



INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

We Protect Hoosiers and Our Environment.

Mitchell E. Daniels Jr.
Governor

Thomas W. Easterly
Commissioner

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

TO: Interested Parties / Applicant

DATE: November 22, 2011

RE: Indiana Harbor & Cana (IHC) Confined Disposal Facility (CDF) / 089-30744-00471

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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Ms. Le Thai
U.S. Army Corps of Engineers
111 N. Canal Street, Suite 600
Chicago, IL 60606

November 22, 2011

Re: 089-30744-00471
First Registration Notice-Only Change to
R089-15320-00471

Dear Ms. Thai:

East Chicago Waterway Management District - (ECWMD) was issued a Registration No. R089-15320-00471 on June 19, 2002 for a stationary air and water resource and solid waste management operation located at 4522 Indianapolis Blvd., East Chicago, IN 46312. On July 27, 2011, the Office of Air Quality (OAQ) received a letter from the source requesting that the registration be updated to indicate a change in location and company name change to Indiana Harbor & Canal Confined Disposal Facility (IHC CDF) located at 3500 Indianapolis Blvd., East Chicago, IN 46312. The Confined Disposal Facility (CDF) is located at the former Energy Cooperative Inc. (ECI) site bordered by Cline Avenue to the north and Indianapolis Boulevard to the east in East Chicago, Indiana. ECWMD is the owner of the CDF and the United States Army Corps of Engineers (USACE) will be the operator of the CDF. This change to the registration is considered a notice-only change pursuant to 326 IAC 2-5.5-6(d)(3).

The company name has been revised throughout the registration as follows:

Company Name: ~~East Chicago Waterway Management District - (ECWMD)~~
Indiana Harbor & Canal (IHC) Confined Disposal Facility (CDF)

In addition, IDEM OAQ has decided to reissue this registration in the updated version of a Registration. Existing requirements have been incorporated into the new revised formatted Registration.

The IHC CDF project is in the process of moving from the construction phase to the operation phase. The estimated date for the end of the construction phase is the end of 2011. As the operational phase of the CDF starts, the activities at the site are anticipated to be very different from the activities during the construction phase, as are the regulatory reporting requirements.

During a May 13, 2011, meeting between U.S. Army Corps of Engineers (USACE), Chicago District, the Indiana Department of Environmental Management (IDEM) and the U.S. Environmental Protection Agency, USACE and IDEM discussed the reporting requirements for operation phase of the IHC CDF project. USACE proposed reporting changes for the operation phase, but IDEM, OAQ recommended IHC CDF resubmit the proposed changes once the new contractor for the operational phase is awarded.

Pursuant to 326 IAC 2-5.5-6(d)(9), the registration is hereby revised.

The source shall continue to operate according to 326 IAC 2-5.5. Please find enclosed the revised registration.

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 Charles Sullivan, at (800) 451-6027, press 0 and ask for Charles Sullivan or extension 2-8422, or dial (317) 232-8422.

Sincerely,



Iryn Calilung, Section Chief
Permits Branch
Office of Air Quality

IC/cbs

Attachment: Revised Registration, Attachment A

cc: File - Lake County
Lake County Health Department
IDEM Northwest Regional Office
Compliance and Enforcement Branch
Billing, Licensing and Training Section



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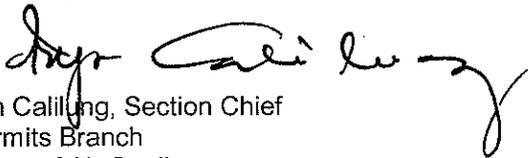
100 North Senate Avenue
Indianapolis, Indiana 46204
(317) 232-8603
Toll Free (800) 451-6027
www.idem.IN.gov

REGISTRATION OFFICE OF AIR QUALITY

**Indiana Harbor & Canal (IHC) Confined Disposal Facility (CDF)
3500 Indianapolis Blvd.,
East Chicago, Indiana 46312**

Pursuant to 326 IAC 2-5.1 (Construction of New Sources: Registrations) and 326 IAC 2-5.5 (Registrations), (herein known as the Registrant) is hereby authorized to construct and operate subject to the conditions contained herein, the source described in Section A (Source Summary) of this registration.

Registration No. R089-15320-00471	
Original signed /Issued by: Paul Dubenetzky, Branch Chief Permits Branch Office of Air Quality	Issuance Date: June 19, 2002

First Registration Notice-Only Change No. 089-30744-00471	
Issued by:  Iryn Caliling, Section Chief Permits Branch Office of Air Quality	Issuance Date: November 22, 2011

SECTION A

SOURCE SUMMARY

This registration 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 and A.2 is descriptive information and does not constitute enforceable conditions. However, the Registrant 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 Registrant to obtain additional permits pursuant to 326 IAC 2.

A.1 General Information

The Registrant owns and operates a stationary air and water resource and solid waste management operation.

Source Address:	3500 Indianapolis Blvd., East Chicago, IN 46312
General Source Phone Number:	(312) 846-5508
SIC Code:	9511 (Air and Water Resource and Solid Waste Management)
County Location:	Lake County
Source Location Status:	Nonattainment for PM 2.5 standard Attainment for all other criteria pollutants
Source Status:	Registration

A.2 Emission Units and Pollution Control Equipment Summary

This stationary air and water resource and solid waste management operation consists of the following emission units and pollution control devices:

- (a) Dredging/placement activities of the Indiana Harbor & Canal (IHC) Confined Disposal Facility (CDF);
- (b) Fugitive Paved and Unpaved Roads.

