



INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

We Protect Hoosiers and Our Environment.

Mitchell E. Daniels Jr.
Governor

Thomas W. Easterly
Commissioner

100 North Senate Avenue
Indianapolis, Indiana 46204
(317) 232-8603
Toll Free (800) 451-6027
www.idem.IN.gov

TO: Interested Parties / Applicant

DATE: August 19, 2010

RE: General Shale Brick, Inc / 109-29219-00002

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 13-17-3-4 and 326 IAC 2, this permit modification is effective immediately, unless a petition for stay of effectiveness is filed and granted, 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 4-21.5-3-7 and IC 13-15-7-3 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 Environmental Adjudication, 100 North Senate Avenue, Government Center North, Suite N 501E, Indianapolis, IN 46204, **within eighteen (18) 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.

Pursuant to 326 IAC 2-7-18(d), any person may petition the U.S. EPA to object to the issuance of a Title V operating permit or modification within sixty (60) days of the end of the forty-five (45) day EPA review period. Such an objection must be based only on issues that were raised with reasonable specificity during the public comment period, unless the petitioner demonstrates that it was impracticable to raise such issues, or if the grounds for such objection arose after the comment period.

To petition the U.S. EPA to object to the issuance of a Title V operating permit, contact:

U.S. Environmental Protection Agency
401 M Street
Washington, D.C. 20406

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.



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Mike Stacy
Plant Manager
General Shale Brick, Inc.
Old State Road Hwy 67 South
Mooresville, IN 46158

August 19, 2010

Re: 109-29219-00002
Significant Permit Modification to
Part 70 Renewal No.: T109-16617-00002

Dear Mike Stacy:

General Shale Brick, Inc. was issued a Part 70 Operating Permit Renewal on June 12, 2006 for a stationary brick and structural clay manufacturing source. A letter requesting changes to this permit was received on March 15, 2007. Pursuant to the provisions of 326 IAC 2-7-12, a significant permit modification to this permit is hereby approved as described in the attached Technical Support Document.

The modification consists of the following:

- (a) Permanently shutdown a brick manufacturing line, identified as Line 1, located at Plant No. 20.
- (b) Limit the source-wide single HAP and combined HAP PTE to less than 10 and 25 tons per year, respectively; and change the source to area source status for HAP.

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

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

Sincerely,

Chrystal Wagner, Section Chief
Permits Branch
Office of Air Quality

Attachments:
Updated Permit
Technical Support Document

mns

cc: File – Morgan County
U.S. EPA, Region V
Compliance and Enforcement Managers
Compliance Data Section

Mr. Dale Overcash, PE
Trinity Consultants
One Copley Parkway, Suite 310
Morrisville, NC 27560



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PART 70 OPERATING PERMIT RENEWAL OFFICE OF AIR QUALITY

General Shale Brick, Inc.
Highway 67 South and CR 1000 North
Mooresville, Indiana 46158

(herein known as the Permittee) is hereby authorized to operate subject to the conditions contained herein, the source described in Section A (Source Summary) of this permit.

The Permittee must comply with all conditions of this permit. Noncompliance with any provisions of this permit is grounds for enforcement action; permit termination, revocation and reissuance, or modification; or denial of a permit renewal application. Noncompliance with any provision of this permit, except any provision specifically designated as not federally enforceable, constitutes a violation of the Clean Air Act. It shall not be a defense for the Permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit. An emergency does constitute an affirmative defense in an enforcement action provided the Permittee complies with the applicable requirements set forth in Section B, Emergency Provisions.

This permit is issued in accordance with 326 IAC 2 and 40 CFR Part 70 Appendix A and contains the conditions and provisions specified in 326 IAC 2-7 as required by 42 U.S.C. 7401, et. seq. (Clean Air Act as amended by the 1990 Clean Air Act Amendments), 40 CFR Part 70.6, IC 13-15 and IC 13-17.

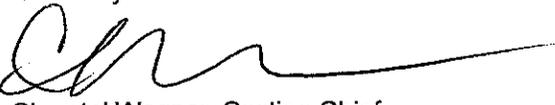
Operation Permit No.: T109-16617-00002	
Originally Signed by: Nisha Sizemore, Chief Permits Branch Office of Air Quality	Issuance Date: June 12, 2006 Expiration Date: June 12, 2011
First Significant Permit Modification No.: 109-22865-00002, issued November 22, 2006 Second Significant Permit Modification No.: 109-24454-00002, issued on January 22, 2008 Third Significant Permit Modification No.: 109-29219-00002	
Issued by:  Chrystal Wagner, Section Chief Permits Branch Office of Air Quality	Issuance Date: August 19, 2010 Expiration Date: June 12, 2011

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Emergency Occurrence Report
Quarterly Report Forms
Quarterly Deviation and Compliance Monitoring Report

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, A.3, and A.4 is descriptive information and does not constitute enforceable conditions. However, the Permittee should be aware that a physical change or a change in the method of operation that may render this descriptive information obsolete or inaccurate may trigger requirements for the Permittee to obtain additional permits or seek modification of this permit pursuant to 326 IAC 2, or change other applicable requirements presented in the permit application.

A.1 General Information [326 IAC 2-7-4(c)] [326 IAC 2-7-5(15)] [326 IAC 2-7-1 (22)]

The Permittee owns and operates a stationary brick and structural clay manufacturing source.

Source Address: Highway 67 South and CR 1000 North, Mooreville, Indiana
46158
Mailing Address: P.O. Box 156, Mooreville, Indiana 46518
General Source Phone Number: (317) 831-3317
SIC Code: 3251
County Location: Morgan
Source Location Status: Nonattainment for PM_{2.5}
Attainment for all other criteria pollutants
Source Status: Part 70 Permit Program
Major Source, under PSD Rules and Emission Offset;
Area Source, Section 112 of the Clean Air Act
Not in 1 of 28 listed source categories

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

This brick and structural clay products manufacturing company consists of three (3) plants:

- (a) Plant No. 20 is located at Highway 67 South and CR 1000 N, Mooreville, Indiana;
- (b) Plant No. 32 is located at Highway 67 South and CR 1000 N, Mooreville, Indiana; and
- (c) The New Plant is located at Highway 67 South and CR 1000 N, Mooreville, Indiana.

Since the three (3) plants are located on contiguous or adjacent properties, belong to the same industrial grouping, and under common control of the same entity, they will be considered one (1) source.

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

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

- (a) One (1) clay/shale processing operation, identified as EU-001, consisting of grinding and screening operations, installed in 1970 with one (1) grinder replaced in 1999, equipped with a baghouse for particulate control, installed in 1993, exhausting to Stack 001, capacity: 100 tons of clay/shale per hour.
- (b) One (1) brick manufacturing line, identified as EU-002, consisting of the following:
 - (1) One (1) brick manufacturing line, identified as Line 2, installed in 1987, located at Plant No. 32, consisting of the following:
 - (A) One (1) tunnel pre-dryer and one (1) tunnel dryer using waste heat from Line 2 Kiln, and one (1) coal and natural gas-fired kiln, identified as Line 2 Kiln, equipped with a dry hydrated lime, sodium bicarbonate, or dry hydrated lime/sodium bicarbonate combination injection baghouse, identified as DIFF-02, exhausting to Stack DIFF-02, rated at 25 million British thermal units per hour, capacity: 13.7 tons of bricks per hour.

- (B) One (1) mill room, identified as EU-P32-MR, equipped with a baghouse, identified as CD-P32-MR, capacity: 70 tons per hour.
- (c) One (1) brick manufacturing line, identified as Plant No. 43, consisting of the following:
 - (1) One (1) brick making room and sand system (mill room), identified as EU-43MR, equipped with a baghouse, identified as CD-MRBH and exhausting to Stack 43MRBH, capacity: 72.5 tons of clay and shale per hour.
 - (2) One (1) coal/natural gas fired brick kiln, identified as EU-43K, equipped with a dry hydrated lime, sodium bicarbonate, or dry hydrated lime/sodium bicarbonate combination injection baghouse, identified as DIFF-03, and exhausting to Stack DIFF-03, capacity: 20.55 tons of bricks and 25.0 million British thermal units per hour.
 - (3) One (1) natural gas/propane brick dryer, identified as EU-43BD1, exhausting to Stack 43BD1, capacity: 20.55 tons of bricks and 13.29 million British thermal units per hour.
- (d) Waste brick crushing operations, identified as EU-BC, including conveying, crushing and screening, using wet suppression, capacity: 150 tons of bricks per hour.

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

This stationary source does not currently have any insignificant activities, as defined in 326 IAC 2-7-1 (21) that have applicable requirements.

A.5 Part 70 Permit Applicability [326 IAC 2-7-2]

This stationary source is required to have a Part 70 permit by 326 IAC 2-7-2 (Applicability) because:

- (a) It is a major source, as defined in 326 IAC 2-7-1(22);
- (b) It is a source in a source category designated by the United States Environmental Protection Agency (U.S. EPA) under 40 CFR 70.3 (Part 70 - Applicability).

SECTION B GENERAL CONDITIONS

B.1 Definitions [326 IAC 2-7-1]

Terms in this permit shall have the definition assigned to such terms in the referenced regulation. In the absence of definitions in the referenced regulation, the applicable definitions found in the statutes or regulations (IC 13-11, 326 IAC 1-2 and 326 IAC 2-7) shall prevail.

B.2 Permit Term [326 IAC 2-7-5(2)][326 IAC 2-1.1-9.5][326 IAC 2-7-4(a)(1)(D)][IC 13-15-3-6(a)]

- (a) This permit, T109-16617-00002, is issued for a fixed term of five (5) years from the issuance date of this permit, as determined in accordance with IC 4-21.5-3-5(f) and IC 13-15-5-3. Subsequent revisions, modifications, or amendments of this permit do not affect the expiration date of this permit.
- (b) If IDEM, OAQ, upon receiving a timely and complete renewal permit application, fails to issue or deny the permit renewal prior to the expiration date of this permit, this existing permit shall not expire and all terms and conditions shall continue in effect, including any permit shield provided in 326 IAC 2-7-15, until the renewal permit has been issued or denied.

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

Notwithstanding the permit term of a permit to construct, a permit to operate, or a permit modification, any condition established in a permit issued pursuant to a permitting program approved in the state implementation plan shall remain in effect until:

- (a) the condition is modified in a subsequent permit action pursuant to Title I of the Clean Air Act; or
- (b) the emission unit to which the condition pertains permanently ceases operation.

B.4 Enforceability [326 IAC 2-7-7] [IC 13-17-12]

Unless otherwise stated, all terms and conditions in this permit, including any provisions designed to limit the source's potential to emit, are enforceable by IDEM, the United States Environmental Protection Agency (U.S. EPA) and by citizens in accordance with the Clean Air Act.

B.5 Severability [326 IAC 2-7-5(5)]

The provisions of this permit are severable; a determination that any portion of this permit is invalid shall not affect the validity of the remainder of the permit.

B.6 Property Rights or Exclusive Privilege [326 IAC 2-7-5(6)(D)]

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

B.7 Duty to Provide Information [326 IAC 2-7-5(6)(E)]

- (a) The Permittee shall furnish to IDEM, OAQ, within a reasonable time, any information that IDEM, OAQ may request in writing to determine whether cause exists for modifying, revoking and reissuing, or terminating this permit, or to determine compliance with this permit. Upon request, the Permittee shall also furnish to IDEM, OAQ copies of records required to be kept by this permit.
- (b) For information furnished by the Permittee to IDEM, OAQ, the Permittee may include a claim of confidentiality in accordance with 326 IAC 17.1. When furnishing copies of requested records directly to U. S. EPA, the Permittee may assert a claim of confidentiality in accordance with 40 CFR 2, Subpart B.

B.8 Certification [326 IAC 2-7-4(f)][326 IAC 2-7-6(1)][326 IAC 2-7-5(3)(C)]

- (a) A certification required by this permit meets the requirements of 326 IAC 2-7-6(1) if:
 - (i) it contains a certification by a "responsible official" as defined by 326 IAC 2-7-1(34), 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) A "responsible official" is defined at 326 IAC 2-7-1(34).

B.9 Annual Compliance Certification [326 IAC 2-7-6(5)]

- (a) The Permittee shall annually submit a compliance certification report which addresses the status of the source's compliance with the terms and conditions contained in this permit, including emission limitations, standards, or work practices. The initial certification shall cover the time period from the date of final permit issuance through December 31 of the same year. All subsequent 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

and

United States Environmental Protection Agency, Region V
Air and Radiation Division, Air Enforcement Branch - Indiana (AE-17J)
77 West Jackson Boulevard
Chicago, Illinois 60604-3590

- (b) The annual compliance certification report required by this permit shall be considered timely if the date postmarked on the envelope or certified mail receipt, or affixed by the shipper on the private shipping receipt, is on or before the date it is due. If the document is submitted by any other means, it shall be considered timely if received by IDEM, OAQ, on or before the date it is due.
- (c) The annual compliance certification report shall include the following:
 - (1) The appropriate identification of each term or condition of this permit that is the basis of the certification;
 - (2) The compliance status;
 - (3) Whether compliance was continuous or intermittent;
 - (4) The methods used for determining the compliance status of the source, currently and over the reporting period consistent with 326 IAC 2-7-5(3); and
 - (5) Such other facts, as specified in Sections D of this permit, as IDEM, OAQ may require to determine the compliance status of the source.

The submittal by the Permittee does require a certification that meets the requirements of 326 IAC 2-7-6(1) by a "responsible official" as defined by 326 IAC 2-7-1(34).

B.10 Preventive Maintenance Plan [326 IAC 2-7-5(1),(3) and (13)][326 IAC 2-7-6(1) and (6)][326 IAC 1-6-3]

- (a) If required by specific condition(s) in Section D of this permit, 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 2-7-6(1) by a "responsible official" as defined by 326 IAC 2-7-1(34).

The Permittee shall implement the PMPs.

- (b) A copy of the PMPs shall be submitted to IDEM, OAQ upon request and within a reasonable time, and shall be subject to review and approval by IDEM, OAQ. IDEM, OAQ may require the Permittee to revise its PMPs whenever lack of proper maintenance causes or is the primary contributor to an exceedance of any limitation on emissions. The PMPs and their submittal do not require a certification that meets the requirements of 326 IAC 2-7-6(1) by a "responsible official" as defined by 326 IAC 2-7-1(34).
- (c) 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.11 Emergency Provisions [326 IAC 2-7-16]

- (a) An emergency, as defined in 326 IAC 2-7-1(12), is not an affirmative defense for an action brought for noncompliance with a federal or state health-based emission limitation.
- (b) An emergency, as defined in 326 IAC 2-7-1(12), constitutes an affirmative defense to an action brought for noncompliance with a technology-based emission limitation if the affirmative defense of an emergency is demonstrated through properly signed, contemporaneous operating logs or other relevant evidence that describe the following:
- (1) An emergency occurred and the Permittee can, to the extent possible, identify the causes of the emergency;
 - (2) The permitted facility was at the time being properly operated;

- (3) During the period of an emergency, the Permittee took all reasonable steps to minimize levels of emissions that exceeded the emission standards or other requirements in this permit;
- (4) For each emergency lasting one (1) hour or more, the Permittee notified IDEM, OAQ, 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 2-7-5(3)(C)(ii) and must contain the following:

- (A) A description of the emergency;
- (B) Any steps taken to mitigate the emissions; and
- (C) Corrective actions taken.

The notification which shall be submitted by the Permittee does not require a certification that meets the requirements of 326 IAC 2-7-6(1) by a "responsible official" as defined by 326 IAC 2-7-1(34).

- (6) The Permittee immediately took all reasonable steps to correct the emergency.
- (c) In any enforcement proceeding, the Permittee seeking to establish the occurrence of an emergency has the burden of proof.
 - (d) This emergency provision supersedes 326 IAC 1-6 (Malfunctions). This permit condition is in addition to any emergency or upset provision contained in any applicable requirement.
 - (e) The Permittee seeking to establish the occurrence of an emergency shall make records available upon request to ensure that failure to implement a PMP did not cause or contribute to an exceedance of any limitations on emissions. However, IDEM, OAQ may require that the Preventive Maintenance Plans required under 326 IAC 2-7-4(c)(9) be revised in response to an emergency.
 - (f) Failure to notify IDEM, OAQ by telephone or facsimile of an emergency lasting more than one (1) hour in accordance with (b)(4) and (5) of this condition shall constitute a violation of 326 IAC 2-7 and any other applicable rules.

- (g) If the emergency situation causes a deviation from a technology-based limit, the Permittee may continue to operate the affected emitting facilities during the emergency provided the Permittee immediately takes all reasonable steps to correct the emergency and minimize emissions.

B.12 Permit Shield [326 IAC 2-7-15][326 IAC 2-7-20][326 IAC 2-7-12]

- (a) Pursuant to 326 IAC 2-7-15, the Permittee has been granted a permit shield. The permit shield provides that compliance with the conditions of this permit shall be deemed compliance with any applicable requirements as of the date of permit issuance, provided that either the applicable requirements are included and specifically identified in this permit or the permit contains an explicit determination or concise summary of a determination that other specifically identified requirements are not applicable. The Indiana statutes from IC 13 and rules from 326 IAC, referenced in conditions in this permit, are those applicable at the time the permit was issued. The issuance or possession of this permit shall not alone constitute a defense against an alleged violation of any law, regulation or standard, except for the requirement to obtain a Part 70 permit under 326 IAC 2-7 or for applicable requirements for which a permit shield has been granted.

This permit shield does not extend to applicable requirements which are promulgated after the date of issuance of this permit unless this permit has been modified to reflect such new requirements.

- (b) If, after issuance of this permit, it is determined that the permit is in nonconformance with an applicable requirement that applied to the source on the date of permit issuance, IDEM, OAQ, shall immediately take steps to reopen and revise this permit and issue a compliance order to the Permittee to ensure expeditious compliance with the applicable requirement until the permit is reissued. The permit shield shall continue in effect so long as the Permittee is in compliance with the compliance order.
- (c) No permit shield shall apply to any permit term or condition that is determined after issuance of this permit to have been based on erroneous information supplied in the permit application. Erroneous information means information that the Permittee knew to be false, or in the exercise of reasonable care should have been known to be false, at the time the information was submitted.
- (d) Nothing in 326 IAC 2-7-15 or in this permit shall alter or affect the following:
 - (1) The provisions of Section 303 of the Clean Air Act (emergency orders), including the authority of the U.S. EPA under Section 303 of the Clean Air Act;
 - (2) The liability of the Permittee for any violation of applicable requirements prior to or at the time of this permit's issuance;
 - (3) The applicable requirements of the acid rain program, consistent with Section 408(a) of the Clean Air Act; and
 - (4) The ability of U.S. EPA to obtain information from the Permittee under Section 114 of the Clean Air Act.
- (e) This permit shield is not applicable to any change made under 326 IAC 2-7-20(b)(2) (Sections 502(b)(10) of the Clean Air Act changes) and 326 IAC 2-7-20(c)(2) (trading based on State Implementation Plan (SIP) provisions).
- (f) This permit shield is not applicable to modifications eligible for group processing until after IDEM, OAQ, has issued the modifications. [326 IAC 2-7-12(c)(7)]
- (g) This permit shield is not applicable to minor Part 70 permit modifications until after IDEM, OAQ, has issued the modification. [326 IAC 2-7-12(b)(8)]

B.13 Prior Permits Superseded [326 IAC 2-1.1-9.5][326 IAC 2-7-10.5]

- (a) All terms and conditions of permits established prior to T109-16617-00002 and issued pursuant to permitting programs approved into the state implementation plan have been either:
- (1) incorporated as originally stated,
 - (2) revised under 326 IAC 2-7-10.5, or
 - (3) deleted under 326 IAC 2-7-10.5.
- (b) Provided that all terms and conditions are accurately reflected in this permit, all previous registrations and permits are superseded by this Part 70 operating permit.

B.14 Termination of Right to Operate [326 IAC 2-7-10][326 IAC 2-7-4(a)]

The Permittee's right to operate this source terminates with the expiration of this permit unless a timely and complete renewal application is submitted at least nine (9) months prior to the date of expiration of the source's existing permit, consistent with 326 IAC 2-7-3 and 326 IAC 2-7-4(a).

B.15 Permit Modification, Reopening, Revocation and Reissuance, or Termination [326 IAC 2-7-5(6)(C)][326 IAC 2-7-8(a)][326 IAC 2-7-9]

- (a) This permit may be modified, reopened, revoked and reissued, or terminated for cause. The filing of a request by the Permittee for a Part 70 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 2-7-5(6)(C)] The notification by the Permittee does require a certification that meets the requirements of 326 IAC 2-7-6(1) by a "responsible official" as defined by 326 IAC 2-7-1(34).
- (b) This permit shall be reopened and revised under any of the circumstances listed in IC 13-15-7-2 or if IDEM, OAQ determines any of the following:
- (1) That this permit contains a material mistake.
 - (2) That inaccurate statements were made in establishing the emissions standards or other terms or conditions.
 - (3) That this permit must be revised or revoked to assure compliance with an applicable requirement. [326 IAC 2-7-9(a)(3)]
- (c) Proceedings by IDEM, OAQ to reopen and revise this permit shall follow the same procedures as apply to initial permit issuance and shall affect only those parts of this permit for which cause to reopen exists. Such reopening and revision shall be made as expeditiously as practicable. [326 IAC 2-7-9(b)]
- (d) The reopening and revision of this permit, under 326 IAC 2-7-9(a), shall not be initiated before notice of such intent is provided to the Permittee by IDEM, OAQ at least thirty (30) days in advance of the date this permit is to be reopened, except that IDEM, OAQ may provide a shorter time period in the case of an emergency. [326 IAC 2-7-9(c)]

B.16 Permit Renewal [326 IAC 2-7-3][326 IAC 2-7-4][326 IAC 2-7-8(e)]

- (a) The application for renewal shall be submitted using the application form or forms prescribed by IDEM, OAQ and shall include the information specified in 326 IAC 2-7-4. Such information shall be included in the application for each emission unit at this source, except those emission units included on the trivial or insignificant activities list contained in 326 IAC 2-7-1(21) and 326 IAC 2-7-1(40). The renewal application does require a certification that meets the requirements of 326 IAC 2-7-6(1) by a "responsible official" as defined by 326 IAC 2-7-1(34).

Request for renewal shall be submitted to:

Indiana Department of Environmental Management
Permit Administration and Support Section, Office of Air Quality
100 North Senate Avenue
MC 61-53 IGCN 1003
Indianapolis, Indiana 46204-2251

- (b) A timely renewal application is one that is:
- (1) Submitted at least nine (9) months prior to the date of the expiration of this permit; and
 - (2) If the date postmarked on the envelope or certified mail receipt, or affixed by the shipper on the private shipping receipt, is on or before the date it is due. If the document is submitted by any other means, it shall be considered timely if received by IDEM, OAQ on or before the date it is due.
- (c) If the Permittee submits a timely and complete application for renewal of this permit, the source's failure to have a permit is not a violation of 326 IAC 2-7 until IDEM, OAQ takes final action on the renewal application, except that this protection shall cease to apply if, subsequent to the completeness determination, the Permittee fails to submit by the deadline specified, pursuant to 326 IAC 2-7-4(a)(2)(D), in writing by IDEM, OAQ any additional information identified as being needed to process the application.

B.17 Permit Amendment or Modification [326 IAC 2-7-11][326 IAC 2-7-12]

- (a) Permit amendments and modifications are governed by the requirements of 326 IAC 2-7-11 or 326 IAC 2-7-12 whenever the Permittee seeks to amend or modify this permit.
- (b) Any application requesting an amendment or modification of this permit shall be submitted to:
- Indiana Department of Environmental Management
Permit Administration and Support Section, Office of Air Quality
100 North Senate Avenue
MC 61-53 IGCN 1003
Indianapolis, Indiana 46204-2251
- Any such application does require a certification that meets the requirements of 326 IAC 2-7-6(1) by a "responsible official" as defined by 326 IAC 2-7-1(34).
- (c) The Permittee may implement administrative amendment changes addressed in the request for an administrative amendment immediately upon submittal of the request. [326 IAC 2-7-11(c)(3)]

B.18 Permit Revision Under Economic Incentives and Other Programs
[326 IAC 2-7-5(8)][326 IAC 2-7-12(b)(2)]

- (a) No Part 70 permit revision or notice shall be required under any approved economic incentives, marketable Part 70 permits, emissions trading, and other similar programs or processes for changes that are provided for in a Part 70 permit.
- (b) Notwithstanding 326 IAC 2-7-12(b)(1) and 326 IAC 2-7-12(c)(1), minor Part 70 permit modification procedures may be used for Part 70 modifications involving the use of economic incentives, marketable Part 70 permits, emissions trading, and other similar approaches to the extent that such minor Part 70 permit modification procedures are explicitly provided for in the applicable State Implementation Plan (SIP) or in applicable requirements promulgated or approved by the U.S. EPA.

