



# 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: December 17, 2009

RE: BorgWarner DTP, Inc. / 025-28711-00020

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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Mr. Rick K. Willmann  
BorgWarner DTP Inc.  
5401 Kilgore Ave.  
Muncie, IN 47304

December 17, 2009

Re: 035-28711-00020  
Revocation of Part 70 Operating Permit Renewal  
No. T035-25917-00020

Dear Mr. Willmann:

BorgWarner DTP Inc. was issued a Part 70 Operating Permit Renewal No. T035-25917-00020 on February 26, 2009, for an automobile transmission manufacturing facility, located at 5401 Kilgore Ave., Muncie, IN 47304. On December 3, 2009, the Office of Air Quality (OAQ) received a letter from the source requesting that the Part 70 Operating Permit Renewal be revoked, since the source has ceased operation.

Pursuant to 326 IAC 2-1.1-9, any permit to construct or operate or any permit revision approval granted by the commissioner may be revoked for any cause that establishes in the judgment of the commissioner the fact that continuance of the permit or permit revision approval is not consistent with the purposes of 326 IAC 2. Since the source is no longer in operation, the Part 70 Operating Permit is no longer required.

The Part 70 Operating Permit Renewal No. T035-25917-00020 issued on February 26, 2009, is hereby revoked. Pursuant to IC 4-21.5-3-5(a) and (b), this revocation letter is effective in eighteen (18) days from the date of this letter.

Please be advised that once this revocation is effective the source will no longer have approval to operate any emission units at this source. In addition, if there is a need in the future to operate any units at this source, construction and operation approval will be necessary pursuant to Indiana's New Source Review regulations. Once effective, this revocation cannot be withdrawn or rescinded.

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

If there are any questions about this revocation, please contact Charles Sullivan, at 317-232-8422 or at 1-800-451-6027 (ext 8422).

Sincerely,

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

DFR/cs

cc: File - Delaware County  
US EPA, Region V  
Delaware County Health Department  
IDEM Northern Regional Office  
Compliance and Enforcement Branch



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

**TO:** Rick K Willmann  
BorgWarner DTP, Inc.  
5401 Kilgore Ave  
Muncie, IN 47304

**DATE:** December 17, 2009

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

**SUBJECT:** Final Decision  
Revocation  
035-28711-00020

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:  
Director of Mfg - BorgWarner DTP, 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

# Mail Code 61-53

IDEM Staff	GHOTOPP 12/17/2009 BorgWarner DTP Inc. 035-28711-00020 Final		<b>CERTIFICATE OF MAILING ONLY</b>	AFFIX STAMP HERE IF USED AS CERTIFICATE OF MAILING
Name and address of Sender	▶	Indiana Department of Environmental Management Office of Air Quality – Permits Branch 100 N. Senate Indianapolis, IN 46204		

Line	Article Number	Name, Address, Street and Post Office Address	Postage	Handling 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		Rick K Willmann BorgWarner DTP Inc. 5401 Kilgore Ave Muncie IN 47304 (Source CAATS) via confirmed delivery									
2		Director of Mfg BorgWarner DTP Inc. 5401 Kilgore Ave Muncie 47304 (RO CAATS)									
3		Mr. Charles L. Berger Berger & Berger, Attorneys at Law 313 Main Street Evansville IN 47700 (Affected Party)									
4		Ms. Susan Minkler 4909 E. CO. RD. 450N Muncie IN 47303 (Affected Party)									
5		Muncie City Council and Mayors Office 300 N. High St Muncie IN 47305 (Local Official)									
6		Delaware County Health Department 200 W Main St, County Bldg Room 207-309 Muncie IN 47305-2874 (Health Department)									
7		Delaware County Commissioners 100 West Main Street Muncie IN 47305 (Local Official)									
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