



# INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

*We Protect Hoosiers and Our Environment.*

*Mitchell E. Daniels Jr.*  
Governor

*Thomas W. Easterly*  
Commissioner

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

TO: Interested Parties / Applicant

DATE: November 23, 2010

RE: Mid-Continent Coal & Coke / 127-29560-00108

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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Indianapolis, Indiana 46204-2251  
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Toll Free (800) 451-6027  
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Mr. Carl Horst  
Manager of Operations, Chicago District  
Mid-Continent Coal & Coke  
915 W. 175th Street  
Homewood, IL 60430

November 23, 2010

Re: 127-29560-00108  
3rd Significant Permit Modification to:  
Part 70 Permit No.: T127-7634-00108

Dear Mr. Horst:

Mid-Continent Coal & Coke was issued Part 70 operating permit No T 127-7634-00198 on June 30, 2006, for portable coke fines screening operation. A letter requesting changes to this permit was received on August 12, 2010. Pursuant to the provisions of 326 IAC 2-7-12, a significant modification to this permit is hereby approved as described in the attached Technical Support Document.

The modification involves an increase in the throughput of coke at the coke screening plant.

All other conditions of the permit shall remain unchanged and in effect. Please find enclosed the entire revised permit.

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 Madhurima Mouluk, OAQ, 100 North Senate Avenue, MC 61-53 IGCN 1003, Indianapolis, Indiana 46204-2251, or call at (800) 451-6027, and ask for Madhurima Mouluk or extension (3-0868), or dial (317) 233-0868.

Sincerely,

Chrystal Wagner, Section Chief  
Permits Branch  
Office of Air Quality

Attachments

MDM

cc: File - Porter County  
Porter County Health Department  
Air Compliance and Enforcement



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## PART 70 OPERATING PERMIT OFFICE OF AIR QUALITY

**Mid Continent Coal & Coke  
U.S. Highway 12  
Burns Harbor, Indiana 46304**

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

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

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

Operation Permit No.: T127-7634-00108	
Issued by: Original signed by Nisha Sizemore, Chief Permits Branch Office of Air Quality	Issuance Date: June 30, 2006  Expiration Date: June 30, 2011

First Minor Permit Modification No.: 127-23615-00108	Issuance Date: November 14, 2006
First Significant Permit Modification No.: 127-24855-00108	Issuance Date: December 17, 2007
Second Significant Permit Modification No.: 127-26284-00108	Issuance Date: January 15, 2009
First Administrative Amendment No.: 127-28064-00108	Issuance Date: July 6, 2009
Second Administrative Amendment No. 127-28193-00108	Issuance Date: July 22, 2009

Third Significant Permit Modification No. 127-29560-00108	
Issued by:  Chrystal A. Wagner, Section Chief Permits Branch Office of Air Quality	Issuance Date: November 23, 2010  Expiration Date: June 30, 2011

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**Emergency Occurrence Report**

**Quarterly Reports**

**Quarterly Deviation and Compliance Monitoring Report**

**Attachment NSPS 40 CFR Part 60, Subpart III**

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

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The Permittee owns and operates portable coke fines screening operations.

Source Address: U.S. Highway 12, Burns Harbor, Indiana 46304  
General Source Phone Number: (708) 798-1110  
SIC Code: 5052  
County Location: Porter  
Source Location Status: Nonattainment for 8-hour ozone standard and PM<sub>2.5</sub>  
Attainment for all other criteria pollutants  
Source Status: Part 70 Permit Program  
Major Source under PSD, Emission Offset, and Nonattainment NSR Rules  
Major Source, Section 112 of the Clean Air Act  
1 of 28 Listed Source Categories

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

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Mid-Continent Coal and Coke Company, which operates three separate portable coke fines screening operations, is a contractor for ISG Burns Harbor, LLC:

- (a) ISG Burns Harbor, LLC (ID 00001), the primary operation, is located at U.S. Highway 12, Burns Harbor, Indiana 46304;
- (b) Mid-Continent Coal and Coke Company (previously permitted under ID 05215), a supporting operation known as Plant 1, is located at U.S. Highway 12, Burns Harbor, Indiana 46304;
- (c) Mid-Continent Coal and Coke Company (previously permitted under ID 05222), a supporting operation known as Plant 2, is located at U.S. Highway 12, Burns Harbor, Indiana 46304;
- (d) Mid-Continent Coal and Coke Company (previously permitted under ID 00108), a supporting operation known as the Portable Screening Unit (replaced a Sump Plant, constructed in 2005) is located at U.S. Highway 12, Burns Harbor, Indiana 46304; and
- (e) Mid-Continent Coal and Coke Company (previously permitted under ID 05216), a supporting operation known as Plant 3, is located at 1150 East Boundary Road, Portage, Indiana 46368.

Separate Part 70 permits will be issued to ISG Burns Harbor, LLC (TV 127-6301-00001) and Mid-Continent Coal and Coke Company (TV 127-7634-00108) solely for administrative purposes.

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

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The Mid-Continent Coal and Coke operations consist of the following emission units and pollution control devices located at U.S. Highway 12, Burns Harbor:

- (a) One (1) metallurgical coke screening operation, identified as Plant 1, with a maximum capacity of 50 tons per hour of < 1.0 inch coke, constructed in 1968, with fugitive dust controlled on an as needed basis by water sprays, comprised of the following fugitive dust emitting equipment:
  - (1) One (1) vibrating coke screen, identified as ID 1;
  - (2) Four (4) conveyors with one (1) attached feed hopper, collectively identified as ID 2; and
  - (3) Coke storage piles, with a total maximum capacity of 3.0 acreage, identified as ID 2A.

- (b) One (1) screening operation, identified as Plant 2, with a maximum capacity of 50 tons per hour of coke, constructed in 2001, comprised of the following equipment:
  - (1) One (1) coke screen (ID PS);
  - (2) Three (3) conveyors (ID PC1 through PC3);
  - (3) One (1) hopper (ID PH1);
  - (4) One (1) internal combustion diesel generator, used to generate electric power, with a maximum capacity of 164 hp (ID PG1) and a model year of 1995. Due to the model year, the requirements of 40 CFR 60, Subpart IIII are not applicable to this unit; and
  - (5) Wheel loaders with each having a maximum four (4) cubic yard bucket and a minimum vehicle weight of 36300 lbs traveling on paved and unpaved roads.
  
- (c) One (1) portable screening unit, a replacement for the Sump Plant (which was constructed in 2005), with a maximum capacity of 60 tons of coke fines per hour, consisting of the following:
  - (1) One (1) 6' x 16' vibrating double deck screen;
  - (2) One (1) 30" x 50' rubber conveyor;
  - (3) Two (2) 30" x 60' rubber conveyors;
  - (4) One 10' x 12' feed hopper;
  - (5) Wheel loaders with each having a maximum four (4) cubic yard bucket and a minimum vehicle weight of 36300 lbs traveling on paved and unpaved roads;
  - (6) Coke storage piles with a maximum total area of 10.11 acres;
  - (7) Paved and unpaved roadways; and
  - (8) One Rubber Conveyor.

Note: Electric power to the Portable Screening Unit will be supplied by ISG Burns Harbor, LLC.
  
- (d) One (1) conveyor stacker, including a feed hopper and integrated feed conveyor, identified as CS-1, rated at 600 tons per hour. The unit is used for the stockpiling of material and the loading of trucks, railcars, barges and ships.
  
- (e) One (1) conveyor stacker, including a feed hopper and integrated feed conveyor, identified as CS-2, rated at 400 tons per hour. The unit is used for the stockpiling of material and the loading of trucks, railcars, barges and ships.
  
- (f) One (1) conveyor stacker, including a feed hopper, identified as CS-3, rated at 200 tons per hour. The unit is used for the stockpiling of material and the loading of trucks, railcars, barges and ships.
  
- (g) One (1) conveyor stacker, including a feed hopper, identified as CS-4, rated at 200 tons per hour. The unit is used for the stockpiling of material and the loading of trucks, railcars, barges and ships.
  
- (h) One (1) 125 HP diesel generator, approved for construction in 2007, identified as PG2, with a model year of 1980. Due to the model year, the requirements of 40 CFR 60, Subpart IIII are not applicable to this unit.
  