B.19 Operational Flexibility [326 IAC 2-7-20][326 IAC 2-7-10.5]

- (a) The Permittee may make any change or changes at the source that are described in 326 IAC 2-7-20(b),(c), or (e) without a prior permit revision, if each of the following conditions is met:
 - (1) The changes are not modifications under any provision of Title I of the Clean Air Act;
 - (2) Any preconstruction approval required by 326 IAC 2-7-10.5 has been obtained;
 - (3) The changes do not result in emissions which exceed the limitations provided in this permit (whether expressed herein as a rate of emissions or in terms of total emissions);
 - (4) The Permittee notifies the:

Indiana Department of Environmental Management
Permit Administration and Support Section, Office of Air Quality
100 North Senate Avenue
MC 61-53 IGCN 1003
Indianapolis, Indiana 46204-2251

and

United States Environmental Protection Agency, Region V
Air and Radiation Division, Regulation Development Branch - Indiana (AR-18J)
77 West Jackson Boulevard
Chicago, Illinois 60604-3590

in advance of the change by written notification at least ten (10) days in advance of the proposed change. The Permittee shall attach every such notice to the Permittee's copy of this permit; and
 - (5) The Permittee maintains records on-site, on a rolling five (5) year basis, which document all such changes and emission trades that are subject to 326 IAC 2-7-20(b),(c), or (e). The Permittee shall make such records available, upon reasonable request, for public review.

Such records shall consist of all information required to be submitted to IDEM, OAQ in the notices specified in 326 IAC 2-7-20(b)(1), (c)(1), and (e)(2).
- (b) The Permittee may make Section 502(b)(10) of the Clean Air Act changes (this term is defined at 326 IAC 2-7-1(36)) without a permit revision, subject to the constraint of 326 IAC 2-7-20(a). For each such Section 502(b)(10) of the Clean Air Act change, the required written notification shall include the following:

- (1) A brief description of the change within the source;
- (2) The date on which the change will occur;
- (3) Any change in emissions; and
- (4) Any permit term or condition that is no longer applicable as a result of the change.

The notification which shall be submitted is not considered an application form, report or compliance certification. Therefore, the notification by the Permittee does not require a certification that meets the requirements of 326 IAC 2-7-6(1) by a "responsible official" as defined by 326 IAC 2-7-1(34).

- (c) **Emission Trades [326 IAC 2-7-20(c)]**
The Permittee may trade emissions increases and decreases at the source, where the applicable SIP provides for such emission trades without requiring a permit revision, subject to the constraints of Section (a) of this condition and those in 326 IAC 2-7-20(c).
- (d) **Alternative Operating Scenarios [326 IAC 2-7-20(d)]**
The Permittee may make changes at the source within the range of alternative operating scenarios that are described in the terms and conditions of this permit in accordance with 326 IAC 2-7-5(9). No prior notification of IDEM, OAQ, or U.S. EPA is required.
- (e) **Backup fuel switches specifically addressed in, and limited under, Section D of this permit shall not be considered alternative operating scenarios. Therefore, the notification requirements of part (a) of this condition do not apply.**

B.20 Source Modification Requirement [326 IAC 2-7-10.5]

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

B.21 Inspection and Entry [326 IAC 2-7-6][IC 13-14-2-2][IC 13-30-3-1][IC 13-17-3-2]

Upon presentation of proper identification cards, credentials, and other documents as may be required by law, and subject to the Permittee's right under all applicable laws and regulations to assert that the information collected by the agency is confidential and entitled to be treated as such, the Permittee shall allow IDEM, OAQ, U.S. EPA, or an authorized representative to perform the following:

- (a) Enter upon the Permittee's premises where a Part 70 source is located, or emissions related activity is conducted, or where records must be kept under the conditions of this permit;
- (b) As authorized by the Clean Air Act, IC 13-14-2-2, IC 13-17-3-2, and IC 13-30-3-1, have access to and copy any records that must be kept under the conditions of this permit;
- (c) As authorized by the Clean Air Act, IC 13-14-2-2, IC 13-17-3-2, and IC 13-30-3-1, inspect any facilities, equipment (including monitoring and air pollution control equipment), practices, or operations regulated or required under this permit;
- (d) As authorized by the Clean Air Act, IC 13-14-2-2, IC 13-17-3-2, and IC 13-30-3-1, sample or monitor substances or parameters for the purpose of assuring compliance with this permit or applicable requirements; and
- (e) As authorized by the Clean Air Act, IC 13-14-2-2, IC 13-17-3-2, and IC 13-30-3-1, utilize any photographic, recording, testing, monitoring, or other equipment for the purpose of assuring compliance with this permit or applicable requirements.

B.22 Transfer of Ownership or Operational Control [326 IAC 2-7-11]

- (a) The Permittee must comply with the requirements of 326 IAC 2-7-11 whenever the Permittee seeks to change the ownership or operational control of the source and no other change in the permit is necessary.

- (b) Any application requesting a change in the ownership or operational control of the source shall contain a written agreement containing a specific date for transfer of permit responsibility, coverage and liability between the current and new Permittee. The application shall be submitted to:

Indiana Department of Environmental Management
Permit Administration and Support Section, Office of Air Quality
100 North Senate Avenue
MC 61-53 IGCN 1003
Indianapolis, Indiana 46204-2251

Any such application does require a certification that meets the requirements of 326 IAC 2-7-6(1) by a "responsible official" as defined by 326 IAC 2-7-1(34).

- (c) The Permittee may implement administrative amendment changes addressed in the request for an administrative amendment immediately upon submittal of the request. [326 IAC 2-7-11(c)(3)]

B.23 Annual Fee Payment [326 IAC 2-7-19] [326 IAC 2-7-5(7)][326 IAC 2-1.1-7]

- (a) The Permittee shall pay annual fees to IDEM, OAQ within thirty (30) calendar days of receipt of a billing. Pursuant to 326 IAC 2-7-19(b), if the Permittee does not receive a bill from IDEM, OAQ the applicable fee is due April 1 of each year.

- (b) Except as provided in 326 IAC 2-7-19(e), failure to pay may result in administrative enforcement action or revocation of this permit.

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

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

SECTION C

SOURCE OPERATION CONDITIONS

Entire Source

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

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

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

C.2 Opacity [326 IAC 5-1]

Pursuant to 326 IAC 5-1-2 (Opacity Limitations), except as provided in 326 IAC 5-1-1 (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.3 Open Burning [326 IAC 4-1] [IC 13-17-9]

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

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

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

The Permittee shall not allow fugitive dust to escape beyond the property line or boundaries of the property, right-of-way, or easement on which the source is located, in a manner that would violate 326 IAC 6-4 (Fugitive Dust Emissions). 326 IAC 6-4-2(4) is not federally enforceable.

C.6 Stack Height [326 IAC 1-7]

The Permittee shall comply with the applicable provisions of 326 IAC 1-7 (Stack Height Provisions), for all exhaust stacks through which a potential (before controls) of twenty-five (25) tons per year or more of particulate matter or sulfur dioxide is emitted. The provisions of 326 IAC 1-7-1(3), 326 IAC 1-7-2, 326 IAC 1-7-3(c) and (d), 326 IAC 1-7-4, and 326 IAC 1-7-5(a), (b), and (d) are not federally enforceable.

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

- (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 that meets the requirements of 326 IAC 2-7-6(1) by a "responsible official" as defined by 326 IAC 2-7-1(34).

- (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. The requirement to use an Indiana Licensed Asbestos inspector is not federally enforceable.

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

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

-
- (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 that meets the requirements of 326 IAC 2-7-6(1) by a "responsible official" as defined by 326 IAC 2-7-1(34).

- (b) The Permittee shall notify IDEM, OAQ of the actual test date at least fourteen (14) days prior to the actual test date. The notification submitted by the Permittee does not require a certification that meets the requirements of 326 IAC 2-7-6(1) by a "responsible official" as defined by 326 IAC 2-7-1(34).
- (c) Pursuant to 326 IAC 3-6-4(b), all test reports must be received by IDEM, OAQ not later than forty-five (45) days after the completion of the testing. An extension may be granted by IDEM, OAQ if the Permittee submits to IDEM, OAQ a reasonable written explanation not later than five (5) days prior to the end of the initial forty-five (45) day period.

Compliance Requirements [326 IAC 2-1.1-11]

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

The commissioner may require stack testing, monitoring, or reporting at any time to assure compliance with all applicable requirements by issuing an order under 326 IAC 2-1.1-11. Any monitoring or testing shall be performed in accordance with 326 IAC 3 or other methods approved by the commissioner or the U. S. EPA.

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

C.10 Compliance Monitoring [326 IAC 2-7-5(3)][326 IAC 2-7-6(1)]

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 2-7-6(1) by a "responsible official" as defined by 326 IAC 2-7-1(34).

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

C.11 Instrument Specifications [326 IAC 2-1.1-11] [326 IAC 2-7-5(3)] [326 IAC 2-7-6(1)]

- (a) When required by any condition of this permit, an analog instrument used to measure a parameter related to the operation of an air pollution control device shall have a scale

such that the expected maximum reading for the normal range shall be no less than twenty percent (20%) of full scale.

- (b) The Permittee may request that the IDEM, OAQ approve the use of an instrument that does not meet the above specifications provided the Permittee can demonstrate that an alternative instrument specification will adequately ensure compliance with permit conditions requiring the measurement of the parameters.

Corrective Actions and Response Steps [326 IAC 2-7-5][326 IAC 2-7-6]

C.12 Emergency Reduction Plans [326 IAC 1-5-2] [326 IAC 1-5-3]

Pursuant to 326 IAC 1-5-2 (Emergency Reduction Plans; Submission):

- (a) The Permittee shall prepare written emergency reduction plans (ERPs) consistent with safe operating procedures.
- (b) These ERPs shall be submitted for approval to:

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

no later than ninety (90) days after the date of issuance of this permit.

The ERP does require a certification that meets the requirements of 326 IAC 2-7-6(1) by a "responsible official" as defined by 326 IAC 2-7-1(34).
- (c) If the ERP is disapproved by IDEM, OAQ, the Permittee shall have an additional thirty (30) days to resolve the differences and submit an approvable ERP.
- (d) These ERPs shall state those actions that will be taken, when each episode level is declared, to reduce or eliminate emissions of the appropriate air pollutants.
- (e) Said ERPs shall also identify the sources of air pollutants, the approximate amount of reduction of the pollutants, and a brief description of the manner in which the reduction will be achieved.
- (f) Upon direct notification by IDEM, OAQ that a specific air pollution episode level is in effect, the Permittee shall immediately put into effect the actions stipulated in the approved ERP for the appropriate episode level. [326 IAC 1-5-3]

C.13 Risk Management Plan [326 IAC 2-7-5(12)] [40 CFR 68]

If a regulated substance, as defined in 40 CFR 68, is present at a source in more than a threshold quantity, the Permittee must comply with the applicable requirements of 40 CFR 68.

C.14 Response to Excursions or Exceedances [326 IAC 2-7-5] [326 IAC 2-7-6]

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.15 Actions Related to Noncompliance Demonstrated by a Stack Test [326 IAC 2-7-5][326 IAC 2-7-6]

- (a) When the results of a stack test performed in conformance with Section C - Performance Testing, of this permit exceed the level specified in any condition of this permit, the Permittee shall 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 2-7-6(1) by a "responsible official" as defined by 326 IAC 2-7-1(34).

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

C.16 Emission Statement [326 IAC 2-7-5(3)(C)(iii)][326 IAC 2-7-5(7)][326 IAC 2-7-19(c)][326 IAC 2-6]
Pursuant to 326 IAC 2-6-3(b)(2), starting in 2005 and every three (3) years thereafter, the Permittee shall submit by July 1 an emission statement covering the previous calendar year. The emission statement shall contain, at a minimum, the information specified in 326 IAC 2-6-4(c) and shall meet the following requirements:

- (1) Indicate estimated actual emissions of all pollutants listed in 326 IAC 2-6-4(a);
- (2) Indicate estimated actual emissions of regulated pollutants as defined by 326 IAC 2-7-1(32) ("Regulated pollutant, which is used only for purposes of Section 19 of this rule") from the source, for purpose of fee assessment.

The statement must be submitted to:

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

The emission statement does require a certification that meets the requirements of 326 IAC 2-7-6(1) by a "responsible official" as defined by 326 IAC 2-7-1(34).

C.17 General Record Keeping Requirements [326 IAC 2-7-5(3)] [326 IAC 2-7-6]
[326 IAC 2-2][326 IAC 2-3]

- (a) Records of all required monitoring data, reports and support information required by this permit shall be retained for a period of at least five (5) years from the date of monitoring sample, measurement, report, or application. These records shall be physically present or electronically accessible at the source location for a minimum of three (3) years. The records may be stored elsewhere for the remaining two (2) years as long as they are available upon request. If the Commissioner makes a request for records to the Permittee, the Permittee shall furnish the records to the Commissioner within a reasonable time.
- (b) Unless otherwise specified in this permit, 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) If there is a reasonable possibility (as defined in 40 CFR 51.165(a)(6)(vi)(A), 40 CFR 51.165(a)(6)(vi)(B), 40 CFR 51.166(r)(6)(vi)(a), and/or 40 CFR 51.166(r)(6)(vi)(b)) that a "project" (as defined in 326 IAC 2-2-1(qq) and/or 326 IAC 2-3-1(II)) at an existing emissions unit, other than projects at a source with a Plantwide Applicability Limitation (PAL), which is not part of a "major modification" (as defined in 326 IAC 2-2-1(ee) and/or 326 IAC 2-3-1(z)) may result in significant emissions increase and the Permittee elects to utilize the "projected actual emissions" (as defined in 326 IAC 2-2-1(rr) and/or 326 IAC 2-3-1(mm)), the Permittee shall comply with following:
 - (1) Before beginning actual construction of the "project" (as defined in 326 IAC 2-2-1(qq) and/or 326 IAC 2-3-1(II)) at an existing emissions unit, document and maintain the following records:
 - (A) A description of the project.
 - (B) Identification of any emissions unit whose emissions of a regulated new source review pollutant could be affected by the project.
 - (C) A description of the applicability test used to determine that the project is not a major modification for any regulated NSR pollutant, including:
 - (i) Baseline actual emissions;
 - (ii) Projected actual emissions;
 - (iii) Amount of emissions excluded under section 326 IAC 2-2-1(rr)(2)(A)(iii) and/or 326 IAC 2-3-1 (mm)(2)(A)(iii); and
 - (iv) An explanation for why the amount was excluded, and any netting calculations, if applicable.
- (d) If there is a reasonable possibility (as defined in 40 CFR 51.165(a)(6)(vi)(A) and/or 40 CFR 51.166(r)(6)(vi)(a)) that a "project" (as defined in 326 IAC 2-2-1(qq) and/or

326 IAC 2-3-1(II)) at an existing emissions unit, other than projects at a source with a Plantwide Applicability Limitation (PAL), which is not part of a "major modification" (as defined in 326 IAC 2-2-1(ee) and/or 326 IAC 2-3-1(z)) may result in significant emissions increase and the Permittee elects to utilize the "projected actual emissions" (as defined in 326 IAC 2-2-1(rr) and/or 326 IAC 2-3-1(mm)), the Permittee shall comply with following:

- (1) Monitor the emissions of any regulated NSR pollutant that could increase as a result of the project and that is emitted by any existing emissions unit identified in (1)(B) above; and
- (2) Calculate and maintain a record of the annual emissions, in tons per year on a calendar year basis, for a period of five (5) years following resumption of regular operations after the change, or for a period of ten (10) years following resumption of regular operations after the change if the project increases the design capacity of or the potential to emit that regulated NSR pollutant at the emissions unit.

C.18 General Reporting Requirements [326 IAC 2-7-5(3)(C)] [326 IAC 2-1.1-11] [326 IAC 2-2]

- (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 2-7-6(1) by a "responsible official" as defined by 326 IAC 2-7-1(34). 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) The first report shall cover the period commencing on the date of issuance of this permit or the date of initial start-up, whichever is later, and ending on the last day of the reporting period. Reporting periods are based on calendar years, unless otherwise specified in this permit. For the purpose of this permit, "calendar year" means the twelve (12) month period from January 1 to December 31 inclusive.
- (e) If the Permittee is required to comply with the recordkeeping provisions of (d) in Section C - General Record Keeping Requirements for any "project" (as defined in 326 IAC 2-2-1(qq) and/or 326 IAC 2-3-1(II)) at an existing emissions unit, and the project meets the following criteria, then the Permittee shall submit a report to IDEM, OAQ:
 - (1) The annual emissions, in tons per year, from the project identified in (c)(1) in Section C- General Record Keeping Requirements exceed the baseline actual emissions, as documented and maintained under Section C- General Record Keeping Requirements (c)(1)(C)(i), by a significant amount, as defined in

326 IAC 2-2-1 (xx) and/or 326 IAC 2-3-1 (qq), for that regulated NSR pollutant, and

- (2) The emissions differ from the preconstruction projection as documented and maintained under Section C - General Record Keeping Requirements (c)(1)(C)(ii).
- (f) The report for project at an existing emissions unit shall be submitted no later than sixty (60) days after the end of the year and contain the following:
- (1) The name, address, and telephone number of the major stationary source.
 - (2) The annual emissions calculated in accordance with (d)(1) and (2) in Section C - General Record Keeping Requirements.
 - (3) The emissions calculated under the actual-to-projected actual test stated in 326 IAC 2-2-2(d)(3) and/or 326 IAC 2-3-2(c)(3).
 - (4) Any other information that the Permittee wishes to include in this report such as an explanation as to why the emissions differ from the preconstruction projection.

Reports required in this part shall be submitted to:

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

- (g) The Permittee shall make the information required to be documented and maintained in accordance with (c) in Section C- General Record Keeping Requirements available for review upon a request for inspection by IDEM, OAQ. The general public may request this information from the IDEM, OAQ under 326 IAC 17.1.

Stratospheric Ozone Protection

C.19 Compliance with 40 CFR 82 and 326 IAC 22-1

Pursuant to 40 CFR 82 (Protection of Stratospheric Ozone), Subpart F, except as provided for motor vehicle air conditioners in Subpart B, the Permittee shall comply with applicable standards for recycling and emissions reduction.

SECTION D.1 FACILITY OPERATION CONDITIONS

Facility Description [326 IAC 2-7-5(15)] Clay/Shale Processing

- (a) One (1) clay/shale processing operation, identified as EU-001, consisting of grinding and screening operations, installed in 1970 with one (1) grinder replaced in 1999, equipped with a baghouse for particulate control, installed in 1993, exhausting to Stack 001, capacity: 100 tons of clay/shale per hour.

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

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

D.1.1 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 clay and shale processing (screening and grinding) operation shall not exceed 51.3 pounds per hour when operating at a process weight rate of 100 tons per hour.

The pounds per hour limitation was calculated with the following equation:

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

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

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

D.1.2 Record Keeping Requirements [40 CFR 676(a)(1), Subpart OOO]

Pursuant to 40 CFR 60.676(a)(1), on July 19, 1999, the Permittee submitted to IDEM OAQ, the following information:

- (a) The rated capacity in megagrams or tons per hour of the grinder that was constructed in 1970, and
- (b) The rated capacity in tons per hour of the grinder constructed in 1999.

Compliance with paragraphs (a) and (b) of this condition renders the requirements of 40 CFR 60.672, 40 CFR 60.674, and 40 CFR 60.675, Subpart OOO not applicable.

SECTION D.2 FACILITY OPERATION CONDITIONS

Facility Description [326 IAC 2-7-5(15)] Brick Manufacturing Lines

- (b) One (1) brick manufacturing line, identified as EU-002, consisting of the following:
 - (1) One (1) brick manufacturing line, identified as Line 2, installed in 1987, located at Plant No. 32, equipped with consisting of the following:
 - (A) One (1) tunnel pre-dryer and one (1) tunnel dryer using waste heat from Line 2 Kiln, and one (1) coal and natural gas-fired kiln, identified as Line 2 Kiln, equipped with a dry hydrated lime, sodium bicarbonate, or dry hydrated lime/sodium bicarbonate combination injection baghouse, identified as DIFF-02, exhausting to Stack DIFF-02, rated at 25 million British thermal units per hour, capacity: 13.7 tons of bricks per hour.
 - (B) One (1) mill room, identified as EU-P32-MR, equipped with a baghouse, identified as CD-P32-MR, capacity: 70 tons per hour.

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

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

D.2.1 PSD, Emission Offset and Nonattainment NSR Minor Limits [326 IAC 2-2] [326 IAC 2-3] [326 IAC 2- 1.1-5]

The potential to emit PM, PM₁₀, SO₂, and NO_x shall not exceed the following:

Facility	NOX Limit	PM Limit	PM10 Limit	SO2 Limit
	lbs/ton bricks	lbs/ton bricks	lbs/ton bricks	lbs/ton bricks
Line 2 Kiln	1.00	0.336	0.336	2.50
Line 2 mill room (EU-P32-MR)	N/A	0.0063	0.0036	N/A

Compliance with these limitations limits the potential to emit PM and PM₁₀ to less than one hundred (100) tons per year, the potential to emit SO₂ to less than two hundred and fifty (250) tons per year and the potential to emit NO_x to less than one hundred (100) tons per year from the source existing prior to the addition of Plant No. 43. Therefore, the source prior to the addition of Plant No. 43 is a minor source pursuant to 326 IAC 2-1.1-5, Nonattainment NSR, 326 IAC 2-2, PSD, and 326 IAC 2-3, Emission Offset, and these limits render the requirements of 326 IAC 2-2 and 326 IAC 2-3 not applicable.

D.2.2 HAPs Limits [326 IAC 2-4.1] [326 IAC 2-7-5(1)]

The HAPs emissions shall not exceed the following:

Facility	Hydrogen fluoride (Hydrofluoric acid)	Hydrochloric acid
	lbs/ton bricks	lbs/ton bricks
Line 2 Kiln	0.057	0.056

Compliance with this limitation shall limit the potential to emit of a single HAP to less than ten (10) tons per year and of a combination of HAPs to less than twenty-five (25) tons per year from Line 2 Kiln and renders the requirements of 326 IAC 2-4.1 not applicable to Line 2 Kiln.

Compliance with this limitation in conjunction with Condition D.3.1(c) and HAPs emission from other emission units at the source shall limit the source-wide potential to emit of a single HAP to less than ten (10) tons per year and of a combination of HAPs to less than twenty-five (25) tons

per year. Therefore, this source is an area source of HAP.

D.2.3 Sulfur Dioxide (SO₂) [326 IAC 7-1.1-1]

Pursuant to 326 IAC 7-1.1 (SO₂ Emissions Limitations), the SO₂ emissions from Line 2 kiln shall not exceed six (6.0) pounds per million British thermal units heat input while combusting coal.

D.2.4 Particulate [326 IAC 6-3-2]

- (a) Pursuant to 326 IAC 6-3-2 (Particulate Emission Limitations for Manufacturing Processes), the allowable particulate emission rate from the Line 2 Kiln shall not exceed 23.7 pounds per hour when operating at a process weight rate of 13.7 tons per hour.

This pound per hour limitation was 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:

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

- (b) Pursuant to 326 IAC 6-3-2 (Particulate Emission Limitations for Manufacturing Processes), the allowable particulate emission rate from the one (1) mill room (EU-P32-MR) shall not exceed 47.8 pounds per hour when operating at a process weight rate of 70 tons per hour.

The pound per hour limitation was calculated with the following equation:
Interpolation and extrapolation of the data for the process weight rate in excess of sixty thousand (60,000) pounds per hour shall be accomplished by use of the equation:

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

D.2.5 Preventive Maintenance Plan [326 IAC 2-7-5(13)]

A Preventive Maintenance Plan, in accordance with Section B - Preventive Maintenance Plan, of this permit, is required for these facilities and all control devices.

Compliance Determination Requirements

D.2.6 Testing Requirements [326 IAC 2-7-6(1),(6)] [326 IAC 2-1.1-11]

- (a) No later than 180 days after the issuance of this Part 70 permit renewal, 109-16617-00002, in order to demonstrate compliance with Condition D.2.1, the Permittee shall perform SO₂ testing for the Line 2 Kiln stack utilizing methods as approved by the Commissioner. This test shall be repeated at least once every five (5) years from the date of this valid compliance demonstration. Testing shall be conducted in accordance with Section C - Performance Testing. After the baghouses on the kiln commence operation, this testing shall be superseded by the testing required in Condition D.2.6(c).
- (b) No later than 180 days after issuance of this Part 70 permit renewal, 109-16617-00002, in order to demonstrate compliance with Condition D.2.4, the Permittee shall perform PM testing for the Line 2 Kiln stack utilizing methods as approved by the Commissioner. This test shall be repeated at least once every five (5) years from the date of this valid compliance demonstration. Testing shall be conducted in accordance with Section C - Performance Testing.
- (c) Prior to commencing construction of the Plant No.43 described in Section D.3, but no later than 180 days after the baghouses on the kilns commence operation, in order to demonstrate compliance with Condition D.2.1, the Permittee shall perform PM, PM₁₀, SO₂ and NO_x testing for the Line 2 Kiln/Dryer stack (DI FF-02). PM₁₀ includes filterable and condensable PM₁₀. These tests shall be repeated at least once every five (5) years from

the date of this valid compliance demonstration. Testing shall be conducted in accordance with Section C - Performance Testing.

