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: December 28, 2011

RE: MGP Ingredients, Inc. / 029-31206-00005

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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December 28, 2011

Mr. Ken Trompeter
MGP Ingredients, Inc.
100 Commercial Street
Atchison, KS 66002

Re: 029-31206-00005
Second Administrative Amendment to
Part 70 Renewal No.: T029-24407-00005

Dear Mr. Trompeter:

Lawrenceburg Distillers Indiana, LLC was issued a Part 70 Operating Permit Renewal on April 15, 2008 for a stationary distilled spirits production source. A letter requesting changes to this permit was received on December 2, 2011. The letter requested that the source name on the permit be changed to MGPI of Indiana, LLC based upon a transfer of ownership, effective December 27, 2011. Pursuant to the provisions of 326 IAC 2-7-11(a)(2), the permit is hereby administratively amended as follows with deleted language as ~~strikeouts~~ and new language **bolded**:

Requested Change:

Due to a transfer of ownership, the name of the source has been changed throughout the permit as follows:

~~Lawrenceburg Distillers Indiana, LLC~~ **MGPI of Indiana, LLC**

Additional Changes:

IDEM, OAQ has decided to make additional revisions to the permit as described below in order to update the language to match the most current version of the applicable rule, to eliminate redundancy within the permit, and to provide clarification regarding the requirements of these conditions.

The following is a summary of changes that have been made throughout the permit:

(a) *Multiple Conditions - Rule References*
On October 1, 2010, revisions to Title 326 of the Indiana Administrative Code (IAC) were published in the Indiana Register. Some of the revisions affect the IAC references included in the permit. The permit has been revised to reflect the revisions that were made to Title 326 of the IAC.

(b) *Multiple Conditions - Mailing Address*
IDEM, OAQ has decided to remove all references to the source mailing address. IDEM, OAQ will continue to maintain records of the mailing address.

(c) *Multiple Conditions - Timeframe References*
IDEM, OAQ has decided that the phrases "no later than" and "not later than" are clearer than "within" in relation to the end of a timeline. Therefore, all references to timelines have been revised to "no later than" or "not later than" except for the timelines in subparagraphs (b)(4) and (b)(5) of Section B - Emergency Provisions and Section B - Annual Fee Payment, in which the underlying rules state "within".

(d) *Multiple Conditions - Responsible Official References*
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, OAQ is revising all instances of "the responsible official" to read "a responsible official".

(e) *Multiple Conditions - Certification Requirement References*
IDEM, OAQ has decided to clarify what rule requirements a certification needs to meet.

(f) *Multiple Conditions - Branch Name Updates*
Several of IDEM's Branches and sections have been renamed. Therefore, IDEM has updated the addresses listed in the permit. References to Permit Administration and Development Section and the Permits Branch have been changed to Permit Administration and Support Section. References to Asbestos Section, Compliance Data Section, Air Compliance Section, and Compliance Branch have been changed to Compliance and Enforcement Branch.

(g) *Multiple Conditions - Typographical Errors, Language Clarification*
Throughout the permit, typographical and grammatical errors have been corrected. Additionally, changes to language for clarification or to align with the current preferred permit language conventions have been made.

Changes specific to Section A of the Permit:

(a) A.1 of the permit has been revised in indicate that the source is a stationary source.

(b) A.1 of the permit has been revised to update the Source Location Status and Source Status of the permit to reflect the current regulatory status.

The permit has been revised as follows:

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

The Permittee owns and operates a **stationary** distilled spirits production source.

Source Address:	7 Ridge Avenue, Lawrenceburg, Indiana 47025
~~Mailing Address:~~	~~7 Ridge Avenue, Lawrenceburg, Indiana 47025~~
General Source Phone Number:	812-537-0700
SIC Code:	2085
County Location:	Dearborn
Source Location Status:	Nonattainment for ~~8-hour ozone and~~ PM2.5 **standard** Attainment for all other criteria pollutants
Source Status:	Part 70 Operating Permit Program Major Source under PSD and ~~Emission Offset~~ **Nonattainment NSR** Rules Major Source, Section 112 of the Clean Air Act 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(154)]

* * *

A.3 Specifically Regulated Insignificant Activities [326 IAC 2-7-1(21)] [326 IAC 2-7-4(c)] [326 IAC 2-7-5(154)]

* * *

Changes Specific to Sections B and C of the Permit:

(a) *Section B - Enforceability*
The appropriate Indiana Code reference has been added to the rule citations.

(b) *Section B - Duty to Provide Information*
IDEM, OAQ has revised Section B - Duty to Provide Information by removing the statement that the submittal by the Permittee requires the certification by the "responsible official".

(c) *Section B - Certification*
IDEM, OAQ has decided to clarify Section B - Certification to be consistent with the rule and to clarify that Section B - Certification only states what a certification must be.

(d) *Section B - Preventive Maintenance Plan*
IDEM, OAQ has added a new paragraph (b) to handle a future situation where the Permittee adds units that need preventive maintenance plans developed. IDEM, OAQ has also decided to clarify other aspects of Section B - Preventive Maintenance Plan.

(e) *Section B - Emergency Provisions*
IDEM, OAQ is revising Section B - Emergency Provisions to delete paragraph (h). 326 IAC 2-7-5(3)(C)(ii) allows that deviations reported under an independent requirement do not have to be included in the Quarterly Deviation and Compliance Monitoring Report. IDEM, OAQ has also added the Southeastern Regional Office to Section B - Emergency Provisions.

(f) *Section B - Deviation from Permit Requirements and Section C - General Reporting Requirements*
IDEM, OAQ has decided that having a separate condition for the reporting of deviations is unnecessary. Therefore, Section B - Deviation from Permit Requirements and Conditions has been removed and the requirements of that condition have been added to Section C - General Reporting Requirements. Paragraph (d) of Section C - General Reporting Requirements has been removed because IDEM, OAQ already states the timeline and certification needs of each report in the condition requiring the report. Subparagraph (g)(4), which is now (f)(4) of Section C - General Reporting Requirements, has been revised to match the underlying rule language.

(g) *Section B - Permit Renewal*
IDEM, OAQ has decided to 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.

(h) *Section B - Permit Revision Under Economic Incentives and Other Programs*
IDEM, OAQ has decided to state that no notice is required for approved changes in Section B - Permit Revision Under Economic Incentives and Other Programs.

(i) *Section B - Source Modification Requirement*
IDEM, OAQ has decided to reference 326 IAC 2 in Section B - Source Modification

Requirement rather than the specific construction rule.

(j) *Section C - Opacity*
IDEM, OAQ has added 326 IAC 5-1-1 to the exception clause of Section C - Opacity, since 326 IAC 5-1-1 does list exceptions.

(k) *Section C - Open Burning*
The last sentence of Section C - Open Burning was removed because the provisions of 326 IAC 4-1-3(a)(2)(A) and (B) are federally enforceable and are included in Indiana's State Implementation Plan (SIP).

(l) *Section C - Incineration*
IDEM, OAQ has revised Section C - Incineration to more closely reflect the two underlying rules.

(m) *Section C - Stack Height*
A statement has been added to the end of the paragraph to indicate which provisions of 326 IAC 1-7 are not federally enforceable.

(n) *Section C - Asbestos Abatement Projects*
IDEM, OAQ has revised paragraph (g) of Section C - Asbestos Abatement Projects to match the rule language in 326 IAC 14-10-1(a).

(o) *Section C - Performance Testing*
IDEM, OAQ 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.

(p) *Section C - Compliance Monitoring*
IDEM, OAQ 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.

(q) *Section C - Maintenance of Continuous Opacity Monitoring Equipment*
IDEM, OAQ has decided to move Section C - Maintenance of Continuous Opacity Monitoring Equipment to Section D.2 since this section includes the Permittee's requirement for COMs.

(r) *Section C - Monitoring Methods*
IDEM, OAQ has removed Section C - Monitoring Methods. The conditions that require the monitoring or testing, if required, state what methods shall be used.

(s) *Section C - Emergency Reduction Plans*
IDEM, OAQ has decided not to list the submission date of the ERP because the ERP can be updated without a permit change.

(t) *Section C - Response to Excursions or Exceedances*
IDEM, OAQ 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.

(u) *Section C - Actions Related to Noncompliance Demonstrated by a Stack Test*
IDEM, OAQ 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 revised 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.

(v) *Section C - Emission Statement*
IDEM, OAQ decided to remove paragraph (b) of Section C - Emission Statement since it was duplicative of the requirement in Section C - General Reporting Requirements.

(w) *Section C - General Record Keeping Requirements*
On January 22, 2008, U.S. EPA promulgated a rule to address the remand, by the U.S. Court of Appeals for the District of Columbia on June 25, 2005, of the reasonable possibility provisions of the December 31, 2002 major NSR reform rule. IDEM, OAQ has agreed with U.S. EPA to interpret "reasonable possibility" in 326 IAC 2-2 and 326 IAC 2-3 consistent with the January 22, 2008 U.S. EPA rule. To implement this interpretation, IDEM, OAQ is revising Section C - General Record Keeping Requirements and Section C - General Reporting Requirements.

Additionally, 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.

(x) *Section C - Compliance with 40 CFR 82 and 326 IAC 22-1*
IDEM, OAQ has decided to simplify the referencing in Section C - Compliance with 40 CFR 82 and 326 IAC 22-1.

The permit has been revised as follows:

SECTION B GENERAL CONDITIONS

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

* * *

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)]

* * *

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

* * *

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

* * *

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

* * *

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

* * *

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) * * *

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~~**A** certification ~~submitted shall contain~~**required by this permit meets the requirements of 326 IAC 2-7-6(1) if:**

(1) **it contains a** certification by ~~the~~**a** "responsible official" ~~of truth, accuracy,~~**as defined by 326 IAC 2-7-1(34),** and ~~completeness. This~~

(2) **the** certification ~~shall state~~**states** that, based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate, and complete.

(b) ~~One (1) certification shall be included, using~~**The Permittee may use** the attached Certification Form, **or its equivalent** with each submittal requiring certification. One (1) certification may cover multiple forms in one (1) submittal.

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

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

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

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

* * *

(b) * * *

(c) The annual compliance certification report shall include the following:

* * *

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

(a) The Permittee shall maintain and **maintain** ~~implement~~ Preventive Maintenance Plans (PMPs) **no later than** ~~within~~ ninety (90) days after issuance of this permit for the source as described in 326 IAC 1-6-3. At a minimum, the PMPs shall include:

(1) * * *
(2) * * *
(3) * * *

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

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

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

The Permittee shall implement the PMPs.

(b) 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.

(~~b~~**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 ~~or potential to emit~~. The PMPs do not require **a** ~~the~~ certification **that meets the requirements of 326 IAC 2-7-6(1)** by **a** ~~the~~ "responsible official" as defined by 326 IAC 2-7-1(34).

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

(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) * * *

(2) * * *

(3) * * *

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

Telephone Number: 1-800-451-6027 (ask for Office of Air Quality, Compliance ~~Section~~**and Enforcement Branch**), or
Telephone Number: 317-233-0178 (ask for **Office of Air Quality,** Compliance ~~Section~~**and Enforcement Branch**)
Facsimile Number: 317-233-6865
Southeast Regional Office phone: (812) 358-2027; fax: (812) 358-2058.

(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

* * *

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

(6) * * *

(c) * * *

(d) * * *

(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)(**98**) be revised in response to an emergency.

(f) * * *

(g) * * *

~~(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) * * *

(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) * * *

(d) * * *

(e) * * *

(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]

* * *

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

* * *

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

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

~~Indiana Department of Environmental Management~~
~~Compliance Data Section, Office of Air Quality~~
~~100 North Senate Avenue~~
~~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~~**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 ~~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) * * *

(c) * * *

(d) * * *

B.~~17~~**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 ~~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).

Request for renewal shall be submitted to:

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

(b) * * *

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

deadline specified**, pursuant to 326 IAC 2-7-4(a)(2)(D),** in writing by IDEM, OAQ any additional information identified as being needed to process the application.

B.~~18~~**17** Permit Amendment or Modification [326 IAC 2-7-11][326 IAC 2-7-12] ~~[40 CFR 72]~~

(a) * * *

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

Indiana Department of Environmental Management
~~Permits Branch~~**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~~**does require 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) * * *

B.~~19~~**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) * * *

B.~~20~~**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)~~,~~ **or** (c)~~, or (e)~~ without a prior permit revision, if each of the following conditions is met:

(1) * * *

(2) * * *

(3) * * *

(4) The Permittee notifies the:

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

* * *

(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)~~,~~ **or** (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)~~,~~ **and** (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:

* * *

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

(c) * * *
(d) * * *
(e) * * *

B.~~21~~**20** Source Modification Requirement [326 IAC 2-7-10.5] ~~[326 IAC 2-2-2] [326 IAC 2-3-2]~~

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

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

B.~~22~~**21** Inspection and Entry [326 IAC 2-7-6][IC 13-14-2-2][IC 13-30-3-1][IC 13-17-3-2]

* * *

B.~~23~~**22** Transfer of Ownership or Operational Control [326 IAC 2-7-11]

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

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

~~The~~**Any such** application ~~which shall be submitted by the Permittee~~ does require ~~the~~**a** certification ~~by the~~**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) * * *

B.~~24~~**23** Annual Fee Payment [326 IAC 2-7-19] [326 IAC 2-7-5(7)][326 IAC 2-1.1-7]

* * *

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

* * *

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) * * *
(b) * * *

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. ~~326 IAC 4-1-3 (a)(2)(A) and (B) are not federally enforceable.~~

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~~**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]

* * *

C.5 Stack Height [326 IAC 1-7]

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

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

(a) * * *
(b) * * *
(c) * * *
(d) The notice to be submitted shall include the information enumerated in 326 IAC 14-10-3(3).

All required notifications shall be submitted to:

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

MC 61-~~52~~**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~~**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) * * *

(f) * * *

(g) Indiana ~~Accredited~~**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 ~~Accredited~~**Licensed** Asbestos Inspector to thoroughly inspect the affected portion of the facility for the presence of asbestos. The requirement to use an Indiana ~~Accredited~~**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.~~

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 ~~Data Section~~**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 ~~the~~**a** "responsible official" as defined by 326 IAC 2-7-1(34).

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

(c) * * *

Compliance Requirements [326 IAC 2-1.1-11]

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

* * *

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

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 Maintenance of Continuous Opacity Monitoring Equipment [326 IAC 2-7-5(3)(A)(iii)]~~

~~(a) The Permittee shall install, calibrate, maintain, and operate all necessary continuous opacity monitoring systems (COMS) and related equipment. For a boiler, the COMS shall be in operation at all times that the induced draft fan is in operation except when firing natural gas.~~

~~(b) All COMS shall meet the performance specifications of 40 CFR 60, Appendix B, Performance Specification No. 1, and are subject to monitor system certification requirements pursuant to 326 IAC 3-5.~~

~~(c) In the event that a breakdown of a COMS occurs, a record shall be made of the times and reasons of the breakdown and efforts made to correct the problem.~~

~~(d) Whenever a COMS is malfunctioning or is down for maintenance or repairs for a period of twenty-four (24) hours or more and a backup COMS is not online within twenty-four (24) hours of shutdown or malfunction of the primary COMS, the Permittee shall provide a certified opacity reader, who may be an employee of the Permittee or an independent contractor, to self-monitor the emissions from the emission unit stack.~~

~~(1) Visible emission readings shall be performed in accordance with 40 CFR 60, Appendix A, Method 9, for a minimum of five (5) consecutive six (6) minute averaging periods beginning not more than twenty-four (24) hours after the start of the malfunction or down time.~~

~~(2) Method 9 opacity readings shall be repeated for a minimum of five (5) consecutive six (6) minute averaging periods at least twice per day during daylight operations, with at least four (4) hours between each set of readings, until a COMS is online.~~

~~(3) Method 9 readings may be discontinued once a COMS is online.~~

~~(4) Any opacity exceedances determined by Method 9 readings shall be reported with the Quarterly Opacity Exceedances Reports.~~

~~(5) Method 9 readings will not be required if the unit is firing natural gas while a COMS is offline.~~

~~(e) Nothing in this permit shall excuse the Permittee from complying with the requirements to operate a continuous opacity monitoring system pursuant to 326 IAC 3-5 and 40 CFR 60.~~

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

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

~~C.12~~**C.10** Instrument Specifications [326 IAC 2-1.1-11] [326 IAC 2-7-5(3)] [326 IAC 2-7-6(1)]

* * *

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

C.~~13~~**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 ~~prepared and~~**shall maintain the most recently** submitted written emergency reduction plans (ERPs) consistent with safe operating procedures ~~on October 18, 2002~~.

(b) * * *

C.~~14~~**12** Risk Management Plan [326 IAC 2-7-5(~~12~~**11**)] [40 CFR 68]

* * *

C.~~15~~**13** Response to Excursions or Exceedances [326 IAC 2-7-5] [326 IAC 2-7-6]

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

(a) The Permittee shall **take a reasonable response step(s) to** restore operation of the emissions unit (including any control device and associated capture system) to its normal or usual manner of operation as expeditiously as practicable in accordance with good air pollution control practices for minimizing **excess** emissions.

(b) The response shall include minimizing the period of any startup, shutdown or malfunction ~~and taking any necessary corrective actions to restore normal operation and prevent the likely recurrence of the cause of an excursion or exceedance (other than those caused by excused startup or shutdown conditions). Corrective actions~~**. The response** may include, but ~~are~~**is** not limited to, the following:

(1) initial inspection and evaluation;

(2) recording that operations returned **or are returning** to normal without operator action (such as through response by a computerized distribution control system); or

(3) any necessary follow-up actions to return operation to ~~within the indicator range, designated condition, or below the applicable emission limitation or standard, as applicable.~~**normal or usual manner of operation.**

(c) A determination of whether the Permittee has used acceptable procedures in response to an excursion or exceedance will be based on information available, which may include, but is not limited to, the following:

(1) monitoring results;

(2) review of operation and maintenance procedures and records; **and/or**

(3) inspection of the control device, associated capture system, and the process.

(d) Failure to take **a** reasonable response ~~steps~~**step(s)** shall be considered a deviation from the permit.

(e) The Permittee shall ~~maintain~~**record** the ~~following records:~~

~~(1) monitoring data;~~

~~(2) monitor performance data, if applicable; and~~

~~(3) corrective actions~~**reasonable response step(s)** taken.

C.~~16~~**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 ~~take appropriate response actions. The Permittee shall~~ submit a description of ~~these~~**its** response actions to IDEM, OAQ ~~within thirty (30~~**, no later than seventy-five (75)** days ~~of receipt~~**after the date** of the test ~~results. The Permittee shall take appropriate action to minimize excess emissions from the affected facility while the response actions are being implemented~~.