SECTION B GENERAL CONDITIONS

B.1 Definitions [326 IAC 2-1.1-1]

Terms in this registration 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 2-1.1-1) shall prevail.

B.2 Effective Date of Registration [IC 13-15-5-3]

Pursuant to IC 13-15-5-3, this registration is effective immediately, unless a petition for stay of effectiveness is filed and granted according to IC 13-15-6-3, and may be revoked or modified in accordance with the provisions of IC 13-15-7-1.

B.3 Registration Revocation [326 IAC 2-1.1-9]

Pursuant to 326 IAC 2-1.1-9 (Revocation), this registration to operate may be revoked for any of the following causes:

- (a) Violation of any conditions of this registration.
- (b) Failure to disclose all the relevant facts, or misrepresentation in obtaining this registration.
- (c) Changes in regulatory requirements that mandate either a temporary or permanent reduction of discharge of contaminants. However, the amendment of appropriate sections of this registration shall not require revocation of this registration.
- (d) For any cause which establishes in the judgment of IDEM the fact that continuance of this registration is not consistent with purposes of this article.

B.4 Prior Permits Superseded [326 IAC 2-1.1-9.5]

- (a) All terms and conditions of permits established prior to Registration No. R089-15320-00471 and issued pursuant to permitting programs approved into the state implementation plan have been either:
 - (1) incorporated as originally stated,
 - (2) revised, or
 - (3) deleted.
- (b) All previous registrations and permits are superseded by this registration.

B.5 Annual Notification [326 IAC 2-5.1-2(f)(3)] [326 IAC 2-5.5-4(a)(3)]

Pursuant to 326 IAC 2-5.1-2(f)(3) and 326 IAC 2-5.5-4(a)(3):

- (a) An annual notification shall be submitted by an authorized individual to the Office of Air Quality stating whether or not the source is in operation and in compliance with the terms and conditions contained in this registration.
- (b) The annual notice shall be submitted in the format attached no later than March 1 of each year to:

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

- (c) The notification 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.

B.6 Source Modification Requirement [326 IAC 2-5.5-6(a)]

Pursuant to 326 IAC 2-5.5-6(a), an application or notification shall be submitted in accordance with 326 IAC 2 to the Office of Air Quality (OAQ) if the source proposes to construct new emission units, modify existing emission units, or otherwise modify the source.

B.7 Registrations [326 IAC 2-5.1-2(i)]

Pursuant to 326 IAC 2-5.1-2(i), this registration does not limit the source's potential to emit.

B.8 Preventive Maintenance Plan [326 IAC 1-6-3]

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

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

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

- (b) A copy of the PMPs shall be submitted to IDEM, OAQ upon request and within a reasonable time, and shall be subject to review and approval by IDEM, OAQ. IDEM, OAQ may require the Registrant to revise its PMPs whenever lack of proper maintenance causes or is the primary contributor to an exceedance of any limitation on emissions.
- (c) To the extent the Registrant is required by 40 CFR Part 60 or 40 CFR Part 63 to have an Operation Maintenance, and Monitoring (OMM) Plan for a unit, such OMM Plan is deemed to satisfy the PMP requirements of 326 IAC 1-6-3 for that unit.

SECTION C

SOURCE OPERATION CONDITIONS

Entire Source

Emission Limitations and Standards [326 IAC 2-5.1-2(g)] [326 IAC 2-5.5-4(b)]

C.1 Opacity [326 IAC 5-1]

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

- (a) Opacity shall not exceed an average of twenty percent (20%) 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.2 Fugitive Dust Emissions [326 IAC 6-4]

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

C.3 Fugitive Dust Emissions [326 IAC 6.8-10-3]

Pursuant to 326 IAC 6.8-10-3 (formerly 326 IAC 6-1-11.1) (Lake County Fugitive Particulate Matter Control Requirements), the particulate matter emissions from source wide activities shall meet the following requirements:

- (a) The average instantaneous opacity of fugitive particulate emissions from a paved road shall not exceed ten percent (10%).
- (b) The average instantaneous opacity of fugitive particulate emissions from an unpaved road shall not exceed ten percent (10%).
- (c) The opacity of fugitive particulate emissions from exposed areas shall not exceed ten percent (10%) on a six (6) minute average.
- (d) The opacity of fugitive particulate emissions from continuous transfer of material onto and out of storage piles shall not exceed ten percent (10%) on a three (3) minute average.
- (e) The opacity of fugitive particulate emissions from storage piles shall not exceed ten percent (10%) on a six (6) minute average.
- (f) There shall be a zero (0) percent frequency of visible emission observations of a material during the inplant transportation of material by truck or rail at any time.
- (g) The opacity of fugitive particulate emissions from the inplant transportation of material by front end loaders and skip hoists shall not exceed ten percent (10%).
- (h) Material processing facilities shall include the following:

- (1) There shall be a zero (0) percent frequency of visible emission observations from a building enclosing all or part of the material processing equipment, except from a vent in the building.
 - (2) The PM10 emissions from building vents shall not exceed twenty-two thousandths (0.022) grains per dry standard cubic foot and ten percent (10%) opacity.
 - (3) The PM10 stack emissions from a material processing facility shall not exceed twenty-two thousandths (0.022) grains per dry standard cubic foot and ten percent (10%) opacity.
 - (4) The opacity of fugitive particulate emissions from the material processing facilities, except a crusher at which a capture system is not used, shall not exceed ten percent (10%) opacity.
 - (5) The opacity of fugitive particulate emissions from a crusher at which a capture system is not used shall not exceed fifteen percent (15%).
- (i) The opacity of particulate emissions from dust handling equipment shall not exceed ten percent (10%).
- (j) Material transfer limits shall be as follows:
- (1) The average instantaneous opacity of fugitive particulate emissions from batch transfer shall not exceed ten percent (10%).
 - (2) Where adequate wetting of the material for fugitive particulate emissions control is prohibitive to further processing or reuse of the material, the opacity shall not exceed ten percent (10%), three (3) minute average.
 - (3) Slag and kish handling activities at integrated iron and steel plants shall comply with the following particulate emissions limits:
 - (A) The opacity of fugitive particulate emissions from transfer from pots and trucks into pits shall not exceed twenty percent (20%) on a six (6) minute average.
 - (B) The opacity of fugitive particulate emissions from transfer from pits into front end loaders and from transfer from front end loaders into trucks shall comply with the fugitive particulate emission limits in 326 IAC 6.8-10-3(9).
- (k) Any facility or operation not specified in 326 IAC 6.8-10-3 shall meet a twenty percent (20%), three (3) minute average opacity standard.

The Registrant shall achieve these limits by controlling fugitive particulate matter emissions according to the Fugitive Dust Control Plan, which is included as Attachment A to this registration.

SECTION D.1

OPERATION CONDITIONS

Facility Description [326 IAC 2-5.1-2(f)(2)] [326 IAC 2-5.5-4(a)(2)]:

- (a) Dredging/placement activities of the Indiana Harbor & Canal (IHC) Confined Disposal Facility (CDF);
- (b) Fugitive Paved and Unpaved Roads.

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

Compliance Determination Requirements [326 IAC 2-5.1-2(g)] [326 IAC 2-5.5-4(b)]

D.1.1 Cessation of Activities

All contaminant related activities that result in air emissions shall cease if the OAQ determines that:

- a) During operation, emissions of particulate matter (PM) or volatile organic compounds (VOC) exceed twenty-five (25) tons per year or more, or
- b) During operation, emissions of a single hazardous air pollutant (HAP) exceed ten (10) tons per year or combined HAPs exceed twenty-five (25) tons per year, or
- c) During construction or operation, emissions pose an unacceptable risk to public health

D.1.2 Environmental Protection Plan

Prior to the beginning of any fieldwork, the Permittee shall submit to IDEM, an Environmental Protection Plan covering requirements for protecting the environment during the activities associated with the fieldwork. The Environmental Protection Plan shall include, but shall not be limited to the following:

- a) A contaminant prevention statement identifying potentially hazardous substances to be used on the job site and intended actions to prevent accidental or intentional introduction of such materials into the air.
- b) Fugitive dust control methods.
- c) An air monitoring program to ensure that the release of airborne contaminants is minimized and that air emissions due to fieldwork activities do not adversely impact air quality in the surrounding community.

Environmental Protection Plans 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

Compliance Monitoring Requirements [326 IAC 2-5.1-2(g)] [326 IAC 2-5.5-4(b)]

D.1.3 Fugitive Dust 326 IAC 6-4

Pursuant to 326 IAC 6-4 (Fugitive Dust Emissions), the Permittee shall not allow the generation of particulate matter (fugitive dust) to the extent that some portion of the material escapes beyond the property line or boundaries of the property, right-of way, or easement on which the source is located. A source shall be in violation of this rule when during operation of the CDF a qualified representative of the commissioner:

- a) Observes visible emissions crossing the property line of a source at or near ground level; or
- b) Measures ground level ambient air concentrations exceeding fifty (50) micrograms (total suspended particulate) per cubic meter above background concentrations for a sixty (60) minute period. The source shall not be in violation of this rule during construction where every reasonable measure has been taken in minimizing fugitive dust emissions.

D.1.4 Lake County Fugitive Particulate Matter Control Requirements 326 IAC 6-1-11.1

Pursuant to 326 IAC 6-1-11.1 (Lake County Fugitive Particulate Matter Control Requirements), the following particulate matter emission limitations shall apply:

- a) The average instantaneous opacity of fugitive particulate emissions from unpaved roads and parking lots shall not exceed ten percent (10%).
- b) The average instantaneous opacity of fugitive particulate emissions from batch transfer shall not exceed ten percent (10%).
- c) The opacity of fugitive particulate emissions from storage piles and exposed areas shall not exceed ten percent (10%) on a six (6) minute average.
- d) For material transportation activities:
 - i) There shall be a zero (0) percent frequency of visible emission observations of material during the inplant transportation of material by truck or rail at anytime.
 - ii) The opacity of fugitive particulate emissions from the inplant transportation of material by front end loaders and skip hoists shall not exceed ten percent (10%) by averaging three (3) opacity readings taken at five (5) second intervals.
- e) Any facility or operation not specified in this rule shall meet a twenty percent (20%), three (3) minute average opacity standard.
- f) The source shall be in violation of this rule when a qualified representative of the commissioner or USEPA observes an exceedence of any of the emission limitations contained in a) through e).
- g) The permittee shall keep the following documentation to show compliance with each of its control measures and control practices:
 - i) A map or diagram showing the location of all emission sources controlled, including the location, identification, length, and width of roadways.