- (d) In order to demonstrate compliance with Conditions D.2.2 and D.3.1(c), the Permittee shall perform HF and HCl testing using natural gas for the one (1) coal/natural gas fired brick kiln stack (DIFF-02) as indicated in the following timeline:

No later than five (5) years after the most recent HF and HCl testing, performed on Line 2 Kiln.

This test shall be repeated at least once every five (5) years from the date of this valid compliance demonstration. Testing shall be conducted in accordance with Section C - Performance Testing.

D.2.7 Sulfur Dioxide Emissions and Sulfur Content [326 IAC 2-7-5(3)(A)] [326 IAC 2-7-6]

Pursuant to 326 IAC 7-2, the Permittee shall demonstrate that the sulfur dioxide emissions from the Line 2 Kiln does not exceed six (6.0) pounds per million British thermal units. Compliance shall be determined utilizing one of the following options:

- (a) Providing vendor analysis of coal delivered, if accompanied by a certification from the fuel supplier, as described under 40 CFR 60.48c(f)(3). The certification shall include:
- (1) The name of the coal supplier; and
 - (2) 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 coal 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); and
 - (3) 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
 - (4) The methods used to determine the properties of the coal; or
- (b) Sampling and analyzing the coal by using one of the following procedures:
- (1) Minimum Coal Sampling Requirements and Analysis Methods:
 - (A) The coal sample acquisition point shall be at a location where representative samples of the total coal flow to be combusted by the facility or facilities may be obtained. A single as-bunkered or as-burned sampling station may be used to represent the coal to be combusted by multiple facilities using the same stockpile feed system;
 - (B) Coal shall be sampled at least one (1) time per day;
 - (C) Minimum sample size shall be five hundred (500) grams;
 - (D) Samples shall be composited and analyzed at the end of each calendar quarter;
 - (E) Preparation of the coal sample, heat content analysis, and sulfur content analysis shall be determined pursuant to 326 IAC 3-7-2(c), (d), (e); or
 - (2) Sample and analyze the coal pursuant to 326 IAC 3-7-3; or

- (c) Compliance may also be determined by conducting a stack test for sulfur dioxide emissions from the two (2) tunnel kilns, using 40 CFR 60, Appendix A, Method 6 in accordance with the procedures in 326 IAC 3-6, which is conducted with such frequency as to generate the amount of information required by (a) or (b) above. [326 IAC 7-2-1(b)]

A determination of noncompliance pursuant to any of the methods specified in (a), (b), or (c) above shall not be refuted by evidence of compliance pursuant to the other method.

D.2.8 Particulate, SO₂ and HAPs Control [326 IAC 2-7-6(6)]

- (a) In order to comply with Condition D.2.1, D.2.2 and D.2.4(a), the dry hydrated lime, sodium bicarbonate, or dry hydrated lime/sodium bicarbonate combination injection baghouse, identified as DIFF-02, for particulate, SO₂ and HAPS control shall be in operation and control emissions from the Line 2 Kiln at all times that the Line 2 Kiln is in operation.
- (b) In order to comply with Condition D.2.1 and D.2.4(b), the baghouse, identified as CD-P32-MR, for particulate control shall be in operation and control emissions from the Line 2 mill room identified as EU-P32-MR, at all times that the Line 2 mill room is 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.

Compliance Monitoring Requirements L326 IAC 2-7-6(1)] L326 IAC 2-7-5(1)]

D.2.9 Visible Emissions Notations

- (a) Visible emission notations of the Line 2 Kiln stack exhaust (DIFF-02) and the mill room baghouses (CD-P32-MR) shall be performed once per day during normal daylight operations. A trained employee shall record whether emissions are normal or abnormal.
- (b) For processes operated continuously, "normal" means those conditions prevailing, or expected to prevail, eighty percent (80%) of the time the process is in operation, not counting startup or shut down time.
- (c) In the case of batch or discontinuous operations, readings shall be taken during that part of the operation that would normally be expected to cause the greatest emissions.
- (d) A trained employee is an employee who has worked at the plant at least one (1) month and has been trained in the appearance and characteristics of normal visible emissions for that specific process.
- (e) If abnormal emissions are observed, the Permittee shall take reasonable response steps. 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.2.10 Baghouse Parametric Monitoring [326 IAC 2-7-6(1)] [326 IAC 2-7-5(1)]

- (a) The Permittee shall record the pressure drop across the baghouse (CDP32-MR) used in conjunction with the mill rooms (EU-P32-MR) at least once per day when the mill rooms are in operation. When for any one reading, the pressure drop across the baghouse is outside the normal range of 2.0 and 8.0 inches of water or a range established during the latest stack test, the Permittee shall take reasonable response steps in accordance with Section C - Response to Excursions or Exceedances. 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 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 at least once every six (6) months.

D.2.11 Broken or Failed Bag Detection

- (a) For a single compartment baghouse controlling emissions from a process operated continuously, a failed unit and the associated process shall be shut down immediately until the failed unit has 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 baghouse 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 line. 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 baghouse's 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.

D.2.12 Compliance Assurance SO₂ Monitoring [40 CFR 64]

Pursuant to 40 CFR 64, Compliance Assurance Monitoring, the Permittee shall perform the following monitoring:

- (a) The Permittee shall continuously monitor the dry lime and/or sodium bicarbonate feed rate at the baghouse, identified as DIFF-02.
- (b) The Permittee shall inspect the dry lime feed and/or sodium bicarbonate system and feeder setting on the baghouse, identified as DIFF-02, once per shift.
- (c) If the lime and/or sodium bicarbonate feeder setting drops below the level established during the latest performance test, the switches monitoring the interlock system on the limestone and/or sodium bicarbonate delivery systems, including the lime and/or sodium bicarbonate screw conveyor and holding bin, are not functioning properly, or the Permittee discovers cracks, holes or abnormal/excessive wear on the indicators for the screw conveyor and holding bin, the Permittee shall take reasonable response. Failure to take response steps shall be considered a deviation from this permit. Section C - Response to Excursions or Exceedances contains the Permittee's obligation with regard to the reasonable response steps required by this condition.

Record Keeping and Reporting Requirement L326 IAC 2-7-5(3)] L326 IAC 2-7-19]

D.2.13 Record Keeping Requirements

- (a) To document the compliance status with Condition D.2.1 the Permittee shall maintain records in accordance with (1) through (3) below. Records maintained for (1) through (3) shall be taken monthly and shall be complete and sufficient to establish compliance with the emission limits established in Condition D.2.1.
 - (1) Calendar dates covered in the compliance determination period;
 - (2) Sulfur content, heat content, and ash content of the coal; and
 - (3) Sulfur dioxide emission rates.
- (b) To document the compliance status with Condition D.2.9, the Permittee shall maintain records of once per day visible emission notations of the Line 2 Kiln stack exhaust (DIFF-02) while combusting coal and the mill room baghouse (CD-P32-MR). The Permittee shall

include in its daily record when a visible emission notation is not taken and the reason for the lack of visible emission notation (e.g. the process did not operate that day).

- (c) To document the compliance status with Condition D.2.10, the Permittee shall maintain records once per day of the pressure drop across the baghouse (CD-P32-MR) used in conjunction with the mill rooms (EU-P32-MR) during normal operation when venting to the atmosphere. The Permittee shall include in its daily record when a pressure drop reading is not taken and the reason for the lack of pressure drop reading (e.g. the process did not operate that day).
- (d) To document the compliance status with Condition D.2.12, the Permittee shall maintain records of the feeder setting once per shift and continuous records of the dry lime/sodium bicarbonate feed rate.
- (e) To document the compliance status with Condition D.2.1, the Permittee shall maintain a record of the date the baghouse, identified as DIFF-02, commences operation.
- (f) Section C – General Record Keeping Requirements, of this permit contains the Permittee's obligations with regard to the records required by this condition and that the Permittee make such records available upon request to IDEM, OAQ, and the US EPA.

D.2.14 Reporting Requirements

- (a) Reports indicating the date the one (1) dry lime injection baghouse, identified as DIFF-02, commences operation shall be submitted to the address listed in Section C - General Reporting Requirements, of this permit, within thirty (30) days of commencing operation of the baghouse. The report submitted by the Permittee does require the certification by the "responsible official" as defined by 326 IAC 2-7-1(34).

SECTION D.3 FACILITY OPERATION CONDITIONS

Facility Description [326 IAC 2-7-5(15)] Brick Manufacturing Line (New Plant)

- (c) One (1) brick manufacturing line, identified as Plant No. 43, consisting of the following:
- (1) One (1) brick making room and sand system (mill room), identified as EU-43MR, equipped with a baghouse, identified as CD-43MRBH and exhausting to Stack 43MRBH, capacity: 72.5 tons of clay and shale per hour.
 - (2) One (1) coal/natural gas fired brick kiln, identified as EU-43K, equipped with a dry hydrated lime, sodium bicarbonate, or dry hydrated lime/sodium bicarbonate combination dry lime injection baghouse, identified as DIFF-03, and exhausting to Stack DIFF-03, capacity: 20.55 tons of bricks and 25.0 million British thermal units per hour.
 - (3) One (1) natural gas/propane brick dryer, identified as EU-43BD1, exhausting to Stack 43BD1, capacity: 20.55 tons of bricks and 13.29 million British thermal units per hour.

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

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

D.3.1 PSD and Nonattainment NSR Minor Modification Limits [326 IAC 2-2] [326 IAC 2-1.1-5] [326 IAC 2-4.1]

- (a) The construction of these facilities shall not commence until the Permittee demonstrates compliance with the pound per ton emission limitations in Condition D.2.1 using the testing required by Condition D.2.6(c).
- (b) The potential to emit PM, PM₁₀, and SO₂ shall be limited as follows:

Facility	PM Limit	PM ₁₀ Limit	SO ₂ Limit
	lbs/ton	lbs/ton bricks	lbs/ton bricks
Kiln (EU-43K)	0.336	0.336	2.60
Mill Room (EU-43MR)	0.0063	0.0036	N/A
Total			

Compliance with these limitations limits the potential to emit PM and PM₁₀ to less than one hundred (100) tons per year and the potential to emit SO₂ to less than two hundred and fifty (250) tons per year from the addition of Plant No. 43. Therefore, this modification is a minor modification pursuant to 326 IAC 2-1.1-5, Nonattainment NSR, 326 IAC 2-2, PSD, and the requirements of 326 IAC 2-2 and 326 IAC 2-3 are not applicable.

- (c) In order to render 326 IAC 2-4.1 not applicable and render the source minor under NESHAP, the potential to emit HAPs shall not exceed the following:

Facility	Hydrogen fluoride (Hydrofluoric acid)	Hydrochloric acid
	lbs/ton bricks	lbs/ton bricks
Kiln (EU-43K)	0.057	0.056

Compliance with these limitations limits the potential to emit a single HAP to less than ten (10) tons per year and of a combination of HAPs to less than twenty-five (25) tons per year from EU-NPK and renders the requirements of 326 IAC 2-4.1 not applicable to Kiln (EU-43K).

Compliance with this limitation in conjunction with Condition D.2.2 and the potential to emit HAP from other emission units at the source shall limit the potential to emit of single

HAP to less than ten (10) tons per year and of a combination of HAPs to less than twenty-five (25) tons per year. Therefore, this source is an area source of HAP.

- (d) The production of bricks at kiln EU-43K shall not exceed 180,018 tons per twelve (12) consecutive month period with compliance determined at the end of each month.

D.3.2 Sulfur Dioxide (SO₂) [326 IAC 7-1.1-1]

Pursuant to 326 IAC 7-1.1 (SO₂ Emissions Limitations), the SO₂ emissions from the kiln, identified as EU-43K, shall not exceed six (6.0) pounds per million British thermal units heat input while combusting coal.

D.3.3 Particulate [326 IAC 6-3-2]

- (a) Pursuant to 326 IAC 6-3-2 (Particulate Emission Limitations for Manufacturing Processes), the allowable particulate emission rate from the one (1) proposed brick making room and sand system (EU-43MR) shall not exceed 48.1 pounds per hour when operating at a process weight rate of 72.5 tons per hour.

The pound per hour limitation was calculated with the following equation:

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

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

- (b) Pursuant to 326 IAC 6-3-2 (Particulate Emission Limitations for Manufacturing Processes), the allowable particulate emission rate from one (1) proposed coal/natural gas fired brick kiln (EU-43K) shall not exceed 31.1 pounds per hour when operating at a process weight rate of 20.55 tons per hour.

This pound per hour limitation was 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:

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

- (c) Pursuant to 326 IAC 6-3-2 (Particulate Emission Limitations for Manufacturing Processes), the allowable particulate emission rate from the one (1) proposed natural gas/propane brick dryer (EU-43BD1) shall not exceed 31.1 pounds per hour when operating at a process weight rate of 20.55 tons per hour.

This pound per hour limitation was 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:

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

D.3.4 Preventive Maintenance Plan [326 IAC 2-7-5(13)]

A Preventive Maintenance Plan, in accordance with Section B - Preventive Maintenance Plan, of this permit, is required for these facilities and all control devices.

Compliance Determination Requirements

D.3.5 Testing Requirements [326 IAC 2-7-6(1),(6)] [326 IAC 2-1.1-11]

No later than 180 days after startup, in order to demonstrate compliance with Conditions D.3.1(b) and D.3.3(b), the Permittee shall perform PM, PM₁₀ and SO₂ testing for the one (1) coal/natural gas fired brick kiln stack (DIFF-03). PM₁₀ includes filterable and condensable PM₁₀. This test shall be repeated at least once every five (5) years from the date of this valid compliance demonstration. Testing shall be conducted in accordance with Section C - Performance Testing.

D.3.6 Particulate, SO₂, and HAP Control [326 IAC 2-7-6(6)]

- (a) In order to comply with Conditions D.3.1(b), D.3.1(c), and D.3.3(b), the dry hydrated lime, sodium bicarbonate, or dry hydrated lime/sodium bicarbonate combination injection baghouse, identified as DIFF-03, for particulate and SO₂ control shall be in operation and control emissions from the one (1) coal/natural gas fired brick kiln (EU-43K) at all times that the kiln is in operation.
- (b) In order to comply with Condition D.3.1(b), the baghouse, identified as CD-43MRBH, for particulate control shall be in operation and control emissions from the one (1) brick making room and sand system, identified as EU-43MR, at all times that the one (1) brick making room and sand system, identified as EU-43MR, is 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.

D.3.7 Sulfur Dioxide Emissions and Sulfur Content [326 IAC 2-7-5(3)(A)] [326 IAC 2-7-6]

Pursuant to 326 IAC 7-2, the Permittee shall demonstrate that the sulfur dioxide emissions from the kiln (EU-43K) do not exceed six (6.0) pounds per million British thermal units. Compliance shall be determined utilizing one of the following options:

- (a) Providing vendor analysis of coal delivered, if accompanied by a certification from the fuel supplier, as described under 40 CFR 60.48c(f)(3). The certification shall include:
 - (1) The name of the coal supplier; and
 - (2) 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 coal 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); and
 - (3) 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
 - (4) The methods used to determine the properties of the coal; or
- (b) Sampling and analyzing the coal by using one of the following procedures:
 - (1) Minimum Coal Sampling Requirements and Analysis Methods:
 - (A) The coal sample acquisition point shall be at a location where representative samples of the total coal flow to be combusted by the facility or facilities may be obtained. A single as-bunkered or as-burned sampling station may be used to represent the coal to be combusted by multiple facilities using the same stockpile feed system;

- (B) Coal shall be sampled at least one (1) time per day;
 - (C) Minimum sample size shall be five hundred (500) grams;
 - (D) Samples shall be composited and analyzed at the end of each calendar quarter;
 - (E) Preparation of the coal sample, heat content analysis, and sulfur content analysis shall be determined pursuant to 326 IAC 3-7-2(c), (d), (e); or
- (2) Sample and analyze the coal pursuant to 326 IAC 3-7-3; or
- (c) Compliance may also be determined by conducting a stack test for sulfur dioxide emissions from the tunnel kilns, using 40 CFR 60, Appendix A, Method 6 in accordance with the procedures in 326 IAC 3-6, which is conducted with such frequency as to generate the amount of information required by (a) or (b) above. [326 IAC 7-2-1(b)]

A determination of noncompliance pursuant to any of the methods specified in (a), (b), or (c) above shall not be refuted by evidence of compliance pursuant to the other method.

Compliance Monitoring Requirements L326 IAC 2-7-6(1)] L326 IAC 2-7-5(1)]

D.3.8 Visible Emissions Notations

- (a) Visible emission notations of (1) coal/natural gas fired brick kiln (EU-43K) stack exhaust (DIFF-03) and the one (1) brick making room and sand system (EU-43MR) baghouse stack exhaust (43MRBH) shall be performed once per day during normal daylight operations.
- (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.3.9 Baghouse Parametric Monitoring [326 IAC 2-7-6(1)] [326 IAC 2-7-5(1)]

- (a) The Permittee shall record the pressure drop across the baghouse (CD-43MRBH) used in conjunction with the one (1) brick making room and sand system (EU-43MR) at least once per day when the brick making room and sand system is in operation. When for any one reading, the pressure drop across the baghouse is outside the normal range of 2.0 and 8.0 inches of water or a range established during the latest stack test, the Permittee shall take reasonable response. 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 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 at least once every six (6) months.

D.3.10 Broken or Failed Bag Detection

- (a) For a single compartment baghouse controlling emissions from a process operated continuously, a failed unit and the associated process shall be shut down immediately until the failed unit has 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 baghouse 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 line. 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 baghouse's 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.

D.3.11 Compliance Assurance SO₂ Monitoring [40 CFR 64]

- (a) The Permittee shall continuously monitor the dry lime and/or sodium bicarbonate feed rate at the one (1) dry hydrated lime, sodium bicarbonate, or dry hydrated lime/sodium bicarbonate combination lime injection baghouse, identified as DIFF-03.
- (b) The Permittee shall inspect the dry lime and/or sodium bicarbonate feed system and feeder setting on the one (1) dry hydrated lime, sodium bicarbonate, or dry hydrated lime/sodium bicarbonate combination lime injection baghouse, identified as DIFF-03, once per shift.
- (c) If the lime and/or sodium bicarbonate feeder setting drops below the level established during the latest performance test, the switches monitoring the interlock system on the limestone and/or sodium bicarbonate delivery systems, including the lime screw conveyor and holding bin, are not functioning properly, or the Permittee discovers cracks, holes or abnormal/excessive wear on the indicators for the screw conveyor and holding bin, the Permittee shall take reasonable response. Failure to take response steps shall be considered a deviation from this permit. Section C - Response to Excursions or Exceedances contains the Permittee's obligation with regard to the reasonable response steps required by this condition.

Record Keeping and Reporting Requirement L326 IAC 2-7-5(3)] L326 IAC 2-7-19]

D.3.12 Record Keeping Requirements

- (a) To document the compliance status with Condition D.3.1 the Permittee shall maintain records in accordance with (1) through (4) below. Records maintained for (1) through (4) shall be taken monthly and shall be complete and sufficient to establish compliance with the brick production limit as well as the SO₂ emission limits established in Condition D.3.1.
 - (1) The total number of bricks produced at each kiln each month;
 - (2) Calendar dates covered in the compliance determination period;
 - (3) Sulfur content, heat content, and ash content of the coal; and
 - (4) Sulfur dioxide emission rates.
- (b) To document the compliance status with Condition D.3.8, the Permittee shall maintain records of once per day visible emission notations of the one (1) coal/natural gas fired brick kiln (EU-43K) stack exhaust (DIFF-03) while combusting coal and the brick making room and sand system (EU-43MR) baghouse stack (43MRBH) exhaust. The Permittee shall include in its daily record when a visible emission notation is not taken and the reason for the lack of visible emission notation (e.g. the process did not operate that day).

- (c) To document the compliance status with Condition D.3.9, the Permittee shall maintain records once per day of the pressure drop across the baghouse (CD-43MRBH) used in conjunction with the one (1) brick making room and sand system (EU-43MR) during normal operation when venting to the atmosphere. The Permittee shall include in its daily record when a pressure drop reading is not taken and the reason for the lack of pressure drop reading (e.g. the process did not operate that day).
- (d) To document the compliance status with Condition D.3.11, the Permittee shall maintain records of the feeder setting once per shift.
- (e) Section C – General Record Keeping Requirements, of this permit contains the Permittee's obligations with regard to the records required by this condition and the Permittee make such records available upon request to IDEM, OAQ, and the US EPA.

D.3.13 Reporting Requirements

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

SECTION D.4 FACILITY OPERATION CONDITIONS

Facility Description [326 IAC 2-7-5(15)] Waste Brick Crushing

- (d) Waste brick crushing operations, identified as EU-BC, including conveying, crushing and screening, using wet suppression, capacity: 150 tons of bricks per hour.

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

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

D.4.1 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 waste brick crushing operations (EU-BC) shall not exceed 55.4 pounds per hour when operating at a process weight rate of 150 tons per hour.

The pound per hour limitation was calculated with the following equation:

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

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

**INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
OFFICE OF AIR QUALITY**

**PART 70 OPERATING PERMIT
CERTIFICATION**

Source Name: General Shale Brick, Inc.
Source Address: Highway 67 South and CR 1000 North, Mooresville, Indiana 46158
Mailing Address: P.O. Box 156, Mooresville, Indiana 46518
Part 70 Permit No.: T 109-16617-00002

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:

Phone:

Date:

**INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
 OFFICE OF AIR QUALITY
 COMPLIANCE AND ENFORCEMENT BRANCH
 100 North Senate Avenue
 MC 61-53 IGCN 1003
 Indianapolis, Indiana 46204-2251
 Phone: 317-233-0178
 Fax: 317-233-6865**

**PART 70 OPERATING PERMIT
 EMERGENCY OCCURRENCE REPORT**

Source Name: General Shale Brick, Inc.
 Source Address: Highway 67 South and CR 1000 North, Mooresville, Indiana 46158
 Mailing Address: P.O. Box 156, Mooresville, Indiana 46518
 Part 70 Permit No.: T 109-16617-00002

This form consists of 2 pages

Page 1 of 2

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

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

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

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

Page 2 of 2

Date/Time Emergency started:
Date/Time Emergency was corrected:
Was the facility being properly operated at the time of the emergency? Y N
Type of Pollutants Emitted: TSP, PM-10, SO ₂ , VOC, NO _x , CO, Pb, other:
Estimated amount of pollutant(s) emitted during emergency:
Describe the steps taken to mitigate the problem:
Describe the corrective actions/response steps taken:
Describe the measures taken to minimize emissions:
If applicable, describe the reasons why continued operation of the facilities are necessary to prevent imminent injury to persons, severe damage to equipment, substantial loss of capital investment, or loss of product or raw materials of substantial economic value:

Form Completed by: _____

Title / Position: _____

Date: _____

Phone: _____

A certification is not required for this report.

**INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
OFFICE OF AIR QUALITY
COMPLIANCE AND ENFORCEMENT BRANCH
Part 70 Quarterly Report**

Source Name: General Shale Brick, Inc.
Source Address: Highway 67 South and CR 1000 North, Mooresville, Indiana 46158
Mailing Address: P.O. Box 156, Mooresville, Indiana 46518
Part 70 Permit No.: T109-16617-00002
Facility: EU-43K
Parameter: Brick Produced
Limit: Shall not exceed 180,018 tons per twelve (12) consecutive month period with compliance determined at the end of each month.

YEAR:

Month	Bricks Produced (tons)	Bricks Produced (tons)	Bricks Produced (tons)
	This Month	Previous 11 Months	12 Month Total

- No deviation occurred in this quarter.
- Deviation/s occurred in this quarter.
Deviation has been reported on: _____

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

Attach a signed certification to complete this report.

INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

**OFFICE OF AIR QUALITY
COMPLIANCE AND ENFORCEMENT BRANCH**

**PART 70 OPERATING PERMIT
QUARTERLY DEVIATION AND COMPLIANCE MONITORING REPORT**

Source Name: General Shale Brick, Inc.
Source Address: Highway 67 South and CR 1000 North, Mooresville, Indiana 46158
Mailing Address: P.O. Box 156, Mooresville, Indiana 46518
Part 70 Permit No.: T 109-16617-00002

Months: _____ to _____ Year: _____

Page 1 of 2

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

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

Form Completed by: _____

Title / Position: _____

Date: _____

Phone: _____

Attach a signed certification to complete this report.

