



# 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: April 21, 2011

RE: Soil Solutions Co. / 039-30267-00538

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

## Notice of Decision – Approval

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 326 IAC 2, this approval was effective immediately upon submittal of the application.

If you wish to challenge this decision, IC 4-21.5-3-7 requires that you file a petition for administrative review. This petition may include a request for stay of effectiveness and must be submitted to the Office of Environmental Adjudication, 100 North Senate Avenue, Government Center North, Suite N 501E, Indianapolis, IN 46204, **within eighteen (18) calendar days from the mailing of this notice**. The filing of a petition for administrative review is complete on the earliest of the following dates that apply to the filing:

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

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

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

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

Enclosures  
FNPER-AM.dot12/3/07



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Mr. Dan Plant  
Soil Solutions Co.  
29861 Old US 33  
Elkhart, IN 46516

April 21, 2011

Re: 039-30267-00538  
Second Administrative Amendment to  
Part 70 Permit No. 039-24536-00538

Dear Mr. Plant:

VIM Recycling, Inc. was issued Part 70 Operating Permit Renewal No. 039-24536-00538 on April 8, 2009, for a stationary landscape mulch, animal bedding and wood for fuel manufacturing operation located at 29861 Old US 33, Elkhart, Indiana. On February 24, 2011, the Office of Air Quality (OAQ) received an application requesting that the permit be updated to indicate a change in the ownership and company name to Soil Solutions Co. This change to the permit is considered an administrative amendment pursuant to 326 IAC 2-7-11(a)(2).

The permit is hereby administratively amended as follows (deletions are marked with a ~~strikeout~~ and the new information is in **bold**):

**Change 1:** The source name has been changed from VIM Recycling, Inc. to Soil Solutions, Co. as follows:

~~VIM Recycling, Inc.~~ **Soil Solutions Co.**

**Change 2:** The Fugitive Dust Control Plan, included as Attachment A to the permit, has been revised to change the name and address of the person on site who is responsible for implementation of the plan as follows:

~~Kenneth R. Will~~ **Dan Plant**  
~~P.O. Box 3055-29861 Old US 33~~  
~~Elkhart, Indiana 46515-3055-46516-1428~~

### IDEM Change 1:

IDEM, OAQ has removed all references to the source mailing address. IDEM, OAQ will continue to maintain records of the source mailing address.

Mailing Address: ~~\_\_\_\_\_ P.O. Box 3055, Elkhart, Indiana 46515-3055~~

**IDEM Change 2:** 326 IAC 2-7 requires that "a responsible official" perform certain actions. 326 IAC 2-7-1(34) allows for multiple people to meet the definition of "responsible official." Therefore, IDEM is revising all instances of "the responsible official" to read "a responsible official". These changes are made throughout the permit without reproduction herein.

**IDEM Change 3:** The phrases "no later than" and "not later than" are clearer than "within" in relation to the end of a timeline. Therefore, all timelines have been switched to "no later than" or "not later than". The following changes have been made to the permit:

C.11 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~~ **no later than** 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:

...  
C.17 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~~ **no later than** 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~~ **no later than** one hundred twenty (120) days of receipt of the original test results. Should the Permittee demonstrate to IDEM, OAQ that retesting in one hundred twenty (120) days is not practicable, IDEM, OAQ may extend the retesting deadline.

...  
C.20 General Reporting Requirements [326 IAC 2-7-5(3)(C)] [326 IAC 2-1.1-11]

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- (a) The Permittee shall submit the attached Quarterly Deviation and Compliance Monitoring Report or its equivalent. Any deviation from permit requirements, the date(s) of each deviation, the cause of the deviation, and the response steps taken must be reported. This report shall be submitted ~~within~~ **not later than** thirty (30) days of the end of the reporting period. The Quarterly Deviation and Compliance Monitoring Report shall include the certification by a "responsible official" as defined by 326 IAC 2-7-1(34).

...  
**IDEM Change 4:** IDEM has clarified what rule requirements a certification needs to meet. Additionally, IDEM has removed the last sentence dealing with the need for certification from the forms because the Conditions requiring the forms already address this issue. The following changes are made to the permit:

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

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

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

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

Indiana Department of Environmental Management  
Compliance and Enforcement Branch, Office of Air Quality

100 North Senate Avenue  
MC 61-53 IGCN 1003  
Indianapolis, Indiana 46204-2251

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

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

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

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

...

B.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 Operating Permit modification, revocation and reissuance, or termination, or of a notification of planned changes or anticipated noncompliance does not stay any condition of this permit. [326 IAC 2-7-5(6)(C)] The notification by the Permittee does require ~~the a~~ certification **that meets the requirements of 326 IAC 2-7-6(1)** by a "responsible official" as defined by 326 IAC 2-7-1(34).

...

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

...

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

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...

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

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

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

...

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

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...

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

...

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

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...

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

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

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

...

**C.8 Asbestos Abatement Projects [326 IAC 14-10] [326 IAC 18] [40 CFR 61, Subpart M]**

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...

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

...

C.9 Performance Testing [326 IAC 3-6]

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- (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 Section, Office of Air Quality  
100 North Senate Avenue  
MC 61-53 IGCN 1003  
Indianapolis, Indiana 46204-2251

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

- (b) The Permittee shall notify IDEM, OAQ of the actual test date at least fourteen (14) days prior to the actual test date. The notification submitted by the Permittee does not require a certification **that meets the requirements of 326 IAC 2-7-6(1)** by a "responsible official" as defined by 326 IAC 2-7-1(34).

...

C.11 Compliance Monitoring [326 IAC 2-7-5(3)][326 IAC 2-7-6(1)]

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...

The notification which shall be submitted by the Permittee does require ~~the~~ a certification **that meets the requirements of 326 IAC 2-7-6(1)** by a "responsible official" as defined by 326 IAC 2-7-1(34).

...

C.17 Actions Related to Noncompliance Demonstrated by a Stack Test [326 IAC 2-7-5][326 IAC 2-7-6]

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...

The response action documents submitted pursuant to this condition do require ~~the~~ a certification **that meets the requirements of 326 IAC 2-7-6(1)** by a "responsible official" as defined by 326 IAC 2-7-1(34).

...

C.18 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]

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...

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

...

C.20 General Reporting Requirements [326 IAC 2-7-5(3)(C)] [326 IAC 2-1.1-11]

---

- (a) The Permittee shall submit the attached Quarterly Deviation and Compliance Monitoring Report or its equivalent. Any deviation from permit requirements, the date(s) of each

deviation, the cause of the deviation, and the response steps taken must be reported. 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~~ a certification **that meets the requirements of 326 IAC 2-7-6(1)** by a "responsible official" as defined by 326 IAC 2-7-1(34).

...

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

**PART 70 OPERATING PERMIT  
EMERGENCY OCCURRENCE REPORT**

...

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

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

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

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

~~A certification is not required for this report.~~

...

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

**Part 70 Quarterly Report**

...

~~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**

...

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

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

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

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

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

**IDEM Change 5:** Condition B.7 has been revised as follows:

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

- (a) The Permittee shall furnish to IDEM, OAQ, within a reasonable time, any information that IDEM, OAQ may request in writing to determine whether cause exists for modifying, revoking and reissuing, or terminating this permit, or to determine compliance with this permit. ~~The submittal by the Permittee does require the certification by the "responsible official" as defined by 326 IAC 2-7-1(34).~~ Upon request, the Permittee shall also furnish to IDEM, OAQ copies of records required to be kept by this permit.

...

**IDEM Change 6:** To clarify the Condition B.8 (Certification) only states what a certification must be. IDEM has revised the condition as follows:

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

- (a) ~~Where specifically designated by this permit or required by an applicable requirement, any application form, report, or compliance certification submitted shall contain certification by the "responsible official" of truth, accuracy, and completeness. This certification shall state that, A certification required by the permit meets the requirements of 326 IAC 2-7-6(1) if:~~
- (1) it contains a certification by a "responsible official," as defined by 326 IAC 2-7-1(34), and**
  - (2) the certification states that,** based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate, and complete.
- (b) ~~One (1) certification shall be included, using~~ **The Permittee may use** the attached Certification Form, **or its equivalent,** with each submittal requiring certification. One (1) certification may cover multiple forms in one (1) submittal.
- (c) A "responsible official" is defined at 326 IAC 2-7-1(34).