(b) A retest to demonstrate compliance shall be performed ~~within~~**no later than** one hundred ~~twenty (120~~**eighty (180)** days ~~of receipt of~~**after** the ~~original~~**date of the** test ~~results~~. Should the Permittee demonstrate to IDEM, OAQ that retesting in one hundred ~~twenty (120~~**eighty (180)** days is not practicable, IDEM, OAQ may extend the retesting deadline~~.~~

(c) * * *

The response action documents submitted pursuant to this condition do require ~~the~~**a** certification **that meets the requirements of 326 IAC 2-7-6(1)** by ~~the~~**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.~~17~~**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)~~ Pursuant to 326 IAC 2-6-3(a)(1), the Permittee shall submit by July 1 of each year an emission statement covering the previous calendar year. The emission statement shall contain, at a minimum, the information specified in 326 IAC 2-6-4(c) and shall meet the following requirements:

* * *

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-~~53~~**50** IGCN 1003
Indianapolis, Indiana 46204-2251

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

C.~~18~~**16** General Record Keeping Requirements [326 IAC 2-7-5(3)] [326 IAC 2-7-6] [326 IAC 2-2][326 IAC 2-3]

(a) * * *

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

(c) If there is a **reasonable possibility (as defined in 40 CFR 51.165(a)(6)(vi)(A), 40 CFR 51.165(a)(6)(vi)(B), 40 CFR 51.166(r)(6)(vi)(a), and/or 40 CFR 51.166(r)(6)(vi)(b)) that a** "project" (as defined in 326 IAC 2-2-1(~~qq~~**oo**) and/or 326 IAC 2-3-1(~~ll~~**jj**)) at an existing emissions unit, other than ~~a project~~**projects** at a source with a Plantwide Applicability Limitation (PAL), which is not part of a "major modification" (as defined in 326 IAC 2-2-1(~~ee~~**dd**) and/or 326 IAC 2-3-1(~~z)~~)**y)) may result in significant emissions increase** and the Permittee elects to utilize the "projected actual emissions" (as defined in 326 IAC 2-2-1(~~rr~~**pp**) and/or 326 IAC 2-3-1(~~mm~~**kk**)), the Permittee shall comply with ~~the~~ following:

(1) Before beginning actual construction of the "project" (as defined in 326 IAC 2-2-1(~~qq~~**oo**) and/or 326 IAC 2-3-1(~~ll~~**jj**)) at an existing emissions unit, document and maintain the following records:

(A) * * *
(B) * * *
(C) A description of the applicability test used to determine that the project is not a major modification for any regulated NSR pollutant, including:

(i) * * *
(ii) * * *
(iii) Amount of emissions excluded under section 326 IAC 2-2-1(~~rr~~**pp**)(2~~)~~ **(**)(A)(iii) and/or 326 IAC 2-3-1(~~mm~~ **(kk**)(2)(A)(iii); and
(iv) * * *

(~~2~~**d**) **If there is a reasonable possibility (as defined in 40 CFR 51.165(a)(6)(vi)(A) and/or 40 CFR 51.166(r)(6)(vi)(a)) that a "project" (as defined in 326 IAC 2-2-1(oo) and/or 326 IAC 2-3-1(jj)) at an existing emissions unit, other than projects at a source with a Plantwide Applicability Limitation (PAL), which is not part of a "major modification" (as defined in 326 IAC 2-2-1(dd) and/or 326 IAC 2-3-1(y)) may result in significant emissions increase and the Permittee elects to utilize the "projected actual emissions" (as defined in 326 IAC 2-2-1(pp) and/or 326 IAC 2-3-1(kk)), the Permittee shall comply with following:**

(1) * * *
(~~3~~**2**) * * *

C.~~19~~**17** General Reporting Requirements [326 IAC 2-7-5(3)(C)] [326 IAC 2-1.1-11] [326 IAC 2-2][326 IAC 2-3]

(a) The Permittee shall submit the attached Quarterly Deviation and Compliance Monitoring Report or its equivalent. Any deviation from permit requirements, the date(s) of each deviation, the cause of the deviation, and the response steps taken must be reported~~.~~ **except that a deviation required to be reported pursuant to an applicable**

requirement that exists independent of this permit, shall be reported according to the schedule stated in the applicable requirement and does not need to be included in this report. This report shall be submitted ~~within~~**not later than** thirty (30) days ~~of~~**after** the end of the reporting period. The Quarterly Deviation and Compliance Monitoring Report shall include ~~the~~**a** certification **that meets the requirements of 326 IAC 2-7-6(1)** by ~~the~~**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 report required in (a) of this condition and reports required by conditions in Section D of this permit shall be submitted to:~~

(b) The address for report submittal is:

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

(c) * * *

~~(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~~**d**) * * *

(~~f~~**e**) If the Permittee is required to comply with the ~~record keeping~~**recordkeeping** provisions of (~~c~~**d**) in Section C - General Record Keeping Requirements for any "project" (as defined in 326 IAC 2-2-1(~~qq~~**oo**) and/or 326 IAC 2-3-1(~~ll~~**jj**)) at an existing emissions unit, and the project meets the following criteria, then the Permittee shall submit a report to IDEM, OAQ:

(1) The annual emissions, in tons per year, from the project identified in (c)(1) in Section C- General Record Keeping Requirements exceed the baseline actual emissions, as documented and maintained under Section C- General Record Keeping Requirements (c)(1)(C)(i), by a significant amount, as defined in 326 IAC 2-2-1(~~xx~~**ww**) and/or 326 IAC 2-3-1(~~qq)),~~**pp),** for that regulated NSR pollutant, and

(2) * * *

(~~g~~**f**) The report for project at an existing emissions unit shall be submitted ~~within~~**no later than** sixty (60) days after the end of the year and contain the following:

(1) * * *

(2) The annual emissions calculated in accordance with (~~c~~)(~~2~~**d)(1**) and (~~3~~**2**) in Section C - General Record Keeping Requirements.

(3) * * *

(4) Any other information that the Permittee ~~deems fit~~**wishes** to include in this report **such as an explanation as to why the emissions differ from the preconstruction projection**.

Reports required in this part shall be submitted to:

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

(~~h~~**g**) * * *

Stratospheric Ozone Protection

C.~~20~~**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 ~~the~~**applicable** standards for recycling and emissions reduction~~:~~.

~~(a) Persons opening appliances for maintenance, service, repair, or disposal must comply with the required practices pursuant to 40 CFR 82.156.~~

~~(b) Equipment used during the maintenance, service, repair, or disposal of appliances must comply with the standards for recycling and recovery equipment pursuant to 40 CFR 82.158.~~

~~(c) Persons performing maintenance, service, repair, or disposal of appliances must be certified by an approved technician certification program pursuant to 40 CFR 82.161.~~

Changes Specific to the D Sections of the Permit:

(a) For clarity, IDEM, OAQ has changed references to the general conditions such as "in accordance with Section B", "in accordance with Section C", or other similar language to "Section C...contains the Permittee's obligation with regard to the records required by this condition.

(b) IDEM, OAQ has decided to clarify Section D - Testing Requirements to state that testing shall be done in accordance with 326 IAC 3-6 instead of in accordance with another permit condition that refers to 326 IAC 3-6.

(c) The word "status" has been added to the Record Keeping Requirements and Reporting Requirements. The Permittee has the obligation to document the compliance status. The wording has been revised to properly reflect this.

(d) IDEM, OAQ has included the replacement of an instrument as an acceptable action in the Parametric Monitoring Conditions.

(e) IDEM, OAQ has decided that the phrase "In order to ensure compliance with Condition..." is more appropriate than In order to comply with Condition..." when specifying that a

control device must be used to ensure compliance with a permit Condition in the Compliance Determination portion of the D sections.

(f) IDEM, OAQ has decided that the language for bag failure in multi-compartment baghouses is more appropriately placed in the Compliance Monitoring Requirements portion of the D sections rather than the Compliance Determination Requirements portion because a bag failure in a multi-compartment baghouse does not necessarily indicate that the control device is unable to operate and control emissions. If a failure occurs in a multi-compartment baghouse, a response step(s) should be taken. Additionally, the language for single compartment baghouse failure is more appropriately placed in the Compliance Determination portion of the D sections rather than the Compliance Monitoring portion of the D sections because failure of a single compartment baghouse that is needed to meet an emission limit is indicative of a deviation from the permit.

(g) IDEM, OAQ has decided to indicate that a reasonable response step(s) shall be taken for compliance monitoring parameters outside of the range instead of reasonable response steps. It will be up to the Permittee to determine the number of reasonable response steps required to bring a control device parameter back into the normal range.

(h) IDEM, OAQ has decided that parametric monitoring ranges specified in monitoring conditions shall be used "until" a new range is established in the latest stack test instead. Ranges established during the most recent stack test shall be used for determining whether or not a response step(s) is required.

(i) The COMs monitoring requirements have been moved from Section C to Section D.2 of the permit as previously described.

(j) A record keeping requirement was added to document the results of the semi-annual baghouse inspections required under Condition D.1.6.

(k) The reporting requirement for the natural gas certification was removed from Section D.3 as it has been determined that this is not a necessary reporting requirement. The Permittee shall keep records of the amount and type of each fuel combusted as specified in the record keeping requirements in Section D.3.

The permit has been revised as follows:

SECTION D.1 FACILITY OPERATION CONDITIONS

Facility Description [326 IAC 2-7-5(~~15~~**14**)] Grain Handling, Fermentation, and Distillation * * *

* * *

D.1.3 Particulate Control [326 IAC 2-7-6(6)]

(a) In order to **ensure compliance**~~comply~~ with Condition D.1.1, the baghouses for particulate control shall be in operation and control emissions from EU-12 and EU-34 through EU-36, at all times that the facilities are in operation.

(a) For a single compartment baghouse controlling emissions from a process operated continuously, a failed unit and the associated process shall be shut down immediately until the failed unit has been repaired or replaced. Operations may continue only if the event qualifies as an emergency and the Permittee satisfies the requirements of the emergency provisions of this permit (Section B - Emergency

Provisions).

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

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

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

Compliance Monitoring Requirements [326 IAC 2-7-6(1)][326 IAC 2-7-5(1)] [40 CFR 64]

D.1.4 Visible Emissions Notations

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

D.1.5 Baghouse Parametric Monitoring [326 IAC 2-7-6(1)] [326 IAC 2-7-5(1)]

(a) The Permittee shall record the pressure drop across the baghouses used in conjunction with EU-12 and EU-34 through EU-36 at least once per day when the emissions units are in operation. When for any one reading, the pressure drop across the baghouse is outside the normal range of 0.5 to 5.5 inches of water for EU-12 and EU-34 through EU-36, or **until** a **new** range **is** established during the latest stack test, the Permittee shall take **a** reasonable response step(s). ~~in accordance with~~ Section C - Response to Excursions or Exceedances **contains the Permittee's obligation with regard to the response step(s) required by this condition**. A pressure reading that is outside the above mentioned range is not a deviation from this permit. Failure to take **a** response step(s) ~~in accordance with Section C - Response to Excursions or Exceedances,~~ shall be considered a deviation from this permit.

(b) The instrument used for determining the pressure shall comply with Section C - Instrument Specifications, of this permit, shall be subject to approval by IDEM, OAQ, and shall be calibrated **or replaced** at least once every six (6) months.

D.1.6 Baghouse Inspections

* * *

D.1.7 Broken or Failed Bag Detection - **Multi-Compartment Baghouse**

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

~~(a) For a single compartment baghouse controlling emissions from a process operated continuously, a failed unit and the associated process shall be shut down immediately until the failed unit has been repaired or replaced. Operations may continue only if the event qualifies as an emergency and the Permittee satisfies the requirements of the emergency provisions of this permit (Section B - Emergency Provisions).~~

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

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

Record Keeping 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.~~5~~**4**, the Permittee shall maintain a daily record of visible emission notations of the grain processing facilities stack exhausts. 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 grain processing facilities did not operate that day).

(b) To document **the** compliance **status** with Condition D.1.~~6~~**5**, the Permittee shall maintain a daily record of the pressure drop across the baghouse controlling the grain processing facilities. The Permittee shall include in its daily record when a pressure drop reading is not taken and the reason for the lack of a pressure drop reading (e.g., the grain processing facilities did not operate that day).

(c) To document the compliance status with Condition D.1.6, the Permittee shall maintain records of the results of the inspections required under Condition D.1.6. The Permittee shall include in its daily record when an inspection is not performed and the reason for a lack of inspection (e.g., the process did not operate during the semi-annual period).

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

SECTION D.2 FACILITY OPERATION CONDITIONS

Facility Description [326 IAC 2-7-5(1~~5~~**4**)]: Steam Boiler, identified as EU-96

* * *

* * *

D.2.4 Testing Requirements [326 IAC 2-7-6(1,6)] [326 IAC 2-1.1-11]

~~By March 13, 2012, i~~In order to demonstrate compliance with Condition D.2.1, the Permittee shall perform PM testing of the steam boiler, identified as EU-96, utilizing methods as approved by the Commissioner~~. These tests shall be repeated~~ at least once every five (5) years from the date of this valid compliance demonstration. Testing shall be conducted in accordance with **the provisions of 326 IAC 3-6 (Source Sampling Procedures).** Section C- Performance Testing **contains the Permittee's obligation with regard to the performance testing required by this condition.**

D.2.5 Particulate Control [326 IAC 2-7-6(6)]

In order to ensure compliance with Condition D.2.1, ~~T~~the electrostatic precipitator for particulate control shall be in operation and control emissions from the steam boiler, identified as EU-96, at all times that the boiler is in operation and is firing coal, CBAF, or wood.

Compliance Assurance Monitoring Requirements [326 IAC 2-7-6(1)] [326 IAC 2-7-5(1)] [40 CFR 64]

D.2.6 Continuous Opacity Monitors

Pursuant to 326 IAC 5-1-2 and 326 IAC 5-1-3, opacity from EU-96 shall comply with the following requirements:

(a) The Permittee shall continuously operate the opacity monitoring devices on EU-96, in accordance with the requirements of Condition ~~C.10 (Maintenance of Continuous Opacity Monitoring Equipment)~~**D.2.7** to ensure compliance with the opacity limits of Condition C.1 (Opacity).

(b) * * *
(c) * * *
(d) * * *
(e) * * *

D.2.7 Maintenance of Continuous Opacity Monitoring Equipment [326 IAC 2-7-5(3)(A)(iii)]

(a) The Permittee shall install, calibrate, maintain, and operate all necessary continuous opacity monitoring systems (COMS) and related equipment. For a boiler, the COMS shall be in operation at all times that the induced draft fan is in operation except when firing natural gas.

(b) All COMS shall meet the performance specifications of 40 CFR 60, Appendix B, Performance Specification No. 1, and are subject to monitor system certification requirements pursuant to 326 IAC 3-5.

(c) In the event that a breakdown of a COMS occurs, a record shall be made of the times and reasons of the breakdown and efforts made to correct the problem.

(d) Whenever a COMS is malfunctioning or is down for maintenance or repairs for a period of twenty-four (24) hours or more and a backup COMS is not online within twenty-four (24) hours of shutdown or malfunction of the primary COMS, the Permittee shall provide a certified opacity reader, who may be an employee of the Permittee or an independent contractor, to self-monitor the emissions from the emission unit stack.

(1) Visible emission readings shall be performed in accordance with 40 CFR 60, Appendix A, Method 9, for a minimum of five (5) consecutive six (6) minute

averaging periods beginning not more than twenty-four (24) hours after the start of the malfunction or down time.

(2) Method 9 opacity readings shall be repeated for a minimum of five (5) consecutive six (6) minute averaging periods at least twice per day during daylight operations, with at least four (4) hours between each set of readings, until a COMS is online.

(3) Method 9 readings may be discontinued once a COMS is online.

(4) Any opacity exceedances determined by Method 9 readings shall be reported with the Quarterly Opacity Exceedances Reports.

(5) Method 9 readings will not be required if the unit is firing natural gas while a COMS is offline.

(e) Nothing in this permit shall excuse the Permittee from complying with the requirements to operate a continuous opacity monitoring system pursuant to 326 IAC 3-5 and 40 CFR 60.

D.2.8~~7~~ Opacity Readings [326 IAC 2-7-6(1)] [326 IAC 2-7-5(1)]

(a) In the event of emissions exceeding twenty percent (20%) average opacity for three (3) consecutive six (6) minute averaging periods, **the Permittee shall take a reasonalbe** ~~appropriate~~ response step(s). ~~shall be taken in accordance with~~ Section C - Response to Excursions or Exceedances **contains the Permittee's obligation with regard to the response step(s) required by this condition.** ~~such that the cause(s) of the excursion are identified and corrected and opacity levels are brought back below twenty percent (20%). Examples of expected response steps include, but are not limited to, boiler loads being reduced, adjustment of flue gas conditioning rate, and ESP T-R sets being returned to service.~~

~~(b)~~ Opacity readings in excess of twenty percent (20%) for three (3) consecutive six (6) minute averaging periods but not exceeding the opacity limit for the unit are not a deviation from this permit. Failure to take **a** response step(s) ~~in accordance with Section C - Response to Excursions or Exceedances~~ shall be considered a deviation from this permit.

(~~c~~**b**) The Permittee may request that the IDEM, OAQ approve a different opacity trigger level than the one specified in (a) ~~and (b)~~ of this condition, provided the Permittee can demonstrate, through stack testing or other appropriate means, that a different opacity trigger level is appropriate for monitoring compliance with the applicable particulate matter mass emission limits.

D.2.9~~8~~ Parametric Monitoring

(a) * * *

(b) When for any one reading, operation is outside one of the normal ranges shown below, or **until** a **new** range **is** established during the latest stack test, the Permittee shall take **a** reasonable response step(s). ~~in accordance with~~ Section C - Response to Excursions or Exceedances **contains the Permittee's obligation with regard to the response step(s) required by this condition. A reading outside of the above mentioned ranges is not a deviation from this permit. Failure to take a response step(s) shall be considered a deviation from this permit.**

(1) Primary voltage: 70-385 V

(2) Secondary voltage: 10-55 kV

(3) T-R set primary current: 15-150 A

(c) * * *

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

D.2.~~9~~**10** Record Keeping Requirements

(a) To document **the** compliance **status** with Conditions D.2.1 and D.2.2, the Permittee shall maintain records in accordance with (1) through (4) below. Records maintained for (1) through (4) shall be taken monthly and shall be complete and sufficient to establish compliance with the PM and SO_2 emission limits established in Conditions D.2.1 and D.2.2.

* * *

(b) To document **the** compliance **status** with Conditions D.2.6, **D.2.7,** and D.2.~~8~~**7,** the Permittee shall maintain records of the continuous opacity monitor for the steam boiler, identified as EU-96, stack exhaust while combusting coal-based alternative fuel (CBAF), No. 6 fuel oil, or wood.

(c) To document **the** compliance **status** with Condition D.2.9, the Permittee shall maintain records of the primary and secondary voltages and the currents of the transformer-rectifier (T-R) sets.

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

D.2.1~~0~~**1** Reporting Requirements

A quarterly summary of the information to document **the** compliance **status** with Condition D.2.1(b) shall be submitted ~~to the address listed in Section C - General Reporting Requirements of this permit,~~ **not later than** ~~within~~ 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).

SECTION D.3 FACILITY OPERATION CONDITIONS

Facility Description [326 IAC 2-7-5(1~~5~~**4**)] Steam Boiler EU-97
* * *

* * *

D.3.4 Visible Emissions Notations

(a) * * *
(b) * * *
(c) * * *
(d) * * *
(e) If abnormal emissions are observed, the Permittee shall take **a** reasonable response step(s). ~~in accordance with~~ Section C - Response to Excursions or Exceedances

contains the Permittee's obligation with regard to the response step(s) required by this condition. Failure to take **a** response step(s) ~~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.3.5 Record Keeping Requirements

(a) To document **the** compliance **status** with Condition D.3.4, the Permittee shall maintain a daily record of visible emission notations of the steam boiler, identified as EU-97, stack exhaust. The Permittee shall include in its daily record when a visible emission notation is not taken and the reason for the lack of visible emission notation (e.g., the boiler did not operate that day).

(b) To document **the** compliance **status** with **Conditions D.3.1 and D.3.2 and** 326 IAC 12, the Permittee shall record and maintain records of the amounts of each fuel combusted during each day for the one (1) boiler, identified as EU-97~~, constructed after June 9, 1989, and with a heat input capacity of ten (10) million British thermal units or greater~~.

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

D.3.6 Reporting Requirements

~~(a) The natural gas boiler certification shall be submitted to the address listed in Section C - General Reporting Requirements, of this permit, using the reporting forms located at the end of this permit, or its equivalent, within thirty (30) days after the end of the six (6) month period being reported. The natural gas-fired boiler certification does require the certification by the "responsible official" as defined by 326 IAC 2-7-1(34). The report submitted by the Permittee does require the certification by the "responsible official" as defined by 326 IAC 2-7-1(34).~~

~~(b)~~ A quarterly summary of the information to document **the** compliance **status** with Condition D.3.2 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~~ **no later than** thirty (30) days after the end of the quarter being reported. **Section C - General Reporting Requirements contains the Permittee's obligation with regard to the reports required by this condition.** The report submitted by the Permittee does require ~~the~~ **a** certification **that meets the requirements of 326 IAC 2-7-6(1)** by ~~the~~ **a** "responsible official" as defined by 326 IAC 2-7-1(34).

Changes to the E Section of the Permit

The requirements of 40 CFR 60, Subpart Dc have been removed from Section E.1 of the permit. The applicable provisions of the rule have been listed out in E.1.2 and the entire rule is included as Attachment A to the permit.

The permit has been revised as follows:

SECTION E.1 NSPS Subpart Dc FACILITY OPERATION CONDITIONS

* * *

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

(a) * * *

(b) Pursuant to 40 CFR 60.10, the Permittee shall submit all required notifications and reports to:

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

E.1.2 **Small Industrial-Commercial-Institutional Steam Generating Units** NSPS~~, Subpart Dc, Requirements~~ [40 CFR Part 60, Subpart Dc] **[326 IAC 12]**

The Permittee which operates an industrial steam generating unit shall comply with the following provisions of 40 CFR 60, Subpart Dc, which are incorporated by reference as 326 IAC 12 (included as Attachment A of this permit):

(1) 40 CFR 60.40c(a)-(d)
(2) 40 CFR 60.41c
(3) 40 CFR 60.42c(d), (e)(2), (f), (g), (h)(1), (i), (j)
(4) 40 CFR 60.43c(c), (d)
(5) 40 CFR 60.44c(a)-(e), (g), (j)
(6) 40 CFR 60.45c(a), (c)
(7) 40 CFR 60.46c(d)-(f)
(8) 40 CFR 60.47c(a), (b), (d)
(9) 40 CFR 60.48c(a)-(d), (f)(1), (g)-(j)

Note: The specific rule language from 40 CFR 60, Subpart Dc has been removed from E.1.2 of the permit. It is not being shown as strikethrough in this letter for purposes of brevity.

Changes to the Forms of the Permit

The following is a summary of the changes that have been made to the forms at the end of the permit:

(a) IDEM, OAQ has decided to remove the last sentence dealing with the need for certification from the forms because the Conditions requiring the forms already address this issue.

(b) The phrase "of this permit" has been added to the paragraph of the Quarterly Deviation and Compliance Monitoring Report to match the underlying rule.

(c) The semi-annual natural gas boiler certification form was removed since the reporting requirement was removed as described previously in this letter.

For your convenience, the entire Part 70 Operating Permit as modified will be provided at issuance.