- (i) Two (2) rental diesel generators that shall not exceed 77 hp each, permitted for construction in 2007, identified as PG3 and PG4. Under 40 CFR 60, Subpart IIII, the diesel generators PG3 and PG4 are considered to be stationary internal combustion engines. [40 CFR 60, Subpart IIII] [326 IAC 12]

Note: These generators will be installed on an as-needed basis. The model years will vary depending on the rental contract.

- (j) One (1) conveyor stacker with permanently attached feed hopper, permitted for construction in 2007, identified as CS-5, rated at 200 tons per hour.

And the following plant located at 1150 East Boundary Road, Portage:

- (k) Main screening plant, identified as Plant 3, constructed in 1968, with a maximum capacity of 23.8 tons per hour of coke, comprised of:
  - (1) one (1) 28' x 14' feed hopper (ID MS1), with a maximum capacity of 85 tons per hour of metallurgical coke;
  - (2) two (2) PEP screens (ID MS2 and MS3), each with a maximum capacity of 42.5 tons per hour of metallurgical coke;
  - (3) one (1) 6' x 20' Hewitt Robbins Vibrator (ID MS4), with a maximum capacity of 85 tons per hour of metallurgical coke;
  - (4) thirteen (13) rubber conveyors (ID MS5 thru MS17), each with a maximum capacity of 42.5 tons per hour of metallurgical coke;
  - (5) one (1) front screening plant, consisting of one (1) 12' x 12' feed hopper (ID FS1), one (1) 6' x 12' PEP screen (ID FS2), and five (5) rubber conveyors (ID FS3 thru 7) each with a maximum capacity of 25 tons per hour of metallurgical coke;
  - (6) Coke storage piles with a combined total maximum capacity of 13.7 acres; and
  - (7) one (1) bagging operation, constructed in 2005, with a maximum capacity of 75 tons per hour.

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

The Mid-Continent Coal and Coke operations do 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]

The Mid-Continent Coal and Coke portable operation 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]

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

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

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- (a) This permit, T127-7634-00108, 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]

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

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

### B.4 Enforceability [326 IAC 2-7-7]

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

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

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

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

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

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

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- (a) The Permittee shall furnish to IDEM, OAQ, within a reasonable time, any information that IDEM, OAQ, may request in writing to determine whether cause exists for modifying, revoking and reissuing, or terminating this permit, or to determine compliance with this permit. The submittal by the Permittee does not 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)]

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

- (c) A responsible official is defined at 326 IAC 2-7-1(34).

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

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- (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 April 15 of each year to:

Indiana Department of Environmental Management  
Compliance and Enforcement Branch, Office of Air Quality  
100 North Senate Avenue  
MC61-53 IGCN1003  
Indianapolis, Indiana 46204-2251

and

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

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

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

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

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- (a) If required by specific condition(s) in Section D of this permit, the Permittee shall prepare and maintain Preventive Maintenance Plans (PMPs) within ninety (90) days after issuance of this permit, 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  
MC61-53 IGCN1003  
Indianapolis, Indiana 46204-2251

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

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

**B.11 Emergency Provisions [326 IAC 2-7-16]**

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

- (1) An emergency occurred and the Permittee can, to the extent possible, identify the causes of the emergency;
- (2) The permitted facility was at the time being properly operated;
- (3) During the period of an emergency, the Permittee took all reasonable steps to minimize levels of emissions that exceeded the emission standards or other requirements in this permit;
- (4) For each emergency lasting one (1) hour or more, the Permittee notified IDEM, OAQ, and the Northwest Regional Office, within four (4) daytime business hours after the beginning of the emergency, or after the emergency was discovered or reasonably should have been discovered;

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

and for the Northwest Regional Office;

Telephone Number: 1-888-209-8892 (ask for Office of Air Quality, Compliance Section)  
Telephone Number: 219-757-0265 (ask for Air Compliance Section)  
Facsimile Number: 219-757-0267

- (5) For each emergency lasting one (1) hour or more, the Permittee submitted the attached Emergency Occurrence Report Form or its equivalent, either by mail or facsimile to:

Indiana Department of Environmental Management  
Compliance and Enforcement Branch, Office of Air Quality  
100 North Senate Avenue  
MC61-53 IGCN1003  
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. Any emergencies that have been previously reported pursuant to paragraph (b)(5) of this condition and certified by a "responsible official" need only referenced by the date of the original report.

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

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- (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]**

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- (a) All terms and conditions of permits established prior to T127-7634-05215 and issued pursuant to permitting programs approved into the state implementation plan have been:
  - (1) incorporated as originally stated,
  - (2) revised under 326 IAC 2-7-10.5, or
  - (3) deleted under 326 IAC 2-7-10.5.
- (b) Provided that all terms and conditions are accurately reflected in this combined permit, all previous registrations and permits are superseded by this combined new source review and part 70 operating permit

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

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

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

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- (a) Deviations from any permit requirements (for emergencies see Section B - Emergency Provisions), the probable cause of such deviations, and any response steps or preventive measures taken shall be reported to:

Indiana Department of Environmental Management  
Compliance and Enforcement Branch, Office of Air Quality  
100 North Senate Avenue  
MC61-53 IGCN1003  
Indianapolis, Indiana 46204-2251

using the attached Quarterly Deviation and Compliance Monitoring Report, or its equivalent. A deviation required to be reported pursuant to an applicable requirement that exists independent of this permit, shall be reported according to the schedule stated in the applicable requirement and does not need to be included in this report.

The Quarterly Deviation and Compliance Monitoring Report does require the certification by the "responsible official" as defined by 326 IAC 2-7-1(34).

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

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

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

**B.17 Permit Renewal [326 IAC 2-7-3] [326 IAC 2-7-4] [326 IAC 2-7-8(e)]**

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

Request for renewal shall be submitted to:

Indiana Department of Environmental Management  
Permit Administration and Support Section, Office of Air Quality  
100 North Senate Avenue  
MC61-53 IGCN1003  
Indianapolis, Indiana 46204-2251

- (b) A timely renewal application is one that is:
- (1) Submitted at least nine (9) months prior to the date of the expiration of this permit; and
  - (2) If the date postmarked on the envelope or certified mail receipt, or affixed by the shipper on the private shipping receipt, is on or before the date it is due. If the document is submitted by any

other means, it shall be considered timely if received by IDEM, OAQ, on or before the date it is due.

- (c) If the Permittee submits a timely and complete application for renewal of this permit, the source's failure to have a permit is not a violation of 326 IAC 2-7 until IDEM, OAQ, takes final action on the renewal application, except that this protection shall cease to apply if, subsequent to the completeness determination, the Permittee fails to submit by the deadline specified in writing by IDEM, OAQ, any additional information identified as being needed to process the application.

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

- (a) Permit amendments and modifications are governed by the requirements of 326 IAC 2-7-11 or 326 IAC 2-7-12 whenever the Permittee seeks to amend or modify this permit.

- (b) Any application requesting an amendment or modification of this permit shall be submitted to:

Indiana Department of Environmental Management  
Permit Administration and Support Section, Office of Air Quality  
100 North Senate Avenue  
MC61-53 IGCN1003  
Indianapolis, Indiana 46204-2251

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

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

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

- (a) No Part 70 permit revision shall be required under any approved economic incentives, marketable Part 70 permits, emissions trading, and other similar programs or processes for changes that are provided for in a Part 70 permit.

- (b) Notwithstanding 326 IAC 2-7-12(b)(1) and 326 IAC 2-7-12(c)(1), minor Part 70 permit modification procedures may be used for Part 70 modifications involving the use of economic incentives, marketable Part 70 permits, emissions trading, and other similar approaches to the extent that such minor Part 70 permit modification procedures are explicitly provided for in the applicable State Implementation Plan (SIP) or in applicable requirements promulgated or approved by the U.S. EPA.

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

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

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

Indiana Department of Environmental Management  
Permit Administration and Support Section, Office of Air Quality  
100 North Senate Avenue  
MC61-53 IGCN1003  
Indianapolis, Indiana 46204-2251

and

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

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

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

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

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

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

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

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

**B.21 Source Modification Requirement [326 IAC 2-7-10.5]**

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- (a) A modification, construction, or reconstruction is governed by the requirements of 326 IAC 2 and 326 IAC 2-7-10.5.
- (b) Any modification at an existing major source is governed by the requirements of 326 IAC 2-2-2 and/or 326 IAC 2-3-2.