**IDEM Change 7:** IDEM has added a new paragraph (b) to handle future situations where the Permittee adds units that need preventive maintenance plans developed. IDEM has also clarified other aspects of Condition B.10 (Preventive Maintenance Plan). The permit is changed as follows:

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

- (a) ~~If required by specific condition(s) in Section D of this permit, the Permittee shall maintain and implement Preventive Maintenance Plans (PMPs) including the following information on each facility:~~ **A Preventive Maintenance Plan (PMP) meets the requirements of 326 IAC 1-6-3 if it includes, at a minimum:**
- (1) Identification of the individual(s) responsible for inspecting, maintaining, and repairing emission control devices;**

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

**The Permittee shall implement the PMPs.**

**If, due to circumstances beyond the Permittee's control, the PMPs cannot be prepared and maintained within the above time frame, the Permittee may extend the date an additional ninety (90) days provided the Permittee notifies:**

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

**The PMP extension notification does not require a certification that meets the requirements of 326 IAC 2-7-6(1) by a "responsible official," as defined by 326 IAC 2-7-1(34).**

- (bc) A copy of the PMPs shall be submitted to IDEM, OAQ upon request and within a reasonable time, and shall be subject to review and approval by IDEM, OAQ. IDEM, OAQ may require the Permittee to revise its PMPs whenever lack of proper maintenance causes or is the primary contributor to an exceedance of any limitation on emissions ~~or potential to emit~~. **The PMPs and their submittal do not require the a certification that meets the requirements of 326 IAC 2-7-6(1) by a "responsible official" as defined by 326 IAC 2-7-1(34).**
- (ed) To the extent the Permittee is required by 40 CFR Part 60/63 to have an Operation Maintenance, and Monitoring (OMM) Plan for a unit, such Plan is deemed to satisfy the PMP requirements of 326 IAC 1-6-3 for that unit.

**IDEM Change 8:** IDEM is revising Condition B.11 (Emergency Provisions) to delete paragraph (h). 326 IAC 2-7-5(3)(C)(ii) allows that deviations reported under an independent requirement do not have to be included in the Quarterly Deviation and Compliance Monitoring Report.

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

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...

~~(h) The Permittee shall include all emergencies in the Quarterly Deviation and Compliance Monitoring Report.~~

**IDEM Change 9:** Having a separate condition for the reporting of deviations is unnecessary. Therefore, IDEM has removed Section B - Deviation from Permit Requirements and Conditions and added the requirements of that condition to Section C - General Reporting Requirements. Paragraph (d) of Section C - General Reporting Requirements has been removed because IDEM already states the timeline and certification needs of each report in the condition requirement the report.

B.15 ~~Reserved 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 Data Section, Office of Air Quality  
100 North Senate Avenue  
MC 61-53 IGCN 1003  
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.~~

C.20 General Reporting Requirements [326 IAC 2-7-5(3)(C)] [326 IAC 2-1.1-11]

---

(a) The Permittee shall submit the attached Quarterly Deviation and Compliance Monitoring Report or its equivalent. Any deviation from permit requirements, the date(s) of each deviation, the cause of the deviation, and the response steps taken must be reported **except that a deviation required to be reported pursuant to an applicable requirement that exists independent of this permit, shall be reported according to the schedule stated in the applicable requirement and does not need to be included in this report.** This report shall be submitted within thirty (30) days **of after** 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). **A deviation is an exceedance of a permit limitation or a failure to comply with a requirement of the permit.**

(b) The report required in (a) of this condition and reports required by conditions in Section D of this permit shall be submitted to: **address for report submittal is:**

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

(c) Unless otherwise specified in this permit, any notice, report, or other submission required by this permit shall be considered timely if the date postmarked on the envelope or certified mail

receipt, or affixed by the shipper on the private shipping receipt, is on or before the date it is due. If the document is submitted by any other means, it shall be considered timely if received by IDEM, OAQ on or before the date it is due.

- (d) ~~Reserved Unless otherwise specified in this permit, all reports required in Section D of this permit shall be submitted within thirty (30) days of the end of the reporting period. All reports do require the certification by the "responsible official" as defined by 326 IAC 2-7-1(34).~~
- (e) Reporting periods are based on calendar years, unless otherwise specified in this permit. For the purpose of this permit "calendar year" means the twelve (12) month period from January 1 to December 31 inclusive.

**IDEM Change 10:** The condition should state which rule establishes the authority to set a deadline for the Permittee to submit additional information. Therefore, Condition B.17 (Permit Renewal) has been revised as follows:

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

...

- (c) If the Permittee submits a timely and complete application for renewal of this permit, the source's failure to have a permit is not a violation of 326 IAC 2-7 until IDEM, OAQ takes final action on the renewal application, except that this protection shall cease to apply if, subsequent to the completeness determination, the Permittee fails to submit by the deadline specified, **pursuant to 326 IAC 2-7-4(a)(2)(D)**, in writing by IDEM, OAQ any additional information identified as being needed to process the application.

**IDEM Change 11:** No notice is required for approved changes in Condition B.19 (Permit Revision Under Economic Incentives and Other Programs). Therefore, the permit is changed as follows:

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 **or notice** shall be required under any approved economic incentives, marketable Part 70 permits, emissions trading, and other similar programs or processes for changes that are provided for in a Part 70 permit.

**IDEM Change 12:** IDEM has added 326 IAC 5-1-1 to the exception clause of Section C - Opacity, since 326 IAC 5-1-1 does list exceptions.

C.2 Opacity [326 IAC 5-1]

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

...

**IDEM Change 13:** IDEM has revised Section C - Incineration to more closely reflect the two (2) underlying rules, as follows:

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

**IDEM Change 14:** IDEM has removed the first paragraph of Condition C.7 (Performance Testing) because specific testing conditions elsewhere in the permit will specify the timeline and procedures.

C.9 Performance Testing [326 IAC 3-6]

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

...

**IDEM Change 15:** IDEM has revised Section C - Compliance Monitoring. The reference to recordkeeping has been removed due to the fact that other conditions already address recordkeeping. The voice of the condition has been changed to clearly indicate that it is the Permittee that must follow the requirements of the condition.

C.11 Compliance Monitoring [326 IAC 2-7-5(3)][326 IAC 2-7-6(1)]

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

...

**IDEM Change 16:** IDEM has removed Section C - Monitoring Methods. The conditions that require monitoring or testing, if required, state what methods shall be used. The permit has been changed as follows:

C.12 **Reserved Monitoring Methods** [326 IAC 3] [40 CFR 60] [40 CFR 63]

---

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

**IDEM Change 17:** IDEM has revised Section C - Response to Excursions or Exceedances. The introduction sentence has been added to clarify that it is only when an excursion or exceedance is detected that the requirements of this condition need to be followed. The word "excess" was added to the last sentence of paragraph (a) because the Permittee only has to minimize excess emissions. The middle of paragraph (b) has been deleted as it was duplicative of paragraph (a). The phrase "or are returning" was added to subparagraph (b)(2) as this is an acceptable response assuming the operation or emission unit does return to normal or its usual manner of operation. The phrase "within the indicator range, designated condition, or below the applicable emission limitation or standard, as applicable" was replaced with "normal or usual manner of operation" because the first phrase is just a limited list of the second phrase. The recordkeeping required by paragraph (e) was changed to require only records of the response because the previously listed items are required to be

recorded elsewhere in the permit.

C.16 Response to Excursions or Exceedances [326 IAC 2-7-5] [326 IAC 2-7-6]

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

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

**IDEM Change 18:** IDEM has revised Section C - Actions Related to Noncompliance Demonstrated by a Stack Test. The requirements to take response steps and minimize excess emissions have been removed because Section C - Response to Excursions or Exceedances already requires response steps related to exceedances and excess emissions minimization. The start of the timelines was switched from "the receipt of the test results" to "the date of the test." There was confusion if the "receipt" was by IDEM, the Permittee, or someone else. Since the start of the timelines has been moved up, the length of the timelines was increased. The new timelines require action within a comparable timeline; and the new timelines still ensure that the Permittee will return to

compliance within a reasonable timeframe.

C.17 Actions Related to Noncompliance Demonstrated by a Stack Test [326 IAC 2-7-5][326 IAC 2-7-6]

- (a) When the results of a stack test performed in conformance with Section C - Performance Testing, of this permit exceed the level specified in any condition of this permit, the Permittee shall take appropriate response actions. ~~The Permittee shall submit a description of these its response actions to IDEM, OAQ, no later than thirty (30) days of receipt of the test results~~ **seventy-five (75) days after the date of the test.** ~~The Permittee shall take appropriate action to minimize excess emissions from the affected facility while the response actions are being implemented.~~
- (b) A retest to demonstrate compliance shall be performed ~~within~~ **no later than** one hundred ~~twenty (120)~~ **eighty (180)** days of receipt of the original test results **after the date of the test.** Should the Permittee demonstrate to IDEM, OAQ that retesting in one hundred ~~twenty (120)~~ **eighty (180)** days is not practicable, IDEM, OAQ may extend the retesting deadline.
- (c) IDEM, OAQ reserves the authority to take any actions allowed under law in response to noncompliant stack tests.

The response action documents submitted pursuant to this condition do require a certification that meets the requirements of 326 IAC 2-7-6(1) by a "responsible official" as defined by 326 IAC 2-7-1(34).

**IDEM Change 19:** Paragraph (b) of Section C - Emission Statement has been removed. It was duplicative of the requirement in Section C - General Reporting Requirements.

C.18 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]

...

- ~~(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.~~

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

C.19 General Record Keeping Requirements [326 IAC 2-7-5(3)] [326 IAC 2-7-6]

...