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 Laura Spriggs, OAQ, 100 North Senate Avenue, MC 61-53 1003 IGCN, Indianapolis, Indiana, 46204-2251, or call at (800) 451-6027, and ask for Laura Spriggs or extension (3-5693), or dial (317) 233-5693.

Sincerely,

for

Donald F. Robin, P.E., Section Chief
Permits Branch
Office of Air Quality

Attachments

DFR/lss

cc: File – Dearborn County
Dearborn County Health Department
U.S. EPA, Region V
IDEM Southeast Regional Office
Compliance and Enforcement Branch

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

Part 70 Operating Permit Renewal
OFFICE OF AIR QUALITY

MGPI of Indiana, LLC
7 Ridge Avenue
Lawrenceburg, Indiana 47025

(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.: T029-24407-00005	
Issued by: / Original Signed by: Alfred C. Dumaual, Ph. D., Section Chief Permits Branch Office of Air Quality	Issuance Date: April 15, 2008 Expiration Date: April 15, 2013

Administrative Amendment No.: 029-26489-00005, issued on June 17, 2008

Administrative Amendment No.: 029-31206-00005	
Issued by: for Donald F. Robin, P.E., Section Chief Permits Branch Office of Air Quality	Issuance Date: December 28, 2011 Expiration Date: April 15, 2013

TABLE OF CONTENTS

SECTION A SOURCE SUMMARY
A.1 General Information [326 IAC 2-7-4(c)] [326 IAC 2-7-5(14)] [326 IAC 2-7-1(22)]
A.2 Emission Units and Pollution Control Equipment Summary [326 IAC 2-7-4(c)(3)] [326 IAC 2-7-5(14)]
A.3 Specifically Regulated Insignificant Activities [326 IAC 2-7-1(21)] [326 IAC 2-7-4(c)] [326 IAC 2-7-5(14)]
A.4 Part 70 Permit Applicability [326 IAC 2-7-2]

SECTION B GENERAL CONDITIONS
B.1 Definitions [326 IAC 2-7-1]
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)]
B.3 Term of Conditions [326 IAC 2-1.1-9.5]
B.4 Enforceability [326 IAC 2-7-7] [IC 13-17-12]
B.5 Severability [326 IAC 2-7-5(5)]
B.6 Property Rights or Exclusive Privilege [326 IAC 2-7-5(6)(D)]
B.7 Duty to Provide Information [326 IAC 2-7-5(6)(E)]
B.8 Certification [326 IAC 2-7-4(f)] [326 IAC 2-7-6(1)] [326 IAC 2-7-5(3)(C)]
B.9 Annual Compliance Certification [326 IAC 2-7-6(5)]
B.10 Preventive Maintenance Plan [326 IAC 2-7-5(1),(3) and (12)] [326 IAC 2-7-6(1) and (6)] [326 IAC 1-6-3]
B.11 Emergency Provisions [326 IAC 2-7-16]
B.12 Permit Shield [326 IAC 2-7-15] [326 IAC 2-7-20] [326 IAC 2-7-12]
B.13 Prior Permits Superseded [326 IAC 2-1.1-9.5] [326 IAC 2-7-10.5]
B.14 Termination of Right to Operate [326 IAC 2-7-10] [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]
B.16 Permit Renewal [326 IAC 2-7-3] [326 IAC 2-7-4] [326 IAC 2-7-8(e)]
B.17 Permit Amendment or Modification [326 IAC 2-7-11] [326 IAC 2-7-12]
B.18 Permit Revision Under Economic Incentives and Other Programs [326 IAC 2-7-5(8)] [326 IAC 2-7-12(b)(2)]
B.19 Operational Flexibility [326 IAC 2-7-20] [326 IAC 2-7-10.5]
B.20 Source Modification Requirement [326 IAC 2-7-10.5]
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]
B.22 Transfer of Ownership or Operational Control [326 IAC 2-7-11]
B.23 Annual Fee Payment [326 IAC 2-7-19] [326 IAC 2-7-5(7)] [326 IAC 2-1.1-7]
B.24 Credible Evidence [326 IAC 2-7-5(3)] [326 IAC 2-7-6] [62 FR 8314] [326 IAC 1-1-6]

SECTION C SOURCE OPERATION CONDITIONS

Emission Limitations and Standards [326 IAC 2-7-5(1)]
C.1 Opacity [326 IAC 5-1]
C.2 Open Burning [326 IAC 4-1] [IC 13-17-9]
C.3 Incineration [326 IAC 4-2] [326 IAC 9-1-2]
C.4 Fugitive Dust Emissions [326 IAC 6-4]
C.5 Stack Height [326 IAC 1-7]
C.6 Asbestos Abatement Projects [326 IAC 14-10] [326 IAC 18] [40 CFR 61, Subpart M]

Testing Requirements [326 IAC 2-7-6(1)]
C.7 Performance Testing [326 IAC 3-6]

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

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)]
C.10 Monitoring Methods [326 IAC 3] [40 CFR 60] [40 CFR 63]
C.11 Instrument Specifications [326 IAC 2-1.1-11] [326 IAC 2-7-5(3)] [326 IAC 2-7-6(1)]

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]
C.13 Risk Management Plan [326 IAC 2-7-5(11)] [40 CFR 68]
C.14 Response to Excursions or Exceedances [326 IAC 2-7-5] [326 IAC 2-7-6]
C.15 Actions Related to Noncompliance Demonstrated by a Stack Test [326 IAC 2-7-5] [326 AC 2-7-6]

Record Keeping and Reporting Requirements [326 IAC 2-7-5(3)] [326 IAC 2-7-19]
C.16 Emission Statement [326 IAC 2-7-5(3)(C)(iii)] [326 IAC 2-7-5(7)] [326 IAC 2-7-19(c)] [326 IAC 2-6]
C.17 General Record Keeping Requirements [326 IAC 2-7-5(3)] [326 IAC 2-7-6] [326 IAC 2-2] [326 IAC 2-3]
C.18 General Reporting Requirements [326 IAC 2-7-5(3)(C)] [326 IAC 2-1.1-11] [326 IAC 2-2] [326 IAC 2-3]

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

D.1 FACILITY OPERATION CONDITIONS: Grain Processing, Fermentation, and Distillation

Emission Limitations and Standards [326 IAC 2-7-5(1)]
D.1.1 Particulate [326 IAC 6-3-2]
D.1.2 PSD Minor Limit [326 IAC 2-2]

Compliance Determination Requirements
D.1.3 Particulate Control [326 IAC 2-7-6(6)]

Compliance Monitoring Requirements [326 IAC 2-7-6(1)] [326 IAC 2-7-5(1)][40 CFR 64]
D.1.4 Visible Emissions Notations
D.1.5 Baghouse Parametric Monitoring [326 IAC 2-7-6(1)] [326 IAC 2-7-5(1)]
D.1.6 Baghouse Inspections
D.1.7 Broken or Failed Bag Detection - Multi-Compartment Baghouse

Record Keeping and Reporting Requirements [326 IAC 2-7-5(3)] [326 IAC 2-7-19]
D.1.8 Record Keeping Requirements

D.2 FACILITY OPERATION CONDITIONS: One (1) Steam Boiler, identified as EU-96

Emission Limitations and Standards [326 IAC 2-7-5(1)]
D.2.1 Particulate [326 IAC 6.5-3]
D.2.2 Sulfur Dioxide (SO2) [326 IAC 7-4-13]

Compliance Determination Requirements
D.2.3 Sulfur Dioxide Emissions and Sulfur Content [326 IAC 2-7-5(3)(A)] [326 IAC 2-7-6]
D.2.4 Testing Requirements [326 IAC 2-7-6(1,6)] [326 IAC 2-1.1-11]
D.2.5 Particulate Control [326 IAC 2-7-6(6)]

Compliance Assurance Monitoring Requirements [326 IAC 2-7-6(1)] [326 IAC 2-7-5(1)] [40 CFR 64]
D.2.6 Continuous Opacity Monitors
D.2.7 Maintenance of Continuous Opacity Monitoring Equipment [326 IAC 2-7-5(3)(A)(iii)]
D.2.8 Opacity Readings
D.2.9 Parametric Monitoring

Record Keeping and Reporting Requirements [326 IAC 2-7-5(3)] [326 IAC 2-7-19]
D.2.10 Record Keeping Requirements
D.2.11 Reporting Requirements

D.3 FACILITY OPERATION CONDITION: One (1) steam boiler, identified as EU-97

Emission Limitations and Standards [326 IAC 2-7-5(1)]
D.3.1 Particulate [326 IAC 6-2-4]
D.3.2 Fuel Oil Limit [326 IAC 2-2] [326 IAC 7-1.1-2]

Compliance Determination Requirements
D.3.3 Sulfur Dioxide Emissions Limitations [326 IAC 7-1.1-2]

Compliance Monitoring Requirements [326 IAC 2-7-6(1)] [326 IAC 2-7-5(1)]
D.3.4 Visible Emissions Notations

Record Keeping and Reporting Requirements [326 IAC 2-7-5(3)] [326 IAC 2-7-19]
D.3.5 Record Keeping Requirements
D.3.6 Reporting Requirements

D.4 FACILITY OPERATION CONDITIONS: Insignificant Activities

Emission Limitations and Standards [326 IAC 2-7-5(1)]
D.4.1 Particulate [326 IAC 6-3-2]

E.1 NSPS Subpart Dc FACILITY OPERATION CONDITIONS:

New Source Performance Standards (NSPS) Requirements
E.1.1 General Provisions Relating to NSPS, Subpart Dc [326 IAC 12-1] [40 CFR Part 60, Subpart A]
E.1.2 Small Industrial-Commercial-Institutional Steam Generating Units NSPS [40 CFR Part 60, Subpart Dc] [326 IAC 12]

Certification
Emergency Occurrence Report
Part 70 Quarterly Reports
Quarterly Deviation and Compliance Monitoring Report

Attachment A: 40 CFR 60, Subpart Dc - Standards of Performance for Small Industrial-Commercial-Institutional Steam Generating Units

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(14)][326 IAC 2-7-1(22)]

The Permittee owns and operates a stationary distilled spirits production source.

Source Address:	7 Ridge Avenue, Lawrenceburg, Indiana 47025
General Source Phone Number:	812-537-0700
SIC Code:	2085
County Location:	Dearborn
Source Location Status:	Nonattainment for PM2.5 standard Attainment for all other criteria pollutants
Source Status:	Part 70 Operating Permit Program Major Source, under PSD and Nonattainment NSR Rules Major Source, Section 112 of the Clean Air Act 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(14)]

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

(a) One (1) pneumatic conveyor, identified as EU-11, installed prior to 1950, equipped with a dust collector, exhausting to Stack S-103, capacity: 28.0 tons of corn, rye, barley and/or malt per hour.

(b) One (1) corn receiving and storage system, identified as EU-12, installed in 1997, consisting of the following equipment:

(1) One (1) unloading hopper, equipped with fabric filters for particulate matter control exhausting to Stack S-111, capacity: 196 tons of corn per hour.

(2) One (1) conveyor and bucket elevator, equipped with fabric filters for particulate matter control exhausting to Stack S-111, capacity: 196 tons of corn per hour.

(3) One (1) storage silo, equipped with fabric filters for particulate matter control, exhausting to Stack S-111, capacity: 75,000 bushels of corn.

(4) One (1) grain cleaner, equipped with fabric filters for particulate matter control, exhausting to Stack S-111, capacity: 26.6 tons of corn per hour.

(5) One (1) grain transport system, equipped with fabric filters for particulate matter control, exhausting to Stack S-112, capacity: 26.6 tons of corn per hour.

(c) Seven (7) storage bins, collectively identified as EU-13, installed prior to 1950, equipped with fabric filters for particulate matter control, exhausting inside, five (5) with a capacity

of 8,000 bushels, each and two (2) with a capacity of 4,000 bushels, each.

(d) Six (6) hammermills, collectively identified as EU-14, installed prior to 1950, equipped with a baghouse for particulate matter control, exhausting inside, capacity: 109,760 pounds of grain per hour, total.

(e) Three (3) multi-column stills and five (5) distillation columns, collectively identified as EU-20, installed prior to 1950, consisting of the following:

(1) One (1) spirits still (V-2), exhausting to Stack S-210, capacity: 583 proof gallons per hour,

(2) One (1) spirits still (V-3), exhausting to Stack S-210, capacity: 750 proof gallons per hour,

(3) One (1) spirits still (V-15), exhausting to Stack S-210, capacity: 3,750 proof gallons per hour;

(4) One (1) distillation column, exhausting to Stack S-211, and

(5) Four (4) unused distillation columns, exhausting to Stack S-211.

(f) EU-21, consisting of the following units:

(1) Three (3) open fermenters, installed prior to 1950, exhausting to Stack S-201, capacity: 25,300 gallons, each.

(2) Five (5) open fermenters, installed in 2004, exhausting to Stack S-201, capacity: 27,854 gallons, each.

(3) Three (3) open fermenters, installed in 2005, exhausting to Stack S-201, capacity: 27,854 gallons, each.

(4) Three (3) open fermenters, installed in 2006, exhausting to Stack S-201, capacity: 27,854 gallons, each.

(g) Twenty-four (24) closed fermenters, collectively identified as EU-22, installed prior to 1950, equipped with one (1) ethanol scrubber, exhausting to Stack S-202, capacity: 55,000 gallons, each.

(h) Two (2) beer wells, identified as EU-23 and EU-24, installed prior to 1950, exhausting to Stacks S-203 and S-204 respectively, capacity: 38,886 and 102,098 gallons, respectively.

(i) Three (3) beer stills, collectively identified as EU-25, installed prior to 1950, exhausting to Stack S-205, consisting of the following:

(1) Still #25, capacity: 4,600 gallons per hour,

(2) Still #26, capacity: 14,600 gallons per hour; and

(3) Still #31, capacity: 12,000 gallons per hour.

(j) Two (2) column & kettles, collectively identified as EU-26, installed prior to 1950, exhausting to Stack S-206, capacity: 727 proof gallons per hour, each.

(k) Three (3) gin stills (#10, #22, and #23), collectively identified as EU-27, installed prior to 1950, exhausting to Stack S-207, capacity: 600 proof gallons per hour, each.

(l) One (1) doubler still, identified as EU-29, installed prior to 1950, exhausting to Stack S-209, capacity: 672 proof gallons per hour.

(m) Four (4) paddle screens, collectively identified as EU-31, installed prior to 1950, exhausting to Stack S-301, capacity: 56,000 pounds per hour, each.

(n) Five (5) rotary dryers, one (1) cooler and one (1) transport system, collectively identified as EU-32, installed prior to 1950, consisting of the following:

(1) Two (2) rotary dryers, exhausting to Stacks S-305 and S-306, each equipped with a wet scrubber, capacity: 25,500 pounds of grain per hour, each,

(2) Three (3) rotary dryers, exhausting to Stacks S-307 through S-309, each controlled by a wet scrubber, capacity: 14,500 pounds of grain per hour, each; and

(3) One (1) cooler and one (1) transport system, controlled by a cyclone, exhausting to Stack S- 310, capacity: 13,000 pounds of grain per hour.

(o) Three (3) conveyors, collectively identified as EU-33, installed prior to 1950, exhausting to Stacks S-302 through S-304, capacity: 38,000 pounds of grain per hour, each.

(p) One (1) DDG (Distillers Dried Grain) loadout system, installed in 1997, consisting of the following:

(1) Two (2) storage silos, and two (2) surge hoppers, collectively identified as EU-34, equipped with two (2) dust collectors, exhausting to Stacks S-341 through S-344, capacity: 13,100 cubic feet, total for the two (2) storage silos, each and 14,000 pounds of grain per hour, each, for the two (2) surge hoppers.

(2) One (1) air transport system and scale to the rail car loading area, identified as EU-35, controlled by a dust collector, exhausting to Stack S-350, capacity: 14,000 pounds of grain per hour.

(3) One (1) air transport system and scale to the truck loading area, identified as EU-36, controlled by a dust collector, exhausting to Stack S-360, capacity: 14,000 pounds of grain per hour.

(4) One (1) rail car loader, identified as EU-37, exhausting to Stack S-370, capacity: 14,000 pounds of grain per hour.

(5) One (1) truck loader, identified as EU-38, exhausting to Stack S-380, capacity: 14,000 pounds of grain per hour.

(q) One (1) wine room, identified as EU-41, consisting of forty-three (43) organic liquid storage tanks, installed prior to 1950, exhausting to Stack S-410, capacity: 524,504 gallons of ethanol, total and a throughput of 32,000,000 proof gallons per year, total, consisting of the following:

(1) Thirty-five (35) organic liquid storage tanks, installed prior to 1950, capacity: 467,518 gallons of ethanol, total.

(2) Eight (8) organic liquid storage tanks, installed in 1988, capacity: 56,986 gallons of ethanol, total.

(r) One (1) tank farm, identified as EU-42, consisting of nine (9) organic liquid storage tanks, installed prior to 1950, exhausting to Stack S-420, capacity: 750,000 gallons of ethanol, each.

(s) EU-43, consisting of the following units:

(1) One (1) Bldg 88, consisting of twenty-seven (27) organic liquid storage tanks, installed in 1989, exhausting to Stack S-430, capacity: 489,250 gallons of ethanol, total.

(2) One (1) rum handling area, installed in 1997, exhausting to the atmosphere, capacity: 3,501,429 gallons of rum.

(t) One (1) regauge tank area, identified as EU-44, consisting of fifty-six (56) tanks, installed in 1960, exhausting to Stack S-440, capacity: 592,362 gallons of ethanol, total.

(u) One (1) mini tank farm, identified as EU-45, consisting of eight (8) tanks:

(1) Seven organic liquid storage (7) tanks, installed in 1989, exhausting to Stack S-435, capacity: 779,800 gallons of ethanol, total.

(2) One (1) organic liquid storage tank, installed in 1994, capacity: 3,500 gallons of ethanol.

(v) One (1) bottling tank room, identified as EU-51, consisting of forty-five (45) organic liquid storage tanks, with a total capacity of 452,000 gallons of ethanol, consisting of the following:

(1) Forty-one (41) organic liquid storage tanks, installed in 1969, exhausting to Stack S-510 and

(2) Four (4) organic liquid storage tanks, installed in 2003, exhausting to Stack S-510.

(w) Seven (7) bottling lines, and one (1) 50-ml bottling line, collectively identified as EU-52, installed prior to 1950 and modified in 2003, exhausting to Stack S-520, capacity: 452,000 gallons of ethanol.

(x) One (1) cooler operation, identified as EU-53, installed prior to 1988, exhausting to Stack S-530, capacity: 2,187 cases per hour.

(y) One (1) barrel filling and emptying operation, identified as EU-61, installed prior to 1950, exhausting to Stack S-610, with a throughput capacity of 13,000,000 proof gallons and 12,775,000 proof gallons of whiskey and gin per year, respectively, and a maximum capacity of 29,700 gallons of whiskey and gin per hour .

(z) One (1) Warehouse C, identified as EU-71, installed prior to 1950, exhausting to Vent 701, capacity: 69,306 barrels.

(aa) One (1) Warehouse E, identified as EU-72, installed prior to 1950, exhausting to Vent 702, capacity: 101,032 barrels.

(bb) One (1) Warehouse G, identified as EU-73, installed prior to 1950, exhausting to Vent 703, capacity: 84,097 barrels.

(cc) One (1) Warehouse J & M, identified as EU-74, installed prior to 1950, exhausting to Vent 704, capacity: 100,000 barrels.

(dd) One (1) Warehouse L, identified as EU-75, installed prior to 1950, exhausting to Vent 705, capacity: 93,438 barrels.

(ee) One (1) Warehouse N, identified as EU-76, installed prior to 1950, exhausting to Vent 706, capacity: 93,405 barrels.

(ff) One (1) steam boiler, identified as EU-96, installed in 1977, using coal-based alternative fuels (CBAF), coal, natural gas, #6 fuel oil, and/or wood, equipped with an electrostatic precipitator for particulate matter control, exhausting to Stack S-906, heat input capacity: 244 million British thermal units per hour.

(gg) One (1) natural gas fired steam boiler, identified as EU-97, using #2 fuel oil as back-up, installed in 1992, exhausting to Stack S-907, heat input capacity: 47.6 million British thermal units per hour using natural gas and 45.6 million British thermal units using #2 fuel oil. Under 40 CFR 60, Subpart Dc, this facility is considered an industrial, institutional, or commercial boiler.

(hh) One (1) loading rack system, consisting of four (4) rail car and four (4) truck loading racks, identified as EU-46, installed in 1989, exhausting to the atmosphere, capacity: 31,000,000 gallons of ethanol per year.

A.3 Specifically Regulated Insignificant Activities [326 IAC 2-7-1(21)] [326 IAC 2-7-4(c)] [326 IAC 2-7-5(14)]

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

(a) Natural gas-fired combustion sources with heat input equal to or less than ten million (10,000,000) British thermal units per hour [326 IAC 6-3-2].

(b) Paved and unpaved roads and parking lots with public access [326 IAC 6-4].