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

Technical Support Document (TSD) for a
Part 70 Significant Permit Modification

Source Description and Location

Source Name:	General Shale Brick, Inc.
Source Location:	Highway 67, South and CR 1000 North, Mooresville, IN 46158
County:	Morgan
SIC Code:	3251
Operation Permit No.:	T109-16617-00002
Operation Permit Issuance Date:	June 12, 2006
Significant Permit Modification No.:	109-29219-00002
Permit Reviewer:	Mehul Sura

Source Definition

This brick and structural clay products manufacturing company consists of three (3) plants:

- (a) Plant No. 20 is located at Highway 67 South and CR 1000 N, Mooresville, Indiana;
- (b) Plant No. 32 is located at Highway 67 South and CR 1000 N, Mooresville, Indiana; and
- (c) The New Plant is located at Highway 67 South and CR 1000 N, Mooresville, Indiana.

Since the three (3) plants are located on contiguous or adjacent properties, belong to the same industrial grouping, and are under common control of the same entity, they are considered one (1) source.

Existing Approvals

The source was issued Part 70 Operating Permit No. T109-16617-00002 on June 12, 2006. The source has since received the following approvals:

Permit Type	Permit Number	Issuance Date
Significant Source Modification	109-22854-00002	September 11, 2006
Significant Permit Modification	109-22865-00002	November 22, 2006
Significant Permit Modification	109-24454-00002	January 22, 2008

County Attainment Status

The source is located in Morgan County.

Pollutant	Designation
SO ₂	Better than national standards.
CO	Unclassifiable or attainment effective November 15, 1990.
O ₃	Attainment effective October 19, 2007, for the 8-hour ozone standard. ¹
PM ₁₀	Unclassifiable effective November 15, 1990.
NO ₂	Cannot be classified or better than national standards.
Pb	Not designated.
¹ Unclassifiable or attainment effective October 18, 2000, for the 1-hour ozone standard which was revoked effective June 15, 2005. Basic nonattainment designation effective federally April 5, 2005, for PM2.5.	

(a) Ozone Standards

- (1) On October 25, 2006, the Indiana Air Pollution Control Board finalized a rule revision to 326 IAC 1-4-1 revoking the one-hour ozone standard in Indiana.
- (3) On November 9, 2007, the Indiana Air Pollution Control Board finalized a temporary emergency rule to re-designate Boone, Hamilton, Hancock, Hendricks, Johnson, Madison, Marion, Morgan, and Shelby, counties 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. Morgan 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

U.S. EPA, in the Federal Register Notice 70 FR 943 dated January 5, 2005, has designated Morgan County as nonattainment for PM2.5. On March 7, 2005, the Indiana Attorney General's Office, on behalf of IDEM, filed a lawsuit with the Court of Appeals for the District of Columbia Circuit challenging U.S. EPA's designation of nonattainment areas without sufficient data. However, in order to ensure that sources are not potentially liable for a violation of the Clean Air Act, the OAQ is following the U.S. EPA's New Source Review Rule for PM2.5 promulgated on May 8, 2008, and effective on July 15, 2008. Therefore, direct PM2.5 and SO2 emissions were reviewed pursuant to the requirements of Nonattainment New Source Review, 326 IAC 2-1.1-5. See the State Rule Applicability – Entire Source section.

(c) Other Criteria Pollutants

Morgan County has been classified as attainment or unclassifiable in Indiana for all other pollutants. Therefore, these emissions were reviewed pursuant to the requirements for Prevention of Significant Deterioration (PSD), 326 IAC 2-2.

(d) 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.

Source Status

The table below summarizes the potential to emit of the entire source, prior to the proposed modification, after consideration of all enforceable limits established in the effective permits:

Pollutant	Emissions (ton/yr)
PM	less than 250
PM ₁₀	less than 250
PM _{2.5}	greater than 100
SO ₂	greater than 250
VOC	less than 250
CO	less than 250
NO _x	less than 250

- (a) This existing source is a major stationary source, under PSD (326 IAC 2-2), because SO₂, a regulated pollutant, is emitted at a rate of 250 tons per year or more, and it is not one of the twenty-eight (28) listed source categories, as specified in 326 IAC 2-2-1(gg)(1).
- (b) This existing source is a major stationary source, under nonattainment new source review rules (326 IAC 2-1.1-5) since direct PM_{2.5} and/or SO₂ is emitted at a rate of 100 tons per year or more.
- (c) These emissions are based upon Significant Permit Modification No. 109-24454-00002, issued on January 22, 2008.

The table below summarizes the potential to emit HAPs for the entire source, prior to the proposed modification, after consideration of all enforceable limits established in the effective permits:

HAPs	Potential To Emit (ton/yr)
single HAP	greater than 10
combined HAPs	greater than 25

This existing source is a major source of HAPs, as defined in 40 CFR 63.2, because HAP emissions are greater than ten (10) tons per year for a single HAP and/or greater than twenty-five (25) tons per year for a combination of HAPs. Therefore, this source is a major source under Section 112 of the Clean Air Act (CAA).

Description of Proposed Modification

The Office of Air Quality (OAQ) has reviewed a modification application, submitted by General Shale Brick, Inc. on May 5, 2010, relating to the following:

- (a) Permanently shutdown a brick manufacturing line, identified as Line 1, located at Plant No. 20.
- (b) Limit the source-wide single HAP and combined HAP PTE to less than 10 and 25 tons per year, respectively; and change the source to area source status for HAP.

The source status has been changed to area source for HAP, as described under Federal Rule Applicability section of this TSD.

The descriptive information of the equipment located at the new plant will be revised as follows:

Existing Description	Revised Description
New Plant	Plant No. 43
Stack MRBH	Stack 43MRBH
mill room EU-NPMR	mill room EU-43MR
kiln EU-NPK	kiln EU-43K
dryer EU-NPBD1	dryer EU-43BD1
Stack NPBD1	Stack 43BD1

Enforcement Issues

There are no pending enforcement actions related to this modification.

Emission Calculations

There is no emission increase due to this modification.

Permit Level Determination – Part 70

The modification will be incorporated into the Part 70 Operating Permit through a significant permit modification issued pursuant to 326 IAC 2-7-12(d), because this modification requires significant changes in the permit conditions.

Permit Level Determination – PSD and Nonattainment New Source Review

This modification does not cause any emissions increase. Therefore, the requirements of 326 IAC 2-2 (PSD) and 326 IAC 2-1.1-5 (Nonattainment New Source Review) are not applicable.

SO2 Emission Credit

The source has requested to register SO2 emission credit due to the shutdown of Line 1. The SO2 emissions will be registered in the Emission Credit Registry Database after the source provides SO2 emission reduction information.

Federal Rule Applicability Determination

NSPS:

There are no New Source Performance Standards (NSPS)(326 IAC 12 and 40 CFR Part 60) included in the permit due to this proposed modification.

NESHAP:

- (a) The source has proposed following limits to limit the source-wide single HAP and combined HAPs emissions to less than 10 and 25 tons per year, respectively:

Process / Emission Unit	Hydrogen Fluoride Limit (lb/ton of brick)	Hydrochloric Acid Limit (lb/ton of brick)
Line 2 Kiln (located at Plant No. 32)	0.057	0.056
Plant 43 Kiln (EU-43MR)	0.057	0.056

Compliance with the above limits, in conjunction with the HAPs PTE of other emission units at the source, will limit the source-wide single and combined HAPs emissions to less than 10 and 25 tpy, respectively, and therefore renders the source an area source of HAP.

- (b) On March 13, 2007, the United States Court of Appeals for the District of Columbia Circuit (in *Sierra Club vs EPA*, 2007 U.S. App LEXIS 5749, No. 03-1202), vacated 40 CFR 63, National Emission Standards for Hazardous Air Pollutants (NESHAPs) for Brick and

Structural Clay Products Manufacturing, Subpart JJJJJ in its entirety.

There are no NESHAPs (326 IAC 14, 326 IAC 20 and 40 CFR Part 63) included in the permit due to this proposed modification.

- (c) There are no area source NESHAPs (326 IAC 14, 326 IAC 20 and 40 CFR Part 63) included in the permit due to this proposed modification.

Compliance Assurance Monitoring (CAM)

The proposed modification does not involve any new emission unit or modified emission unit. Therefore, CAM (40 CFR 64.2) requirements are not included in the permit due to this proposed modification.

State Rule Applicability Determination

326 IAC 2-2 and 326 IAC 2-1.1-5 (Nonattainment New Source Review)

PSD and Nonattainment New Source Review applicability are discussed under the Permit Level Determination – PSD and Nonattainment New Source Review section.

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

Compliance with the HAPs limits specified in Federal Rule Applicability Determination section of this TSD will limit the single and combined HAPs emissions to less than 10 and 25 tpy, respectively, from Line 2 Kiln (located at Plant No. 32) and Plant 43 Kiln (EU-43MR); and therefore renders the requirements of 326 IAC 2-4.1 not applicable to Line 2 Kiln (located at Plant No. 32) and Plant 43 Kiln (EU-43MR).

Compliance Determination and Monitoring Requirements

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

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

The compliance determination requirement applicable to this modification is as follows:

In order to comply with the HAPs limits specified for the Line 2 Kiln (located at Plant No. 32) and Plant 43 Kiln (EU-43MR) in Federal Rule Applicability Determination section of this TSD, the dry hydrated lime, sodium bicarbonate, or dry hydrated lime/sodium bicarbonate combination injection system equipped on baghouse, identified as DIFF-02 and DIFF-03, shall be in operation and control HAPs emissions from the Line 2 Kiln (located at Plant No. 32) and Plant 43 Kiln (EU-43MR) at all times that these emission units are in operation.

The Compliance Assurance Monitoring requirement for Line 2 Kiln (located at Plant No. 32) and Plant 43 Kiln (EU-43MR) specified in the permit will supplement the above compliance determination requirement.

Testing requirements due to this modification is as follows:

Units	Fuel Usage	Pollutant/Parameter	Limit	Material Injection in the baghouse	Most Recent Testing	Timeframe for Testing	Frequency of Testing
Line 2 Kiln (located at Plant No. 32)	Natural Gas*	HF	0.057 lb/ton of brick	dry hydrated lime	January 24, 2007	no later than 5 years after the most recent stack testing	every 5 years
		HCl	0.056 lb/ton of brick				
		HF	0.057 lb/ton of brick	sodium bicarbonate			
		HCl	0.056 lb/ton of brick				

* Based on AP 42 emission factor, uncontrolled HF emissions from a Kiln is higher when using natural gas over coal; and HCl emissions from a kiln is equal when using natural gas and coal. Therefore, natural gas has been chosen as a fuel for the testing.

The HF and HCl test results from the Line 2 Kiln (located at Plant No. 32) will be used as representative HF and HCl results for the Plant 43 Kiln (EU-43MR) as well. Therefore, HAPs testing has not been included in the permit for the Plant 43 Kiln (EU-43MR) due to this modification.

Proposed Changes

The changes listed below have been made to Part 70 Operating Permit No. T109-16617-00002. Deleted language appears as ~~strikethroughs~~ and new language appears in **bold**:

- Change 1: Several of IDEM's Branches and sections have been renamed. Therefore, IDEM has updated the addresses listed in the permit. References to Permit Administration and Development Section and the Permits Branch have been changed to Permit Administration and Support Section. References to Asbestos Section, Compliance Data Section, Air Compliance Section, and Compliance Branch have been changed to Compliance and Enforcement Branch.
- Change 2: IDEM will reference 326 IAC 2 in Section B-Source Modification Requirements, rather than specific construction rules.
- Change 3: 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 C ... contains the Permittee's obligations with regard to the records required by this condition."
- Change 4: 326 IAC 2-7 requires that "a responsible official" perform certain actions. 326 IAC 2-7-1(34) allows for multiple people to meet the definition of "responsible official." Therefore, IDEM is revising all instances of "the responsible official" to read "a responsible official."
- Change 5: IDEM has clarified what rule requirements a certification needs to meet. IDEM has removed the last sentence dealing with the need for certification from the forms because the Conditions requiring the forms already addresses this issue.
- Change 6: Section B -Duty to Provide Information has been revised.
- Change 7: To clarify that Section B - Certification only states what a certification must be, IDEM has revised the condition.
- Change 8: IDEM has decided to clarify Section B - Preventive Maintenance Plan.
- Change 9: IDEM, OAQ is revising Section B - Emergency Provisions to delete paragraph (h). 326 IAC 2-7-5(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.
- Change 10: 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. Subparagraph (g)(4) has been revised to match the underlying rule language.
- Change 11: IDEM will 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.
- Change 12: IDEM will state that no notice is required for approved changes in Section B - Permit Revision Under Economic Incentives and Other Programs.
- Change 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.
- Change 14: IDEM has added a new condition 'Instrument Specifications' in Section C.
- Change 15: IDEM has revised Section C - Incineration to more closely reflect the two underlying rules.

- Change 17: 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.
- Change 18: 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 change to clearly indicate that it is the Permittee that must follow the requirements of the condition.
- Change 19: IDEM has removed Section C - Monitoring Methods. The conditions that require the monitoring or testing, if required, state what methods shall be used.
- Change 20: 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.
- Change 21: 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.
- Change 22: Paragraph (b) of Section C - Emission Statement has been removed. It was duplicative of the requirement in Section C - General Reporting Requirements.
- Change 23: The voice of paragraph (b) of Section C - General Record Keeping Requirements has been change to clearly indicate that it is the Permittee that must follow the requirements of the paragraph.
- Revisions to have been made to the Section C – General Recordkeeping and Section C – General Reporting Requirements to reflect NSR (New Source Review) reform provisions at the major sources.
- Change 24: IDEM has simplified the referencing in Section C - Compliance with 40 CFR 82 and 326 IAC 22-1.
- Change 25: Section B and Section C conditions have been renumbered, if needed.
- Change 26: 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.
- Change 27: The phrase "of this permit" has been added to the paragraph of the Quarterly Deviation and Compliance Monitoring Report to match the underlying rule.

Change 28: 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.

SECTION B — GENERAL CONDITIONS

B.1 — Definitions [326 IAC 2-7-1]

Terms in this permit shall have the definition assigned to such terms in the referenced regulation. In the absence of definitions in the referenced regulation, the applicable definitions found in the statutes or regulations (IC 13-11, 326 IAC 1-2 and 326 IAC 2-7) shall prevail.

B.2 — Permit Term [326 IAC 2-7-5(2)] [326 IAC 2-1.1-9.5] [326 IAC 2-7-4(a)(1)(D)] [IC 13-15-3-6]

- (a) This permit, T 109-16617-00002, is issued for a fixed term of five (5) years from the issuance date of this permit, as determined in accordance with IC 4-21.5-3-5(f) and IC 13-15-5-3. Subsequent revisions, modifications, or amendments of this permit do not affect the expiration date of this permit.
- (b) If IDEM, OAQ, upon receiving a timely and complete renewal permit application, fails to issue or deny the permit renewal prior to the expiration date of this permit, this existing permit shall not expire and all terms and conditions shall continue in effect, including any permit shield provided in 326 IAC 2-7-15, until the renewal permit has been issued or denied.

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

Notwithstanding the permit term of a permit to construct, a permit to operate, or a permit modification, any condition established in a permit issued pursuant to a permitting program approved in the state implementation plan shall remain in effect until:

- (a) the condition is modified in a subsequent permit action pursuant to Title I of the Clean Air Act; or
- (b) the emission unit to which the condition pertains permanently ceases operation.

B.4 — Enforceability [326 IAC 2-7-7]

Unless otherwise stated, all terms and conditions in this permit, including any provisions designed to limit the source's potential to emit, are enforceable by IDEM, the United States Environmental Protection Agency (U.S. EPA) and by citizens in accordance with the Clean Air Act.

B.5 — Severability [326 IAC 2-7-5(5)]

The provisions of this permit are severable; a determination that any portion of this permit is invalid shall not affect the validity of the remainder of the permit.

B.6 — Property Rights or Exclusive Privilege [326 IAC 2-7-5(6)(D)]

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

B.7 — Duty to Provide Information [326 IAC 2-7-5(6)(E)]

- (a) The Permittee shall furnish to IDEM, OAQ, within a reasonable time, any information that IDEM, OAQ, may request in writing to determine whether cause exists for modifying, revoking and reissuing, or terminating this permit, or to determine compliance with this permit. The submittal by the Permittee does require the certification by the "responsible official" as defined by 326 IAC 2-7-1(34). Upon request, the Permittee shall also furnish to IDEM, OAQ, copies of records required to be kept by this permit.
- (b) For information furnished by the Permittee to IDEM, OAQ, the Permittee may include a claim of confidentiality in accordance with 326 IAC 17.1. When furnishing copies of requested records directly to U.S. EPA, the Permittee may assert a claim of confidentiality in accordance with 40 CFR 2, Subpart B.

B.8 — Certification [326 IAC 2-7-4(f)] [326 IAC 2-7-6(1)] [326 IAC 2-7-5(3)(C)]

- ~~(a) Where specifically designated by this permit or required by an applicable requirement, any application form, report, or compliance certification submitted shall contain certification by a responsible official of truth, accuracy, and completeness. This certification shall state that, based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate, and complete.~~
- ~~(b) One (1) certification shall be included, using the attached Certification Form, with each submittal requiring certification.~~
- ~~(c) A responsible official is defined at 326 IAC 2-7-1(34).~~

~~B.9 Annual Compliance Certification [326 IAC 2-7-6(5)]~~

- ~~(a) The Permittee shall annually submit a compliance certification report which addresses the status of the source's compliance with the terms and conditions contained in this permit, including emission limitations, standards, or work practices. All certifications shall cover the time period from January 1 to December 31 of the previous year, and shall be submitted no later than July 1 of each year to:~~

~~Indiana Department of Environmental Management
Compliance Branch, Office of Air Quality
100 North Senate Avenue
MC 61-53 IGCN 1003
Indianapolis, Indiana 46204-2254~~

~~and~~

~~United States Environmental Protection Agency, Region V
Air and Radiation Division, Air Enforcement Branch—Indiana (AE-17J)
77 West Jackson Boulevard
Chicago, Illinois 60604-3590~~

- ~~(b) The annual compliance certification report required by this permit shall be considered timely if the date postmarked on the envelope or certified mail receipt, or affixed by the shipper on the private shipping receipt, is on or before the date it is due. If the document is submitted by any other means, it shall be considered timely if received by IDEM, OAQ, on or before the date it is due.~~
- ~~(c) The annual compliance certification report shall include the following:~~
 - ~~(1) The appropriate identification of each term or condition of this permit that is the basis of the certification;~~
 - ~~(2) The compliance status;~~
 - ~~(3) Whether compliance was continuous or intermittent;~~
 - ~~(4) The methods used for determining the compliance status of the source, currently and over the reporting period consistent with 326 IAC 2-7-5(3); and~~
 - ~~(5) Such other facts, as specified in Sections D of this permit, as IDEM, OAQ, may require to determine the compliance status of the source.~~

~~The submittal by the Permittee does require the certification by the "responsible official" as defined by 326 IAC 2-7-1(34).~~

~~B.10 Preventive Maintenance Plan [326 IAC 2-7-5(1), (3) and (13)] [326 IAC 2-7-6(1) and (6)] [326 IAC 1-6-3]~~

- (a) ~~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.~~
- (b) ~~A copy of the PMPs shall be submitted to IDEM, OAQ, upon request and within a reasonable time, and shall be subject to review and approval by IDEM, OAQ. IDEM, OAQ, may require the Permittee to revise its PMPs whenever lack of proper maintenance causes or is the primary contributor to an exceedance of any limitation on emissions or potential to emit. The PMPs do not require the certification by the "responsible official" as defined by 326 IAC 2-7-1(34).~~
- (c) ~~To the extent the Permittee is required by 40 CFR 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.11 Emergency Provisions [326 IAC 2-7-16]

- (a) ~~An emergency, as defined in 326 IAC 2-7-1(12), is not an affirmative defense for an action brought for noncompliance with a federal or state health-based emission limitation.~~
- (b) ~~An emergency, as defined in 326 IAC 2-7-1(12), constitutes an affirmative defense to an action brought for noncompliance with a technology-based emission limitation if the affirmative defense of an emergency is demonstrated through properly signed, contemporaneous operating logs or other relevant evidence that describe the following:~~
- ~~(1) An emergency occurred and the Permittee can, to the extent possible, identify the causes of the emergency;~~
 - ~~(2) The permitted facility was at the time being properly operated;~~
 - ~~(3) During the period of an emergency, the Permittee took all reasonable steps to minimize levels of emissions that exceeded the emission standards or other requirements in this permit;~~
 - ~~(4) For each emergency lasting one (1) hour or more, the Permittee notified IDEM, OAQ, within four (4) daytime business hours after the beginning of the emergency, or after the emergency was discovered or reasonably should have been discovered;~~

~~Telephone Number: 1-800-451-6027 (ask for Office of Air Quality, Compliance Section), or~~

~~Telephone Number: 317-233-0178 (ask for Compliance Section)~~

~~Facsimile Number: 317-233-6865~~

- (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 Branch, Office of Air Quality
100 North Senate Avenue
MC 61-53 IGCN 1003~~

~~Indianapolis, Indiana 46204-2251~~

~~within two (2) working days of the time when emission limitations were exceeded due to the emergency.~~

The notice fulfills the requirement of 326 IAC 2-7-5(3)(C)(ii) and must contain the following:

- ~~(A) — A description of the emergency;~~
- ~~(B) — Any steps taken to mitigate the emissions; and~~
- ~~(C) — Corrective actions taken.~~

The notification which shall be submitted by the Permittee does not require the certification by the "responsible official" as defined by 326 IAC 2-7-1(34).