- (b) Unless otherwise specified in this permit, all record keeping requirements not already legally required, **the Permittee shall be allowed up to** ~~shall be implemented within~~ ninety (90) days **from the date** of permit issuance **or the date of initial start-up, whichever is later, to begin such record keeping.**

**IDEM Change 21:** IDEM has simplified the referencing in Section C - Compliance with 40 CFR 82 and 326 IAC 22-1. The permit is changed as follows:

C.21 Compliance with 40 CFR 82 and 326 IAC 22-1

---

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

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

**IDEM Change 22:** For clarity, IDEM has changed references to the general conditions: "in accordance with Section B", "in accordance with Section C", or other similar language, to "Section C ... contains the Permittee's obligations with regard to the records required by this condition." The following changes have been made to the permit:

D.1.3 Preventive Maintenance Plan [326 IAC 2-7-5(13)]

---

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

...

D.1.5 Testing Requirements [326 IAC 2-7-6(1),(6)] [326 IAC 2-1.1-11]

---

~~Within~~ **Not later than** one hundred and eighty (180) days after the issuance of the permit, the Permittee shall conduct a performance test of Collector 1x to show compliance with Condition D.1.1 utilizing methods as approved by the Commissioner. This test shall be repeated at least once every five (5) years from the date of the most recent valid compliance demonstration. **Testing shall be conducted in accordance with the provisions of 326 IAC 3-6 (Source Sampling Procedures).** ~~Testing shall be conducted in accordance with Section C - Performance Testing~~ **contains the Permittee's obligation with regard to the performance testing required by this condition.**

D.1.6 Visible Emissions Notations

---

...

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

...

D.1.7 Parametric Monitoring

---

- (a) The Permittee shall record the pressure drop across the baghouse used in conjunction with pre-shredder, Grizzly, Mulch King, B,C Transport and Screen, and A Transport and Screen when the units are in operation. When for any one reading, the pressure drop across the baghouse is outside the normal range of 3.0 and 6.0 inches of water or a range established during the latest stack test, the Permittee shall take reasonable response steps. ~~in accordance with Section C- Response to Excursions or Exceedances~~ **contains the Permittee's obligation with regard to the reasonable response steps required by this condition.** A pressure reading that is outside the above mentioned range is not a deviation from this permit. Failure to take response steps ~~in accordance with Section C - Response to Excursions or~~

~~Exceedances~~, shall be considered a deviation from this permit.

...

D.1.9 Record Keeping Requirement

---

...

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

...

D.2.4 Preventive Maintenance Plan [326 IAC 2-7-5(13)]

---

~~A Preventive Maintenance Plan, in accordance with Section B - Preventive Maintenance Plan of this permit,~~ is required for these facilities. **Section B - Preventive Maintenance Plan contains the Permittee's obligation with regard to the preventive maintenance plan required by this condition.**

...

D.2.9 Record Keeping Requirements

---

...

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

**IDEM Change 23:** The word "status" has been added the Section D - Record Keeping Requirements and Section D - Reporting Requirements. The Permittee has the obligation to document and report the compliance status. The permit is changed as follows:

D.1.9 Record Keeping Requirement

---

- (a) To document **the compliance status** with Section C - Opacity and Condition D.1.5, the Permittee shall maintain daily records of the visible emission notations of the pre-shredder, Grizzly, Mulch King, B,C Transport and Screen, and A Transport and Screen stack exhausts. The Permittee shall include in its daily record when a visible 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 **the compliance status** with Condition D.1.6, the Permittee shall maintain daily records of the pressure drop across the baghouse. The Permittee shall include in its daily record when a pressure drop reading is not taken and the reason for the lack of pressure drop reading, (e.g. the process did not operate that day).
- (c) Section C - General Record Keeping Requirements, of this permit contains the Permittee's obligations with regard to the records required by this condition.

...

D.2.9 Record Keeping Requirements

---

- (a) To document **the compliance status** with Condition D.2.1, the Permittee shall maintain daily records of the hours of operation for each of the three (3) wood grinders, identified as CBI, Peterson, and Mobark.
- (b) To document **the compliance status** with Condition D.2.7, the Permittee shall maintain daily records of the visible observations of fugitive particulate emissions from the outdoor grinding operations. The Permittee shall include in its daily record when a visible observation is not

taken and the reason for the lack of visible observation, (e.g. the process did not operate that day).

- (c) To document **the compliance status** with Condition D.2.6, the Permittee shall maintain an hourly record of the wind speed observations. The Permittee shall include in its daily record when an observation is not taken and the reason for the lack of observation, (e.g. the process did not operate that day).
- (d) Section C - General Record Keeping Requirements, of this permit contains the Permittee's obligations with regard to the records required by this condition.

#### D.2.10 Reporting Requirements

A quarterly summary of the information to document **the compliance status** with Condition D.2.1 shall be submitted ~~to the address listed in Section C - General Reporting Requirements, of this permit,~~ using the reporting forms located at the end of this permit, or their equivalent, **within not later than thirty (30) days after the end of the quarter period being reported.** **Section C - General Reporting Requirements contains the Permittee's obligation with regard to the reports required by this condition.** The report submitted by the Permittee does require ~~the~~ a certification **that meets the requirements of 326 IAC 2-7-6(1)** by a "responsible official" as defined by 326 IAC 2-7-1(34).

**IDEM Change 24:** The phrase "of this permit" is added to the paragraph on the Quarterly Deviation and Compliance Monitoring Report to match the underlying rule, as follows:

This report shall be submitted quarterly based on a calendar year. Any deviation from the requirements **of this permit**, the date(s) of each deviation, the probable cause of the deviation, and the response steps taken must be reported. A deviation required to be reported pursuant to an applicable requirement that exists independent of the permit, shall be reported according to the schedule stated in the applicable requirement and does not need to be included in this report. Additional pages may be attached if necessary. If no deviations occurred, please specify in the box marked "No deviations occurred this reporting period".

All other conditions of the permit shall remain unchanged and in effect. Please find a copy of the revised Part 70 Operating Permit attached.

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 Anne-Marie C. Hart, at (800) 451-6027, and ask for Anne-Marie C. Hart or extension 4-5400, or dial (317) 234-5400.

Sincerely,



Chrystal Wagner, Section Chief  
Permits Branch  
Office of Air Quality

Attachments: revised permit

CAW/ACH

cc: File - Elkhart County  
Elkhart County Health Department  
Compliance and Enforcement Branch  
U.S. EPA, Region V



# 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  
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## Part 70 Operating Permit Renewal OFFICE OF AIR QUALITY

**Soil Solutions, Co.**  
**29861 Old U.S. Highway 33**  
**Elkhart, Indiana 46516**

(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.: T039-24536-00538	
Original Signed by:  Alfred C. Dumauval, Ph. D., Section Chief Permits Branch Office of Air Quality	Issuance Date: April 8, 2009  Expiration Date: April 8, 2014

First Minor Permit Modification No.: 039-27490-00538, issued July 6, 2009  
First Administrative Amendment No.: 039-28385-00538, issued September 15, 2009  
Significant Permit Modification No. 039-28648-00538, issued March 1, 2010

Second Administrative Amendment No.: 039-30267-00538	
Issued by:  Chrystal A. Wagner, Section Chief Permits Branch Office of Air Quality	Issuance Date: April 21, 2011  Expiration Date: April 8, 2014

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## SECTION A

## SOURCE SUMMARY

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

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

---

The Permittee owns and operates a stationary landscape mulch, animal bedding and wood for fuel manufacturing operation.

Source Address:	29861 Old U.S. Highway 33, Elkhart, Indiana 46516
General Source Phone Number:	(800) 488-8813
SIC Code:	2499
County Location:	Elkhart
Source Location Status:	Attainment for all criteria pollutants
Source Status:	Part 70 Operating Permit Program Minor Source, under PSD and Emission Offset Rules Minor Source, Section 112 of the Clean Air Act Not 1 of 28 Source Categories

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

---

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

- (a) One (1) High Torque / Low Speed pre-shredder, approved for construction in 2009, with a maximum capacity of 60 ton/hr, using a baghouse identified as Collector 1x for control of particulate matter emissions, and exhausting to one stack.
- (b) One (1) CBI (grizzly) wood grinder, identified as Grizzly, with a maximum capacity to grind seventy-five (75) tons of wood per hour, using a baghouse for control of particulate matter emissions, constructed in 2000, and exhausting to one stack designated Collector 1X, including associate storage piles;
- (c) One (1) material transporter and screen, identified as B, C Transport & Screen, with a maximum capacity to mechanically transport and screen seventy-five (75) tons of wood per hour, using a baghouse for control of particulate matter emissions, constructed in 2000, and exhausting to one stack designated Collector 1X, including associated storage piles;
- (d) One (1) CBI (mulch king) wood grinder, identified as Mulch King, with a maximum capacity to grind seventy-five (75) tons of wood per hour, using an air classifier, cyclone and baghouse for control of particulate matter emissions, constructed in 2000, and exhausting to one stack designated Collector 1X, including associated storage piles; and
- (e) One (1) material transporter and screen, identified as A Transport & Screen, with a maximum capacity to mechanically transport and screen seventy-five (75) tons of wood per hour, using a baghouse for control of particulate matter emissions, constructed in 2000, and exhausting to one stack designated Collector 1X, including associated storage piles.