(c) Grinding and machining operations controlled with fabric filters, scrubbers, mist collectors, wet collectors and electrostatic precipitators with a design grain loading of less than or equal to 0.03 grains per actual cubic foot and a gas flow rate less than or equal to 4,000 actual cubic feet per minute, including the following: deburring; buffing; polishing; abrasive blasting; pneumatic conveying; and woodworking operations [326 IAC 6-3-2].

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, T029-24407-00005, is issued for a fixed term of five (5) years from the issuance date of this permit, as determined in accordance with IC 4-21.5-3-5(f) and IC 13-15-5-3. Subsequent revisions, modifications, or amendments of this permit do not affect the expiration date of this permit.

(b) If IDEM, OAQ, upon receiving a timely and complete renewal permit application, fails to issue or deny the permit renewal prior to the expiration date of this permit, this existing permit shall not expire and all terms and conditions shall continue in effect, including any permit shield provided in 326 IAC 2-7-15, until the renewal permit has been issued or denied.

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

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

(a) the condition is modified in a subsequent permit action pursuant to Title I of the Clean Air Act; or

(b) the emission unit to which the condition pertains permanently ceases operation.

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

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

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

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

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

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

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

(a) The Permittee shall furnish to IDEM, OAQ, within a reasonable time, any information that IDEM, OAQ may request in writing to determine whether cause exists for modifying, revoking and reissuing, or terminating this permit, or to determine compliance with this permit. Upon request, the Permittee shall also furnish to IDEM, OAQ copies of records required to be kept by this permit.

(b) For information furnished by the Permittee to IDEM, OAQ, the Permittee may include a claim of confidentiality in accordance with 326 IAC 17.1. When furnishing copies of requested records directly to U. S. EPA, the Permittee may assert a claim of confidentiality in accordance with 40 CFR 2, Subpart B.

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

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

(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 July 1 of each year to:

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

and

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

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

(c) The annual compliance certification report shall include the following:

(1) The appropriate identification of each term or condition of this permit that is the basis of the certification;

(2) The compliance status;

(3) Whether compliance was continuous or intermittent;

(4) The methods used for determining the compliance status of the source, currently and over the reporting period consistent with 326 IAC 2-7-5(3); and

(5) Such other facts, as specified in Sections D of this permit, as IDEM, OAQ may require to determine the compliance status of the source.

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

B.10 Preventive Maintenance Plan [326 IAC 2-7-5(1),(3) and (12)] [326 IAC 2-7-6(1) and (6)] [326 IAC 1-6-3]

(a) The Permittee shall maintain and maintain Preventive Maintenance Plans (PMPs) no later than ninety (90) days after issuance of this permit for the source as described in 326 IAC 1-6-3. At a minimum, the PMPs shall include:

(1) Identification of the individual(s) responsible for inspecting, maintaining, and repairing emission control devices;

(2) A description of the items or conditions that will be inspected and the inspection schedule for said items or conditions; and

(3) Identification and quantification of the replacement parts that will be maintained in inventory for quick replacement.

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

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

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

The Permittee shall implement the PMPs.

(b) 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 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 Southeast 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
Southeast Regional Office phone: (812) 358-2027; fax: (812) 358-2058**.**

(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)(8) 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 T029-24407-00005 and issued pursuant to permitting programs approved into the state implementation plan have been either:

(1) incorporated as originally stated,

(2) revised under 326 IAC 2-7-10.5, or

(3) deleted under 326 IAC 2-7-10.5.

(b) Provided that all terms and conditions are accurately reflected in this permit, all previous registrations and permits are superseded by this Part 70 operating permit.

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

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

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

(a) This permit may be modified, reopened, revoked and reissued, or terminated for cause. The filing of a request by the Permittee for a Part 70 Operating Permit modification, revocation and reissuance, or termination, or of a notification of planned changes or anticipated noncompliance does not stay any condition of this permit.
[326 IAC 2-7-5(6)(C)] The notification by the Permittee does require a certification that

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

(b) This permit shall be reopened and revised under any of the circumstances listed in IC 13-15-7-2 or if IDEM, OAQ determines any of the following:

(1) That this permit contains a material mistake.

(2) That inaccurate statements were made in establishing the emissions standards or other terms or conditions.

(3) That this permit must be revised or revoked to assure compliance with an applicable requirement. [326 IAC 2-7-9(a)(3)]

(c) Proceedings by IDEM, OAQ to reopen and revise this permit shall follow the same procedures as apply to initial permit issuance and shall affect only those parts of this permit for which cause to reopen exists. Such reopening and revision shall be made as expeditiously as practicable. [326 IAC 2-7-9(b)]

(d) The reopening and revision of this permit, under 326 IAC 2-7-9(a), shall not be initiated before notice of such intent is provided to the Permittee by IDEM, OAQ at least thirty (30) days in advance of the date this permit is to be reopened, except that IDEM, OAQ may provide a shorter time period in the case of an emergency. [326 IAC 2-7-9(c)]

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

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

Request for renewal shall be submitted to:

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

(b) A timely renewal application is one that is:

(1) Submitted at least nine (9) months prior to the date of the expiration of this permit; and

(2) If the date postmarked on the envelope or certified mail receipt, or affixed by the shipper on the private shipping receipt, is on or before the date it is due. If the

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

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

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

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

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

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

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

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

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

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

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

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

(a) The Permittee may make any change or changes at the source that are described in 326 IAC 2-7-20(b) or (c) 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) or (c). 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) and (c)(1).

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

(1) A brief description of the change within the source;

(2) The date on which the change will occur;

(3) Any change in emissions; and

(4) Any permit term or condition that is no longer applicable as a result of the change.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

SECTION C SOURCE OPERATION CONDITIONS

Entire Source

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

C.1 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 thirty percent (30%) 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 Stack Height [326 IAC 1-7]

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

C.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(11)] [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(s) is required by the D Section or an exceedance of a limitation in this permit:

(a) The Permittee shall take a reasonable response step(s) 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 a reasonable response step(s) shall be considered a deviation from the permit.

(e) The Permittee shall record the reasonable response step(s) 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]

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

(1) Indicate estimated actual emissions of all pollutants listed in 326 IAC 2-6-4(a);

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

The statement must be submitted to:

Indiana Department of Environmental Management
Technical Support and Modeling Section, Office of Air Quality
100 North Senate Avenue
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] [326 IAC 2-2][326 IAC 2-3]

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

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

(c) If there is a reasonable possibility (as defined in 40 CFR 51.165(a)(6)(vi)(A), 40 CFR 51.165(a)(6)(vi)(B), 40 CFR 51.166(r)(6)(vi)(a), and/or

40 CFR 51.166(r)(6)(vi)(b)) that a "project" (as defined in 326 IAC 2-2-1(oo) and/or 326 IAC 2-3-1(jj)) at an existing emissions unit, other than projects at a source with a Plantwide Applicability Limitation (PAL), which is not part of a "major modification" (as defined in 326 IAC 2-2-1(dd) and/or 326 IAC 2-3-1(y)) may result in significant emissions increase and the Permittee elects to utilize the "projected actual emissions" (as defined in 326 IAC 2-2-1(pp) and/or 326 IAC 2-3-1(kk)), the Permittee shall comply with following:

(1) Before beginning actual construction of the "project" (as defined in 326 IAC 2-2-1(oo) and/or 326 IAC 2-3-1(jj)) at an existing emissions unit, document and maintain the following records:

(A) A description of the project.

(B) Identification of any emissions unit whose emissions of a regulated new source review pollutant could be affected by the project.

(C) A description of the applicability test used to determine that the project is not a major modification for any regulated NSR pollutant, including:

(i) Baseline actual emissions;

(ii) Projected actual emissions;

(iii) Amount of emissions excluded under section 326 IAC 2-2-1(pp)(2)(A)(iii) and/or 326 IAC 2-3-1 (kk)(2)(A)(iii); and

(iv) An explanation for why the amount was excluded, and any netting calculations, if applicable.

(d) If there is a reasonable possibility (as defined in 40 CFR 51.165(a)(6)(vi)(A) and/or 40 CFR 51.166(r)(6)(vi)(a)) that a "project" (as defined in 326 IAC 2-2-1(oo) and/or 326 IAC 2-3-1(jj)) at an existing emissions unit, other than projects at a source with a Plantwide Applicability Limitation (PAL), which is not part of a "major modification" (as defined in 326 IAC 2-2-1(dd) and/or 326 IAC 2-3-1(y)) may result in significant emissions increase and the Permittee elects to utilize the "projected actual emissions" (as defined in 326 IAC 2-2-1(pp) and/or 326 IAC 2-3-1(kk)), the Permittee shall comply with following:

(1) Monitor the emissions of any regulated NSR pollutant that could increase as a result of the project and that is emitted by any existing emissions unit identified in (1)(B) above; and

(2) Calculate and maintain a record of the annual emissions, in tons per year on a calendar year basis, for a period of five (5) years following resumption of regular operations after the change, or for a period of ten (10) years following resumption of regular operations after the change if the project increases the design capacity of or the potential to emit that regulated NSR pollutant at the emissions unit.

C.17 General Reporting Requirements [326 IAC 2-7-5(3)(C)] [326 IAC 2-1.1-11] [326 IAC 2-2][326 IAC 2-3]

(a) The Permittee shall submit the attached Quarterly Deviation and Compliance Monitoring Report or its equivalent. Any deviation from permit requirements, the date(s) of each deviation, the cause of the deviation, and the response steps taken must be reported 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.

(e) If the Permittee is required to comply with the recordkeeping provisions of (d) in Section C - General Record Keeping Requirements for any “project” (as defined in 326 IAC 2-2-1(oo) and/or 326 IAC 2-3-1(jj)) at an existing emissions unit, and the project meets the following criteria, then the Permittee shall submit a report to IDEM, OAQ:

(1) The annual emissions, in tons per year, from the project identified in (c)(1) in Section C- General Record Keeping Requirements exceed the baseline actual emissions, as documented and maintained under Section C- General Record Keeping Requirements (c)(1)(C)(i), by a significant amount, as defined in 326 IAC 2-2-1(ww) and/or 326 IAC 2-3-1(pp), for that regulated NSR pollutant, and

(2) The emissions differ from the preconstruction projection as documented and maintained under Section C - General Record Keeping Requirements (c)(1)(C)(ii).

(f) The report for project at an existing emissions unit shall be submitted no later than sixty (60) days after the end of the year and contain the following:

(1) The name, address, and telephone number of the major stationary source.

(2) The annual emissions calculated in accordance with (d)(1) and (2) in Section C - General Record Keeping Requirements.

(3) The emissions calculated under the actual-to-projected actual test stated in 326 IAC 2-2-2(d)(3) and/or 326 IAC 2-3-2(c)(3).

(4) Any other information that the Permittee wishes to include in this report such as an explanation as to why the emissions differ from the preconstruction projection.

Reports required in this part shall be submitted to:

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

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

Stratospheric Ozone Protection

C.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 FACILITY OPERATION CONDITIONS

Facility Description [326 IAC 2-7-5(14)] Grain Handling, Fermentation, and Distillation

(a) One (1) pneumatic conveyor, identified as EU-11, installed prior to 1950, equipped with a dust collector, exhausting to Stack S-103, capacity: 28.0 tons of corn, rye, barley and/or malt per hour.

(b) One (1) corn receiving and storage system, identified as EU-12, installed in 1997, consisting of the following equipment:

(1) One (1) unloading hopper, equipped with fabric filters for particulate matter control exhausting to Stack S-111, capacity: 196 tons of corn per hour.

(2) One (1) conveyor and bucket elevator, equipped with fabric filters for particulate matter control exhausting to Stack S-111, capacity: 196 tons of corn per hour.

(3) One (1) storage silo, equipped with fabric filters for particulate matter control, exhausting to Stack S-111, capacity: 75,000 bushels of corn.

(4) One (1) grain cleaner, equipped with fabric filters for particulate matter control, exhausting to Stack S-111, capacity: 26.6 tons of corn per hour.

(5) One (1) grain transport system, equipped with fabric filters for particulate matter control, exhausting to Stack S-112, capacity: 26.6 tons of corn per hour.

(c) Seven (7) storage bins, collectively identified as EU-13, installed prior to 1950, equipped with fabric filters for particulate matter control, exhausting inside, five (5) with a capacity of 8,000 bushels, each and two (2) with a capacity of 4,000 bushels, each.

(d) Six (6) hammermills, collectively identified as EU-14, installed prior to 1950, equipped with a baghouse for particulate matter control, exhausting inside, capacity: 109,760 pounds of grain per hour, total.

(e) Three (3) multi-column stills and five (5) distillation columns, collectively identified as EU-20, installed prior to 1950, consisting of the following:

(1) One (1) spirits still (V-2), exhausting to Stack S-210, capacity: 583 proof gallons per hour,

(2) One (1) spirits still (V-3), exhausting to Stack S-210, capacity: 750 proof gallons per hour,

(3) One (1) spirits still (V-15), exhausting to Stack S-210, capacity: 3,750 proof gallons per hour;

(4) One (1) distillation column, exhausting to Stack S-211, and

(5) Four (4) unused distillation columns, exhausting to Stack S-211.

(f) EU-21, consisting of the following units:

(1) Three (3) open fermenters, installed prior to 1950, exhausting to Stack S-201, capacity: 25,300 gallons, each.

(2) Five (5) open fermenters, installed in 2004, exhausting to Stack S-201, capacity: 27,854 gallons, each.

(3) Three (3) open fermenters, installed in 2005, exhausting to Stack S-201, capacity: 27,854 gallons, each.

(4) Three (3) open fermenters, installed in 2006, exhausting to Stack S-201, capacity: 27,854 gallons, each.

(g) Twenty-four (24) closed fermenters, collectively identified as EU-22, installed prior to 1950, equipped with one (1) ethanol scrubber, exhausting to Stack S-202, capacity: 55,000 gallons, each.

(h) Two (2) beer wells, identified as EU-23 and EU-24, installed prior to 1950, exhausting to Stacks S-203 and S-204 respectively, capacity: 38,886 and 102,098 gallons, respectively.

(i) Three (3) beer stills, collectively identified as EU-25, installed prior to 1950, exhausting to Stack S-205, consisting of the following:

(1) Still #25, capacity: 4,600 gallons per hour,

(2) Still #26, capacity: 14,600 gallons per hour; and

(3) Still #31, capacity: 12,000 gallons per hour.

(j) Two (2) column & kettles, collectively identified as EU-26, installed prior to 1950, exhausting to Stack S-206, capacity: 727 proof gallons per hour, each.

(k) Three (3) gin stills (#10, #22, and #23), collectively identified as EU-27, installed prior to 1950, exhausting to Stack S-207, capacity: 600 proof gallons per hour, each.

(l) One (1) doubler still, identified as EU-29, installed prior to 1950, exhausting to Stack S-209, capacity: 672 proof gallons per hour.

(m) Four (4) paddle screens, collectively identified as EU-31, installed prior to 1950, exhausting to Stack S-301, capacity: 56,000 pounds per hour, each.

(n) Five (5) rotary dryers, one (1) cooler and one (1) transport system, collectively identified as EU-32, installed prior to 1950, consisting of the following:

(1) Two (2) rotary dryers, exhausting to Stacks S-305 and S-306, each equipped with a wet scrubber, capacity: 25,500 pounds of grain per hour, each,

(2) Three (3) rotary dryers, exhausting to Stacks S-307 through S-309, each controlled by a wet scrubber, capacity: 14,500 pounds of grain per hour, each; and

(3) One (1) cooler and one (1) transport system, controlled by a cyclone, exhausting to Stack S- 310, capacity: 13,000 pounds of grain per hour.

(o) Three (3) conveyors, collectively identified as EU-33, installed prior to 1950, exhausting to Stacks S-302 through S-304, capacity: 38,000 pounds of grain per hour, each.

(p) One (1) DDG (Distillers Dried Grain) loadout system, installed in 1997, consisting of the following:

(1) Two (2) storage silos, and two (2) surge hoppers, collectively identified as EU-34, equipped with two (2) dust collectors, exhausting to Stacks S-341 through S-344, capacity: 13,100 cubic feet, total for the two (2) storage silos, each and 14,000 pounds of grain per hour, each, for the two (2) surge hoppers.

(2) One (1) air transport system and scale to the rail car loading area, identified as EU-35, controlled by a dust collector, exhausting to Stack S-350, capacity: 14,000 pounds of grain per hour.

(3) One (1) air transport system and scale to the truck loading area, identified as EU-36, controlled by a dust collector, exhausting to Stack S-360, capacity: 14,000 pounds of grain per hour.

(4) One (1) rail car loader, identified as EU-37, exhausting to Stack S-370, capacity: 14,000 pounds of grain per hour.

(5) One (1) truck loader, identified as EU-38, exhausting to Stack S-380, capacity: 14,000 pounds of grain per hour.

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

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

D.1.1 Particulate [326 IAC 6-3-2]

Pursuant to 326 IAC 6-3-2 (Particulate Emission Limitations for Manufacturing Processes), the particulate emission rate from the following emission units and control devices shall not exceed the pounds per hour limitation when operating at the stated process weight rates calculated using the following equations:

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

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

or

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

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

Emission Unit (baghouse)	Process weight rate (tons per hour)	Allowable particulate emission rate (pounds per hour)
EU-11	28.0	38.2
EU-12	446	67.6
EU-13	224	59.7
EU-14	54.9	45.4
EU-32	53.8	45.3
EU-34	21.0	31.5
EU-35	7.00	15.1
EU-36	7.00	15.1
EU-37	7.00	15.1

Emission Unit (baghouse)	Process weight rate (tons per hour)	Allowable particulate emission rate (pounds per hour)
EU-38	7.00	15.1

D.1.2 PSD Minor Limit [326 IAC 2-2]

Pursuant to CP 029-6331-00005 issued March 14, 1997:

(a) The PM and PM_{10} emissions from the corn truck unloading hopper, grain receiving elevator and conveyor, corn storage silo, and grain cleaner, which are part of EU-12, shall be limited to 1.20 pounds per hour.

(b) The PM and PM_{10} emissions from the grain air transport system, which is part of EU-12, shall be limited to 0.219 pounds per hour.

(c) The PM and PM_{10} emissions from the two (2) storage silos and the two (2) surge hoppers, collectively identified as EU-34, shall be limited to 0.136 pounds per hour.

(d) The PM and PM_{10} emissions from one (1) air transport system and scale to the rail car loading area, identified as EU-35, and the one (1) air transport system and scale to the truck loading area, identified as EU-36, shall be limited to 0.289 pounds per hour.

(e) The PM and PM_{10} emissions from one (1) rail car loader, identified as EU-37 the truck loader, identified as EU-38, shall be limited to 1.25 pounds per hour.

Compliance with these limitations shall render the requirements of 326 IAC 2-2, PSD, not applicable.

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

D.1.3 Particulate Control [326 IAC 2-7-6(6)]

(a) In order to ensure compliance with Condition D.1.1, the baghouses for particulate control shall be in operation and control emissions from EU-12 and EU-34 through EU-36, at all times that the facilities are in operation.

(a) For a single compartment baghouse controlling emissions from a process operated continuously, a failed unit and the associated process shall be shut down immediately until the failed unit has been repaired or replaced. Operations may continue only if the event qualifies as an emergency and the Permittee satisfies the requirements of the emergency provisions of this permit (Section B - Emergency Provisions).

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

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

Compliance Monitoring Requirements [326 IAC 2-7-6(1)][326 IAC 2-7-5(1)] [40 CFR 64]

D.1.4 Visible Emissions Notations

(a) Visible emission notations of EU-12 and EU-34 through EU-36 stack exhausts (S-104, S-111, S-112, S-341 through S-344, S-350, and S-360) shall be performed once per day during normal daylight operations. A trained employee shall record whether emissions are normal or abnormal.

(b) For processes operated continuously, "normal" means those conditions prevailing, or expected to prevail, eighty percent (80%) of the time the process is in operation, not counting startup or shut down time.

(c) In the case of batch or discontinuous operations, readings shall be taken during that part of the operation that would normally be expected to cause the greatest emissions.

(d) A trained employee is an employee who has worked at the plant at least one (1) month and has been trained in the appearance and characteristics of normal visible emissions for that specific process.

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

D.1.5 Baghouse Parametric Monitoring [326 IAC 2-7-6(1)] [326 IAC 2-7-5(1)]

(a) The Permittee shall record the pressure drop across the baghouses used in conjunction with EU-12 and EU-34 through EU-36 at least once per day when the emissions units are in operation. When for any one reading, the pressure drop across the baghouse is outside the normal range of 0.5 to 5.5 inches of water for EU-12 and EU-34 through EU-36, or until a new range is established during the latest stack test, the Permittee shall take a reasonable response step(s). Section C - Response to Excursions or Exceedances contains the Permittee's obligation with regard to the response step(s) required by this condition. A pressure reading that is outside the above mentioned range is not a deviation from this permit. Failure to take a response step(s) shall be considered a deviation from this permit.

(b) The instrument used for determining the pressure shall comply with Section C - Instrument Specifications, of this permit, shall be subject to approval by IDEM, OAQ, and shall be calibrated or replaced at least once every six (6) months.

D.1.6 Baghouse Inspections

An inspection shall be performed semi-annually of all bags controlling EU-12. All defective bags shall be replaced.