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

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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]**

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- (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  
MC61-53 IGCN1003  
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]**

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- (a) The Permittee shall pay annual fees to IDEM, OAQ, within thirty (30) calendar days of receipt of a billing. In the event that the source is a sub-contractor and is combined with a larger Part 70 source, the larger Part 70 source may pay the Permittees' annual fees as part of the larger source billing and subject to the fee cap of the larger source. If, however, the larger Part 70 does not pay its annual Part permit fee, IDEM, OAQ will assess a separate fee in accordance with 326 IAC 2-7-19(c) to be paid by the Permittee. Pursuant to 326 IAC 2-7-19(b), if the Permittee does not receive a bill from IDEM, OAQ, the applicable fee is due April 1 of each year.
- (b) Except as provided in 326 IAC 2-7-19(e), failure to pay may result in administrative enforcement action or revocation of this permit.

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

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

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

## SECTION C

## SOURCE OPERATION CONDITIONS

<b>Entire Source</b>
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### Emission Limitations and Standards [326 IAC 2-7-5(1)]

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

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

**C.2 Opacity [326 IAC 5-1]**

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

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

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

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

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

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

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

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

**C.6 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 by using ambient air quality modeling pursuant to 326 IAC 1-7-4. 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 61-52 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 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) All testing shall be performed according to the provisions of 326 IAC 3-6 (Source Sampling Procedures), except as provided elsewhere in this permit, utilizing any applicable procedures and analysis methods specified in 40 CFR 51, 40 CFR 60, 40 CFR 61, 40 CFR 63, 40 CFR 75, or other procedures approved by IDEM, OAQ.

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

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

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

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

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

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

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

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

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

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

Indiana Department of Environmental Management  
Compliance and Enforcement Branch, Office of Air Quality  
100 North Senate Avenue  
MC61-53 IGCN1003  
Indianapolis, Indiana 46204-2251

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

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

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

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

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

##### **C.12 Instrument Specifications [326 IAC 2-1.1-11] [326 IAC 2-7-5(3)] [326 IAC 2-7-6(1)]**

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

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

##### **C.13 Emergency Reduction Plans [326 IAC 1-5-2] [326 IAC 1-5-3]**

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

- (a) Pursuant to the requirements of this Section, the Permittee submitted an Emergency Reduction Plan on October 6, 2006.
- (b) 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.
- (c) 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.14 Risk Management Plan [326 IAC 2-7-5(12)] [40 CFR 68]**

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

**C.15 Response to Excursions or Exceedances [326 IAC 2-7-5] [326 IAC 2-7-6]**

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- (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; 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 maintain the following records:
  - (1) monitoring data;
  - (2) monitor performance data, if applicable; and
  - (3) corrective actions taken.

**C.16 Actions Related to Noncompliance Demonstrated by a Stack Test [326 IAC 2-7-5] [326 IAC 2-7-6]**

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- (a) When the results of a stack test performed in conformance with Section C - Performance Testing, of this permit exceed the level specified in any condition of this permit, the Permittee shall take appropriate response actions. The Permittee shall submit a description of these response actions to IDEM, OAQ, within thirty (30) days of receipt of the test results. The Permittee shall take appropriate action to minimize excess emissions from the affected facility while the response actions are being implemented.

- (b) A retest to demonstrate compliance shall be performed within one hundred twenty (120) days of receipt of the original test results. Should the Permittee demonstrate to IDEM, OAQ that retesting in one hundred and twenty (120) days is not practicable, IDEM, OAQ may extend the retesting deadline.
- (c) IDEM, OAQ reserves the authority to take any actions allowed under law in response to noncompliant stack tests.

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

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

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

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

The statement must be submitted to:

Indiana Department of Environmental Management  
Technical Support and Modeling Section, Office of Air Quality  
100 North Senate Avenue  
MC61-50 IGCN1003  
Indianapolis, Indiana 46204-2251

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

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

#### **C.18 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 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.19 General Reporting Requirements [326 IAC 2-7-5(3)(C)] [326 IAC 2-1.1-11] [326 IAC 2-2] [326 IAC 2-3]

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

Indiana Department of Environmental Management  
Compliance and Enforcement Branch, Office of Air Quality  
100 North Senate Avenue  
MC61-53 IGCN1003  
Indianapolis, Indiana 46204-2251
- (c) Unless otherwise specified in this permit, any notice, report, or other submission required by this permit shall be considered timely if the date postmarked on the envelope or certified mail receipt, or affixed by the shipper on the private shipping receipt, is on or before the date it is due. If the document is submitted by any other means, it shall be considered timely if received by IDEM, OAQ, on or before the date it is due.
- (d) Unless otherwise specified in this permit, all reports required in Section D of this permit shall be submitted within thirty (30) days of the end of the reporting period. All reports do require the certification by the "responsible official" as defined by 326 IAC 2-7-1(34).

- (e) The first report shall cover the period commencing on the date of issuance of this permit and ending on the last day of the reporting period. Reporting periods are based on calendar years, unless otherwise specified in this permit. For the purpose of this permit "calendar year" means the twelve (12) month period from January 1 to December 31 inclusive.
- (f) If the Permittee is required to comply with the recordkeeping provisions of (c) in Section C- General Record Keeping Requirements for any "project" (as defined in 326 IAC 2-2-1 (qq) and/or 326 IAC 2-3-1 (ll)) at an existing emissions unit, and the project meets the following criteria, then the Permittee shall submit a report to IDEM, OAQ:
  - (1) The annual emissions, in tons per year, from the project identified in (c)(1) in Section C- General Record Keeping Requirements exceed the baseline actual emissions, as documented and maintained under Section C- General Record Keeping Requirements (c)(1)(C)(i), by a significant amount, as defined in 326 IAC 2-2-1 (xx) and/or 326 IAC 2-3-1 (qq), for that regulated NSR pollutant, and
  - (2) The emissions differ from the preconstruction projection as documented and maintained under Section C- General Record Keeping Requirements (c)(1)(C)(ii).
- (g) The report for project at an existing emissions unit shall be submitted within sixty (60) days after the end of the year and contain the following:
  - (1) The name, address, and telephone number of the major stationary source.
  - (2) The annual emissions calculated in accordance with (c)(2) and (3) in Section C- General Record Keeping Requirements.
  - (3) The emissions calculated under the actual-to-projected actual test stated in 326 IAC 2-2-2(d)(3) and/or 326 IAC 2-3-2(c)(3).
  - (4) Any other information that the Permittee deems fit to include in this report.

Reports required in this part shall be submitted to:

Indiana Department of Environmental Management  
Compliance and Enforcement Branch, Office of Air Quality  
100 North Senate Avenue  
MC61-53 IGCN1003  
Indianapolis, Indiana 46204-2251

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

## **Stratospheric Ozone Protection**

### **C.20 Compliance with 40 CFR 82 and 326 IAC 22-1**

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

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

## SECTION D.1

## FACILITY OPERATION CONDITIONS

### Facility Description [326 IAC 2-7-5(15)]: Plant 1

- (a) One (1) metallurgical coke screening operation, identified as Plant 1, with a maximum capacity of 50 tons per hour of < 1.0 inch coke, constructed in 1968, with fugitive dust controlled on an as needed basis by water sprays, comprised of the following fugitive dust emitting equipment:
- (1) One (1) vibrating coke screen, identified as ID 1;
  - (2) Four (4) conveyors with one (1) attached feed hopper, collectively identified as ID 2;
  - (3) Coke storage piles, with a total maximum capacity of 3.0 acreage, identified as ID 2A.