- (f) One (1) wood chipper and screen separator, identified as CBI, approved for construction in 2009, with a maximum capacity of twenty-five (25) tons per hour, driven by one (1) 800-hp diesel engine.
- (g) One (1) wood chipper and screen separator, identified as Peterson, approved for construction in 2009, with a maximum capacity of twenty-five (25) tons per hour, driven by one (1) 1000-hp diesel engine.
- (h) One (1) wood grinder and screen separator, identified as Mobark, approved for construction in 2009, with a maximum capacity of twenty-five (25) tons per hour, driven by one (1) 312-hp diesel engine.

A.3 Part 70 Permit Applicability [326 IAC 2-7-2]

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

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

## SECTION B GENERAL CONDITIONS

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

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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, T039-24536-00538, 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. 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) A certification required by the permit meets the requirements of 326 IAC 2-7-6(1) if:

- (1) it contains a certification by a "responsible official," as defined by 326 IAC 2-7-1(34), and
  - (2) the certification states that, based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate, and complete.
- (b) The Permittee may use the attached Certification Form, or its equivalent, with each submittal requiring certification. One (1) certification may cover multiple forms in one (1) submittal.
- (c) A "responsible official" is defined at 326 IAC 2-7-1(34).

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

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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. All 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  
MC 61-53 IGCN 1003  
Indianapolis, Indiana 46204-2251

and

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

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

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

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

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

The Permittee shall implement the PMPs.

If, due to circumstances beyond the Permittee's control, the PMPs cannot be prepared and maintained within the above time frame, the Permittee may extend the date an additional ninety (90) days provided the Permittee notifies:

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

The PMP extension notification does not require a certification that meets the requirements of 326 IAC 2-7-6(1) by a "responsible official," as defined by 326 IAC 2-7-1(34).

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

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

**B.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 Northern 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 and Enforcement Branch), or  
Telephone Number: 317-233-0178 (ask for Compliance and Enforcement Branch)  
Facsimile Number: 317-233-6865  
Northern Regional Office phone: (574) 245-4870; fax: (574) 245-4877.

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

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

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

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

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

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

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

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

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

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

- (b) If, after issuance of this permit, it is determined that the permit is in nonconformance with an applicable requirement that applied to the source on the date of permit issuance, IDEM, OAQ, shall immediately take steps to reopen and revise this permit and issue a compliance order to the Permittee to ensure expeditious compliance with the applicable requirement until the permit is reissued. The permit shield shall continue in effect so long as the Permittee is in compliance with the compliance order.

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

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

- (a) All terms and conditions of permits established prior to T039-24536-00538 and issued pursuant to permitting programs approved into the state implementation plan have been either:
  - (1) incorporated as originally stated,
  - (2) revised under 326 IAC 2-7-10.5, or
  - (3) deleted under 326 IAC 2-7-10.5.
- (b) Provided that all terms and conditions are accurately reflected in this permit, all previous registrations and permits are superseded by this Part 70 operating permit.

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

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

B.15 Reserved

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

- (a) This permit may be modified, reopened, revoked and reissued, or terminated for cause. The filing of a request by the Permittee for a Part 70 Operating Permit modification,

revocation and reissuance, or termination, or of a notification of planned changes or anticipated noncompliance does not stay any condition of this permit. [326 IAC 2-7-5(6)(C)] The notification by the Permittee does require a certification that meets the requirements of 326 IAC 2-6-6(1) by a "responsible official" as defined by 326 IAC 2-7-1(34).

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

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

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

Request for renewal shall be submitted to:

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

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

- (c) If the Permittee submits a timely and complete application for renewal of this permit, the source's failure to have a permit is not a violation of 326 IAC 2-7 until IDEM, OAQ takes final action on the renewal application, except that this protection shall cease to apply if, subsequent to the completeness determination, the Permittee fails to submit by the deadline specified, pursuant to 326 IAC 2-7-4(a)(2)(D), in writing by IDEM, OAQ any additional information identified as being needed to process the application.

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

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

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

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

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

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

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

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

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

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

- (4) The Permittee notifies the:

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

and

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

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

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

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

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

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

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

- (c) Emission Trades [326 IAC 2-7-20(c)]  
The Permittee may trade emissions increases and decreases at the source, where the applicable SIP provides for such emission trades without requiring a permit revision, subject to the constraints of Section (a) of this condition and those in 326 IAC 2-7-20(c).
- (d) Alternative Operating Scenarios [326 IAC 2-7-20(d)]  
The Permittee may make changes at the source within the range of alternative operating scenarios that are described in the terms and conditions of this permit in accordance with 326 IAC 2-7-5(9). No prior notification of IDEM, OAQ, or U.S. EPA is required.

- (e) Backup fuel switches specifically addressed in, and limited under, Section D of this permit shall not be considered alternative operating scenarios. Therefore, the notification requirements of part (a) of this condition do not apply.

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

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

**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  
MC 61-53 IGCN 1003  
Indianapolis, Indiana 46204-2251

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

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

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

- (a) The Permittee shall pay annual fees to IDEM, OAQ within thirty (30) calendar days of receipt of a billing. Pursuant to 326 IAC 2-7-19(b), if the Permittee does not receive a bill from IDEM, OAQ the applicable fee is due April 1 of each year.
- (b) Except as provided in 326 IAC 2-7-19(e), failure to pay may result in administrative enforcement action or revocation of this permit.
- (c) The Permittee may call the following telephone numbers: 1-800-451-6027 or 317-233-4230 (ask for OAQ, Billing, Licensing, and Training Section), to determine the appropriate permit fee.

B.25 Advanced Source Modification Approval [326 IAC 2-7-5(16)] [326 IAC 2-7-10.5]

- (a) The requirements to obtain a source modification approval under 326 IAC 2-7-10.5 or a permit modification under 326 IAC 2-7-12 are satisfied by this permit for the proposed emission units, control equipment or insignificant activities in Sections A.2 and A.3.
- (b) Pursuant to 326 IAC 2-1.1-9 any permit authorizing construction may be revoked if construction of the emission unit has not commenced within eighteen (18) months from the date of issuance of the permit, or if during the construction, work is suspended for a continuous period of one (1) year or more.

B.26 Credible Evidence [326 IAC 2-7-5(3)][326 IAC 2-7-6][62 FR 8314] [326 IAC 1-1-6]

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

## SECTION C SOURCE OPERATION CONDITIONS

Entire Source

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

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

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

C.2 Opacity [326 IAC 5-1]

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

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

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

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

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

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

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

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

C.6 Fugitive Particulate Matter Emission Limitations [326 IAC 6-5]

Pursuant to 326 IAC 6-5 (Fugitive Particulate Matter Emission Limitations), fugitive particulate matter emissions shall be controlled according to the plan submitted on June 25, 2008. The plan is included as Attachment A. The provisions of 326 IAC 6-5 are not federally enforceable.

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

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

C.8 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 that meets the requirements of 326 IAC 2-7-6(1) by a "responsible official" as defined by 326 IAC 2-7-1(34).

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

- (g) **Indiana Licensed Asbestos Inspector**  
The Permittee shall comply with 326 IAC 14-10-1(a) that requires the owner or operator, prior to a renovation/demolition, to use an Indiana Licensed Asbestos Inspector to thoroughly inspect the affected portion of the facility for the presence of asbestos. The requirement to use an Indiana Licensed Asbestos inspector is not federally enforceable.

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

#### **C.9 Performance Testing [326 IAC 3-6]**

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

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

no later than thirty-five (35) days prior to the intended test date. The protocol submitted by the Permittee does not require a certification that meets the requirements of 326 IAC 2-7-6(1) by a "responsible official" as defined by 326 IAC 2-7-1(34).

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

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

#### **C.10 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.11 Compliance Monitoring [326 IAC 2-7-5(3)][326 IAC 2-7-6(1)]**

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

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

in writing, prior to the end of the initial thirty (30) day compliance schedule, with full justification of the reasons for the inability to meet this date.

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

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

C.12 Reserved

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C.13 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.14 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) The Permittee shall prepare written emergency reduction plans (ERPs) consistent with safe operating procedures.
- (b) These ERPs shall be submitted for approval to:

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

within ninety (90) days after the date of issuance of this permit.

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

- (c) If the ERP is disapproved by IDEM, OAQ, the Permittee shall have an additional thirty (30) days to resolve the differences and submit an approvable ERP.
- (d) These ERPs shall state those actions that will be taken, when each episode level is declared, to reduce or eliminate emissions of the appropriate air pollutants.