- ii) For each application of water or chemical solution to roadways, the following shall be recorded:
 - A) The name and location of the roadway controlled.
 - B) Application rate.
 - C) Time of each application.
 - D) Width of each application.
 - E) Identification of each method of application.
 - F) Total quantity of water or chemical used for each application.
 - G) For each application of chemical solution, the concentration and identity of the chemical.
 - H) The material data safety sheets for each chemical.
- iii) For application of physical or chemical control agents not covered above, the following:
 - A) The name of the agent.
 - B) Location of application.
 - C) Application rate.
 - D) Total quantity of agent used.
 - E) If diluted, percent of concentration used.
 - F) The material data safety sheets for each chemical.
- iv) A log recording incidents when control measures were not used and a statement of explanation.
- h) The permittee shall submit copies of all records required by this condition to the department within twenty (20) working days of a written request by the department.
- i) The permittee shall maintain the records required by this condition for at least three (3) years and shall make these records available for inspection and copying by department representatives during working hours.
- j) The permittee shall submit a quarterly report to the department stating the following:
 - i) The dates any required control measures were not implemented.
 - ii) A listing of those control measures.
 - iii) The reasons that the control measures were not implemented.
 - iv) Any corrective action taken.

- v) The quarterly report shall be submitted to the department thirty (30) days from the end of a quarter. Quarter's end March 31, June 30, September 30, and December 31.

The report 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

D.1.5 Fugitive Dust Control Plan Requirements

The Permittee shall submit as part of each Environmental Protection Plan a fugitive dust control plan including:

- a) Measures to control dust and prevent the movement of fugitive dust off site pursuant to 326 IAC 6-1-11.1(e).
- b) Vehicle control and decontamination requirements to prevent the spread of pollution off site.
- c) Erosion control including wind erosion of uncovered soils, stockpiles, and material piles.

Record Keeping and Reporting Requirements [326 IAC 2-5.1-2(g)] [326 IAC 2-5.5-4(b)]

D.1.6 Air Monitoring and Action Steps

To control emissions during construction and operation and ensure that air emissions resulting from construction, operation or other contract work activities do not impact the surrounding community, an Air Monitoring Program shall be submitted as part of each Environmental Protection Plan. The Air Monitoring Program shall include the pollutants to be measured, the sampling frequency for each pollutant, the sampling and analysis methods for each pollutant, turnaround times for analysis results, action levels for each pollutant, and the basis for taking corrective action. The corrective actions shall include but shall not be limited to the following:

- a) covering of stockpiles,
- b) spray foam application,
- c) reducing excavation rates,
- d) increasing groundwater pumping rates,
- e) altering dredging/placement rates,
- f) reducing the surface area of sediment placement, or
- g) reducing/ceasing dredging.

D.1.7 Air Monitoring Program

The air monitoring program for construction of the cutoff wall shall include but shall not be limited to the following:

- a) During construction activities that could reasonably be expected to cause emissions from contaminated soil or sediments, real-time monitoring for volatile organic compounds (VOCs) and particulate matter (PM) emissions shall be conducted. Field instruments designed to measure airborne VOC emissions shall be used, and visual observations of PM emissions shall be made. Real-time measurements shall be taken at least once every two hours, as well as once at the beginning of each work shift and once at the end of each work shift from multiple locations in areas immediately adjacent to the activities and most likely to be impacted by air emissions due to the activities.
- b) Air monitoring shall be performed both upwind and downwind during construction activities that could reasonably be expected to cause emissions from contaminated soil or sediments. National Institute for Occupational Safety and Health (NIOSH) air sampling methods for laboratory analysis shall be used for low-volume benzene and PCB monitoring.
- c) Before construction activities that could reasonably be expected to cause emissions from contaminated soil or sediments, background air monitoring shall be conducted daily for at least fourteen (14) days prior to the start of earth moving, groundbreaking or other construction, operation or placement activities.
- d) During construction activities that could reasonably be expected to cause emissions from contaminated soil or sediments, background levels for Benzene and PCBs shall be measured on a daily basis during the first fourteen (14) days of the construction evaluation phase and twice weekly thereafter. Action levels and basis for corrective actions shall be those established in Condition 7e.
- e) The following action level guidelines shall be followed and appropriate corrective actions shall be taken to control emissions. The turnaround time for results from real-time monitoring shall be immediately. The turnaround time for results from low-volume monitoring shall not exceed fortyeight (48) hours. Low-volume samples collected on Friday, Saturday or Sunday may have a longer turnaround period, not to exceed ninety-six (96) hours.

