact Joanne Smiddie-Brush of my staff at 1-800-451-6027 (ext 3-0185), or via e-mail at [jbrush@idem.IN.gov](mailto:jbrush@idem.IN.gov).

Final Applicant Cover letter.dot 11/30/07



# INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

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**Governor**

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Toll Free (800) 451-6027  
[www.idem.IN.gov](http://www.idem.IN.gov)

May 19, 2010

TO: Frankfort Community Public Library

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

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

**Applicant Name: Zachary Confections, Inc.**  
**Permit Number: 023-28687-00039**

You previously received information to make available to the public during the public comment period of a draft permit. Enclosed is a copy of the final decision and supporting materials for the same project. Please place the enclosed information along with the information you previously received. To ensure that your patrons have ample opportunity to review the enclosed permit, **we ask that you retain this document for at least 60 days.**

The applicant is responsible for placing a copy of the application in your library. If the permit application is not on file, or if you have any questions concerning this public review process, please contact Joanne Smiddie-Brush, OAQ Permits Administration Section at 1-800-451-6027, extension 3-0185.

Enclosures  
Final Library.dot 11/30/07

# Mail Code 61-53

IDEM Staff	GHOTOPP 5/19/2010 Zachary Confections 023-28687-00039 Final		AFFIX STAMP HERE IF USED AS CERTIFICATE OF MAILING
Name and address of Sender	 Indiana Department of Environmental Management Office of Air Quality – Permits Branch 100 N. Senate Indianapolis, IN 46204	Type of Mail:  <b>CERTIFICATE OF MAILING ONLY</b>	

Line	Article Number	Name, Address, Street and Post Office Address	Postage	Handing Charges	Act. Value (If Registered)	Insured Value	Due Send if COD	R.R. Fee	S.D. Fee	S.H. Fee	Rest. Del. Fee	Remarks
1		Joe Harrison Zachary Confections PO Box 219 Frankfort IN 46041 (Source CAATS) via confirmed delivery										
2		George Anichini Sr VP/GM Zachary Confections PO Box 219 Frankfort IN 46041 (RO CAATS)										
3		Mr. Charles L. Berger Berger & Berger, Attorneys at Law 313 Main Street Evansville IN 47700 (Affected Party)										
4		Frankfort City Council and Mayors Office 301 E. Clinton Street Frankfort IN 46041 (Local Official)										
5		Frankfort Community Public 208 W Clinton Frankfort IN 46041-1811 (Library)										
6		Clinton County Health Department 211 N Jackson St Frankfort IN 46041-1936 (Health Department)										
7		Clinton County Board of Commissioners 125 Courthouse Square Frankfort IN 46041-1942 (Local Official)										
8		Mr. Robert Kelley 2555 S 30th Street Lafayette IN 44909 (Affected Party)										
9		Ms. Beth Brock 6922 Bluffgrove Cir Indianapolis IN 46278 (Affected Party)										
10		Mrs. Kathy Moore KERAMIDA Environmental, Inc. 401 North College Indianapolis IN 46202 (Consultant)										
11												
12												
13												
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9			