



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 29, 2011

RE: Ditto Sales, Inc. / 163-31242-00126

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 29, 2011

John Evans
Ditto Sales, Inc.
1817 W Virginia St
Evansville, Indiana 47712

Re: 163-31242-00126
First Notice-Only Change to
M163-21533-00126

Dear John Evans:

Ditto Sales, Inc. was issued a Minor Source Operating Permit (MSOP) Renewal No. M163-21533-00126 on September 19, 2007 for a stationary electroplating plant for fabricated metal products located at 1817 W Virginia St, Evansville, Indiana 47712. On December 9, 2011, the Office of Air Quality (OAQ) received an application from the source requesting that the MSOP Renewal permit term be extended to ten (10) years. On December 16, 2007, rule revisions to 326 IAC 2-1.1-9.5 and 326 IAC 2-6.1-7 were finalized allowing for ten (10) year permit terms on MSOP renewals. This change to the permit is considered a notice-only change pursuant to 326 IAC 2-6.1-6(d)(6), since it incorporates newly applicable requirements as a result of a change in applicability. Pursuant to the provisions of 326 IAC 2-6.1-6, the permit is hereby revised as follows with the deleted language as ~~strikeouts~~ and new language **bolded**.

1. The expiration date on the cover page has been extended by five (5) years as follows.

Issuance Date: September 19, 2007

Expiration Date: ~~September 19, 2012~~ **September 19, 2017**

2. Condition B.2 has been revised to reflect the ten (10) year permit term.

B.2 Permit Term ~~[326 IAC 2-6.1-7(a)]~~~~[326 IAC 2-1.1-9.5]~~~~[IC 13-15-3-6(a)]~~

- (a) This permit, M 163-21533-00126, is issued for a fixed term of five ~~(5)~~ **ten (10)** 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.

...

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:

3. Section A.1 has been revised to indicate that Vanderburgh County is now in unclassifiable or attainment for the PM2.5 standard.
4. Section A.1 of the permit and the reporting forms have been revised to remove all references to the source mailing address. IDEM, OAQ will continue to maintain records of the mailing address.
5. For clarity, IDEM has changed references to the general conditions: "in accordance with Section B", in accordance with Section C", or other similar language to "Section C...contains the Permittee's obligations with regard to the records required by this condition."

6. IDEM 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 timelines have been switched to "no later than" or "not later than" except when the underlying rule states "within."
7. IDEM has determined that rather than having a certification condition and various references throughout the permit as to whether a particular report, notice, or correspondence needs to include a certification, the specific conditions that require an affirmation of truth and completeness shall state so. The certification condition has been removed. All statements to whether a certification, pursuant to the former Section B - Certification, is needed or not have been removed. Section B - Credible Evidence and Section C - Asbestos Abatement Projects still require certification as the underlying rules also require certifications.
8. IDEM has decided to clarify the requirements of Section B – Preventive Maintenance Plan and to add a new paragraph (b) to handle a future situation where the Permittee adds units that need preventive maintenance plans.
9. IDEM has revised the language of the Section B - Preventive Maintenance Plan, Section C - General Record Keeping, and Section C - General Reporting to allow the Permittee to not have to begin implementing the requirements of these conditions until ninety day after initial start up.
10. IDEM has revised the language of the Section B - Permit Renewal and Section B - Termination of Right to Operate to change the MSOP renewal application due date to one hundred twenty (120) prior to expiration of the current permit in order to match the rule.
11. IDEM has revised Section B - Permit Renewal paragraph (c) to state which rule establishes the authority to set a deadline for the Permittee to submit additional information.
12. IDEM has added 326 IAC 5-1-1 to the exception clause of Section C - Opacity, since 326 IAC 5-1-1 does list exceptions.
13. IDEM has revised Section C - Incineration to more closely reflect the two underlying rules.
14. IDEM has revised the language of the Section C - Asbestos Abatement Projects to change the terminology "Accredited" to "Licensed" in order to match the rule.
15. IDEM has removed the first paragraph of Section C - Performance Testing as due to the fact that specific testing conditions elsewhere in the permit will specify the timeline and procedures.
16. IDEM has removed Section C - Monitoring Methods. The conditions that require the monitoring or testing, if required, state what methods shall be used.
17. IDEM has revised Section C - Response to Excursions or Exceedances. The introduction sentence has been added to clarify that it is only when an excursion or exceedance is detected that the requirements of this condition need to be followed. The word "excess" was added to the last sentence of paragraph (a) because the Permittee only has to minimize excess emissions. The middle of paragraph (b) has been deleted as it was duplicative of paragraph (a). The phrase "or are returning" was added to subparagraph (b)(2) as this is an acceptable response assuming the operation or emission unit does return to normal or its usual manner of operation. The phrase "within the indicator range, designated condition, or below the applicable emission limitation or standard, as applicable" was replaced with "normal or usual manner of operation" because the first phrase is just a limited list of the second phrase. The recordkeeping required by paragraph (e) was changed to require only records of the response because the previously listed items are required to be recorded elsewhere in the permit.
18. IDEM has revised Section C - Actions Related to Noncompliance Demonstrated by a Stack Test.

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

- 19. 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.
- 20. Local agencies no longer have effective authority to implement state and federal requirements for IDEM. Therefore, IDEM has removed all references to local agencies from the permit. The revised permit specifies that all reports, notices, applications, and any other required submittals shall be submitted to IDEM. The Permittee should note that the local agency could have its own requirements beyond the state and federal requirements contained in the permit. Please contact the local agency for further information.

In addition to removing all references to local agencies from the permit, Section B - Enforceability, and Section B - Annual Fee Payment have been revised to remove language that no longer has legal basis in an underlying state or federal requirement.

- 21 Pursuant to 326 IAC 2-7-1(39), starting July 1, 2011, greenhouse gases (GHGs) emissions are subject to regulation at a source with a potential to emit 100,000 tons per year or more of CO2 equivalent emissions (CO2e). Therefore, CO2e emissions have been calculated for this source. Based on the calculations the unlimited potential to emit greenhouse gases from the entire source is less than 100,000 tons of CO2e per year (see (Appendix A for detailed calculations).

The permit has been revised as follows with deleted language as strikeouts and new language **bolded**:

Minor Source Operating Permit Renewal
OFFICE OF AIR QUALITY
AND
City of Evansville EPA

...
A.1 General Information [326 IAC 2-5.1-3(c)][326 IAC 2-6.1-4(a)]

...
Mailing Address: 2332 Cathy Lane, Jasper, IN 47546

...
Source Location Status: Nonattainment area for PM2.5 standard
Attainment area for all other criteria pollutants

...
SECTION B GENERAL CONDITIONS

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

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 2-1.1-1~~) shall prevail.

~~B.2 — Permit Term [326 IAC 2-6.1-7(a)][326 IAC 2-1.1-9.5][IC 13-15-3-6(a)]~~

~~(a) — This permit, M-163-21533-00126, 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 and EEPA, 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, 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~~

~~(a) — 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 and EEPA, the United States Environmental Protection Agency (U.S. EPA) and by citizens in accordance with the Clean Air Act.~~

~~(b) — Unless otherwise stated, all terms and conditions in this permit that are local requirements, including any provisions designed to limit the source's potential to emit, are enforceable by EEPA.~~

~~B.5 — Severability~~

~~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~~

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

~~B.7 — Duty to Provide Information~~

~~(a) — The Permittee shall furnish to IDEM, OAQ and EEPA, within a reasonable time, any information that IDEM, OAQ and EEPA 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 an "authorized individual" as defined by 326 IAC 2-1.1-1(1). Upon request, the Permittee shall also furnish to IDEM, OAQ and EEPA 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

- (a) ~~Where specifically designated by this permit or required by an applicable requirement, any application form, report, or compliance certification submitted shall contain certification by an "authorized individual" of truth, accuracy, and completeness. This certification shall state that, based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate, and complete.~~
- (b) ~~One (1) certification shall be included, using the attached Certification Form, with each submittal requiring certification. One (1) certification may cover multiple forms in one (1) submittal.~~
- (c) ~~An "authorized individual" is defined at 326 IAC 2-1.1-1(1).~~

B.9 Annual Notification [326 IAC 2-6.1-5(a)(5)]

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

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

~~And~~

~~Evansville EPA
100 E Walnut Street, Suite 100
Evansville, Indiana 47713~~

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

B.10 Preventive Maintenance Plan [326 IAC 1-6-3]

- (a) ~~If required by specific condition(s) in Section D of this permit, the Permittee shall maintain and implement Preventive Maintenance Plans (PMPs) including the following information on each facility:~~
- (1) ~~Identification of the individual(s) responsible for inspecting, maintaining, and repairing emission control devices;~~
- (2) ~~A description of the items or conditions that will be inspected and the inspection schedule for said items or conditions; and~~
- (3) ~~Identification and quantification of the replacement parts that will be maintained in inventory for quick replacement.~~
- (b) ~~A copy of the PMPs shall be submitted to IDEM, OAQ and EEPA upon request and within a reasonable time, and shall be subject to review and approval by IDEM, OAQ and EEPA. IDEM, OAQ and EEPA may require the Permittee to revise its PMPs whenever lack of~~

~~proper maintenance causes or is the primary contributor to an exceedance of any limitation on emissions or potential to emit. The PMPs do not require the certification by an "authorized individual" as defined by 326 IAC 2-1.1-1(1).~~

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

~~B.11 — Prior Permits Superseded [326 IAC 2-1.1-9.5]~~

- ~~(a) — All terms and conditions of permits established prior to M-163-21533-00126 and issued pursuant to permitting programs approved into the state implementation plan have been either:~~

- ~~(1) — incorporated as originally stated,
(2) — revised, or
(3) — deleted.~~

- ~~(b) — All previous registrations and permits are superseded by this permit.~~

~~B.12 — Termination of Right to Operate [326 IAC 2-6.1-7(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 ninety (90) days prior to the date of expiration of the source's existing permit, consistent with 326 IAC 2-6.1-7.~~

~~B.13 — Permit Renewal [326 IAC 2-6.1-7]~~

- ~~(a) — The application for renewal shall be submitted using the application form or forms prescribed by IDEM, OAQ and EEPa and shall include the information specified in 326 IAC 2-6.1-7. Such information shall be included in the application for each emission unit at this source. The renewal application does require the certification by an "authorized individual" as defined by 326 IAC 2-1.1-1(1).~~

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

~~Indiana Department of Environmental Management
Permits Branch, Office of Air Quality
400 North Senate Avenue
MC 61-53 IGCN 1003
Indianapolis, Indiana 46204-2251~~

~~And~~

~~_____ Evansville EPA
_____ 100 E Walnut Street, Suite 100
_____ Evansville, Indiana 47713~~

- ~~(b) — A timely renewal application is one that is:~~

- ~~(1) — Submitted at least ninety (90) days 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 and EEPa 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 2-6.1-6 until IDEM, OAQ and EEPA takes final action on the renewal application, except that this protection shall cease to apply if, subsequent to the completeness determination, the Permittee fails to submit by the deadline specified in writing by IDEM, OAQ and EEPA any additional information identified as being needed to process the application.~~

~~B.14 Permit Amendment or Revision [326 IAC 2-5.1-3(e)(3)][326 IAC 2-6.1-6]~~

- (a) ~~Permit amendments and revisions are governed by the requirements of 326 IAC 2-6.1-6 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
Permits Branch, Office of Air Quality
100 North Senate Avenue
MC 61-53 IGCN 1003
Indianapolis, Indiana 46204-2251~~

~~and~~

~~Evansville EPA
100 E Walnut Street, Suite 100
Evansville, Indiana 47713~~

~~Any such application shall be certified by an "authorized individual" as defined by 326 IAC 2-1.1-1(1).~~

- (c) ~~The Permittee shall notify the OAQ and the EEPA within thirty (30) calendar days of implementing a notice-only change. [326 IAC 2-6.1-6(d)]~~

~~B.15 Source Modification Requirement~~

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

~~B.16 Inspection and Entry~~

~~[326 IAC 2-5.1-3(e)(4)(B)][326 IAC 2-6.1-5(a)(4)][IC 13-14-2-2][IC 13-17-3-2][IC 13-30-3-1]~~

~~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, and EEPA or an authorized representative to perform the following:~~

- (a) ~~Enter upon the Permittee's premises where a permitted 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, at reasonable times, 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, at reasonable times, 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, at reasonable times, 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.17 ~~Transfer of Ownership or Operational Control [326 IAC 2-6.1-6]~~