- ~~(6) — The Permittee immediately took all reasonable steps to correct the emergency.~~
- ~~(c) — In any enforcement proceeding, the Permittee seeking to establish the occurrence of an emergency has the burden of proof.~~
- ~~(d) — This emergency provision supersedes 326 IAC 1-6 (Malfunctions). This permit condition is in addition to any emergency or upset provision contained in any applicable requirement.~~
- ~~(e) — The Permittee seeking to establish the occurrence of an emergency shall make records available upon request to ensure that failure to implement a PMP did not cause or contribute to an exceedance of any limitations on emissions. However, IDEM, OAQ, may require that the Preventive Maintenance Plans required under 326 IAC 2-7-4(c)(9) be revised in response to an emergency.~~
- ~~(f) — Failure to notify IDEM, OAQ by telephone or facsimile of an emergency lasting more than one (1) hour in accordance with (b)(4) and (5) of this condition shall constitute a violation of 326 IAC 2-7 and any other applicable rules.~~
- ~~(g) — If the emergency situation causes a deviation from a technology-based limit, the Permittee may continue to operate the affected emitting facilities during the emergency provided the Permittee immediately takes all reasonable steps to correct the emergency and minimize emissions.~~
- ~~(h) — The Permittee shall include all emergencies in the Quarterly Deviation and Compliance Monitoring Report.~~

~~B.12 — Permit Shield [326 IAC 2-7-15] [326 IAC 2-7-20] [326 IAC 2-7-12]~~

- ~~(a) — Pursuant to 326 IAC 2-7-15, the Permittee has been granted a permit shield. The permit shield provides that compliance with the conditions of this permit shall be deemed compliance with any applicable requirements as of the date of permit issuance, provided that either the applicable requirements are included and specifically identified in this permit or the permit contains an explicit determination or concise summary of a determination that other specifically identified requirements are not applicable. The Indiana statutes from IC 13 and rules from 326 IAC, referenced in conditions in this permit, are those applicable at the time the permit was issued. The issuance or possession of this permit shall not alone constitute a defense against an alleged violation of any law, regulation or standard, except for the requirement to obtain a Part 70 permit under 326 IAC 2-7 or for applicable requirements for which a permit shield has been granted.~~

~~This permit shield does not extend to applicable requirements which are promulgated after the date of issuance of this permit unless this permit has been modified to reflect such new requirements.~~

- (b) ~~If, after issuance of this permit, it is determined that the permit is in nonconformance with an applicable requirement that applied to the source on the date of permit issuance, IDEM, OAQ, shall immediately take steps to reopen and revise this permit and issue a compliance order to the Permittee to ensure expeditious compliance with the applicable requirement until the permit is reissued. The permit shield shall continue in effect so long as the Permittee is in compliance with the compliance order.~~
- (c) ~~No permit shield shall apply to any permit term or condition that is determined after issuance of this permit to have been based on erroneous information supplied in the permit application. Erroneous information means information that the Permittee knew to be false, or in the exercise of reasonable care should have been known to be false, at the time the information was submitted.~~
- (d) ~~Nothing in 326 IAC 2-7-15 or in this permit shall alter or affect the following:~~
- ~~(1) The provisions of Section 303 of the Clean Air Act (emergency orders), including the authority of the U.S. EPA under Section 303 of the Clean Air Act;~~
 - ~~(2) The liability of the Permittee for any violation of applicable requirements prior to or at the time of this permit's issuance;~~
 - ~~(3) The applicable requirements of the acid rain program, consistent with Section 408(a) of the Clean Air Act; and~~
 - ~~(4) The ability of U.S. EPA to obtain information from the Permittee under Section 114 of the Clean Air Act.~~
- (e) ~~This permit shield is not applicable to any change made under 326 IAC 2-7-20(b)(2) (Sections 502(b)(1-0) of the Clean Air Act changes) and 326 IAC 2-7-20(c)(2) (trading based on State Implementation Plan (SIP) provisions).~~
- (f) ~~This permit shield is not applicable to modifications eligible for group processing until after IDEM, OAQ, has issued the modifications. [326 IAC 2-7-12(e)(7)]~~
- (g) ~~This permit shield is not applicable to minor Part 70 permit modifications until after IDEM, OAQ, has issued the modification. [326 IAC 2-7-12(b)(8)]~~

B.13 ~~Prior Permits Superseded [326 IAC 2-1.1-9.5] [326 IAC 2-7-10.5]~~

- (a) ~~All terms and conditions of permits established prior to T 109-16617-00002 and issued pursuant to permitting programs approved into the state implementation plan have been either~~
- ~~(1) incorporated as originally stated,~~
 - ~~(2) revised under 326 IAC 2-7-10.5, or~~
 - ~~(3) deleted under 326 IAC 2-7-10.5.~~
- (b) ~~Provided that all terms and conditions are accurately reflected in this combined permit, all previous registrations and permits are superseded by this combined new source review and Part 70 Operating Permit.~~

B.14 ~~Termination of Right to Operate [326 IAC 2-7-10] [326 IAC 2-7-4(a)]~~

~~The Permittee's right to operate this source terminates with the expiration of this permit unless a timely and complete renewal application is submitted at least nine (9) months prior to the date of expiration of the source's existing permit, consistent with 326 IAC 2-7-3 and 326 IAC 2-7-4(a).~~

B.15 ~~Deviations from Permit Requirements and Conditions [326 IAC 2-7-5(3)(C)(ii)]~~

- (a) ~~Deviations from any permit requirements (for emergencies see Section B - Emergency Provisions), the probable cause of such deviations, and any response steps or preventive~~

~~measures taken shall be reported to:~~

~~Indiana Department of Environmental Management
Compliance Data Section, Office of Air Quality
100 North Senate Avenue
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 the "responsible official" as defined by 326 IAC 2-7-1(34).~~

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

~~B.16 — Permit Modification, Reopening, Revocation and Reissuance, or Termination [326 IAC 2-7-5(6)(C)] [326 IAC 2-7-8(a)] [326 IAC 2-7-9]~~

- ~~(a) — This permit may be modified, reopened, revoked and reissued, or terminated for cause. The filing of a request by the Permittee for a Part 70 permit modification, revocation and reissuance, or termination, or of a notification of planned changes or anticipated noncompliance does not stay any condition of this permit. [326 IAC 2-7-5(6)(C)] The notification by the Permittee does require the certification by the "responsible official" as defined by 326 IAC 2-7-1(34).~~
- ~~(b) — This permit shall be reopened and revised under any of the circumstances listed in IC 13-15-7-2 or if IDEM, OAQ, determines any of the following:~~
- ~~(1) — That this permit contains a material mistake.~~
 - ~~(2) — That inaccurate statements were made in establishing the emissions standards or other terms or conditions.~~
 - ~~(3) — That this permit must be revised or revoked to assure compliance with an applicable requirement. [326 IAC 2-7-9(a)(3)]~~
- ~~(c) — Proceedings by IDEM, OAQ, to reopen and revise this permit shall follow the same procedures as apply to initial permit issuance and shall affect only those parts of this permit for which cause to reopen exists. Such reopening and revision shall be made as expeditiously as practicable. [326 IAC 2-7-9(b)]~~
- ~~(d) — The reopening and revision of this permit, under 326 IAC 2-7-9(a), shall not be initiated before notice of such intent is provided to the Permittee by IDEM, OAQ, at least thirty (30) days in advance of the date this permit is to be reopened, except that IDEM, OAQ, may provide a shorter time period in the case of an emergency. [326 IAC 2-7-9(c)]~~

~~B.17 — Permit Renewal [326 IAC 2-7-3] [326 IAC 2-7-4] [326 IAC 2-7-8]~~

- ~~(a) — The application for renewal shall be submitted using the application form or forms prescribed by IDEM, OAQ, and shall include the information specified in 326 IAC 2-7-4. Such information shall be included in the application for each emission unit at this source, except those emission units included on the trivial or insignificant activities list contained in 326 IAC 2-7-1(21) and 326 IAC 2-7-1(40). The renewal application does require the certification by the "responsible official" as defined by 326 IAC 2-7-1(34).~~

~~Request for renewal shall be submitted to:~~

~~Indiana Department of Environmental Management
Permits Branch, Office of Air Quality
100 North Senate Avenue
MC 61-53 IGCN 1003
Indianapolis, Indiana 46204-2254~~

- ~~(b) A timely renewal application is one that is:~~
- ~~(1) Submitted at least nine (9) months prior to the date of the expiration of this permit; and~~
 - ~~(2) If the date postmarked on the envelope or certified mail receipt, or affixed by the shipper on the private shipping receipt, is on or before the date it is due. If the document is submitted by any other means, it shall be considered timely if received by IDEM, OAQ, on or before the date it is due.~~
- ~~(c) If the Permittee submits a timely and complete application for renewal of this permit, the source's failure to have a permit is not a violation of 326 IAC 2-7 until IDEM, OAQ, takes final action on the renewal application, except that this protection shall cease to apply if, subsequent to the completeness determination, the Permittee fails to submit by the deadline specified in writing by IDEM, OAQ, any additional information identified as being needed to process the application.~~

~~B.18 Permit Amendment or Modification [326 IAC 2-7-11] [326 IAC 2-7-12]~~

- ~~(a) Permit amendments and modifications are governed by the requirements of 326 IAC 2-7-11 or 326 IAC 2-7-12 whenever the Permittee seeks to amend or modify this permit.~~
- ~~(b) Any application requesting an amendment or modification of this permit shall be submitted to:~~
- ~~Indiana Department of Environmental Management
Permits Branch, Office of Air Quality
100 North Senate Avenue
MC 61-53 IGCN 1003
Indianapolis, Indiana 46204-2254~~

~~Any such application shall be certified by the "responsible official" as defined by 326 IAC 2-7-1(34).~~

- ~~(c) The Permittee may implement administrative amendment changes addressed in the request for an administrative amendment immediately upon submittal of the request. [326 IAC 2-7-11 (c)(3)]~~

~~B.19 Permit Revision Under Economic Incentives and Other Programs [326 IAC 2-7-5(8)] [326 IAC 2-7-12 (b)(2)]~~

- ~~(a) No Part 70 Permit revision shall be required under any approved economic incentives, marketable Part 70 Permits, emissions trading, and other similar programs or processes for changes that are provided for in a Part 70 Permit.~~
- ~~(b) Notwithstanding 326 IAC 2-7-1 2(b)(1) and 326 IAC 2-7-1 2(c)(1), minor Part 70 Permit modification procedures may be used for Part 70 modifications involving the use of economic incentives, marketable Part 70 Permits, emissions trading, and other similar approaches to the extent that such minor Part 70 Permit modification procedures are explicitly provided for in the applicable State Implementation Plan (SIP) or in applicable requirements promulgated or approved by the U.S. EPA.~~

~~B.20 Operational Flexibility [326 IAC 2-7-20] [326 IAC 2-7-10.5]~~

~~(a) The Permittee may make any change or changes at the source that are described in 326 IAC 2-7-20(b), (c), or (e), without a prior permit revision, if each of the following conditions is met:~~

- ~~(1) The changes are not modifications under any provision of Title I of the Clean Air Act;~~
- ~~(2) Any preconstruction approval required by 326 IAC 2-7-10.5 has been obtained;~~
- ~~(3) The changes do not result in emissions which exceed the limitations provided in this permit (whether expressed herein as a rate of emissions or in terms of total emissions);~~
- ~~(4) The Permittee notifies the:~~

~~Indiana Department of Environmental Management
Permits Branch, Office of Air Quality
100 North Senate Avenue
MC 61-53 IGCN 1003
Indianapolis, Indiana 46204-2254~~

~~and~~

~~United States Environmental Protection Agency, Region V
Air and Radiation Division, Regulation Development Branch - Indiana (AR-18J) 77
West Jackson Boulevard
Chicago, Illinois 60604-3590~~

~~in advance of the change by written notification at least ten (10) days in advance of the proposed change. The Permittee shall attach every such notice to the Permittee's copy of this permit; and~~

- ~~(5) The Permittee maintains records on-site, on a rolling five (5) year basis, which document all such changes and emission trades that are subject to 326 IAC 2-7-20(b), (c), or (e). The Permittee shall make such records available, upon reasonable request, for public review.~~

~~Such records shall consist of all information required to be submitted to IDEM, OAQ, in the notices specified in 326 IAC 2-7-20(b)(1), (c)(1), and (e)(2).~~

~~(b) The Permittee may make Section 502(b)(10) of the Clean Air Act changes (this term is defined at 326 IAC 2-7-1(36)) without a permit revision, subject to the constraint of 326 IAC 2-7-20(a). For each such Section 502(b)(10) of the Clean Air Act change, the required written notification shall include the following:~~

- ~~(1) A brief description of the change within the source;~~
- ~~(2) The date on which the change will occur;~~
- ~~(3) Any change in emissions; and~~
- ~~(4) Any permit term or condition that is no longer applicable as a result of the change.~~

~~The notification which shall be submitted is not considered an application form, report or compliance certification. Therefore, the notification by the Permittee does not require the certification by the "responsible official" as defined by 326 IAC 2-7-1(34).~~

~~(c) Emission Trades [326 IAC 2-7-20(c)]~~

~~The Permittee may trade emissions increases and decreases at the source, where the applicable SIP provides for such emission trades without requiring a permit revision, subject to the constraints of Section (a) of this condition and those in 326 IAC 2-7-20(c).~~

~~(d) — Alternative Operating Scenarios [326 IAC 2-7-20(d)]~~

~~———— The Permittee may make changes at the source within the range of alternative operating scenarios that are described in the terms and conditions of this permit in accordance with 326 IAC 2-7-5(9). No prior notification of IDEM, OAQ, or U.S. EPA is required.~~

~~B.21 — Source Modification Requirement [326 IAC 2-7-1 0.5]~~

~~(a) — A modification, construction, or reconstruction is governed by the requirements of 326 IAC 2 and 326 IAC 2-7-10.5.~~

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

~~B.22 — Inspection and Entry [326 IAC 2-7-6] [IC 13-14-2-2] [IC 13-30-3-1] [IC 13-17-3-2]~~

~~———— Upon presentation of proper identification cards, credentials, and other documents as may be required by law, and subject to the Permittee's right under all applicable laws and regulations to assert that the information collected by the agency is confidential and entitled to be treated as such, the Permittee shall allow IDEM, OAQ, U.S. EPA, or an authorized representative to perform the following:~~

~~(a) — Enter upon the Permittee's premises where a Part 70 source is located, or emissions related activity is conducted, or where records must be kept under the conditions of this permit;~~

~~(b) — As authorized by the Clean Air Act, IC 13-14-2-2, IC 13-17-3-2, and IC 13-30-3-1, have access to and copy any records that must be kept under the conditions of this permit;~~

~~(c) — As authorized by the Clean Air Act, IC 13-14-2-2, IC 13-17-3-2, and IC 13-30-3-1, inspect any facilities, equipment (including monitoring and air pollution control equipment), practices, or operations regulated or required under this permit;~~

~~(d) — As authorized by the Clean Air Act, IC 13-14-2-2, IC 13-17-3-2, and IC 13-30-3-1, sample or monitor substances or parameters for the purpose of assuring compliance with this permit or applicable requirements; and~~

~~(e) — As authorized by the Clean Air Act, IC 13-14-2-2, IC 13-17-3-2, and IC 13-30-3-1, utilize any photographic, recording, testing, monitoring, or other equipment for the purpose of assuring compliance with this permit or applicable requirements.~~

~~B.23 — Transfer of Ownership or Operational Control [326 IAC 2-7-11]~~

~~(a) — The Permittee must comply with the requirements of 326 IAC 2-7-11 whenever the Permittee seeks to change the ownership or operational control of the source and no other change in the permit is necessary.~~

~~(b) — Any application requesting a change in the ownership or operational control of the source shall contain a written agreement containing a specific date for transfer of permit responsibility, coverage and liability between the current and new Permittee. The application shall be submitted to:~~

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

~~The application which shall be submitted by the Permittee does require the certification by the "responsible official" as defined by 326 IAC 2-7-1(34).~~

~~(c) — The Permittee may implement administrative amendment changes addressed in the request for an administrative amendment immediately upon submittal of the request. [326 IAC 2-7-11 (c)(3)]~~

~~B.24 Annual Fee Payment [326 IAC 2-7-19] [326 IAC 2-7-5(7)] [326 IAC 2-1.1-7]~~

- ~~(a) The Permittee shall pay annual fees to IDEM, OAQ, within thirty (30) calendar days of receipt of a billing. Pursuant to 326 IAC 2-7-19(b), if the Permittee does not receive a bill from IDEM, OAQ, the applicable fee is due April 1 of each year.~~
- ~~(b) Except as provided in 326 IAC 2-7-19(e), failure to pay may result in administrative enforcement action or revocation of this permit.~~
- ~~(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.25 Credible Evidence [326 IAC 2-7-5(3)] [326 IAC 2-7-6] [62 FR 8314] [326 IAC 1-1-6]~~

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

SECTION C SOURCE OPERATION CONDITIONS

Entire Source

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

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

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

C.2 Opacity [326 IAC 5-1]

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

- (a) Opacity shall not exceed an average of forty percent (40%) in any one (1) six (6) minute averaging period as determined in 326 IAC 5-1-4.
- (b) Opacity shall not exceed sixty percent (60%) for more than a cumulative total of fifteen (15) minutes (sixty (60) readings as measured according to 40 CFR 60, Appendix A, Method 9 or fifteen (15) one (1) minute nonoverlapping integrated averages for a continuous opacity monitor) in a six (6) hour period.

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

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

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

The Permittee shall not operate an incinerator or incinerate any waste or refuse except as provided in 326 IAC 4-2 and 326 IAC 9-1-2. 326.

C.5 Fugitive Dust Emissions [326 IAC 6-4]

The Permittee shall not allow fugitive dust to escape beyond the property line or boundaries of the property, right-of-way, or easement on which the source is located, in a manner that would violate 326 IAC 6-4 (Fugitive Dust Emissions). 326 IAC 6-4-2(4) is not federally enforceable.

C.6 Stack Height [326 IAC 1-7]

The Permittee shall comply with the applicable provisions of 326 IAC 1-7 (Stack Height Provisions), for all exhaust stacks through which a potential (before controls) of twenty-five (25) tons per year or more of particulate matter or sulfur dioxide is emitted. The provisions of 326 IAC 1-7-1(3), 326 IAC 1-7-2, 326 IAC 1-7-3(c) and (d), 326 IAC 1-7-4, and 326 IAC 1-7-5(a), (b), and (d) are not federally enforceable.

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

- (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
Asbestos Section, Office of Air Quality
100 North Senate Avenue
MC 61-52 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 the "responsible official" as defined by 326 IAC 2-7-1(34).~~

~~(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 Accredited 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 Accredited Asbestos Inspector to thoroughly inspect the affected portion of the facility for the presence of asbestos. The requirement to use an Indiana Accredited Asbestos inspector is not federally enforceable.~~

Testing Requirements L326 IAC 2-7-6(1)}

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 test protocol, except as provided elsewhere in this permit, shall be submitted to:~~

~~Indiana Department of Environmental Management
Compliance Data Section, Office of Air Quality
100 North Senate Avenue
MC 61-53 IGCN 1003
Indianapolis, Indiana 46204-2254~~

~~no later than thirty-five (35) days prior to the intended test date. The protocol submitted by the Permittee does not require certification by the "responsible official" as defined by 326 IAC 2-7-1(34).~~

~~(b) The Permittee shall notify IDEM, OAQ of the actual test date at least fourteen (14) days prior to the actual test date. The notification submitted by the Permittee does not require certification by the "responsible official" as defined by 326 IAC 2-7-1(34).~~

~~(c) Pursuant to 326 IAC 3-6-4(b), all test reports must be received by IDEM, 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 ~~L326 IAC 2-1.1-11~~

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

~~The commissioner may require stack testing, monitoring, or reporting at any time to assure compliance with all applicable requirements by issuing an order under 326 IAC 2-1.1-11. Any monitoring or testing shall be performed in accordance with 326 IAC 3 or other methods approved by the commissioner or the U.S. EPA.~~

Compliance Monitoring Requirements ~~L326 IAC 2-7-5(1)~~ ~~L326 IAC 2-7-6(1)~~

~~C.10 Compliance Monitoring [326 IAC 2-7-5(3)] [326 IAC 2-7-6(1)]~~

~~Unless otherwise specified in this permit, all monitoring and record keeping requirements not already legally required shall be implemented within ninety (90) days of permit issuance. If required by Section D, the Permittee shall be responsible for installing any necessary equipment and initiating any required monitoring related to that equipment. If due to circumstances beyond its control, that equipment cannot be installed and operated within ninety (90) days, the Permittee may extend the compliance schedule related to the equipment for an additional ninety (90) days provided the Permittee notifies:~~

~~Indiana Department of Environmental Management
Compliance Branch, Office of Air Quality
100 North Senate Avenue
MC 61-53 IGCN 1003
Indianapolis, Indiana 46204-2254~~

~~in writing, prior to the end of the initial ninety (90) day compliance schedule, with full justification of the reasons for the inability to meet this date.~~

~~The notification which shall be submitted by the Permittee does require the certification by the "responsible official" as defined by 326 IAC 2-7-1(34).~~

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

~~C.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.~~

Corrective Actions and Response Steps ~~L326 IAC 2-7-5] L326 IAC 2-7-6]~~

~~C.12 Emergency Reduction Plans [326 IAC 1-5-2] [326 IAC 1-5-3]
Pursuant to 326 IAC 1-5-2 (Emergency Reduction Plans; Submission):~~

- ~~(a) The Permittee prepared and submitted written emergency reduction plans (ERPs) consistent with safe operating procedures on February 25, 1999.~~
- ~~(b) Upon direct notification by IDEM, OAQ, that a specific air pollution episode level is in effect, the Permittee shall immediately put into effect the actions stipulated in the approved ERP for the appropriate episode level. [326 IAC 1-5-3]~~

~~C.13 Risk Management Plan [326 IAC 2-7-5(12)] [40 CFR 68]
If a regulated substance, as defined in 40 CFR 68, is present at a source in more than a threshold quantity, the Permittee must comply with the applicable requirements of 40 CFR 68.~~

~~C.14 Response to Excursions or Exceedances [326 IAC 2-7-5] [326 IAC 2-7-6]~~

- ~~(a) Upon detecting an excursion or exceedance, the Permittee shall restore operation of the emissions unit (including any control device and associated capture system) to its normal or usual manner of operation as expeditiously as practicable in accordance with good air pollution control practices for minimizing emissions.~~
- ~~(b) The response shall include minimizing the period of any startup, shutdown or malfunction and taking any necessary corrective actions to restore normal operation and prevent the likely recurrence of the cause of an excursion or exceedance (other than those caused by excused startup or shutdown conditions). Corrective actions may include, but are not limited to, the following:
 - ~~(1) initial inspection and evaluation;~~
 - ~~(2) recording that operations returned to normal without operator action (such as through response by a computerized distribution control system); or~~
 - ~~(3) any necessary follow-up actions to return operation to within the indicator range, designated condition, or below the applicable emission limitation or standard, as applicable.~~~~
- ~~(c) A determination of whether the Permittee has used acceptable procedures in response to an excursion or exceedance will be based on information available, which may include, but is not limited to, the following:
 - ~~(1) monitoring results;~~
 - ~~(2) review of operation and maintenance procedures and records;~~
 - ~~(3) inspection of the control device, associated capture system, and the process.~~~~
- ~~(d) Failure to take reasonable response steps shall be considered a deviation from the permit.~~
- ~~(e) The Permittee shall maintain the following records:
 - ~~(1) monitoring data;~~
 - ~~(2) monitor performance data, if applicable; and~~
 - ~~(3) corrective actions taken.~~~~

~~C.15 Actions Related to Noncompliance Demonstrated by a Stack Test [326 IAC 2-7-5] [326 IAC 2-7-6]~~

- (a) ~~When the results of a stack test performed in conformance with Section C—Performance Testing, of this permit exceed the level specified in any condition of this permit, the Permittee shall take appropriate response actions. The Permittee shall submit a description of these response actions to IDEM, OAQ, within thirty (30) days of receipt of the test results. The Permittee shall take appropriate action to minimize excess emissions from the affected facility while the response actions are being implemented.~~
- (b) ~~A retest to demonstrate compliance shall be performed within one hundred twenty (120) days of receipt of the original test results. Should the Permittee demonstrate to IDEM, OAQ that retesting in one hundred twenty (120) days is not practicable, IDEM, OAQ may extend the retesting deadline.~~
- (c) ~~IDEM, OAQ reserves the authority to take any actions allowed under law in response to noncompliant stack tests.~~

~~The response action documents submitted pursuant to this condition do require the certification by the “responsible official” as defined by 326 IAC 2-7-1(34).~~

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

C.16 ~~Emission Statement [326 IAC 2-7-5(3)(C)(iii)] [326 IAC 2-7-5(7)] [326 IAC 2-7-19(c)] [326 IAC 2-6]~~

- (a) ~~Pursuant to 326 IAC 2-6-3(b)(2), starting in 2008 and every three (3) years thereafter, the Permittee shall submit by July 1 an emission statement covering the previous calendar year. The emission statement shall contain at minimum, the information specified in 326 IAC 2-6-4(c) and shall meet the following requirements:~~
- (1) ~~Indicate estimated actual emission of all pollutants listed in 326 IAC 2-6-4(a);~~
 - (2) ~~Indicate estimated actual emissions of regulated pollutants (as defined by 326 IAC 2-7-1 (32) (“Regulated pollutant, which is used only for purposes of Section 19 of this rule”) from the source, for purpose of fee assessment.~~

~~The statement must be submitted to:~~

~~Indiana Department of Environmental Management
Technical Support and Modeling Section, Office of Air Quality
100 North Senate Avenue
MC 61-51 IGCN 1003
Indianapolis, Indiana 46204-2251~~

~~The emission statement does require the certification by the “responsible official” as defined by 326 IAC 2-7-1(32).~~

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

C.17 ~~General Record Keeping Requirements [326 IAC 2-7-5(3)] [326 IAC 2-7-6] [326 IAC 2-2] [326 IAC 2-3]~~

- (a) ~~Records of all required monitoring data, reports and support information required by this permit shall be retained for a period of at least five (5) years from the date of monitoring sample, measurement, report, or application. These records shall be physically present or electronically accessible at the source location for a minimum of three (3) years. The records may be stored elsewhere for the remaining two (2) years as long as they are available upon request. If the Commissioner makes a request for records to the Permittee, the Permittee shall furnish the records to the Commissioner within a reasonable time.~~

- ~~(b) — Unless otherwise specified in this permit, all record keeping requirements not already legally required shall be implemented within ninety (90) days of permit issuance.~~
- ~~(c) — If there is a “project” (as defined in 326 IAC 2-2-1(qq) and/or 326 IAC 2-3-1(II)) at an existing emissions unit, other than projects at a source with a Plantwide Applicability Limitation (PAL), which is not part of a “major modification” (as defined in 326 IAC 2-2-1(ee) and/or 326 IAC 2-3-1(z)) and the Permittee elects to utilize the “projected actual emissions” (as defined in 326 IAC 2-2-1(rr) and/or 326 IAC 2-3-1(mm)), the Permittee shall comply with following:~~
- ~~(1) — Before beginning actual construction of the “project” (as defined in 326 IAC 2-2-1(qq) and/or 326 IAC 2-3-1(II)) at an existing emissions unit, document and maintain the following records:~~
- ~~(A) — A description of the project.~~
- ~~(B) — Identification of any emissions unit whose emissions of a regulated new source review pollutant could be affected by the project.~~
- ~~(C) — A description of the applicability test used to determine that the project is not a major modification for any regulated NSR pollutant, including:~~
- ~~(i) — Baseline actual emissions;~~
- ~~(ii) — Projected actual emissions;~~
- ~~(iii) — Amount of emissions excluded under section 326 IAC 2-2-1(rr)(2)(A)(iii) and/or 326 IAC 2-3-1 (mm)(2)(A)(iii); and~~
- ~~(iv) — An explanation for why the amount was excluded, and any netting calculations, if applicable.~~
- ~~(2) — Monitor the emissions of any regulated NSR pollutant that could increase as a result of the project and that is emitted by any existing emissions unit identified in (1)(B) above; and~~
- ~~(3) — Calculate and maintain a record of the annual emissions, in tons per year on a calendar year basis, for a period of five (5) years following resumption of regular operations after the change, or for a period of ten (10) years following resumption of regular operations after the change if the project increases the design capacity of or the potential to emit that regulated NSR pollutant at the emissions unit.~~

