



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 9, 2011

RE: Safety-Kleen Systems Inc. / 089-31029-00301

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. Dennis M. Zawodni
Safety-Kleen Systems, Inc.
601 Riley Road
East Chicago, Indiana 46312

November 9, 2011

Re: 089-31029-00301
Administrative Amendment to Part 70 Operating Permit
Renewal No: T089-25906-00301

Dear Mr. Zawodni:

Safety-Kleen Systems, Inc. was issued Part 70 Operating Permit Renewal No. T089-25906-00301 on September 29, 2009, for a stationary oil re-refinery facility. A letter requesting changes to the permit was received on October 13, 2011. Pursuant to the provisions of 326 IAC 2-7-11, an administrative amendment to this permit is hereby approved as described in the attached Technical Support Document.

Collectively, the new emission units included in this permit modification meet the definition of an exempt unit as described in 326 IAC 2-1.1-3. Therefore, these changes are not subject to 326 IAC 2-7-10.5. Pursuant to 326 IAC 2-7-11(a)(8)(A), a revision that incorporates an exempt unit as described in 326 IAC 2-1.1-3 may be processed as an administrative amendment. Therefore, the new tanks will be incorporated into the Part 70 Operating Permit through an Administrative Amendment.

All other conditions of the permit shall remain unchanged and in effect. Please find attached the entire Part 70 Operating Permit as modified.

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 Angela Taylor at (800) 451-6027, ask for extension 4-5329 or dial directly: (317) 234-5329.

Sincerely,



Chrystal Wagner, Section Chief
Permits Branch
Office of Air Quality

Attachments:
Modified Permit
Technical Support Document (TSD)
Calculations

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

APT



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Part 70 Operating Permit Renewal OFFICE OF AIR QUALITY

Safety-Kleen Systems, Inc. (S-K)
601 Riley Road
East Chicago, Indiana 46312

(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.: T089-25906-00301	
Issued by:	Issuance Date: September 29, 2009
Chrystal A. Wagner, Section Chief Permits Branch Office of Air Quality	Expiration Date: September 29, 2014

Administrative Amendment No.: 089-31029-00301	
Issued by:	Issuance Date: November 9, 2011
 Chrystal A. Wagner, Section Chief Permits Branch Office of Air Quality	Expiration Date: September 29, 2014

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Attachment B: New Source Performance Standard for Small Industrial-Commercial-Institutional Steam Generating Units (40 CFR 60, Subpart Dc)

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 oil re-refinery.

Source Address:	601 Riley Road, East Chicago, Indiana 46312
General Source Phone Number:	219-391-6100
SIC Code:	2992
County Location:	Lake
Source Location Status:	Nonattainment for PM _{2.5} standard Attainment for all other criteria pollutants
Source Status:	Part 70 Operating Permit Program Minor Source, under Emission Offset Rules Minor Source, under PSD and Nonattainment NSR 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) natural gas-fired boiler, identified as SB-801, installed in 1981, with a maximum capacity of 36.0 MMBtu/hr, and exhausting through stack SB-801.
- (b) One (1) natural gas-fired boiler, identified as SB-820, installed in 1991, with a maximum capacity of 44.5 MMBtu/hr, and exhausting through stack SB-820. Under 40 CFR 60, Subpart Dc, this is considered an existing affected facility.
- (c) One (1) natural gas-fired boiler, identified as SB-821, installed in 1990, with a maximum capacity of 42.5 MMBtu/hr, and exhausting through stack SB-821. Under 40 CFR 60, Subpart Dc, this is considered an existing affected facility.
- (d) One (1) process heater, fueled by a combination of natural gas, No. 2 fuel oil equivalent, and off-gases, identified as H-201, installed in 1990, with a maximum capacity of 27.3 MMBtu/hr, and exhausting through stack H-201.
- (e) One (1) process heater, fueled by a combination of natural gas and No. 2 fuel oil equivalent, identified as H-301, installed in 1989, with a maximum capacity of 20.0 MMBtu/hr, and exhausting through stack H-301.
- (f) One (1) natural gas-fired process heater, identified as H-302, installed in 1992, with a maximum capacity of 15.1 MMBtu/hr, and exhausting through stack H-302.
- (g) One (1) process heater, fueled by a combination of natural gas, No. 2 fuel oil equivalent, and off-gases, identified as H-401, installed in 1990, with a maximum capacity of 15.3 MMBtu/hr, and exhausting through stack H-401.
- (h) One (1) process heater, fueled by a combination of natural gas and No. 2 fuel oil equivalent, identified as H-402, installed in 1990, with a maximum capacity of 11.7

MMBtu/hr, and exhausting through stack H-402.

- (i) One (1) natural gas-fired process heater, identified as H-404, installed in 1994, with a maximum capacity of 9.0 MMBtu/hr, and exhausting through stack H-404.
- (j) One fractionation tower system, installed in 2002, consisting of:
 - (1) One (1) process heater, fueled by a combination of natural gas and off-gases, identified as H-406, with a maximum capacity of 20.0 MMBtu/hr, equipped with a low NO_x burner, and exhausting through stack H-406;
 - (2) One (1) vacuum tower;
 - (3) Six (6) air coolers;
 - (4) Two (2) air strippers; and
 - (5) Two (2) vacuum pumps and twenty (20) miscellaneous pumps.
- (k) One (1) storage tank, identified as T-9, installed in 1968, with a maximum capacity of 20,000 gallons.
- (l) Two (2) storage tanks, identified as T-26 and T-27, installed in 1968, with a maximum capacity of 19,110 gallons each.
- (m) One (1) storage tank, used for petroleum or condensate stored, processed, or treated prior to custody transfer, identified as T-51, installed in 1993, with a maximum capacity of 4,000,000 gallons, storing liquids with a maximum true vapor pressure that is less than 0.75 psia (5.17 kPa). Under 40 CFR 60, Subpart Kb, this is considered an existing affected facility.
- (n) One (1) storage tank, used for petroleum or condensate stored, processed, or treated prior to custody transfer, identified as T-52, installed in 1966, with a maximum capacity of 126,000 gallons.
- (o) Eleven (11) storage tanks, identified as T-101 through T-108, and T-110 through T-112, installed in 1989, with a maximum capacity of 30,000 gallons each, storing liquids with a maximum true vapor pressure that is less than 2.18 psia (15.0 kPa).
- (p) Two (2) storage tanks, identified as T-906 and T-907, installed in 1989, with a maximum capacity of 30,598 gallons each, storing liquids with a maximum true vapor pressure that is less than 2.18 psia (15.0 kPa).
- (q) Fourteen (14) storage tanks, identified as T-931, T-932, T-935, T-936, T-941, T-942, T-944, T-945, T-948, T-949, T-951, T-952, T-981 and T-982, installed in 1989, with a maximum capacity of 29,611 gallons each, storing liquids with a maximum true vapor pressure that is less than 2.18 psia (15.0 kPa).
- (r) Four (4) storage tanks, identified as T-933, T-934, T-946 and T-947, installed in 1989, with a maximum capacity of 29,617 gallons each, storing liquids with a maximum true vapor pressure that is less than 2.18 psia (15.0 kPa).
- (s) One (1) storage tank, identified as T-109, installed in 1989, with a maximum capacity of 20,000 gallons, storing liquids with a maximum true vapor pressure that is less than 2.18 psia (15.0 kPa).
- (t) Two (2) storage tanks, identified as T-120 and T-121, installed in 1989, with a maximum capacity of 15,000 gallons each.

- (u) Four (4) storage tanks, identified as T-651 through T-654, installed in 1992, with a maximum capacity of 30,401 gallons each, storing liquids with a maximum true vapor pressure that is less than 2.18 psia (15.0 kPa).
- (v) Four (4) storage tanks, used for petroleum or condensate stored, processed, or treated prior to custody transfer, identified as T-901 through T-904, installed in 1989, with a maximum capacity of 640,000 gallons each, storing liquids with a maximum true vapor pressure that is less than 0.75 psia (5.17 kPa). Under 40 CFR 60, Subpart Kb, this is considered an existing affected facility.
- (w) One (1) storage tank, used for petroleum or condensate stored, processed, or treated prior to custody transfer, identified as T-905, installed in 1989, with a maximum capacity of 120,000 gallons.
- (x) One (1) storage tank, used for petroleum or condensate stored, processed, or treated prior to custody transfer, identified as T-908, installed in 1989, with a maximum capacity of 170,000 gallons.
- (y) One (1) storage tank, used for petroleum or condensate stored, processed, or treated prior to custody transfer, identified as T-909, installed in 1952, with a maximum capacity of 2,000,000 gallons, storing liquids with a maximum true vapor pressure that is less than 0.75 psia (5.17 kPa).
- (z) One (1) storage tank, used for petroleum or condensate stored, processed, or treated prior to custody transfer, identified as T-911, installed in 1989, with a maximum capacity of 120,000 gallons.
- (aa) Two (2) storage tanks, identified as T-912 and T-913, installed in 1993, with a maximum capacity of 30,000 gallons each, storing liquids with a maximum true vapor pressure that is less than 2.18 psia (15.0 kPa).
- (bb) Three (3) storage tanks, identified as T-914 through T-916, installed in 1993, with a maximum capacity of 31,028 gallons each, storing liquids with a maximum true vapor pressure that is less than 2.18 psia (15.0 kPa).
- (cc) Two (2) storage tanks, identified as T-953 and T-954, installed in 1993, with a maximum capacity of 29,611 gallons each, storing liquids with a maximum true vapor pressure that is less than 2.18 psia (15.0 kPa).
- (dd) One (1) storage tank, used for petroleum or condensate stored, processed, or treated prior to custody transfer, identified as T-937, installed in 1989, with a maximum capacity of 300,000 gallons.
- (ee) One (1) storage tank, used for petroleum or condensate stored, processed, or treated prior to custody transfer, identified as T-938, installed in 1989, with a maximum capacity of 170,000 gallons.
- (ff) One (1) storage tank, used for petroleum or condensate stored, processed, or treated prior to custody transfer, identified as T-939, installed in 1989, with a maximum capacity of 640,000 gallons, storing liquids with a maximum true vapor pressure that is less than 0.75 psia (5.17 kPa). Under 40 CFR 60, Subpart Kb, this is considered an existing affected facility.
- (gg) One (1) storage tank, identified as T-950, installed in 1989, with a maximum capacity of 9,024 gallons.
- (hh) One (1) storage tank, used for petroleum or condensate stored, processed, or treated

- prior to custody transfer, identified as T-955, installed in 1994, with a maximum capacity of 128,520 gallons.
- (ii) Two (2) storage tanks, identified as T-961 and T-962, installed in 1994, with a maximum capacity of 30,000 gallons each, storing liquids with a maximum true vapor pressure that is less than 2.18 psia (15.0 kPa).
 - (jj) One (1) storage tank, identified as T-917, installed in 1995, with a maximum capacity of 31,208 gallons, storing liquids with a maximum true vapor pressure that is less than 2.18 psia (15.0 kPa).
 - (kk) Degreasing operations consisting of the following:
 - (1) One (1) cold cleaner, identified as Maintenance Degreaser;
 - (2) One (1) cold cleaner, identified as Railcar Unloading Area Degreaser;
 - (3) One (1) cold cleaner, identified as Tanker Trailer Unloading Bays 1&2; and
 - (4) One (1) cold cleaner, identified as Tanker Trailer Unloading Bays 3&4.

These four (4) degreasers do not use halogenated solvents.

- (ll) One (1) storage tank, used for petroleum or condensate stored, processed, or treated prior to custody transfer, identified as T-150, installed in 2009, with a maximum capacity of 4,000,000 gallons. Under 40 CFR 60, Subpart Kb, this is considered an affected facility.
- (mm) One (1) storage tank, used for petroleum or condensate stored, processed, or treated prior to custody transfer, identified as T-970, installed in 2009, with a maximum capacity of 2,000,000 gallons. Under 40 CFR 60, Subpart Kb, this is considered an affected facility.
- (nn) Five (5) storage tanks, used for petroleum or condensate stored, processed, or treated prior to custody transfer, identified as T-971, T-972, T-973, T-974, and T-975, installed in 2009, each with a maximum capacity of 1,000,000 gallons. Under 40 CFR 60, Subpart Kb, this is considered an affected facility.

A.3 Specifically Regulated Insignificant Activities
[326 IAC 2-7-1(21)][326 IAC 2-7-4(c)][326 IAC 2-7-5(15)]

This stationary source also includes the following insignificant activities which are specifically regulated, as defined in 326 IAC 2-7-1(21):

- (a) Degreasing operations that do not exceed 145 gallons per twelve (12) months, except if subject to 326 IAC 20-6.
 - (1) One (1) cold cleaner degreasing unit that does not use halogenated solvents, identified as Maintenance Degreaser 2, installed before 1990. [326 IAC 8-3-2] [326 IAC 8-3-5]
- (b) Paved and unpaved roads and parking lots with public access. [326 IAC 6-4] [326 IAC 6-8-10]
- (c) Fugitive dust from vehicle traffic. [326 IAC 6-4] [326 IAC 6-8-10]
- (d) Other categories with emissions below insignificant thresholds found in 326 IAC 2-7-1(21)(A)-(C)
 - (1) One (1) storage tank, identified as T-983, installed in 2005, with a maximum

capacity of 30,000 gallons, storing liquids with a maximum true vapor pressure that is less than 2.18 psia (15.0 kPa). [326 IAC 8-9-6(a) and (b)]

- (2) Twenty (20) storage tanks, identified as T-513, T-514, T-521, T-522, T-523, T-531, T-532, T-551, T-552, T-553, T-554, T-555, T-556, T-561, T-562, T-563, T-564, T-565, T-571, and T-595, approved in 2011 for construction, with a maximum capacity of 30,000 gallons or less, storing liquids with a maximum true vapor pressure that is less than 0.1 mmHg (0.1hPa). [326 IAC 8-9-6(a) and (b)]

A.4 Part 70 Permit Applicability [326 IAC 2-7-2]

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

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

SECTION B GENERAL CONDITIONS

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

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

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

- (a) This permit, T089-25906-00301, 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 or of permits issued pursuant to Title IV of the Clean Air Act and 326 IAC 21 (Acid Deposition Control).
- (b) If IDEM, OAQ, upon receiving a timely and complete renewal permit application, fails to issue or deny the permit renewal prior to the expiration date of this permit, this existing permit shall not expire and all terms and conditions shall continue in effect, including any permit shield provided in 326 IAC 2-7-15, until the renewal permit has been issued or denied.

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

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

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

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

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

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

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

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

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

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

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

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

- (a) A certification required by this permit meets the requirements of 326 IAC 2-7-6(1) if:

- (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)]

- (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]

- (a) A Preventive Maintenance Plan 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.