- (e) Said ERPs shall also identify the sources of air pollutants, the approximate amount of reduction of the pollutants, and a brief description of the manner in which the reduction will be achieved.
- (f) Upon direct notification by IDEM, OAQ that a specific air pollution episode level is in effect, the Permittee shall immediately put into effect the actions stipulated in the approved ERP for the appropriate episode level. [326 IAC 1-5-3]

C.15 Risk Management Plan [326 IAC 2-7-5(12)] [40 CFR 68]

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

C.16 Response to Excursions or Exceedances [326 IAC 2-7-5] [326 IAC 2-7-6]

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

- (a) The Permittee shall take reasonable response steps to restore operation of the emissions unit (including any control device and associated capture system) to its normal or usual manner of operation as expeditiously as practicable in accordance with good air pollution control practices for minimizing excess emissions.
- (b) The response shall include minimizing the period of any startup, shutdown or malfunction. The response may include, but is not limited to, the following:
  - (1) initial inspection and evaluation;
  - (2) recording that operations returned or are returning to normal without operator action (such as through response by a computerized distribution control system); or
  - (3) any necessary follow-up actions to return operation to normal or usual manner of operation.
- (c) A determination of whether the Permittee has used acceptable procedures in response to an excursion or exceedance will be based on information available, which may include, but is not limited to, the following:
  - (1) monitoring results;
  - (2) review of operation and maintenance procedures and records; and/or
  - (3) inspection of the control device, associated capture system, and the process.
- (d) Failure to take reasonable response steps shall be considered a deviation from the permit.
- (e) The Permittee shall record the reasonable response steps taken.

C.17 Actions Related to Noncompliance Demonstrated by a Stack Test [326 IAC 2-7-5][326 IAC 2-7-6]

- (a) When the results of a stack test performed in conformance with Section C - Performance Testing, of this permit exceed the level specified in any condition of this permit, the Permittee shall submit a description of its response actions to IDEM, OAQ, no later than seventy-five (75) days after the date of the test.
- (b) A retest to demonstrate compliance shall be performed no later than one hundred eighty

(180) days after the date of the test. Should the Permittee demonstrate to IDEM, OAQ that retesting in one hundred eighty (180) days is not practicable, IDEM, OAQ may extend the retesting deadline.

- (c) IDEM, OAQ reserves the authority to take any actions allowed under law in response to noncompliant stack tests.

The response action documents submitted pursuant to this condition do require a certification that meets the requirements of 326 IAC 2-7-6(1) by a "responsible official" as defined by 326 IAC 2-7-1(34).

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

#### **C.18 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) In accordance with the compliance schedule specified in 326 IAC 2-6-3(b)(1), starting in 2004 and every three (3) years thereafter, the Permittee shall submit by July 1 an emission statement covering the previous calendar year. The emission statement shall contain, at a minimum, the information specified in 326 IAC 2-6-4(c) and shall meet the following requirements:

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

The statement must be submitted to:

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

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

#### **C.19 General Record Keeping Requirements [326 IAC 2-7-5(3)] [326 IAC 2-7-6]**

- (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, the Permittee shall be allowed up to ninety (90) days from the date of permit issuance or the date of initial start-up, whichever is later, to begin such record keeping.

#### **C.20 General Reporting Requirements [326 IAC 2-7-5(3)(C)] [326 IAC 2-1.1-11]**

- (a) The Permittee shall submit the attached Quarterly Deviation and Compliance Monitoring Report or its equivalent. Any deviation from permit requirements, the date(s) of each

deviation, the cause of the deviation, and the response steps taken must be reported except that a deviation required to be reported pursuant to an applicable requirement that exists independent of this permit, shall be reported according to the schedule stated in the applicable requirement and does not need to be included in this report. This report shall be submitted within thirty (30) days after 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). A deviation is an exceedance of a permit limitation or a failure to comply with a requirement of the permit.

- (b) The address for report submittal is:

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

- (c) Unless otherwise specified in this permit, any notice, report, or other submission required by this permit shall be considered timely if the date postmarked on the envelope or certified mail receipt, or affixed by the shipper on the private shipping receipt, is on or before the date it is due. If the document is submitted by any other means, it shall be considered timely if received by IDEM, OAQ on or before the date it is due.
- (d) **Reserved**
- (e) Reporting periods are based on calendar years, unless otherwise specified in this permit. For the purpose of this permit "calendar year" means the twelve (12) month period from January 1 to December 31 inclusive.

### **Stratospheric Ozone Protection**

#### **C.21 Compliance with 40 CFR 82 and 326 IAC 22-1**

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

**SECTION D.1 EMISSIONS UNIT OPERATION CONDITIONS**

**Emissions Unit Description:**

- (a) One (1) High Torque / Low Speed pre-shredder, approved for construction in 2009, with a maximum capacity of 60 ton/hr, using a baghouse identified as Collector 1x for control of particulate matter emissions, and exhausting to one stack.
- (b) One (1) CBI (grizzly) wood grinder, identified as Grizzly, with a maximum capacity to grind seventy-five (75) tons of wood per hour, using a baghouse for control of particulate matter emissions, constructed in 2000, and exhausting to one stack designated Collector 1X, including associate storage piles;
- (c) One (1) material transporter and screen, identified as B, C Transport & Screen, with a maximum capacity to mechanically transport and screen seventy-five (75) tons of wood per hour, using a baghouse for control of particulate matter emissions, constructed in 2000, and exhausting to one stack designated Collector 1X, including associated storage piles;
- (d) One (1) CBI (mulch king) wood grinder, identified as Mulch King, with a maximum capacity to grind seventy-five (75) tons of wood per hour, using an air classifier, cyclone and baghouse for control of particulate matter emissions, constructed in 2000, and exhausting to one stack designated Collector 1X, including associated storage piles;
- (e) One (1) material transporter and screen, identified as A Transport & Screen, with a maximum capacity to mechanically transport and screen seventy-five (75) tons of wood per hour, using a baghouse for control of particulate matter emissions, constructed in 2000, and exhausting to one stack designated Collector 1X, including associated storage piles;

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

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

**D.1.1 PM and PM<sub>10</sub> Limitation [326 IAC 2-2]**

The following emissions units shall be limited as follows:

Emission Unit	Control Device	PM/PM <sub>10</sub> PSD Limit (lb/hr)
Pre-shredder	Collector 1x	51.35
Grizzly		
Mulch King		
B,C Transport and Screen		
A Transport and Screen		

Compliance with the above limits, combined with the potential to emit PM/PM<sub>10</sub> from other emission units at the source, shall limit the potential to emit PM/PM<sub>10</sub> from the entire source to less than 250 tons per twelve (12) consecutive month period and render 326 IAC 2-2 not applicable.

**D.1.2 Particulate Emission Limitation [326 IAC 6-3]**

(a) The particulate from the indoor wood grinding operation shall be limited by the following:

Emission Unit	Process Weight Rate (tons per hour)	326 IAC 6-3-2 Limit (pounds per hour)
Pre-shredder	60	46.29
Grizzly	75	48.43
Mulch King	75	48.43

These pounds per hour limitations were calculated with 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:

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

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:

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

(b) The particulate from the transport and screen equipment shall be limited by the following:

Emission Unit	Process Weight Rate (tons per hour)	326 IAC 6-3-2 Limit (pounds per hour)
B, C Transport and Screen	75	48.43
A Transport and Screen	75	48.43

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

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

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

**D.1.3 Preventive Maintenance Plan [326 IAC 2-7-5(13)]**

A Preventive Maintenance Plan is required for these facilities and their control devices. Section B - Preventive Maintenance Plan contains the Permittee's obligation with regard to the preventive maintenance plan required by this condition.

**Compliance Determination Requirements**

**D.1.4 Particulate Emissions**

- (a) In order to comply with Condition D.1.1, the baghouse for particulate control shall be in operation and control emissions from the indoor wood grinding operation (pre-shredder, Grizzly and Mulch King) and the transport and screen equipment (B,C Transport and Screen, and A Transport and Screen) at all times the indoor wood grinding operation, and transport and screen equipment are in operation.
- (b) In order to comply with Condition D.1.2, the baghouse for particulate control shall be in operation and control emissions from the indoor wood grinding operation (pre-shredder,

Grizzly and Mulch King) and the transport and screen equipment (B,C Transport and Screen, and A Transport and Screen) at all times the indoor wood grinding operation, and transport and screen equipment are in operation.

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

#### D.1.5 Testing Requirements [326 IAC 2-7-6(1),(6)] [326 IAC 2-1.1-11]

Within one hundred and eighty (180) days after the issuance of the permit, the Permittee shall conduct a performance test of Collector 1x to show compliance with Condition D.1.1 utilizing methods as approved by the Commissioner. This test shall be repeated at least once every five (5) years from the date of the most recent valid compliance demonstration. Testing shall be conducted in accordance with Section C - Performance Testing.