- (a) ~~The Permittee must comply with the requirements of 326 IAC 2-6.1-6 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
Permits Branch, Office of Air Quality
100 North Senate Avenue
MC 61-53 IGCN 1003
Indianapolis, Indiana 46204-2251~~

~~and~~

~~Evansville-EPA
100 E Walnut Street Suite 100
Evansville, Indiana 47713~~

~~The application which shall be submitted by the Permittee does require the certification by an "authorized individual" as defined by 326 IAC 2-1.1-1(1).~~

- (c) ~~The Permittee may implement notice only changes addressed in the request for a notice only change immediately upon submittal of the request. [326 IAC 2-6.1-6(d)(3)]~~

B.18 ~~Annual Fee Payment [326 IAC 2-1.1-7]~~

- (a) ~~The Permittee shall pay annual fees to EEPA by the date specified on the invoice.~~
- (b) ~~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.19 ~~Credible Evidence [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 2-6.1-5(a)(1)]~~

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

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

~~C.2 Permit Revocation [326 IAC 2-1.1-9]~~

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

- ~~(a) Violation of any conditions of this permit.~~
- ~~(b) Failure to disclose all the relevant facts, or misrepresentation in obtaining this permit.~~
- ~~(c) Changes in regulatory requirements that mandate either a temporary or permanent reduction of discharge of contaminants. However, the amendment of appropriate sections of this permit shall not require revocation of this permit.~~
- ~~(d) Noncompliance with orders issued pursuant to 326 IAC 1-5 (Episode Alert Levels) to reduce emissions during an air pollution episode.~~
- ~~(e) For any cause which establishes in the judgment of IDEM and EEPA, the fact that continuance of this permit is not consistent with purposes of this article.~~

~~C.3 Opacity [326 IAC 5-1]~~

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

- ~~(a) Opacity shall not exceed an average of 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.4 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.5 Incineration [326 IAC 4-2] [326 IAC 9-1-2]~~

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

~~C.6 — 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).~~

~~C.7 — Stack Height [326 IAC 1-7]~~

~~The Permittee shall comply with the applicable provisions of 326 IAC 1-7 (Stack Height Provisions), for all exhaust stacks through which a potential (before controls) of twenty-five (25) tons per year or more of particulate matter or sulfur dioxide is emitted by using ambient air quality modeling pursuant to 326 IAC 1-7-4.~~

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

~~(a) — Notification requirements apply to each owner or operator. If the combined amount of regulated asbestos-containing material (RACM) to be stripped, removed or disturbed is at least 260 linear feet on pipes or 160 square feet on other facility components, or at least thirty five (35) cubic feet on all facility components, then the notification requirements of 326 IAC 14-10-3 are mandatory. All demolition projects require notification whether or not asbestos is present.~~

~~(b) — The Permittee shall ensure that a written notification is sent on a form provided by the Commissioner at least ten (10) working days before asbestos stripping or removal work or before demolition begins, per 326 IAC 14-10-3, and shall update such notice as necessary, including, but not limited to the following:~~

~~(1) — When the amount of affected asbestos-containing material increases or decreases by at least twenty percent (20%); or~~

~~(2) — If there is a change in the following:~~

~~(A) — Asbestos removal or demolition start date;~~

~~(B) — Removal or demolition contractor; or~~

~~(C) — Waste disposal site.~~

~~(c) — The Permittee shall ensure that the notice is postmarked or delivered according to the guidelines set forth in 326 IAC 14-10-3(2).~~

~~(d) — The notice to be submitted shall include the information enumerated in 326 IAC 14-10-3(3).~~

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

~~Indiana Department of Environmental Management
Asbestos Section, Office of Air Quality
100 North Senate Avenue
MC 61-52 IGCN 1003
Indianapolis, Indiana 46204-2251~~

~~and~~

~~Evansville EPA
100 E Walnut Street Suite 100
Evansville, Indiana 47713~~

~~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 an "authorized individual" as defined by 326 IAC 2-1.1-1(1).~~

- (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 PACM 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 Accredited 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 Asbestos Inspector to thoroughly inspect the affected portion of the facility for the presence of asbestos. The requirement to use an Indiana Accredited Asbestos inspector is not federally enforceable.

Testing Requirements [326 IAC 2-6.1-5(a)(2)]

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

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

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

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

~~and~~

~~Evansville EPA
100 E Walnut Street Suite 100
Evansville, Indiana 47713~~

~~no later than thirty-five (35) days prior to the intended test date. The protocol submitted by the Permittee does not require certification by an "authorized individual" as defined by 326 IAC 2-1.1-1(1).~~

- (b) ~~The Permittee shall notify IDEM, OAQ and EEPA 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 an "authorized individual" as defined by 326 IAC 2-1.1-1(1).~~
- (c) ~~Pursuant to 326 IAC 3-6-4(b), all test reports must be received by IDEM, OAQ and EEPA not later than forty-five (45) days after the completion of the testing. An extension may be~~

granted by IDEM, OAQ and EEPA if the Permittee submits to IDEM, OAQ, a reasonable written explanation not later than five (5) days prior to the end of the initial forty five (45) day period.

Compliance Requirements [326 IAC 2-1.1-11]

~~C.10 — Compliance Requirements [326 IAC 2-1.1-11]~~

~~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 2-6.1-5(a)(2)]

~~C.11 — Compliance Monitoring [326 IAC 2-1.1-11]~~

~~Compliance with applicable requirements shall be documented as required by this permit. The Permittee shall be responsible for installing any necessary equipment and initiating any required monitoring related to that equipment. All monitoring and record keeping requirements not already legally required shall be implemented when operation begins.~~

~~C.12 — 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.13 — Instrument Specifications [326 IAC 2-1.1-11]~~

- ~~(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

~~C.14 — Response to Excursions or Exceedances~~

- ~~(a) — Upon detecting an excursion or exceedance, the Permittee shall restore operation of the emissions unit (including any control device and associated capture system) to its normal or usual manner of operation as expeditiously as practicable in accordance with good air pollution control practices for minimizing emissions.~~
- ~~(b) — The response shall include minimizing the period of any startup, shutdown or malfunction and taking any necessary corrective actions to restore normal operation and prevent the likely recurrence of the cause of an excursion or exceedance (other than those caused by excused startup or shutdown conditions). Corrective actions may include, but are not limited to, the following:~~
- ~~(1) — initial inspection and evaluation;~~
 - ~~(2) — recording that operations returned to normal without operator action (such as through response by a computerized distribution control system); or~~

- (3) ~~any necessary follow-up actions to return operation to within the indicator range, designated condition, or below the applicable emission limitation or standard, as applicable.~~
- (c) ~~A determination of whether the Permittee has used acceptable procedures in response to an excursion or exceedance will be based on information available, which may include, but is not limited to, the following:~~
 - (1) ~~monitoring results;~~
 - (2) ~~review of operation and maintenance procedures and records; and/or~~
 - (3) ~~inspection of the control device, associated capture system, and the process.~~
- (d) ~~Failure to take reasonable response steps shall be considered a deviation from the permit.~~
- (e) ~~The Permittee shall maintain the following records:~~
 - (1) ~~monitoring data;~~
 - (2) ~~monitor performance data, if applicable; and~~
 - (3) ~~corrective actions taken.~~

C.15 ~~Actions Related to Noncompliance Demonstrated by a Stack Test~~

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

~~The response action documents submitted pursuant to this condition do require the certification by an "authorized individual" as defined by 326 IAC 2-1.1-4(1).~~

Record Keeping and Reporting Requirements [326 IAC 2-6.1-5(a)(2)]

C.16 ~~Malfunctions Report [326 IAC 1-6-2]~~

~~Pursuant to 326 IAC 1-6-2 (Records; Notice of Malfunction):~~

- (a) ~~A record of all malfunctions, including startups or shutdowns of any facility or emission control equipment, which result in violations of applicable air pollution control regulations or applicable emission limitations shall be kept and retained for a period of three (3) years and shall be made available to the Indiana Department of Environmental Management (IDEM), Office of Air Quality (OAQ), and EEPA or appointed representative upon request.~~

- (b) ~~When a malfunction of any facility or emission control equipment occurs which lasts more than one (1) hour, said condition shall be reported to OAQ, and EEPA using the Malfunction Report Forms (2 pages). Notification shall be made by telephone or facsimile, as soon as practicable, but in no event later than four (4) daytime business hours after the beginning of said occurrence.~~
- (c) ~~Failure to report a malfunction of any emission control equipment shall constitute a violation of 326 IAC 1-6, and any other applicable rules. Information of the scope and expected duration of the malfunction shall be provided, including the items specified in 326 IAC 1-6-2(a)(1) through (6).~~
- (d) ~~Malfunction is defined as any sudden, unavoidable failure of any air pollution control equipment, process, or combustion or process equipment to operate in a normal and usual manner. [326 IAC 1-2-39]~~

~~C.17 General Record Keeping Requirements [326 IAC 2-6.1-5]~~

- (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 or EEPA makes a request for records to the Permittee, the Permittee shall furnish the records to the Commissioner or EEPA within a reasonable time.~~
- (b) ~~Unless otherwise specified in this permit, all record keeping requirements not already legally required shall be implemented within ninety (90) days of permit issuance.~~

~~C.18 General Reporting Requirements [326 IAC 2-1.1-11] [326 IAC 2-6.1-2] [IC 13-14-1-13]~~

- (a) ~~Reports required by conditions in Section D of this permit shall be submitted 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~~

~~and~~

~~_____ Evansville EPA
_____ 100 E Walnut Street Suite 100
_____ Evansville, Indiana 47713~~

- (b) ~~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 and EEPA on or before the date it is due.~~
- (c) ~~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 an "authorized individual" as defined by 326 IAC 2-1.1-1(1).~~
- (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.~~

SECTION B GENERAL CONDITIONS

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

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 2-1.1-1) shall prevail.

B.2 Permit Term [326 IAC 2-6.1-7(a)][326 IAC 2-1.1-9.5][IC 13-15-3-6(a)]

- (a) This permit, 163-21533-00126, is issued for a fixed term of ten (10) 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, 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

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

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

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

B.7 Duty to Provide Information

- (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 Annual Notification [326 IAC 2-6.1-5(a)(5)]

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

Indiana Department of Environmental Management
Compliance and Enforcement Branch, Office of Air Quality
100 North Senate Avenue
MC 61-53 IGCN 1003
Indianapolis, Indiana 46204-2251
- (c) The notification shall be considered timely if the date postmarked on the envelope or certified mail receipt, or affixed by the shipper on the private shipping receipt, is on or before the date it is due. If the document is submitted by any other means, it shall be considered timely if received by IDEM, OAQ on or before the date it is due.

B.9 Preventive Maintenance Plan [326 IAC 1-6-3]

- (a) A Preventive Maintenance Plan meets the requirements of 326 IAC 1-6-3 if it includes, at a minimum:
 - (1) Identification of the individual(s) responsible for inspecting, maintaining, and repairing emission control devices;
 - (2) A description of the items or conditions that will be inspected and the inspection schedule for said items or conditions; and
 - (3) Identification and quantification of the replacement parts that will be maintained in inventory for quick replacement.

The Permittee shall implement the PMPs.

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

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

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

The 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.
- (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.10 Prior Permits Superseded [326 IAC 2-1.1-9.5]

- (a) All terms and conditions of permits established prior to 163-21533-00126 and issued pursuant to permitting programs approved into the state implementation plan have been either:
 - (1) incorporated as originally stated,
 - (2) revised, or
 - (4) deleted.
- (b) All previous registrations and permits are superseded by this permit.

B.11 Termination of Right to Operate [326 IAC 2-6.1-7(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 one hundred twenty (120) days prior to the date of expiration of the source's existing permit, consistent with 326 IAC 2-6.1-7.

B.12 Permit Renewal [326 IAC 2-6.1-7]

- (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 2-6.1-7. Such information shall be included in the application for each emission unit at this source. The renewal application does require an affirmation that the statements in the application are true and complete by an "authorized individual" as defined by 326 IAC 2-1.1-1(1).

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 one hundred twenty (120) days 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 2-6.1 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 2-6.1-4(b), in writing by IDEM, OAQ any additional information identified as being needed to process the application.