The Permittee shall implement the PMPs.

- (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.

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

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

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

The Permittee shall implement the PMPs.

- (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. The PMPs and their submittal do not require a certification that meets the requirements of 326 IAC 2-7-6(1) by a "responsible official" as defined by 326 IAC 2-7-1(34).
- (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]

- (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, or Northwest Regional Office within four (4) daytime business hours after the beginning of the emergency, or after the emergency was discovered or reasonably should have been discovered;

Telephone Number: 1-800-451-6027 (ask for Office of Air Quality, Compliance and Enforcement Branch), or
Telephone Number: 317-233-0178 (ask for Office of Air Quality, Compliance and Enforcement Branch)
Facsimile Number: 317-233-6865
Northwest Regional Office phone: (219) 757-0265; fax: (219) 757-0267.

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

Indiana Department of Environmental Management
Compliance and Enforcement Branch, Office of Air Quality
100 North Senate Avenue
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 T089-25906-00301 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, except for permits issued pursuant to Title IV of the Clean Air Act and 326 IAC 21 (Acid Deposition Control)

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

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

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

- (a) This permit may be modified, reopened, revoked and reissued, or terminated for cause. The filing of a request by the Permittee for a Part 70 Operating Permit modification, revocation and reissuance, or termination, or of a notification of planned changes or anticipated noncompliance does not stay any condition of this permit. [326 IAC 2-7-5(6)(C)] The notification by the Permittee does require a certification that meets the requirements of 326 IAC 2-7-6(1) by a "responsible official" as defined by 326 IAC 2-7-1(34).
- (b) This permit shall be reopened and revised under any of the circumstances listed in IC 13-15-7-2 or if IDEM, OAQ determines any of the following:
 - (1) That this permit contains a material mistake.
 - (2) That inaccurate statements were made in establishing the emissions standards or other terms or conditions.

- (3) That this permit must be revised or revoked to assure compliance with an applicable requirement. [326 IAC 2-7-9(a)(3)]
- (c) Proceedings by IDEM, OAQ to reopen and revise this permit shall follow the same procedures as apply to initial permit issuance and shall affect only those parts of this permit for which cause to reopen exists. Such reopening and revision shall be made as expeditiously as practicable. [326 IAC 2-7-9(b)]
- (d) The reopening and revision of this permit, under 326 IAC 2-7-9(a), shall not be initiated before notice of such intent is provided to the Permittee by IDEM, OAQ at least thirty (30) days in advance of the date this permit is to be reopened, except that IDEM, OAQ may provide a shorter time period in the case of an emergency. [326 IAC 2-7-9(c)]

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

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

Request for renewal shall be submitted to:

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

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

B.17 Permit Amendment or Modification [326 IAC 2-7-11][326 IAC 2-7-12] [40 CFR 72]

- (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) Pursuant to 326 IAC 2-7-11(b) and 326 IAC 2-7-12(a), administrative Part 70 operating permit amendments and permit modifications for purposes of the acid rain portion of a Part 70 permit shall be governed by regulations promulgated under Title IV of the Clean Air Act. [40 CFR 72]

- (c) 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).

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

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

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

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

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

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

and

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

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

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

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

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

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

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

- (c) Emission Trades [326 IAC 2-7-20(c)]
The Permittee may trade emissions increases and decreases at the source, where the applicable SIP provides for such emission trades without requiring a permit revision, subject to the constraints of Section (a) of this condition and those in 326 IAC 2-7-20(c).
- (d) Alternative Operating Scenarios [326 IAC 2-7-20(d)]
The Permittee may make changes at the source within the range of alternative operating scenarios that are described in the terms and conditions of this permit in accordance with 326 IAC 2-7-5(9). No prior notification of IDEM, OAQ, or U.S. EPA is required.
- (e) Backup fuel switches specifically addressed in, and limited under, Section D of this permit shall not be considered alternative operating scenarios. Therefore, the notification requirements of part (a) of this condition do not apply.
- (f) This condition does not apply to emission trades of SO₂ or NO_x under 326 IAC 21 or 326 IAC 10-4.

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

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

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

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

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

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

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

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

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

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

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

B.24 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.25 Credible Evidence [326 IAC 2-7-5(3)][326 IAC 2-7-6][62 FR 8314] [326 IAC 1-1-6]

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

SECTION C

SOURCE OPERATION CONDITIONS

Entire Source

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

C.1 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 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 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.3 Incineration [326 IAC 4-2] [326 IAC 9-1-2]

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

C.4 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.5 Fugitive Particulate Matter 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 Permittee shall achieve these limits by controlling fugitive particulate matter emissions according to the attached Fugitive Dust Control Plan.

C.6 Asbestos Abatement Projects [326 IAC 14-10] [326 IAC 18] [40 CFR 61, Subpart M]

- (a) Notification requirements apply to each owner or operator. If the combined amount of regulated asbestos containing material (RACM) to be stripped, removed or disturbed is at

least 260 linear feet on pipes or 160 square feet on other facility components, or at least thirty-five (35) cubic feet on all facility components, then the notification requirements of 326 IAC 14-10-3 are mandatory. All demolition projects require notification whether or not asbestos is present.

- (b) The Permittee shall ensure that a written notification is sent on a form provided by the Commissioner at least ten (10) working days before asbestos stripping or removal work or before demolition begins, per 326 IAC 14-10-3, and shall update such notice as necessary, including, but not limited to the following:
 - (1) When the amount of affected asbestos containing material increases or decreases by at least twenty percent (20%); or
 - (2) If there is a change in the following:
 - (A) Asbestos removal or demolition start date;
 - (B) Removal or demolition contractor; or
 - (C) Waste disposal site.
- (c) The Permittee shall ensure that the notice is postmarked or delivered according to the guidelines set forth in 326 IAC 14-10-3(2).
- (d) The notice to be submitted shall include the information enumerated in 326 IAC 14-10-3(3).

All required notifications shall be submitted to:

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

The notice shall include a signed certification from the owner or operator that the information provided in this notification is correct and that only Indiana licensed workers and project supervisors will be used to implement the asbestos removal project. The notifications do not require a certification that meets the requirements of 326 IAC 2-7-6(1) by a "responsible official" as defined by 326 IAC 2-7-1(34).

- (e) **Procedures for Asbestos Emission Control**
The Permittee shall comply with the applicable emission control procedures in 326 IAC 14-10-4 and 40 CFR 61.145(c). Per 326 IAC 14-10-1, emission control requirements are applicable for any removal or disturbance of RACM greater than three (3) linear feet on pipes or three (3) square feet on any other facility components or a total of at least 0.75 cubic feet on all facility components.
- (f) **Demolition and Renovation**
The Permittee shall thoroughly inspect the affected facility or part of the facility where the demolition or renovation will occur for the presence of asbestos pursuant to 40 CFR 61.145(a).
- (g) **Indiana Licensed Asbestos Inspector**
The Permittee shall comply with 326 IAC 14-10-1(a) that requires the owner or operator, prior to a renovation/demolition, to use an Indiana Licensed Asbestos Inspector to thoroughly inspect the affected portion of the facility for the presence of asbestos. The requirement to use an Indiana Licensed Asbestos inspector is not federally enforceable.

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

C.7 Performance Testing [326 IAC 3-6]

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

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

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

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

Compliance Requirements [326 IAC 2-1.1-11]

C.8 Compliance Requirements [326 IAC 2-1.1-11]

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

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

C.9 Compliance Monitoring [326 IAC 2-7-5(3)][326 IAC 2-7-6(1)]

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

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

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

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

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

C.10 Instrument Specifications [326 IAC 2-1.1-11] [326 IAC 2-7-5(3)] [326 IAC 2-7-6(1)]

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

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

C.11 Emergency Reduction Plans [326 IAC 1-5-2] [326 IAC 1-5-3]

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

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

C.12 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.13 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.14 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.15 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), the Permittee shall submit by July 1 an emission statement covering the previous calendar year as follows:
 - (1) starting in 2004 and every three (3) years thereafter, and
 - (2) any year not already required under (1) if the source emits volatile organic compounds or oxides of nitrogen into the ambient air at levels equal to or greater than twenty-five (25) tons during the previous calendar year.
- (b) 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.16 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, for all record keeping requirements not already legally required, the Permittee shall be allowed up to ninety (90) days from the date of permit issuance or the date of initial start-up, whichever is later, to begin such record keeping.

C.17 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 not later than thirty (30) days after the end of the reporting period. The Quarterly Deviation and Compliance Monitoring Report shall include a certification that meets the requirements of 326 IAC 2-7-6(1) by a "responsible official" as defined by 326 IAC 2-7-1(34). A deviation is an exceedance of a permit limitation or a failure to comply with a requirement of the permit.
- (b) The address for report submittal is:

Indiana Department of Environmental Management
Compliance and Enforcement Branch, Office of Air Quality
100 North Senate Avenue
MC 61-53 IGCN 1003
Indianapolis, Indiana 46204-2251
- (c) Unless otherwise specified in this permit, any notice, report, or other submission required by this permit shall be considered timely if the date postmarked on the envelope or certified mail receipt, or affixed by the shipper on the private shipping receipt, is on or before the date it is due. If the document is submitted by any other means, it shall be considered timely if received by IDEM, OAQ on or before the date it is due.
- (d) 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.18 Compliance with 40 CFR 82 and 326 IAC 22-1

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

SECTION D.1 EMISSIONS UNIT OPERATION CONDITIONS

Emissions Unit Description:

- (a) One (1) natural gas-fired boiler, identified as SB-801, installed in 1981, with a maximum capacity of 36.0 MMBtu/hr, and exhausting through stack SB-801.
- (b) One (1) natural gas-fired boiler, identified as SB-820, installed in 1991, with a maximum capacity of 44.5 MMBtu/hr, and exhausting through stack SB-820.
- (c) One (1) natural gas-fired boiler, identified as SB-821, installed in 1990, with a maximum capacity of 42.5 MMBtu/hr, and exhausting through stack SB-821.
- (d) One (1) process heater, fueled by a combination of natural gas, No. 2 fuel oil equivalent, and off-gases, identified as H-201, installed in 1990, with a maximum capacity of 27.3 MMBtu/hr, and exhausting through stack H-201.
- (e) One (1) process heater, fueled by a combination of natural gas and No. 2 fuel oil equivalent, identified as H-301, installed in 1989, with a maximum capacity of 20.0 MMBtu/hr, and exhausting through stack H-301.
- (f) One (1) natural gas-fired process heater, identified as H-302, installed in 1992, with a maximum capacity of 15.1 MMBtu/hr, and exhausting through stack H-302.
- (g) One (1) process heater, fueled by a combination of natural gas, No. 2 fuel oil equivalent, and off-gases, identified as H-401, installed in 1990, with a maximum capacity of 15.3 MMBtu/hr, and exhausting through stack H-401.
- (h) One (1) process heater, fueled by a combination of natural gas and No. 2 fuel oil equivalent, identified as H-402, installed in 1990, with a maximum capacity of 11.7 MMBtu/hr, and exhausting through stack H-402.
- (i) One (1) natural gas-fired process heater, identified as H-404, installed in 1994, with a maximum capacity of 9.0 MMBtu/hr, and exhausting through stack H-404.
- (j) One fractionation tower system installed in 2002, consisting of:
 - (1) One (1) process heater, fueled by a combination of natural gas and off-gases, identified as H-406, installed in 2002, with a maximum capacity of 20.0 MMBtu/hr, equipped with a low NO_x burner, and exhausting through stack H-406.
 - (2) One (1) vacuum tower.
 - (3) Six (6) air coolers.
 - (4) Two (2) air strippers.
 - (5) Two (2) vacuum pumps and twenty (20) miscellaneous pumps.

(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 Sulfur Dioxide (SO₂) Emission Limitations [326 IAC 7-4.1-16]

- (a) Pursuant to 326 IAC 7-4.1-16(1), Boilers SB-801, SB-820, and SB-821, and Process Heaters H-302 and H-404 shall use natural gas only.
- (b) Pursuant to 326 IAC 7-4.1-16(2), the following requirements shall apply:
- (1) Process Heater H-201, with a capacity (rating) of twenty-seven and three-tenths (27.3) MMBtu per hour, shall use a combination of natural gas, No. 2 fuel oil equivalent, and off-gases;
 - (2) Process Heater H-301, with a capacity of twenty and zero-tenths (20.0) MMBtu per hour, shall use a combination of natural gas and No. 2 fuel oil equivalent; and
 - (3) The combined sulfur dioxide emissions from these two (2) process heaters shall not exceed fourteen (14) pounds per hour and sixty (60) tons per twelve (12) consecutive month period.
- (c) Pursuant to 326 IAC 7-4.1-16(3), the following requirements shall apply:
- (1) Process Heater H-401, with a capacity of fifteen and three-tenths (15.3) MMBtu per hour, shall use a combination of natural gas, No. 2 fuel oil equivalent, and off-gases;
 - (2) Process Heater H-402, with a capacity of eleven and seven-tenths (11.7) MMBtu per hour, shall use a combination of natural gas and No. 2 fuel oil equivalent; and
 - (3) The combined sulfur dioxide emissions from these two (2) process heaters shall not exceed ten and eight-tenths (10.8) pounds per hour and forty-seven and three-tenths (47.3) tons per twelve (12) consecutive month period.
- (d) Pursuant to 326 IAC 7-4.1-16(4), Process Heater H-406, with a capacity of twenty (20.0) MMBtu per hour, shall use a combination of natural gas and off-gases. The sulfur dioxide emissions shall not exceed eight (8) pounds per hour.
- (e) To demonstrate compliance with the SO₂ emission limits in paragraphs (b)(3), (c)(3), and (d) of this condition, the SO₂ emission rates shall be calculated using the following emission factors:

Fuel Type	Emission Factor for Process Heaters
Natural Gas	0.6 pounds per million cubic feet of natural gas
Off-gases	950 pounds per million cubic feet of off-gas times the sulfur content (%)
No. 2 Fuel Oil Equivalent	142 pounds per kilo-gallon of No. 2 fuel oil equivalent times the sulfur content (%)

D.1.2 Particulate [326 IAC 6-2-2]

Pursuant to 326 IAC 6-2-2 (Particulate Emission Limitations for Sources of Indirect Heating), the particulate emissions from boiler, identified as SB-801, which was existing and in operation after June 8, 1972 and prior to September 21, 1983, shall not exceed 0.49 pounds per MMBtu heat input.

This limitation is based on the following equation:

$$Pt = \frac{0.87}{Q^{0.16}} \quad \text{Where: } Pt = \text{Pounds of particulate matter emitted per million Btu (lb/mmBtu) heat input.}$$

Q = total source maximum operating capacity rating in million Btu per hour (mmBtu/hr) heat input.