(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 Emission Limitations [326 IAC 6-3-2]

Pursuant to 326 IAC 6-3-2 (Particulate Emission Limitations for Manufacturing Processes), the particulate emissions from Plant 1 shall be limited to less than 44.58 pounds per hour when operating at a process weight rate of 50 tons per hour. This limit was calculated using 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:

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

### Compliance Determination Requirements

#### D.1.2 Particulate Matter (PM and PM<sub>10</sub>)

The Permittee shall use wet suppression to control emissions of PM and PM<sub>10</sub> from the vibrating screen, conveyors, stock piles, and roads as necessary to ensure that the coke processed has a moisture content greater than twelve (12) percent. The suppressant shall be applied in a manner and at a frequency sufficient to ensure compliance with the applicable provisions of 326 IAC 6. If weather conditions preclude the use of wet suppression, the Permittee shall perform a moisture content analysis to ensure that the moisture content is equal to or greater than twelve (12) percent. The method for the moisture content analysis shall be approved by IDEM, OAQ.

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

#### D.1.3 Visible Emissions Notations

- (a) Visible emission notations of the process emission points shall be performed once per day during normal daylight operations. A trained employee shall record whether emissions are normal or abnormal.
- (b) For processes operated continuously, "normal" means those conditions prevailing, or expected to prevail, eighty percent (80%) of the time the process is in operation, not counting startup or shut down time.
- (c) In the case of batch or discontinuous operations, readings shall be taken during that part of the operation that would normally be expected to cause the greatest emissions.
- (d) A trained employee is an employee who has worked at the plant at least one (1) month and has been trained in the appearance and characteristics of normal visible emissions for that specific process.
- (e) If abnormal emissions are observed, the Permittee shall take reasonable response steps in accordance with Section C - Response to Excursions or Exceedances. Failure to take response steps in accordance with Section C - Response to Excursions or Exceedances, shall be considered a deviation of this permit.

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

### **D.1.4 Record Keeping Requirements**

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- (a) To document compliance with condition D.1.2, the Permittee shall maintain records of the moisture analysis of the coke material, as needed.
- (b) To document compliance with condition D.1.3, the Permittee shall maintain records of visible emission notations of the transfer points. The Permittee shall include in its daily record when a visible emission notation is not taken and the reason for the lack of visible emission notation (e.g. the process did not operate that day).
- (c) All records shall be maintained in accordance with Section C - General Record Keeping Requirements, of this permit.

## SECTION D.2

## FACILITY OPERATION CONDITIONS

### Facility Description [326 IAC 2-7-5(15)]: **Plant 2**

- (b) One (1) screening operation, identified as Plant 2, with a maximum capacity of 50 tons per hour of coke, constructed in 2001, comprised of the following equipment:
- (1) One (1) coke screen (ID PS);
  - (2) Three (3) conveyors (ID PC1 through PC3);
  - (3) One (1) hopper (ID PH1);
  - (4) One (1) internal combustion diesel generator, used to generate electric power, with a maximum capacity of 164 hp (ID PG1) and a model year of 1995. Due to the model year, the requirements of 40 CFR 60, Subpart IIII are not applicable to this unit; and
  - (5) Wheel loaders with each having a maximum four (4) cubic yard bucket and a minimum vehicle weight of 36300 lbs traveling on paved and unpaved roads;
- (h) One (1) 125 HP diesel generator, approved for construction in 2007, identified as PG2, with a model year of 1980. Due to the model year, the requirements of 40 CFR 60, Subpart IIII are not applicable to this unit.

(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 and Emission Offset Minor Limits [326 IAC 2-2] [326 IAC 2-3]

- (a) Pursuant to Minor Source Modification 127-16021-05222, issued May 12, 2003, the Permittee shall limit the diesel fuel usage by the coke screening operation to no greater than 80 kilo gallons per 12 consecutive month period with compliance determined at the end of each month. This limit is equivalent to NOx emissions of 24.8 tons per year. This limitation limits NOx emissions from the coke screening operation to less than 40 tons per year.
- (b) The Permittee shall limit the throughput of coke to the coke screening operation to less than 210,000 tons per 12 consecutive month period with compliance determined at the end of each month. The emissions of PM and PM-10 from the coke screening operation shall be limited to 0.025 and 0.0087 lb/ton, respectively. This is equivalent to PM emissions of 14.91 tons per year and PM10 emissions of 9.94 tons per year. This limit is structured such that, when including the fugitive emissions and the limited emissions from the combustion of diesel fuel, PM emissions from the source are less than 25 tons per year and PM10 emissions from the coke screening operation are less than 15 tons per year.

Compliance with these limitations renders the requirements of 326 IAC 2-2 (PSD) and 326 IAC 2-3 (Emission Offset) not applicable.

#### D.2.2 Particulate Emission Limitations [326 IAC 6-3-2]

Pursuant to 326 IAC 6-3-2 (Particulate Emission Limitations for Manufacturing Processes), the particulate emissions from Plant 2 shall be limited to less than 44.58 pounds per hour when operating at a process weight rate of 50 tons per hour. This limit was calculated using 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:

$$E = 55.0 P^{0.11} - 40$$

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

#### D.2.3 Fugitive Particulate Matter Emission Limitations [326 IAC 6-5]

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The Permittee shall control fugitive particulate matter emissions according to the Fugitive Dust Control Plan, submitted on May 20, 2002.

### Compliance Determination Requirements

#### D.2.4 Fugitive Particulate Matter Emission Limitations [326 IAC 6-5]

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The Permittee shall use wet suppression to control emissions of PM and PM10 from the vibrating screen, conveyors, stock piles, and roads as necessary to ensure that the coke processed has a moisture content greater than twelve (12) percent. The suppressant shall be applied in a manner and at a frequency sufficient to ensure PM and PM10 emissions are less than twenty-five (25) and fifteen (15) tons per year, respectively. If weather conditions preclude the use of wet suppression, the Permittee shall perform a moisture content analysis to ensure that the moisture content is equal to or greater than twelve (12) percent. The method for the moisture content analysis shall be approved by IDEM, OAQ.

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

#### D.2.5 Record Keeping Requirements

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Pursuant to Minor Source Modification 127-16021-05222, issued May 12, 2003;

- (a) In order to demonstrate compliance with condition D.2.1, the Permittee shall maintain records of metallurgical coke processed at Plant 2.
- (b) To document compliance with Condition D.2.4, the Permittee shall maintain records of the moisture analysis of the coke material.
- (c) All records shall be maintained in accordance with Section C - General Record Keeping Requirements, of this permit.

#### D.2.6 Reporting Requirements

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- (a) Pursuant to Minor Source Modification 127-16021-05222, issued May 12, 2003, a quarterly summary of the information to document compliance with condition D.2.1 shall be submitted to the addresses listed in Section C - General Reporting Requirements, of this permit, using the reporting forms located at the end of this permit, or their equivalent, within thirty (30) days after the end of the quarter being reported. The report submitted by the Permittee does require the certification by the "responsible official" as defined by 326 IAC 2-7-1(34).
- (b) These reports shall be submitted within thirty (30) calendar days following the end of each calendar quarter and in accordance with Section C - General Reporting Requirements of this permit.

**SECTION D.3 FACILITY OPERATION CONDITIONS**

**Facility Description [326 IAC 2-7-5(15)]: Portable Screening Unit**

- (c) One (1) portable screening unit, a replacement for the Sump Plant (which was constructed in 2005), with a maximum capacity of 60 tons of coke fines per hour, consisting of the following:
  - (1) One (1) 6' x 16' vibrating single double deck screen;
  - (2) One (1) 30" x 50' rubber conveyor;
  - (3) Two (2) 30" x 60' rubber conveyors;
  - (4) One 10' x 12' feed hopper;
  - (5) Wheel loaders with each having a maximum four (4) cubic yard bucket and a minimum vehicle weight of 36300 lbs traveling on paved and unpaved roads;
  - (6) Coke storage piles with a maximum total area of 10.11 acres;
  - (7) Paved and unpaved roadways; and
  - (8) One Rubber Conveyor.

Note: Electric power to the Portable Screening Unit will be supplied by ISG Burns Harbor, LLC.

(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 Limits [326 IAC 2-2] [326 IAC 2-1.1-5]**

Pursuant to Minor Source Modification 127-22026-00108, issued December 30, 2005:

- (a) The PM and PM10 emission rates shall not exceed the following:

Emission Unit	PM	PM10
Fugitives	0.19 (lbs/tons of coal)	0.10 (lbs/tons of coal)

- (b) The Permittee shall limit the throughput of coke to the portable screening unit to less than 243,000 tons per 12 consecutive month period with compliance determined at the end of each month.