	Sampling/ Analytical Method(s)	Action Level	Basis for Corrective Action
Low-Volume Benzene Monitoring	NIOSH Method 1501	0.5 ppm above background	action level exceedence for 5 consecutive days or twice weekly
Low-Volume PCB Monitoring	NIOSH Method 5503	0.1 mg/m ³ above background	action level exceedence for 5 consecutive days or twice weekly
Real-Time Volatile Monitoring	PID, FID, OVA or other approved field unit	5 ppm total VOCs	sustained reading for 15 minutes
Real-Time Particulate	visual observations	visible dust plume moving from the work area	

	Sampling/ Analytical Method(s)	Action Level	Basis for Corrective Action
Monitoring			

D.1.8 Record Keeping Requirements

The permittee shall maintain the records of all required air monitoring data and support information for a period of at least three (3) years from the date of monitoring sample, measurement, report, or application. These records shall be kept at the source where possible, and made available upon request of an IDEM, OAQ representative. The records may be stored elsewhere as long as they are available. If the Commissioner makes a written request for records to the Permittee, the permittee shall furnish the records to the Commissioner within a reasonable time.

- a) Records of required air monitoring information shall include, where applicable:
 - i) The date, place, and time of sampling or measurements;
 - ii) The dates analyses were performed;
 - iii) The company or entity performing the analyses;
 - iv) The analytic techniques or methods used; and
 - v) The results of such analyses.
- b) Support information shall include, where applicable:
 - i) The field activities underway in the vicinity of the monitoring; and
 - ii) All calibration and maintenance records.

D.1.9 Quarterly Air Monitoring Reporting Requirements

The Permittee shall submit a Quarterly Air Monitoring Report covering the requirements of Condition D.1.6 and Condition D.1.7 that includes the following:

- a) Any failure to perform monitoring or obtain valid results in accordance with the Air Monitoring Program required by Condition 6 must be reported.
- b) All instances of monitoring results demonstrating that the action levels were exceeded for the period of time that called for corrective action shall be identified and reported.
- c) Any corrective actions taken in response to the monitoring results reported under Condition 9(b) must be clearly identified. The Air Monitoring Report required by this condition shall be submitted within 30 days of the end of each calendar quarter 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

D.1.10 Air Ambient Monitoring

Ambient air monitoring using intermittent samplers shall be conducted around the perimeter of the CDF site to provide fence line concentrations of compounds of concern. The sampling and analysis shall be generally consistent with the methods used by the IDEM for monitoring ambient concentrations of hazardous air pollutants. The initial frequency will be every six days consistent with IDEM's sampling schedule. Upon evaluation of the first year's ambient air data, changes to the methods and frequency will be considered. Additional ongoing evaluations of the monitoring program will be conducted in the future as necessary. Any changes to the methods and frequency shall be made in consultation with IDEM, and do not require an amendment to this registration. The ambient air sampling shall be conducted and maintained during construction/operation activities. The monitoring results for each calendar quarter shall be made available on the World Wide Web within 60 days of the end of the quarter. The commissioner shall be kept informed of the current location on the World Wide Web.

D.1.11 Emissions Reporting

Approximately one year prior to dredging a given area of the harbor and canal, sediment sampling and analysis shall be performed in the areas to be dredged.

D.1.12 Sediment Characterization Data Requirements

The sediment characterization data for a given year, along with the dredging and CDF operational parameters, shall be used in conjunction with the air emissions model, which is based on the theoretical algorithms developed by Dr. Louis J. Thibodeaux, for application to dredged material dredging and placement, to calculate the amount of emissions to be generated during that year of dredging, placement, and CDF operation. The air emissions model shall be reviewed periodically to ensure that emissions are estimated using the best available methods.

D.1.13 Record Keeping and Reporting Requirements

The permittee shall submit detailed emissions reports to IDEM for review. Emissions estimate reports shall include the following:

- a) On an annual basis, predictive emissions estimates based on the sediment sampling conducted in Condition 11 and the expected dredging and disposal volumes shall be reported at least 6 months prior to the commencement of dredging.
- b) On a quarterly basis, the actual dredged volumes of sediments placed in the CDF shall be reported within thirty (30) days of the end of each calendar quarter in which dredging and placement take place.

The Emissions Reports required by this condition 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

D.1.14 Record Keeping Requirements

If estimates of emissions indicate an exceedence of the annual emission thresholds established in Condition D.1.1 is likely, then modifications to the dredging/placement operations shall be incorporated into the Plans and Specifications for that operation to ensure compliance with this approval. Failure to make modifications to the dredging/placement operations shall be a violation of this approval. Potential modifications may include but are not limited to the following:

- a) altering dredging/placement rates,
- b) reducing the surface area of sediment placement, or
- c) reducing/ceasing dredging.

D.1.15 Record Keeping Requirements

Pursuant to 326 IAC 2-6, the Permittee must annually submit an emission statement for the source if during operation, the potential to emit volatile organic compounds (VOC) is equal to or greater than ten (10) tons per year. The annual statement must be received by April 15 of each year and contain the minimum requirements as specified in 326 IAC 2-6-4. The submittal shall cover the period defined in 326 IAC 2-6-2(8) (Emission Statement Operating Year). If applicable, the emission statement shall 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

D.1.16 Notification of Operation and Compliance

An authorized individual shall provide an annual notice to the Office of Air Quality that the source is in operation and in compliance with this registration pursuant to 326 IAC 2-5.1-2(f)(3). The annual notice 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 March 1 of each year, with the annual notice being submitted in the format attached.