D.1.3 Particulate [326 IAC 6-2-4]

Pursuant to 326 IAC 6-2-4 (Particulate Emission Limitations for Source of Indirect Heating: emission limitations for facilities specifically listed in 326 IAC 6-2-1(d)), particulate emissions from the two (2) boilers (SB-820 and SB-821), installed after September 21, 1983, shall not exceed 0.30 and 0.33 pounds of particulate matter per MMBtu heat input, respectively.

The limitations are based on the following equation:

$$Pt = \frac{1.09}{Q^{0.26}} \quad \text{Where } Pt = \text{pounds of particulate matter emitted per million Btu (lb/mmBtu) heat input.}$$

Q = capacity for facility in question and capacity of those facilities which were previously constructed or received prior permits to construct.

D.1.4 Preventive Maintenance Plan [326 IAC 1-6-3] [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.1.5 Sulfur Dioxide Emissions and Sulfur Content [326 IAC 7-4.1-16(5)]

(a) The compliance status with Condition D.1.1, shall be determined utilizing 326 IAC 7-4.1-16(5)(A) as follows:

- (1) Monitor sulfur content in the off-gas streams for Process Heaters H-201, H-401, and H-406.
- (2) Prior to sampling the fuel in the fuel tank, mix the contents of the tank to ensure consistent composition of the fuel throughout the tank.
- (3) Perform fuel sampling and analysis for the sulfur content of the fuel in each fuel tank:
 - (A) Prior to the first time the fuel is burned; and
 - (B) Subsequently, prior to burning the fuel whenever additional fuel has been added to the tank since the last sampling event.
- (4) Maintain records sufficient to demonstrate compliance for at least three (3) years.
- (5) Submit an excess emissions report to the department not later than thirty (30)

days after the end of each calendar quarter.

- (b) In order to determine the compliance status with the hourly and annual SO₂ emission limitations in Condition D.1.1(a)(3), (b)(3), (c)(3), and (d), the Permittee shall utilize the fuel sampling and analysis protocol specified in the 326 IAC 7-4.1-16(5) compliance option that Safety-Kleen Oil Recovery Co. selected in paragraph (a) of this condition. The protocol states:

- (1) For liquid heater fuel:

Sampling

Subsequent to the addition and mixing of liquid heater fuel into a tank, a sample shall be obtained in the following manner:

- (A) The operator shall drain off approximately one (1) gallon from the sample tap before taking the sample;
- (B) The sample shall be labeled (with the tank number, product type, date, time and initials of the sampler); and
- (C) The sample shall be submitted to the on-site laboratory for analysis

Analysis

- (D) The laboratory personnel shall enter the sample into the sample log book;
- (E) The sample will be analyzed using an ELTRA CS-500 Double Dual Range Carbon/Sulfur Determinator. This Sulfur Determinator utilizes method ASTM D1552-03 to determine sulfur content; or as back up, an Inductively Coupled Plasma Analyzer utilizing EPA Test Method 6010 shall be used to determine sulfur content;
- (F) The results of the analysis shall be recorded in the sample log book; and
- (G) The laboratory shall issue a tank release form to the operator, which will indicate the sulfur content of the heater fuel.
- (H) Once the tank release form is issued, the contents of the tank shall be available to fuel the process heaters.
- (I) Anytime that heater fuel is added to the tank, the sampling and analysis process noted in paragraphs (b)(1)(A) through (H) of this condition shall be repeated for the tank.

- (2) For off-gas fuel:

Except for monitoring system malfunctions, associated repairs, and required quality assurance or control activities (including as applicable, calibration checks and required zero and span adjustments) the Permittee shall monitor continuously (or collect data at all required intervals) any time a source of emissions is operating.

- (A) Two (2) Antec P6200S Analyzers shall be used for the sulfur analysis of the off-gas fuel streams. With these analyzers, the sample is pyrolyzed with an excess of oxygen, which converts all of the components in the sample to permanent gases. Sulfur compounds are converted to sulfur

dioxide (SO₂).

- (i) One (1) analyzer shall be connected to the supply line from V-410, through which the off-gas flows to the process heaters. The analyzer shall be programmed to automatically sample and analyze this supply line, at a minimum of four (4) times per hour.
 - (ii) One (1) analyzer shall be connected to the supply line from V-307, through which the off-gas flows to the process heaters. The analyzer shall be programmed to automatically sample and analyze this supply line, at a minimum of two (2) times per hour.
- (B) The analyzer shall be connected to the digital control system (DCS) in the Operations Control Room. This DCS shall record and display the concentration in ppm. An alarm is set on the DCS to alert the operator, if concentrations are such that a response is required from the operator.
- (C) Off-gas from process vessel V-423 shall be analyzed annually for sulfur content using methods ASTM D1945/D3588 for major component gas analysis and ASTM D6228 for trace sulfides analysis.

Compliance with the SO₂ emissions limit in Condition D.1.1(d) for Unit H-406 shall be determined by using the following equation:

- (i) Pounds SO₂/hour determination from process off-gas in Vessel, V-423 per Condition D.1.1(e):
$$\text{Lbs SO}_2/\text{hour} = \text{MMCF V-423 off-gas /hr.} \times (950 (\%S) \text{ lb} / \text{MMCF off-gas})$$
- (ii) Pounds SO₂/hour determination from process off-gas Vessel, V-307 per Condition D.1.1(e) combusted at Heater H-406:
$$\text{Lbs SO}_2/\text{hour} = \text{MMCF V-307 off-gas /hr.} \times (950 (\%S) \text{ lb} / \text{MMCF off-gas})$$
- (iii) Pounds SO₂/hour determination from process off-gas Vessel, V-410 per Condition D.1.1(e) combusted at Heater H-406:
$$\text{Lbs SO}_2/\text{hour} = \text{MMCF V-410 off-gas /hr.} \times (950 (\%S) \text{ lb} / \text{MMCF off-gas})$$
- (iv) Pounds SO₂/hour determination from natural gas combustion at H-406 per Condition D.1.1(e) combusted at Heater H-406:
$$\text{Lbs SO}_2/\text{hour} = \text{MMCF N.G. combusted at H-406/hr} \times 0.6 \text{ lb/MMCF of N.G.}$$
- (v) Total Lbs SO₂/hour at H-406 = (i) + (ii) + (iii) + (iv)

Monitoring System Malfunction

Back-up off-gas analyzer procedures are as follows:

- (D) Any interruption in the collection of valid data that lasts more than twelve (12) hours shall be substituted with manual sampling. Manual sampling data shall begin within the first twelve (12) hours after the last sample analyzed by the Antec P6200S Analyzer. Manual sampling shall continue once every twelve (12) hour period (once per shift) until a valid analysis has been taken.
- (E) Corrective action shall be taken in the event of an unscheduled

monitoring system malfunction.

- (F) IDEM, OAQ shall be notified prior to any scheduled monitoring system malfunction that will last longer than one (1) week.
- (c) In addition, the Permittee shall submit a report to IDEM ~~within~~ **not later than** thirty (30) days after the end of each calendar quarter. The reports shall contain the following information:
 - (1) Daily records of sulfur content that result from the fuel sampling and analysis performed for the following fuels:
 - (A) No. 2 fuel oil equivalent;
 - (B) Off-gases;
 - (2) Fuel consumption on a daily basis;
 - (3) For all monitor system malfunctions, the Permittee shall submit:
 - (A) Beginning and end dates and time of the monitor system malfunction;
 - (B) The corrective actions taken; and
 - (C) The manual sampling data substituted.

D.1.6 Testing Requirements [326 IAC 2-7-6(1),(6)] [326 IAC 2-1.1-11]

In order to demonstrate the compliance status with Condition D.1.1(d), the Permittee shall perform sulfur content testing of the off-gas from Vessel V-423 to verify the emission factor set forth in Condition D.1.1(e). The test shall be performed in accordance with Condition D.1.5(b)(2)(C) or utilizing methods as approved by the Commissioner. This test shall be repeated annually from the last valid compliance demonstration. Section C - Performance Testing contains the Permittee's obligation with regard to the performance testing required by this condition.

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

D.1.7 Visible Emissions Notations

- (a) Visible emissions notations of Process Heaters H-201, H-301, H-401 and H-402 stack exhausts shall be performed once per day during normal daylight operations while combusting fuel oil equivalents. 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. 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.

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

D.1.8 Record Keeping Requirements

- (a) To document the compliance status with Condition D.1.1, the Permittee shall maintain records in accordance with (1) through (3) below. Records maintained for (1) through (3) shall be taken monthly and shall be complete and sufficient to establish compliance with the SO₂ emission limits established in Condition D.1.1. Records necessary to demonstrate compliance shall be available not later than thirty (30) days of the end of each compliance period.
 - (1) Calendar dates covered in the compliance determination period;
 - (2) Actual fuel (natural gas, No. 2 fuel oil and off-gas) usage since last compliance determination period and equivalent sulfur dioxide emissions;
 - (3) To certify compliance when burning natural gas only, the Permittee shall maintain records of fuel used.
- (b) To document the compliance status with Conditions D.1.1(b)(3), (c)(3), (d) and (e), the Permittee shall maintain records of daily fuel usage as well as a log of the sulfur content obtained from each fuel sampling and analysis performed in accordance with Condition D.1.5(b).
- (c) To document the compliance status with Condition D.1.7, the Permittee shall maintain records of daily visible emission notations of the process heater stack exhausts when exhausting to the atmosphere for the process heaters which are combusting No. 2 fuel oil equivalents. The Permittee shall include in its daily record when a visible emission notation is not taken and the reason for the lack of visible emission notation (e.g. the process did not operate that day).
- (d) Section C - General Record Keeping Requirements, contains the Permittee's obligations with regard to the records required by this condition.

D.1.9 Reporting Requirements

- (a) A quarterly summary of the information to document the compliance status with the annual (tons per year) limits contained in Conditions D.1.1(b)(3) and (c)(3), and 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 being reported. Section C - General Reporting contains the Permittee's obligation with regard to the reporting 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).
- (b) To document the compliance status with Condition D.1.1(a), the Permittee shall submit the natural gas certification using the reporting forms located at the end of this permit, or its equivalent, not later than thirty (30) days after the end of the six (6) month period being reported. Section C - General Reporting contains the Permittee's obligation with regard to the reporting required by this condition. The natural gas certification 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).
- (c) To document the compliance status with Condition D.1.5(c), the Permittee shall submit a report to IDEM, OAQ not later than thirty (30) days after the end of each calendar quarter.

SECTION D.2 EMISSIONS UNIT OPERATION CONDITIONS

Emissions Unit Description:

- (a) Degreasing operations consisting of the following:
- (1) One (1) cold cleaner, identified as Maintenance Degreaser;
 - (2) One (1) cold cleaner, identified as Railcar Unloading Area Degreaser;
 - (3) One (1) cold cleaner, identified as Tanker Trailer Unloading Bays 1&2; and
 - (4) One (1) cold cleaner, identified as Tanker Trailer Unloading Bays 3&4.

These four (4) degreasers do not use halogenated solvents.

Insignificant Activity:

- (b) Degreasing operations that do not exceed 145 gallons per twelve (12) months, except if subject to 326 IAC 20-6.
- (1) One (1) cold cleaner degreasing unit that does not use halogenated solvents, identified as Maintenance Degreaser 2, installed before 1990. [326 IAC 8-3-2] [326 IAC 8-3-5]

(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 Volatile Organic Compounds (VOC) [326 IAC 2-3]

The VOC emissions from the degreasing operations shall not exceed fifteen (15) tons per twelve (12) consecutive month period, with compliance determined at the end of each month. Compliance with this limit shall keep the sourcewide VOC emissions below the twenty-five (25) tons per year threshold for Emission Offset.

D.2.2 Volatile Organic Compounds (VOC) [326 IAC 8-3-5] [326 IAC 8-3-2]

- (a) Pursuant to 326 IAC 8-3-5(a) (Cold Cleaner Degreaser Operation and Control), for cold cleaning operations located in Lake County and existing as of July 1, 1990, the owner or operator of a cold cleaner degreaser facility shall ensure that the following control equipment requirements are met:
- (1) Equip the degreaser with a cover. The cover must be designed so that it can be easily operated with one (1) hand if:
 - (A) The solvent volatility is greater than two (2) kiloPascals (fifteen (15) millimeters of mercury or three-tenths (0.3) pounds per square inch) measured at thirty-eight degrees Celsius (38°C)(one hundred degrees Fahrenheit (100°F));
 - (B) The solvent is agitated; or
 - (C) The solvent is heated.
 - (2) Equip the degreaser with a facility for draining cleaned articles. If the solvent volatility is greater than four and three-tenths (4.3) kiloPascals (thirty-two (32)

millimeters of mercury or six-tenths (0.6) pounds per square inch) measured at thirty-eight degrees Celsius (38°C)(one hundred degrees Fahrenheit (100°F)), then the drainage facility must be internal such that articles are enclosed under the cover while draining. The drainage facility may be external for applications where an internal type cannot fit into the cleaning system.

- (3) Provide a permanent, conspicuous label which lists the operating requirements outlined in subsection (b).
 - (4) The solvent spray, if used, must be a solid, fluid stream and shall be applied at a pressure which does not cause excessive splashing.
 - (5) Equip the degreaser with one (1) of the following control devices if the solvent volatility is greater than four and three-tenths (4.3) kiloPascals (thirty-two (32) millimeters of mercury or six-tenths (0.6) pounds per square inch) measured at thirty-eight degrees Celsius (38°C)(one hundred degrees Fahrenheit (100°F)), or if the solvent is heated to a temperature greater than forty-eight and nine-tenths degrees Celsius (48.9°C) (one hundred twenty degrees Fahrenheit (120°F)):
 - (A) A freeboard that attains a freeboard ratio of seventy-five hundredths (0.75) or greater.
 - (B) A water cover when solvent is used is insoluble in, and heavier than, water.
 - (C) Other systems of demonstrated equivalent control such that as a refrigerated chiller or carbon adsorption. Such systems shall be submitted to the U.S. EPA as a SIP revision.
- (b) Pursuant to 326 IAC 8-3-5(b) (Cold Cleaner Degreaser Operation and Control), the owner or operator of a cold cleaning facility shall ensure that the following operating requirements are met:
- (1) Close the cover whenever the articles are not being handled in the degreaser.
 - (2) Drain cleaned articles for at least fifteen (15) seconds or until dripping ceases.
 - (3) Store waste solvent only in covered containers and prohibit the disposal or transfer of waste solvent in any manner in which greater than twenty percent (20%) of the waste solvent by weight could evaporate.