D.1.7 Broken or Failed Bag Detection - Multi-Compartment Baghouse

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

Record Keeping 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.1.4, the Permittee shall maintain a daily record of visible emission notations of the grain processing facilities stack exhausts. 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 grain processing facilities did not operate that day).

(b) To document the compliance status with Condition D.1.5, the Permittee shall maintain a daily record of the pressure drop across the baghouse controlling the grain processing facilities. The Permittee shall include in its daily record when a pressure drop reading is not taken and the reason for the lack of a pressure drop reading (e.g., the grain processing facilities did not operate that day).

(c) To document the compliance status with Condition D.1.6, the Permittee shall maintain records of the results of the inspections required under Condition D.1.6. The Permittee shall include in its daily record when an inspection is not performed and the reason for a lack of inspection (e.g., the process did not operate during the semi-annual period).

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

SECTION D.2 FACILITY OPERATION CONDITIONS

Facility Description [326 IAC 2-7-5(14)]: Steam Boiler, identified as EU-96

(ff) One (1) steam boiler, identified as EU-96, installed in 1977, using coal-based alternative fuels (CBAF), coal, natural gas, #6 fuel oil, and/or wood, equipped with an electrostatic precipitator for particulate matter control, exhausting to Stack S-906, heat input capacity: 244 million British thermal units per hour.

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

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

D.2.1 Particulate [326 IAC 6.5-3]

Pursuant to 326 IAC 6.5-3-8 (Particulate Matter Emissions for Dearborn County), the steam boiler, identified as EU-96, shall comply with the following requirements:

(a) The PM emissions shall be limited 0.180 pounds of PM per million British thermal units.

(b) The PM emissions shall be limited to two hundred fourteen and two-tenths (214.2) tons per twelve (12) consecutive month period with compliance determined at the end of each month.

(c) The throughput to the steam boiler, identified as EU-96, shall be limited to 85,096 tons of coal per twelve (12) consecutive month period with compliance determined at the end of each month.

(d) The minimum overall PM control efficiency for the electrostatic precipitator on this boiler shall not be less than 94.4% to comply with this limit when firing coal, CBAF or wood. For purposes of showing compliance with this fuel limit, the following equivalencies shall be used:

(1) One (1) million cubic feet of natural gas is equivalent to 0.021 tons of coal,

(2) One (1) kilogallon of No. 6 fuel oil is equivalent to 0.138 tons of coal, and

(3) One (1) ton of wood is equivalent to 0.056 tons of coal.

D.2.2 Sulfur Dioxide (SO_2) [326 IAC 7-4-13]

Pursuant to 326 IAC 7-4-13 (Dearborn County sulfur dioxide emissions limitations), the SO_2 emissions from the steam boiler, identified as EU-96, shall not exceed 1.92 pounds per million British thermal units heat input while combusting coal and/or No. 6 fuel oil.

Compliance Determination Requirements

D.2.3 Sulfur Dioxide Emissions and Sulfur Content [326 IAC 2-7-5(3)(A)] [326 IAC 2-7-6]

Pursuant to 326 IAC 7-4-13, the Permittee shall demonstrate that the sulfur dioxide emissions do not exceed 1.92 pounds per mmBtu. Compliance shall be determined utilizing (a) or (b) below for coal firing or (c), (d), or (e) for fuel oil firing:

(a) Sampling and analyzing the coal using one of the following procedures:

(1) Minimum Coal Sampling Requirements and Analysis Methods:

(A) The coal sample acquisition point shall be at a location where representative samples of the total coal flow to be combusted by the facility or facilities may be obtained. A single as-bunkered or as-burned sampling station may be used to represent the coal to be combusted by multiple facilities using the same stockpile feed system;

(B) Coal shall be sampled at least one (1) time per day;

(C) Minimum sample size shall be five hundred (500) grams;

(D) Samples shall be composited and analyzed at the end of each calendar quarter;

(E) Preparation of the coal sample, heat content analysis, and sulfur content analysis shall be determined pursuant to 326 IAC 3-7-2(c), (d), (e); or

(2) Sample and analyze the coal pursuant to 326 IAC 3-7-3; or

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

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

(c) Providing vendor analysis of fuel delivered, if accompanied by a vendor certification, or

(d) Analyzing the oil sample to determine the sulfur content of the oil via the procedures in 40 CFR 60, Appendix A, Method 19.

(1) Oil samples may be collected from the fuel tank immediately after the fuel tank is filled and before any oil is combusted.

(2) If a partially empty fuel tank is refilled, a new sample and analysis would be required upon filling.

(e) Compliance may also be determined by conducting a stack test for sulfur dioxide emissions from the one (1) steam boiler, identified as EU-96, using 40 CFR 60, Appendix A, Method 6 in accordance with the procedures in 326 IAC 3-6.

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

D.2.4 Testing Requirements [326 IAC 2-7-6(1,6)] [326 IAC 2-1.1-11]

In order to demonstrate compliance with Condition D.2.1, the Permittee shall perform PM testing of the steam boiler, identified as EU-96, utilizing methods as approved by the Commissioner at least once every five (5) years from the date of this valid compliance demonstration. Testing shall be conducted in accordance with the provisions of 326 IAC 3-6 (Source Sampling Procedures). Section C- Performance Testing contains the Permittee's obligation with regard to the performance testing required by this condition.

D.2.5 Particulate Control [326 IAC 2-7-6(6)]

In order to ensure compliance with Condition D.2.1, the electrostatic precipitator for particulate

control shall be in operation and control emissions from the steam boiler, identified as EU-96, at all times that the boiler is in operation and is firing coal, CBAF, or wood.

Compliance Assurance Monitoring Requirements [326 IAC 2-7-6(1)] [326 IAC 2-7-5(1)] [40 CFR 64]

D.2.6 Continuous Opacity Monitors

Pursuant to 326 IAC 5-1-2 and 326 IAC 5-1-3, opacity from EU-96 shall comply with the following requirements:

(a) The Permittee shall continuously operate the opacity monitoring devices on EU-96, in accordance with the requirements of Condition D.2.7 to ensure compliance with the opacity limits of Condition C.1 (Opacity).

(b) Opacity shall not exceed an average of thirty percent (30%) in any one (1) six (6) minute averaging period.

(c) 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.

(d) When building a new fire in a boiler, or shutting down a boiler, capacity may exceed the applicable limit; however, opacity levels shall not exceed sixty percent (60%) for any six (6) minute averaging period. Opacity in excess of the applicable limit shall not continue for more than two (2) six (6) minute averaging periods in any twenty-four (24) hour period.

(e) When removing ashes from the fuel bed or furnace in a boiler or blowing tubes or the airheater, opacity may exceed the applicable opacity limit; however, opacity shall not exceed sixty percent (60%) for any six (6) minute averaging period and opacity in excess of the applicable limit shall not continue for more than one (1) six (6) minute averaging period in any sixty (60) minute period. The averaging periods shall not be permitted for more than three (3) six (6) minute averaging periods in a twelve (12) hour period.

D.2.7 Maintenance of Continuous Opacity Monitoring Equipment [326 IAC 2-7-5(3)(A)(iii)]

(a) The Permittee shall install, calibrate, maintain, and operate all necessary continuous opacity monitoring systems (COMS) and related equipment. For a boiler, the COMS shall be in operation at all times that the induced draft fan is in operation except when firing natural gas.

(b) All COMS shall meet the performance specifications of 40 CFR 60, Appendix B, Performance Specification No. 1, and are subject to monitor system certification requirements pursuant to 326 IAC 3-5.

(c) In the event that a breakdown of a COMS occurs, a record shall be made of the times and reasons of the breakdown and efforts made to correct the problem.

(d) Whenever a COMS is malfunctioning or is down for maintenance or repairs for a period of twenty-four (24) hours or more and a backup COMS is not online within twenty-four (24) hours of shutdown or malfunction of the primary COMS, the Permittee shall provide a certified opacity reader, who may be an employee of the Permittee or an independent contractor, to self-monitor the emissions from the emission unit stack.

(1) Visible emission readings shall be performed in accordance with 40 CFR 60, Appendix A, Method 9, for a minimum of five (5) consecutive six (6) minute aver-

aging periods beginning not more than twenty-four (24) hours after the start of the malfunction or down time.

(2) Method 9 opacity readings shall be repeated for a minimum of five (5) consecutive six (6) minute averaging periods at least twice per day during daylight operations, with at least four (4) hours between each set of readings, until a COMS is online.

(3) Method 9 readings may be discontinued once a COMS is online.

(4) Any opacity exceedances determined by Method 9 readings shall be reported with the Quarterly Opacity Exceedances Reports.

(5) Method 9 readings will not be required if the unit is firing natural gas while a COMS is offline.

(e) Nothing in this permit shall excuse the Permittee from complying with the requirements to operate a continuous opacity monitoring system pursuant to 326 IAC 3-5 and 40 CFR 60.

D.2.8 Opacity Readings [326 IAC 2-7-6(1)] [326 IAC 2-7-5(1)]

(a) In the event of emissions exceeding twenty percent (20%) average opacity for three (3) consecutive six (6) minute averaging periods, the Permittee shall take a reasonalbe response step(s). Section C - Response to Excursions or Exceedances contains the Permittee's obligation with regard to the response step(s) required by this condition. Opacity readings in excess of twenty percent (20%) for three (3) consecutive six (6) minute averaging periods but not exceeding the opacity limit for the unit are not a deviation from this permit. Failure to take a response step(s) shall be considered a deviation from this permit.

(b) The Permittee may request that the IDEM, OAQ approve a different opacity trigger level than the one specified in (a) of this condition, provided the Permittee can demonstrate, through stack testing or other appropriate means, that a different opacity trigger level is appropriate for monitoring compliance with the applicable particulate matter mass emission limits.

D.2.9 Parametric Monitoring

(a) The ability of the electrostatic precipitator to control particulate emissions shall be monitored once per day, when the unit is in operation, by measuring and recording the primary and secondary voltages and the currents of the transformer-rectifier (T-R) sets.

(b) When for any one reading, operation is outside one of the normal ranges shown below, or until a new range is established during the latest stack test, the Permittee shall take a reasonable response step(s). Section C - Response to Excursions or Exceedances contains the Permittee's obligation with regard to the response step(s) required by this condition. A reading outside of the above mentioned ranges is not a deviation from this permit. Failure to take a response step(s) shall be considered a deviation from this permit.

(1) Primary voltage: 70-385 V

(2) Secondary voltage: 10-55 kV

(3) T-R set primary current: 15-150 A

(c) The instrument used for determining the T-R set voltage shall be subject to approval by IDEM, OAQ.

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

D.2.10 Record Keeping Requirements

(a) To document the compliance status with Conditions D.2.1 and D.2.2, the Permittee shall maintain records in accordance with (1) through (4) below. Records maintained for (1) through (4) shall be taken monthly and shall be complete and sufficient to establish compliance with the PM and SO_2 emission limits established in Conditions D.2.1 and D.2.2.

(1) Calendar dates covered in the compliance determination period;

(2) Actual coal usage since last compliance determination period;

(3) Sulfur content, heat content, and ash content; and;

(4) Sulfur dioxide emission rates.

(b) To document the compliance status with Conditions D.2.6, D.2.7, and D.2.8, the Permittee shall maintain records of the continuous opacity monitor for the steam boiler, identified as EU-96, stack exhaust while combusting coal-based alternative fuel (CBAF), No. 6 fuel oil, or wood.

(c) To document the compliance status with Condition D.2.9, the Permittee shall maintain records of the primary and secondary voltages and the currents of the transformer-rectifier (T-R) sets.

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

D.2.11 Reporting Requirements

A quarterly summary of the information to document the compliance status with Condition D.2.1(b) shall be submitted 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).

SECTION D.3 FACILITY OPERATION CONDITIONS

Facility Description [326 IAC 2-7-5(14)] Steam Boiler EU-97

(gg) One (1) natural gas fired steam boiler, identified as EU-97, using #2 fuel oil as back-up, installed in 1992, exhausting to Stack S-907, heat input capacity: 47.6 million British thermal units per hour using natural gas and 45.6 million British thermal units using #2 fuel oil. Under 40 CFR 60, Subpart Dc, this facility is considered an industrial, institutional, or commercial boiler.

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

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

D.3.1 Particulate [326 IAC 6-2-4]

Pursuant to 326 IAC 6-2-4 (Particulate Emission Limitations for Sources of Indirect Heating: Emission limitations for facilities specified in 326 IAC 6-2-1(d)), the PM emissions from the steam boiler, identified as EU-97 shall not exceed:

(1) 0.399 lbs/mmBtu when combusting natural gas, or

(2) 0.404 lbs/mmBtu when combusting No. 2 fuel oil.

These limitations were calculated using the following equation:

$$Pt = (1.09)/(Q^{0.26})$$

Where:

Pt = 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. The maximum operating capacity rating is defined as the maximum capacity at which the facility is operated or the nameplate capacity, whichever is specified in the facility's permit application, except when some lower capacity is contained in the facility's operation permit; in which case, the capacity specified in the operation permit shall be used. Q = 47.6 mmBtu/hr when combusting natural gas and 45.6 mmBtu/hr when combusting No. 2 fuel oil.

D.3.2 Fuel Oil Limit [326 IAC 2-2] [326 IAC 7-1.1-2]

(a) Pursuant to CP 029-2159-00005, issued on February 10, 1992, the steam boiler, identified as EU-97, shall be limited to 1,848,000 gallons of No. 2 fuel oil per twelve (12) consecutive month period, with compliance determined at the end of each month, and no fuel shall be combusted than contains greater than 0.3% sulfur.

(b) The SO_2 emissions from the steam boiler, identified as EU-97, when combusting No. 2 fuel oil, shall not exceed 0.043 pounds of SO_2 per gallon of No. 2 fuel oil.

Compliance with these limitations shall limit the SO_2 emissions from the steam boiler, identified as EU-97, to 39.9 tons per year, and render the requirements of 326 IAC 2-2, PSD, not applicable. This will also satisfy the requirements of 326 IAC 7-1.1-2, Sulfur Dioxide Emissions Limitations.

D.3.3 Sulfur Dioxide Emissions Limitations [326 IAC 7-1.1-2]

Pursuant to 326 IAC 7-1.1-2(a)(3), the sulfur dioxide emissions from the steam boiler, identified

as EU-97, shall not exceed five-tenths (0.5) pounds per mmBtu.

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

D.3.4 Visible Emissions Notations

(a) Visible emission notations of the steam boiler, identified as EU-97, stack exhaust (S-907) shall be performed once per day during normal daylight operations when burning No.2 fuel oil. 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 a reasonable response step(s). Section C - Response to Excursions or Exceedances contains the Permittee's obligation with regard to the response step(s) required by this condition. Failure to take a response step(s) 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.3.5 Record Keeping Requirements

(a) To document the compliance status with Condition D.3.4, the Permittee shall maintain a daily record of visible emission notations of the steam boiler, identified as EU-97, stack exhaust. The Permittee shall include in its daily record when a visible emission notation is not taken and the reason for the lack of visible emission notation (e.g., the boiler did not operate that day).

(b) To document the compliance status with Conditions D.3.1 and D.3.2 and 326 IAC 12, the Permittee shall record and maintain records of the amounts of each fuel combusted during each day for the one (1) boiler, identified as EU-97.

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

D.3.6 Reporting Requirements

A quarterly summary of the information to document the compliance status with Condition D.3.2 shall be submitted using the reporting forms located at the end of this permit, or their equivalent, no later than thirty (30) days after the end of the quarter being reported. Section C - General Reporting Requirements contains the Permittee's obligation with regard to the reports required by this condition. The report submitted by the Permittee does require a certification that meets the requirements of 326 IAC 2-7-6(1) by a “responsible official” as defined by 326 IAC 2-7-1(34).

SECTION D.4 FACILITY OPERATION CONDITIONS

Facility Description [326 IAC 2-7-5(15)] Insignificant Activities

(a) Natural gas-fired combustion sources with heat input equal to or less than ten million (10,000,000) British thermal units per hour [326 IAC 6-3-2].

(b) Grinding and machining operations controlled with fabric filters, scrubbers, mist collectors, wet collectors and electrostatic precipitators with a design grain loading of less than or equal to 0.03 grains per actual cubic foot and a gas flow rate less than or equal to 4,000 actual cubic feet per minute, including the following: deburring; buffing; polishing; abrasive blasting; pneumatic conveying; and woodworking operations [326 IAC 6-3-2].

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

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

D.4.1 Particulate [326 IAC 6-3-2]

Pursuant to 326 IAC 6-3-2(e), the particulate emissions from the natural gas-fired combustion sources with heat input equal to or less than ten million (10,000,000) British thermal units per hour and grinding and machining operations controlled with fabric filters, scrubbers, mist collectors, wet collectors and electrostatic precipitators with a design grain loading of less than or equal to 0.03 grains per actual cubic foot and a gas flow rate less than or equal to 4,000 actual cubic feet per minute, including the following: deburring; buffing; polishing; abrasive blasting; pneumatic conveying; and woodworking operations shall be limited by the following equation:

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

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

SECTION E.1 NSPS Subpart Dc FACILITY OPERATION CONDITIONS

NSPS Subpart Dc

(gg) One (1) natural gas fired steam boiler, identified as EU-97, using #2 fuel oil as back-up, installed in 1992, exhausting to Stack S-907, heat input capacity: 47.6 million British thermal units per hour using natural gas and 45.6 million British thermal units using #2 fuel oil. Under 40 CFR 60, Subpart Dc, and 40 CFR 63, this facility is considered an industrial, institutional, or commercial boiler.

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

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

(a) Pursuant to 40 CFR 60.1, the Permittee shall comply with the provisions of 40 CFR Part 60, Subpart A – General Provisions, which are incorporated by reference as 326 IAC 12-1-1 for the one steam boiler, identified as EU-97.

(b) Pursuant to 40 CFR 60.10, the Permittee shall submit all required notifications and reports to:

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

E.1.2 Small Industrial-Commercial-Institutional Steam Generating Units NSPS [40 CFR Part 60, Subpart Dc] [326 IAC 12]

The Permittee which operates an industrial steam generating unit shall comply with the following provisions of 40 CFR 60, Subpart Dc, which are incorporated by reference as 326 IAC 12 (included as Attachment A of this permit):

(1) 40 CFR 60.40c(a)-(d)
(2) 40 CFR 60.41c
(3) 40 CFR 60.42c(d), (e)(2), (f), (g), (h)(1), (i), (j)
(4) 40 CFR 60.43c(c), (d)
(5) 40 CFR 60.44c(a)-(e), (g), (j)
(6) 40 CFR 60.45c(a), (c)
(7) 40 CFR 60.46c(d)-(f)
(8) 40 CFR 60.47c(a), (b), (d)
(9) 40 CFR 60.48c(a)-(d), (f)(1), (g)-(j)

INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
OFFICE OF AIR QUALITY

PART 70 OPERATING PERMIT
CERTIFICATION

Source Name: MGPI of Indiana, LLC
Source Address: 7 Ridge Avenue, Lawrenceburg, Indiana 47025
Part 70 Permit No.: T 029-24407-00005

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
MC61-53 IGCN 1003
Indianapolis, Indiana 46204-2251
Phone: 317-233-0178
Fax: 317-233-6865

PART 70 OPERATING PERMIT
EMERGENCY OCCURRENCE REPORT

Source Name: MGPI of Indiana, LLC
Source Address: 7 Ridge Avenue, Lawrenceburg, Indiana 47025
Part 70 Permit No.: T 029-24407-00005

This form consists of 2 pages **Page 1 of 2**

☐	This is an emergency as defined in 326 IAC 2-7-1(12)
X	The Permittee must notify the Office of Air Quality (OAQ), within four (**4**) business hours (1-800-451-6027 or 317-233-0178, ask for Compliance Section); and
X	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 Describe:
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 Quarterly Report

Source Name: MGPI of Indiana, LLC
Source Address: 7 Ridge Avenue, Lawrenceburg, Indiana 47025
Part 70 Permit No.: T 029-24407-00005
Facility: One (1) steam boiler, identified as EU-96
Parameter: Amount of coal burned or equivalent
Limit: 85,096 tons of coal per twelve (12) consecutive month period, equivalent to 214.2 tons of PM per year, with compliance determined at the end of each month.

For purposes of showing compliance with this fuel limit, the following equivalencies shall be used: one (1) million cubic feet of natural gas is equivalent to 0.021 tons of coal, one kilogallon of No. 6 fuel oil is equivalent to 0.138 tons of coal, and one (1) ton of wood is equivalent to 0.056 tons of coal.

YEAR: _____

Month	Coal burned or equivalent (tons)	Coal burned or equivalent (tons)	Coal burned or equivalent (tons)
	This Month	Previous 11 Months	12 Month Total

☐ No deviation occurred in this month.

☐ Deviation/s occurred in this month.
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: MGPI of Indiana, LLC
Source Address: 7 Ridge Avenue, Lawrenceburg, Indiana 47025
Part 70 Permit No.: T 029-24407-00005
Facility: One (1) steam boiler, identified as EU-97
Parameter: #2 Fuel Oil Burned
Limit: 1,848,000 gallons per twelve (12) consecutive month period, equivalent to SO_2 emissions of 39.9 tons per year, with compliance determined at the end of each month.