Compliance with these limitations renders the requirements of 326 IAC 2-2 (PSD) and 326 IAC 2-1.1-5 (Nonattainment NSR) not applicable.

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

Pursuant to Minor Source Modification 127-22026-00108, issued December 30, 2005, and 326 IAC 6-3-2 (Particulate Emission Limitations for Manufacturing Processes), the particulate emissions from the Portable Screening Unit shall be limited to less than 46.29 pounds per hour when operating at a process weight rate of 60 tons per hour. This limit was calculated using 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.3.3 Fugitive Particulate Matter Emission Limitations [326 IAC 6-5]

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Pursuant to Minor Source Modification 127-22026-00108, issued December 30, 2005, the Permittee shall control fugitive particulate matter emissions according to the Fugitive Dust Control Plan, submitted on November 25, 2005.

## Compliance Determination Requirements

### D.3.4 Particulate Matter (PM and PM<sub>10</sub>)

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Pursuant to Minor Source Modification 127-22026-00108, issued December 30, 2005, the Permittee shall use wet suppression to control emissions of PM and PM<sub>10</sub> from the vibrating screen, conveyors, stock piles, and roads as necessary to ensure that the coke processed has a moisture content greater than twelve (12) percent. The suppressant shall be applied in a manner and at a frequency sufficient to ensure compliance with the applicable provisions of 326 IAC 6. If weather conditions preclude the use of wet suppression, the Permittee shall perform a moisture content analysis to ensure that the moisture content is equal to or greater than twelve (12) percent. The method for the moisture content analysis shall be approved by IDEM, OAQ.

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

### D.3.5 Visible Emissions Notations

---

- (a) Visible emission notations of the process emission points shall be performed once per day during normal daylight operations when exhausting to the atmosphere. A trained employee shall record whether emissions are normal or abnormal.
- (b) For processes operated continuously, "normal" means those conditions prevailing, or expected to prevail, eighty percent (80%) of the time the process is in operation, not counting startup or shut down time.
- (c) In the case of batch or discontinuous operations, readings shall be taken during that part of the operation that would normally be expected to cause the greatest emissions.
- (d) A trained employee is an employee who has worked at the plant at least one (1) month and has been trained in the appearance and characteristics of normal visible emissions for that specific process.
- (e) If abnormal emissions are observed, the Permittee shall take reasonable response steps in accordance with Section C- Response to Excursions or Exceedances. Failure to take response steps in accordance with Section C - Response to Excursions or Exceedances shall be considered a deviation from this permit.

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

### D.3.6 Record Keeping Requirements

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- (a) To document compliance with conditions D.3.2 and D.3.5, the Permittee shall maintain records of visible emission notations of the process emission points that are described in the facility description of this section. 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).
- (b) To document compliance with condition D.3.4, the Permittee shall maintain records of moisture content analysis.
- (c) In order to demonstrate compliance with condition D.3.1, the Permittee shall maintain records of metallurgical coke processed at the Portable Screening Unit.
- (d) All records shall be maintained in accordance with Section C - General Record Keeping Requirements, of this permit.

### D.3.7 Reporting Requirements

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

This report shall be submitted within thirty (30) calendar days following the end of each calendar quarter and in accordance with Section C - General Reporting Requirements of this permit.

**SECTION D.4 FACILITY OPERATION CONDITIONS**

Facility Description [326 IAC 2-7-5(15)]: Plant 3

- (h) Main screening plant, identified as Plant 3, constructed in 1968, with a maximum capacity of 23.8 tons per hour of coke, comprised of:
  - (1) one (1) 28' x 14' feed hopper (ID MS1), with a maximum capacity of 85 tons per hour of metallurgical coke;
  - (2) two (2) PEP screens (ID MS2 and MS3), each with a maximum capacity of 42.5 tons per hour of metallurgical coke;
  - (3) one (1) 6' x 20' Hewitt Robbins Vibrator (ID MS4), with a maximum capacity of 85 tons per hour of metallurgical coke;
  - (4) thirteen (13) rubber conveyors (ID MS5 thru MS17), each with a maximum capacity of 42.5 tons per hour of metallurgical coke;
  - (5) one (1) front screening plant, consisting of one (1) 12' x 12' feed hopper (ID FS1), one (1) 6' x 12' PEP screen (ID FS2), and five (5) rubber conveyors (ID FS3 thru 7) each with a maximum capacity of 25 tons per hour of metallurgical coke; and
  - (6) Coke storage piles with a combined total maximum capacity of 13.7 acres.
  - (7) one (1) bagging operation, constructed in 2005, with a maximum capacity of 75 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.4.1 Particulate Emission Limitations [326 IAC 6-3-2]**

Pursuant to 326 IAC 6-3-2 (Particulate Emission Limitations for Manufacturing Processes), the allowable particulate emission rate from Plant 3 shall not exceed the following limits:

- (a) The one (1) front screening plant, consisting of one (1) 12' x 12' feed hopper (ID FS1), one (1) 6' x 12' PEP screen (ID FS2), and five (5) rubber conveyors (ID FS3 thru 7) each with a maximum capacity of 25 tons per hour of metallurgical coke shall not exceed the following:

Emission Unit	Process Rate	PM limit
Front Screening Plant	25 (tons/hr)	35.43 (lbs/hr)

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

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

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

- (b) The thirteen (13) rubber conveyors (ID MS5 thru MS17), each with a maximum capacity of 42.5 tons per hour of metallurgical coke and the one (1) bagging operation, constructed in 2005, with a maximum capacity of 75 tons per hour shall not exceed the following:

Emission Unit	Process Rate	PM10
Thirteen Rubber Conveyors (ID MS5 thru MS17)	42.5 (tons/hr)	43.08 (lbs/hr)
Bagging Operation	75 (tons/hr)	48.43 (lbs/hr)

The pounds per hour limitation was calculated using 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:

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

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

##### **D.4.2 Visible Emissions Notations**

---

- (a) Visible emission notations of the process emission points shall be performed once per day during normal daylight operations when exhausting to the atmosphere. A trained employee shall record whether emissions are normal or abnormal.
- (b) For processes operated continuously, "normal" means those conditions prevailing, or expected to prevail, eighty percent (80%) of the time the process is in operation, not counting startup or shut down time.
- (c) In the case of batch or discontinuous operations, readings shall be taken during that part of the operation that would normally be expected to cause the greatest emissions.
- (d) A trained employee is an employee who has worked at the plant at least one (1) month and has been trained in the appearance and characteristics of normal visible emissions for that specific process.
- (e) If abnormal emissions are observed, the Permittee shall take reasonable response steps in accordance with Section C - Response to Excursions or Exceedances. Failure to take response steps in accordance with Section C - Response to Excursions or Exceedances, shall be considered a deviation of this permit.

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

##### **D.4.3 Record Keeping Requirements**

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- (a) To document compliance with condition D.4.2, the Permittee shall maintain records of visible emission notations of the emission points that are described in the facility description of this section. 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).
- (b) All records shall be maintained in accordance with Section C - General Record Keeping Requirements of this permit.

## SECTION D.5

## FACILITY OPERATION CONDITIONS

### Facility Description [326 IAC 2-7-5(15)]:

- (d) One (1) conveyor stacker, including a feed hopper and integrated feed conveyor, identified as CS-1, rated at 600 tons per hour. The unit is used for the stockpiling of material and the loading of trucks, railcars, barges and ships.
- (e) One (1) conveyor stacker, including a feed hopper and integrated feed conveyor, identified as CS-2, rated at 400 tons per hour. The unit is used for the stockpiling of material and the loading of trucks, railcars, barges and ships.
- (f) One (1) conveyor stacker, including a feed hopper, identified as CS-3, rated at 200 tons per hour. The unit is used for the stockpiling of material and the loading of trucks, railcars, barges and ships.
- (g) One (1) conveyor stacker, including a feed hopper, identified as CS-4, rated at 200 tons per hour. The unit is used for the stockpiling of material and the loading of trucks, railcars, barges and ships.
- (j) One (1) conveyor stacker with permanently attached feed hopper, permitted for construction in 2007, identified as CS-5, rated at 200 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.5.1 Particulate Emission Limitations [326 IAC 6-3-2]

Pursuant to 326 IAC 6-3-2 (Particulate Emission Limitations for Manufacturing Processes), particulate matter (PM) emissions shall be limited by the following equation for process weight rates in excess of sixty thousand (60,000) pounds per hour:

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

- (a) For conveyor stacker CS-1, with a process weight rate of 600 tons per hour, this equation provides a limit of 71.2 pounds per hour.
- (b) For conveyor stacker CS-2, with a process weight rate of 400 tons per hour, this equation provides a limit of 66.3 pounds per hour.
- (c) For conveyor stackers CS-3, CS-4, and CS-5 each with a process weight rate of 200 tons per hour, this equation provides a limit of 58.5 pounds per hour for each stacker.