Compliance Determination Requirements

D.2.3 VOC Emissions

Compliance with Condition D.2.1 shall be demonstrated not later than thirty (30) days of the end of each month. This determination shall be based on the total volatile organic compound emitted for the previous month, added to the previous eleven (11) months total VOC emitted so as to arrive at VOC emissions for the most recent twelve (12) consecutive month period. The VOC emissions for a month shall be calculated by the following:

$$E = [(S_{\text{clean}} - S_{\text{spent}}) * \delta] / 2000$$

Where: E = VOC emissions in tons

S_{clean} = Clean solvent purchased in gallons;

S_{spent} = Spent solvent manifested and shipped off-site for reclaim in gallons; and

δ = Density of the solvent in lbs/gal

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

D.2.4 Record Keeping Requirements

- (a) To document the compliance status with Condition D.2.1, the Permittee shall maintain records of all degreasing clean solvent purchases and spent solvent manifests. Records maintained shall be taken monthly and shall be complete and sufficient to establish compliance with the VOC emission limit established in Condition D.2.1.

- (b) Section C - General Record Keeping Requirements, contains the Permittee's obligations with regard to the records required by this condition.

D.2.5 Reporting Requirements

A quarterly summary of the information to document compliance with the annual (tons per year) limits contained in Conditions 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 being reported. Section C - General Reporting contains the Permittee's obligation with regard to the reporting required by this condition. The natural gas certification submitted by the Permittee. The report submitted by the Permittee does require a certification by a "responsible official" as defined by 326 IAC 2-7-1(34).

SECTION D.3 EMISSIONS UNIT OPERATION CONDITIONS

Emissions Unit Description:

- (a) One (1) storage tank, identified as T-9, installed in 1968, with a maximum capacity of 20,000 gallons.
- (b) Two (2) storage tanks, identified as T-26 and T-27, installed in 1968, with a maximum capacity of 19,110 gallons each.
- (c) Eleven (11) storage tanks, identified as T-101 through T-108, and T-110 through T-112, installed in 1989, with a maximum capacity of 30,000 gallons each, storing liquids with a maximum true vapor pressure that is less than 2.18 psia (15.0 kPa).
- (d) Two (2) storage tanks, identified as T-906 and T-907, installed in 1989, with a maximum capacity of 30,598 gallons each, storing liquids with a maximum true vapor pressure that is less than 2.18 psia (15.0 kPa).
- (e) Fourteen (14) storage tanks, identified as T-931, T-932, T-935, T-936, T-941, T-942, T-944, T-945, T-948, T-949, T-951, T-952, T-981 and T-982, installed in 1989, with a maximum capacity of 29,611 gallons each, storing liquids with a maximum true vapor pressure that is less than 2.18 psia (15.0 kPa).
- (f) Four (4) storage tanks, identified as T-933, T-934, T-946 and T-947, installed in 1989, with a maximum capacity of 29,617 gallons each, storing liquids with a maximum true vapor pressure that is less than 2.18 psia (15.0 kPa).
- (g) One (1) storage tank, identified as T-109, installed in 1989, with a maximum capacity of 20,000 gallons, storing liquids with a maximum true vapor pressure that is less than 2.18 psia (15.0 kPa).
- (h) Two (2) storage tanks, identified as T-120 and T-121, installed in 1989, with a maximum capacity of 15,000 gallons each.
- (i) Four (4) storage tanks, identified as T-651 through T-654, installed in 1992, with a maximum capacity of 30,401 gallons each, storing liquids with a maximum true vapor pressure that is less than 2.18 psia (15.0 kPa).
- (j) One (1) storage tank, used for petroleum or condensate stored, processed, or treated prior to custody transfer, identified as T-909, installed in 1952, with a maximum capacity of 2,000,000 gallons, storing liquids with a maximum true vapor pressure that is less than 0.75 psia (5.17 kPa).
- (k) Two (2) storage tanks, identified as T-912 and T-913, installed in 1993, with a maximum capacity of 30,000 gallons each, storing liquids with a maximum true vapor pressure that is less than 2.18 psia (15.0 kPa).
- (l) Three (3) storage tanks, identified as T-914 through T-916, installed in 1993, with a maximum capacity of 31,028 gallons each, storing liquids with a maximum true vapor pressure that is less than 2.18 psia (15.0 kPa).
- (m) Two (2) storage tanks, identified as T-953 and T-954, installed in 1993, with a maximum capacity of 29,611 gallons each, storing liquids with a maximum true vapor pressure that is less than 2.18 psia (15.0 kPa).
- (n) One (1) storage tank, identified as T-950, installed in 1989, with a maximum capacity of 9,024 gallons.

- (o) Two (2) storage tanks, identified as T-961 and T-962, installed in 1994, with a maximum capacity of 30,000 gallons each, storing liquids with a maximum true vapor pressure that is less than 2.18 psia (15.0 kPa).
- (p) One (1) storage tank, identified as T-917, installed in 1995, with a maximum capacity of 31,208 gallons, storing liquids with a maximum true vapor pressure that is less than 2.18 psia (15.0 kPa).

Insignificant Activities:

- (d) Other categories with emissions below insignificant thresholds found in 326 IAC 2-7-1(21)(A)-(C)
 - (1) One (1) storage tank, identified as T-983, installed in 2005, with a maximum capacity of 30,000 gallons, storing liquids with a maximum true vapor pressure that is less than 2.18 psia (15.0 kPa). [326 IAC 8-9-6(a) and (b)]
 - (2) Twenty (20) storage tanks, identified as T-513, T-514, T-521, T-522, T-523, T-531, T-532, T-551, T-552, T-553, T-554, T-555, T-556, T-561, T-562, T-563, T-564, T-565, T-571, and T-595, approved in 2011 for construction, with a maximum capacity of 30,000 gallons or less, storing liquids with a maximum true vapor pressure that is less than 0.1 mmHg (0.1hPa). [326 IAC 8-9-6(a) and (b)]

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

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

D.3.1 Volatile Organic Liquid Storage Vessels [326 IAC 8-9]

- (a) The storage tanks, identified as T-9, T-26, T-27, T-101 through T-112, T-120, T-121, T-651 through T-654, T-906, T-907, T-912 through T-917, T-931 through T-936, T-941, T-942, T-944 through T-954, T-961, T-962, T-981 through T-983, T-513, T-514, T-521, T-522, T-523, T-531, T-532, T-551, T-552, T-553, T-554, T-555, T-556, T-561, T-562, T-563, T-564, T-565, T-571, and T-595, are required to comply with the following
 - (1) The Permittee of each vessel subject to this rule shall keep all records required by this section for three (3) years unless specified otherwise.
 - (2) The Permittee of each vessel to which 326 IAC 8-9-1 of this rule applies shall maintain a record and submit to the IDEM, OAQ a report containing the following information for each vessel:
 - (A) The vessel identification number;
 - (B) The vessel dimensions; and
 - (C) The vessel capacity.

These records shall be maintained for the life of the source.

- (b) The storage tank identified as T-909 must comply with the following since each tank stores a liquid that contains volatile organic compounds whose maximum true vapor pressure is no more than 0.75 psia.
 - (1) The Permittee of each vessel subject to this rule shall keep all records required by this section for three (3) years unless specified otherwise.

- (2) The Permittee of each vessel to which 326 IAC 8-9-1 of this rule applies shall maintain a record and submit to the IDEM, OAQ a report containing the following information for each vessel:
- (A) The vessel identification number;
 - (B) The vessel dimensions; and
 - (C) The vessel capacity.

These records shall be maintained for the life of the source.

- (3) The Permittee of each vessel either with a design capacity greater than or equal to thirty-nine thousand (39,000) gallons storing a VOL with a maximum true vapor pressure greater than or equal to five-tenths (0.5) pound per square inch absolute (psia) but less than seventy-five hundredths (0.75) psia shall maintain a record of the maximum true vapor pressure of the VOL stored in each vessel. The record for each vessel shall contain the following information:
- (A) The type of VOL stored;
 - (B) The dates of the VOL storage; and
 - (C) For each day of VOL storage, the average stored temperature for VOLs stored above or below the ambient temperature or average ambient temperature for VOLs stored at ambient temperature, and the corresponding maximum true vapor pressure.
- (4) The Permittee of each vessel with a design capacity greater than or equal to thirty-nine thousand (39,000) gallons storing a liquid with a maximum true vapor pressure that is normally less than seventy-five hundredths (0.75) psia shall maintain a record and notify the IDEM, OAQ ~~within~~ **not later than** thirty (30) days when the maximum true vapor pressure of the liquid exceeds seventy-five hundredths (0.75) psia.

SECTION E.1 EMISSIONS UNIT OPERATION CONDITIONS

Emissions Unit Description:

- (a) One (1) storage tank, used for petroleum or condensate stored, processed, or treated prior to custody transfer, identified as T-51, installed in 1993, with a maximum capacity of 4,000,000 gallons, storing liquids with a maximum true vapor pressure that is less than 0.75 psia (5.17 kPa);
- (b) Four (4) storage tanks, used for petroleum or condensate stored, processed, or treated prior to custody transfer, identified as T-901 through T-904, installed in 1989, with a maximum capacity of 640,000 gallons each, storing liquids with a maximum true vapor pressure that is less than 0.75 psia (5.17 kPa);
- (c) One (1) storage tank, used for petroleum or condensate stored, processed, or treated prior to custody transfer, identified as T-905, installed in 1989, with a maximum capacity of 120,000 gallons.
- (d) One (1) storage tank, used for petroleum or condensate stored, processed, or treated prior to custody transfer, identified as T-939, installed in 1989, with a maximum capacity of 640,000 gallons, storing liquids with a maximum true vapor pressure that is less than 0.75 psia (5.17 kPa);
- (e) One (1) storage tank, used for petroleum or condensate stored, processed, or treated prior to custody transfer, identified as T-150, installed in 2009, with a maximum capacity of 4,000,000 gallons;
- (f) One (1) storage tank, used for petroleum or condensate stored, processed, or treated prior to custody transfer, identified as T-970, installed in 2009, with a maximum capacity of 2,000,000 gallons; and
- (g) Five (5) storage tanks, used for petroleum or condensate stored, processed, or treated prior to custody transfer, identified as T-971, T-972, T-973, T-974, and T-975, installed in 2009, each with a maximum capacity of 1,000,000 gallons.
- (h) One (1) storage tank, used for petroleum or condensate stored, processed, or treated prior to custody transfer, identified as T-908, installed in 1989, with a maximum capacity of 170,000 gallons.
- (i) One (1) storage tank, used for petroleum or condensate stored, processed, or treated prior to custody transfer, identified as T-911, installed in 1989, with a maximum capacity of 120,000 gallons.
- (j) One (1) storage tank, used for petroleum or condensate stored, processed, or treated prior to custody transfer, identified as T-937, installed in 1989, with a maximum capacity of 300,000 gallons.
- (k) One (1) storage tank, used for petroleum or condensate stored, processed, or treated prior to custody transfer, identified as T-938, installed in 1989, with a maximum capacity of 170,000 gallons.
- (l) One (1) storage tank, used for petroleum or condensate stored, processed, or treated prior to custody transfer, identified as T-955, installed in 1994, with a maximum capacity of 128,520 gallons.

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

E.1.1 General Provisions Relating to NSPS Kb [326 IAC 12-1] [40 CFR Part 60, Subpart A]

The Permittee shall comply with the provisions of 40 CFR Part 60, Subpart A – General

Provisions, which are incorporated by reference as 326 IAC 12-1-1.

E.1.2 Volatile Organic Liquid Storage Vessels (Including Petroleum Liquid Storage Vessels) for Which Construction, Reconstruction, or Modification Commenced After July 23, 1984 NSPS [326 IAC 12] [40 CFR Part 60, Subpart Kb]

The Permittee which utilizes volatile organic liquid storage vessels shall comply with the provisions of 40 CFR Part 60, Subpart Kb which is incorporated by reference as 326 IAC 12, as follows. The full text of Subpart Kb may be found in Attachment A to this permit.

- (1) 40 CFR 60.110b;
- (2) 40 CFR 60.111b; and
- (3) 40 CFR 60.116b.

SECTION E.2 EMISSIONS UNIT OPERATION CONDITIONS

Emissions Unit Description:

- (a) One (1) natural gas-fired boiler, identified as SB-820, installed in 1991, with a maximum capacity of 44.5 MMBtu/hr, and exhausting through stack SB-820. Under 40 CFR 60, Subpart Dc, this is considered an existing affected facility.
- (b) One (1) natural gas-fired boiler, identified as SB-821, installed in 1990, with a maximum capacity of 42.5 MMBtu/hr, and exhausting through stack SB-821. Under 40 CFR 60, Subpart Dc, this is considered an existing affected facility.

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

E.2.1 General Provisions Relating to NSPS Dc [326 IAC 12-1] [40 CFR Part 60, Subpart A]

The Permittee shall comply with the provisions of 40 CFR Part 60, Subpart A – General Provisions, which are incorporated by reference as 326 IAC 12-1-1.

E.2.2 Small Industrial-Commercial-Institutional Steam Generating Units NSPS [326 IAC 12] [40 CFR Part 60, Subpart Dc]

The Permittee, which utilizes natural gas-fired boilers that were constructed after June 9, 1989, and have a maximum design heat input capacity of 29 megawatts (MW) (100 million British thermal units per hour (MMBtu/hr)) or less, but greater than or equal to 2.9 MW (10 MMBtu/hr), shall comply with the provisions of 40 CFR Part 60, Subpart Dc which is incorporated by reference as 326 IAC 12, as follows. The full text of Subpart Dc may be found in Attachment B to this permit.

- (1) 40 CFR 60.40c;
- (2) 40 CFR 60.41c; and
- (3) 40 CFR 60.48c (a), (g).

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

Source Name: Safety-Kleen Systems, Inc. (S-K)
Source Address: 601 Riley Road, East Chicago, Indiana 46312
Part 70 Permit No.: T089-25906-00031

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: Safety-Kleen Systems, Inc. (S-K)
Source Address: 601 Riley Road, East Chicago, Indiana 46312
Part 70 Permit No.: T089-25906-00031

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) daytime business hours (1-800-451-6027 or 317-233-0178, ask for Compliance Section); and
 - The Permittee must submit notice in writing or by facsimile within two (2) working days (Facsimile Number: 317-233-6865), and follow the other requirements of 326 IAC 2-7-16.