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

#### D.1.6 Visible Emissions Notations

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

#### D.1.7 Parametric Monitoring

- (a) The Permittee shall record the pressure drop across the baghouse used in conjunction with pre-shredder, Grizzly, Mulch King, B,C Transport and Screen, and A Transport and Screen when the units are in operation. When for any one reading, the pressure drop across the baghouse is outside the normal range of 3.0 and 6.0 inches of water or a range established during the latest stack test, the Permittee shall take reasonable response steps. Section C- Response to Excursions or Exceedances contains the Permittee's obligation with regard to the reasonable response steps required by this condition. A pressure reading that is outside the above mentioned range is not a deviation from this permit. Failure to take response steps shall be considered a deviation from this permit.
- (b) The instrument used for determining the pressure shall comply with Section C -

Instrument Specifications, of this permit, shall be subject to approval by IDEM, OAQ, and shall be calibrated at least once every six (6) months.

**D.1.8 Broken or Failed Bag Detection [326 IAC 2-7-6(1)] [326 IAC 2-7-5(1)]**

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

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

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

**D.1.9 Record Keeping Requirement**

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- (a) To document the compliance status with Section C - Opacity and Condition D.1.5, the Permittee shall maintain daily records of the visible emission notations of the pre-shredder, Grizzly, Mulch King, B,C Transport and Screen, and A Transport and Screen stack exhausts. The Permittee shall include in its daily record when a visible 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 the compliance status with Condition D.1.6, the Permittee shall maintain daily records of the pressure drop across the baghouse. The Permittee shall include in its daily record when a pressure drop reading is not taken and the reason for the lack of pressure drop reading, (e.g. the process did not operate that day).
- (c) Section C - General Record Keeping Requirements, of this permit contains the Permittee's obligations with regard to the records required by this condition.

## SECTION D.2 EMISSIONS UNIT OPERATION CONDITIONS

### Emissions Unit Description:

- (a) One (1) wood chipper and screen separator, identified as CBI, approved for construction in 2009, with a maximum capacity of twenty-five (25) tons per hour, driven by one (1) 800-hp diesel engine.
- (b) One (1) wood chipper and screen separator, identified as Peterson, approved for construction in 2009, with a maximum capacity of twenty-five (25) tons per hour, driven by one (1) 1000-hp diesel engine.
- (c) One (1) wood grinder and screen separator, identified as Mobark, approved for construction in 2009, with a maximum capacity of twenty-five (25) tons per hour, driven by one (1) 312-hp diesel engine.

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

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

#### D.2.1 Minor Source Modification [326 IAC 2-7-10.5]

- (a) The emissions of PM/PM<sub>10</sub> resulting from the wood chipping, grinding, and screening activities of the three (3) wood grinders, identified as CBI, Peterson, and Mobark, shall be less than 3.77 pounds per hour.

Compliance with this limit, in addition to the particulate matter generated by the combustion of diesel fuel to operate the three (3) grinders, will limit the total emissions of PM/PM<sub>10</sub> to less than twenty-five (25) tons per year.

- (b) The emissions of SO<sub>2</sub> from the operation of the three (3) wood grinders, identified as CBI, Peterson, and Mobark, shall be less than twenty-five (25) tons per twelve (12) consecutive month period, with compliance determined at the end of each month.
- (c) The emissions of NO<sub>x</sub> from the operation of the three (3) wood grinders, identified as CBI, Peterson, and Mobark, shall be less than twenty-five (25) tons per twelve (12) consecutive month period, with compliance determined at the end of each month.
- (d) The emissions of CO from the operation of the three (3) wood grinders, identified as CBI, Peterson, and Mobark, shall be less than twenty-five (25) tons per twelve (12) consecutive month period, with compliance determined at the end of each month.

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

Pursuant to 326 IAC 6-3-2, the particulate matter (PM) from each of the three (3) wood grinding processes shall not exceed 35.43 pounds per hour when operating at a process weight rate of twenty-five (25) tons per hour. The pound per hour limitation was calculated with the following equation:

- (a) 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:

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

In order to comply with this limit, the Fugitive Dust Control Plan shall be in effect and control emissions from the three (3) wood grinders at all times any of the grinders are in operation.

#### D.2.3 Fugitive Dust Emissions [326 IAC 6-4]

---

Pursuant to 326 IAC 6-4-2 (Fugitive Dust Emissions Limitations), emissions of particulate from outdoor wood grinding operations shall be in violation of 326 IAC 6-4 if any of the following criteria are violated:

- (a) A source or combination of sources which cause fugitive dust concentrations to exist greater than sixty-seven percent (67%) in excess of ambient upwind concentrations as determine by the following formula:

$$P = \frac{100(R - U)}{U}$$

Where P = percentage increase;

R = number of particles of fugitive dust measured at the downward receptor site;

U = number of particles of fugitive dust measured upwind of background site.

- (b) The fugitive dust is comprised of fifty percent (50%) or more respirable dust, then the percent increase of dust concentration in subdivision (a) of this section shall be modified as follows:

$$P_R = (1.5 \pm N) \times P$$

Where  $P_R$  = allowable percentage increase in dust concentration above backgrounds

N = fraction of fugitive dust that is respirable dust

P = no value greater than sixty-seven percent (67%)

- (c) The ground level ambient air concentrations exceed fifty (50) micrograms per cubic meter above background concentrations for a sixty (60) minute period.
- (d) If the fugitive dust is visible crossing the boundary or property line or a source. This subdivision may be refuted by factual data expressed in subdivision (a), (b), or (c) of this section.

#### D.2.4 Preventive Maintenance Plan [326 IAC 2-7-5(13)]

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A Preventive Maintenance Plan is required for these facilities. Section B - Preventive Maintenance Plan contains the Permittee's obligation with regard to the preventive maintenance plan required by this condition.

### Compliance Determination Requirements

#### D.2.5 Minor Source Modification [326 IAC 2-7-10.5]

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To determine compliance with Condition D.2.1:

- (a) The Permittee shall determine the combined PM/PM<sub>10</sub> emissions from the three (3) wood grinders, identified as CBI, Peterson, and Mobark, for each month as follows:

$$\text{PM/PM}_{10} \text{ Emissions (tons/month)} = 0.35G_1 + 0.35G_2 + 0.35G_3$$

where:  $G_1$  = Number of hours operated by the wood grinder identified as CBI;

$G_2$  = Number of hours operated by the wood grinder identified as Peterson; and  
 $G_3$  = Number of hours operated by the wood grinder identified as Mobark.

- (b) The Permittee shall determine the combined  $SO_2$  emissions from the three (3) wood grinders, identified as CBI, Peterson, and Mobark, for each month as follows:

$$SO_2 \text{ Emissions (tons/month)} = (0.00809S)G_1 + (0.00809S)G_2 + 0.0021G_3$$

where: S = Sulfur content of fuel (weight %);  
0.00809 = Emission Factor for diesel combustion engines greater than 600 horsepower from U.S. EPA's AP-42;  
0.0021 = Emission Factor for diesel combustion engines less than 600 horsepower from U.S. EPA's AP-42;  
 $G_1$  = Number of hours operated by the wood grinder identified as CBI;  
 $G_2$  = Number of hours operated by the wood grinder identified as Peterson; and  
 $G_3$  = Number of hours operated by the wood grinder identified as Mobark.

- (c) The Permittee shall determine the combined  $NO_x$  emissions from the three (3) wood grinders, identified as CBI, Peterson, and Mobark, for each month as follows:

$$NO_x \text{ Emissions (tons/month)} = 0.024G_1 + 0.024G_2 + 0.031G_3$$

where: 0.024 = Emission Factor for diesel combustion engines greater than 600 horsepower from U.S. EPA's AP-42;  
0.031 = Emission Factor for diesel combustion engines less than 600 horsepower from U.S. EPA's AP-42;  
 $G_1$  = Number of hours operated by the wood grinder identified as CBI;  
 $G_2$  = Number of hours operated by the wood grinder identified as Peterson; and  
 $G_3$  = Number of hours operated by the wood grinder identified as Mobark.

- (d) The Permittee shall determine the combined CO emissions from the three (3) wood grinders, identified as CBI, Peterson, and Mobark, for each month as follows:

$$CO \text{ Emissions (tons/month)} = 0.0055G_1 + 0.0055G_2 + 0.0067G_3$$

where: 0.0055 = Emission Factor for diesel combustion engines greater than 600 horsepower from U.S. EPA's AP-42;  
0.0067 = Emission Factor for diesel combustion engines less than 600 horsepower from U.S. EPA's AP-42;  
 $G_1$  = Number of hours operated by the wood grinder identified as CBI;  
 $G_2$  = Number of hours operated by the wood grinder identified as Peterson; and  
 $G_3$  = Number of hours operated by the wood grinder identified as Mobark.

#### D.2.6 Fugitive Dust Control [326 IAC 6-5]

---

The source shall control emissions of fugitive particulate from the three (3) outdoor grinders through:

- (a) Spraying water, as necessary, during the grinding and screening of wood to prevent visible fugitive dust.
- (b) Grinding and screening of wood during periods when wind speeds at the Soil Solutions, Co., property measure no more than ten (10) miles per hour. Wind speed shall be measured hourly when grinding and screening outdoors. In the event of the wind speeds exceeding ten (10) miles per hour during grinding and screening outdoors, operation shall stop until wind speeds slow down to no more than ten (10) miles per hour.