B.13 Permit Amendment or Revision [326 IAC 2-5.1-3(e)(3)][326 IAC 2-6.1-6]

- (a) Permit amendments and revisions are governed by the requirements of 326 IAC 2-6.1-6 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

- (c) The Permittee shall notify the OAQ no later than thirty (30) calendar days of implementing a notice-only change. [326 IAC 2-6.1-6(d)]

B.14 Source Modification Requirement

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

B.15 Inspection and Entry

[326 IAC 2-5.1-3(e)(4)(B)][326 IAC 2-6.1-5(a)(4)][IC 13-14-2-2][IC 13-17-3-2][IC 13-30-3-1]

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 permitted 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, at reasonable times, 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, at reasonable times, 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, at reasonable times, 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.16. Transfer of Ownership or Operational Control [326 IAC 2-6.1-6]

- (a) The Permittee must comply with the requirements of 326 IAC 2-6.1-6 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

The application which shall be submitted by the Permittee does require an affirmation that the statements in the application are true and complete by an "authorized individual" as defined by 326 IAC 2-1.1-1(1).

- (c) The Permittee may implement notice-only changes addressed in the request for a notice-only change immediately upon submittal of the request.
[326 IAC 2-6.1-6(d)(3)]

B.17 Annual Fee Payment [326 IAC 2-1.1-7]

- (a) The Permittee shall pay annual fees due no later than thirty (30) calendar days of receipt of a bill from IDEM, OAQ.
- (b) 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.18 Credible Evidence [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 2-6.1-5(a)(1)]

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

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

C.2 Permit Revocation [326 IAC 2-1.1-9]

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

- (a) Violation of any conditions of this permit.
- (b) Failure to disclose all the relevant facts, or misrepresentation in obtaining this permit.
- (c) Changes in regulatory requirements that mandate either a temporary or permanent reduction of discharge of contaminants. However, the amendment of appropriate sections of this permit shall not require revocation of this permit.
- (d) Noncompliance with orders issued pursuant to 326 IAC 1-5 (Episode Alert Levels) to reduce emissions during an air pollution episode.
- (e) For any cause which establishes in the judgment of IDEM, the fact that continuance of this permit is not consistent with purposes of this article.

C.3 Opacity [326 IAC 5-1]

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

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

C.4 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.5 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.6 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).

C.7 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.

- (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 2-6.1-5(a)(2)]

C.8 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.

- (b) The Permittee shall notify IDEM, OAQ of the actual test date at least fourteen (14) days prior to the actual test date.
- (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.9 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 2-6.1-5(a)(2)]

C.10 Compliance Monitoring [326 IAC 2-1.1-11]

Compliance with applicable requirements shall be documented as required by this permit. The Permittee shall be responsible for installing any necessary equipment and initiating any required monitoring related to that equipment. All monitoring and record keeping requirements not already legally required shall be implemented when operation begins.

C.11 Instrument Specifications [326 IAC 2-1.1-11]

- (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.
- (c) 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

C.12 Response to Excursions or Exceedances

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

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

- (3) inspection of the control device, associated capture system, and the process.
- (d) Failure to take reasonable response steps shall be considered a deviation from the permit.
- (e) The Permittee shall record the reasonable response steps taken.

C.13 Actions Related to Noncompliance Demonstrated by a Stack Test

- (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.

Record Keeping and Reporting Requirements [326 IAC 2-6.1-5(a)(2)]

C.14 Malfunctions Report [326 IAC 1-6-2]

Pursuant to 326 IAC 1-6-2 (Records; Notice of Malfunction):

- (a) A record of all malfunctions, including startups or shutdowns of any facility or emission control equipment, which result in violations of applicable air pollution control regulations or applicable emission limitations shall be kept and retained for a period of three (3) years and shall be made available to the Indiana Department of Environmental Management (IDEM), Office of Air Quality (OAQ) or appointed representative upon request.
- (b) When a malfunction of any facility or emission control equipment occurs which lasts more than one (1) hour, said condition shall be reported to OAQ, using the Malfunction Report Forms (2 pages). Notification shall be made by telephone or facsimile, as soon as practicable, but in no event later than four (4) daytime business hours after the beginning of said occurrence.
- (c) Failure to report a malfunction of any emission control equipment shall constitute a violation of 326 IAC 1-6, and any other applicable rules. Information of the scope and expected duration of the malfunction shall be provided, including the items specified in 326 IAC 1-6-2(a)(1) through (6).
- (d) Malfunction is defined as any sudden, unavoidable failure of any air pollution control equipment, process, or combustion or process equipment to operate in a normal and usual manner. [326 IAC 1-2-39]

C.15 General Record Keeping Requirements [326 IAC 2-6.1-5]

- (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.16 General Reporting Requirements [326 IAC 2-1.1-11] [326 IAC 2-6.1-2] [IC 13-14-1-13]

- (a) Reports required by conditions in Section D of this permit shall be submitted to:

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

- (b) 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.
- (c) 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.

D.1.1 General Provisions Relating to the National Emission Standards For Hazardous Air Pollutants under 40 CFR Part 63 [326 IAC 20-1] [40 Part 63, Subpart A]

- (a) Pursuant to 40 CFR 63.340, the Permittee shall comply with the provisions of 40 CFR Part 63, Subpart A - General Provisions, which are incorporated by reference as 326 IAC 20-1-1 for the electroplating operations, as specified in Table 1 of 40 CFR 63, Subpart N in accordance with the schedule in 40 CFR 63 Subpart N.
- (b) Pursuant to 40 CFR 63.10, 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 003
800-451-6027

and

Evansville EPA
100 E. Walnut Street Suite 100
Evansville, Indiana 47713

INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
OFFICE OF AIR QUALITY

MINOR SOURCE OPERATING PERMIT (MSOP)
CERTIFICATION

Source Name: Ditto Sales, Inc
Source Address: 1817 W Virginia, Evansville, IN 47712
Mailing Address: 2332 Cathy Lane, Jasper Indiana
MSOP No.: M 163-21533-00126

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: _____

Date: _____

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

MINOR SOURCE OPERATING PERMIT
ANNUAL NOTIFICATION

INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
OFFICE OF AIR QUALITY
COMPLIANCE AND ENFORCEMENT BRANCH DATA SECTION
and
~~CITY OF EVANSVILLE, ENVIRONMENTAL PROTECTION AGENCY~~

MINOR SOURCE OPERATING PERMIT
CHROMIUM ELECTROPLATING NESHAP
ONGOING COMPLIANCE STATUS REPORT

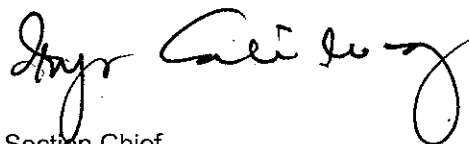
Source Name: Ditto Sales
Source Address: 1817 W. Virginia St., Evansville, Indiana 47712
Mailing Address: ~~1817 W. Virginia St., Evansville, Indiana 47712~~
Minor Source Operating Permit No.: 163-21533-00126

Attach a signed certification from a authorized individual to complete this report.

All other conditions of the permit shall remain unchanged and in effect. Attached please find the entire revised permit. A copy of the permit 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

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 Marcia Earl, of my staff, at 317-233-0863 or 1-800-451-6027, and ask for extension 3-0863.

Sincerely,



Iryn Calilung, Section Chief
Permits Branch
Office of Air Quality

Attachments: Updated Permit

IC/me

cc: File - Vanderburgh County
Vanderburgh County Health Department
U.S. EPA, Region V
Compliance and Enforcement Branch
Billing, Licensing and Training Section



Mitchell E. Daniels, Jr.
Governor

Thomas W. Easterly
Commissioner

100 North Senate Avenue
MC 61-53 IGCN 1003
Indianapolis, Indiana 46204-2251
(317) 232-8603
(800) 451-6027
www.IN.gov/idem

Minor Source Operating Permit Renewal OFFICE OF AIR QUALITY

**Ditto Sales, Inc.
1817 W. Virginia St
Evansville, IN 47712**

(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.

This permit is issued to the above mentioned company under the provisions of 326 IAC 2-1.1, 326 IAC 2-6.1 and 40 CFR 52.780, with conditions listed on the attached pages.

Indiana statutes from IC 13 and rules from 326 IAC, quoted 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 MSOP under 326 IAC 2-6.1.

Operation Permit No.: M 163-21533-00126	
Original signed by: Nisha Sizemore, Chief Permits Branch Office of Air Quality	Issuance Date: September 19, 2007 Expiration Date: September 19, 2017

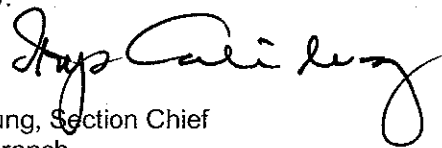
First Notice-Only Change No.: 163-31242-00126	
Signed by:  Iryn Calilung, Section Chief Permits Branch Office of Air Quality	Issuance Date: December 29, 2011 Expiration Date: September 19, 2017

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SECTION A

SOURCE SUMMARY

This permit is based on information requested by the Indiana Department of Environmental Management (IDEM), Office of Air Quality (OAQ) and Evansville EPA (EEPA). The information describing the source contained in conditions A.1 and A.2 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 2-5.1-3(c)][326 IAC 2-6.1-4(a)]

The Permittee owns and operates a stationary Office Furniture Plating.

Source Address:	1817 W. Virginia St, Evansville, IN 47712
General Source Phone Number:	812-482-9318
SIC Code:	3499
County Location:	Vanderburgh
Source Location Status:	Attainment for all criteria pollutants
Source Status:	Minor Source Operating Permit Program Minor Source, under PSD Minor Source, under Nonattainment NSR Minor Source, Section 112 of the Clean Air Act Not 1 of 28 Source Categories

A.2 Emission Units and Pollution Control Equipment Summary

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

- (a) Two (2) nickel plating tanks, identified as #'s 22 & 23, constructed in 1983, each with a maximum capacity of three hundred (300) pounds of metal products per hour, using no controls, and venting inside the building.
- (b) One (1) decorative chromium plating tank, constructed in 1983, using a hexavalent chromium bath, with a rectifier capacity of 5,000 amps and a maximum capacity of three hundred (300) pounds of metal products per hour, using surface tension at less than 45 dynes for control, and venting inside the building.
- (c) One (1) powder coat booth, applied with an air atomization spray gun, constructed in 1994, for surface coating of miscellaneous metal products. The maximum design rate for this powder coat booth is one (1) pound per hour of raw materials. Fiberglass filters are in place for particulate control. It exhausts through stack #2.

SECTION B GENERAL CONDITIONS

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

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 2-1.1-1) shall prevail.

B.2 Permit Term [326 IAC 2-6.1-7(a)][326 IAC 2-1.1-9.5][IC 13-15-3-6(a)]

-
- (a) This permit, 163-21533-00126, is issued for a fixed term of ten (10) years from the issuance date of this permit, as determined in accordance with IC 4-21.5-3-5(f) and IC 13-15-3-3. 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, 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

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

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

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

B.7 Duty to Provide Information

-
- (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 Annual Notification [326 IAC 2-6.1-5(a)(5)]

- (a) An annual notification shall be submitted by an authorized individual to the Office of Air Quality stating whether or not the source is in operation and in compliance with the terms and conditions contained in this permit.
- (b) The annual notice shall be submitted in the format attached no later than March 1 of each year to:
- Indiana Department of Environmental Management
Compliance and Enforcement Branch, Office of Air Quality
100 North Senate Avenue
MC 61-53 IGCN 1003
Indianapolis, Indiana 46204-2251
- (c) The notification shall be considered timely if the date postmarked on the envelope or certified mail receipt, or affixed by the shipper on the private shipping receipt, is on or before the date it is due. If the document is submitted by any other means, it shall be considered timely if received by IDEM, OAQ on or before the date it is due.

B.9 Preventive Maintenance Plan [326 IAC 1-6-3]

- (a) A Preventive Maintenance Plan meets the requirements of 326 IAC 1-6-3 if it includes, at a minimum:
- (1) Identification of the individual(s) responsible for inspecting, maintaining, and repairing emission control devices;
 - (2) A description of the items or conditions that will be inspected and the inspection schedule for said items or conditions; and
 - (3) Identification and quantification of the replacement parts that will be maintained in inventory for quick replacement.

The Permittee shall implement the PMPs.

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

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

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

The 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.
- (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.10 Prior Permits Superseded [326 IAC 2-1.1-9.5]

- (a) All terms and conditions of permits established prior to 163-21533-00126 and issued pursuant to permitting programs approved into the state implementation plan have been either:
 - (1) incorporated as originally stated,
 - (2) revised, or
 - (3) deleted.
- (b) All previous registrations and permits are superseded by this permit.