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

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

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

Page 2 of 2

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

Form Completed by: _____

Title / Position: _____

Date: _____

Phone: _____

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

**PART 70 OPERATING PERMIT
SEMI-ANNUAL NATURAL GAS FIRED CERTIFICATION**

Source Name: Safety-Kleen Systems, Inc. (S-K)
Source Address: 601 Riley Road, East Chicago, Indiana 46312
Part 70 Permit No.: T089-25906-00031
Facility: Boilers SB-801, SB-820, and SB-821, and Process Heaters H-302 and H-404

Natural Gas Only
 Alternate Fuel burned
From: _____ To: _____

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

Part 70 Fuel Usage Report (Submit Report Quarterly)

Source Name: Safety-Kleen Oil Recovery Co.
Source Address: 601 Riley Road, East Chicago, Indiana 46312-1638
Part 70 Permit No.: T 089-7556-00301
Facilities: H-201, H-301, H-401, H-402, and H-406
Parameters: No. 2 Fuel Oil Equivalent or Off-Gas Sulfur Content Obtained from Fuel and Sampling Analysis as well as Fuel Usage
Limits: A maximum of a combined total of 14 pounds of SO₂ per hour for H-201 and H-301; a maximum of a combined total of 10.8 pounds per hour for H-401 and H-402; and a maximum of 8 pounds per hour for H-406.*

Unit(s): _____ Fuel Type: _____ Month: _____ Year: _____

Day	Sulfur Content of Fuel (%)	Fuel Usage gallons or MMCF	Day	Sulfur Content of Fuel (%)	Fuel Usage gallons or MMCF
1			17		
2			18		
3			19		
4			20		
5			21		
6			22		
7			23		
8			24		
9			25		
10			26		
11			27		
12			28		
13			29		
14			30		
15			31		
16					

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

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

*SO₂ emissions shall be calculated using the emission factors in Condition D.1.1(e).

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

Part 70 Quarterly Report

Source Name: Safety-Kleen Systems, Inc. (S-K)
Source Address: 601 Riley Road, East Chicago, Indiana 46312
Part 70 Permit No.: T089-25906-00031
Facility: H-201 and H-301
Parameter: SO₂*
Limit: A combined total of 60 tons per twelve (12) consecutive month period

QUARTER :

YEAR:

Emission Unit	Column 1	Column 2	Column 1 + Column 2
	This Month	Previous 11 Months	12 Month Total
H-201			
H-301			
H-201 and H-301 Combined			

*SO₂ emissions shall be calculated using the emission factors in Condition D.1.1(e).

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: Safety-Kleen Systems, Inc. (S-K)
Source Address: 601 Riley Road, East Chicago, Indiana 46312
Part 70 Permit No.: T089-25906-00031
Facility: H-401 and H-402
Parameter: SO₂*
Limit: A combined total of 47.3 tons per twelve (12) consecutive month period

QUARTER :

YEAR:

Emission Unit	Column 1	Column 2	Column 1 + Column 2
	This Month	Previous 11 Months	12 Month Total
H-401			
H-402			
H-401 and H-402 Combined			

*SO₂ emissions shall be calculated using the emission factors in Condition D.1.1(e).

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: Safety-Kleen Systems, Inc. (S-K)
Source Address: 601 Riley Road, East Chicago, Indiana 46312
Part 70 Permit No.: T089-25906-00031
Facility: Degreasing operations
Parameter: VOC emissions
Limit: A combined total of fifteen (15) tons per twelve (12) consecutive month period

QUARTER :

YEAR:

Emission Unit	Column 1	Column 2	Column 1 + Column 2
	This Month	Previous 11 Months	12 Month Total
Combined Degreasers			

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: Safety-Kleen Systems, Inc. (S-K)
Source Address: 601 Riley Road, East Chicago, Indiana 46312
Part 70 Permit No.: T089-25906-00031

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

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

Form Completed by: _____

Title / Position: _____

Date: _____

Phone: _____

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

Technical Support Document (TSD) for an Administrative Amendment to a
Part 70 Operating Permit

Source Background and Description

Source Name:	Safety Kleen Systems, Inc. (S-K)
Source Location:	601 Riley Road, East Chicago, Indiana 46312
County:	Lake
SIC Code:	2992
Operation Permit No.:	T089-25906-00301
Operation Permit Issuance Date:	September 29, 2009
Administrative Amendment No.:	089-31029-00301
Permit Reviewer:	APT

The Indiana Department of Environmental Management (IDEM), Office of Air Quality (OAQ) has reviewed a request from Safety-Kleen Systems, Inc. to modify its permit.

History and Background

Safety-Kleen Systems, Inc. was issued Part 70 Operating Permit Renewal No. T089-25906-00301 on September 29, 2009, for a stationary oil re-refinery facility. A letter requesting changes to the permit was received on October 13, 2011. Safety-Kleen Systems, Inc. has requested to install twenty (20) material storage tanks at its East Chicago, Indiana re-refinery. Changes made to the affected permit conditions are included in this Administrative Amendment.

Explanation of Modification

The source has requested to install twenty (20) new storage tanks, each having a capacity of 30,000 gallons or less and a true vapor pressure of less than 0.1 mmHg, for the purpose of blending more final products on-site to reduce shipping needs. The blended products will be comprised of current "in-house" materials and products brought in from outside sources. There will be no increase in production from operations as a result of his project. The blending will be accomplished with a common manifold system with the ability to ration from the various new tanks to formulate the final marketable products.

As part of this modification process, the potential emissions of CO₂e for the entire source have been calculated to assess the source's status pertaining to greenhouse gas emissions. The source has the potential to emit 127,652 tons of CO₂e (see page 2 of 2 of Appendix A). The addition of these tanks does not change the status of the entire source under 326 IAC 2-2 Prevention of Significant Deterioration (PSD)). This existing source is a major stationary source, under PSD (326 IAC 2-2), because the potential emissions of GHG are greater than one hundred thousand (100,000) tons of CO₂ equivalent (CO₂e) per year.

Justification for the Modification

The twenty (20) tanks collectively have the potential to emit the following:

Pollutant	Potential to Emit (tons/year)
-----------	----------------------------------

PM	----
PM ₁₀	----
PM _{2.5}	----
SO ₂	----
NO _x	----
VOC	2.17
CO	----
CO _{2e}	----
Total HAPs	2.17

*Note: HAPs emissions have been conservatively estimated to equal VOC emissions

Pursuant to 326 IAC 2-7-11(a)(8)(A), a revision that incorporates an exempt unit as described in 326 IAC 2-1.1-3 may be processed as an administrative amendment. Therefore, the new tanks will be incorporated into the Part 70 Operating Permit through an Administrative Amendment, pursuant to the provisions of 326 IAC 2-7-11(a)(8)(A).

Federal Rule Applicability

- (a) There are no New Source Performance Standards (NSPS) (326 IAC 12 and 40 CFR Part 60) included in the permit for this source as part of this Administrative Amendment.

The requirements of 40 CFR 60, Subpart Kb, do not apply to storage tanks with storage capacities between 75 and 152 m³ (19,813 - 39,890 gallons) which store volatile organic liquids with maximum true vapor pressures less than 15 kPa. Each of the new tanks meet this criteria, and are not subject to the requirements of 40 CFR 60, Subpart Kb.

- (b) There are no National Emission Standards for Hazardous Air Pollutants (NESHAP) (326 IAC 14, 326 IAC 20 and 40 CFR Part 63) included in the permit for this source as part of this Administrative Amendment.

Federal and State Rule Applicability Determination

326 IAC 8-9 (Volatile Organic Liquid Storage Vessels)

The new tanks are subject to the requirements of 326 IAC 8-9 (Volatile Organic Liquid Storage Vessels) These requirements were already included in the permit for the existing tanks at the source.

State rules and compliance monitoring applicabilities shall remain unchanged as a result of this Administrative Amendment.

Proposed Changes

The permit has been administratively amended as follows with the deleted language as ~~strikeouts~~ and new language **bolded**. All changes to the table of contents will not be reproduced herein.

Modification No. 1: The new tanks have been added to Section A.3 of the permit, Specifically Regulated Insignificant Activities, as follows:

- (d) Other categories with emissions below insignificant thresholds found in 326 IAC 2-7-1(21)(A)-(C)

* * *

- (2) **Twenty (20) storage tanks, identified as T-513, T-514, T-521, T-522, T-523, T-531, T-532, T-551, T-552, T-553, T-554, T-555, T-556, T-561, T-562, T-563, T-564, T-565, T-571, and T-595, approved in 2011 for construction, with a maximum capacity of 30,000**

gallons or less, storing liquids with a maximum true vapor pressure that is less than 0.1 mmHg (0.1hPa). [326 IAC 8-9-6(a) and (b)]

Modification No. 2: The new tanks have been added to Section D.3 of the permit, as follows:

SECTION D.3 EMISSIONS UNIT OPERATION CONDITIONS

Emissions Unit Description:

* * *

Insignificant Activities:

- (d) Other categories with emissions below insignificant thresholds found in 326 IAC 2-7-1(21)(A)-(C)

* * *

- (2) Twenty (20) storage tanks, identified as T-513, T-514, T-521, T-522, T-523, T-531, T-532, T-551, T-552, T-553, T-554, T-555, T-556, T-561, T-562, T-563, T-564, T-565, T-571, and T-595, approved in 2011 for construction, with a maximum capacity of 30,000 gallons or less, storing liquids with a maximum true vapor pressure that is less than 0.1 mmHg (0.1hPa). [326 IAC 8-9-6(a) and (b)]**

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

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

D.3.1 Volatile Organic Liquid Storage Vessels [326 IAC 8-9]

- (a) The storage tanks, identified as T-9, T-26, T-27, T-101 through T-112, T-120, T-121, T-651 through T-654, T-906, T-907, T-912 through T-917, T-931 through T-936, T-941, T-942, T-944 through T-954, T-961, T-962, and T-981 through T-983, **T-513, T-514, T-521, T-522, T-523, T-531, T-532, T-551, T-552, T-553, T-554, T-555, T-556, T-561, T-562, T-563, T-564, T-565, T-571, and T-595**, are required to comply with the following:

* * *

OAQ Changes

IDEM has modified the language for several standard Title V permitting B and C Conditions. Necessary administrative changes to the Part 70 Operating Permit Renewal No. T089-25906-00301 will be noted in this TSD.

Pursuant to the provisions of 326 IAC 2-7-11, the permit is hereby administratively amended as follows with the deleted language as ~~strikeouts~~ and new language **bolded**.

The Table of Contents has been updated accordingly

Change No. 1: For clarity, IDEM has changed references to the general conditions: "in accordance with Section B", "in accordance with Section C", or other similar language, to "Section C ... contains the Permittee's obligations with regard to the records required by this condition."

- Change No. 2:** 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" except for the timelines for Title V Fee, Emergency Provisions, Continuous Compliance Plan, and Revocation of Permits (Conditions newly numbered as B.11, B.15, B.23, and C.10) because the underlying rules state "within."
- Change No. 3:** 326 IAC 2-7 requires that "a responsible official" perform certain actions. 326 IAC 2-7-1(34) allows for multiple people to meet the definition of "responsible official." Therefore, IDEM is revising all instances of "the responsible official" to read "a responsible official."
- Change No. 4:** In order to clarify what rule requirements need to be met through certification, the last sentence dealing with the need for certification has been removed from the form(s) because the Condition(s) requiring the form(s) already address this issue.
- Change No. 5:** To clarify that Section B - Certification only states what a certification must be, IDEM has revised the condition.
- Change No. 6:** IDEM has revised Section B - Preventive Maintenance Plan.
- Change No. 7:** IDEM, OAQ has revised Section B - Emergency Provisions to delete paragraph (h). 326 IAC 2-7-5(3)(C)(ii) allows that deviations reported under an independent requirement do not have to be included in the Quarterly Deviation and Compliance Monitoring Report.
- Change No. 8:** Having a separate condition for the reporting of deviations is unnecessary. Therefore, IDEM has removed Section B - Deviation from Permit Requirements and Conditions and added the requirements of that condition to Section C - General Reporting Requirements. Paragraph (d) of Section C - General Reporting Requirements has been removed because IDEM already states the timeline and certification needs of each report in the condition requiring the report. Because this source is Major for PSD, Subparagraph (g)(4) has been revised to match the underlying rule language.
- Change No. 9:** IDEM, OAQ will state which rule establishes the authority to set a deadline for the Permittee to submit additional information. Therefore, Section B - Permit Renewal has been revised.
- Change No. 10:** IDEM, OAQ will state that no notice is required for approved changes in Section B - Permit Revision Under Economic Incentives and Other Programs.
- Change No. 11:** IDEM has added 326 IAC 5-1-1 to the exception clause of Section C - Opacity, since 326 IAC 5-1-1 does list exceptions.
- Change No. 12:** IDEM has revised Section C - Incineration to more closely reflect the two underlying rules.
- Change No. 13:** IDEM has changed the title, order, and wording of the condition formerly entitled Section C - Fugitive Dust Emissions to match 326 IAC 6.8-10-3.
- Change No. 14:** IDEM has removed the first paragraph of Section C - Performance Testing due to the fact that specific testing conditions elsewhere in the permit will specify the timeline and procedures.
- Change No. 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.
- Change No. 16:** IDEM has removed Section C - Monitoring Methods. The conditions that require the monitoring or testing, if required, state what methods shall be used.

Change No. 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.

Change No. 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.

Change No. 19: Paragraph (b) of Section C - Emission Statement has been removed. It was duplicative of the requirement in Section C - General Reporting Requirements.

Change No. 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.

Change No. 21: IDEM has decided to simplify the referencing in Section C - Compliance with 40 CFR 82 and 326 IAC 22-1.