D.1.17 Timeliness of Reports

Unless otherwise specified in this approval, any notice, report, or other submission required by this approval 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.

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

**REGISTRATION
ANNUAL NOTIFICATION**

This form should be used to comply with the notification requirements under 326 IAC 2-5.1-2(f)(3) and 326 IAC 2-5.5-4(a)(3).

Company Name:	Indiana Harbor & Canal (IHC) Confined Disposal Facility (CDF)
Address:	3500 Indianapolis Blvd.,
City:	East Chicago, Indiana 46312
Phone Number:	(312) 846-5508
Registration No.:	R089-15320-00471

I hereby certify that Indiana Harbor & Canal (IHC) Confined Disposal Facility (CDF) is:

- still in operation.
 no longer in operation.

I hereby certify that Indiana Harbor & Canal (IHC) Confined Disposal Facility (CDF) is:

- in compliance with the requirements of Registration No. R089-15320-00471.
 not in compliance with the requirements of Registration No. R089-15320-00471.

Authorized Individual (typed):
Title:
Signature:
Phone Number:
Date:

If there are any conditions or requirements for which the source is not in compliance, provide a narrative description of how the source did or will achieve compliance and the date compliance was, or will be achieved.

Noncompliance:

Attachment A

089-30744-00471

**Indiana Harbor & Canal Confined Disposal Facility
3500 Indianapolis Blvd.,
East Chicago, IN 46312**

Fugitive Dust Control Plan

RECEIVED

JUN 17 2002

State of Indiana
Department of Environmental Management
Office of Air Quality

ENVIRONMENTAL PROTECTION PLAN

Prepared for:

U.S. Army Corps of Engineers
Indiana Harbor & Canal Confined Disposal Facility
Subsurface Investigation and Cutoff Wall

Contract No. DACW27-02-C-0003

Specification Section 01410
Environmental Protection

Submittal No. 01410-1.1

Prepared by:

Environmental Quality Management, Inc.
1800 Carillon Boulevard
Cincinnati, Ohio 45240

May 23, 2002

FUGITIVE DUST CONTROL PLAN

SECTION 1 INTRODUCTION

1.1 Purpose of Plan

The goal of this Fugitive Dust Control Plan is to present procedures, that when implemented, will achieve compliance with the applicable emission limitations set forth in subsection (d) of 326 IAC 6-1-11.1. The plan has been prepared in accordance with 326 IAC 6-1-11.1(c), Lake County Fugitive Particulate Matter Control Requirements.

1.2 Plan Organization

This plan was organized to meet the requirements of the control plan described in 326 IAC 6-1-11.1 (e). Section 1 of the plan presented the purpose and organization of the plan. Section 2 presents the location and ownership of the site. Section 3 describes the site activities and the facilities that are affected by this regulation. Section 4 summarizes the control measures that will be implemented and Section 5 provides a list of the recordkeeping and reporting for the control measures.

SECTION 2

SITE LOCATION AND DESCRIPTION

2.1 Site Location

The source is the former ECI Refinery located at the intersection of Cline Avenue and Indianapolis Boulevard in East Chicago, Indiana, 46312. The site owner is the East Chicago Waterway Management District located at 4522 Indianapolis Boulevard, East Chicago, Indiana, 46312. The operator of the source is the United States Army Corps of Engineers.

SECTION 3

SITE ACTIVITIES

3.0 Affected Facilities Description

The scope of work for this project is construction of a soil-bentonite slurry wall around the east, north, and west perimeter of the property. Activities that have the potential to emit 5 tons of fugitive particulate matter (PM) are: roadways where haul trucks are transporting excavated soil to the vibratory screen, wind erosion of soil storage piles after screening, roadways where haul trucks are transporting screened soil to the trench for backfilling, and wind erosion from storage piles of debris and overburden. Estimated uncontrolled, potential, fugitive PM emissions from these activities are 5.48 tons per year (tpy), 24.93 tpy, 5.48 tpy, and 6.63 tpy, respectively. These activities make up two facilities, "storage piles" and "roadways" and are shown on the map included with the construction permit application. Calculations for each activity is provided as an attachment to the construction permit application as well.

SECTION 4

CONTROL MEASURES

4.0 Proposed Control Measures

Dust control measures will be implemented at the site to control fugitive PM emissions. The intent of these control practices is to prevent emissions of airborne particulate matter in quantities exceeding air pollution standards; prevent visible dust from leaving the site; and to prevent the release of dust that is or could cause a hazard or nuisance.

Fugitive dust particles could potentially be generated from a variety of activities during construction but mainly from stockpiles and gravel roads. Control measures will be directed at these potential emission sources. A number of measures are available to reduce the levels of fugitive PM emissions from the construction site. Dust controls will be achieved primarily by watering stockpiles and vehicle traffic routes. Watering will be provided on an as-needed basis.