~~C.18 — General Reporting Requirements [326 IAC 2-7-5(3)(C)] [326 IAC 2-1.1-11] [326 IAC 2-2-326 IAC 2-3]~~

- ~~(a) — The Permittee shall submit the attached Quarterly Deviation and Compliance Monitoring Report or its equivalent. Any deviation from permit requirements, the date(s) of each deviation, the cause of the deviation, and the response steps taken must be reported. This report shall be submitted within thirty (30) days of the end of the reporting period. The Quarterly Deviation and Compliance Monitoring Report shall include the certification by the “responsible official” as defined by 326 IAC 2-7-1(34).~~
- ~~(b) — The report required in (a) of this condition and reports required by conditions in Section D of this permit shall be submitted to:~~

~~Indiana Department of Environmental Management
Compliance Data Section, Office of Air Quality
100 North Senate Avenue
MC 61-53 IGCN 1003~~

Indianapolis, Indiana 46204-2251

- ~~(c) — Unless otherwise specified in this permit, any notice, report, or other submission required by this permit shall be considered timely if the date postmarked on the envelope or certified mail receipt, or affixed by the shipper on the private shipping receipt, is on or before the date it is due. If the document is submitted by any other means, it shall be considered timely if received by IDEM, OAQ, on or before the date it is due.~~
- ~~(d) — Unless otherwise specified in this permit, all reports required in Section D of this permit shall be submitted within thirty (30) days of the end of the reporting period. All reports do require the certification by the “responsible official” as defined by 326 IAC 2-7-1(34).~~
- ~~(e) — Reporting periods are based on calendar years, unless otherwise specified in this permit. For the purpose of this permit “calendar year” means the twelve (12) month period from January 1 to December 31 inclusive.~~
- ~~(f) — If the Permittee is required to comply with the recordkeeping provisions of (c) in Section C- General Record Keeping Requirements for any “project” (as defined in 326 IAC 2-2-1(qq) and 326 IAC 2-3-1(ll)) at an existing emissions unit, and the project meets the following criteria, then the Permittee shall submit a report to IDEM, OAQ:~~
- ~~(1) — The annual emissions, in tons per year, from the project identified in (c)(1) in Section C- General Record Keeping Requirements exceed the baseline actual emissions, as documented and maintained under Section C- General Record Keeping Requirements (c)(1)(C)(i), by a significant amount, as defined in 326 IAC 2-2-1(xx) and 326 IAC 2-3-1(qq), for that regulated NSR pollutant, and~~
- ~~(2) — The emissions differ from the preconstruction projection as documented and maintained under Section C- General Record Keeping Requirements (c)(1)(C)(ii).~~
- ~~(g) — The report for a project at an existing emissions unit shall be submitted within sixty (60) days after the end of the year and contain the following:~~
- ~~(1) — The name, address, and telephone number of the major stationary source.~~
- ~~(2) — The annual emissions calculated in accordance with (c)(2) and (3) in Section C- General Record Keeping Requirements.~~
- ~~(3) — The emissions calculated under the actual-to-projected actual test stated in 326 IAC 2-2-2(d)(3) and 326 IAC 2-3-2(e)(3).~~
- ~~(4) — Any other information that the Permittee deems fit to include in this report, Reports required in this part shall be submitted to:~~
- ~~Indiana Department of Environmental
Management Air Compliance Section,
Office of Air Quality
100 North Senate Avenue
MC 61-53 IGCN 1003
Indianapolis, Indiana 46204-2251~~
- ~~(h) — The Permittee shall make the information required to be documented and maintained in accordance with (c) in Section C- General Record Keeping Requirements available for review upon a request for inspection by IDEM, OAQ. The general public may request this information from the IDEM, OAQ under 326 IAC 17.1.~~

Stratospheric Ozone Protection

~~Pursuant to 40 CFR 82 (Protection of Stratospheric Ozone), Subpart F, except as provided for motor vehicle air conditioners in Subpart B, the Permittee shall comply with the standards for recycling and emissions reduction:~~

- ~~(a) — Persons opening appliances for maintenance, service, repair, or disposal must comply with the required practices pursuant to 40 CFR 82.156.~~
- ~~(b) — Equipment used during the maintenance, service, repair, or disposal of appliances must comply with the standards for recycling and recovery equipment pursuant to 40 CFR 82.158.~~
- ~~(c) — Persons performing maintenance, service, repair, or disposal of appliances must be certified by an approved technician certification program pursuant to 40 CFR 82.161.~~

SECTION B GENERAL CONDITIONS

B.1 Definitions [326 IAC 2-7-1]

Terms in this permit shall have the definition assigned to such terms in the referenced regulation. In the absence of definitions in the referenced regulation, the applicable definitions found in the statutes or regulations (IC 13-11, 326 IAC 1-2 and 326 IAC 2-7) shall prevail.

B.2 Permit Term [326 IAC 2-7-5(2)][326 IAC 2-1.1-9.5][326 IAC 2-7-4(a)(1)(D)][IC 13-15-3-6(a)]

- (a) This permit, T109-16617-00002, is issued for a fixed term of five (5) years from the issuance date of this permit, as determined in accordance with IC 4-21.5-3-5(f) and IC 13-15-5-3. Subsequent revisions, modifications, or amendments of this permit do not affect the expiration date of this permit.
- (b) If IDEM, OAQ, upon receiving a timely and complete renewal permit application, fails to issue or deny the permit renewal prior to the expiration date of this permit, this existing permit shall not expire and all terms and conditions shall continue in effect, including any permit shield provided in 326 IAC 2-7-15, until the renewal permit has been issued or denied.

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

Notwithstanding the permit term of a permit to construct, a permit to operate, or a permit modification, any condition established in a permit issued pursuant to a permitting program approved in the state implementation plan shall remain in effect until:

- (a) the condition is modified in a subsequent permit action pursuant to Title I of the Clean Air Act; or
- (b) the emission unit to which the condition pertains permanently ceases operation.

B.4 Enforceability [326 IAC 2-7-7] [IC 13-17-12]

Unless otherwise stated, all terms and conditions in this permit, including any provisions designed to limit the source's potential to emit, are enforceable by IDEM, the United States Environmental Protection Agency (U.S. EPA) and by citizens in accordance with the Clean Air Act.

B.5 Severability [326 IAC 2-7-5(5)]

The provisions of this permit are severable; a determination that any portion of this permit is invalid shall not affect the validity of the remainder of the permit.

B.6 Property Rights or Exclusive Privilege [326 IAC 2-7-5(6)(D)]

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

B.7 Duty to Provide Information [326 IAC 2-7-5(6)(E)]

-
- (a) The Permittee shall furnish to IDEM, OAQ, within a reasonable time, any information that IDEM, OAQ may request in writing to determine whether cause exists for modifying, revoking and reissuing, or terminating this permit, or to determine compliance with this permit. Upon request, the Permittee shall also furnish to IDEM, OAQ copies of records required to be kept by this permit.
- (b) For information furnished by the Permittee to IDEM, OAQ, the Permittee may include a claim of confidentiality in accordance with 326 IAC 17.1. When furnishing copies of requested records directly to U. S. EPA, the Permittee may assert a claim of confidentiality in accordance with 40 CFR 2, Subpart B.

B.8 Certification [326 IAC 2-7-4(f)][326 IAC 2-7-6(1)][326 IAC 2-7-5(3)(C)]

- (a) A certification required by this permit meets the requirements of 326 IAC 2-7-6(1) if:
- (i) it contains a certification by a "responsible official" as defined by 326 IAC 2-7-1(34), 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) A "responsible official" is defined at 326 IAC 2-7-1(34).

B.9 Annual Compliance Certification [326 IAC 2-7-6(5)]

- (a) The Permittee shall annually submit a compliance certification report which addresses the status of the source's compliance with the terms and conditions contained in this permit, including emission limitations, standards, or work practices. The initial certification shall cover the time period from the date of final permit issuance through December 31 of the same year. All subsequent 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

and

United States Environmental Protection Agency, Region V
Air and Radiation Division, Air Enforcement Branch - Indiana (AE-17J)
77 West Jackson Boulevard
Chicago, Illinois 60604-3590

- (b) The annual compliance certification report required by this permit shall be considered timely if the date postmarked on the envelope or certified mail receipt, or affixed by the shipper on the private shipping receipt, is on or before the date it is due. If the document is submitted by any other means, it shall be considered timely if received by IDEM, OAQ, on or before the date it is due.
- (c) The annual compliance certification report shall include the following:
- (1) The appropriate identification of each term or condition of this permit that is the basis of the certification;
 - (2) The compliance status;
 - (3) Whether compliance was continuous or intermittent;
 - (4) The methods used for determining the compliance status of the source, currently and over the reporting period consistent with 326 IAC 2-7-5(3); and
 - (5) Such other facts, as specified in Sections D of this permit, as IDEM, OAQ may require to determine the compliance status of the source.

The submittal by the Permittee does require a certification that meets the requirements of 326 IAC 2-7-6(1) by a "responsible official" as defined by 326 IAC 2-7-1(34).

B.10 Preventive Maintenance Plan [326 IAC 2-7-5(1),(3) and (13)][326 IAC 2-7-6(1) and (6)][326 IAC 1-6-3]

- (a) If required by specific condition(s) in Section D of this permit, 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 2-7-6(1) by a "responsible official" as defined by 326 IAC 2-7-1(34).

The Permittee shall implement the PMPs.

- (b) A copy of the PMPs shall be submitted to IDEM, OAQ upon request and within a reasonable time, and shall be subject to review and approval by IDEM, OAQ. IDEM, OAQ may require the Permittee to revise its PMPs whenever lack of proper maintenance causes or is the primary contributor to an exceedance of any limitation on emissions. The PMPs and their submittal do not require a certification that meets the requirements of 326 IAC 2-7-6(1) by a "responsible official" as defined by 326 IAC 2-7-1(34).
- (c) 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.11 Emergency Provisions [326 IAC 2-7-16]

- (a) An emergency, as defined in 326 IAC 2-7-1(12), is not an affirmative defense for an action brought for noncompliance with a federal or state health-based emission limitation.
- (b) An emergency, as defined in 326 IAC 2-7-1(12), constitutes an affirmative defense to an action brought for noncompliance with a technology-based emission limitation if the affirmative defense of an emergency is demonstrated through properly

signed, contemporaneous operating logs or other relevant evidence that describe the following:

- (1) An emergency occurred and the Permittee can, to the extent possible, identify the causes of the emergency;**
- (2) The permitted facility was at the time being properly operated;**
- (3) During the period of an emergency, the Permittee took all reasonable steps to minimize levels of emissions that exceeded the emission standards or other requirements in this permit;**
- (4) For each emergency lasting one (1) hour or more, the Permittee notified IDEM, OAQ, 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 2-7-5(3)(C)(ii) and must contain the following:

- (A) A description of the emergency;**
- (B) Any steps taken to mitigate the emissions; and**
- (C) Corrective actions taken.**

The notification which shall be submitted by the Permittee does not require a certification that meets the requirements of 326 IAC 2-7-6(1) by a "responsible official" as defined by 326 IAC 2-7-1(34).

- (6) The Permittee immediately took all reasonable steps to correct the emergency.**
- (c) In any enforcement proceeding, the Permittee seeking to establish the occurrence of an emergency has the burden of proof.**
 - (d) This emergency provision supersedes 326 IAC 1-6 (Malfunctions). This permit condition is in addition to any emergency or upset provision contained in any applicable requirement.**

- (e) **The Permittee seeking to establish the occurrence of an emergency shall make records available upon request to ensure that failure to implement a PMP did not cause or contribute to an exceedance of any limitations on emissions. However, IDEM, OAQ may require that the Preventive Maintenance Plans required under 326 IAC 2-7-4(c)(9) be revised in response to an emergency.**
- (f) **Failure to notify IDEM, OAQ by telephone or facsimile of an emergency lasting more than one (1) hour in accordance with (b)(4) and (5) of this condition shall constitute a violation of 326 IAC 2-7 and any other applicable rules.**
- (g) **If the emergency situation causes a deviation from a technology-based limit, the Permittee may continue to operate the affected emitting facilities during the emergency provided the Permittee immediately takes all reasonable steps to correct the emergency and minimize emissions.**

B.12 Permit Shield [326 IAC 2-7-15][326 IAC 2-7-20][326 IAC 2-7-12]

- (a) **Pursuant to 326 IAC 2-7-15, the Permittee has been granted a permit shield. The permit shield provides that compliance with the conditions of this permit shall be deemed compliance with any applicable requirements as of the date of permit issuance, provided that either the applicable requirements are included and specifically identified in this permit or the permit contains an explicit determination or concise summary of a determination that other specifically identified requirements are not applicable. The Indiana statutes from IC 13 and rules from 326 IAC, referenced in conditions in this permit, are those applicable at the time the permit was issued. The issuance or possession of this permit shall not alone constitute a defense against an alleged violation of any law, regulation or standard, except for the requirement to obtain a Part 70 permit under 326 IAC 2-7 or for applicable requirements for which a permit shield has been granted.**

This permit shield does not extend to applicable requirements which are promulgated after the date of issuance of this permit unless this permit has been modified to reflect such new requirements.

- (b) **If, after issuance of this permit, it is determined that the permit is in nonconformance with an applicable requirement that applied to the source on the date of permit issuance, IDEM, OAQ, shall immediately take steps to reopen and revise this permit and issue a compliance order to the Permittee to ensure expeditious compliance with the applicable requirement until the permit is reissued. The permit shield shall continue in effect so long as the Permittee is in compliance with the compliance order.**
- (c) **No permit shield shall apply to any permit term or condition that is determined after issuance of this permit to have been based on erroneous information supplied in the permit application. Erroneous information means information that the Permittee knew to be false, or in the exercise of reasonable care should have been known to be false, at the time the information was submitted.**
- (d) **Nothing in 326 IAC 2-7-15 or in this permit shall alter or affect the following:**
 - (1) **The provisions of Section 303 of the Clean Air Act (emergency orders), including the authority of the U.S. EPA under Section 303 of the Clean Air Act;**
 - (2) **The liability of the Permittee for any violation of applicable requirements prior to or at the time of this permit's issuance;**

- (3) **The applicable requirements of the acid rain program, consistent with Section 408(a) of the Clean Air Act; and**
- (4) **The ability of U.S. EPA to obtain information from the Permittee under Section 114 of the Clean Air Act.**
- (e) **This permit shield is not applicable to any change made under 326 IAC 2-7-20(b)(2) (Sections 502(b)(10) of the Clean Air Act changes) and 326 IAC 2-7-20(c)(2) (trading based on State Implementation Plan (SIP) provisions).**
- (f) **This permit shield is not applicable to modifications eligible for group processing until after IDEM, OAQ, has issued the modifications. [326 IAC 2-7-12(c)(7)]**
- (g) **This permit shield is not applicable to minor Part 70 permit modifications until after IDEM, OAQ, has issued the modification. [326 IAC 2-7-12(b)(8)]**

B.13 Prior Permits Superseded [326 IAC 2-1.1-9.5][326 IAC 2-7-10.5]

- (a) **All terms and conditions of permits established prior to T109-16617-00002 and issued pursuant to permitting programs approved into the state implementation plan have been either:**
 - (1) **incorporated as originally stated,**
 - (2) **revised under 326 IAC 2-7-10.5, or**
 - (3) **deleted under 326 IAC 2-7-10.5.**
- (b) **Provided that all terms and conditions are accurately reflected in this permit, all previous registrations and permits are superseded by this Part 70 operating permit.**

B.14 Termination of Right to Operate [326 IAC 2-7-10][326 IAC 2-7-4(a)]

The Permittee's right to operate this source terminates with the expiration of this permit unless a timely and complete renewal application is submitted at least nine (9) months prior to the date of expiration of the source's existing permit, consistent with 326 IAC 2-7-3 and 326 IAC 2-7-4(a).

B.15 Permit Modification, Reopening, Revocation and Reissuance, or Termination [326 IAC 2-7-5(6)(C)][326 IAC 2-7-8(a)][326 IAC 2-7-9]

- (a) **This permit may be modified, reopened, revoked and reissued, or terminated for cause. The filing of a request by the Permittee for a Part 70 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 2-7-5(6)(C)] The notification by the Permittee does require a certification that meets the requirements of 326 IAC 2-7-6(1) by a "responsible official" as defined by 326 IAC 2-7-1(34).**
- (b) **This permit shall be reopened and revised under any of the circumstances listed in IC 13-15-7-2 or if IDEM, OAQ determines any of the following:**
 - (1) **That this permit contains a material mistake.**
 - (2) **That inaccurate statements were made in establishing the emissions standards or other terms or conditions.**
 - (3) **That this permit must be revised or revoked to assure compliance with an applicable requirement. [326 IAC 2-7-9(a)(3)]**

- (c) **Proceedings by IDEM, OAQ to reopen and revise this permit shall follow the same procedures as apply to initial permit issuance and shall affect only those parts of this permit for which cause to reopen exists. Such reopening and revision shall be made as expeditiously as practicable. [326 IAC 2-7-9(b)]**
- (d) **The reopening and revision of this permit, under 326 IAC 2-7-9(a), shall not be initiated before notice of such intent is provided to the Permittee by IDEM, OAQ at least thirty (30) days in advance of the date this permit is to be reopened, except that IDEM, OAQ may provide a shorter time period in the case of an emergency. [326 IAC 2-7-9(c)]**

B.16 Permit Renewal [326 IAC 2-7-3][326 IAC 2-7-4][326 IAC 2-7-8(e)]

- (a) **The application for renewal shall be submitted using the application form or forms prescribed by IDEM, OAQ and shall include the information specified in 326 IAC 2-7-4. Such information shall be included in the application for each emission unit at this source, except those emission units included on the trivial or insignificant activities list contained in 326 IAC 2-7-1(21) and 326 IAC 2-7-1(40). The renewal application does require a certification that meets the requirements of 326 IAC 2-7-6(1) by a "responsible official" as defined by 326 IAC 2-7-1(34).**

Request for renewal shall be submitted to:

**Indiana Department of Environmental Management
Permit Administration and Support Section, Office of Air Quality
100 North Senate Avenue
MC 61-53 IGCN 1003
Indianapolis, Indiana 46204-2251**

- (b) **A timely renewal application is one that is:**
 - (1) **Submitted at least nine (9) months prior to the date of the expiration of this permit; and**
 - (2) **If the date postmarked on the envelope or certified mail receipt, or affixed by the shipper on the private shipping receipt, is on or before the date it is due. If the document is submitted by any other means, it shall be considered timely if received by IDEM, OAQ on or before the date it is due.**
- (c) **If the Permittee submits a timely and complete application for renewal of this permit, the source's failure to have a permit is not a violation of 326 IAC 2-7 until IDEM, OAQ takes final action on the renewal application, except that this protection shall cease to apply if, subsequent to the completeness determination, the Permittee fails to submit by the deadline specified, pursuant to 326 IAC 2-7-4(a)(2)(D), in writing by IDEM, OAQ any additional information identified as being needed to process the application.**

B.17 Permit Amendment or Modification [326 IAC 2-7-11][326 IAC 2-7-12]

- (a) **Permit amendments and modifications are governed by the requirements of 326 IAC 2-7-11 or 326 IAC 2-7-12 whenever the Permittee seeks to amend or modify this permit.**
- (b) **Any application requesting an amendment or modification of this permit shall be submitted to:**

**Indiana Department of Environmental Management
Permit Administration and Support Section, Office of Air Quality
100 North Senate Avenue
MC 61-53 IGCN 1003**

Indianapolis, Indiana 46204-2251

Any such application does require a certification that meets the requirements of 326 IAC 2-7-6(1) by a "responsible official" as defined by 326 IAC 2-7-1(34).

- (c) **The Permittee may implement administrative amendment changes addressed in the request for an administrative amendment immediately upon submittal of the request. [326 IAC 2-7-11(c)(3)]**

**B.18 Permit Revision Under Economic Incentives and Other Programs
[326 IAC 2-7-5(8)][326 IAC 2-7-12(b)(2)]**

- (a) **No Part 70 permit revision or notice shall be required under any approved economic incentives, marketable Part 70 permits, emissions trading, and other similar programs or processes for changes that are provided for in a Part 70 permit.**
- (b) **Notwithstanding 326 IAC 2-7-12(b)(1) and 326 IAC 2-7-12(c)(1), minor Part 70 permit modification procedures may be used for Part 70 modifications involving the use of economic incentives, marketable Part 70 permits, emissions trading, and other similar approaches to the extent that such minor Part 70 permit modification procedures are explicitly provided for in the applicable State Implementation Plan (SIP) or in applicable requirements promulgated or approved by the U.S. EPA.**

B.19 Operational Flexibility [326 IAC 2-7-20][326 IAC 2-7-10.5]

- (a) **The Permittee may make any change or changes at the source that are described in 326 IAC 2-7-20(b),(c), or (e) without a prior permit revision, if each of the following conditions is met:**

- (1) **The changes are not modifications under any provision of Title I of the Clean Air Act;**
- (2) **Any preconstruction approval required by 326 IAC 2-7-10.5 has been obtained;**
- (3) **The changes do not result in emissions which exceed the limitations provided in this permit (whether expressed herein as a rate of emissions or in terms of total emissions);**
- (4) **The Permittee notifies the:**

**Indiana Department of Environmental Management
Permit Administration and Support Section, Office of Air Quality
100 North Senate Avenue
MC 61-53 IGCN 1003
Indianapolis, Indiana 46204-2251**

and

**United States Environmental Protection Agency, Region V
Air and Radiation Division, Regulation Development Branch - Indiana (AR-18J)
77 West Jackson Boulevard
Chicago, Illinois 60604-3590**

in advance of the change by written notification at least ten (10) days in advance of the proposed change. The Permittee shall attach every such notice to the Permittee's copy of this permit; and

- (5) The Permittee maintains records on-site, on a rolling five (5) year basis, which document all such changes and emission trades that are subject to 326 IAC 2-7-20(b),(c), or (e). The Permittee shall make such records available, upon reasonable request, for public review.

Such records shall consist of all information required to be submitted to IDEM, OAQ in the notices specified in 326 IAC 2-7-20(b)(1), (c)(1), and (e)(2).

- (b) The Permittee may make Section 502(b)(10) of the Clean Air Act changes (this term is defined at 326 IAC 2-7-1(36)) without a permit revision, subject to the constraint of 326 IAC 2-7-20(a). For each such Section 502(b)(10) of the Clean Air Act change, the required written notification shall include the following:

- (1) A brief description of the change within the source;
- (2) The date on which the change will occur;
- (3) Any change in emissions; and
- (4) Any permit term or condition that is no longer applicable as a result of the change.

The notification which shall be submitted is not considered an application form, report or compliance certification. Therefore, the notification by the Permittee does not require a certification that meets the requirements of 326 IAC 2-7-6(1) by a "responsible official" as defined by 326 IAC 2-7-1(34).

- (c) **Emission Trades [326 IAC 2-7-20(c)]**
The Permittee may trade emissions increases and decreases at the source, where the applicable SIP provides for such emission trades without requiring a permit revision, subject to the constraints of Section (a) of this condition and those in 326 IAC 2-7-20(c).
- (d) **Alternative Operating Scenarios [326 IAC 2-7-20(d)]**
The Permittee may make changes at the source within the range of alternative operating scenarios that are described in the terms and conditions of this permit in accordance with 326 IAC 2-7-5(9). No prior notification of IDEM, OAQ, or U.S. EPA is required.
- (e) Backup fuel switches specifically addressed in, and limited under, Section D of this permit shall not be considered alternative operating scenarios. Therefore, the notification requirements of part (a) of this condition do not apply.

B.20 Source Modification Requirement [326 IAC 2-7-10.5]

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

B.21 Inspection and Entry [326 IAC 2-7-6][IC 13-14-2-2][IC 13-30-3-1][IC 13-17-3-2]

Upon presentation of proper identification cards, credentials, and other documents as may be required by law, and subject to the Permittee's right under all applicable laws and regulations to assert that the information collected by the agency is confidential and entitled to be treated as such, the Permittee shall allow IDEM, OAQ, U.S. EPA, or an authorized representative to perform the following:

- (a) Enter upon the Permittee's premises where a Part 70 source is located, or emissions related activity is conducted, or where records must be kept under the conditions of this permit;

- (b) As authorized by the Clean Air Act, IC 13-14-2-2, IC 13-17-3-2, and IC 13-30-3-1, have access to and copy any records that must be kept under the conditions of this permit;
- (c) As authorized by the Clean Air Act, IC 13-14-2-2, IC 13-17-3-2, and IC 13-30-3-1, inspect any facilities, equipment (including monitoring and air pollution control equipment), practices, or operations regulated or required under this permit;
- (d) As authorized by the Clean Air Act, IC 13-14-2-2, IC 13-17-3-2, and IC 13-30-3-1, sample or monitor substances or parameters for the purpose of assuring compliance with this permit or applicable requirements; and
- (e) As authorized by the Clean Air Act, IC 13-14-2-2, IC 13-17-3-2, and IC 13-30-3-1, utilize any photographic, recording, testing, monitoring, or other equipment for the purpose of assuring compliance with this permit or applicable requirements.