The changes No.1 through No. 21 have been made to the B and C Sections of the permit. Below is the previous version of the B and C Sections in strike-thru, and the updated version of the B and C Sections in bold type:

Previous B and C Sections

~~SECTION B~~ ~~GENERAL CONDITIONS~~

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

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

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

~~(a) This permit, T089-25906-00031, is issued for a fixed term of five (5) years from the issuance date of this permit, as determined in accordance with IC 4-21.5-3-5(f) and IC 13-15-5-3. Subsequent revisions, modifications, or amendments of this permit do not affect the expiration date of this permit.~~

~~(b) If IDEM, OAQ, upon receiving a timely and complete renewal permit application, fails to issue or deny the permit renewal prior to the expiration date of this permit, this existing permit shall not expire and all terms and conditions shall continue in effect, including any~~

~~permit shield provided in 326 IAC 2-7-15, until the renewal permit has been issued or denied.~~

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

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

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

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

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

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

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

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

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

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

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

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

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

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

- ~~(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 the certification by the "responsible official" as defined by 326 IAC 2-7-1(34).~~

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

- (a) ~~If required by specific condition(s) in Section D of this permit, the Permittee shall maintain and implement Preventive Maintenance Plans (PMPs) including the following information on each facility:~~
- ~~(1) Identification of the individual(s) responsible for inspecting, maintaining, and repairing emission control devices;~~
 - ~~(2) A description of the items or conditions that will be inspected and the inspection schedule for said items or conditions; and~~
 - ~~(3) Identification and quantification of the replacement parts that will be maintained in inventory for quick replacement.~~
- (b) ~~A copy of the PMPs shall be submitted to IDEM, OAQ upon request and within a reasonable time, and shall be subject to review and approval by IDEM, OAQ. IDEM, OAQ may require the Permittee to revise its PMPs whenever lack of proper maintenance causes or is the primary contributor to an exceedance of any limitation on emissions or potential to emit. The PMPs do not require the certification by the "responsible official" as defined by 326 IAC 2-7-1(34).~~

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

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

- ~~(a) An emergency, as defined in 326 IAC 2-7-1(12), is not an affirmative defense for an action brought for noncompliance with a federal or state health-based emission limitation.~~

- ~~(b) An emergency, as defined in 326 IAC 2-7-1(12), constitutes an affirmative defense to an action brought for noncompliance with a technology-based emission limitation if the affirmative defense of an emergency is demonstrated through properly signed, contemporaneous operating logs or other relevant evidence that describe the following:~~

- ~~(1) An emergency occurred and the Permittee can, to the extent possible, identify the causes of the emergency;~~

- ~~(2) The permitted facility was at the time being properly operated;~~

- ~~(3) During the period of an emergency, the Permittee took all reasonable steps to minimize levels of emissions that exceeded the emission standards or other requirements in this permit;~~

- ~~(4) For each emergency lasting one (1) hour or more, the Permittee notified IDEM, OAQ, and Northwest Regional Office within four (4) daytime business hours after the beginning of the emergency, or after the emergency was discovered or reasonably should have been discovered;~~

~~Telephone Number: 1-800-451-6027 (ask for Office of Air Quality, Compliance and Enforcement Branch), or
Telephone Number: 317-233-0178 (ask for Compliance and Enforcement Branch)
Facsimile Number: 317-233-6865
Northwest Regional Office phone: (219) 757-0265; fax: (219) 757-0267.~~

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

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

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

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

- ~~(A) A description of the emergency;~~

- ~~(B) Any steps taken to mitigate the emissions; and~~

- ~~(C) Corrective actions taken.~~

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

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

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

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

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

- ~~(b) If, after issuance of this permit, it is determined that the permit is in nonconformance with an applicable requirement that applied to the source on the date of permit issuance, IDEM, OAQ, shall immediately take steps to reopen and revise this permit and issue a compliance order to the Permittee to ensure expeditious compliance with the applicable requirement until the permit is reissued. The permit shield shall continue in effect so long as the Permittee is in compliance with the compliance order.~~
- ~~(c) No permit shield shall apply to any permit term or condition that is determined after issuance of this permit to have been based on erroneous information supplied in the permit application. Erroneous information means information that the Permittee knew to be false, or in the exercise of reasonable care should have been known to be false, at the time the information was submitted.~~
- ~~(d) Nothing in 326 IAC 2-7-15 or in this permit shall alter or affect the following:~~

- (1) ~~The provisions of Section 303 of the Clean Air Act (emergency orders), including the authority of the U.S. EPA under Section 303 of the Clean Air Act;~~
- (2) ~~The liability of the Permittee for any violation of applicable requirements prior to or at the time of this permit's issuance;~~
- (3) ~~The applicable requirements of the acid rain program, consistent with Section 408(a) of the Clean Air Act; and~~
- (4) ~~The ability of U.S. EPA to obtain information from the Permittee under Section 114 of the Clean Air Act.~~

- (e) ~~This permit shield is not applicable to any change made under 326 IAC 2-7-20(b)(2) (Sections 502(b)(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 T089-25906-00031 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 Deviations from Permit Requirements and Conditions [326 IAC 2-7-5(3)(C)(ii)]~~

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

~~Indiana Department of Environmental Management
Compliance and Enforcement Branch, 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.~~

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

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

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

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

~~Indiana Department of Environmental Management
Permit Administration and Support Section, Office of Air Quality
100 North Senate Avenue
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 in writing by IDEM, OAQ any additional information identified as being needed to process the application.~~

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

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

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

~~Indiana Department of Environmental Management
Permit Administration and Support Section, Office of Air Quality
100 North Senate Avenue
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).~~

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

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

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

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

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

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

~~(1) The changes are not modifications under any provision of Title I of the Clean Air Act;~~

~~(2) Any preconstruction approval required by 326 IAC 2-7-10.5 has been obtained;~~

~~(3) The changes do not result in emissions which exceed the limitations provided in this permit (whether expressed herein as a rate of emissions or in terms of total emissions);~~

~~(4) The Permittee notifies the:~~

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

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

- ~~(d) Alternative Operating Scenarios [326 IAC 2-7-20(d)]
The Permittee may make changes at the source within the range of alternative operating scenarios that are described in the terms and conditions of this permit in accordance with 326 IAC 2-7-5(9). No prior notification of IDEM, OAQ, or U.S. EPA is required.~~

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

SECTION C SOURCE OPERATION CONDITIONS

Entire Source

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

C.1 Opacity [326 IAC 5-1]

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

- (a) Opacity shall not exceed an average of 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 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.3 Incineration [326 IAC 4-2] [326 IAC 9-1-2]

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

C.4 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.5 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 average instantaneous opacity of fugitive particulate emissions from batch transfer shall not exceed ten percent (10%).
- (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) 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.~~
- ~~(i) 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.~~
- ~~(j) The opacity of particulate emissions from dust handling equipment shall not exceed ten percent (10%).~~
- ~~(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 Permittee shall achieve these limits by controlling fugitive particulate matter emissions according to the Fugitive Dust Control Plan, submitted on August 18, 2002.~~

~~C.6 Asbestos Abatement Projects [326 IAC 14-10] [326 IAC 18] [40 CFR 61, Subpart M]~~

- ~~(a) Notification requirements apply to each owner or operator. If the combined amount of regulated asbestos containing material (RACM) to be stripped, removed or disturbed is at least 260 linear feet on pipes or 160 square feet on other facility components, or at least thirty-five (35) cubic feet on all facility components, then the notification requirements of 326 IAC 14-10-3 are mandatory. All demolition projects require notification whether or not asbestos is present.~~
- ~~(b) The Permittee shall ensure that a written notification is sent on a form provided by the Commissioner at least ten (10) working days before asbestos stripping or removal work or before demolition begins, per 326 IAC 14-10-3, and shall update such notice as necessary, including, but not limited to the following:
 - ~~(1) When the amount of affected asbestos containing material increases or decreases by at least twenty percent (20%); or~~
 - ~~(2) If there is a change in the following:
 - ~~(A) Asbestos removal or demolition start date;~~
 - ~~(B) Removal or demolition contractor; or~~
 - ~~(C) Waste disposal site.~~~~~~
- ~~(c) The Permittee shall ensure that the notice is postmarked or delivered according to the guidelines set forth in 326 IAC 14-10-3(2).~~
- ~~(d) The notice to be submitted shall include the information enumerated in 326 IAC 14-10-3(3).~~

~~All required notifications shall be submitted to:~~

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

~~The notice shall include a signed certification from the owner or operator that the information provided in this notification is correct and that only Indiana licensed workers~~

~~and project supervisors will be used to implement the asbestos removal project. The notifications do not require a certification by the "responsible official" as defined by 326 IAC 2-7-1(34).~~

~~(e) — Procedures for Asbestos Emission Control~~

~~The Permittee shall comply with the applicable emission control procedures in 326 IAC 14-10-4 and 40 CFR 61.145(c). Per 326 IAC 14-10-1, emission control requirements are applicable for any removal or disturbance of RACM greater than three (3) linear feet on pipes or three (3) square feet on any other facility components or a total of at least 0.75 cubic feet on all facility components.~~

~~(f) — Demolition and Renovation~~

~~The Permittee shall thoroughly inspect the affected facility or part of the facility where the demolition or renovation will occur for the presence of asbestos pursuant to 40 CFR 61.145(a).~~

~~(g) — Indiana Licensed Asbestos Inspector~~

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

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

C.7 — Performance Testing [326 IAC 3-6]

- ~~(a) — All testing shall be performed according to the provisions of 326 IAC 3-6 (Source Sampling Procedures), except as provided elsewhere in this permit, utilizing any applicable procedures and analysis methods specified in 40 CFR 51, 40 CFR 60, 40 CFR 61, 40 CFR 63, 40 CFR 75, or other procedures approved by IDEM, OAQ.~~

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

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

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

- ~~(b) — The Permittee shall notify IDEM, OAQ of the actual test date at least fourteen (14) days prior to the actual test date. The notification submitted by the Permittee does not require certification by the "responsible official" as defined by 326 IAC 2-7-1(34).~~
- ~~(c) — Pursuant to 326 IAC 3-6-4(b), all test reports must be received by IDEM, 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.8 — Compliance Requirements [326 IAC 2-1.1-11]

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

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

~~C.9 Compliance Monitoring [326 IAC 2-7-5(3)]~~~~[326 IAC 2-7-6(1)]~~

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

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

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

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

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

~~C.10 Monitoring Methods [326 IAC 3] [40 CFR 60] [40 CFR 63]~~

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

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

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

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

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

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

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

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

- ~~(a) Upon detecting an excursion or exceedance, the Permittee shall restore operation of the emissions unit (including any control device and associated capture system) to its normal or usual manner of operation as expeditiously as practicable in accordance with good air pollution control practices for minimizing emissions.~~
- ~~(b) The response shall include minimizing the period of any startup, shutdown or malfunction and taking any necessary corrective actions to restore normal operation and prevent the likely recurrence of the cause of an excursion or exceedance (other than those caused by excused startup or shutdown conditions). Corrective actions may include, but are not limited to, the following:~~

- (1) ~~initial inspection and evaluation;~~
 - (2) ~~recording that operations returned to normal without operator action (such as through response by a computerized distribution control system); or~~
 - (3) ~~any necessary follow-up actions to return operation to within the indicator range, designated condition, or below the applicable emission limitation or standard, as applicable.~~
- (c) ~~A determination of whether the Permittee has used acceptable procedures in response to an excursion or exceedance will be based on information available, which may include, but is not limited to, the following:~~
- (1) ~~monitoring results;~~
 - (2) ~~review of operation and maintenance procedures and records; and/or~~
 - (3) ~~inspection of the control device, associated capture system, and the process.~~
- (d) ~~Failure to take reasonable response steps shall be considered a deviation from the permit.~~
- (e) ~~The Permittee shall maintain the following records:~~
- (1) ~~monitoring data;~~
 - (2) ~~monitor performance data, if applicable; and~~
 - (3) ~~corrective actions taken.~~

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

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

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

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

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

- (a) ~~In accordance with the compliance schedule specified in 326 IAC 2-6-3(b)(1), the Permittee shall submit by July 1 an emission statement covering the previous calendar year as follows:~~
- (1) ~~starting in 2004 and every three (3) years thereafter, and~~

- (2) ~~any year not already required under (1) if the source emits volatile organic compounds or oxides of nitrogen into the ambient air at levels equal to or greater than twenty-five (25) tons during the previous calendar year.~~
- (b) ~~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 46204-2254~~

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

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

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

- (a) ~~Records of all required monitoring data, reports and support information required by this permit shall be retained for a period of at least five (5) years from the date of monitoring sample, measurement, report, or application. These records shall be physically present or electronically accessible at the source location for a minimum of three (3) years. The records may be stored elsewhere for the remaining two (2) years as long as they are available upon request. If the Commissioner makes a request for records to the Permittee, the Permittee shall furnish the records to the Commissioner within a reasonable time.~~
- (b) ~~Unless otherwise specified in this permit, all record keeping requirements not already legally required shall be implemented within ninety (90) days of permit issuance or ninety (90) days of initial start-up, whichever is later.~~

~~C.18 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 certification by the "responsible official" as defined by 326 IAC 2-7-1(34).~~
- (b) ~~The report required in (a) of this condition and reports required by conditions in Section D of this permit shall be submitted to:~~

~~Indiana Department of Environmental Management
Compliance and Enforcement Branch, Office of Air Quality
100 North Senate Avenue~~

MC 61-53 IGCN 1003
Indianapolis, Indiana 46204-2254

- (c) ~~Unless otherwise specified in this permit, any notice, report, or other submission required by this permit shall be considered timely if the date postmarked on the envelope or certified mail receipt, or affixed by the shipper on the private shipping receipt, is on or before the date it is due. If the document is submitted by any other means, it shall be considered timely if received by IDEM, OAQ on or before the date it is due.~~
- (d) ~~Unless otherwise specified in this permit, all reports required in Section D of this permit shall be submitted within thirty (30) days of the end of the reporting period. All reports do require the certification by the "responsible official" as defined by 326 IAC 2-7-1(34).~~
- (e) ~~Reporting periods are based on calendar years, unless otherwise specified in this permit. For the purpose of this permit "calendar year" means the twelve (12) month period from January 1 to December 31 inclusive.~~

Stratospheric Ozone Protection

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

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

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

New B and C Sections

SECTION B GENERAL CONDITIONS

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

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

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

- (a) **This permit, T089-25906-00301, 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 or of permits issued pursuant to Title IV of the Clean Air Act and 326 IAC 21 (Acid Deposition Control).**
- (b) **If IDEM, OAQ, upon receiving a timely and complete renewal permit application, fails to issue or deny the permit renewal prior to the expiration date of this permit, this existing permit shall not expire and all terms and conditions shall continue in effect, including any permit shield provided in 326 IAC 2-7-15, until the renewal permit has been issued or denied.**

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

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

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

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

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

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

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

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

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

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

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

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

- (a) A certification required by this permit meets the requirements of 326 IAC 2-7-6(1) if:
 - (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)]

- (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.
- (d) The annual compliance certification report shall include the following:
- (1) The appropriate identification of each term or condition of this permit that is the basis of the certification;
 - (2) The compliance status;
 - (3) Whether compliance was continuous or intermittent;
 - (4) The methods used for determining the compliance status of the source, currently and over the reporting period consistent with 326 IAC 2-7-5(3); and
 - (5) Such other facts, as specified in Sections D of this permit, as IDEM, OAQ may require to determine the compliance status of the source.

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

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

-
- (a) A Preventive Maintenance Plan 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.

The Permittee shall implement the PMPs.

- (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.

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

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

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

The Permittee shall implement the PMPs.

- (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. The PMPs and their submittal do not require a certification that meets the requirements of 326 IAC 2-7-6(1) by a "responsible official" as defined by 326 IAC 2-7-1(34).
- (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]

- (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, or Northwest Regional Office within four (4) daytime business hours after the beginning of the emergency, or after the emergency was discovered or reasonably should have been discovered;

Telephone Number: 1-800-451-6027 (ask for Office of Air Quality, Compliance and Enforcement Branch), or
Telephone Number: 317-233-0178 (ask for Office of Air Quality, Compliance and Enforcement Branch)
Facsimile Number: 317-233-6865
Northwest Regional Office phone: (219) 757-0265; fax: (219) 757-0267.