#### D.5.2 Fugitive Particulate Matter Emission Limitations [326 IAC 6-5]

Pursuant to 326 IAC 6-5-4, the Permittee shall control fugitive particulate matter emissions by spraying the material with water on an as-needed basis.

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

#### D.5.3 Visible Emissions Notations

- (a) Visible emission notations of the process emission points shall be performed once per day during normal daylight operations when exhausting to the atmosphere. A trained employee shall record whether emissions are normal or abnormal.
- (b) For processes operated continuously, "normal" means those conditions prevailing, or expected to prevail, eighty percent (80%) of the time the process is in operation, not counting startup or shut down time.
- (c) In the case of batch or discontinuous operations, readings shall be taken during that part of the operation that would normally be expected to cause the greatest emissions.

- (d) A trained employee is an employee who has worked at the plant at least one (1) month and has been trained in the appearance and characteristics of normal visible emissions for that specific process.
- (e) If abnormal emissions are observed, the Permittee shall take reasonable response steps in accordance with Section C - Response to Excursions or Exceedances. Failure to take response steps in accordance with Section C - Response to Excursions or Exceedances, shall be considered a deviation of this permit.

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

**D.5.4 Record Keeping Requirements**

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- (a) To document compliance with condition D.5.3, the Permittee shall maintain records of visible emission notations of the emission points that are described in the facility description of this section. 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).
- (b) All records shall be maintained in accordance with Section C - General Record Keeping Requirements of this permit.

## SECTION D.6 FACILITY OPERATION CONDITIONS

### Facility Description [326 IAC 2-7-5(15)]: Rental Generators

- (i) Two (2) rental diesel generators that shall not exceed 77 hp each, permitted for construction in 2007, identified as PG3 and PG4. Under 40 CFR 60, Subpart IIII, the diesel generators PG3 and PG4 are considered to be stationary internal combustion engines. [40 CFR 60, Subpart IIII] [326 IAC 12]

Note: These generators will be installed on an as-needed basis. The model years will vary depending on the rental contract.

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

#### D.6.1 Rental Generators [326 IAC 2-7-10.5] [326 IAC 2-7-12]

The Permittee may remove and replace these rental generators (PG3 and PG4) with another rental generator at any time without prior approval under 326 IAC 2-7-10.5 and 326 IAC 2-7-12. Subject to the following conditions:

- (a) only two (2) generators may be installed and operated under this approval (SSM 127-24646-00108 and SPM 127-24855-00108);
- (b) the generator shall not exceed 77 hp each; and
- (c) the generators shall be diesel-fired only.

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

##### D.6.2 Record Keeping Requirements

- (a) The Permittee shall maintain records of the dates of installation and removal of units PG3 and PG4 as each unit is installed and removed.
- (b) The Permittee shall maintain records of the make, model, horsepower, and model year of each rental diesel generator brought onto the site.
- (c) The Permittee shall maintain records of the fuel type and usage of units PG3 and PG4.
- (d) All records shall be maintained in accordance with Section C - General Record Keeping Requirements of this permit.

## SECTION E.1 FACILITY OPERATION CONDITIONS

### Facility Description [326 IAC 2-8-4(10)]:

- (i) Two (2) rental diesel generators that shall not exceed 77 hp each, permitted for construction in 2007, identified as PG3 and PG4. Under 40 CFR 60, Subpart IIII, the diesel generators PG3 and PG4 are considered to be stationary internal combustion engines. [40 CFR 60, Subpart IIII] [326 IAC 12]

Note: These generators will be installed on an as-needed basis. The model years will vary depending on the rental contract.

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

### New Source Performance Standards (NSPS) Requirements [326 IAC 2-7-5(1)]

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

- (a) Pursuant to 40 CFR 60.1, the Permittee shall comply with the provisions of 40 CFR Part 60 Subpart A – General Provisions, which are incorporated by reference as 326 IAC 12-1 for rental diesel generators PG3 and PG4, except as otherwise specified in 40 CFR Part 60, Subpart IIII.
- (b) Pursuant to 40 CFR 60.19, the Permittee shall submit all required notifications and reports to:

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

#### E.1.2 Standards of Performance for Stationary Compression Ignition Internal Combustion Engines [40 CFR Part 60, Subpart IIII] [326 IAC 12]

Pursuant to 40 CFR Part 60, Subpart IIII, the Permittee shall comply with the provisions of Standards of Performance for Stationary Compression Ignition Internal Combustion Engines, which are incorporated by reference as 326 IAC 12, for rental diesel generators PG3 and PG4, and shown in Attachment A of this permit.

## INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT OFFICE OF AIR QUALITY

### PART 70 OPERATING PERMIT CERTIFICATION

Source Name: Mid-Continent Coal and Coke  
Source Address: U.S. Highway 12, Burns Harbor, Indiana 46304  
Part 70 Permit No.: T127-7634-00108

**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, Office of Air Quality  
100 North Senate Avenue  
MC61-53 IGCN1003  
Indianapolis, Indiana 46204-2251  
Phone: 317-233-0178  
Fax: 317-233-6865**

**PART 70 OPERATING PERMIT  
EMERGENCY OCCURRENCE REPORT**

Source Name: Mid-Continent Coal and Coke  
Source Address: U.S. Highway 12, Burns Harbor, Indiana 46304  
Part 70 Permit No.: T127-7634-00108

**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 <sub>10</sub> , SO <sub>2</sub> , VOC, NOX, 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 Operating Permit Quarterly Report

Source Name: Mid-Continent Coal and Coke  
Source Address: U.S. Highway 12, Burns Harbor, Indiana 46304  
Part 70 Permit No.: T127-7634-00108  
Facility: Plant 2 coke screening operation  
Parameter: Coke throughput  
Limit: Less than 210,000 tons per 12 consecutive month period with compliance determined at the end of each month

YEAR: \_\_\_\_\_

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

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

Submitted By: \_\_\_\_\_

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

Signature: \_\_\_\_\_

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

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

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 Report**

Source Name: Mid-Continent Coal and Coke Company  
Source Address: U.S. Highway 12, Burns Harbor, Indiana 46304  
Part 70 Permit No.: T127-7634-00108  
Facility: Portable Screening Unit  
Parameter: Coke throughput  
Limit: Less than 243,000 tons per 12 consecutive month period with compliance determined at the end of each month

**YEAR:** \_\_\_\_\_

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

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

Submitted By: \_\_\_\_\_

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

Signature: \_\_\_\_\_

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

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

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: Mid-Continent Coal and Coke  
Source Address: U.S. Highway 12, Burns Harbor, Indiana 46304  
Part 70 Permit No.: T127-7634-00108

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

Page 1 of 2

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

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

Form Completed By: \_\_\_\_\_

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

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

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

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:	Mid-Continent Coal & Coke
Source Location:	U.S. Highway 12, Burns Harbor, Indiana 46304
County:	Porter
SIC Code:	5052
Operation Permit No.:	T127-7634-00108
Operation Permit Issuance Date:	June 30, 2007
Significant Permit Modification No.:	127-29560-00108
Permit Reviewer:	Madhurima D. Moulik

**Source Definition**

Mid-Continent Coal and Coke Company, which operates three separate portable coke fines screening operations, is a contractor for ISG Burns Harbor, LLC:

- (a) ISG Burns Harbor, LLC (ID 00001), the primary operation, is located at U.S. Highway 12, Burns Harbor, Indiana 46304;
- (b) Mid-Continent Coal and Coke Company (previously permitted under ID 05215), a supporting operation known as Plant 1, is located at U.S. Highway 12, Burns Harbor, Indiana 46304;
- (c) Mid-Continent Coal and Coke Company (previously permitted under ID 05222), a supporting operation known as Plant 2, is located at U.S. Highway 12, Burns Harbor, Indiana 46304;
- (d) Mid-Continent Coal and Coke Company (previously permitted under ID 00108), a supporting operation known as the Portable Screening Unit (replaced a Sump Plant, constructed in 2005) is located at U.S. Highway 12, Burns Harbor, Indiana 46304; and
- (e) Mid-Continent Coal and Coke Company (previously permitted under ID 05216), a supporting operation known as Plant 3, is located at 1150 East Boundary Road, Portage, Indiana 46368.