B.22 Transfer of Ownership or Operational Control [326 IAC 2-7-11]

- (a) The Permittee must comply with the requirements of 326 IAC 2-7-11 whenever the Permittee seeks to change the ownership or operational control of the source and no other change in the permit is necessary.
- (b) Any application requesting a change in the ownership or operational control of the source shall contain a written agreement containing a specific date for transfer of permit responsibility, coverage and liability between the current and new Permittee. The application shall be submitted to:

Indiana Department of Environmental Management
Permit Administration and Support Section, Office of Air Quality
100 North Senate Avenue
MC 61-53 IGCN 1003
Indianapolis, Indiana 46204-2251

Any such application does require a certification that meets the requirements of 326 IAC 2-7-6(1) by a "responsible official" as defined by 326 IAC 2-7-1(34).
- (c) The Permittee may implement administrative amendment changes addressed in the request for an administrative amendment immediately upon submittal of the request. [326 IAC 2-7-11(c)(3)]

B.23 Annual Fee Payment [326 IAC 2-7-19] [326 IAC 2-7-5(7)][326 IAC 2-1.1-7]

- (a) The Permittee shall pay annual fees to IDEM, OAQ within thirty (30) calendar days of receipt of a billing. Pursuant to 326 IAC 2-7-19(b), if the Permittee does not receive a bill from IDEM, OAQ the applicable fee is due April 1 of each year.
- (b) Except as provided in 326 IAC 2-7-19(e), failure to pay may result in administrative enforcement action or revocation of this permit.
- (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.24 Credible Evidence [326 IAC 2-7-5(3)][326 IAC 2-7-6][62 FR 8314] [326 IAC 1-1-6]

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

SECTION C

SOURCE OPERATION CONDITIONS

Entire Source

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

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

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

C.2 Opacity [326 IAC 5-1]

Pursuant to 326 IAC 5-1-2 (Opacity Limitations), except as provided in 326 IAC 5-1-1 (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.3 Open Burning [326 IAC 4-1] [IC 13-17-9]

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

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

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

The Permittee shall not allow fugitive dust to escape beyond the property line or boundaries of the property, right-of-way, or easement on which the source is located, in a manner that would violate 326 IAC 6-4 (Fugitive Dust Emissions). 326 IAC 6-4-2(4) is not federally enforceable.

C.6 Stack Height [326 IAC 1-7]

The Permittee shall comply with the applicable provisions of 326 IAC 1-7 (Stack Height Provisions), for all exhaust stacks through which a potential (before controls) of twenty-five (25) tons per year or more of particulate matter or sulfur dioxide is emitted. The provisions of 326 IAC 1-7-1(3), 326 IAC 1-7-2, 326 IAC 1-7-3(c) and (d), 326 IAC 1-7-4, and 326 IAC 1-7-5(a), (b), and (d) are not federally enforceable.

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

- (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 that meets the requirements of 326 IAC 2-7-6(1) by a "responsible official" as defined by 326 IAC 2-7-1(34).

- (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. The requirement to use an Indiana Licensed Asbestos inspector is not federally enforceable.

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

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

- (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 that meets the requirements of 326 IAC 2-7-6(1) by a "responsible official" as defined by 326 IAC 2-7-1(34).

- (b) The Permittee shall notify IDEM, OAQ of the actual test date at least fourteen (14) days prior to the actual test date. The notification submitted by the Permittee does not require a certification that meets the requirements of 326 IAC 2-7-6(1) by a "responsible official" as defined by 326 IAC 2-7-1(34).
- (c) Pursuant to 326 IAC 3-6-4(b), all test reports must be received by IDEM, OAQ not later than forty-five (45) days after the completion of the testing. An extension may be granted by IDEM, OAQ if the Permittee submits to IDEM, OAQ a reasonable written explanation not later than five (5) days prior to the end of the initial forty-five (45) day period.

Compliance Requirements [326 IAC 2-1.1-11]

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

The commissioner may require stack testing, monitoring, or reporting at any time to assure compliance with all applicable requirements by issuing an order under 326 IAC 2-1.1-11. Any monitoring or testing shall be performed in accordance with 326 IAC 3 or other methods approved by the commissioner or the U. S. EPA.

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

C.10 Compliance Monitoring [326 IAC 2-7-5(3)][326 IAC 2-7-6(1)]

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 2-7-6(1) by a "responsible official" as defined by 326 IAC 2-7-1(34).

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

C.11 Instrument Specifications [326 IAC 2-1.1-11] [326 IAC 2-7-5(3)] [326 IAC 2-7-6(1)]

- (a) When required by any condition of this permit, an analog instrument used to measure a parameter related to the operation of an air pollution control device shall have a scale such that the expected maximum reading for the normal range shall be no less than twenty percent (20%) of full scale.**
- (b) The Permittee may request that the IDEM, OAQ approve the use of an instrument that does not meet the above specifications provided the Permittee can demonstrate that an alternative instrument specification will adequately ensure compliance with permit conditions requiring the measurement of the parameters.**

Corrective Actions and Response Steps [326 IAC 2-7-5][326 IAC 2-7-6]

C.12 Emergency Reduction Plans [326 IAC 1-5-2] [326 IAC 1-5-3]

Pursuant to 326 IAC 1-5-2 (Emergency Reduction Plans; Submission):

- (a) The Permittee shall prepare written emergency reduction plans (ERPs) consistent with safe operating procedures.**
- (b) These ERPs shall be submitted for approval to:**

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

no later than ninety (90) days after the date of issuance of this permit.

The ERP does require a certification that meets the requirements of 326 IAC 2-7-6(1) by a "responsible official" as defined by 326 IAC 2-7-1(34).
- (c) If the ERP is disapproved by IDEM, OAQ, the Permittee shall have an additional thirty (30) days to resolve the differences and submit an approvable ERP.**
- (d) These ERPs shall state those actions that will be taken, when each episode level is declared, to reduce or eliminate emissions of the appropriate air pollutants.**
- (e) Said ERPs shall also identify the sources of air pollutants, the approximate amount of reduction of the pollutants, and a brief description of the manner in which the reduction will be achieved.**
- (f) Upon direct notification by IDEM, OAQ that a specific air pollution episode level is in effect, the Permittee shall immediately put into effect the actions stipulated in the approved ERP for the appropriate episode level. [326 IAC 1-5-3]**

C.13 Risk Management Plan [326 IAC 2-7-5(12)] [40 CFR 68]

If a regulated substance, as defined in 40 CFR 68, is present at a source in more than a threshold quantity, the Permittee must comply with the applicable requirements of 40 CFR 68.

C.14 Response to Excursions or Exceedances [326 IAC 2-7-5] [326 IAC 2-7-6]

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.15 Actions Related to Noncompliance Demonstrated by a Stack Test [326 IAC 2-7-5][326 IAC 2-7-6]

- (a) When the results of a stack test performed in conformance with Section C - Performance Testing, of this permit exceed the level specified in any condition of this permit, the Permittee shall 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 2-7-6(1) by a "responsible official" as defined by 326 IAC 2-7-1(34).

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

**C.16 Emission Statement
[326 IAC 2-7-5(3)(C)(iii)][326 IAC 2-7-5(7)][326 IAC 2-7-19(c)][326 IAC 2-6]**

Pursuant to 326 IAC 2-6-3(b)(2), starting in 2005 and every three (3) years thereafter, the Permittee shall submit by July 1 an emission statement covering the previous calendar year. The emission statement shall contain, at a minimum, the information specified in 326 IAC 2-6-4(c) and shall meet the following requirements:

- (1) Indicate estimated actual emissions of all pollutants listed in 326 IAC 2-6-4(a);
- (2) Indicate estimated actual emissions of regulated pollutants as defined by 326 IAC 2-7-1(32) ("Regulated pollutant, which is used only for purposes of Section 19 of this rule") from the source, for purpose of fee assessment.

The statement must be submitted to:

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

The emission statement does require a certification that meets the requirements of 326 IAC 2-7-6(1) by a "responsible official" as defined by 326 IAC 2-7-1(34).

**C.17 General Record Keeping Requirements [326 IAC 2-7-5(3)] [326 IAC 2-7-6]
[326 IAC 2-2][326 IAC 2-3]**

- (a) Records of all required monitoring data, reports and support information required by this permit shall be retained for a period of at least five (5) years from the date of monitoring sample, measurement, report, or application. These records shall be physically present or electronically accessible at the source location for a minimum of three (3) years. The records may be stored elsewhere for the remaining two (2) years as long as they are available upon request. If the Commissioner makes a request for records to the Permittee, the Permittee shall furnish the records to the Commissioner within a reasonable time.
- (b) Unless otherwise specified in this permit, 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) If there is a reasonable possibility (as defined in 40 CFR 51.165(a)(6)(vi)(A), 40 CFR 51.165(a)(6)(vi)(B), 40 CFR 51.166(r)(6)(vi)(a), and/or 40 CFR 51.166(r)(6)(vi)(b)) that a "project" (as defined in 326 IAC 2-2-1(qq) and/or 326 IAC 2-3-1(II)) at an existing emissions unit, other than projects at a source with a Plantwide Applicability Limitation (PAL), which is not part of a "major modification" (as defined in 326 IAC 2-2-1(ee) and/or 326 IAC 2-3-1(z)) may result in significant emissions increase and the Permittee elects to utilize the "projected actual emissions" (as defined in 326 IAC 2-2-1(rr) and/or 326 IAC 2-3-1(mm)), the Permittee shall comply with following:

- (1) Before beginning actual construction of the "project" (as defined in

326 IAC 2-2-1(qq) and/or 326 IAC 2-3-1(II) at an existing emissions unit, document and maintain the following records:

- (A) A description of the project.**
- (B) Identification of any emissions unit whose emissions of a regulated new source review pollutant could be affected by the project.**
- (C) A description of the applicability test used to determine that the project is not a major modification for any regulated NSR pollutant, including:**
 - (i) Baseline actual emissions;**
 - (ii) Projected actual emissions;**
 - (iii) Amount of emissions excluded under section 326 IAC 2-2-1(rr)(2)(A)(iii) and/or 326 IAC 2-3-1 (mm)(2)(A)(iii); and**
 - (iv) An explanation for why the amount was excluded, and any netting calculations, if applicable.**
- (d) If there is a reasonable possibility (as defined in 40 CFR 51.165(a)(6)(vi)(A) and/or 40 CFR 51.166(r)(6)(vi)(a)) that a "project" (as defined in 326 IAC 2-2-1(qq) and/or 326 IAC 2-3-1(II)) at an existing emissions unit, other than projects at a source with a Plantwide Applicability Limitation (PAL), which is not part of a "major modification" (as defined in 326 IAC 2-2-1(ee) and/or 326 IAC 2-3-1(z)) may result in significant emissions increase and the Permittee elects to utilize the "projected actual emissions" (as defined in 326 IAC 2-2-1(rr) and/or 326 IAC 2-3-1(mm)), the Permittee shall comply with following:**
 - (1) Monitor the emissions of any regulated NSR pollutant that could increase as a result of the project and that is emitted by any existing emissions unit identified in (1)(B) above; and**
 - (2) Calculate and maintain a record of the annual emissions, in tons per year on a calendar year basis, for a period of five (5) years following resumption of regular operations after the change, or for a period of ten (10) years following resumption of regular operations after the change if the project increases the design capacity of or the potential to emit that regulated NSR pollutant at the emissions unit.**

C.18 General Reporting Requirements [326 IAC 2-7-5(3)(C)] [326 IAC 2-1.1-11] [326 IAC 2-2]

- (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 2-7-6(1) by a "responsible official" as defined by 326 IAC 2-7-1(34). 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) The first report shall cover the period commencing on the date of issuance of this permit or the date of initial start-up, whichever is later, and ending on the last day of the reporting period. Reporting periods are based on calendar years, unless otherwise specified in this permit. For the purpose of this permit, "calendar year" means the twelve (12) month period from January 1 to December 31 inclusive.
- (e) If the Permittee is required to comply with the recordkeeping provisions of (d) in Section C - General Record Keeping Requirements for any "project" (as defined in 326 IAC 2-2-1 (qq) and/or 326 IAC 2-3-1 (II)) at an existing emissions unit, and the project meets the following criteria, then the Permittee shall submit a report to IDEM, OAQ:
- (1) The annual emissions, in tons per year, from the project identified in (c)(1) in Section C- General Record Keeping Requirements exceed the baseline actual emissions, as documented and maintained under Section C- General Record Keeping Requirements (c)(1)(C)(i), by a significant amount, as defined in 326 IAC 2-2-1 (xx) and/or 326 IAC 2-3-1 (qq), for that regulated NSR pollutant, and
 - (2) The emissions differ from the preconstruction projection as documented and maintained under Section C - General Record Keeping Requirements (c)(1)(C)(ii).
- (f) The report for project at an existing emissions unit shall be submitted no later than sixty (60) days after the end of the year and contain the following:
- (1) The name, address, and telephone number of the major stationary source.
 - (2) The annual emissions calculated in accordance with (d)(1) and (2) in Section C - General Record Keeping Requirements.
 - (3) The emissions calculated under the actual-to-projected actual test stated in 326 IAC 2-2-2(d)(3) and/or 326 IAC 2-3-2(c)(3).
 - (4) Any other information that the Permittee wishes to include in this report such as an explanation as to why the emissions differ from the preconstruction projection.

Reports required in this part shall be submitted to:

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

Indianapolis, Indiana 46204-2251

- (g) The Permittee shall make the information required to be documented and maintained in accordance with (c) in Section C- General Record Keeping Requirements available for review upon a request for inspection by IDEM, OAQ. The general public may request this information from the IDEM, OAQ under 326 IAC 17.1.**

Stratospheric Ozone Protection

C.19 Compliance with 40 CFR 82 and 326 IAC 22-1

Pursuant to 40 CFR 82 (Protection of Stratospheric Ozone), Subpart F, except as provided for motor vehicle air conditioners in Subpart B, the Permittee shall comply with applicable standards for recycling and emissions reduction.

Modification 1: The proposed modification has been included in the permit.

A.1 General Information [326 IAC 2-7-4(c)] [326 IAC 2-7-5(15)] [326 IAC 2-7-1 (22)]

...
Source Status: Part 70 Permit Program
Major Source, under PSD Rules and Emission Offset;
~~Major~~**Area** Source, Section 112 of the Clean Air Act
Not in 1 of 28 listed source categories
...

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

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

- (a) One (1) clay/shale processing operation, identified as EU-001, consisting of grinding and screening operations, installed in 1970 with one (1) grinder replaced in 1999, equipped with a baghouse for particulate control, installed in 1993, exhausting to Stack 001, capacity: 100 tons of clay/shale per hour.
- (b) ~~Two~~**One (21)** brick manufacturing lines, identified as EU-002, consisting of the following:
 - ~~(1) One (1) brick manufacturing line, identified as Line 1, installed in 1970, modified in 1979, located at Plant No. 20, consisting of the following:~~
 - ~~(A) One (1) tunnel pre-dryer and one (1) tunnel dryer using waste heat from Line 1 Kiln and one (1) coal and natural gas fired kiln, identified as Line 1 Kiln, equipped with a dry hydrated lime, sodium bicarbonate, or dry hydrated lime/sodium bicarbonate combination injection baghouse, identified as DIFF-01, exhausting to Stack DIFF-01, rated at 25 million British thermal units per hour, capacity: 14.8 tons of bricks per hour.~~
 - ~~(B) One (1) mill room, identified as EU-P20-MR, equipped with a baghouse, identified as CD-P20-MR, capacity: 65 tons per hour.~~
 - (21) ...
- (c) One (1) brick manufacturing line, identified as ~~New~~**Plant No. 43**, consisting of the following:
 - (1) One (1) brick making room and sand system (mill room), identified as EU-~~NP43~~**MR**, equipped with a baghouse, identified as CD-MRBH and exhausting to Stack ~~43~~**MRBH**, capacity: 72.5 tons of clay and shale per hour.
 - (2) One (1) coal/natural gas fired brick kiln, identified as EU-~~NP43~~**K**, equipped with a dry hydrated lime, sodium bicarbonate, or dry hydrated lime/sodium bicarbonate combination injection baghouse, identified as DIFF-03, and exhausting to Stack DIFF-03, capacity: 20.55 tons of bricks and 25.0 million British thermal units per hour.
 - (3) One (1) natural gas/propane brick dryer, identified as EU-~~NP43~~**BD1**, exhausting to Stack ~~NP43~~**BD1**, capacity: 20.55 tons of bricks and 13.29 million British thermal units per hour.

...

Modification 2: Line 1 Kiln is being removed from the permit and Line 2 Kiln (located at Plant No. 32) has a maximum capacity of 120,012 tons of bricks per year, which is less than the Line 1 Kiln and Line 2 Kiln (located at Plant No. 32) combined throughput existing limit of 200,000 tons of bricks per year in the permit. As a result, using 8,760 hours of operation per year, Line 2 Kiln (located at Plant No. 32) will not exceed the existing limit of 200,000 tons of bricks per year. Therefore, Condition D.2.1(a) has been removed.

The SO₂ PTE is not increased due to the removal of Condition D.2.1(a), as described below.

SO₂ PTE before modification of Condition D.2.1(a)
= 200,000 (tons of bricks per year) X 2.5 (lb of SO₂/ton of brick) X (1 ton/2000 lb)
= 250 tpy SO₂

SO₂ PTE after modification
= (SO₂ PTE of the Line 2 Kiln) + (Emission Credit due to the removal of Line 1 Kiln*)
= [120,012 (tons of bricks per year) x 2.5 (lb of SO₂ /ton of brick) x (1 ton/2000 lb)] + (less than 99.9*)
= less than 250 tpy SO₂

* Emission Credit due to the removal of Line 1 Kiln is whichever less from (a) and (b) below.

(a) Creditable SO₂ emission decrease reported by the source due to the removal of Line 1 Kiln

(b) 99.9 tpy

The source must submit Creditable SO₂ emission decrease information to get SO₂ emission credit.

SECTION D.2 FACILITY OPERATION CONDITIONS

Facility Description [326 IAC 2-7-5(15)] Brick Manufacturing Lines

(b) ~~Two (2)~~ **One (1)** brick manufacturing lines, identified as EU-002, consisting of the following:

~~(1) One (1) brick manufacturing line, identified as Line 1, installed in 1970, modified in 1979, located at Plant No. 20, consisting of the following:~~

~~(A) One (1) tunnel pre-dryer and one (1) tunnel dryer using waste heat from Line 1 Kiln and one (1) coal and natural gas-fired kiln, identified as Line 1 Kiln, equipped with a dry hydrated lime, sodium bicarbonate, or dry hydrated lime/sodium bicarbonate combination injection baghouse, identified as DIFF-01, exhausting to Stack DIFF-01, rated at 25 million British thermal units per hour, capacity: 14.8 tons of bricks per hour.~~

~~(B) One (1) mill room, identified as EU-P20-MR, equipped with a baghouse, identified as CD-P20-MR, capacity: 65 tons per hour.~~

~~(21) . . .~~

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

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

D.2.1 PSD, Emission Offset and Nonattainment NSR Minor Limits [326 IAC 2-2] [326 IAC 2-3] [326 IAC 2- 1.1-5]

~~(a) The production of bricks at the two (2) kilns, Line 1 Kiln and Line 2 Kiln, shall be limited to less than 200,000 tons per twelve (12) consecutive month period, total, with compliance determined at the end of each month.~~

(b) The potential to emit PM, PM₁₀, SO₂, and NO_x shall not exceed the following:

Facility	NOX Limit	PM Limit	PM10 Limit	SO2 Limit
	lbs/ton bricks	lbs/ton bricks	lbs/ton bricks	lbs/ton bricks
Line 1 Kiln	1.00	0.336	0.336	2.50
Line 2 Kiln	1.00	0.336	0.336	2.50
Line 1 mill room (EU-P20-MR)	N/A	0.0063	0.0036	N/A
Line 2 mill room (EU-P32-MR)	N/A	0.0063	0.0036	N/A

Compliance with these limitations limits the potential to emit PM and PM₁₀ to less than one hundred (100) tons per year, the potential to emit SO₂ to less than two hundred and fifty (250) tons per year and the potential to emit NO_x to less than one hundred (100) tons per year from the source existing prior to the addition of ~~the New Plant No. 43~~. Therefore, the source prior to the addition of ~~the New Plant No. 43~~ is a minor source pursuant to 326 IAC 2-1.1-5, Nonattainment NSR, 326 IAC 2-2, PSD, and 326 IAC 2-3, Emission Offset, and these limits render the requirements of 326 IAC 2-2 and 326 IAC 2-3 not applicable.

D.2.2 HAPs Limits [326 IAC 2-4.1] [326 IAC 2-7-5(1)]

The HAPs emissions shall not exceed the following:

Facility	Hydrogen fluoride (Hydrofluoric acid)	Hydrochloric acid
	lbs/ton bricks	lbs/ton bricks
Line 2 Kiln	0.057	0.056

Compliance with this limitation shall limit the potential to emit of a single HAP to less than ten (10) tons per year and of a combination of HAPs to less than twenty-five (25) tons per year from Line 2 Kiln and renders the requirements of 326 IAC 2-4.1 not applicable to Line 2 Kiln.

Compliance with this limitation in conjunction with Condition D.3.1(c) and HAPs emission from other emission units at the source shall limit the source-wide potential to emit of a single HAP to less than ten (10) tons per year and of a combination of HAPs to less than twenty-five (25) tons per year. Therefore, this source is an area source of HAP.

D.2.23 Sulfur Dioxide (SO₂) [326 IAC 7-1.1-1]

Pursuant to 326 IAC 7-1.1 (SO₂ Emissions Limitations), the SO₂ emissions from each ~~Line 2 kiln (Line 1 and Line 2)~~ shall not exceed six (6.0) pounds per million British thermal units heat input while combusting coal.

D.2.34 Particulate [326 IAC 6-3-2]

~~(a) Pursuant to 326 IAC 6-3-2 (Particulate Emission Limitations for Manufacturing Processes), the allowable particulate emission rate from the Line 1 Kiln shall not exceed 24.9 pounds per hour when operating at a process weight rate of 14.8 tons per hour.~~

~~————— This pound per hour limitation was 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:~~

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

(ba) ...

~~(c) Pursuant to 326 IAC 6-3-2 (Particulate Emission Limitations for Manufacturing Processes), the allowable particulate emission rate from the one (1) mill room (EU-P20-MR) shall not exceed 47.1 pounds per hour when operating at a process weight rate of 65 tons per hour.~~

~~The pound per hour limitation was calculated with the following equation:~~

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

~~$$E = 55.0 P^{0.14} - 40$$
 where E = rate of emission in pounds per hour; and
P = process weight rate in tons per hour~~

(db) ...

D.2.45 Preventive Maintenance Plan [326 IAC 2-7-5(13)]

...

Compliance Determination Requirements

D.2.56 Testing Requirements [326 IAC 2-7-6(1),(6)] [326 IAC 2-1.1-11]

- (a) ~~Within~~ **No later than** 180 days after the issuance of this Part 70 permit renewal, 109-16617-00002, in order to demonstrate compliance with Condition D.2.1(b), the Permittee shall perform SO₂ testing for the ~~Line 1 Kiln and~~ Line 2 Kiln stacks utilizing methods as approved by the Commissioner. This test shall be repeated at least once every five (5) years from the date of this valid compliance demonstration. Testing shall be conducted in accordance with Section C - Performance Testing. After the baghouses on the kilns commence operation, this testing shall be superseded by the testing required in Condition D.2.76(c).
- (b) ~~Within~~ **No later than** 180 days after issuance of this Part 70 permit renewal, 109-16617-00002, in order to demonstrate compliance with Condition D.2.34, the Permittee shall perform PM testing for the ~~Line 1 Kiln and~~ Line 2 Kiln stacks utilizing methods as approved by the Commissioner. This test shall be repeated at least once every five (5) years from the date of this valid compliance demonstration. Testing shall be conducted in accordance with Section C - Performance Testing.
- (c) Prior to commencing construction of the ~~New Plant No. 43~~ described in Section D.3, but no later than 180 days after the baghouses on the kilns commence operation, in order to demonstrate compliance with Condition D.2.1(b), the Permittee shall perform PM, PM₁₀, ~~SO₂~~ **SO₂** and NO_x testing for the ~~Line 1 Kiln/Dryer stack and the~~ Line 2 Kiln/Dryer stack (DIFF-01 and DI FF-02). PM₁₀ includes filterable and condensable PM₁₀. These tests shall be repeated at least once every five (5) years from the date of this valid compliance demonstration. Testing shall be conducted in accordance with Section C - Performance Testing.
- (d) **In order to demonstrate compliance with Conditions D.2.2 and D.3.1(c), the Permittee shall perform HF and HCl testing using natural gas for the one (1) coal/natural gas fired brick kiln stack (DIFF-02) as indicated in the following timeline:**

No later than five (5) years after the most recent HF and HCl testing, performed on Line 2 Kiln.