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

Indiana Department of Environmental Management
Compliance and Enforcement Branch, Office of Air Quality
100 North Senate Avenue
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 T089-25906-00301 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
 - (4) 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, except for permits issued pursuant to Title IV of the Clean Air Act and 326 IAC 21 (Acid Deposition Control)

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

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

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

- (a) This permit may be modified, reopened, revoked and reissued, or terminated for cause. The filing of a request by the Permittee for a Part 70 Operating Permit modification, revocation and reissuance, or termination, or of a notification of planned changes or anticipated noncompliance does not stay any condition of this permit. [326 IAC 2-7-5(6)(C)] The notification by the Permittee does require a certification that meets the requirements of 326 IAC 2-7-6(1) by a "responsible official" as defined by 326 IAC 2-7-1(34).
- (b) This permit shall be reopened and revised under any of the circumstances listed in IC 13-15-7-2 or if IDEM, OAQ determines any of the following:
- (1) That this permit contains a material mistake.
 - (2) That inaccurate statements were made in establishing the emissions standards or other terms or conditions.
 - (3) That this permit must be revised or revoked to assure compliance with an applicable requirement. [326 IAC 2-7-9(a)(3)]
- (c) Proceedings by IDEM, OAQ to reopen and revise this permit shall follow the same procedures as apply to initial permit issuance and shall affect only those parts of this permit for which cause to reopen exists. Such reopening and revision shall be made as expeditiously as practicable. [326 IAC 2-7-9(b)]
- (d) The reopening and revision of this permit, under 326 IAC 2-7-9(a), shall not be initiated before notice of such intent is provided to the Permittee by IDEM, OAQ at least thirty (30) days in advance of the date this permit is to be reopened, except that IDEM, OAQ may provide a shorter time period in the case of an emergency. [326 IAC 2-7-9(c)]
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B.16 Permit Renewal [326 IAC 2-7-3][326 IAC 2-7-4][326 IAC 2-7-8(e)]

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

Request for renewal shall be submitted to:

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

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

B.17 Permit Amendment or Modification [326 IAC 2-7-11][326 IAC 2-7-12] [40 CFR 72]

- (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) Pursuant to 326 IAC 2-7-11(b) and 326 IAC 2-7-12(a), administrative Part 70 operating permit amendments and permit modifications for purposes of the acid rain portion of a Part 70 permit shall be governed by regulations promulgated under Title IV of the Clean Air Act. [40 CFR 72]
- (c) 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).

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

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

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

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

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

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

and

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

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

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

- (b) The Permittee may make Section 502(b)(10) of the Clean Air Act changes (this term is defined at 326 IAC 2-7-1(36)) without a permit revision, subject to the constraint of 326 IAC 2-7-20(a). For each such Section 502(b)(10) of the Clean Air Act change, the required written notification shall include the following:
- (1) A brief description of the change within the source;
 - (2) The date on which the change will occur;
 - (3) Any change in emissions; and
 - (4) Any permit term or condition that is no longer applicable as a result of the change.

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

- (c) **Emission Trades [326 IAC 2-7-20(c)]**
The Permittee may trade emissions increases and decreases at the source, where the applicable SIP provides for such emission trades without requiring a permit revision, subject to the constraints of Section (a) of this condition and those in 326 IAC 2-7-20(c).
- (d) **Alternative Operating Scenarios [326 IAC 2-7-20(d)]**
The Permittee may make changes at the source within the range of alternative operating scenarios that are described in the terms and conditions of this permit in accordance with 326 IAC 2-7-5(9). No prior notification of IDEM, OAQ, or U.S. EPA is required.
- (e) Backup fuel switches specifically addressed in, and limited under, Section D of this permit shall not be considered alternative operating scenarios. Therefore, the notification requirements of part (a) of this condition do not apply.
- (f) This condition does not apply to emission trades of SO₂ or NO_x under 326 IAC 21 or 326 IAC 10-4.

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

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

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

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

- (a) Enter upon the Permittee's premises where a Part 70 source is located, or emissions related activity is conducted, or where records must be kept under the conditions of this permit;
- (b) As authorized by the Clean Air Act, IC 13-14-2-2, IC 13-17-3-2, and IC 13-30-3-1, have access to and copy any records that must be kept under the conditions of this permit;

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

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

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

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

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

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

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

B.24 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.25 Credible Evidence [326 IAC 2-7-5(3)][326 IAC 2-7-6][62 FR 8314] [326 IAC 1-1-6]

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

SECTION C SOURCE OPERATION CONDITIONS

Entire Source

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

C.1 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 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 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.3 Incineration [326 IAC 4-2] [326 IAC 9-1-2]

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

C.4 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.5 Fugitive Particulate Matter 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 Permittee shall achieve these limits by controlling fugitive particulate matter emissions according to the attached Fugitive Dust Control Plan.

C.6 Asbestos Abatement Projects [326 IAC 14-10] [326 IAC 18] [40 CFR 61, Subpart M]

- (a) Notification requirements apply to each owner or operator. If the combined amount of regulated asbestos containing material (RACM) to be stripped, removed or disturbed is at least 260 linear feet on pipes or 160 square feet on other facility components, or at least thirty-five (35) cubic feet on all facility components, then the notification requirements of 326 IAC 14-10-3 are mandatory. All demolition projects require notification whether or not asbestos is present.
- (b) The Permittee shall ensure that a written notification is sent on a form provided by the Commissioner at least ten (10) working days before asbestos stripping or removal work or before demolition begins, per 326 IAC 14-10-3, and shall update such notice as necessary, including, but not limited to the following:
 - (1) When the amount of affected asbestos containing material increases or decreases by at least twenty percent (20%); or
 - (2) If there is a change in the following:
 - (A) Asbestos removal or demolition start date;
 - (B) Removal or demolition contractor; or
 - (C) Waste disposal site.
- (c) The Permittee shall ensure that the notice is postmarked or delivered according to the guidelines set forth in 326 IAC 14-10-3(2).
- (d) The notice to be submitted shall include the information enumerated in 326 IAC 14-10-3(3).

All required notifications shall be submitted to:

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

The notice shall include a signed certification from the owner or operator that the information provided in this notification is correct and that only Indiana licensed workers and project supervisors will be used to implement the asbestos removal project. The notifications do not require a certification that meets the requirements of 326 IAC 2-7-6(1) by a "responsible official" as defined by 326 IAC 2-7-1(34).

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

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

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

C.7 Performance Testing [326 IAC 3-6]

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

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

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

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

Compliance Requirements [326 IAC 2-1.1-11]

C.8 Compliance Requirements [326 IAC 2-1.1-11]

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

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

C.9 Compliance Monitoring [326 IAC 2-7-5(3)][326 IAC 2-7-6(1)]

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

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

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

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

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

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

C.10 Instrument Specifications [326 IAC 2-1.1-11] [326 IAC 2-7-5(3)] [326 IAC 2-7-6(1)]

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

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

C.11 Emergency Reduction Plans [326 IAC 1-5-2] [326 IAC 1-5-3]

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

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

C.12 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.13 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.14 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.15 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), the Permittee shall submit by July 1 an emission statement covering the previous calendar year as follows:
 - (1) starting in 2004 and every three (3) years thereafter, and
 - (2) any year not already required under (1) if the source emits volatile organic compounds or oxides of nitrogen into the ambient air at levels equal to or greater than twenty-five (25) tons during the previous calendar year.
- (b) 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.16 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, for all record keeping requirements not already legally required, the Permittee shall be allowed up to ninety (90) days from the date of permit issuance or the date of initial start-up, whichever is later, to begin such record keeping.

C.17 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 not later than thirty (30) days after the end of the reporting period. The Quarterly Deviation and Compliance Monitoring Report shall include a certification that meets the requirements of 326 IAC 2-7-6(1) by a "responsible official" as defined by 326 IAC 2-7-1(34). A deviation is an exceedance of a permit limitation or a failure to comply with a requirement of the permit.
- (b) The address for report submittal is:

Indiana Department of Environmental Management
Compliance and Enforcement Branch, Office of Air Quality
100 North Senate Avenue
MC 61-53 IGCN 1003
Indianapolis, Indiana 46204-2251
- (c) Unless otherwise specified in this permit, any notice, report, or other submission required by this permit shall be considered timely if the date postmarked on the envelope or certified mail receipt, or affixed by the shipper on the private shipping

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

- (d) 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.18 Compliance with 40 CFR 82 and 326 IAC 22-1

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

Change No. 22: IDEM has removed all references to the source mailing address as shown below. IDEM will continue to maintain records of the mailing address. Section A.1 of the permit has also been updated to clarify the current source status. Furthermore, the last sentence dealing with the need for certification from the reporting forms has been removed because the Conditions requiring the forms already address this issue. Lastly, the phrase "of this permit" has been added to the paragraph of the Quarterly Deviation and Compliance Monitoring Report to match the underlying rule.

Section A

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 oil re-refinery.

Source Address:	601 Riley Road, East Chicago, Indiana 46312
Mailing Address:	601 Riley Road, East Chicago, Indiana 46312
General Source Phone Number:	219-391-6100
SIC Code:	2992
County Location:	Lake
Source Location Status:	Nonattainment for 8-hour ozone standard Nonattainment for PM _{2.5} standard Attainment for all other criteria pollutants
Source Status:	Part 70 Operating Permit Program Minor Source, under Emission Offset Rules Minor Source, under PSD and Nonattainment NSR Rules Minor Source, Section 112 of the Clean Air Act Not 1 of 28 Source Categories

* * *

Reporting Forms

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

Source Name:	Safety-Kleen Systems, Inc. (S-K)
Source Address:	601 Riley Road, East Chicago, Indiana 46312
Mailing Address:	601 Riley Road, East Chicago, Indiana 46312
Part 70 Permit No.:	T089-25906-00031

* * *

**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: Safety-Kleen Systems, Inc. (S-K)
Source Address: 601 Riley Road, East Chicago, Indiana 46312
~~Mailing Address: 601 Riley Road, East Chicago, Indiana 46312~~
Part 70 Permit No.: T089-25906-00031

* * *

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

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

**PART 70 OPERATING PERMIT
SEMI-ANNUAL NATURAL GAS FIRED CERTIFICATION**

Source Name: Safety-Kleen Systems, Inc. (S-K)
Source Address: 601 Riley Road, East Chicago, Indiana 46312
~~Mailing Address: 601 Riley Road, East Chicago, Indiana 46312~~
Part 70 Permit No.: T089-25906-00031
Facility: Boilers SB-801, SB-820, and SB-821, and Process Heaters H-302 and H-404

* * *

~~A certification by the responsible official as defined by 326 IAC 2-7-1(34) is required for this report.~~

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

**Part 70 Fuel Usage Report
(Submit Report Quarterly)**

Source Name: Safety-Kleen Oil Recovery Co.
Source Address: 601 Riley Road, East Chicago, Indiana 46312-1638
~~Mailing Address: 601 Riley Road, East Chicago, Indiana 46312-1638~~
Part 70 Permit No.: T 089-7556-00301

* * *

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

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

Part 70 Quarterly Report

Source Name: Safety-Kleen Systems, Inc. (S-K)
Source Address: 601 Riley Road, East Chicago, Indiana 46312
Mailing Address: ~~601 Riley Road, East Chicago, Indiana 46312~~
* * *

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

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

Part 70 Quarterly Report

Source Name: Safety-Kleen Systems, Inc. (S-K)
Source Address: 601 Riley Road, East Chicago, Indiana 46312
Mailing Address: ~~601 Riley Road, East Chicago, Indiana 46312~~
Part 70 Permit No.: T089-25906-00031
Facility: H-401 and H-402
Parameter: SO₂*
* * *

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

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

Part 70 Quarterly Report

Source Name: Safety-Kleen Systems, Inc. (S-K)
Source Address: 601 Riley Road, East Chicago, Indiana 46312
Mailing Address: ~~601 Riley Road, East Chicago, Indiana 46312~~
Part 70 Permit No.: T089-25906-00031
Facility: Degreasing operations
Parameter: VOC emissions
* * *

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

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

Source Name: Safety-Kleen Systems, Inc. (S-K)
Source Address: 601 Riley Road, East Chicago, Indiana 46312
Mailing Address: ~~601 Riley Road, East Chicago, Indiana 46312~~
Part 70 Permit No.: T089-25906-00031

* * *

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".

* * *

Change No. 23: In accordance with Changes No. 1 through 21, the following changes have been made to the D Sections of the Permit:

SECTION D.1 EMISSIONS UNIT OPERATION CONDITIONS

D.1.4 Preventive Maintenance Plan [326 IAC 1-6-3] [326 IAC 2-7-5(13)]

~~A Preventive Maintenance Plan, in accordance with Section C - Preventive Maintenance Plan, of this permit, is required for these facilities.~~

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.

D.1.5 Sulfur Dioxide Emissions and Sulfur Content [326 IAC 7-4.1-16(5)]

(a) ~~The~~ **Compliance status** with Condition D.1.1, shall be determined utilizing 326 IAC 7-4.1-16(5)(A) as follows:

* * *

(5) Submit an excess emissions report to the department ~~within~~ **not later than** thirty (30) days after the end of each calendar quarter.

(b) In order to determine **the compliance status** with the hourly and annual SO₂ emission limitations in Condition D.1.1(a)(3), (b)(3), (c)(3), and (d), the Permittee shall utilize the fuel sampling and analysis protocol specified in the 326 IAC 7-4.1-16(5) compliance option that Safety-Kleen Oil Recovery Co. selected in paragraph (a) of this condition. The protocol states:

* * *

(c) In addition, the Permittee shall submit a report to IDEM ~~within~~ **not later than** thirty (30) days after the end of each calendar quarter. The reports shall contain the following information:

* * *

D.1.6 Testing Requirements [326 IAC 2-7-6(1),(6)] [326 IAC 2-1.1-11]

In order to demonstrate **the compliance status** with Condition D.1.1(d), the Permittee shall perform sulfur content testing of the off-gas from Vessel V-423 to verify the emission factor set forth in Condition D.1.1(e). The test shall be performed in accordance with Condition D.1.5(b)(2)(C) or utilizing methods as approved by the Commissioner. This test shall be repeated annually from the last valid compliance demonstration. ~~Testing shall be conducted in accordance with Section C - Performance Testing.~~ **Section C - Performance Testing contains the Permittee's obligation with regard to the performance testing required by this condition.**

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

D.1.7 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 **shall be considered a deviation from this permit.** ~~in accordance with Section C - Response to Excursions or Exceedances shall be considered a deviation from this permit.~~

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

D.1.8 Record Keeping Requirements

- (a) To document **the compliance status** with Condition D.1.1, the Permittee shall maintain records in accordance with (1) through (3) below. Records maintained for (1) through (3) shall be taken monthly and shall be complete and sufficient to establish compliance with the SO₂ emission limits established in Condition D.1.1. Records necessary to demonstrate compliance shall be available ~~within~~ **not later than** thirty (30) days of the end of each compliance period.