YEAR: _____

Month	#2 Fuel Oil (gallons)	#2 Fuel Oil (gallons)	# 2 Fuel Oil (gallons)
	This Month	Previous 11 Months	12 Month Total

☐ No deviation occurred in this month.

☐ Deviation/s occurred in this month.
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: MGPI of Indiana, LLC
Source Address: 7 Ridge Avenue, Lawrenceburg, Indiana 47025
Part 70 Permit No.: T 029-24407-00005

Months: _____ to _____ Year: _____

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 step(s) 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".

☐ NO DEVIATIONS OCCURRED THIS REPORTING PERIOD.

☐ THE FOLLOWING DEVIATIONS OCCURRED THIS REPORTING PERIOD

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

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

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

Form Completed By: _____

Title/Position: _____

Date: _____

Phone: _____

Attachment A
to Part 70 Operating Permit Renewal No. T029-24407-00005

MGPI of Indiana, LLC
7 Ridge Avenue, Lawrenceburg, Indiana 47025

40 CFR 60, Subpart Dc—Standards of Performance for Small Industrial-Commercial-Institutional Steam Generating Units

Source: 72 FR 32759, June 13, 2007, unless otherwise noted.

§ 60.40c Applicability and delegation of authority.

(a) Except as provided in paragraphs (d), (e), (f), and (g) of this section, the affected facility to which this subpart applies is each steam generating unit for which construction, modification, or reconstruction is commenced after June 9, 1989 and that has 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).

(b) In delegating implementation and enforcement authority to a State under section 111(c) of the Clean Air Act, §60.48c(a)(4) shall be retained by the Administrator and not transferred to a State.

(c) Steam generating units that meet the applicability requirements in paragraph (a) of this section are not subject to the sulfur dioxide (SO_2) or particulate matter (PM) emission limits, performance testing requirements, or monitoring requirements under this subpart (§§60.42c, 60.43c, 60.44c, 60.45c, 60.46c, or 60.47c) during periods of combustion research, as defined in §60.41c.

(d) Any temporary change to an existing steam generating unit for the purpose of conducting combustion research is not considered a modification under §60.14.

(e) Heat recovery steam generators that are associated with combined cycle gas turbines and meet the applicability requirements of subpart KKKK of this part are not subject to this subpart. This subpart will continue to apply to all other heat recovery steam generators that are capable of combusting more than or equal to 2.9 MW (10 MMBtu/hr) heat input of fossil fuel but less than or equal to 29 MW (100 MMBtu/hr) heat input of fossil fuel. If the heat recovery steam generator is subject to this subpart, only emissions resulting from combustion of fuels in the steam generating unit are subject to this subpart. (The gas turbine emissions are subject to subpart GG or KKKK, as applicable, of this part).

(f) Any facility covered by subpart AAAA of this part is not subject by this subpart.

(g) Any facility covered by an EPA approved State or Federal section 111(d)/129 plan implementing subpart BBBB of this part is not subject by this subpart.

[72 FR 32759, June 13, 2007, as amended at 74 FR 5090, Jan. 28, 2009]

§ 60.41c Definitions.

As used in this subpart, all terms not defined herein shall have the meaning given them in the Clean Air Act and in subpart A of this part.

Annual capacity factor means the ratio between the actual heat input to a steam generating unit from an individual fuel or combination of fuels during a period of 12 consecutive calendar months and the potential

heat input to the steam generating unit from all fuels had the steam generating unit been operated for 8,760 hours during that 12-month period at the maximum design heat input capacity. In the case of steam generating units that are rented or leased, the actual heat input shall be determined based on the combined heat input from all operations of the affected facility during a period of 12 consecutive calendar months.

Coal means all solid fuels classified as anthracite, bituminous, subbituminous, or lignite by the American Society of Testing and Materials in ASTM D388 (incorporated by reference, see §60.17), coal refuse, and petroleum coke. Coal-derived synthetic fuels derived from coal for the purposes of creating useful heat, including but not limited to solvent refined coal, gasified coal not meeting the definition of natural gas, coal-oil mixtures, and coal-water mixtures, are also included in this definition for the purposes of this subpart.

Coal refuse means any by-product of coal mining or coal cleaning operations with an ash content greater than 50 percent (by weight) and a heating value less than 13,900 kilojoules per kilogram (kJ/kg) (6,000 Btu per pound (Btu/lb) on a dry basis.

Cogeneration steam generating unit means a steam generating unit that simultaneously produces both electrical (or mechanical) and thermal energy from the same primary energy source.

Combined cycle system means a system in which a separate source (such as a stationary gas turbine, internal combustion engine, or kiln) provides exhaust gas to a steam generating unit.

Combustion research means the experimental firing of any fuel or combination of fuels in a steam generating unit for the purpose of conducting research and development of more efficient combustion or more effective prevention or control of air pollutant emissions from combustion, provided that, during these periods of research and development, the heat generated is not used for any purpose other than preheating combustion air for use by that steam generating unit (*i.e.* , the heat generated is released to the atmosphere without being used for space heating, process heating, driving pumps, preheating combustion air for other units, generating electricity, or any other purpose).

Conventional technology means wet flue gas desulfurization technology, dry flue gas desulfurization technology, atmospheric fluidized bed combustion technology, and oil hydrodesulfurization technology.

Distillate oil means fuel oil that complies with the specifications for fuel oil numbers 1 or 2, as defined by the American Society for Testing and Materials in ASTM D396 (incorporated by reference, see §60.17) or diesel fuel oil numbers 1 or 2, as defined by the American Society for Testing and Materials in ASTM D975 (incorporated by reference, see §60.17).

Dry flue gas desulfurization technology means a SO_2control system that is located between the steam generating unit and the exhaust vent or stack, and that removes sulfur oxides from the combustion gases of the steam generating unit by contacting the combustion gases with an alkaline reagent and water, whether introduced separately or as a premixed slurry or solution and forming a dry powder material. This definition includes devices where the dry powder material is subsequently converted to another form. Alkaline reagents used in dry flue gas desulfurization systems include, but are not limited to, lime and sodium compounds.

Duct burner means a device that combusts fuel and that is placed in the exhaust duct from another source (such as a stationary gas turbine, internal combustion engine, kiln, etc.) to allow the firing of additional fuel to heat the exhaust gases before the exhaust gases enter a steam generating unit.

Emerging technology means any SO_2control system that is not defined as a conventional technology under this section, and for which the owner or operator of the affected facility has received approval from the Administrator to operate as an emerging technology under §60.48c(a)(4).

Federally enforceable means all limitations and conditions that are enforceable by the Administrator, including the requirements of 40 CFR parts 60 and 61, requirements within any applicable State implementation plan, and any permit requirements established under 40 CFR 52.21 or under 40 CFR 51.18 and 51.24.

Fluidized bed combustion technology means a device wherein fuel is distributed onto a bed (or series of beds) of limestone aggregate (or other sorbent materials) for combustion; and these materials are forced upward in the device by the flow of combustion air and the gaseous products of combustion. Fluidized bed combustion technology includes, but is not limited to, bubbling bed units and circulating bed units.

Fuel pretreatment means a process that removes a portion of the sulfur in a fuel before combustion of the fuel in a steam generating unit.

Heat input means heat derived from combustion of fuel in a steam generating unit and does not include the heat derived from preheated combustion air, recirculated flue gases, or exhaust gases from other sources (such as stationary gas turbines, internal combustion engines, and kilns).

Heat transfer medium means any material that is used to transfer heat from one point to another point.

Maximum design heat input capacity means the ability of a steam generating unit to combust a stated maximum amount of fuel (or combination of fuels) on a steady state basis as determined by the physical design and characteristics of the steam generating unit.

Natural gas means:

(1) A naturally occurring mixture of hydrocarbon and nonhydrocarbon gases found in geologic formations beneath the earth's surface, of which the principal constituent is methane; or

(2) Liquefied petroleum (LP) gas, as defined by the American Society for Testing and Materials in ASTM D1835 (incorporated by reference, see §60.17); or

(3) A mixture of hydrocarbons that maintains a gaseous state at ISO conditions. Additionally, natural gas must either be composed of at least 70 percent methane by volume or have a gross calorific value between 34 and 43 megajoules (MJ) per dry standard cubic meter (910 and 1,150 Btu per dry standard cubic foot).

Noncontinental area means the State of Hawaii, the Virgin Islands, Guam, American Samoa, the Commonwealth of Puerto Rico, or the Northern Mariana Islands.

Oil means crude oil or petroleum, or a liquid fuel derived from crude oil or petroleum, including distillate oil and residual oil.

Potential sulfur dioxide emission rate means the theoretical SO_2emissions (nanograms per joule (ng/J) or lb/MMBtu heat input) that would result from combusting fuel in an uncleaned state and without using emission control systems.

Process heater means a device that is primarily used to heat a material to initiate or promote a chemical reaction in which the material participates as a reactant or catalyst.

Residual oil means crude oil, fuel oil that does not comply with the specifications under the definition of distillate oil, and all fuel oil numbers 4, 5, and 6, as defined by the American Society for Testing and Materials in ASTM D396 (incorporated by reference, see §60.17).

Steam generating unit means a device that combusts any fuel and produces steam or heats water or heats any heat transfer medium. This term includes any duct burner that combusts fuel and is part of a combined cycle system. This term does not include process heaters as defined in this subpart.

Steam generating unit operating day means a 24-hour period between 12:00 midnight and the following midnight during which any fuel is combusted at any time in the steam generating unit. It is not necessary for fuel to be combusted continuously for the entire 24-hour period.

Wet flue gas desulfurization technology means an SO_2control system that is located between the steam generating unit and the exhaust vent or stack, and that removes sulfur oxides from the combustion gases of the steam generating unit by contacting the combustion gases with an alkaline slurry or solution and forming a liquid material. This definition includes devices where the liquid material is subsequently converted to another form. Alkaline reagents used in wet flue gas desulfurization systems include, but are not limited to, lime, limestone, and sodium compounds.

Wet scrubber system means any emission control device that mixes an aqueous stream or slurry with the exhaust gases from a steam generating unit to control emissions of PM or SO_2.

Wood means wood, wood residue, bark, or any derivative fuel or residue thereof, in any form, including but not limited to sawdust, sanderdust, wood chips, scraps, slabs, millings, shavings, and processed pellets made from wood or other forest residues.

[72 FR 32759, June 13, 2007, as amended at 74 FR 5090, Jan. 28, 2009]

§ 60.42c Standard for sulfur dioxide (SO_2).

(a) Except as provided in paragraphs (b), (c), and (e) of this section, on and after the date on which the performance test is completed or required to be completed under §60.8, whichever date comes first, the owner or operator of an affected facility that combusts only coal shall neither: cause to be discharged into the atmosphere from the affected facility any gases that contain SO_2in excess of 87 ng/J (0.20 lb/MMBtu) heat input or 10 percent (0.10) of the potential SO_2emission rate (90 percent reduction), nor cause to be discharged into the atmosphere from the affected facility any gases that contain SO_2in excess of 520 ng/J (1.2 lb/MMBtu) heat input. If coal is combusted with other fuels, the affected facility shall neither: cause to be discharged into the atmosphere from the affected facility any gases that contain SO_2in excess of 87 ng/J (0.20 lb/MMBtu) heat input or 10 percent (0.10) of the potential SO_2emission rate (90 percent reduction), nor cause to be discharged into the atmosphere from the affected facility any gases that contain SO_2in excess of the emission limit is determined pursuant to paragraph (e)(2) of this section.

(b) Except as provided in paragraphs (c) and (e) of this section, on and after the date on which the performance test is completed or required to be completed under §60.8, whichever date comes first, the owner or operator of an affected facility that:

(1) Combusts only coal refuse alone in a fluidized bed combustion steam generating unit shall neither:

(i) Cause to be discharged into the atmosphere from that affected facility any gases that contain SO_2in excess of 87 ng/J (0.20 lb/MMBtu) heat input or 20 percent (0.20) of the potential SO_2emission rate (80 percent reduction); nor

(ii) Cause to be discharged into the atmosphere from that affected facility any gases that contain SO_2in excess of SO_2in excess of 520 ng/J (1.2 lb/MMBtu) heat input. If coal is fired with coal refuse, the affected facility subject to paragraph (a) of this section. If oil or any other fuel (except coal) is fired with coal refuse, the affected facility is subject to the 87 ng/J (0.20 lb/MMBtu) heat input SO_2emissions limit or the 90

percent SO_2reduction requirement specified in paragraph (a) of this section and the emission limit is determined pursuant to paragraph (e)(2) of this section.

(2) Combusts only coal and that uses an emerging technology for the control of SO_2emissions shall neither:

(i) Cause to be discharged into the atmosphere from that affected facility any gases that contain SO_2in excess of 50 percent (0.50) of the potential SO_2emission rate (50 percent reduction); nor

(ii) Cause to be discharged into the atmosphere from that affected facility any gases that contain SO_2in excess of 260 ng/J (0.60 lb/MMBtu) heat input. If coal is combusted with other fuels, the affected facility is subject to the 50 percent SO_2reduction requirement specified in this paragraph and the emission limit determined pursuant to paragraph (e)(2) of this section.

(c) On and after the date on which the initial performance test is completed or required to be completed under §60.8, whichever date comes first, no owner or operator of an affected facility that combusts coal, alone or in combination with any other fuel, and is listed in paragraphs (c)(1), (2), (3), or (4) of this section shall cause to be discharged into the atmosphere from that affected facility any gases that contain SO_2in excess of the emission limit determined pursuant to paragraph (e)(2) of this section. Percent reduction requirements are not applicable to affected facilities under paragraphs (c)(1), (2), (3), or (4).

(1) Affected facilities that have a heat input capacity of 22 MW (75 MMBtu/hr) or less.

(2) Affected facilities that have an annual capacity for coal of 55 percent (0.55) or less and are subject to a federally enforceable requirement limiting operation of the affected facility to an annual capacity factor for coal of 55 percent (0.55) or less.

(3) Affected facilities located in a noncontinental area.

(4) Affected facilities that combust coal in a duct burner as part of a combined cycle system where 30 percent (0.30) or less of the heat entering the steam generating unit is from combustion of coal in the duct burner and 70 percent (0.70) or more of the heat entering the steam generating unit is from exhaust gases entering the duct burner.

(d) On and after the date on which the initial performance test is completed or required to be completed under §60.8, whichever date comes first, no owner or operator of an affected facility that combusts oil shall cause to be discharged into the atmosphere from that affected facility any gases that contain SO_2in excess of 215 ng/J (0.50 lb/MMBtu) heat input; or, as an alternative, no owner or operator of an affected facility that combusts oil shall combust oil in the affected facility that contains greater than 0.5 weight percent sulfur. The percent reduction requirements are not applicable to affected facilities under this paragraph.

(e) On and after the date on which the initial performance test is completed or required to be completed under §60.8, whichever date comes first, no owner or operator of an affected facility that combusts coal, oil, or coal and oil with any other fuel shall cause to be discharged into the atmosphere from that affected facility any gases that contain SO_2in excess of the following:

(1) The percent of potential SO_2emission rate or numerical SO_2emission rate required under paragraph (a) or (b)(2) of this section, as applicable, for any affected facility that

(i) Combusts coal in combination with any other fuel;

(ii) Has a heat input capacity greater than 22 MW (75 MMBtu/hr); and

(iii) Has an annual capacity factor for coal greater than 55 percent (0.55); and

(2) The emission limit determined according to the following formula for any affected facility that combusts coal, oil, or coal and oil with any other fuel:

$$E_s = \frac{(K_a H_a + K_b H_b + K_c H_c)}{(H_a + H_b + H_c)}$$

Where:

E_s= SO_2emission limit, expressed in ng/J or lb/MMBtu heat input;

K_a= 520 ng/J (1.2 lb/MMBtu);

K_b= 260 ng/J (0.60 lb/MMBtu);

K_c= 215 ng/J (0.50 lb/MMBtu);

H_a= Heat input from the combustion of coal, except coal combusted in an affected facility subject to paragraph (b)(2) of this section, in Joules (J) [MMBtu];

H_b= Heat input from the combustion of coal in an affected facility subject to paragraph (b)(2) of this section, in J (MMBtu); and

H_c= Heat input from the combustion of oil, in J (MMBtu).

(f) Reduction in the potential SO_2emission rate through fuel pretreatment is not credited toward the percent reduction requirement under paragraph (b)(2) of this section unless:

(1) Fuel pretreatment results in a 50 percent (0.50) or greater reduction in the potential SO_2emission rate; and

(2) Emissions from the pretreated fuel (without either combustion or post-combustion SO_2control) are equal to or less than the emission limits specified under paragraph (b)(2) of this section.

(g) Except as provided in paragraph (h) of this section, compliance with the percent reduction requirements, fuel oil sulfur limits, and emission limits of this section shall be determined on a 30-day rolling average basis.

(h) For affected facilities listed under paragraphs (h)(1), (2), or (3) of this section, compliance with the emission limits or fuel oil sulfur limits under this section may be determined based on a certification from the fuel supplier, as described under §60.48c(f), as applicable.

(1) Distillate oil-fired affected facilities with heat input capacities between 2.9 and 29 MW (10 and 100 MMBtu/hr).

(2) Residual oil-fired affected facilities with heat input capacities between 2.9 and 8.7 MW (10 and 30 MMBtu/hr).

(3) Coal-fired facilities with heat input capacities between 2.9 and 8.7 MW (10 and 30 MMBtu/hr).

(i) The SO_2emission limits, fuel oil sulfur limits, and percent reduction requirements under this section apply at all times, including periods of startup, shutdown, and malfunction.

(j) For affected facilities located in noncontinental areas and affected facilities complying with the percent reduction standard, only the heat input supplied to the affected facility from the combustion of coal and oil is counted under this section. No credit is provided for the heat input to the affected facility from wood or other fuels or for heat derived from exhaust gases from other sources, such as stationary gas turbines, internal combustion engines, and kilns.

[72 FR 32759, June 13, 2007, as amended at 74 FR 5090, Jan. 28, 2009]

§ 60.43c Standard for particulate matter (PM).

(a) On and after the date on which the initial performance test is completed or required to be completed under §60.8, whichever date comes first, no owner or operator of an affected facility that commenced construction, reconstruction, or modification on or before February 28, 2005, that combusts coal or combusts mixtures of coal with other fuels and has a heat input capacity of 8.7 MW (30 MMBtu/hr) or greater, shall cause to be discharged into the atmosphere from that affected facility any gases that contain PM in excess of the following emission limits:

(1) 22 ng/J (0.051 lb/MMBtu) heat input if the affected facility combusts only coal, or combusts coal with other fuels and has an annual capacity factor for the other fuels of 10 percent (0.10) or less.

(2) 43 ng/J (0.10 lb/MMBtu) heat input if the affected facility combusts coal with other fuels, has an annual capacity factor for the other fuels greater than 10 percent (0.10), and is subject to a federally enforceable requirement limiting operation of the affected facility to an annual capacity factor greater than 10 percent (0.10) for fuels other than coal.

(b) On and after the date on which the initial performance test is completed or required to be completed under §60.8, whichever date comes first, no owner or operator of an affected facility that commenced construction, reconstruction, or modification on or before February 28, 2005, that combusts wood or combusts mixtures of wood with other fuels (except coal) and has a heat input capacity of 8.7 MW (30 MMBtu/hr) or greater, shall cause to be discharged into the atmosphere from that affected facility any gases that contain PM in excess of the following emissions limits:

(1) 43 ng/J (0.10 lb/MMBtu) heat input if the affected facility has an annual capacity factor for wood greater than 30 percent (0.30); or

(2) 130 ng/J (0.30 lb/MMBtu) heat input if the affected facility has an annual capacity factor for wood of 30 percent (0.30) or less and is subject to a federally enforceable requirement limiting operation of the affected facility to an annual capacity factor for wood of 30 percent (0.30) or less.

(c) On and after the date on which the initial performance test is completed or required to be completed under §60.8, whichever date comes first, no owner or operator of an affected facility that can combust coal, wood, or oil and has a heat input capacity of 8.7 MW (30 MMBtu/hr) or greater shall cause to be discharged into the atmosphere from that affected facility any gases that exhibit greater than 20 percent opacity (6-minute average), except for one 6-minute period per hour of not more than 27 percent opacity. Owners and operators of an affected facility that elect to install, calibrate, maintain, and operate a continuous emissions monitoring system (CEMS) for measuring PM emissions according to the requirements of this subpart and are subject to a federally enforceable PM limit of 0.030 lb/MMBtu or less are exempt from the opacity standard specified in this paragraph.

(d) The PM and opacity standards under this section apply at all times, except during periods of startup, shutdown, or malfunction.

(e)(1) On and after the date on which the initial performance test is completed or is required to be completed under §60.8, whichever date comes first, no owner or operator of an affected facility that commences construction, reconstruction, or modification after February 28, 2005, and that combusts coal, oil, wood, a mixture of these fuels, or a mixture of these fuels with any other fuels and has a heat input capacity of 8.7 MW (30 MMBtu/hr) or greater shall cause to be discharged into the atmosphere from that affected facility any gases that contain PM in excess of 13 ng/J (0.030 lb/MMBtu) heat input, except as provided in paragraphs (e)(2), (e)(3), and (e)(4) of this section.