- (c) Grinding and screening clean hardwood (A material), mixed woods (B material), and "recently live" wood only. "Recently live" wood is defined as wood, including trunk, branches and leaves, that has not been processed or cut into dimensional limber, and has been stored no longer than sixty (60) days onsite.

The Fugitive Dust Control Plan for this source is included as Attachment A to this permit.

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

#### **D.2.7 Visible Emissions Notations**

---

- (a) To ensure compliance with Condition D.2.3, the source shall conduct continuous visual observations for fugitive dust, by a trained employee to assure that no visible particulate is crossing the Soil Solutions, Co., property line at any time an outdoor grinder and screen are in operation.
- (b) A trained employee is an employee who has worked at the plant at least one (1) month and that has been trained in the appearance and characteristics of normal visible emissions for that specific process.

#### **D.2.8 Monitoring**

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In order to comply with Condition D.2.6, the source shall measure the wind speed prior to beginning outdoor grinding and/or screening and shall continue to measure wind speed at least hourly while grinding and/or screening outdoors.

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

#### **D.2.9 Record Keeping Requirements**

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- (a) To document the compliance status with Condition D.2.1, the Permittee shall maintain daily records of the hours of operation for each of the three (3) wood grinders, identified as CBI, Peterson, and Mobark.
- (b) To document the compliance status with Condition D.2.7, the Permittee shall maintain daily records of the visible observations of fugitive particulate emissions from the outdoor grinding operations. The Permittee shall include in its daily record when a visible observation is not taken and the reason for the lack of visible observation, (e.g. the process did not operate that day).
- (c) To document the compliance status with Condition D.2.6, the Permittee shall maintain an hourly record of the wind speed observations. The Permittee shall include in its daily record when an observation is not taken and the reason for the lack of observation, (e.g. the process did not operate that day).
- (d) Section C - General Record Keeping Requirements, of this permit contains the Permittee's obligations with regard to the records required by this condition.

#### **D.2.10 Reporting Requirements**

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A quarterly summary of the information to document the compliance status with Condition D.2.1 shall be submitted using the reporting forms located at the end of this permit, or their equivalent, not later than thirty (30) days after the end of the quarter period being reported. Section C - General Reporting Requirements contains the Permittee's obligation with regard to the reports required by this condition. The report submitted by the Permittee does require a certification that meets the requirements of 326 IAC 2-7-6(1) by a "responsible official" as defined by 326 IAC 2-7-1(34).

**INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT  
OFFICE OF AIR QUALITY  
PART 70 OPERATING PERMIT  
CERTIFICATION**

Source Name: Soil Solutions, Co.  
Source Address: 29861 Old U.S. Highway 33, Elkhart, Indiana 46516  
Part 70 Permit No.: T039-24536-00538

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

Please check what document is being certified:

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

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

Signature:

Printed Name:

Title/Position:

Phone:

Date:

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

**PART 70 OPERATING PERMIT  
EMERGENCY OCCURRENCE REPORT**

Source Name: Soil Solutions, Co.  
Source Address: 29861 Old U.S. Highway 33, Elkhart, Indiana 46516  
Part 70 Permit No.: T039-24536-00538

**This form consists of 2 pages**

**Page 1 of 2**

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

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

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

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

Page 2 of 2

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

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

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

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

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

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

### Part 70 Quarterly Report

Source Name: Soil Solutions, Co.  
 Source Address: 29861 Old U.S. Highway 33, Elkhart, Indiana 46516  
 Part 70 Permit No.: T039-24536-00538  
 Facility: Three (3) outdoor wood chippers and screen separators, identified as CBI, Peterson, and Mobark  
 Parameter: PM/PM<sub>10</sub>  
 Limit: Less than twenty-five (25) tons per twelve (12) consecutive month period, with compliance determined at the end of each month, as determined as follows:

$$PM/PM_{10} \text{ Emissions (tons/month)} = 0.35G_1 + 0.35G_2 + 0.35G_3$$

where: G<sub>1</sub> = Number of hours operated by the wood grinder identified as CBI;  
 G<sub>2</sub> = Number of hours operated by the wood grinder identified as Peterson; and  
 G<sub>3</sub> = Number of hours operated by the wood grinder identified as Mobark.

QUARTER:

YEAR:

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

No deviation occurred in this quarter.

Deviation/s occurred in this quarter.  
 Deviation has been reported on:

Submitted by: \_\_\_\_\_  
 Title / Position: \_\_\_\_\_  
 Signature: \_\_\_\_\_  
 Date: \_\_\_\_\_  
 Phone: \_\_\_\_\_

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

### Part 70 Quarterly Report

Source Name: Soil Solutions, Co.  
 Source Address: 29861 Old U.S. Highway 33, Elkhart, Indiana 46516  
 Part 70 Permit No.: T039-24536-00538  
 Facility: Three (3) outdoor wood chippers and screen separators, identified as CBI, Peterson, and Mobark  
 Parameter: SO<sub>2</sub>  
 Limit: Less than twenty-five (25) tons per twelve (12) consecutive month period, with compliance determined at the end of each month, as determined as follows:

$$\text{SO}_2 \text{ Emissions (tons/month)} = (0.00809S)G_1 + (0.00809S)G_2 + 0.0021G_3$$

where: S = Sulfur content of fuel (weight %);  
 0.00809 = Emission Factor for diesel combustion engines greater than 600 horsepower from U.S. EPA's AP-42;  
 0.0021 = Emission Factor for diesel combustion engines less than 600 horsepower from U.S. EPA's AP-42;  
 G<sub>1</sub> = Number of hours operated by the wood grinder identified as CBI;  
 G<sub>2</sub> = Number of hours operated by the wood grinder identified as Peterson; and  
 G<sub>3</sub> = Number of hours operated by the wood grinder identified as Mobark.

QUARTER:

YEAR:

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

No deviation occurred in this quarter.

Deviation/s occurred in this quarter.  
 Deviation has been reported on:

Submitted by: \_\_\_\_\_  
 Title / Position: \_\_\_\_\_  
 Signature: \_\_\_\_\_  
 Date: \_\_\_\_\_  
 Phone: \_\_\_\_\_

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

### Part 70 Quarterly Report

Source Name: Soil Solutions, Co.  
 Source Address: 29861 Old U.S. Highway 33, Elkhart, Indiana 46516  
 Part 70 Permit No.: T039-24536-00538  
 Facility: Three (3) outdoor wood chippers and screen separators, identified as CBI, Peterson, and Mobark  
 Parameter: CO  
 Limit: Less than twenty-five (25) tons per twelve (12) consecutive month period, with compliance determined at the end of each month, as determined as follows:

$$\text{CO Emissions (tons/month)} = 0.0055G_1 + 0.0055G_2 + 0.0067G_3$$

where: 0.0055 = Emission Factor for diesel combustion engines greater than 600 horsepower from U.S. EPA's AP-42;  
 0.0067 = Emission Factor for diesel combustion engines less than 600 horsepower from U.S. EPA's AP-42;  
 $G_1$  = Number of hours operated by the wood grinder identified as CBI;  
 $G_2$  = Number of hours operated by the wood grinder identified as Peterson; and  
 $G_3$  = Number of hours operated by the wood grinder identified as Mobark.

QUARTER:

YEAR:

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

No deviation occurred in this quarter.

Deviation/s occurred in this quarter.  
 Deviation has been reported on:

Submitted by: \_\_\_\_\_  
 Title / Position: \_\_\_\_\_  
 Signature: \_\_\_\_\_  
 Date: \_\_\_\_\_  
 Phone: \_\_\_\_\_

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

### Part 70 Quarterly Report

Source Name: Soil Solutions, Co.  
 Source Address: 29861 Old U.S. Highway 33, Elkhart, Indiana 46516  
 Part 70 Permit No.: T039-24536-00538  
 Facility: Three (3) outdoor wood chippers and screen separators, identified as CBI, Peterson, and Mobark  
 Parameter: NO<sub>x</sub>  
 Limit: Less than twenty-five (25) tons per twelve (12) consecutive month period, with compliance determined at the end of each month, as determined as follows:

$$\text{NO}_x \text{ Emissions (tons/month)} = 0.024G_1 + 0.024G_2 + 0.031G_3$$

where: 0.024 = Emission Factor for diesel combustion engines greater than 600 horsepower from U.S. EPA's AP-42;  
 0.031 = Emission Factor for diesel combustion engines less than 600 horsepower from U.S. EPA's AP-42;  
 G<sub>1</sub> = Number of hours operated by the wood grinder identified as CBI;  
 G<sub>2</sub> = Number of hours operated by the wood grinder identified as Peterson; and  
 G<sub>3</sub> = Number of hours operated by the wood grinder identified as Mobark.

QUARTER:

YEAR:

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

No deviation occurred in this quarter.

Deviation/s occurred in this quarter.