Separate Part 70 permits will be issued to ISG Burns Harbor, LLC (TV 127-6301-00001) and Mid-Continent Coal and Coke Company (TV 127-7634-00108) solely for administrative purposes.

**Existing Approvals**

The source was issued Part 70 Operating Permit No. T127-7634-00108. The source has since received the following approvals:

- (a) Significant Source Modification No. 127-24646-00108 issued on November 28, 2007;
- (b) Significant Permit Modification No. 127-24855-00108 issued on December 17, 2007;

- (c) Significant Permit Modification No. 127-26284-00108 issued on January 15, 2009;
- (d) Administrative Amendment No. 127-28064-00108 issued on July 6, 2009;
- (e) Administrative Amendment No. 127-28193-00108 issued on July 22, 2009.

<b>County Attainment Status</b>
---------------------------------

The source is located in Porter County.

Pollutant	Designation
SO <sub>2</sub>	Cannot be classified for the area bounded on the north by Lake Michigan; on the west by the Lake County and Porter County line; on the south by I-80 and I-90; and on the east by the LaPorte County and Porter County line. The remainder of Porter County is better than national standards.
CO	Unclassifiable or attainment effective November 15, 1990.
O <sub>3</sub>	Attainment effective June 4, 2010. <sup>1</sup>
PM <sub>10</sub>	Unclassifiable effective November 15, 1990.
NO <sub>2</sub>	Cannot be classified or better than national standards.
Pb	Not designated.

<sup>1</sup>The U. S. EPA has acknowledged in both the proposed and final rulemaking for this redesignation that the anti-backsliding provisions for the 1-hour ozone standard no longer apply as a result of the redesignation under the 8-hour ozone standard. Therefore, permits in Porter County are no longer subject to review pursuant to Emission Offset, 326 IAC 2-3. Basic nonattainment designation effective federally April 5, 2005, for PM2.5.

(a) Ozone Standards

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. Porter 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) PM<sub>2.5</sub>

U.S. EPA, in the Federal Register Notice 70 FR 943 dated January 5, 2005, has designated Porter County as nonattainment for PM<sub>2.5</sub>. 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 PM<sub>2.5</sub> promulgated on May 8, 2008. These rules became effective on July 15, 2008. Therefore, direct PM<sub>2.5</sub> and SO<sub>2</sub> emissions were reviewed pursuant to the requirements of Nonattainment New Source Review, 326 IAC 2-1.1-5. See the State Rule Applicability – Entire Source section.

(c) Other Criteria Pollutants

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

### Description of Proposed Modification

The Permittee has requested that the limitation on the throughput for the coke screening operation be modified from less than 99,390 tons to less than 210,000 tons for twelve (12) consecutive month period. The source uses wet suppression techniques for screening and conveying operations. Pursuant to AP-42 Chapter 12.2 (Coke Production), Table 12.2-18, particulate emissions from material transfers between conveyors and screening operations that use wet suppression techniques can use emission factors in AP-42 Chapter 11.19 (Crushed Stone Processing Operations). The particulate emissions from the screening operation after this modification remains below the thresholds under 326 IAC 2-2 (Prevention of Significant Deterioration) as shown in Appendix A of this Technical Support Document.

### Part 70 Permit Level Determination

The change in the emission factor used for estimating the emissions from screening and conveying in combination with the requested increase in throughput will not result in any emissions increases from the screening operation, and does not require a source modification under 326 IAC 2-7-10.5. The requested modification involves a change in a case-by-case determination of an emission standard, which pursuant to 326 IAC 2-7-12(b)(1)(C) cannot be processed as a minor permit modification. Therefore, this application will be processed as a significant permit modification pursuant to 326 IAC 2-7-12(d).

### Enforcement Issues

There are no pending enforcement actions related to this modification.

### Emission Calculations

See Appendix A of this Technical Support Document for detailed emission calculations.

### Federal Rule Applicability Determination

The federal rule applicabilities shall remain unchanged as a result of this modification.

### State Rule Applicability Determination

The state rule applicabilities shall remain unchanged as a result of this modification.

### 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.

### Proposed Changes

The changes listed below have been made to Part 70 Operating Permit No. T 127-7634-00108. Deleted language appears as ~~strike throughs~~ and new language appears in **bold**:

1. IDEM will no longer list the source mailing address in Part 70 permits. The source mailing addresses have been deleted from Section A.1 and the report forms at the end of the permit.
2. Condition D.2.1 - PSD and Emission Offset Minor Limits [326IAC 2-2] [326 IAC 2-3] has been modified to increase the throughput limit for the coke screening operation to 210,000 tons per 12 consecutive month period.
3. The Part 70 Quarterly Report has been modified to reflect the increase in the throughput limit for the coke screening operation to 210,000 tons per 12 consecutive month period.

#### 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 portable coke fines screening operations.

Source Address: U.S. Highway 12, Burns Harbor, Indiana 46304  
~~Mailing Address: 915 W. 175<sup>th</sup> Street, Homewood, IL 60430~~  
General Source Phone Number: (708) 798-1110  
SIC Code: 5052  
County Location: Porter  
Source Location Status: Nonattainment for 8-hour ozone standard and PM<sub>2.5</sub>  
Attainment for all other criteria pollutants  
Source Status: Part 70 Permit Program  
Major Source under PSD, Emission Offset, and Nonattainment NSR Rules  
Major Source, Section 112 of the Clean Air Act  
1 of 28 Listed Source Categories

#### D.2.1 PSD and Emission Offset Minor Limits [326 IAC 2-2] [326 IAC 2-3]

~~Pursuant to Minor Source Modification 127-16021-05222, issued May 12, 2003;~~

- (a) **Pursuant to Minor Source Modification 127-16021-05222, issued May 12, 2003, The** the Permittee shall limit the diesel fuel usage by the coke screening operation to no greater than 80 kilo gallons per 12 consecutive month period with compliance determined at the end of each month. This limit is equivalent to NOx emissions of 24.8 tons per year. This limitation limits NOx emissions from the coke screening operation to less than 40 tons per year.
- (b) The Permittee shall limit the throughput of coke to the coke screening operation to less than ~~99,390~~ **210,000** tons per 12 consecutive month period with compliance determined at the end of each month. **The emissions of PM and PM-10 from the coke screening operation shall be limited to 0.025 and 0.0087 lb/ton, respectively.** This is equivalent to PM emissions of 14.91 tons per year and PM10 emissions of 9.94 tons per year. This limit is structured such that, when including the fugitive emissions and the limited emissions from the combustion of diesel fuel, PM emissions from the source are less than 25 tons per year and PM10 emissions from the coke screening operation are less than 15 tons per year.

Compliance with these limitations renders the requirements of 326 IAC 2-2 (PSD) and 326 IAC 2-3 (Emission Offset) not applicable.

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

Part 70 Operating Permit  
Quarterly Report

Source Name: Mid-Continent Coal and Coke  
Source Address: U.S. Highway 12, Burns Harbor, Indiana 46304  
Mailing Address: 915 W. 175th Street, Homewood, IL 60430  
Part 70 Permit No.: T127-7634-00108  
Facility: Plant 2 coke screening operation  
Parameter: Coke throughput  
Limit: Less than ~~99,390~~ **210,000** tons per 12 consecutive month period with compliance determined at the end of each month

YEAR: \_\_\_\_\_

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

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

Submitted By: \_\_\_\_\_

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

Signature: \_\_\_\_\_

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

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

Attach a signed certification to complete this report.