(2) As an alternative to meeting the requirements of paragraph (e)(1) of this section, the owner or operator of an affected facility for which modification commenced after February 28, 2005, may elect to meet the requirements of this paragraph. On and after the date on which the initial performance test is completed or required to be completed under §60.8, whichever date comes first, no owner or operator of an affected facility that commences modification after February 28, 2005 shall cause to be discharged into the atmosphere from that affected facility any gases that contain PM in excess of both:

(i) 22 ng/J (0.051 lb/MMBtu) heat input derived from the combustion of coal, oil, wood, a mixture of these fuels, or a mixture of these fuels with any other fuels; and

(ii) 0.2 percent of the combustion concentration (99.8 percent reduction) when combusting coal, oil, wood, a mixture of these fuels, or a mixture of these fuels with any other fuels.

(3) On and after the date on which the initial performance test is completed or is required to be completed under §60.8, whichever date comes first, no owner or operator of an affected facility that commences modification after February 28, 2005, and that combusts over 30 percent wood (by heat input) on an annual basis and has a heat input capacity of 8.7 MW (30 MMBtu/hr) or greater shall cause to be discharged into the atmosphere from that affected facility any gases that contain PM in excess of 43 ng/J (0.10 lb/MMBtu) heat input.

(4) On and after the date on which the initial performance test is completed or is required to be completed under §60.8, whichever date comes first, an owner or operator of an affected facility that commences construction, reconstruction, or modification after February 28, 2005, and that combusts only oil that contains no more than 0.50 weight percent sulfur or a mixture of 0.50 weight percent sulfur oil with other fuels not subject to a PM standard under §60.43c and not using a post-combustion technology (except a wet scrubber) to reduce PM or SO_2emissions is not subject to the PM limit in this section.

[72 FR 32759, June 13, 2007, as amended at 74 FR 5091, Jan. 28, 2009]

§ 60.44c Compliance and performance test methods and procedures for sulfur dioxide.

(a) Except as provided in paragraphs (g) and (h) of this section and §60.8(b), performance tests required under §60.8 shall be conducted following the procedures specified in paragraphs (b), (c), (d), (e), and (f) of this section, as applicable. Section 60.8(f) does not apply to this section. The 30-day notice required in §60.8(d) applies only to the initial performance test unless otherwise specified by the Administrator.

(b) The initial performance test required under §60.8 shall be conducted over 30 consecutive operating days of the steam generating unit. Compliance with the percent reduction requirements and SO_2emission limits under §60.42c shall be determined using a 30-day average. The first operating day included in the initial performance test shall be scheduled within 30 days after achieving the maximum production rate at which the affect facility will be operated, but not later than 180 days after the initial startup of the facility. The steam generating unit load during the 30-day period does not have to be the maximum design heat input capacity, but must be representative of future operating conditions.

(c) After the initial performance test required under paragraph (b) of this section and §60.8, compliance with the percent reduction requirements and SO_2emission limits under §60.42c is based on the average percent reduction and the average SO_2emission rates for 30 consecutive steam generating unit operating days. A separate performance test is completed at the end of each steam generating unit operating day, and a new 30-day average percent reduction and SO_2emission rate are calculated to show compliance with the standard.

(d) If only coal, only oil, or a mixture of coal and oil is combusted in an affected facility, the procedures in Method 19 of appendix A of this part are used to determine the hourly SO_2emission rate (E_{ho}) and the 30-day average SO_2emission rate (E_{ao}). The hourly averages used to compute the 30-day averages are obtained from the CEMS. Method 19 of appendix A of this part shall be used to calculate $E_{ao}$when using daily fuel sampling or Method 6B of appendix A of this part.

(e) If coal, oil, or coal and oil are combusted with other fuels:

(1) An adjusted E_{ho}(E_{ho}o) is used in Equation 19–19 of Method 19 of appendix A of this part to compute the adjusted E_{ao}(E_{ao}o). The E_{ho}o is computed using the following formula:

$$E_{ho}o = \frac{E_{ho} - E_w(1 - X_k)}{X_k}$$

Where:

E_{ho}o = Adjusted E_{ho}, ng/J (lb/MMBtu);

E_{ho}= Hourly SO_2emission rate, ng/J (lb/MMBtu);

E_w= SO_2concentration in fuels other than coal and oil combusted in the affected facility, as determined by fuel sampling and analysis procedures in Method 9 of appendix A of this part, ng/J (lb/MMBtu). The value $E_w$for each fuel lot is used for each hourly average during the time that the lot is being combusted. The owner or operator does not have to measure $E_w$if the owner or operator elects to assume E_w= 0.

X_k= Fraction of the total heat input from fuel combustion derived from coal and oil, as determined by applicable procedures in Method 19 of appendix A of this part.

(2) The owner or operator of an affected facility that qualifies under the provisions of §60.42c(c) or (d) (where percent reduction is not required) does not have to measure the parameters $E_w$or $X_k$if the owner or operator of the affected facility elects to measure emission rates of the coal or oil using the fuel sampling and analysis procedures under Method 19 of appendix A of this part.

(f) Affected facilities subject to the percent reduction requirements under §60.42c(a) or (b) shall determine compliance with the SO_2emission limits under §60.42c pursuant to paragraphs (d) or (e) of this section, and shall determine compliance with the percent reduction requirements using the following procedures:

(1) If only coal is combusted, the percent of potential SO_2emission rate is computed using the following formula:

$$\%P_c = 100\left(1 - \frac{\%R_g}{100}\right)\left(1 - \frac{\%R_f}{100}\right)$$

Where:

$\%P_s$= Potential SO_2emission rate, in percent;

$\%R_g$= SO_2removal efficiency of the control device as determined by Method 19 of appendix A of this part, in percent; and

$\%R_f$= SO_2removal efficiency of fuel pretreatment as determined by Method 19 of appendix A of this part, in percent.

(2) If coal, oil, or coal and oil are combusted with other fuels, the same procedures required in paragraph (f)(1) of this section are used, except as provided for in the following:

(i) To compute the $\%P_s$, an adjusted $\%R_g$($\%R_g$o) is computed from E_{ao}o from paragraph (e)(1) of this section and an adjusted average SO_2inlet rate (E_{ai}o) using the following formula:

$$\%R_g o = 100\left(1 - \frac{E^{\circ}_{ao}}{E^{\circ}_{ai}}\right)$$

Where:

$\%R_g$o = Adjusted $\%R_g$, in percent;

E_{ao}o = Adjusted E_{ao}, ng/J (lb/MMBtu); and

E_{ai}o = Adjusted average SO_2inlet rate, ng/J (lb/MMBtu).

(ii) To compute E_{ai}o, an adjusted hourly SO_2inlet rate (E_{hi}o) is used. The E_{hi}o is computed using the following formula:

$$E_{hi}o = \frac{E_{hi} - E_w(1 - X_k)}{X_k}$$

Where:

E_{hi}o = Adjusted E_{hi}, ng/J (lb/MMBtu);

E_{hi}= Hourly SO_2inlet rate, ng/J (lb/MMBtu);

E_w= SO_2concentration in fuels other than coal and oil combusted in the affected facility, as determined by fuel sampling and analysis procedures in Method 19 of appendix A of this part, ng/J (lb/MMBtu). The value $E_w$for each fuel lot is used for each hourly average during the time that the lot is being combusted. The owner or operator does not have to measure $E_w$if the owner or operator elects to assume E_w= 0; and

X_k= Fraction of the total heat input from fuel combustion derived from coal and oil, as determined by applicable procedures in Method 19 of appendix A of this part.

(g) For oil-fired affected facilities where the owner or operator seeks to demonstrate compliance with the fuel oil sulfur limits under §60.42c based on shipment fuel sampling, the initial performance test shall consist of sampling and analyzing the oil in the initial tank of oil to be fired in the steam generating unit to demonstrate that the oil contains 0.5 weight percent sulfur or less. Thereafter, the owner or operator of the affected facility shall sample the oil in the fuel tank after each new shipment of oil is received, as described under §60.46c(d)(2).

(h) For affected facilities subject to §60.42c(h)(1), (2), or (3) where the owner or operator seeks to demonstrate compliance with the SO_2standards based on fuel supplier certification, the performance test shall consist of the certification from the fuel supplier, as described in §60.48c(f), as applicable.

(i) The owner or operator of an affected facility seeking to demonstrate compliance with the SO_2standards under §60.42c(c)(2) shall demonstrate the maximum design heat input capacity of the steam generating unit by operating the steam generating unit at this capacity for 24 hours. This demonstration shall be made during the initial performance test, and a subsequent demonstration may be requested at any other time. If the demonstrated 24-hour average firing rate for the affected facility is less than the maximum design heat input capacity stated by the manufacturer of the affected facility, the demonstrated 24-hour average firing rate shall be used to determine the annual capacity factor for the affected facility; otherwise, the maximum design heat input capacity provided by the manufacturer shall be used.

(j) The owner or operator of an affected facility shall use all valid SO_2emissions data in calculating $\%P_s$and E_{ho}under paragraphs (d), (e), or (f) of this section, as applicable, whether or not the minimum emissions data requirements under §60.46c(f) are achieved. All valid emissions data, including valid data collected during periods of startup, shutdown, and malfunction, shall be used in calculating $\%P_s$or E_{ho}pursuant to paragraphs (d), (e), or (f) of this section, as applicable.

[72 FR 32759, June 13, 2007, as amended at 74 FR 5091, Jan. 28, 2009]

§ 60.45c Compliance and performance test methods and procedures for particulate matter.

(a) The owner or operator of an affected facility subject to the PM and/or opacity standards under §60.43c shall conduct an initial performance test as required under §60.8, and shall conduct subsequent performance tests as requested by the Administrator, to determine compliance with the standards using the following procedures and reference methods, except as specified in paragraph (c) of this section.

(1) Method 1 of appendix A of this part shall be used to select the sampling site and the number of traverse sampling points.

(2) Method 3A or 3B of appendix A–2 of this part shall be used for gas analysis when applying Method 5 or 5B of appendix A–3 of this part or 17 of appendix A–6 of this part.

(3) Method 5, 5B, or 17 of appendix A of this part shall be used to measure the concentration of PM as follows:

(i) Method 5 of appendix A of this part may be used only at affected facilities without wet scrubber systems.

(ii) Method 17 of appendix A of this part may be used at affected facilities with or without wet scrubber systems provided the stack gas temperature does not exceed a temperature of 160 °C (320 °F). The procedures of Sections 8.1 and 11.1 of Method 5B of appendix A of this part may be used in Method 17 of appendix A of this part only if Method 17 of appendix A of this part is used in conjunction with a wet scrubber system. Method 17 of appendix A of this part shall not be used in conjunction with a wet scrubber system if the effluent is saturated or laden with water droplets.

(iii) Method 5B of appendix A of this part may be used in conjunction with a wet scrubber system.

(4) The sampling time for each run shall be at least 120 minutes and the minimum sampling volume shall be 1.7 dry standard cubic meters (dscm) [60 dry standard cubic feet (dscf)] except that smaller sampling times or volumes may be approved by the Administrator when necessitated by process variables or other factors.

(5) For Method 5 or 5B of appendix A of this part, the temperature of the sample gas in the probe and filter holder shall be monitored and maintained at 160 ±14 °C (320±25 °F).

(6) For determination of PM emissions, an oxygen (O_2) or carbon dioxide (CO_2) measurement shall be obtained simultaneously with each run of Method 5, 5B, or 17 of appendix A of this part by traversing the duct at the same sampling location.

(7) For each run using Method 5, 5B, or 17 of appendix A of this part, the emission rates expressed in ng/J (lb/MMBtu) heat input shall be determined using:

(i) The O_2or CO_2measurements and PM measurements obtained under this section, (ii) The dry basis F factor, and

(iii) The dry basis emission rate calculation procedure contained in Method 19 of appendix A of this part.

(8) Method 9 of appendix A–4 of this part shall be used for determining the opacity of stack emissions.

(b) The owner or operator of an affected facility seeking to demonstrate compliance with the PM standards under §60.43c(b)(2) shall demonstrate the maximum design heat input capacity of the steam generating unit by operating the steam generating unit at this capacity for 24 hours. This demonstration shall be made during the initial performance test, and a subsequent demonstration may be requested at any other time. If the demonstrated 24-hour average firing rate for the affected facility is less than the maximum design heat input capacity stated by the manufacturer of the affected facility, the demonstrated 24-hour average firing rate shall be used to determine the annual capacity factor for the affected facility; otherwise, the maximum design heat input capacity provided by the manufacturer shall be used.

(c) In place of PM testing with Method 5 or 5B of appendix A–3 of this part or Method 17 of appendix A–6 of this part, an owner or operator may elect to install, calibrate, maintain, and operate a CEMS for monitoring PM emissions discharged to the atmosphere and record the output of the system. The owner or operator of an affected facility who elects to continuously monitor PM emissions instead of conducting performance testing using Method 5 or 5B of appendix A–3 of this part or Method 17 of appendix A–6 of this part shall install, calibrate, maintain, and operate a CEMS and shall comply with the requirements specified in paragraphs (c)(1) through (c)(14) of this section.

(1) Notify the Administrator 1 month before starting use of the system.

(2) Notify the Administrator 1 month before stopping use of the system.

(3) The monitor shall be installed, evaluated, and operated in accordance with §60.13 of subpart A of this part.

(4) The initial performance evaluation shall be completed no later than 180 days after the date of initial startup of the affected facility, as specified under §60.8 of subpart A of this part or within 180 days of notification to the Administrator of use of CEMS if the owner or operator was previously determining compliance by Method 5, 5B, or 17 of appendix A of this part performance tests, whichever is later.

(5) The owner or operator of an affected facility shall conduct an initial performance test for PM emissions as required under §60.8 of subpart A of this part. Compliance with the PM emission limit shall be determined by using the CEMS specified in paragraph (d) of this section to measure PM and calculating a 24-hour block arithmetic average emission concentration using EPA Reference Method 19 of appendix A of this part, section 4.1.

(6) Compliance with the PM emission limit shall be determined based on the 24-hour daily (block) average of the hourly arithmetic average emission concentrations using CEMS outlet data.

(7) At a minimum, valid CEMS hourly averages shall be obtained as specified in paragraph (c)(7)(i) of this section for 75 percent of the total operating hours per 30-day rolling average.

(i) At least two data points per hour shall be used to calculate each 1-hour arithmetic average.

(ii) [Reserved]

(8) The 1-hour arithmetic averages required under paragraph (c)(7) of this section shall be expressed in ng/J or lb/MMBtu heat input and shall be used to calculate the boiler operating day daily arithmetic average emission concentrations. The 1-hour arithmetic averages shall be calculated using the data points required under §60.13(e)(2) of subpart A of this part.

(9) All valid CEMS data shall be used in calculating average emission concentrations even if the minimum CEMS data requirements of paragraph (c)(7) of this section are not met.

(10) The CEMS shall be operated according to Performance Specification 11 in appendix B of this part.

(11) During the correlation testing runs of the CEMS required by Performance Specification 11 in appendix B of this part, PM and O_2(or CO_2) data shall be collected concurrently (or within a 30- to 60-minute period) by both the continuous emission monitors and performance tests conducted using the following test methods.

(i) For PM, Method 5 or 5B of appendix A–3 of this part or Method 17 of appendix A–6 of this part shall be used; and

(ii) For O2 (or CO_2), Method 3A or 3B of appendix A–2 of this part, as applicable shall be used.

(12) Quarterly accuracy determinations and daily calibration drift tests shall be performed in accordance with procedure 2 in appendix F of this part. Relative Response Audit's must be performed annually and Response Correlation Audits must be performed every 3 years.

(13) When PM emissions data are not obtained because of CEMS breakdowns, repairs, calibration checks, and zero and span adjustments, emissions data shall be obtained by using other monitoring systems as approved by the Administrator or EPA Reference Method 19 of appendix A of this part to provide, as necessary, valid emissions data for a minimum of 75 percent of total operating hours on a 30-day rolling average.

(14) After July 1, 2011, within 90 days after the date of completing each performance evaluation required by paragraph (c)(11) of this section, the owner or operator of the affected facility must either submit the test data to EPA by successfully entering the data electronically into EPA's WebFIRE data base available at *http://cfpub.epa.gov/oarweb/index.cfm?action=fire.main* or mail a copy to: United States Environmental Protection Agency; Energy Strategies Group; 109 TW Alexander DR; Mail Code: D243–01; RTP, NC 27711.

(d) The owner or operator of an affected facility seeking to demonstrate compliance under §60.43c(e)(4) shall follow the applicable procedures under §60.48c(f). For residual oil-fired affected facilities, fuel supplier certifications are only allowed for facilities with heat input capacities between 2.9 and 8.7 MW (10 to 30 MMBtu/hr).

[72 FR 32759, June 13, 2007, as amended at 74 FR 5091, Jan. 28, 2009; 76 FR 3523, Jan. 20, 2011]

§ 60.46c Emission monitoring for sulfur dioxide.

(a) Except as provided in paragraphs (d) and (e) of this section, the owner or operator of an affected facility subject to the SO_2emission limits under §60.42c shall install, calibrate, maintain, and operate a CEMS for measuring SO_2concentrations and either O_2or CO_2concentrations at the outlet of the SO_2control device (or the outlet of the steam generating unit if no SO_2control device is used), and shall record the output of the system. The owner or operator of an affected facility subject to the percent reduction requirements under §60.42c shall measure SO_2concentrations and either O_2or CO_2concentrations at both the inlet and outlet of the SO_2control device.

(b) The 1-hour average SO_2emission rates measured by a CEMS shall be expressed in ng/J or lb/MMBtu heat input and shall be used to calculate the average emission rates under §60.42c. Each 1-hour average SO_2emission rate must be based on at least 30 minutes of operation, and shall be calculated using the data points required under §60.13(h)(2). Hourly SO_2emission rates are not calculated if the affected facility is operated less than 30 minutes in a 1-hour period and are not counted toward determination of a steam generating unit operating day.

(c) The procedures under §60.13 shall be followed for installation, evaluation, and operation of the CEMS.

(1) All CEMS shall be operated in accordance with the applicable procedures under Performance Specifications 1, 2, and 3 of appendix B of this part.

(2) Quarterly accuracy determinations and daily calibration drift tests shall be performed in accordance with Procedure 1 of appendix F of this part.

(3) For affected facilities subject to the percent reduction requirements under §60.42c, the span value of the SO_2CEMS at the inlet to the SO_2control device shall be 125 percent of the maximum estimated hourly potential SO_2emission rate of the fuel combusted, and the span value of the SO_2CEMS at the outlet from the SO_2control device shall be 50 percent of the maximum estimated hourly potential SO_2emission rate of the fuel combusted.

(4) For affected facilities that are not subject to the percent reduction requirements of §60.42c, the span value of the SO_2CEMS at the outlet from the SO_2control device (or outlet of the steam generating unit if no SO_2control device is used) shall be 125 percent of the maximum estimated hourly potential SO_2emission rate of the fuel combusted.

(d) As an alternative to operating a CEMS at the inlet to the SO_2control device (or outlet of the steam generating unit if no SO_2control device is used) as required under paragraph (a) of this section, an owner or operator may elect to determine the average SO_2emission rate by sampling the fuel prior to combustion. As an alternative to operating a CEMS at the outlet from the SO_2control device (or outlet of the steam generating unit if no SO_2control device is used) as required under paragraph (a) of this section, an owner or operator may elect to determine the average SO_2emission rate by using Method 6B of appendix A of this part. Fuel sampling shall be conducted pursuant to either paragraph (d)(1) or (d)(2) of this section. Method 6B of appendix A of this part shall be conducted pursuant to paragraph (d)(3) of this section.

(1) For affected facilities combusting coal or oil, coal or oil samples shall be collected daily in an as-fired condition at the inlet to the steam generating unit and analyzed for sulfur content and heat content according the Method 19 of appendix A of this part. Method 19 of appendix A of this part provides procedures for converting these measurements into the format to be used in calculating the average SO_2input rate.

(2) As an alternative fuel sampling procedure for affected facilities combusting oil, oil samples may be collected from the fuel tank for each steam generating unit immediately after the fuel tank is filled and

before any oil is combusted. The owner or operator of the affected facility shall analyze the oil sample to determine the sulfur content of the oil. If a partially empty fuel tank is refilled, a new sample and analysis of the fuel in the tank would be required upon filling. Results of the fuel analysis taken after each new shipment of oil is received shall be used as the daily value when calculating the 30-day rolling average until the next shipment is received. If the fuel analysis shows that the sulfur content in the fuel tank is greater than 0.5 weight percent sulfur, the owner or operator shall ensure that the sulfur content of subsequent oil shipments is low enough to cause the 30-day rolling average sulfur content to be 0.5 weight percent sulfur or less.