All roads at the site will be gravel to minimize fugitive PM releases. The site currently has approximately 5,900 linear feet of single-lane gravel roadways. Construction of an additional 9,300 linear feet of gravel roads will permit access to various points of the property. Construction of roadways will extend the roads so they reach outlying areas of the property for trench excavation and short branches of the road will be constructed at the south end of the property to gain access to the oil boom collection system for vacuuming retained oils. On-site gravel roads will be used by 32-cubic yard dump trucks for hauling soil and debris, as well as other vehicles (e.g., pickup trucks, drill rigs, and cars) to gain access to various sections of the site. Traffic will be limited to 10 miles per hour. In the event fugitive dust from roadways is observed, water will be applied from a water truck equipped with a dispensing manifold. The water will be applied to roadbeds at the minimum rate necessary to control the dust but not so as to create water erosion channeling. If the water application proves ineffective, a dust suppressant will be applied. The State of Indiana does not have a mechanism in place to approve or issue permits for various dust suppressants; however, the list of dust-

suppressant suppliers maintained by the Indiana Department of Environmental Management (IDEM) was reviewed. The dust suppressant used will be supplied by one of the suppliers on IDEM's list. Material Safety Data Sheets for the dust suppressants have been reviewed and it has been determined that the dust suppressant to be used will not cause any environmental harm.

A number of piles of excavated soil, debris, and screened soil will be stock piled in the debris stockpile area. If it appears fugitive dust may become a problem due to high winds and low moisture content of the stock piled material, then a water spray or dust suppressant will be applied in limited quantities. The objective will be to control fugitives without generating any runoff. If it is determined that a stock pile does not require fugitive dust control then no control measures will be implemented.

SECTION 5

RECORDKEEPING AND REPORTING

5.0 Recordkeeping

A map of the stockpiles and roadways will be maintained on site during construction activities. When water or chemical suppression is sprayed, the following information will be recorded:

- The name and location of the roadway controlled
- The application rate
- The time of the application
- The width of the application
- The method of application
- The total quantity of water or chemical sprayed

If a chemical is used instead of water, the identity and concentration of chemical will be recorded and the MSDS will be maintained on file.

If fugitive PM emissions warrant the use of controls and they are not performed, the incident will be recorded with an explanation of why controls were not provided.

Copies of all records will be maintained for at least 3 years and will be provided within 20 working days to IDEM upon receipt of written request.

5.1 Reporting

A quarterly report will be submitted to IDEM by April 30, July 30, October 30, and January 30 for the previous 3 months with the following information:

- The dates that required control measures were not implemented
- A listing of the control measures that were not implemented
- The reasons that the control measures were not implemented
- Any corrective action taken.



INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

We Protect Hoosiers and Our Environment.

Mitchell E. Daniels Jr.
Governor

Thomas W. Easterly
Commissioner

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

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

TO: Le Thai
Indiana Harbor and Canal Confined Disposal Facilit
US Army Corps of Eng, 111 N Canal St, Ste 600
Chicago, IL 60606

DATE: November 22, 2011

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

SUBJECT: Final Decision
Registration Notice Only Change
089-30744-00471

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:
«Resp_Off_If_applicable»
OAQ Permits Branch Interested Parties List

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

Final Applicant Cover letter.dot 11/30/07

Mail Code 61-53

IDEM Staff	CDENNY 11/22/2011 Indiana Harbor and Canal Confined Disposal Facility 089-30744-00471 (final)		AFFIX STAMP HERE IF USED AS CERTIFICATE OF MAILING	
Name and address of Sender		Indiana Department of Environmental Management Office of Air Quality – Permits Branch 100 N. Senate Indianapolis, IN 46204	Type of Mail: CERTIFICATE OF MAILING ONLY	

Line	Article Number	Name, Address, Street and Post Office Address	Postage	Handing Charges	Act. Value (If Registered)	Insured Value	Due Send if COD	R.R. Fee	S.D. Fee	S.H. Fee	Rest. Del. Fee	Remarks
1		Le Thai Indiana Harbor and Canal Confined Disposal Facilit US Army Corps of Eng, 111 N Canal St, Ste 600 Chicago IL 60606 (Source CAATS)										
2		Col Frederic A Drummond Jr US Army, District Commander Indiana Harbor and Canal Confined Disposal Facilit 111 N Canal St, Ste 600 Chicago IL 60606 (RO CAATS)										
3		State of Indiana, Office of the Attorney General 402 W. Washington, 5th Floor Indianapolis IN 46204 (State Official)										
4		East Chicago City Council 4525 Indianapolis Blvd East Chicago IN 46312 (Local Official)										
5		Gary - Hobart Water Corp 650 Madison St, P.O. Box M486 Gary IN 46401-0486 (Affected Party)										
6		Lake County Health Department-Gary 1145 W. 5th Ave Gary IN 46402-1795 (Health Department)										
7		WJOB / WZVN Radio 6405 Olcott Ave Hammond IN 46320 (Affected Party)										
8		Laurence A. McHugh Barnes & Thornburg 100 North Michigan South Bend IN 46601-1632 (Affected Party)										
9		Shawn Sobocinski 3229 E. Atlanta Court Portage IN 46368 (Affected Party)										
10		Ms. Carolyn Marsh Lake Michigan Calumet Advisory Council 1804 Oliver St Whiting IN 46394-1725 (Affected Party)										
11		Ms. Betty Balanoff 7232 Northcote Hammond IN 46324 (Affected Party)										
12		Ms. Ursula Cano 820 W 7th Place Hobart IN 46342 (Affected Party)										
13		Mr. Jose Bustos 3765 Michigan Ave East Chicago IN 46312 (Affected Party)										
14		Mr. John Bakota 4119 Baring East Chicago IN 46312 (Affected Party)										
15		Mr. Bryan Bullock P.O. Box 701 Griffith IN 46319 (Affected Party)										