B.11 Termination of Right to Operate [326 IAC 2-6.1-7(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 one hundred twenty (120) days prior to the date of expiration of the source's existing permit, consistent with 326 IAC 2-6.1-7.

B.12 Permit Renewal [326 IAC 2-6.1-7]

- (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 2-6.1-7. Such information shall be included in the application for each emission unit at this source. The renewal application does require an affirmation that the statements in the application are true and complete by an "authorized individual" as defined by 326 IAC 2-1.1-1(1).

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 one hundred twenty (120) days 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 2-6.1 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 2-6.1-4(b), in writing by IDEM, OAQ any additional information identified as being needed to process the application.

B.13 Permit Amendment or Revision [326 IAC 2-5.1-3(e)(3)][326 IAC 2-6.1-6]

- (a) Permit amendments and revisions are governed by the requirements of 326 IAC 2-6.1-6 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
- (c) The Permittee shall notify the OAQ no later than thirty (30) calendar days of implementing a notice-only change. [326 IAC 2-6.1-6(d)]

B.14 Source Modification Requirement

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

B.15 Inspection and Entry

[326 IAC 2-5.1-3(e)(4)(B)][326 IAC 2-6.1-5(a)(4)][IC 13-14-2-2][IC 13-17-3-2][IC 13-30-3-1]

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 permitted 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, at reasonable times, 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, at reasonable times, 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, at reasonable times, 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.16 Transfer of Ownership or Operational Control [326 IAC 2-6.1-6]

- (a) The Permittee must comply with the requirements of 326 IAC 2-6.1-6 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

The application which shall be submitted by the Permittee does require an affirmation that the statements in the application are true and complete by an "authorized individual" as defined by 326 IAC 2-1.1-1(1).

- (c) The Permittee may implement notice-only changes addressed in the request for a notice-only change immediately upon submittal of the request. [326 IAC 2-6.1-6(d)(3)]

B.17 Annual Fee Payment [326 IAC 2-1.1-7]

- (a) The Permittee shall pay annual fees due no later than thirty (30) calendar days of receipt of a bill from IDEM, OAQ.
- (b) 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.18 Credible Evidence [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 2-6.1-5(a)(1)]

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

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

C.2 Permit Revocation [326 IAC 2-1.1-9]

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

- (a) Violation of any conditions of this permit.
- (b) Failure to disclose all the relevant facts, or misrepresentation in obtaining this permit.
- (c) Changes in regulatory requirements that mandate either a temporary or permanent reduction of discharge of contaminants. However, the amendment of appropriate sections of this permit shall not require revocation of this permit.
- (d) Noncompliance with orders issued pursuant to 326 IAC 1-5 (Episode Alert Levels) to reduce emissions during an air pollution episode.
- (e) For any cause which establishes in the judgment of IDEM, the fact that continuance of this permit is not consistent with purposes of this article.

C.3 Opacity [326 IAC 5-1]

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

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

C.4 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.5 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.6 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).

C.7 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.

- (e) **Procedures for Asbestos Emission Control**
The Permittee shall comply with the applicable 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 2-6.1-5(a)(2)]

C.8 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.

- (b) The Permittee shall notify IDEM, OAQ of the actual test date at least fourteen (14) days prior to the actual test date.
- (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.9 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 2-6.1-5(a)(2)]

C.10 Compliance Monitoring [326 IAC 2-1.1-11]

Compliance with applicable requirements shall be documented as required by this permit. The Permittee shall be responsible for installing any necessary equipment and initiating any required monitoring related to that equipment. All monitoring and record keeping requirements not already legally required shall be implemented when operation begins.

C.11 Instrument Specifications [326 IAC 2-1.1-11]

- (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

C.12 Response to Excursions or Exceedances

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

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

C.13 Actions Related to Noncompliance Demonstrated by a Stack Test

- (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.

Record Keeping and Reporting Requirements [326 IAC 2-6.1-5(a)(2)]

C.14 Malfunctions Report [326 IAC 1-6-2]

Pursuant to 326 IAC 1-6-2 (Records; Notice of Malfunction):

- (a) A record of all malfunctions, including startups or shutdowns of any facility or emission control equipment, which result in violations of applicable air pollution control regulations or applicable emission limitations shall be kept and retained for a period of three (3) years and shall be made available to the Indiana Department of Environmental Management (IDEM), Office of Air Quality (OAQ) or appointed representative upon request.
- (b) When a malfunction of any facility or emission control equipment occurs which lasts more than one (1) hour, said condition shall be reported to OAQ, using the Malfunction Report Forms (2 pages). Notification shall be made by telephone or facsimile, as soon as practicable, but in no event later than four (4) daytime business hours after the beginning of said occurrence.

- (c) Failure to report a malfunction of any emission control equipment shall constitute a violation of 326 IAC 1-6, and any other applicable rules. Information of the scope and expected duration of the malfunction shall be provided, including the items specified in 326 IAC 1-6-2(a)(1) through (6).
- (d) Malfunction is defined as any sudden, unavoidable failure of any air pollution control equipment, process, or combustion or process equipment to operate in a normal and usual manner. [326 IAC 1-2-39]

C.15 General Record Keeping Requirements [326 IAC 2-6.1-5]

- (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.16 General Reporting Requirements [326 IAC 2-1.1-11] [326 IAC 2-6.1-2] [IC 13-14-1-13]

- (a) Reports required by conditions in Section D of this permit shall be submitted to:

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

SECTION D.1 EMISSIONS UNIT OPERATION CONDITIONS

Emissions Unit Description:

- (b) One (1) decorative chromium plating tank, constructed in 1983, using a hexavalent chromium bath, with a rectifier capacity of 5,000 amps and a maximum capacity of three hundred (300) pounds of metal products per hour, using surface tension at less than 45 dynes for control, and venting inside the building, through stack #1.

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

D.1.1 General Provisions Relating to the National Emission Standards For Hazardous Air Pollutants under 40 CFR Part 63 [326 IAC 20-1] [40 Part 63, Subpart A]

- (a) Pursuant to 40 CFR 63.340, the Permittee shall comply with the provisions of 40 CFR Part 63, Subpart A - General Provisions, which are incorporated by reference as 326 IAC 20-1-1 for the electroplating operations, as specified in Table 1 of 40 CFR 63, Subpart N in accordance with the schedule in 40 CFR 63 Subpart N.
- (b) Pursuant to 40 CFR 63.10, 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 003
800-451-6027

D.1.2 Chromium Emissions from Hard and Decorative Chromium Electroplating and Chromium Anodizing Tanks [40 CFR Part 63, Subpart N] [326 IAC 20-8]

Pursuant to CFR Part 63, SubpartN, the Permittee shall comply with the provisions of the National Emission Standards For Hazardous Air Pollutants for Chromium Emissions From Hard and Decorative Chromium Electroplating and Chromium Anodizing Tanks, as specified as follows, on and after the initial Compliance date, Jan. 25, 1996.

§ 63.340 Applicability and designation of sources.

- (a) The affected source to which the provisions of this subpart apply is each chromium electroplating or chromium anodizing tank at facilities performing hard chromium electroplating, decorative chromium electroplating, or chromium anodizing.
- (b) Owners or operators of affected sources subject to the provisions of this subpart must also comply with the requirements of subpart A of this part, according to the applicability of subpart A of this part to such sources, as identified in Table 1 of this subpart.
- (c) Process tanks associated with a chromium electroplating or chromium anodizing process, but in which neither chromium electroplating nor chromium anodizing is taking place, are not subject to the provisions of this subpart. Examples of such tanks include, but are not limited to, rinse tanks, etching tanks, and cleaning tanks. Likewise, tanks that contain a chromium solution, but in which no electrolytic process occurs, are not subject to this subpart. An example of such a tank is a chrome conversion coating tank where no electrical current is applied.

(d) Affected sources in which research and laboratory operations are performed are exempt from the provisions of this subpart when such operations are taking place.

(e) If you are an owner or operator of an area source subject to this subpart, you are exempt from the obligation to obtain a permit under 40 CFR part 70 or 71, provided you are not required to obtain a permit under 40 CFR 70.3(a) or 71.3(a) for a reason other than your status as an area source under this subpart. Notwithstanding the previous sentence, you must continue to comply with the provisions of this subpart applicable to area sources.

§ 63.341 Definitions and nomenclature.

(a) *Definitions.* Terms used in this subpart are defined in the Act, in subpart A of this part, or in this section. For the purposes of subpart N of this part, if the same term is defined in subpart A of this part and in this section, it shall have the meaning given in this section.

Add-on air pollution control device means equipment installed in the ventilation system of chromium electroplating and anodizing tanks for the purposes of collecting and containing chromium emissions from the tank(s).

Air pollution control technique means any method, such as an add-on air pollution control device or a chemical fume suppressant, that is used to reduce chromium emissions from chromium electroplating and chromium anodizing tanks.

Base metal means the metal or metal alloy that comprises the workpiece.

Bath component means the trade or brand name of each component(s) in trivalent chromium plating baths. For trivalent chromium baths, the bath composition is proprietary in most cases. Therefore, the trade or brand name for each component(s) can be used; however, the chemical name of the wetting agent contained in that component must be identified.

Chemical fume suppressant means any chemical agent that reduces or suppresses fumes or mists at the surface of an electroplating or anodizing bath; another term for fume suppressant is mist suppressant.

Chromic acid means the common name for chromium anhydride (CrO₃).

Chromium anodizing means the electrolytic process by which an oxide layer is produced on the surface of a base metal for functional purposes (e.g., corrosion resistance or electrical insulation) using a chromic acid solution. In chromium anodizing, the part to be anodized acts as the anode in the electrical circuit, and the chromic acid solution, with a concentration typically ranging from 50 to 100 grams per liter (g/L), serves as the electrolyte.

Chromium anodizing tank means the receptacle or container along with the following accompanying internal and external components needed for chromium anodizing: rectifiers fitted with controls to allow for voltage adjustments, heat exchanger equipment, circulation pumps, and air agitation systems.

Chromium electroplating tank means the receptacle or container along with the following internal and external components needed for chromium electroplating: Rectifiers, anodes, heat exchanger equipment, circulation pumps, and air agitation systems.

Composite mesh-pad system means an add-on air pollution control device typically consisting of several mesh-pad stages. The purpose of the first stage is to remove large particles. Smaller particles are removed in the second stage, which consists of the composite mesh pad. A final stage may remove any reentrained particles not collected by the composite mesh pad.

Decorative chromium electroplating means the process by which a thin layer of chromium (typically 0.003 to 2.5 microns) is electrodeposited on a base metal, plastic, or undercoating to provide a bright surface with wear and tarnish resistance. In this process, the part(s) serves as the cathode in the electrolytic cell and the solution

serves as the electrolyte. Typical current density applied during this process ranges from 540 to 2,400 Amperes per square meter (A/m^2) for total plating times ranging between 0.5 to 5 minutes.

Electroplating or anodizing bath means the electrolytic solution used as the conducting medium in which the flow of current is accompanied by movement of metal ions for the purposes of electroplating metal out of the solution onto a workpiece or for oxidizing the base material.

Emission limitation means, for the purposes of this subpart, the concentration of total chromium allowed to be emitted expressed in milligrams per dry standard cubic meter (mg/dscm), or the allowable surface tension expressed in dynes per centimeter (dynes/cm).

Enclosed hard chromium electroplating tank means a chromium electroplating tank that is equipped with an enclosing hood and ventilated at half the rate or less that of an open surface tank of the same surface area.

Facility means the major or area source at which chromium electroplating or chromium anodizing is performed.

Fiber-bed mist eliminator means an add-on air pollution control device that removes contaminants from a gas stream through the mechanisms of inertial impaction and Brownian diffusion. These devices are typically installed downstream of another control device, which serves to prevent plugging, and consist of one or more fiber beds. Each bed consists of a hollow cylinder formed from two concentric screens; the fiber between the screens may be fabricated from glass, ceramic plastic, or metal.

Foam blanket means the type of chemical fume suppressant that generates a layer of foam across the surface of a solution when current is applied to that solution.

Fresh water means water, such as tap water, that has not been previously used in a process operation or, if the water has been recycled from a process operation, it has been treated and meets the effluent guidelines for chromium wastewater.

Hard chromium electroplating or industrial chromium electroplating means a process by which a thick layer of chromium (typically 1.3 to 760 microns) is electrodeposited on a base material to provide a surface with functional properties such as wear resistance, a low coefficient of friction, hardness, and corrosion resistance. In this process, the part serves as the cathode in the electrolytic cell and the solution serves as the electrolyte. Hard chromium electroplating process is performed at current densities typically ranging from 1,600 to 6,500 A/m^2 for total plating times ranging from 20 minutes to 36 hours depending upon the desired plate thickness.

