



# INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

*We Protect Hoosiers and Our Environment.*

*Mitchell E. Daniels Jr.*  
Governor

*Thomas W. Easterly*  
Commissioner

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

TO: Interested Parties / Applicant

DATE: January 6, 2012

RE: POET Biorefining – Clinton / 165-31227-00087

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

## Notice of Decision: Revocation

Please be advised that on behalf of the Commissioner of the Department of Environmental Management, I have issued a decision regarding the enclosed matter. Pursuant to IC 4-21.5-3-5(f) this revocation is effective fifteen (15) days after it is served. When served by U.S. mail, the order is effective eighteen (18) calendar days from the mailing of this notice pursuant to IC 4-21.5-3-2(e).

If you wish to challenge this decision, IC 4-21.5-3-7 and IC 13-15-7-3 require that you file a petition for administrative review. This petition describing your intent 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-REV.dot 1/2/08



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Rafe Christopherson  
POET Biorefining - Clinton  
4615 N Lewis Ave.  
Sioux Falls, SD 57104

January 6, 2012

Re: 165-31227-00087  
Revocation of FESOP No.  
F 165-27476-00087

Dear Mr. Christopherson:

POET Biorefining - Clinton was issued a Federally Enforceable State Operating Permit (FESOP) No. F165-27476-00087 on June 18, 2009, for a stationary fuel-grade ethanol production facility, located at Highway 63 and 1100 S, Clinton, Indiana 47842. On December 7, 2011, the Office of Air Quality (OAQ) received a letter from the source requesting that the Operating Permit be revoked, since the source was unable to commence construction prior to the extended deadline of June 30, 2011.

Pursuant to 326 IAC 2-1.1-9, any permit to construct or operate or any permit revision approval granted by the commissioner may be revoked for any cause that establishes in the judgment of the commissioner the fact that continuance of the permit or permit revision approval is not consistent with the purposes of 326 IAC 2. Since the source was never constructed, the FESOP is no longer required.

The FESOP No. F165-27476-00087 issued on June 18, 2009 is hereby revoked. Pursuant to IC 4-21.5-3-5(a) and (b), this revocation letter is effective in eighteen (18) days from the date of this letter.

Please be advised that once this revocation is effective the source will no longer have approval to operate any emission units at this source. In addition, if there is a need in the future to operate any units at this source, construction and operation approval will be necessary pursuant to Indiana's New Source Review regulations. Once effective, this revocation can not be withdrawn or rescinded.

A copy of the revocation is available on the Internet at: <http://www.in.gov/ai/appfiles/idem-caats/>. For additional information about air permits and how the public and interested parties can participate, refer to the IDEM's Guide for Citizen Participation and Permit Guide on the Internet at: [www.idem.in.gov](http://www.idem.in.gov)

If there are any questions about this revocation, please contact Dennis Vendt, at 317-234-5300 or at 1-800-451-6027 (ext 4-5300).

Sincerely,

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

DFR/dmv

cc: File - Vermillion County  
Vermillion County Health Department  
Compliance and Enforcement Branch



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

TO: Rafe Christopherson  
POET Biorefining - Clinton  
4615 N Lewis Ave  
Sioux Falls, SD 57104

DATE: January 6, 2012

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

SUBJECT: Final Decision  
Revocation  
165-31227-00087

Enclosed is the final decision and supporting materials for the air permit application referenced above. Please note that this packet contains the original, signed, permit documents.

The final decision is being sent to you because our records indicate that you are the contact person for this application. However, if you are not the appropriate person within your company to receive this document, please forward it to the correct person.

A copy of the final decision and supporting materials has also been sent via standard mail to:  
OAQ Permits Branch Interested Parties List

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

Final Applicant Cover letter.dot 11/30/07

# Mail Code 61-53

IDEM Staff	CDENNY 1/6/2012 POET Biorefining - Clinton 165-31227-00087 (final)		Type of Mail:  <b>CERTIFICATE OF MAILING ONLY</b>	AFFIX STAMP HERE IF USED AS CERTIFICATE OF MAILING
Name and address of Sender		Indiana Department of Environmental Management Office of Air Quality – Permits Branch 100 N. Senate Indianapolis, IN 46204		

Line	Article Number	Name, Address, Street and Post Office Address	Postage	Handing Charges	Act. Value (If Registered)	Insured Value	Due Send if COD	R.R. Fee	S.D. Fee	S.H. Fee	Rest. Del. Fee	Remarks
1		Rafe Christopherson POET Biorefining - Clinton 4615 N Lewis Ave Sioux Falls SD 57104 (Source CAATS)										
2		Larry Ward Chairman POET Biorefining - Clinton 4615 N Lewis Ave Sioux Falls SD 57104 (RO CAATS)										
3		Clinton City Council and Mayors Office 259 Vine Street Clinton IN 47842 (Local Official)										
4		Vermillion County Health Department 257 Walnut Street Clinton IN 47842-2342 (Health Department)										
5		Vermillion County Commissioners P.O. Box 190 Newport IN 47966 (Local Official)										
6		J.P. Roehm PO Box 303 Clinton IN 47842 (Affected Party)										
7		Mr. Colin OBrien Natural Resources Defense Council 1200 New York Avenue NW, Ste. 400 Washington DC 20005 (Affected Party)										
8		Mark Zeltwanger 26545 CR 52 Nappanee IN 46550 (Affected Party)										
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