This test shall be repeated at least once every five (5) years from the date of this valid compliance demonstration. Testing shall be conducted in accordance with Section C - Performance Testing.

D.2.67 Sulfur Dioxide Emissions and Sulfur Content [326 IAC 2-7-5(3)(A)] [326 IAC 2-7-6]

Pursuant to 326 IAC 7-2, the Permittee shall demonstrate that the sulfur dioxide emissions from ~~each kiln (Line 1 and~~ **the Line 2 Kiln**) does not exceed six (6.0) pounds per million British thermal units. Compliance shall be determined utilizing one of the following options:

...

D.2.78 Particulate and, SO₂ and HAPs Control [326 IAC 2-7-6(6)]

~~(a) In order to comply with Condition D.2.1(b), the dry hydrated lime, sodium bicarbonate, or dry hydrated lime/sodium bicarbonate injection baghouse, identified as DIFF-01, for particulate and SO₂ control shall be in operation and control emissions from the Line 1 Kiln at all times that the Line 1 Kiln is in operation.~~

(ba) In order to comply with Condition D.2.1(b), **D.2.2 and D.2.4(a)**, the dry hydrated lime, sodium bicarbonate, or dry hydrated lime/sodium bicarbonate combination injection baghouse, identified as DIFF-02, for particulate, **and SO₂ and HAPS** control shall be in operation and control emissions from the Line 2 Kiln at all times that the Line 2 Kiln is in operation.

~~(c) In order to comply with Condition D.2.1(b), the baghouse, identified as CD-P20-MR, for particulate control shall be in operation and control emissions from the Line 1 mill room, identified as EU-P20-MR, at all times that the Line 1 mill room is in operation.~~

(db) In order to comply with Condition D.2.1(b) **and D.2.4(b)**, the baghouse, identified as CD-P32-MR, for particulate control shall be in operation and control emissions from the Line 2 mill room identified as EU-P32-MR, at all times that the Line 2 mill room is in operation.

~~(c)~~ **(c)** ...

Compliance Monitoring Requirements L326 IAC 2-7-6(1)] L326 IAC 2-7-5(1)]

D.2.89 Visible Emissions Notations

~~(a) Visible emission notations of the Line 1 Kiln and Line 2 Kiln stack exhausts (DIFF-01 and DIFF-02) and the mill room baghouses (CD-P20-MR and CD-P32-MR) shall be performed once per day during normal daylight operations. A trained employee shall record whether emissions are normal or abnormal.~~

...

(e) If abnormal emissions are observed, the Permittee shall take reasonable response steps in accordance with Section C – Response to Excursions or Exceedances. Failure to take response steps in accordance with Section C – Response to Excursions or Exceedances shall be considered a deviation from this permit. 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.2.910 Baghouse Parametric Monitoring [326 IAC 2-7-6(1)] [326 IAC 2-7-5(1)]

~~(a) The Permittee shall record the pressure drop across the baghouses (CD-P20-MR and CD-P32-MR) used in conjunction with the mill rooms (EU-P20-MR and EU-P32-MR) at least once per day when the mill rooms are in operation. When for any one reading, the pressure drop across the baghouse is outside the normal range of 2.0 and 8.0 inches of water or a range established during the latest stack test, the Permittee shall take reasonable response~~

steps in accordance with Section C - Response to Excursions or Exceedances. 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) . . .

D.2.1011 Broken or Failed Bag Detection

. . .

D.2.1112 Compliance Assurance SO₂ Monitoring [40 CFR 64]

Pursuant to 40 CFR 64, Compliance Assurance Monitoring, the Permittee shall perform the following monitoring:

- (a) The Permittee shall continuously monitor the dry lime **and/or sodium bicarbonate** feed rate at the baghouses, identified as ~~DIFF-01 and~~DIFF-02.
- (b) The Permittee shall inspect the dry lime feed **and/or sodium bicarbonate** system and feeder setting on the baghouses, identified as ~~DIFF-01 and~~DIFF-02, once per shift.
- (c) If the lime **and/or sodium bicarbonate** feeder setting drops below the level established during the latest performance test, the switches monitoring the interlock system on the limestone **and/or sodium bicarbonate** delivery systems, including the lime **and/or sodium bicarbonate** screw conveyor and holding bin, are not functioning properly, or the Permittee discovers cracks, holes or abnormal/excessive wear on the indicators for the screw conveyor and holding bin, the Permittee shall take reasonable response. **Failure to take response steps shall be considered a deviation from this permit.** ~~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.**

Record Keeping and Reporting Requirement L326 IAC 2-7-5(3)] L326 IAC 2-7-19]

D.2.1213 Record Keeping Requirements

- (a) To document **the compliance status** with Condition D.2.1 the Permittee shall maintain records in accordance with (1) through ~~(4)~~**(3)** below. Records maintained for (1) through ~~(4)~~**(3)** shall be taken monthly and shall be complete and sufficient to establish compliance with the emission limits established in Condition D.2.1.
 - ~~(1)~~ — The total number of bricks produced at each kiln each month;
 - ~~(2)~~ . . .
 - ~~(3)~~ . . .
 - ~~(4)~~ . . .
- (b) To document **the compliance status** with Condition D.2.~~89~~, the Permittee shall maintain records **of once per day** of visible emission notations of the ~~Line 1 Kiln and~~ Line 2 Kiln stack exhausts (~~DIFF-01 and~~DIFF-02) ~~once per day~~ while combusting coal **and the mill room baghouse (CD-P32-MR)**. The Permittee shall include in its daily record when a visible emission notation is not taken and the reason for the lack of visible emission notation (e.g. the process did not operate that day).
- (c) To document **the compliance status** with Condition D.2.~~910~~, the Permittee shall maintain records once per day of the pressure drop across the baghouses (~~CD-P20-MR and~~CD-P32-MR) used in conjunction with the mill rooms (~~EU-P20-MR and~~EU-P32-MR) during normal operation when venting to the atmosphere. The Permittee shall include in its daily

record when a pressure drop reading is not taken and the reason for the lack of pressure drop reading (e.g. the process did not operate that day).

- (d) To document **the** compliance **status** with Condition D.2.44-12, the Permittee shall maintain records of the feeder setting once per shift and continuous records of the dry lime/**sodium bicarbonate** feed rate.
- (e) To document **the** compliance **status** with Condition D.2.1, the Permittee shall maintain a record of the date the baghouse, identified as DIFF-01, and the baghouse, identified as DIFF-02, commences operation.
- (f) ~~All records shall be maintained in accordance with Section C – General Record Keeping Requirements, of this permit.~~ **Section C – General Record Keeping Requirements, of this permit contains the Permittee's obligations with regard to the records required by this condition and that the Permittee make such records available upon request to IDEM, OAQ, and the US EPA.**

D.2.4314 Reporting Requirements

- ~~(a) A quarterly summary of the information to document compliance with Condition D.2.1 shall be submitted to the address listed in Section C – General Reporting Requirements, of this permit, using the reporting forms located at the end of this permit, or their equivalent, within thirty (30) days after the end of the quarter being reported. The report submitted by the Permittee does require the certification by the “responsible official” as defined by 326 IAC 2-7-1(34).~~
- (ba) Reports indicating the date the ~~one (1) dry lime/sodium bicarbonate injection baghouse, identified as DIFF-01, and the one (1) dry lime injection baghouse, identified as DIFF-02,~~ commences operation shall be submitted to the address listed in Section C - General Reporting Requirements, of this permit, within thirty (30) days of commencing operation of ~~each~~**the** baghouse. The report submitted by the Permittee does require the certification by the “responsible official” as defined by 326 IAC 2-7-1(34).

D.2.13 Reporting Requirements

- ~~(a) A quarterly summary of the information to document compliance with Condition D.3.1(d) shall be submitted to the address listed in Section C – General Reporting Requirements, of this permit, using the reporting forms located at the end of this permit, or their equivalent, within thirty (30) days after the end of the quarter being reported. The report submitted by the Permittee does require the certification by the “responsible official” as defined by 326 IAC 2-7-1(34).~~
- ~~(b) Reports indicating the date the one (1) dry lime/sodium bicarbonate injection baghouse, identified as DIFF-01, and the one (1) dry lime injection baghouse, identified as DIFF-02, commence operation shall be submitted to the address listed in Section C – General Reporting Requirements, of this permit, within thirty (30) days of commencing operation of each baghouse. The report submitted by the Permittee does require the certification by the “responsible official” as defined by 326 IAC 2-7-1(34).~~

SECTION D.3 FACILITY OPERATION CONDITIONS

Facility Description [326 IAC 2-7-5(15)] Brick Manufacturing Line (New Plant)

- (c) One (1) brick manufacturing line, identified as ~~New Plant~~ **No. 43**, consisting of the following:
 - (1) One (1) brick making room and sand system (mill room), identified as EU-~~NP43~~**MR**, equipped with a baghouse, identified as CD-~~43~~**MRBH** and exhausting to Stack ~~43~~**MRBH**, capacity: 72.5 tons of clay and shale per hour.
 - (2) One (1) coal/natural gas fired brick kiln, identified as EU-~~NP43~~**K**, equipped with a dry hydrated lime, sodium bicarbonate, or dry hydrated lime/sodium bicarbonate combination dry lime

injection baghouse, identified as DIFF-03, and exhausting to Stack DIFF-03, capacity: 20.55 tons of bricks and 25.0 million British thermal units per hour.

(3) One (1) natural gas/propane brick dryer, identified as EU-NP43BD1, exhausting to Stack NP43BD1, capacity: 20.55 tons of bricks and 13.29 million British thermal units per hour.

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

D.3.1 PSD and Nonattainment NSR Minor Modification Limits [326 IAC 2-2] [326 IAC 2-1.1-5] [326 IAC 2-4.1]

(a) The construction of these facilities shall not commence until the Permittee demonstrates compliance with the pound per ton emission limitations in Condition D.2.1(e) using the testing required by Condition D.2.56(c).

(b) The potential to emit PM, PM₁₀, and SO₂ shall be limited as follows:

Facility	PM Limit lbs/ton	PM ₁₀ Limit lbs/ton bricks	SO ₂ Limit lbs/ton bricks
New Plant Kiln (EU-43K)	0.336	0.336	2.60
New Plant Mill Room (EU-43MR)	0.0063	0.0036	N/A
Total			

Compliance with these limitations limits the potential to emit PM and PM₁₀ to less than one hundred (100) tons per year and the potential to emit SO₂ to less than two hundred and fifty (250) tons per year from the addition of the New Plant No. 43. Therefore, this modification is a minor modification pursuant to 326 IAC 2-1.1-5, Nonattainment NSR, 326 IAC 2-2, PSD, and the requirements of 326 IAC 2-2 and 326 IAC 2-3 are not applicable.

(c) In order to render 326 IAC 2-4.1 not applicable **and render the source minor under NESHAP**, the potential to emit HAPs shall not exceed the following:

Facility	Hydrogen fluoride (Hydrofluoric acid) lbs/ton bricks	Hydrochloric acid lbs/ton bricks
New Plant Kiln (EU-NP43K)	0.057	0.056

Compliance with these limitations limits the potential to emit a single HAP to less than ten (10) tons per year and of a combination of HAPs to less than twenty-five (25) tons per year from EU-NPK and renders the requirements of 326 IAC 2-4.1 not applicable to Kiln (EU-43K).

Compliance with this limitation in conjunction with Condition D.2.2 and the potential to emit HAP from other emission units at the source shall limit the potential to emit of single HAP to less than ten (10) tons per year and of a combination of HAPs to less than twenty-five (25) tons per year. Therefore, this source is an area source of HAP.

(d) The production of bricks at kiln EU-NP43K shall not exceed 180,018 tons per twelve (12) consecutive month period with compliance determined at the end of each month.

D.3.2 Sulfur Dioxide (SO₂) [326 IAC 7-1.1-1]

Pursuant to 326 IAC 7-1.1 (SO₂ Emissions Limitations), the SO₂ emissions from the kiln, identified as EU-NP43K, shall not exceed six (6.0) pounds per million British thermal units heat input while combusting coal.

D.3.3 Particulate [326 IAC 6-3-2]

(a) Pursuant to 326 IAC 6-3-2 (Particulate Emission Limitations for Manufacturing Processes), the allowable particulate emission rate from the one (1) proposed brick making room and sand system (EU-NP43MR) shall not exceed 48.1 pounds per hour when operating at a process weight rate of 72.5 tons per hour.

...

(b) Pursuant to 326 IAC 6-3-2 (Particulate Emission Limitations for Manufacturing Processes), the allowable particulate emission rate from one (1) proposed coal/natural gas fired brick kiln (EU-NP43K) shall not exceed 31.1 pounds per hour when operating at a process weight rate of 20.55 tons per hour.

...

(c) Pursuant to 326 IAC 6-3-2 (Particulate Emission Limitations for Manufacturing Processes), the allowable particulate emission rate from the one (1) proposed natural gas/propane brick dryer (EU-NP43BD1) shall not exceed 31.1 pounds per hour when operating at a process weight rate of 20.55 tons per hour.

...

...

D.3.5 Testing Requirements [326 IAC 2-7-6(1),(6)] [326 IAC 2-1.1-11]

With ~~in~~ **no later than** 180 days ~~of~~ **after** startup, in order to demonstrate compliance with Conditions D.3.1(b) and D.3.3(b), the Permittee shall perform PM, PM₁₀ and SO₂ testing for the one (1) coal/natural gas fired brick kiln stack (DIFF-03). PM₁₀ includes filterable and condensable PM₁₀. This test shall be repeated at least once every five (5) years from the date of this valid compliance demonstration. Testing shall be conducted in accordance with Section C - Performance Testing.

D.3.6 Particulate, SO₂, and HAP Control [326 IAC 2-7-6(6)]

(a) In order to comply with Conditions D.3.1(b), D.3.1(c), and D.3.3(b), the dry hydrated lime, sodium bicarbonate, or dry hydrated lime/sodium bicarbonate combination injection baghouse, identified as DIFF-03, for particulate and SO₂ control shall be in operation and control emissions from the one (1) coal/natural gas fired brick kiln (EU-NP43K) at all times that the kiln is in operation.

(b) In order to comply with Condition D.3.1(b), the baghouse, identified as CD-43MRBH, for particulate control shall be in operation and control emissions from the one (1) brick making room and sand system, identified as EU-NP43MR, at all times that the one (1) brick making room and sand system, identified as EU-NP43MR, is in operation.

(c) ...

D.3.7 Sulfur Dioxide Emissions and Sulfur Content [326 IAC 2-7-5(3)(A)] [326 IAC 2-7-6]

Pursuant to 326 IAC 7-2, the Permittee shall demonstrate that the sulfur dioxide emissions from the kiln (EU-NP43K) do not exceed six (6.0) pounds per million British thermal units. Compliance shall be determined utilizing one of the following options:

...

D.3.8 Visible Emissions Notations

(a) Visible emission notations of the one (1) coal/natural gas fired brick kiln (EU-NP43K) stack exhaust (DIFF-03) and the one (1) brick making room and sand system (EU-NP43MR) baghouse stack exhaust (43MRBH) shall be performed once per day during normal daylight operations.

...

- (e) ~~If abnormal emissions are observed, the Permittee shall take reasonable response steps in accordance with Section C – Response to Excursions or Exceedances. Failure to take response steps in accordance with Section C – Response to Excursions or Exceedances shall be considered a deviation from this permit.~~
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.3.9 Baghouse Parametric Monitoring [326 IAC 2-7-6(1)] [326 IAC 2-7-5(1)]

- (a) The Permittee shall record the pressure drop across the baghouse (CD-43MRBH) used in conjunction with the one (1) brick making room and sand system (EU-NP43MR) at least once per day when the brick making room and sand system is in operation. When for any one reading, the pressure drop across the baghouse is outside the normal range of 2.0 and 8.0 inches of water or a range established during the latest stack test, 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.** 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) ...

...

D.3.11 Compliance Assurance SO₂ Monitoring [40 CFR 64]

- (a) The Permittee shall continuously monitor the dry lime **and/or sodium bicarbonate** feed rate at the one (1) dry hydrated lime, sodium bicarbonate, or dry hydrated lime/sodium bicarbonate combination lime injection baghouse, identified as DIFF-03.
- (b) The Permittee shall inspect the dry lime **and/or sodium bicarbonate** feed system and feeder setting on the one (1) dry hydrated lime, sodium bicarbonate, or dry hydrated lime/sodium bicarbonate combination lime injection baghouse, identified as DIFF-03, once per shift.
- (c) If the lime **and/or sodium bicarbonate** feeder setting drops below the level established during the latest performance test, the switches monitoring the interlock system on the limestone **and/or sodium bicarbonate** delivery systems, including the lime screw conveyor and holding bin, are not functioning properly, or the Permittee discovers cracks, holes or abnormal/excessive wear on the indicators for the screw conveyor and holding bin, the Permittee shall take reasonable response. **Failure to take response steps shall be considered a deviation from this permit.** ~~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.**

Record Keeping and Reporting Requirement L326 IAC 2-7-5(3)] L326 IAC 2-7-19]

D.3.12 Record Keeping Requirements

- (a) To document **the** compliance **status** with Condition D.3.1 the Permittee shall maintain records in accordance with (1) through (4) below. Records maintained for (1) through (4) shall be taken monthly and shall be complete and sufficient to establish compliance with the brick production limit as well as the SO₂ emission limits established in Condition D.23.1.

- (1) The total number of bricks produced at each kiln each month;

- (2) Calendar dates covered in the compliance determination period;
 - (3) Sulfur content, heat content, and ash content of the coal; and
 - (4) Sulfur dioxide emission rates;
- (b) To document **the** compliance **status** with Condition D.3.8, the Permittee shall maintain records of **once per day** visible emission notations of the one (1) coal/natural gas fired brick kiln (EU-~~NP43K~~) stack exhaust (DIFF-03) ~~once per day~~ while combusting coal **and the brick making room and sand system (EU-43MR) baghouse stack (43MRBH) exhaust**. The Permittee shall included in its daily record when a visible emission notation is not taken and the reason for the lack of visible emission notation (e.g. the process did not operate that day).
- (c) To document **the** compliance **status** with Condition D.3.9, the Permittee shall maintain records once per day of the pressure drop across the baghouse (CD-~~43MRBH~~) used in conjunction with the one (1) brick making room and sand system (EU-~~NP43MR~~) during normal operation when venting to the atmosphere. The Permittee shall include in its daily record when a pressure drop reading is not taken and the reason for the lack of pressure drop reading (e.g. the process did not operate that day).
- (d) To document **the** compliance **status** with Condition D.3.11, the Permittee shall maintain records of the feeder setting once per shift.
- (e) ~~All records shall be maintained in accordance with Section C – General Record Keeping Requirements, of this permit.~~ **Section C – General Record Keeping Requirements, of this permit contains the Permittee's obligations with regard to the records required by this condition and the Permittee make such records available upon request to IDEM, OAQ, and the US EPA.**

D.3.13 Reporting Requirements

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

**INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
 OFFICE OF AIR QUALITY
 COMPLIANCE DATA SECTION
 Part 70 Quarterly Report**

Source Name: ~~General Shale Brick, Inc.~~
 Source Address: ~~Highway 67 South and CR 1000 North, Mooresville, Indiana 46158~~
 Mailing Address: ~~P.O. Box 156, Mooresville, Indiana 46518~~
 Part 70 Permit No.: ~~T 109-16617-00002~~
 Facility: ~~Line 1 Kiln and Line 2 Kiln~~
 Parameter: ~~Brick Produced~~
 Limit: ~~Less than 200,000 tons per twelve (12) consecutive month period with compliance determined at the end of each month.~~

YEAR:

Month	Bricks Produced (tons)	Bricks Produced (tons)	Bricks Produced (tons)
	This Month	Previous 11 Months	12 Month Total

~~No deviation occurred in this quarter.~~

~~Deviation/s occurred in this quarter.~~

~~— Deviation has been reported on:~~

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

~~Attach a signed certification to complete this report.~~

**INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
 OFFICE OF AIR QUALITY
 COMPLIANCE DATA SECTION
 Part 70 Quarterly Report**

Source Name: General Shale Brick, Inc.
 Source Address: Highway 67 South and CR 1000 North, Mooresville, Indiana 46158
 Mailing Address: P.O. Box 156, Mooresville, Indiana 46518
 Part 70 Permit No.: T109-16617-00002
 Facility: EU-NP43K
 Parameter: Brick Produced

...

INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
OFFICE OF AIR QUALITY
COMPLIANCE DATA SECTION

PART 70 OPERATING PERMIT
QUARTERLY DEVIATION AND COMPLIANCE MONITORING REPORT

...

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".

...

Conclusion and Recommendation

The operation of this proposed modification shall be subject to the conditions of the attached proposed Part 70 Significant Permit Modification No. 109-29219-00002. The staff recommend to the Commissioner that this Part 70 Significant Permit Modification be approved.



INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

We Protect Hoosiers and Our Environment.

Mitchell E. Daniels Jr.
Governor

Thomas W. Easterly
Commissioner

100 North Senate Avenue
Indianapolis, Indiana 46204
(317) 232-8603
Toll Free (800) 451-6027
www.idem.IN.gov

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

TO: Mike Stacy
General Shale Brick, Inc
Old SR 67 S
Mooresville, IN 46158

DATE: August 19, 2010

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

SUBJECT: Final Decision
Significant Permit Modification
109-29219-00002

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:
Warren Paschal (Manager)
Dale Overcash (Trinity Consultants)
OAQ Permits Branch Interested Parties List

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

Final Applicant Cover letter.dot 11/30/07



INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

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Toll Free (800) 451-6027
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August 19, 2010

TO: Mooresville Public Library

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

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

Applicant Name: General Shale Brick, inc
Permit Number: 109-29219-00002

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	MIDENNEY 8/19/2010 General Shale Brick, Inc. 109-29219-00002 (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: CERTIFICATE OF MAILING ONLY	

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		Mike Stacy General Shale Brick, Inc. Old SR Hwy 67 S Mooresville IN 46158-2251 (Source CAATS) via confirmed delivery										
2		Warren Paschal Mgr - Environmental Compliance General Shale Brick, Inc. 1600 Colon Rd Sanford NC 27330 (RO CAATS)										
3		Morgan County Commissioners 180 South Main Street Martinsville IN 46151 (Local Official)										
4		Mr. Thomas Anderson Saves the Dunes Council 444 Barker Road Michigan City IN 46360 (Affected Party)										
5		Mooresville Town Council 4 E Harrison Street Mooresville IN 46158 (Local Official)										
6		Mooresville Public Library 220 W Harrison St Mooresville IN 46158-1633 (Library)										
7		Mr. Alex Geisinger Valparaiso University Wessemann Hall Valparaiso IN 46383-649 (Affected Party)										
8		Clayton D. & Patricia A. Arthur 5178 Brenda Boulevard Greenwood IN 46143 (Affected Party)										
9		Morgan County Health Department 180 S Main Street, Suite 252 Martinsville IN 46151-1988 (Health Department)										
10		Dale Overcash Trinity Consultants 1 Copley Parkway, Suite 310 Morrisville NC 27560 (Consultant)										
11		T. K. Forslund 8147 E. Old St. Rd. 144 Mooresville IN 46158 (Affected Party)										
12		David Jones 7977 N. Taylors Rd. Mooresville IN 46158 (Affected Party)										
13		Claudia Parker 6761 Centenary Rd. Mooresville IN 46158 (Affected Party)										
14		James Swails 6568 E. Rosebud Lane Mooresville IN 46158 (Affected Party)										
15		John Thurston 6548 E. Watson Mooresville IN 46158 (Affected Party)										

Total number of pieces Listed by Sender	Total number of Pieces Received at Post Office	Postmaster, Per (Name of Receiving employee)	The full declaration of value is required on all domestic and international registered mail. The maximum indemnity payable for the reconstruction of nonnegotiable documents under Express Mail document reconstructing insurance is \$50,000 per piece subject to a limit of \$50, 000 per occurrence. The maximum indemnity payable on Express mil merchandise insurance is \$500. The maximum indemnity payable is \$25,000 for registered mail, sent with optional postal insurance. See Domestic Mail Manual R900, S913, and S921 for limitations of coverage on inured and COD mail. See International Mail Manual for limitations o coverage on international mail. Special handling charges apply only to Standard Mail (A) and Standard Mail (B) parcels.
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