Hexavalent chromium means the form of chromium in a valence state of +6.

Large, hard chromium electroplating facility means a facility that performs hard chromium electroplating and has a maximum cumulative potential rectifier capacity greater than or equal to 60 million ampere-hours per year (amp-hr/yr).

Maximum cumulative potential rectifier capacity means the summation of the total installed rectifier capacity associated with the hard chromium electroplating tanks at a facility, expressed in amperes, multiplied by the maximum potential operating schedule of 8,400 hours per year and 0.7, which assumes that electrodes are energized 70 percent of the total operating time. The maximum potential operating schedule is based on operating 24 hours per day, 7 days per week, 50 weeks per year.

Open surface hard chromium electroplating tank means a chromium electroplating tank that is ventilated at a rate consistent with good ventilation practices for open tanks.

Operating parameter value means a minimum or maximum value established for a control device or process parameter which, if achieved by itself or in combination with one or more other operating parameter values, determines that an owner or operator is in continual compliance with the applicable emission limitation or standard.

Packed-bed scrubber means an add-on air pollution control device consisting of a single or double packed bed that contains packing media on which the chromic acid droplets impinge. The packed-bed section of the scrubber is followed by a mist eliminator to remove any water entrained from the packed-bed section.

Research or laboratory operation means an operation whose primary purpose is for research and development of new processes and products, that is conducted under the close supervision of technically trained personnel, and that is not involved in the manufacture of products for commercial sale in commerce, except in a de minimis manner.

Small, hard chromium electroplating facility means a facility that performs hard chromium electroplating and has a maximum cumulative potential rectifier capacity less than 60 million amp-hr/yr.

Stalagmometer means an instrument used to measure the surface tension of a solution by determining the mass of a drop of liquid by weighing a known number of drops or by counting the number of drops obtained from a given volume of liquid.

Surface tension means the property, due to molecular forces, that exists in the surface film of all liquids and tends to prevent liquid from spreading.

Tank operation means the time in which current and/or voltage is being applied to a chromium electroplating tank or a chromium anodizing tank.

Tensiometer means an instrument used to measure the surface tension of a solution by determining the amount of force needed to pull a ring from the liquid surface. The amount of force is proportional to the surface tension.

Trivalent chromium means the form of chromium in a valence state of +3.

Trivalent chromium process means the process used for electrodeposition of a thin layer of chromium onto a base material using a trivalent chromium solution instead of a chromic acid solution.

Wetting agent means the type of chemical fume suppressant that reduces the surface tension of a liquid.

(b) *Nomenclature.* The nomenclature used in this subpart has the following meaning:

- (1) AMR=the allowable mass emission rate from each type of affected source subject to the same emission limitation in milligrams per hour (mg/hr).
- (2) AMR_{sys} =the allowable mass emission rate from affected sources controlled by an add-on air pollution control device controlling emissions from multiple sources in mg/hr.
- (3) EL=the applicable emission limitation from §63.342 in milligrams per dry standard cubic meter (mg/dscm).
- (4) IA_{total} =the sum of all inlet duct areas from both affected and nonaffected sources in meters squared.
- (5) IDA_i =the total inlet area for all ducts associated with affected sources in meters squared.
- (6) $IDA_{i,a}$ =the total inlet duct area for all ducts conveying chromic acid from each type of affected source performing the same operation, or each type of affected source subject to the same emission limitation in meters squared.
- (7) VR=the total of ventilation rates for each type of affected source subject to the same emission limitation in dry standard cubic meters per minute (dscm/min).
- (8) VR_{inlet} =the total ventilation rate from all inlet ducts associated with affected sources in dscm/min.

(9) $VR_{inlet,a}$ = the total ventilation rate from all inlet ducts conveying chromic acid from each type of affected source performing the same operation, or each type of affected source subject to the same emission limitation in dscm/min.

(10) VR_{tot} = the average total ventilation rate for the three test runs as determined at the outlet by means of the Method 306 in appendix A of this part testing in dscm/min.

[60 FR 4963, Jan. 25, 1995, as amended at 69 FR 42894, July 19, 2004]

§ 63.342 Standards.

(a) Each owner or operator of an affected source subject to the provisions of this subpart shall comply with these requirements on and after the compliance dates specified in §63.343(a). All affected sources are regulated by applying maximum achievable control technology.

(b) *Applicability of emission limitations.* (1) The emission limitations in this section apply during tank operation as defined in §63.341, and during periods of startup and shutdown as these are routine occurrences for affected sources subject to this subpart. The emission limitations do not apply during periods of malfunction, but the work practice standards that address operation and maintenance and that are required by paragraph (f) of this section must be followed during malfunctions.

(d) *Standards for decorative chromium electroplating tanks using a chromic acid bath and chromium anodizing tanks.* During tank operation, each owner or operator of an existing, new, or reconstructed affected source shall control chromium emissions discharged to the atmosphere from that affected source by either:

(1) Not allowing the concentration of total chromium in the exhaust gas stream discharged to the atmosphere to exceed 0.01 mg/dscm (4.4×10^{-6} gr/dscf); or

(2) If a chemical fume suppressant containing a wetting agent is used, by not allowing the surface tension of the electroplating or anodizing bath contained within the affected source to exceed 45 dynes/cm (3.1×10^{-3} lb_f/ft) as measured by a stalagmometer or 35 dynes/cm (2.4×10^{-3} lb_f/ft) as measured by a tensiometer at any time during operation of the tank.

(f) *Operation and maintenance practices.* All owners or operators subject to the standards in paragraphs (c) and (d) of this section are subject to these operation and maintenance practices.

(1)(i) At all times, including periods of startup, shutdown, and malfunction, owners or operators shall operate and maintain any affected source, including associated air pollution control devices and monitoring equipment, in a manner consistent with good air pollution control practices.

(ii) Malfunctions shall be corrected as soon as practicable after their occurrence.

(iii) Operation and maintenance requirements established pursuant to section 112 of the Act are enforceable independent of emissions limitations or other requirements in relevant standards.

(2)(i) Determination of whether acceptable operation and maintenance procedures are being used will be based on information available to the Administrator, which may include, but is not limited to, monitoring results; review of the operation and maintenance plan, procedures, and records; and inspection of the source.

(ii) Based on the results of a determination made under paragraph (f)(2)(i) of this section, the Administrator may require that an owner or operator of an affected source make changes to the operation and maintenance plan required by paragraph (f)(3) of this section for that source. Revisions may be required if the Administrator finds that the plan:

(A) Does not address a malfunction that has occurred;

(B) Fails to provide for the proper operation of the affected source, the air pollution control techniques, or the control system and process monitoring equipment during a malfunction in a manner consistent with good air pollution control practices; or

(C) Does not provide adequate procedures for correcting malfunctioning process equipment, air pollution control techniques, or monitoring equipment as quickly as practicable.

(3) *Operation and maintenance plan.* (i) The owner or operator of an affected source subject to paragraph (f) of this section shall prepare an operation and maintenance plan no later than the compliance date, except for hard chromium electroplaters and the chromium anodizing operations in California which have until January 25, 1998. The plan shall be incorporated by reference into the source's title V permit, if and when a title V permit is required. The plan shall include the following elements:

(A) The plan shall specify the operation and maintenance criteria for the affected source, the add-on air pollution control device (if such a device is used to comply with the emission limits), and the process and control system monitoring equipment, and shall include a standardized checklist to document the operation and maintenance of this equipment;

(B) For sources using an add-on control device or monitoring equipment to comply with this subpart, the plan shall incorporate the operation and maintenance practices for that device or monitoring equipment, as identified in Table 1 of this section, if the specific equipment used is identified in Table 1 of this section;

(C) If the specific equipment used is not identified in Table 1 of this section, the plan shall incorporate proposed operation and maintenance practices. These proposed operation and maintenance practices shall be submitted for approval as part of the submittal required under §63.343(d);

(D) The plan shall specify procedures to be followed to ensure that equipment or process malfunctions due to poor maintenance or other preventable conditions do not occur; and

(E) The plan shall include a systematic procedure for identifying malfunctions of process equipment, add-on air pollution control devices, and process and control system monitoring equipment and for implementing corrective actions to address such malfunctions.

(ii) If the operation and maintenance plan fails to address or inadequately addresses an event that meets the characteristics of a malfunction at the time the plan is initially developed, the owner or operator shall revise the operation and maintenance plan within 45 days after such an event occurs. The revised plan shall include procedures for operating and maintaining the process equipment, add-on air pollution control device, or monitoring equipment during similar malfunction events, and a program for corrective action for such events.

(iii) Recordkeeping associated with the operation and maintenance plan is identified in §63.346(b). Reporting associated with the operation and maintenance plan is identified in §63.347 (g) and (h) and paragraph (f)(3)(iv) of this section.

(iv) If actions taken by the owner or operator during periods of malfunction are inconsistent with the procedures specified in the operation and maintenance plan required by paragraph (f)(3)(i) of this section, the owner or operator shall record the actions taken for that event and shall report by phone such actions within 2 working days after commencing actions inconsistent with the plan. This report shall be followed by a letter within 7 working days after the end of the event, unless the owner or operator makes alternative reporting arrangements, in advance, with the Administrator.

(v) The owner or operator shall keep the written operation and maintenance plan on record after it is developed to be made available for inspection, upon request, by the Administrator for the life of the affected source or until the source is no longer subject to the provisions of this subpart. In addition, if the operation and maintenance plan is revised, the owner or operator shall keep previous (i.e., superseded) versions of the operation and maintenance plan on record to be made available for inspection, upon request, by the Administrator for a period of 5 years after each revision to the plan.

(vi) To satisfy the requirements of paragraph (f)(3) of this section, the owner or operator may use applicable standard operating procedure (SOP) manuals, Occupational Safety and Health Administration (OSHA) plans, or other existing plans, provided the alternative plans meet the requirements of this section.

(g) The standards in this section that apply to chromic acid baths shall not be met by using a reducing agent to change the form of chromium from hexavalent to trivalent.

Table 1 to §63.342—Summary of Operation and Maintenance Practices

Control technique	Operation and maintenance practices	Frequency
Composite mesh-pad (CMP) system	1. Visually inspect device to ensure there is proper drainage, no chronic acid buildup on the pads, and no evidence of chemical attack on the structural integrity of the device	1. 1/quarter.
	2. Visually inspect back portion of the mesh pad closest to the fan to ensure there is no breakthrough of chromic acid mist	2. 1/quarter.
	3. Visually inspect ductwork from tank to the control device to ensure there are no leaks	3. 1/quarter.
	4. Perform washdown of the composite mesh-pads in accordance with manufacturers recommendations	4. Per manufacturer.
Packed-bed scrubber (PSB)	1. Visually inspect device to ensure there is proper drainage, no chromic acid buildup on the packed beds, and no evidence of chemical attack on the structural integrity of the device	1. 1/quarter.
	2. Visually inspect back portion of the chevron blade mist eliminator to ensure that it is dry and there is no breakthrough of chromic acid mist	2. 1/quarter.
	3. Same as number 3 above	3. 1/quarter.
	4. Add fresh makeup water to the top of the packed bed ^{a,b}	4. Whenever makeup is added.
PBS/CMP system	1. Same as for CMP system	1. 1/quarter.
	2. Same as for CMP system	2. 1/quarter.
	3. Same as for CMP system	3. 1/quarter.
	4. Same as for CMP system	4. Per manufacturer.
Fiber-bed mist eliminator ^c	1. Visually inspect fiber-bed unit and prefiltering device to ensure there is proper drainage, no chromic acid buildup in the units, and no evidence of chemical attack on the structural integrity of the devices	1. 1/quarter.
	2. Visually inspect ductwork from tank or tanks to the control device to ensure there are no leaks	2. 1/quarter.
	3. Perform washdown of fiber elements in accordance with manufacturers recommendations	3. Per manufacturer.
Air pollution control device (APCD) not listed in rule	To be proposed by the source for approval by the Administrator	To be proposed by the source for approval by the Administrator.
Monitoring Equipment		
Pitot tube	Backflush with water, or remove from the duct and rinse with fresh water. Replace in the duct and rotate 180 degrees to	1/quarter.

	ensure that the same zero reading is obtained. Check pitot tube ends for damage. Replace pitot tube if cracked or fatigued	
Stalagmometer	Follow manufacturers recommendations	

^aIf greater than 50 percent of the scrubber water is drained (e.g., for maintenance purposes), makeup water may be added to the scrubber basin.