Total number of pieces Listed by Sender	Total number of Pieces Received at Post Office	Postmaster, Per (Name of Receiving employee)	The full declaration of value is required on all domestic and international registered mail. The maximum indemnity payable for the reconstruction of nonnegotiable documents under Express Mail document reconstructing insurance is \$50,000 per piece subject to a limit of \$50, 000 per occurrence. The maximum indemnity payable on Express mil merchandise insurance is \$500. The maximum indemnity payable is \$25,000 for registered mail, sent with optional postal insurance. See Domestic Mail Manual R900, S913, and S921 for limitations of coverage on inured and COD mail. See International Mail Manual for limitations o coverage on international mail. Special handling charges apply only to Standard Mail (A) and Standard Mail (B) parcels.
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IDEM Staff	CDENNY 11/22/2011 Indiana Harbor and Canal Confined Disposal Facility 089-30744-00471 (final)		AFFIX STAMP HERE IF USED AS CERTIFICATE OF MAILING	
Name and address of Sender		Indiana Department of Environmental Management Office of Air Quality – Permits Branch 100 N. Senate Indianapolis, IN 46204	Type of Mail: CERTIFICATE OF MAILING ONLY	

Line	Article Number	Name, Address, Street and Post Office Address	Postage	Handing Charges	Act. Value (If Registered)	Insured Value	Due Send if COD	R.R. Fee	S.D. Fee	S.H. Fee	Rest. Del. Fee	Remarks
1		Stephanie 3215 W 38th St Hobart IN 46342 (Affected Party)										
2		Mrs. Sandy OBrien 5500 S Liverpool Rd Hobart IN 46342 (Affected Party)										
3		Mr. Earl Jones Dept. of Minority Studies, Indiana University 3400 Broadway Gary IN 46403 (Affected Party)										
4		Mrs. Arbalia Harwood 4221 Boxing Ave East Chicago IN 46312 (Affected Party)										
5		Mr. Jessie Garcia 517 W 142 St East Chicago IN 46312 (Affected Party)										
6		Mr. Dale Pugh 602 E 151st St East Chicago IN 46312 (Affected Party)										
7		Congressman Peter Visclosky Congressman Visclosky 701 E 83rd Ave, Suite 9 Merrillville IN 46410 (Legislator)										
8		Mr. Eric Uram Sierra Club--Midwest Office 214 N Henry St, Suite 203 Madison WI 53703-2200 (Affected Party)										
9		Mark Coleman 9 Locust Place Ogden Dunes IN 46368 (Affected Party)										
10		Mr. Chris Hernandez Pipefitters Association, Local Union 597 8762 Louisiana St., Suite G Merrillville IN 46410 (Affected Party)										
11		Craig Hogarth 7901 West Morris Street Indianapolis IN 46231 (Affected Party)										
12		Lake County Commissioners 2293 N. Main St, Building A 3rd Floor Crown Point IN 46307 (Local Official)										
13		Anthony Copeland 2006 E. 140th Street East Chicago IN 46312 (Affected Party)										
14		Barbara G. Perez 506 Lilac Street East Chicago IN 46312 (Affected Party)										
15		Mr. Robert Garcia 3733 Parrish Avenue East Chicago IN 46312 (Affected Party)										

Total number of pieces Listed by Sender	Total number of Pieces Received at Post Office	Postmaster, Per (Name of Receiving employee)	The full declaration of value is required on all domestic and international registered mail. The maximum indemnity payable for the reconstruction of nonnegotiable documents under Express Mail document reconstructing insurance is \$50,000 per piece subject to a limit of \$50, 000 per occurrence. The maximum indemnity payable on Express mil merchandise insurance is \$500. The maximum indemnity payable is \$25,000 for registered mail, sent with optional postal insurance. See Domestic Mail Manual R900, S913, and S921 for limitations of coverage on inured and COD mail. See International Mail Manual for limitations o coverage on international mail. Special handling charges apply only to Standard Mail (A) and Standard Mail (B) parcels.
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Mail Code 61-53

IDEM Staff	CDENNY 11/22/2011 Indiana Harbor and Canal Confined Disposal Facility 30744 (draft/final)		CERTIFICATE OF MAILING ONLY	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		Karen 8212 Madison Ave Munster IN 46321-1627 (Affected Party)										
2		Calumet Township Trustee 31 E 5th Avenue Gary IN 46402 (Affected Party)										
3		Joseph Hero 11723 S Oakridge Drive St. John IN 46373 (Affected Party)										
4		Gary City Council 401 Broadway # 209 Gary IN 46402 (Local Official)										
5		Mr. Larry Davis 268 South, 600 West Hebron IN 46341 (Affected Party)										
6		Gitte Laasby Post Tribune 1433 E. 83rd Ave Merrillville IN 46410 (Affected Party)										
7		Susan Severtson City of Gary Law Dept. 401 Broadway 4th Floor Gary IN 46402 (Local Official)										
8		Mark Zeltwanger 26545 CR 52 Nappanee IN 46550 (Affected Party)										
9												
10												
11												
12												
13												
14												
15												

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