* * *

- (b) To document **the compliance status** with Conditions D.1.1(b)(3), (c)(3), (d) and (e), the Permittee shall maintain records of daily fuel usage as well as a log of the sulfur content obtained from each fuel sampling and analysis performed in accordance with Condition D.1.5(b).
- (c) To document **the compliance status** with Condition D.1.7, the Permittee shall maintain records of **daily** visible emission notations of the process heater stack exhausts ~~once per day~~ **when exhausting to the atmosphere** for the process heaters which are combusting No. 2 fuel oil equivalents. **The Permittee shall include in its daily record when a visible emission notation is not taken and the reason for the lack of visible emission notation (e.g. the process did not operate that day).**
- (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.**

D.1.9 Reporting Requirements

- (a) A quarterly summary of the information to document **the compliance status** with the annual (tons per year) limits contained in Conditions D.1.1(b)(3) and (c)(3), and shall be submitted ~~to the addresses listed in Section C - General Reporting Requirements, of this permit,~~ using the reporting forms located at the end of this permit, or their equivalent, ~~within~~ **not later than** thirty (30) days after the end of the quarter being reported. **Section C - General Reporting contains the Permittee's obligation with regard to the reporting 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 ~~the~~ **a "responsible official,"** as defined by 326 IAC 2-7-1 (34).
- (b) To document **the compliance status** with Condition D.1.1(a), the Permittee shall submit the natural gas certification ~~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 its equivalent, ~~within~~ **not later than** thirty (30) days after the end of the six (6) month period being reported. **Section C - General Reporting contains the Permittee's obligation with regard to the reporting required by this condition.** The natural gas certification ~~submitted by the Permittee~~ does require ~~the~~ **a certification that meets the requirements of 326 IAC 2-7-6(1)** by ~~the~~ **a "responsible official,"** as defined by 326 IAC 2-7-1 (34).

- (c) To document **the compliance status** with Condition D.1.5(c), the Permittee shall submit a report to IDEM, OAQ ~~within~~ **not later than** thirty (30) days after the end of each calendar quarter.

SECTION D.2 EMISSIONS UNIT OPERATION CONDITIONS

Compliance Determination Requirements

D.2.3 VOC Emissions

Compliance with Condition D.2.1 shall be demonstrated ~~within~~ **not later than** thirty (30) days of the end of each month. This **determination** shall be based on the total volatile organic compound emitted for the previous month, added to the previous eleven (11) months total VOC emitted so as to arrive at VOC emissions for the most recent twelve (12) consecutive month period. The VOC emissions for a month shall be calculated by the following:

* * *

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

D.2.4 Record Keeping Requirements

- (a) To document **the compliance status** with Condition D.2.1, the Permittee shall maintain records of all degreasing clean solvent purchases and spent solvent manifests. Records maintained shall be taken monthly and shall be complete and sufficient to establish compliance with the VOC emission limit established in Condition D.2.1.
- (b) ~~All records shall be maintained in accordance with Section C - General Record Keeping Requirements, of this permit.~~ **Section C - General Record Keeping Requirements, contains the Permittee's obligations with regard to the records required by this condition.**

D.2.5 Reporting Requirements

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

SECTION D.3 EMISSIONS UNIT OPERATION CONDITIONS

Emissions Unit Description:

* * *

Insignificant Activities:

- (2) **Twenty (20) storage tanks, identified as T-513, T-514, T-521, T-522, T-523, T-531, T-532, T-551, T-552, T-553, T-554, T-555, T-556, T-561, T-562, T-563, T-564, T-565, T-571, and T-595, approved in 2011 for construction, with a maximum capacity of 30,000 gallons or less, storing liquids with a maximum true vapor pressure that is less than 0.1 mmHg (0.1hPa). [326 IAC 8-9-6(a) and (b)]**

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

Recommendation

The staff recommends to the Commissioner that this Administrative Amendment to the Part 70 Operating Permit be approved. This recommendation is based on the following facts and conditions:

Unless otherwise stated, information used in this review was derived from information submitted by the applicant.

Information for the purposes of this review was received on October 13, 2011.

IDEM Contact

- (a) Questions regarding this proposed permit can be directed to Angela Taylor at the Indiana Department Environmental Management, Office of Air Quality, Permits Branch, 100 North Senate Avenue, MC 61-53 IGCN 1003, Indianapolis, Indiana 46204-2251 or by telephone at (317) 234-5329 or toll free at 1-800-451-6027 extension 4-5329.
- (b) A copy of the findings is available on the Internet at: <http://www.in.gov/ai/appfiles/idem-caats/>.
- (c) For additional information about air permits and how the public and interested parties can participate, refer to the IDEM's Guide for Citizen Participation and Permit Guide on the Internet at: www.idem.in.gov.

Company Name: Safety Kleen Systems, Inc. (S-K)
Address City IN Zip: 601 Riley Road, East Chicago, Indiana 46312
County: Lake

Operating Permit No.: T089-25906-00301
Operating Permit Issuance Date: 09/29/09
Administrative Amendment No.: 089-31029-00301
SIC Code: 2992
Reviewer: APT
Date: 9/23/2011

Tank Properties

Tank ID	Tank Diameter (ft)	Tank Height (ft)	Tank Volume Capacity (gal)	Maximum Liquid Height (ft)
T-513	14	30	30,000	28
T-514	14	30	30,000	28
T-521	14	30	30,000	28
T-522	14	30	30,000	28
T-523	14	30	30,000	28
T-531	14	30	30,000	28
T-532	14	30	30,000	28
T-551	14	30	30,000	28
T-552	14	30	10,000	28
T-553	14	30	30,000	28
T-554	14	30	30,000	28
T-555	14	30	30,000	28
T-556	14	30	30,000	28
T-561	14	30	30,000	28
T-562	14	30	30,000	28
T-563	14	30	30,000	28
T-564	14	30	30,000	28
T-565	14	30	30,000	28
T-571	10	19	10,000	18
T-595	10	7	3,500	5

*VOC Potential Emissions

Tank No.	Breathing Loss lbs VOC/yr	Working Loss lbs VOC/yr	Total Loss lbs VOC/yr
T-513	7	301	308
T-514	7	146	153
T-521	7	282	289
T-522	7	317	324
T-523	7	180	187
T-531	7	420	427
T-532	7	233	240
T-551	7	244	251
T-552	7	114	121
T-553	7	231	238
T-554	7	231	238
T-555	7	164	171
T-556	7	196	203
T-561	7	216	223
T-562	7	221	228
T-563	7	198	205
T-564	7	216	223
T-565	7	137	144
T-595	9	2	11
BT-710	3	140	143
Total PTE (lbs/yr)	=		4,327.00
Total PTE (tons/yr)	=		2.16

* The VOC potential emissions for the new tanks, were calculated using the U.S. EPA's TANKS 4.0.9d program. These calculations were submitted by the source and can be referenced in the public files for this source.

Natural Gas Only Units

Emission Unit Description	Emission Unit ID	Heat Input Capacity (Each) (MMBtu/hr)
Boiler	SB-801	36.0
Boiler	SB-820	44.5
Boiler	SB-821	42.5
Process Heater	H-302	15.1
Process Heater	H-404	9.0

Combination fuel Units (Natural Gas, Fuel Oil, and Off-gas) calculated for Natural gas only

Emission Unit	Emission Unit	Heat Input Capacity
Process Heater	H-201	27.3
Process Heater	H-301	20.0
Process Heater	H-401	15.3
Process Heater	H-402	11.7
Process Heater	H-406	20.0

Appendix A: Emissions Calculations

Natural Gas Combustion Only MMBtu/hr <100

Company Name: Safety Kleen Systems, Inc. (S-K)
Address City IN Zip: 601 Riley Road, East Chicago, Indiana 46312
County: Lake

Operating Permit Number: T089-25906-00301
Operating Permit Issuance Date: 09/29/09

Administrative Amendment No.: 089-31029-00301

SIC Code: 2992
Reviewer: APT
Date: 9/23/2011

Total Heat Input Capacity MMBtu/hr	HHV mmBtu mmscf	Potential Throughput MMCF/yr
241.4	1000	2114.7

Emission Factor in lb/MMCF	Pollutant						
	PM*	PM ₁₀ *	direct PM _{2.5} *	SO ₂	NOx	VOC	CO
	1.9	7.6	7.6	0.6	100 **see below	5.5	84
Potential Emission in tons/yr	2.0	8.0	8.0	0.6	105.7	5.8	88.8

*PM emission factor is filterable PM only. PM10 emission factor is filterable and condensable PM10 combined.

PM_{2.5} emission factor is filterable and condensable PM_{2.5} combined.

**Emission Factors for NOx: Uncontrolled = 100, Low NOx Burner = 50, Low NOx Burners/Flue gas recirculation = 32

HAPS

Emission Factor in lb/MMcf	HAPs - Organics				
	Benzene	Dichlorobenze	Formaldehyde	Hexane	Toluene
	2.1E-03	1.2E-03	7.5E-02	1.8E+00	3.4E-03
Potential Emission in tons/yr	2.220E-03	1.269E-03	7.930E-02	1.903E+00	3.595E-03

Total HAPs 1.995

Emission Factor in lb/MMcf	HAPs - Metals				
	Lead	Cadmium	Chromium	Manganese	Nickel
	5.0E-04	1.1E-03	1.4E-03	3.8E-04	2.1E-03
Potential Emission in tons/yr	5.287E-04	1.163E-03	1.480E-03	4.018E-04	2.220E-03

The five highest organic and metal HAPs emission factors are provided above.

Additional HAPs emission factors are available in AP-42, Chapter 1.4.

Emission Factor in lb/MMcf	Greenhouse Gas		
	CO2	CH4	N2O
	120,000	2.3	2.2
Potential Emission in tons/yr	126,880	2.4	2.3
Summed Potential Emissions in tons/yr	126,885		
CO₂e Total in tons/yr	127,652		

Methodology

All emission factors are based on normal firing.

MMBtu = 1,000,000 Btu

MMCF = 1,000,000 Cubic Feet of Gas

Emission Factors are from AP 42, Chapter 1.4, Tables 1.4-1, 1.4-2, 1.4-3, SCC #1-02-006-02, 1-01-006-02, 1-03-006-02, and 1-03-006-03

The N₂O Emission Factor for uncontrolled is 2.2. The N₂O Emission Factor for low Nox burner is 0.64.

Greenhouse Warming Potentials (GWP) from Table A-1 of 40 CFR Part 98 Subpart A.

Potential Throughput (MMCF) = Heat Input Capacity (MMBtu/hr) x 8,760 hrs/yr x 1 MMCF/1,000 MMBtu

Emission (tons/yr) = Throughput (MMCF/yr) x Emission Factor (lb/MMCF)/2,000 lb/ton

CO₂e (tons/yr) = CO₂ Potential Emission ton/yr x CO₂ GWP (1) + CH₄ Potential Emission ton/yr x CH₄ GWP (21) + N₂O Potential

Emission ton/yr x N₂O GWP (310).



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: Dennis M Zawodni
Safety-Kleen Systems Inc.
601 Riley Rd
East Chicago, IN 46312-1698

DATE: November 9, 2011

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

SUBJECT: Final Decision
Title V
089-31029-00301

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.

Final Applicant Cover letter.dot 11/30/07

Mail Code 61-53

IDEM Staff	CDENNY 11/9/2011 Safety-Kleen Systems Inc. 089-31029-00301 (final)		Type of Mail: 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		Dennis M Zawodni Safety-Kleen Systems Inc. 601 Riley Rd East Chicago IN 46312-1698 (Source CAATS)										
2		Scott Miller Refinery Mgr Safety-Kleen Systems Inc. 601 Riley Rd East Chicago IN 46312-1698 (RO CAATS)										
3		East Chicago City Council 4525 Indianapolis Blvd East Chicago IN 46312 (Local Official)										
4		Gary - Hobart Water Corp 650 Madison St, P.O. Box M486 Gary IN 46401-0486 (Affected Party)										
5		Lake County Health Department-Gary 1145 W. 5th Ave Gary IN 46402-1795 (Health Department)										
6		WJOB / WZVN Radio 6405 Olcott Ave Hammond IN 46320 (Affected Party)										
7		Laurence A. McHugh Barnes & Thornburg 100 North Michigan South Bend IN 46601-1632 (Affected Party)										
8		Shawn Sobocinski 3229 E. Atlanta Court Portage IN 46368 (Affected Party)										
9		Ms. Carolyn Marsh Lake Michigan Calumet Advisory Council 1804 Oliver St Whiting IN 46394-1725 (Affected Party)										
10		Mark Coleman 9 Locust Place Ogden Dunes IN 46368 (Affected Party)										
11		Mr. Chris Hernandez Pipefitters Association, Local Union 597 8762 Louisiana St., Suite G Merrillville IN 46410 (Affected Party)										
12		Craig Hogarth 7901 West Morris Street Indianapolis IN 46231 (Affected Party)										
13		Lake County Commissioners 2293 N. Main St, Building A 3rd Floor Crown Point IN 46307 (Local Official)										
14		Anthony Copeland 2006 E. 140th Street East Chicago IN 46312 (Affected Party)										
15		Barbara G. Perez 506 Lilac Street 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 11/9/2011 Safety-Kleen Systems Inc. 089-31029-00301 (final)		Type of Mail: 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		Robert 3733 Parrish Avenue East Chicago IN 46312 (Affected Party)									
2		Ms. Karen Kroczek 8212 Madison Ave Munster IN 46321-1627 (Affected Party)									
3		Calumet Township Trustee 31 E 5th Avenue Gary IN 46402 (Affected Party)									
4		Joseph Hero 11723 S Oakridge Drive St. John IN 46373 (Affected Party)									
5		Gary City Council 401 Broadway # 209 Gary IN 46402 (Local Official)									
6		Mr. Larry Davis 268 South, 600 West Hebron IN 46341 (Affected Party)									
7		Gitte Laasby Post Tribune 1433 E. 83rd Ave Merrillville IN 46410 (Affected Party)									
8		Susan Severtson City of Gary Law Dept. 401 Broadway 4th Floor Gary IN 46402 (Local Official)									
9		Mark Zeltwanger 26545 CR 52 Nappanee IN 46550 (Affected Party)									
10											
11											
12											
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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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