^bFor horizontal-flow scrubbers, top is defined as the section of the unit directly above the packing media such that the makeup water would flow perpendicular to the air flow through the packing. For vertical-flow units, the top is defined as the area downstream of the packing material such that the makeup water would flow countercurrent to the air flow through the unit.

^cWork practice standards for the control device installed upstream of the fiber-bed mist eliminator to prevent plugging do not apply as long as the work practice standards for the fiber-bed unit are followed.

[60 FR 4963, Jan. 25, 1995; 60 FR 33122, June 27, 1995, as amended at 61 FR 27787, June 3, 1996; 62 FR 42920, Aug. 11, 1997; 68 FR 37347, June 23, 2003; 69 FR 42894, July 19, 2004; 71 FR 20456, Apr. 20, 2006]

§ 63.343 Compliance provisions.

(a) *Compliance dates.* (1) The owner or operator of an existing affected source shall comply with the emission limitations in §63.342 as follows:

(i) No later than 1 year after January 25, 1995, if the affected source is a decorative chromium electroplating tank; and

(3) The owner or operator of an existing area source that increases actual or potential emissions of hazardous air pollutants such that the area source becomes a major source must comply with the provisions for existing major sources, including the reporting provisions of §63.347(g), immediately upon becoming a major source.

(b) *Methods to demonstrate initial compliance.*

(2) If the owner or operator of an affected source meets all of the following criteria, an initial performance test is not required to be conducted under this subpart:

(i) The affected source is a hard chromium electroplating tank, a decorative chromium electroplating tank or a chromium anodizing tank; and

(ii) A wetting agent is used in the plating or anodizing bath to inhibit chromium emissions from the affected source; and

(iii) The owner or operator complies with the applicable surface tension limit of §63.342(c)(1)(iii), (c)(2)(iii), or (d)(2) as demonstrated through the continuous compliance monitoring required by paragraph (c)(5)(ii) of this section.

(c) *Monitoring to demonstrate continuous compliance.* The owner or operator of an affected source subject to the emission limitations of this subpart shall conduct monitoring according to the type of air pollution control technique that is used to comply with the emission limitation. The monitoring required to demonstrate continuous compliance with the emission limitations is identified in this section for the air pollution control techniques expected to be used by the owners or operators of affected sources.

(5) *Wetting agent-type or combination wetting agent-type/foam blanket fume suppressants.* (i) During the initial performance test, the owner or operator of an affected source complying with the emission limitations in §63.342 through the use of a wetting agent in the electroplating or anodizing bath shall determine the outlet

chromium concentration using the procedures in §63.344(c). The owner or operator shall establish as the site-specific operating parameter the surface tension of the bath using Method 306B, appendix A of this part, setting the maximum value that corresponds to compliance with the applicable emission limitation. In lieu of establishing the maximum surface tension during the performance test, the owner or operator may accept 45 dynes/cm as measured by a stalagmometer or 35 dynes/cm as measured by a tensiometer as the maximum surface tension value that corresponds to compliance with the applicable emission limitation. However, the owner or operator is exempt from conducting a performance test only if the criteria of paragraph (b)(2) of this section are met.

(ii) On and after the date on which the initial performance test is required to be completed under §63.7, except for hard chromium electroplaters and chromium anodizing operations in California, which have until January 25, 1998, the owner or operator of an affected source shall monitor the surface tension of the electroplating or anodizing bath. Operation of the affected source at a surface tension greater than the value established during the performance test, or greater than 45 dynes/cm as measured by a stalagmometer or 35 dynes/cm as measured by a tensiometer if the owner or operator is using this value in accordance with paragraph (c)(5)(i) of this section, shall constitute noncompliance with the standards. The surface tension shall be monitored according to the following schedule:

(A) The surface tension shall be measured once every 4 hours during operation of the tank with a stalagmometer or a tensiometer as specified in Method 306B, appendix A of this part.

(B) The time between monitoring can be increased if there have been no exceedances. The surface tension shall be measured once every 4 hours of tank operation for the first 40 hours of tank operation after the compliance date. Once there are no exceedances during 40 hours of tank operation, surface tension measurement may be conducted once every 8 hours of tank operation. Once there are no exceedances during 40 hours of tank operation, surface tension measurement may be conducted once every 40 hours of tank operation on an ongoing basis, until an exceedance occurs. The minimum frequency of monitoring allowed by this subpart is once every 40 hours of tank operation.

(C) Once an exceedance occurs as indicated through surface tension monitoring, the original monitoring schedule of once every 4 hours must be resumed. A subsequent decrease in frequency shall follow the schedule laid out in paragraph (c)(5)(ii)(B) of this section. For example, if an owner or operator had been monitoring an affected source once every 40 hours and an exceedance occurs, subsequent monitoring would take place once every 4 hours of tank operation. Once an exceedance does not occur for 40 hours of tank operation, monitoring can occur once every 8 hours of tank operation. Once an exceedance does not occur for 40 hours of tank operation on this schedule, monitoring can occur once every 40 hours of tank operation.

(8) *Use of an alternative monitoring method.* (i) Requests and approvals of alternative monitoring methods shall be considered in accordance with §63.8(f)(1), (f)(3), (f)(4), and (f)(5).

(ii) After receipt and consideration of an application for an alternative monitoring method, the Administrator may approve alternatives to any monitoring methods or procedures of this subpart including, but not limited to, the following:

(A) Alternative monitoring requirements when installation or use of monitoring devices specified in this subpart would not provide accurate measurements due to interferences caused by substances within the effluent gases; or

(B) Alternative locations for installing monitoring devices when the owner or operator can demonstrate that installation at alternate locations will enable accurate and representative measurements.

(d) An owner or operator who uses an air pollution control device not listed in this section shall submit a description of the device, test results collected in accordance with §63.344(c) verifying the performance of the device for reducing chromium emissions to the atmosphere to the level required by this subpart, a copy of the operation and maintenance plan referenced in §63.342(f) including operation and maintenance practices, and appropriate operating parameters that will be monitored to establish continuous compliance with the standards.

The monitoring plan submitted identifying the continuous compliance monitoring is subject to the Administrator's approval.

[60 FR 4963, Jan. 25, 1995; 60 FR 33122, June 27, 1995, as amended at 62 FR 42920, Aug. 11, 1997; 68 FR 37347, June 23, 2003; 69 FR 42895, July 19, 2004]

§ 63.344 Performance test requirements and test methods.

(d) *Establishing site-specific operating parameter values.*

(1) Each owner or operator required to establish site-specific operating parameters shall follow the procedures in this section.

(2) All monitoring equipment shall be installed such that representative measurements of emissions or process parameters from the affected source are obtained. For monitoring equipment purchased from a vendor, verification of the operational status of the monitoring equipment shall include execution of the manufacturer's written specifications or recommendations for installation, operation, and calibration of the system.

(i) Specifications for differential pressure measurement devices used to measure velocity pressure shall be in accordance with section 2.2 of Method 2 (40 CFR part 60, appendix A).

(ii) Specification for differential pressure measurement devices used to measure pressure drop across a control system shall be in accordance with manufacturer's accuracy specifications.

(3) The surface tension of electroplating and anodizing baths shall be measured using Method 306B, "Surface Tension Measurement and Recordkeeping for Tanks used at Decorative Chromium Electroplating and Anodizing Facilities," appendix A of this part. This method should also be followed when wetting agent type or combination wetting agent/foam blanket type fume suppressants are used to control chromium emissions from a hard chromium electroplating tank and surface tension measurement is conducted to demonstrate continuous compliance.

§ 63.346 Recordkeeping requirements.

(a) The owner or operator of each affected source subject to these standards shall fulfill all recordkeeping requirements outlined in this section and in the General Provisions to 40 CFR part 63, according to the applicability of subpart A of this part as identified in Table 1 of this subpart.

(b) The owner or operator of an affected source subject to the provisions of this subpart shall maintain the following records for such source:

(1) Inspection records for the add-on air pollution control device, if such a device is used, and monitoring equipment, to document that the inspection and maintenance required by the work practice standards of §63.342(f) and Table 1 of §63.342 have taken place. The record can take the form of a checklist and should identify the device inspected, the date of inspection, a brief description of the working condition of the device during the inspection, and any actions taken to correct deficiencies found during the inspection.

(2) Records of all maintenance performed on the affected source, the add-on air pollution control device, and monitoring equipment;

(3) Records of the occurrence, duration, and cause (if known) of each malfunction of process, add-on air pollution control, and monitoring equipment;

(4) Records of actions taken during periods of malfunction when such actions are inconsistent with the operation and maintenance plan;

- (5) Other records, which may take the form of checklists, necessary to demonstrate consistency with the provisions of the operation and maintenance plan required by §63.342(f)(3);
 - (6) Test reports documenting results of all performance tests;
 - (7) All measurements as may be necessary to determine the conditions of performance tests, including measurements necessary to determine compliance with the special compliance procedures of §63.344(e);
 - (8) Records of monitoring data required by §63.343(c) that are used to demonstrate compliance with the standard including the date and time the data are collected;
 - (9) The specific identification (i.e., the date and time of commencement and completion) of each period of excess emissions, as indicated by monitoring data, that occurs during malfunction of the process, add-on air pollution control, or monitoring equipment;
 - (10) The specific identification (i.e., the date and time of commencement and completion) of each period of excess emissions, as indicated by monitoring data, that occurs during periods other than malfunction of the process, add-on air pollution control, or monitoring equipment;
 - (11) The total process operating time of the affected source during the reporting period;
 - (12) Records of the actual cumulative rectifier capacity of hard chromium electroplating tanks at a facility expended during each month of the reporting period, and the total capacity expended to date for a reporting period, if the owner or operator is using the actual cumulative rectifier capacity to determine facility size in accordance with §63.342(c)(2);
 - (13) For sources using fume suppressants to comply with the standards, records of the date and time that fume suppressants are added to the electroplating or anodizing bath;
 - (14) For sources complying with §63.342(e), records of the bath components purchased, with the wetting agent clearly identified as a bath constituent contained in one of the components;
 - (15) Any information demonstrating whether a source is meeting the requirements for a waiver of recordkeeping or reporting requirements, if the source has been granted a waiver under §63.10(f); and
 - (16) All documentation supporting the notifications and reports required by §63.9, §63.10, and §63.347.
- (c) All records shall be maintained for a period of 5 years in accordance with §63.10(b)(1).

§ 63.347 Reporting requirements.

(a) The owner or operator of each affected source subject to these standards shall fulfill all reporting requirements outlined in this section and in the General Provisions to 40 CFR part 63, according to the applicability of subpart A as identified in Table 1 of this subpart. These reports shall be made to the Administrator at the appropriate address as identified in §63.13 or to the delegated State authority.

(1) Reports required by subpart A of this part and this section may be sent by U.S. mail, fax, or by another courier.

(i) Submittals sent by U.S. mail shall be postmarked on or before the specified date.

(ii) Submittals sent by other methods shall be received by the Administrator on or before the specified date.

(2) If acceptable to both the Administrator and the owner or operator of an affected source, reports may be submitted on electronic media.

(b) The reporting requirements of this section apply to the owner or operator of an affected source when such source becomes subject to the provisions of this subpart.

(c) *Initial notifications.* (1) The owner or operator of an affected source that has an initial startup before January 25, 1995, shall notify the Administrator in writing that the source is subject to this subpart. The notification shall be submitted no later than 180 calendar days after January 25, 1995, and shall contain the following information:

- (i) The name, title, and address of the owner or operator;
- (ii) The address (i.e., physical location) of each affected source;
- (iii) A statement that subpart N of this part is the basis for this notification;
- (iv) Identification of the applicable emission limitation and compliance date for each affected source;
- (v) A brief description of each affected source, including the type of process operation performed;
- (vi) For sources performing hard chromium electroplating, the maximum potential cumulative potential rectifier capacity;
- (vii) For sources performing hard chromium electroplating, a statement of whether the affected source(s) is located at a small or a large, hard chromium electroplating facility and whether this will be demonstrated through actual or maximum potential cumulative rectifier capacity;
- (viii) For sources performing hard chromium electroplating, a statement of whether the owner or operator of an affected source(s) will limit the maximum potential cumulative rectifier capacity in accordance with §63.342(c)(2) such that the hard chromium electroplating facility is considered small; and
- (ix) A statement of whether the affected source is located at a major source or an area source as defined in §63.2.