### Conclusion and Recommendation

This proposed modification shall be subject to the conditions of the attached proposed Part 70 Significant Permit Modification No. 127-29560-00108. The staff recommends to the Commissioner that this Part 70 Significant Permit Modification be approved.

### IDEM Contact

- (a) Questions regarding this proposed permit can be directed to Madhurima D. Moulik at the Indiana Department Environmental Management, Office of Air Quality, Permits Branch, 100 North Senate Avenue, MC 61-53 IGCN 1003, Indianapolis, Indiana 46204-2251 or by telephone at (317) 233-0868 toll free at 1-800-451-6027 extension 3-0868.
- (b) A copy of the findings is available on the Internet at: <http://www.in.gov/ai/appfiles/idem-caats/>
- (c) For additional information about air permits and how the public and interested parties can participate, refer to the IDEM's Guide for Citizen Participation and Permit Guide on the Internet at: [www.idem.in.gov](http://www.idem.in.gov)

TSD Appendix A  
 Mid-Continent Coal & Coke  
 SPM No. 127-29560-00108  
 Date: September 9, 2010

**Coke Processing Operations**

Limited throughput = 210,000 ton/year

Unit	Capacity (tons/hr)	Throughput (tons/yr)	Uncontrolled EFs (lb/ton)			Uncontrolled Emissions (tpy)		
			PM	PM <sub>10</sub>	PM <sub>2.5</sub>	PM	PM <sub>10</sub>	PM <sub>2.5</sub>
One (1) coke screen	-	210,000	0.025	0.0087	0.0087	2.625	0.914	0.914
One (1) conveyor	-	210,000	0.025	0.0087	0.0087	2.625	0.914	0.914
One (1) conveyor	-	210,000	0.025	0.0087	0.0087	2.625	0.914	0.914
One (1) conveyor	-	210,000	0.025	0.0087	0.0087	2.625	0.914	0.914
One (1) conveyor	-	210,000	0.025	0.0087	0.0087	2.625	0.914	0.914
						<b>13.125</b>	<b>4.568</b>	<b>4.568</b>

**Methodology**

Emission Factors based on AP-42 Crushed Stone Processing Operations, 11.19.2, Table 11.19.2-2, Date 08/04

Uncontrolled Emissions (tpy) = Throughput (tons/yr) \* Uncontrolled Emission Factor (lb/ton) / 2000 (lb/ton)

Controlled Emissions (tpy) = Throughput (tons/yr) \* Uncontrolled Emission Factor (lb/ton) / 2000 (lb/ton) \* (1 - Control Efficiency)



# INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

*We Protect Hoosiers and Our Environment.*

*Mitchell E. Daniels Jr.*  
**Governor**

*Thomas W. Easterly*  
**Commissioner**

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

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

**TO:** Carl Horst  
Mid-Continent Coal & Coke  
915 W 175<sup>th</sup> St  
Homewood, IL 60430

**DATE:** November 23, 2010

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

**SUBJECT:** Final Decision  
Significant Permit Modification  
127-29560-00108

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:  
Michael Gratson (District Manager)  
Elizabeth Hill (Bruce Carter Associates)  
Vice President/General Manager  
OAQ Permits Branch Interested Parties List

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

Final Applicant Cover letter.dot 11/30/07



# INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

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Indianapolis, Indiana 46204  
(317) 232-8603  
Toll Free (800) 451-6027  
[www.idem.IN.gov](http://www.idem.IN.gov)

November 23, 2010

TO: Westchester Public Library

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

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

**Applicant Name: Mid-Continent Coal & Coke**  
**Permit Number: 127-29560-00108**

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 11/23/2010 Mid Cont Coal & Coke - contractor of ArcelorMittal(001) 127-29560-00108 (final)		AFFIX STAMP HERE IF USED AS CERTIFICATE OF MAILING
Name and address of Sender	 Indiana Department of Environmental Management Office of Air Quality – Permits Branch 100 N. Senate Indianapolis, IN 46204	Type of Mail:  <b>CERTIFICATE OF MAILING ONLY</b>	

Line	Article Number	Name, Address, Street and Post Office Address	Postage	Handing Charges	Act. Value (If Registered)	Insured Value	Due Send if COD	R.R. Fee	S.D. Fee	S.H. Fee	Rest. Del. Fee	Remarks
1		Carl Horst Mid Cont Coal & Coke - contractor of ArcelorMittal 915 W 175th St Homewood IL 60430 (Source CAATS)via confirmed delivery										
2		Michael Gratson District Mgr Mid Cont Coal & Coke - contractor of ArcelorMittal 915 W 175th St Homewood IL 60430 (RO CAATS)										
3		Westchester Public Library 200 W Indiana Ave Chesterton IN 46304-3122 (Library)										
4		Laurence A. McHugh Barnes & Thornburg 100 North Michigan South Bend IN 46601-1632 (Affected Party)										
5		Porter County Board of Commissioners 155 Indiana Ave, Ste 205 Valparaiso IN 46383 (Local Official)										
6		Porter County Health Department 155 Indiana Ave, Suite 104 Valparaiso IN 46383-5502 (Health Department)										
7		Shawn Sobocinski 3229 E. Atlanta Court Portage IN 46368 (Affected Party)										
8		Mr. Ed Dybel 2440 Schrage Avenue Whiting IN 46394 (Affected Party)										
9		Ms. Elizabeth Hill Bruce Carter Associates 616 S 4th Street Elkhart IN 46516 (Consultant)										
10		Ms. Carolyn Marsh Lake Michigan Calumet Advisory Council 1804 Oliver St Whiting IN 46394-1725 (Affected Party)										
11		Mr. Dee Morse National Park Service 12795 W Alameda Pky, P.O. Box 25287 Denver CO 80225-0287 (Affected Party)										
12		Valparaiso City Council and Mayors Office 166 Lincolnway Valparaiso IN 46383-5524 (Local Official)										
13		Mr. Joseph Virgil 128 Kinsale Avenue Valparaiso IN 46385 (Affected Party)										
14		Mark Coleman 9 Locust Place Ogden Dunes IN 46368 (Affected Party)										
15		Mr. Chris Hernandez Pipefitters Association, Local Union 597 8762 Louisiana St., Suite G Merrillville IN 46410 (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 <b>Domestic Mail Manual R900, S913, and S921</b> for limitations of coverage on inured and COD mail. See <b>International Mail Manual</b> for limitations o coverage on international mail. Special handling charges apply only to Standard Mail (A) and Standard Mail (B) parcels.
<b>14</b>			

# Mail Code 61-53

IDEM Staff	MIDENNEY 11/23/2010 Mid Cont Coal & Coke - contractor of ArcelorMittal(001) 127-29560-00108 (final)		AFFIX STAMP HERE IF USED AS CERTIFICATE OF MAILING
Name and address of Sender	 Indiana Department of Environmental Management Office of Air Quality – Permits Branch 100 N. Senate Indianapolis, IN 46204	Type of Mail:  <b>CERTIFICATE OF MAILING ONLY</b>	

Line	Article Number	Name, Address, Street and Post Office Address	Postage	Handing Charges	Act. Value (If Registered)	Insured Value	Due Send if COD	R.R. Fee	S.D. Fee	S.H. Fee	Rest. Del. Fee	Remarks
1		Kathy Luther Northern Regional Planning Commission 6100 Southport Rd Portage IN 46368 (Affected Party)										
2		Burns Harbor Town Council 1240 N. Boo Rd Burns Harbor IN 46304 (Local Official)										
3		Eric & Sharon Haussman 57 Shore Drive Ogden Dunes IN 46368 (Affected Party)										
4		Vice President and General Manager ISG Burns Harbor 260 W US Hwy 12 Burns Harbor IN 46304 (Source ? addl contact)										
5		Joseph Hero 11723 S Oakridge Drive St. John IN 46373 (Affected Party)										
6		Gitte Laasby Post Tribune 1433 E. 83rd Ave Merrillville IN 46410 (Affected Party)										
7		Mark Zeltwanger 26545 CR 52 Nappanee IN 46550 (Affected Party)										
8												
9												
10												
11												
12												
13												
14												
15												

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