(3) Method 6B of appendix A of this part may be used in lieu of CEMS to measure SO_2at the inlet or outlet of the SO_2control system. An initial stratification test is required to verify the adequacy of the Method 6B of appendix A of this part sampling location. The stratification test shall consist of three paired runs of a suitable $SO_2$and CO_2measurement train operated at the candidate location and a second similar train operated according to the procedures in §3.2 and the applicable procedures in section 7 of Performance Specification 2 of appendix B of this part. Method 6B of appendix A of this part, Method 6A of appendix A of this part, or a combination of Methods 6 and 3 of appendix A of this part or Methods 6C and 3A of appendix A of this part are suitable measurement techniques. If Method 6B of appendix A of this part is used for the second train, sampling time and timer operation may be adjusted for the stratification test as long as an adequate sample volume is collected; however, both sampling trains are to be operated similarly. For the location to be adequate for Method 6B of appendix A of this part 24-hour tests, the mean of the absolute difference between the three paired runs must be less than 10 percent (0.10).

(e) The monitoring requirements of paragraphs (a) and (d) of this section shall not apply to affected facilities subject to §60.42c(h) (1), (2), or (3) where the owner or operator of the affected facility seeks to demonstrate compliance with the SO_2standards based on fuel supplier certification, as described under §60.48c(f), as applicable.

(f) The owner or operator of an affected facility operating a CEMS pursuant to paragraph (a) of this section, or conducting as-fired fuel sampling pursuant to paragraph (d)(1) of this section, shall obtain emission data for at least 75 percent of the operating hours in at least 22 out of 30 successive steam generating unit operating days. If this minimum data requirement is not met with a single monitoring system, the owner or operator of the affected facility shall supplement the emission data with data collected with other monitoring systems as approved by the Administrator.

§ 60.47c Emission monitoring for particulate matter.

(a) Except as provided in paragraphs (c), (d), (e), (f), and (g) of this section, the owner or operator of an affected facility combusting coal, oil, or wood that is subject to the opacity standards under §60.43c shall install, calibrate, maintain, and operate a continuous opacity monitoring system (COMS) for measuring the opacity of the emissions discharged to the atmosphere and record the output of the system. The owner or operator of an affected facility subject to an opacity standard in §60.43c(c) that is not required to use a COMS due to paragraphs (c), (d), (e), or (f) of this section that elects not to use a COMS shall conduct a performance test using Method 9 of appendix A–4 of this part and the procedures in §60.11 to demonstrate compliance with the applicable limit in §60.43c by April 29, 2011, within 45 days of stopping use of an existing COMS, or 180 days after initial startup of the facility, whichever is later, and shall comply with either paragraphs (a)(1), (a)(2), or (a)(3) of this section. The observation period for Method 9 of appendix A–4 of this part performance tests may be reduced from 3 hours to 60 minutes if all 6-minute averages are less than 10 percent and all individual 15-second observations are less than or equal to 20 percent during the initial 60 minutes of observation.

(1) Except as provided in paragraph (a)(2) and (a)(3) of this section, the owner or operator shall conduct subsequent Method 9 of appendix A–4 of this part performance tests using the procedures in paragraph (a) of this section according to the applicable schedule in paragraphs (a)(1)(i) through (a)(1)(iv) of this section, as determined by the most recent Method 9 of appendix A–4 of this part performance test results.

(i) If no visible emissions are observed, a subsequent Method 9 of appendix A–4 of this part performance test must be completed within 12 calendar months from the date that the most recent performance test was conducted;

(ii) If visible emissions are observed but the maximum 6-minute average opacity is less than or equal to 5 percent, a subsequent Method 9 of appendix A–4 of this part performance test must be completed within 6 calendar months from the date that the most recent performance test was conducted;

(iii) If the maximum 6-minute average opacity is greater than 5 percent but less than or equal to 10 percent, a subsequent Method 9 of appendix A–4 of this part performance test must be completed within 3 calendar months from the date that the most recent performance test was conducted; or

(iv) If the maximum 6-minute average opacity is greater than 10 percent, a subsequent Method 9 of appendix A–4 of this part performance test must be completed within 45 calendar days from the date that the most recent performance test was conducted.

(2) If the maximum 6-minute opacity is less than 10 percent during the most recent Method 9 of appendix A–4 of this part performance test, the owner or operator may, as an alternative to performing subsequent Method 9 of appendix A–4 of this part performance tests, elect to perform subsequent monitoring using Method 22 of appendix A–7 of this part according to the procedures specified in paragraphs (a)(2)(i) and (ii) of this section.

(i) The owner or operator shall conduct 10 minute observations (during normal operation) each operating day the affected facility fires fuel for which an opacity standard is applicable using Method 22 of appendix A–7 of this part and demonstrate that the sum of the occurrences of any visible emissions is not in excess of 5 percent of the observation period (*i.e.* , 30 seconds per 10 minute period). If the sum of the occurrence of any visible emissions is greater than 30 seconds during the initial 10 minute observation, immediately conduct a 30 minute observation. If the sum of the occurrence of visible emissions is greater than 5 percent of the observation period (*i.e.,* 90 seconds per 30 minute period), the owner or operator shall either document and adjust the operation of the facility and demonstrate within 24 hours that the sum of the occurrence of visible emissions is equal to or less than 5 percent during a 30 minute observation (*i.e.,* 90 seconds) or conduct a new Method 9 of appendix A–4 of this part performance test using the procedures in paragraph (a) of this section within 45 calendar days according to the requirements in §60.45c(a)(8).

(ii) If no visible emissions are observed for 30 operating days during which an opacity standard is applicable, observations can be reduced to once every 7 operating days during which an opacity standard is applicable. If any visible emissions are observed, daily observations shall be resumed.

(3) If the maximum 6-minute opacity is less than 10 percent during the most recent Method 9 of appendix A–4 of this part performance test, the owner or operator may, as an alternative to performing subsequent Method 9 of appendix A–4 performance tests, elect to perform subsequent monitoring using a digital opacity compliance system according to a site-specific monitoring plan approved by the Administrator. The observations shall be similar, but not necessarily identical, to the requirements in paragraph (a)(2) of this section. For reference purposes in preparing the monitoring plan, see OAQPS “Determination of Visible Emission Opacity from Stationary Sources Using Computer-Based Photographic Analysis Systems.” This document is available from the U.S. Environmental Protection Agency (U.S. EPA); Office of Air Quality and Planning Standards; Sector Policies and Programs Division; Measurement Policy Group (D243–02), Research Triangle Park, NC 27711. This document is also available on the Technology Transfer Network (TTN) under Emission Measurement Center Preliminary Methods.

(b) All COMS shall be operated in accordance with the applicable procedures under Performance Specification 1 of appendix B of this part. The span value of the opacity COMS shall be between 60 and 80 percent.

(c) Owners and operators of an affected facilities that burn only distillate oil that contains no more than 0.5 weight percent sulfur and/or liquid or gaseous fuels with potential sulfur dioxide emission rates of 26 ng/J (0.060 lb/MMBtu) heat input or less and that do not use a post-combustion technology to reduce SO2 or PM emissions and that are subject to an opacity standard in §60.43c(c) are not required to operate a COMS if they follow the applicable procedures in §60.48c(f).

(d) Owners or operators complying with the PM emission limit by using a PM CEMS must calibrate, maintain, operate, and record the output of the system for PM emissions discharged to the atmosphere as specified in §60.45c(c). The CEMS specified in paragraph §60.45c(c) shall be operated and data recorded during all periods of operation of the affected facility except for CEMS breakdowns and repairs. Data is recorded during calibration checks, and zero and span adjustments.

(e) Owners and operators of an affected facility that is subject to an opacity standard in §60.43c(c) and that does not use post-combustion technology (except a wet scrubber) for reducing PM, SO_2, or carbon monoxide (CO) emissions, burns only gaseous fuels or fuel oils that contain less than or equal to 0.5 weight percent sulfur, and is operated such that emissions of CO discharged to the atmosphere from the affected facility are maintained at levels less than or equal to 0.15 lb/MMBtu on a boiler operating day average basis is not required to operate a COMS. Owners and operators of affected facilities electing to comply with this paragraph must demonstrate compliance according to the procedures specified in paragraphs (e)(1) through (4) of this section; or

(1) You must monitor CO emissions using a CEMS according to the procedures specified in paragraphs (e)(1)(i) through (iv) of this section.

(i) The CO CEMS must be installed, certified, maintained, and operated according to the provisions in §60.58b(i)(3) of subpart Eb of this part.

(ii) Each 1-hour CO emissions average is calculated using the data points generated by the CO CEMS expressed in parts per million by volume corrected to 3 percent oxygen (dry basis).

(iii) At a minimum, valid 1-hour CO emissions averages must be obtained for at least 90 percent of the operating hours on a 30-day rolling average basis. The 1-hour averages are calculated using the data points required in §60.13(h)(2).

(iv) Quarterly accuracy determinations and daily calibration drift tests for the CO CEMS must be performed in accordance with procedure 1 in appendix F of this part.

(2) You must calculate the 1-hour average CO emissions levels for each steam generating unit operating day by multiplying the average hourly CO output concentration measured by the CO CEMS times the corresponding average hourly flue gas flow rate and divided by the corresponding average hourly heat input to the affected source. The 24-hour average CO emission level is determined by calculating the arithmetic average of the hourly CO emission levels computed for each steam generating unit operating day.

(3) You must evaluate the preceding 24-hour average CO emission level each steam generating unit operating day excluding periods of affected source startup, shutdown, or malfunction. If the 24-hour average CO emission level is greater than 0.15 lb/MMBtu, you must initiate investigation of the relevant equipment and control systems within 24 hours of the first discovery of the high emission incident and, take the appropriate corrective action as soon as practicable to adjust control settings or repair equipment to reduce the 24-hour average CO emission level to 0.15 lb/MMBtu or less.

(4) You must record the CO measurements and calculations performed according to paragraph (e) of this section and any corrective actions taken. The record of corrective action taken must include the date and

time during which the 24-hour average CO emission level was greater than 0.15 lb/MMBtu, and the date, time, and description of the corrective action.

(f) Owners and operators of an affected facility that is subject to an opacity standard in §60.43c(c) and that uses a bag leak detection system to monitor the performance of a fabric filter (baghouse) according to the most recent requirements in section §60.48Da of this part is not required to operate a COMS.

(g) Owners and operators of an affected facility that is subject to an opacity standard in §60.43c(c) and that burns only gaseous fuels or fuel oils that contain less than or equal to 0.5 weight percent sulfur and operates according to a written site-specific monitoring plan approved by the permitting authority is not required to operate a COMS. This monitoring plan must include procedures and criteria for establishing and monitoring specific parameters for the affected facility indicative of compliance with the opacity standard.

[72 FR 32759, June 13, 2007, as amended at 74 FR 5091, Jan. 28, 2009; 76 FR 3523, Jan. 20, 2011]

§ 60.48c Reporting and recordkeeping requirements.

(a) The owner or operator of each affected facility shall submit notification of the date of construction or reconstruction and actual startup, as provided by §60.7 of this part. This notification shall include:

(1) The design heat input capacity of the affected facility and identification of fuels to be combusted in the affected facility.

(2) If applicable, a copy of any federally enforceable requirement that limits the annual capacity factor for any fuel or mixture of fuels under §60.42c, or §60.43c.

(3) The annual capacity factor at which the owner or operator anticipates operating the affected facility based on all fuels fired and based on each individual fuel fired.

(4) Notification if an emerging technology will be used for controlling SO_2emissions. The Administrator will examine the description of the control device and will determine whether the technology qualifies as an emerging technology. In making this determination, the Administrator may require the owner or operator of the affected facility to submit additional information concerning the control device. The affected facility is subject to the provisions of §60.42c(a) or (b)(1), unless and until this determination is made by the Administrator.

(b) The owner or operator of each affected facility subject to the SO_2emission limits of §60.42c, or the PM or opacity limits of §60.43c, shall submit to the Administrator the performance test data from the initial and any subsequent performance tests and, if applicable, the performance evaluation of the CEMS and/or COMS using the applicable performance specifications in appendix B of this part.

(c) In addition to the applicable requirements in §60.7, the owner or operator of an affected facility subject to the opacity limits in §60.43c(c) shall submit excess emission reports for any excess emissions from the affected facility that occur during the reporting period and maintain records according to the requirements specified in paragraphs (c)(1) through (3) of this section, as applicable to the visible emissions monitoring method used.

(1) For each performance test conducted using Method 9 of appendix A–4 of this part, the owner or operator shall keep the records including the information specified in paragraphs (c)(1)(i) through (iii) of this section.

(i) Dates and time intervals of all opacity observation periods;

(ii) Name, affiliation, and copy of current visible emission reading certification for each visible emission observer participating in the performance test; and

(iii) Copies of all visible emission observer opacity field data sheets;

(2) For each performance test conducted using Method 22 of appendix A–4 of this part, the owner or operator shall keep the records including the information specified in paragraphs (c)(2)(i) through (iv) of this section.

(i) Dates and time intervals of all visible emissions observation periods;

(ii) Name and affiliation for each visible emission observer participating in the performance test;

(iii) Copies of all visible emission observer opacity field data sheets; and

(iv) Documentation of any adjustments made and the time the adjustments were completed to the affected facility operation by the owner or operator to demonstrate compliance with the applicable monitoring requirements.

(3) For each digital opacity compliance system, the owner or operator shall maintain records and submit reports according to the requirements specified in the site-specific monitoring plan approved by the Administrator

(d) The owner or operator of each affected facility subject to the SO_2emission limits, fuel oil sulfur limits, or percent reduction requirements under §60.42c shall submit reports to the Administrator.

(e) The owner or operator of each affected facility subject to the SO_2emission limits, fuel oil sulfur limits, or percent reduction requirements under §60.42c shall keep records and submit reports as required under paragraph (d) of this section, including the following information, as applicable.

(1) Calendar dates covered in the reporting period.

(2) Each 30-day average SO_2emission rate (ng/J or lb/MMBtu), or 30-day average sulfur content (weight percent), calculated during the reporting period, ending with the last 30-day period; reasons for any noncompliance with the emission standards; and a description of corrective actions taken.

(3) Each 30-day average percent of potential SO_2emission rate calculated during the reporting period, ending with the last 30-day period; reasons for any noncompliance with the emission standards; and a description of the corrective actions taken.

(4) Identification of any steam generating unit operating days for which SO_2or diluent (O_2or CO_2) data have not been obtained by an approved method for at least 75 percent of the operating hours; justification for not obtaining sufficient data; and a description of corrective actions taken.

(5) Identification of any times when emissions data have been excluded from the calculation of average emission rates; justification for excluding data; and a description of corrective actions taken if data have been excluded for periods other than those during which coal or oil were not combusted in the steam generating unit.

(6) Identification of the F factor used in calculations, method of determination, and type of fuel combusted.

(7) Identification of whether averages have been obtained based on CEMS rather than manual sampling methods.

(8) If a CEMS is used, identification of any times when the pollutant concentration exceeded the full span of the CEMS.

(9) If a CEMS is used, description of any modifications to the CEMS that could affect the ability of the CEMS to comply with Performance Specifications 2 or 3 of appendix B of this part.

(10) If a CEMS is used, results of daily CEMS drift tests and quarterly accuracy assessments as required under appendix F, Procedure 1 of this part.

(11) If fuel supplier certification is used to demonstrate compliance, records of fuel supplier certification as described under paragraph (f)(1), (2), (3), or (4) of this section, as applicable. In addition to records of fuel supplier certifications, the report shall include a certified statement signed by the owner or operator of the affected facility that the records of fuel supplier certifications submitted represent all of the fuel combusted during the reporting period.

(f) Fuel supplier certification shall include the following information:

(1) For distillate oil:

(i) The name of the oil supplier;

(ii) A statement from the oil supplier that the oil complies with the specifications under the definition of distillate oil in §60.41c; and

(iii) The sulfur content or maximum sulfur content of the oil.

(2) For residual oil:

(i) The name of the oil supplier;

(ii) The location of the oil when the sample was drawn for analysis to determine the sulfur content of the oil, specifically including whether the oil was sampled as delivered to the affected facility, or whether the sample was drawn from oil in storage at the oil supplier's or oil refiner's facility, or other location;

(iii) The sulfur content of the oil from which the shipment came (or of the shipment itself); and

(iv) The method used to determine the sulfur content of the oil.

(3) For coal:

(i) The name of the coal supplier;

(ii) The location of the coal when the sample was collected for analysis to determine the properties of the coal, specifically including whether the coal was sampled as delivered to the affected facility or whether the sample was collected from coal in storage at the mine, at a coal preparation plant, at a coal supplier's facility, or at another location. The certification shall include the name of the coal mine (and coal seam), coal storage facility, or coal preparation plant (where the sample was collected);

(iii) The results of the analysis of the coal from which the shipment came (or of the shipment itself) including the sulfur content, moisture content, ash content, and heat content; and

(iv) The methods used to determine the properties of the coal.

(4) For other fuels:

(i) The name of the supplier of the fuel;

(ii) The potential sulfur emissions rate or maximum potential sulfur emissions rate of the fuel in ng/J heat input; and

(iii) The method used to determine the potential sulfur emissions rate of the fuel.

(g)(1) Except as provided under paragraphs (g)(2) and (g)(3) of this section, the owner or operator of each affected facility shall record and maintain records of the amount of each fuel combusted during each operating day.

(2) As an alternative to meeting the requirements of paragraph (g)(1) of this section, the owner or operator of an affected facility that combusts only natural gas, wood, fuels using fuel certification in §60.48c(f) to demonstrate compliance with the SO_2standard, fuels not subject to an emissions standard (excluding opacity), or a mixture of these fuels may elect to record and maintain records of the amount of each fuel combusted during each calendar month.

(3) As an alternative to meeting the requirements of paragraph (g)(1) of this section, the owner or operator of an affected facility or multiple affected facilities located on a contiguous property unit where the only fuels combusted in any steam generating unit (including steam generating units not subject to this subpart) at that property are natural gas, wood, distillate oil meeting the most current requirements in §60.42C to use fuel certification to demonstrate compliance with the SO_2standard, and/or fuels, excluding coal and residual oil, not subject to an emissions standard (excluding opacity) may elect to record and maintain records of the total amount of each steam generating unit fuel delivered to that property during each calendar month.

(h) The owner or operator of each affected facility subject to a federally enforceable requirement limiting the annual capacity factor for any fuel or mixture of fuels under §60.42c or §60.43c shall calculate the annual capacity factor individually for each fuel combusted. The annual capacity factor is determined on a 12-month rolling average basis with a new annual capacity factor calculated at the end of the calendar month.

(i) All records required under this section shall be maintained by the owner or operator of the affected facility for a period of two years following the date of such record.

(j) The reporting period for the reports required under this subpart is each six-month period. All reports shall be submitted to the Administrator and shall be postmarked by the 30th day following the end of the reporting period.

[72 FR 32759, June 13, 2007, as amended at 74 FR 5091, Jan. 28, 2009]

INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

We Protect Hoosiers and Our Environment.

Mitchell E. Daniels Jr.
Governor

Thomas W. Easterly
Commissioner

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TO: Ken Tompeter
MGPI of Indiana, LLC
100 Commercial Street
Altchison, KS 66002

DATE: December 28, 2011

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

SUBJECT: Final Decision
Administrative Amendment
029-31206-00005

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:
Dave Rindom - VP
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

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IDEM Staff	GHOTOPP 12/28/2011 MGPI of Indiana, LLC 029-31206-00005 Final			AFFIX STAMP HERE IF USED AS CERTIFICATE OF MAILING
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2		Dave Rindom VP MGPI of Indiana, LLC 100 Commercial St Atchison KS 66002 *(RO CAATS)*									
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4		Peter & Jody Franklin 9212 Hawksridge Dr. Covington KY 41017-9136 *(Affected Party)*									
5		Mrs. Melanie Bushorn 4172 E. Laughery Creek Rd Aurora IN 47001 *(Affected Party)*									
6		Michael & Monica Ramsey 9931 Old SR 56 Aurora IN 47001 *(Affected Party)*									
7		Dearborn County Commissioner 215 B West High Street Lawrenceburg IN 47025 *(Local Official)*									
8		Lawrenceburg City Council and Mayors Office 212 Walnut St. Lawrenceburg IN 47025 *(Local Official)*									
9		Dearborn County Health Department 215-b W. Hight St, County Admin Building Lawrenceburg IN 47025-1910 *(Health Department)*									
10		Mr. John Teaney P.O. Box 494 10837 Aurora IN 47001 *(Affected Party)*									
11		Robin & Vic Willoughby 311 Broadway Street Aurora IN 47001 *(Affected Party)*									
12		James & Mary Hassett 7199 E. Laughery Creek Rd Aurora IN 47001 *(Affected Party)*									
13		Nancy & William McDaniel 4600 Hartford PK # 98 Aurora IN 47001 (Affected Party)									
14		Ken & Jackie Greive 4685 E. Laughery Creek Road Aurora IN 47001 *(Affected Party)*									
15		Marlin M. Guss, Jr. 10400 Millstone Dr, P.O. Box 272 Aurora IN 47001 *(Affected Party)*									

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1		Shirley Greive 4412 E. Laughery Aurora IN 47001 (Affected Party)									
2		Ms. Patricia Huff 10095 Old SR 56 Aurora IN 47001 *(Affected Party)*									
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