(2) The owner or operator of a new or reconstructed affected source that has an initial startup after January 25, 1995 shall submit an initial notification (in addition to the notification of construction or reconstruction required by §63.345(b) as follows:

- (i) A notification of the date when construction or reconstruction was commenced, shall be submitted simultaneously with the notification of construction or reconstruction, if construction or reconstruction was commenced before January 25, 1995;
- (ii) A notification of the date when construction or reconstruction was commenced, shall be submitted no later than 30 calendar days after such date, if construction or reconstruction was commenced after January 25, 1995; and
- (iii) A notification of the actual date of startup of the source shall be submitted within 30 calendar days after such date.

(e) *Notification of compliance status.* (1) A notification of compliance status is required each time that an affected source becomes subject to the requirements of this subpart.

(2) If the State in which the source is located has not been delegated the authority to implement the rule, each time a notification of compliance status is required under this part, the owner or operator of an affected source shall submit to the Administrator a notification of compliance status, signed by the responsible official (as defined in §63.2) who shall certify its accuracy, attesting to whether the affected source has complied with this subpart. If the State has been delegated the authority, the notification of compliance status shall be submitted to the appropriate authority. The notification shall list for each affected source:

- (i) The applicable emission limitation and the methods that were used to determine compliance with this limitation;
- (ii) If a performance test is required by this subpart, the test report documenting the results of the performance test, which contains the elements required by §63.344(a), including measurements and calculations to support the special compliance provisions of §63.344(e) if these are being followed;

(iii) The type and quantity of hazardous air pollutants emitted by the source reported in mg/dscm or mg/hr if the source is using the special provisions of §63.344(e) to comply with the standards. (If the owner or operator is subject to the construction and reconstruction provisions of §63.345 and had previously submitted emission estimates, the owner or operator shall state that this report corrects or verifies the previous estimate.) For sources not required to conduct a performance test in accordance with §63.343(b), the surface tension measurement may fulfill this requirement;

(iv) For each monitored parameter for which a compliant value is to be established under §63.343(c), the specific operating parameter value, or range of values, that corresponds to compliance with the applicable emission limit;

(v) The methods that will be used to determine continuous compliance, including a description of monitoring and reporting requirements, if methods differ from those identified in this subpart;

(vi) A description of the air pollution control technique for each emission point;

(vii) A statement that the owner or operator has completed and has on file the operation and maintenance plan as required by the work practice standards in §63.342(f);

(viii) If the owner or operator is determining facility size based on actual cumulative rectifier capacity in accordance with §63.342(c)(2), records to support that the facility is small. For existing sources, records from any 12-month period preceding the compliance date shall be used or a description of how operations will change to meet a small designation shall be provided. For new sources, records of projected rectifier capacity for the first 12-month period of tank operation shall be used;

(ix) A statement by the owner or operator of the affected source as to whether the source has complied with the provisions of this subpart.

(3) For sources required to conduct a performance test by §63.343(b), the notification of compliance status shall be submitted to the Administrator no later than 90 calendar days following completion of the compliance demonstration required by §63.7 and §63.343(b).

(4) For sources that are not required to complete a performance test in accordance with §63.343(b), the notification of compliance status shall be submitted to the Administrator no later than 30 days after the compliance date specified in §63.343(a), except the date on which sources in California shall monitor the surface tension of the anodizing bath is extended to January 25, 1998.

(g) *Ongoing compliance status reports for major sources.* (1) The owner or operator of an affected source that is located at a major source site shall submit a summary report to the Administrator to document the ongoing compliance status of the affected source. The report shall contain the information identified in paragraph (g)(3) of this section, and shall be submitted semiannually except when:

(i) The Administrator determines on a case-by-case basis that more frequent reporting is necessary to accurately assess the compliance status of the source; or

(ii) The monitoring data collected by the owner or operator of the affected source in accordance with §63.343(c) show that the emission limit has been exceeded, in which case quarterly reports shall be submitted. Once an owner or operator of an affected source reports an exceedance, ongoing compliance status reports shall be submitted quarterly until a request to reduce reporting frequency under paragraph (g)(2) of this section is approved.

(2) *Request to reduce frequency of ongoing compliance status reports.* (i) An owner or operator who is required to submit ongoing compliance status reports on a quarterly (or more frequent basis) may reduce the frequency of reporting to semiannual if all of the following conditions are met:

(A) For 1 full year (e.g., 4 quarterly or 12 monthly reporting periods), the ongoing compliance status reports demonstrate that the affected source is in compliance with the relevant emission limit;

(B) The owner or operator continues to comply with all applicable recordkeeping and monitoring requirements of subpart A of this part and this subpart; and

(C) The Administrator does not object to a reduced reporting frequency for the affected source, as provided in paragraphs (g)(2) (ii) and (iii) of this section.

(ii) The frequency of submitting ongoing compliance status reports may be reduced only after the owner or operator notifies the Administrator in writing of his or her intention to make such a change, and the Administrator does not object to the intended change. In deciding whether to approve a reduced reporting frequency, the Administrator may review information concerning the source's entire previous performance history during the 5-year recordkeeping period prior to the intended change, or the recordkeeping period since the source's compliance date, whichever is shorter. Records subject to review may include performance test results, monitoring data, and evaluations of an owner or operator's conformance with emission limitations and work practice standards. Such information may be used by the Administrator to make a judgment about the source's potential for noncompliance in the future. If the Administrator disapproves the owner or operator's request to reduce reporting frequency, the Administrator will notify the owner or operator in writing within 45 days after receiving notice of the owner or operator's intention. The notification from the Administrator to the owner or operator will specify the grounds on which the disapproval is based. In the absence of a notice of disapproval within 45 days, approval is automatically granted.

(iii) As soon as the monitoring data required by §63.343(c) show that the source is not in compliance with the relevant emission limit, the frequency of reporting shall revert to quarterly, and the owner shall state this exceedance in the ongoing compliance status report for the next reporting period. After demonstrating ongoing compliance with the relevant emission limit for another full year, the owner or operator may again request approval from the Administrator to reduce the reporting frequency as allowed by paragraph (g)(2) of this section.

(3) *Contents of ongoing compliance status reports.* The owner or operator of an affected source for which compliance monitoring is required in accordance with §63.343(c) shall prepare a summary report to document the ongoing compliance status of the source. The report must contain the following information:

(i) The company name and address of the affected source;

(ii) An identification of the operating parameter that is monitored for compliance determination, as required by §63.343(c);

(iii) The relevant emission limitation for the affected source, and the operating parameter value, or range of values, that correspond to compliance with this emission limitation as specified in the notification of compliance status required by paragraph (e) of this section;

(iv) The beginning and ending dates of the reporting period;

(v) A description of the type of process performed in the affected source;

(vi) The total operating time of the affected source during the reporting period;

(vii) If the affected source is a hard chromium electroplating tank and the owner or operator is limiting the maximum cumulative rectifier capacity in accordance with §63.342(c)(2), the actual cumulative rectifier capacity expended during the reporting period, on a month-by-month basis;

(viii) A summary of operating parameter values, including the total duration of excess emissions during the reporting period as indicated by those values, the total duration of excess emissions expressed as a percent of the total source operating time during that reporting period, and a breakdown of the total duration of excess emissions during the reporting period into those that are due to process upsets, control equipment malfunctions, other known causes, and unknown causes;

(ix) A certification by a responsible official, as defined in §63.2, that the work practice standards in §63.342(f) were followed in accordance with the operation and maintenance plan for the source;

(x) If the operation and maintenance plan required by §63.342(f)(3) was not followed, an explanation of the reasons for not following the provisions, an assessment of whether any excess emission and/or parameter monitoring exceedances are believed to have occurred, and a copy of the report(s) required by §63.342(f)(3)(iv) documenting that the operation and maintenance plan was not followed;

(xi) A description of any changes in monitoring, processes, or controls since the last reporting period;

(xii) The name, title, and signature of the responsible official who is certifying the accuracy of the report; and

(xiii) The date of the report.

(4) When more than one monitoring device is used to comply with the continuous compliance monitoring required by §63.343(c), the owner or operator shall report the results as required for each monitoring device. However, when one monitoring device is used as a backup for the primary monitoring device, the owner or operator shall only report the results from the monitoring device used to meet the monitoring requirements of this subpart. If both devices are used to meet these requirements, then the owner or operator shall report the results from each monitoring device for the relevant compliance period.

(h) *Ongoing compliance status reports for area sources.* The requirements of this paragraph do not alleviate affected area sources from complying with the requirements of State or Federal operating permit programs under 40 CFR part 71.

(1) The owner or operator of an affected source that is located at an area source site shall prepare a summary report to document the ongoing compliance status of the affected source. The report shall contain the information identified in paragraph (g)(3) of this section, shall be completed annually and retained on site, and made available to the Administrator upon request. The report shall be completed annually except as provided in paragraph (h)(2) of this section.

(2) *Reports of exceedances.* (i) If both of the following conditions are met, semiannual reports shall be prepared and submitted to the Administrator:

(A) The total duration of excess emissions (as indicated by the monitoring data collected by the owner or operator of the affected source in accordance with §63.343(c)) is 1 percent or greater of the total operating time for the reporting period; and

(B) The total duration of malfunctions of the add-on air pollution control device and monitoring equipment is 5 percent or greater of the total operating time.

(ii) Once an owner or operator of an affected source reports an exceedance as defined in paragraph (h)(2)(i) of this section, ongoing compliance status reports shall be submitted semiannually until a request to reduce reporting frequency under paragraph (h)(3) of this section is approved.

(iii) The Administrator may determine on a case-by-case basis that the summary report shall be completed more frequently and submitted, or that the annual report shall be submitted instead of being retained on site, if these measures are necessary to accurately assess the compliance status of the source.

(3) *Request to reduce frequency of ongoing compliance status reports.* (i) An owner or operator who is required to submit ongoing compliance status reports on a semiannual (or more frequent) basis, or is required to submit its annual report instead of retaining it on site, may reduce the frequency of reporting to annual and/or be allowed to maintain the annual report onsite if all of the following conditions are met:

(A) For 1 full year (e.g., 2 semiannual or 4 quarterly reporting periods), the ongoing compliance status reports demonstrate that the affected source is in compliance with the relevant emission limit;

(B) The owner or operator continues to comply with all applicable recordkeeping and monitoring requirements of subpart A of this part and this subpart; and

(C) The Administrator does not object to a reduced reporting frequency for the affected source, as provided in paragraphs (h)(3) (ii) and (iii) of this section.

(ii) The frequency of submitting ongoing compliance status reports may be reduced only after the owner or operator notifies the Administrator in writing of his or her intention to make such a change, and the Administrator does not object to the intended change. In deciding whether to approve a reduced reporting frequency, the Administrator may review information concerning the source's previous performance history

during the 5-year recordkeeping period prior to the intended change, or the recordkeeping period since the source's compliance date, whichever is shorter. Records subject to review may include performance test results, monitoring data, and evaluations of an owner or operator's conformance with emission limitations and work practice standards. Such information may be used by the Administrator to make a judgement about the source's potential for noncompliance in the future. If the Administrator disapproves the owner or operator's request to reduce reporting frequency, the Administrator will notify the owner or operator in writing within 45 days after receiving notice of the owner or operator's intention. The notification from the Administrator to the owner or operator will specify the grounds on which the disapproval is based. In the absence of a notice of disapproval within 45 days, approval is automatically granted.

(iii) As soon as the monitoring data required by §63.343(c) show that the source is not in compliance with the relevant emission limit, the frequency of reporting shall revert to semiannual, and the owner shall state this exceedance in the ongoing compliance status report for the next reporting period. After demonstrating ongoing compliance with the relevant emission limit for another full year, the owner or operator may again request approval from the Administrator to reduce the reporting frequency as allowed by paragraph (h)(3) of this section.

§ 63.348 Implementation and enforcement.

(a) This subpart can be implemented and enforced by the U.S. EPA, or a delegated authority such as the applicable State, local, or Tribal agency. If the U.S. EPA Administrator has delegated authority to a State, local, or Tribal agency, then that agency, in addition to the U.S. EPA, has the authority to implement and enforce this subpart. Contact the applicable U.S. EPA Regional Office to find out if implementation and enforcement of this subpart is delegated to a State, local, or Tribal agency.

(b) In delegating implementation and enforcement authority of this subpart to a State, local, or Tribal agency under subpart E of this part, the authorities contained in paragraph (c) of this section are retained by the Administrator of U.S. EPA and cannot be transferred to the State, local, or Tribal agency.