Deviation has been reported on:

Submitted by: \_\_\_\_\_  
 Title / Position: \_\_\_\_\_  
 Signature: \_\_\_\_\_  
 Date: \_\_\_\_\_  
 Phone: \_\_\_\_\_

**INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT  
OFFICE OF AIR QUALITY  
COMPLIANCE AND ENFORCEMENT BRANCH  
PART 70 OPERATING PERMIT  
QUARTERLY DEVIATION AND COMPLIANCE MONITORING REPORT**

Source Name: Soil Solutions, Co.  
Source Address: 29861 Old U.S. Highway 33, Elkhart, Indiana 46516  
Part 70 Permit No.: T039-24536-00538

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

Page 1 of 2

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

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

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

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

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

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

## Attachment A

### Fugitive Dust Control Plan Approved July 2, 2008

Soil Solutions, Co.  
29861 Old U.S. Highway 33  
Elkhart, Indiana 46516

#### **Section 1 - Introduction**

The following control plan, when implemented, is designed to reduce uncontrolled fugitive dust generated from paved roadways and areas, unpaved roadways and areas, wood recyclable material piles, and grinding and screening of wood outdoors in order to prevent fugitive dust from crossing 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 Limitations).

The plan shall be implemented on a year-round basis until such a time as another plan is approved or ordered by the Indiana Department of Environmental Management.

The person on site who is responsible for implementing the plan is:

Soil Solutions, Co.  
Dan Plant  
29861 Old US 33  
Elkhart, Indiana 46516-1428

#### **Section 2 - Outdoor Grinding and Screening**

The following shall control fugitive particulate matter emissions from all outdoor grinding and screening of wood recyclable material to prevent fugitive dust from crossing the Soil Solutions Co. property line:

- (a) Spraying water, as necessary, during all grinding and screening of wood recyclable material to prevent visible fugitive dust.
- (b) Grinding and screening of wood recyclable materials during periods when wind speeds, at the Soil Solutions, Co. property, measure no more than ten (10) miles per hour. Wind speed shall be measured hourly when grinding and screening outdoors. In the event of the wind speeds exceeding ten (10) miles per hour during grinding and screening outdoors, operation shall stop until wind speeds slow down to no more than ten (10) miles per hour.

#### **Section 3 - Paved Roads and Areas**

Dust from paved roads and areas will be controlled by sweeping and shall be performed every 14 days or more often to prevent visible fugitive dust from crossing the Soil Solutions, CO. property line, as determined by a trained employee, from these areas. A trained employee is defined as

an employee that has worked at the source at least one (1) month and has been trained to determine whether fugitive dust emissions from paved roads and areas are in compliance with 326 IAC 6-4 (Fugitive Dust Emissions Limitations). Records of sweeping will be required.

Exceptions - Cleaning of paved roads and areas may be delayed by one day when:

- (a) 0.1 or more inches of rain has accumulated during the 24-hour period prior to the scheduled cleaning.
- (b) The road segments or areas is closed or abandoned. Abandoned roads or areas will be barricaded to prevent vehicle access.
- (c) It is raining at the time of the scheduled cleaning.

#### **Section 4 - Unpaved Roads and Areas**

Unpaved roads and areas at the facility shall be sprayed with water, as necessary, for dust control to prevent fugitive dust from crossing the Soil Solutions Co. property line, as determined by a trained employee, from these areas. A trained employee shall perform visual observations for fugitive dust twice daily and records shall be kept of these observations in the journal. A trained employee is defined as an employee that has worked at the source at least one (1) month and has been trained to determine whether fugitive dust emissions from unpaved roads and areas are in compliance with 326 IAC 6-4 (Fugitive Dust Emissions Limitations). Records of spraying water onto unpaved roads and areas shall also be required.

Exceptions - Treating of unpaved roads and areas may be delayed by one day when:

- (a) 0.1 or more inches of rain has accumulated during the 24-hour period prior to the scheduled cleaning.
- (b) The road segments or areas are frozen or covered by ice, snow, or standing water.
- (c) The road segments or areas is closed or abandoned. Abandoned roads or areas will be barricaded to prevent vehicles from traveling on the roads or areas.

#### **Section 5 - Open Wood Recyclable Material Piles**

Open wood recyclable material piles will consist of only landscape mulch and scrap wood. The use of water as a dust suppressant shall be the primary means of dust control. The water shall be applied, as necessary, to the wood recyclable material piles to prevent emission of fugitive particulate matter from crossing the Soil Solutions Co. property line, as determined by a trained employee, from these areas. A trained employee shall perform visual observations for fugitive dust twice daily and a record shall be kept of these observations in the journal. Records of spraying water onto piles shall also be required.

Exceptions - Treating of wood recyclable material piles may be delayed by one day when:

- (a) 0.1 or more inches of rain has accumulated during the 24-hour period prior to the scheduled cleaning.
- (b) The storage piles are frozen or covered by ice or snow.

## **Section 6 - Material Handling**

Material handling equipment will be used to maintain the wood recyclable material piles. Fugitive particulate matter from loading and unloading of outdoor wood recyclable material piles shall be controlled by the following: spraying with water, as necessary, when determined by a trained employee, and reduction of the free fall distance between the front-end loader and truck.

Fugitive particulate matter control from the loading and unloading of indoor storage piles shall be accomplished by the following: trucks shall be loaded with materials stored in the Soil Solutions Co. building only within the building.

## **Section 7 - Monitoring and Record Keeping**

Records shall be kept in a journal, which will be updated daily by the responsible official. The journals shall be kept in storage for a minimum of three (3) years and shall be available for inspection or copying upon reasonable prior notice. The following information will be required in the journal with each entry:

Grinding and Screening Outdoors:

- (a) Name of trained employee making observations
- (b) Wind speed prior to startup of grinding and screening outdoors
- (c) Hourly readings of wind speed while grinding and screening outdoors
- (d) Hours of operation for grinding and screening in a day

Paved Roads and Areas

- (a) Name of trained employee making observations
- (b) Record of the dates when areas are swept

Unpaved Roads and Areas and Wood Recyclable Material Piles

- (a) Name of trained employee making observations
- (b) Date and time the observations were made
- (c) Date and time when water is applied

## **Section 8 - Compliance Schedule**

This plan has been fully implemented and adherence to the plan will continue until revisions to the plan have been approved by IDEM.



# 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:** Dan Plant  
Soil Solutions Co.  
29861 Old US 33  
Elkhart, IN 46516

**DATE:** April 21, 2011

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

**SUBJECT:** Final Decision  
Administrative Amendment  
039-30267-00538

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:  
OAQ Permits Branch Interested Parties List

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

Final Applicant Cover letter.dot 11/30/07

# Mail Code 61-53

IDEM Staff	MIDENNEY 4/21/2011 Soil Solutions Co. 039-30267-00538 (final)		Type of Mail:  <b>CERTIFICATE OF MAILING ONLY</b>	AFFIX STAMP HERE IF USED AS CERTIFICATE OF MAILING
Name and address of Sender		Indiana Department of Environmental Management Office of Air Quality – Permits Branch 100 N. Senate Indianapolis, IN 46204		

Line	Article Number	Name, Address, Street and Post Office Address	Postage	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		Dan Plant Soil Solutions Co. 29861 Old US 33 Elkhart IN 46516-1428 (Source CAATS) via confirmed delivery										
2		Elkhart City Council and Mayors Office 229 South Second Street Elkhart IN 46516 (Local Official)										
3		Ms. Katherine Meiers 56766 County Rd 1 Elkhart IN 46516 (Affected Party)										
4		Mr. Gene Messick 29852 Cleveland Ave Elkhart IN 46516 (Affected Party)										
5		Ms. Ashley Ward 46883 Elk Ct Elkhart IN 46516 (Affected Party)										
6		Ken & Sue Holderread 29790 Cleveland Ave Elkhart IN 46516 (Affected Party)										
7		Elkhart County Health Department 608 Oakland Avenue Elkhart IN 46516 (Health Department)										
8		Laurence A. McHugh Barnes & Thornburg 100 North Michigan South Bend IN 46601-1632 (Affected Party)										
9		Mr. Timothy A. Boehlke Ag Trucking, Inc. P.O. Box 453 Goshen IN 46527-0453 (Affected Party)										
10		Mrs. Joyce Bellows 56234 46th Street Elkhart IN 46516 (Affected Party)										
11		Ms. Lorna Rickard 328 E. Wayne Street Spencer IN 47460-1889 (Affected Party)										
12		Elkhart County Board of Commissioners 117 North Second St. Goshen IN 46526 (Local Official)										
13		Mr. Dennis L. Freel 29919 Arizona Avenue Elkhart In 46516 (Affected Party)										
14		Craig Fry House District 5 PO Box 1066 Mishawaka IN 46546-1066 (Legislator)										
15		Marilyn Cage Statehouse, Rm 4A-1 200 W Washington St Indianapolis In 46204 (Affected Party)										

Total number of pieces Listed by Sender  <b>14</b>	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.
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1		Mark Zeltwanger 26545 CR 52 Nappanee IN 46550 (Affected Party)										
2												
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4												
5												
6												
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8												
9												
10												
11												
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Total number of pieces Listed by Sender  <b>1</b>	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.
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