(c) The authorities that cannot be delegated to State, local, or Tribal agencies are as specified in paragraphs (c)(1) through (4) of this section.

(1) Approval of alternatives to the requirements in §§63.340, 63.342(a) through (e) and (g), and 63.343(a).

(2) Approval of major alternatives to test methods under §63.7(e)(2)(ii) and (f), as defined in §63.90, and as required in this subpart.

(3) Approval of major alternatives to monitoring under §63.8(f), as defined in §63.90, and as required in this subpart.

(4) Approval of major alternatives to recordkeeping and reporting under §63.10(f), as defined in §63.90, and as required in this subpart.

[68 FR 37347, June 23, 2003]

Table 1 to Subpart N of Part 63—General Provisions Applicability to Subpart N

General provisions reference	Applies to subpart N	Comment
63.1(a)(1)	Yes	Additional terms defined in §63.341; when overlap between subparts A and N occurs, subpart N takes precedence.
63.1(a)(2)	Yes	

63.1(a)(3)	Yes	
63.1(a)(4)	Yes	Subpart N clarifies the applicability of each paragraph in subpart A to sources subject to subpart N.
63.1(a)(6)	Yes	
63.1(a)(7)	Yes	
63.1(a)(8)	Yes	
63.1(a)(10)	Yes	
63.1(a)(11)	Yes	§63.347(a) of subpart N also allows report submissions via fax and on electronic media.
63.1(a)(12)–(14)	Yes	
63.1(b)(1)	No	§63.340 of subpart N specifies applicability.
63.1(b)(2)	Yes	
63.1(b)(3)	No	This provision in subpart A is being deleted. Also, all affected area and major sources are subject to subpart N; there are no exemptions.
63.1(c)(1)	Yes	Subpart N clarifies the applicability of each paragraph in subpart A to sources subject to subpart N.
63.1(c)(2)	Yes	§63.340(e) of Subpart N exempts area sources from the obligation to obtain Title V operating permits.
63.1(c)(4)	Yes	
63.1(c)(5)	No	Subpart N clarifies that an area source that becomes a major source is subject to the requirements for major sources.
63.1(e)	Yes	
63.2	Yes	Additional terms defined in §63.341; when overlap between subparts A and N occurs, subpart N takes precedence.
63.3	Yes	Other units used in subpart N are defined in that subpart.
63.4	Yes	
63.5(a)	Yes	Except replace the term “source” and “stationary source” in §63.5(a) (1) and (2) of subpart A with “affected sources.”
63.5(b)(1)	Yes	
63.5(b)(3)	Yes	Applies only to major affected sources.
63.5(b)(4)	No	Subpart N (§63.345) specifies requirements for the notification of construction or reconstruction for affected sources that are not major.
63.5(b)(5)	Yes	
63.5(b)(6)	Yes	
63.5(d)(1)(i)	No	§63.345(c)(5) of subpart N specifies when the application or notification shall be submitted.

63.5(d)(1)(ii)	Yes	Applies to major affected sources that are new or reconstructed.
63.5(d)(1)(iii)	Yes	Except information should be submitted with the Notification of Compliance Status required by §63.347(e) of subpart N.
63.5(d)(2)	Yes	Applies to major affected sources that are new or reconstructed except: (1) replace “source” in §63.5(d)(2) of subpart A with “affected source”; and (2) actual control efficiencies are submitted with the Notification of Compliance Status required by §63.347(e).
63.5(d)(3)–(4)	Yes	Applies to major affected sources that are new or reconstructed.
63.5(e)	Yes	Applies to major affected sources that are new or reconstructed.
63.5(f)(1)	Yes	Except replace “source” in §63.5(f)(1) of subpart A with “affected source.”
63.5(f)(2)	No	New or reconstructed affected sources shall submit the request for approval of construction or reconstruction under §63.5(f) of subpart A by the deadline specified in §63.345(c)(5) of subpart N.
63.6(a)	Yes	
63.6(b)(1)–(2)	Yes	Except replace “source” in §63.6(b)(1)–(2) of part A with “affected source.”
63.6(b)(3)–(4)	Yes	
63.6(b)(5)	Yes	Except replace “source” in §63.6(b)(5) of subpart A with “affected source.”
63.6(b)(7)	No	Provisions for new area sources that become major sources are contained in §63.343(a)(4) of subpart N.
63.6(c)(1)–(2)	Yes	Except replace “source” in §63.6(c)(1)–(2) of subpart A with “affected source.”
63.6(c)(5)	No	Compliance provisions for existing area sources that become major sources are contained in §63.343(a)(3) of subpart N.
63.6(e)	No	§63.342(f) of subpart N contains work practice standards (operation and maintenance requirements) that override these provisions.
63.6(f)(1)	No	§63.342(b) of subpart N specifies when the standards apply.
63.6(f)(2)(i)–(ii)	Yes	
63.6(f)(2)(iii)	No	§63.344(b) of subpart N specifies instances in which previous performance test results for existing sources are acceptable.
63.6(f)(2)(iv)	Yes	
63.6(f)(2)(v)	Yes	
63.6(f)(3)	Yes	
63.6(g)	Yes	
63.6(h)	No	Subpart N does not contain any opacity or visible emission standards.
63.6(i)(1)	Yes	
63.6(i)(2)	Yes	Except replace “source” in §63.6(i)(2)(i) and (ii) of subpart A with “affected source.”
63.6(i)(3)	Yes	

63.6(i)(4)(i)	No	§63.343(a)(6) of subpart N specifies the procedures for obtaining an extension of compliance and the date by which such requests must be submitted.
63.6(i)(4)(ii)	Yes	
63.6(i)(5)	Yes	
63.6(i)(6)(i)	Yes	This paragraph only references “paragraph (i)(4) of this section” for compliance extension provisions. But, §63.343(a)(6) of subpart N also contains provisions for requesting a compliance extension.
63.6(i)(6)(ii)	Yes	
63.6(i)(7)	Yes	
63.6(i)(8)	Yes	This paragraph only references “paragraphs (i)(4) through (i)(6) of this section” for compliance extension provisions. But, §63.343(a)(6) of subpart N also contains provisions for requesting a compliance extension.
63.6(i)(9)	Yes	This paragraph only references “paragraphs (i)(4) through (i)(6) of this section” and “paragraphs (i)(4) and (i)(5) of this section” for compliance extension provisions. But, §63.343(a)(6) of subpart N also contains provisions for requesting a compliance extension.
63.6(i)(10)(i)–(iv)	Yes	
63.6(i)(10)(v)(A)	Yes	This paragraph only references “paragraph (i)(4)” for compliance extension provisions. But, §63.343(a)(6) of subpart N also contains provisions for requesting a compliance extension.
63.6(i)(10)(v)(B)	Yes	
63.6(i)(11)	Yes	
63.6(i)(12)(i)	Yes	This paragraph only references “paragraph (i)(4)(i) or (i)(5) of this section” for compliance extension provisions. But, §63.343(a)(6) of subpart N also contains provisions for requesting a compliance extension.
63.6(i)(12)(ii)–(iii)	Yes	
63.6(i)(13)	Yes	
63.6(i)(14)	Yes	
63.6(i)(16)	Yes	
63.6(j)	Yes	
63.7(a)(1)	Yes	
63.7(a)(2)(i)–(vi)	Yes	
63.7(a)(2)(ix)	Yes	
63.7(a)(3)	Yes	
63.7(b)(1)	No	§63.347(d) of subpart N requires notification prior to the performance test. §63.344(a) of subpart N requires submission of a site-specific test plan upon request.

63.7(b)(2)	Yes	
63.7(c)	No	§63.344(a) of subpart N specifies what the test plan should contain, but does not require test plan approval or performance audit samples.
63.7(d)	Yes	Except replace “source” in the first sentence of §63.7(d) of subpart A with “affected source.”
63.7(e)	Yes	Subpart N also contains test methods specific to affected sources covered by that subpart.
63.7(f)	Yes	§63.344(c)(2) of subpart N identifies CARB Method 425 as acceptable under certain conditions.
63.7(g)(1)	No	Subpart N identifies the items to be reported in the compliance test [§63.344(a)] and the timeframe for submitting the results [§63.347(f)].
63.7(g)(3)	Yes	
63.7(h)(1)–(2)	Yes	
63.7(h)(3)(i)	Yes	This paragraph only references “§63.6(i)” for compliance extension provisions. But, §63.343(a)(6) of subpart N also contains provisions for requesting a compliance extension.
63.7(h)(3)(ii)–(iii)	Yes	
63.7(h)(4)–(5)	Yes	
63.8(a)(1)	Yes	
63.8(a)(2)	No	Work practice standards are contained in §63.342(f) of subpart N.
63.8(a)(4)	No	
63.8(b)(1)	Yes	
63.8(b)(2)	No	§63.344(d) of subpart N specifies the monitoring location when there are multiple sources.
63.8(b)(3)	No	§63.347(g)(4) of subpart N identifies reporting requirements when multiple monitors are used.
63.8(c)(1)(i)	No	Subpart N requires proper maintenance of monitoring devices expected to be used by sources subject to subpart N.
63.8(c)(1)(ii)	No	§63.342(f)(3)(iv) of subpart N specifies reporting when the O&M plan is not followed.
63.8(c)(1)(iii)	No	§63.343(f)(2) identifies the criteria for whether O&M procedures are acceptable.
63.8(c)(2)–(3)	No	§63.344(d)(2) requires appropriate use of monitoring devices.
63.8(c)(4)–(7)	No	
63.8(d)	No	Maintenance of monitoring devices is required by §§63.342(f) and 63.344(d)(2) of subpart N.
63.8(e)	No	There are no performance evaluation procedures for the monitoring devices expected to be used to comply with subpart N.
63.8(f)(1)	Yes	

63.8(f)(2)	No	Instances in which the Administrator may approve alternatives to the monitoring methods and procedures of subpart N are contained in §63.343(c)(8) of subpart N.
63.8(f)(3)	Yes	
63.8(f)(4)	Yes	
63.8(f)(5)	Yes	
63.8(f)(6)	No	Subpart N does not require the use of CEM's.
63.8(g)	No	Monitoring data does not need to be reduced for reporting purposes because subpart N requires measurement once/day.
63.9(a)	Yes	
63.9(b)(1)(i)–(ii)	No	§63.343(a)(3) of subpart N requires area sources to comply with major source provisions if an increase in HAP emissions causes them to become major sources.
63.9(b)(1)(iii)	No	§63.347(c)(2) of subpart N specifies initial notification requirements for new or reconstructed affected sources.
63.9(b)(2)	No	§63.347(c)(1) of subpart N specifies the information to be contained in the initial notification.
63.9(b)(3)	No	§63.347(c)(2) of subpart N specifies notification requirements for new or reconstructed sources that are not major affected sources.
63.9(b)(4)	No	
63.9(b)(5)	No	
63.9(c)	Yes	This paragraph only references “§63.6(i)(4) through §63.6(i)(6)” for compliance extension provisions. But, §63.343(a)(6) of subpart N also contains provisions for requesting a compliance extension. Subpart N provides a different timeframe for submitting the request than §63.6(i)(4).
63.9(d)	Yes	This paragraph only references “the notification dates established in paragraph (g) of this section.” But, §63.347 of subpart N also contains notification dates.
63.9(e)	No	Notification of performance test is required by §63.347(d) of subpart N.
63.9(f)	No	
63.9(g)	No	Subpart N does not require a performance evaluation or relative accuracy test for monitoring devices.
63.9(h)(1)–(3)	No	§63.347(e) of subpart N specifies information to be contained in the notification of compliance status and the timeframe for submitting this information.
63.9(h)(5)	No	Similar language has been incorporated into §63.347(e)(2)(iii) of subpart N.
63.9(h)(6)	Yes	
63.9(i)	Yes	
63.9(j)	Yes	
63.10(a)	Yes	

63.10(b)(1)	Yes	
63.10(b)(2)	No	§63.346(b) of subpart N specifies the records that must be maintained.
63.10(b)(3)	No	Subpart N applies to major and area sources.
63.10(c)	No	Applicable requirements of §63.10(c) have been incorporated into §63.346(b) of subpart N.
63.10(d)(1)	Yes	
63.10(d)(2)	No	§63.347(f) of subpart N specifies the timeframe for reporting performance test results.
63.10(d)(3)	No	Subpart N does not contain opacity or visible emissions standards.
63.10(d)(4)	Yes	
63.10(d)(5)	No	§63.342(f)(3)(iv) and §63.347(g)(3) of subpart N specify reporting associated with malfunctions.
63.10(e)	No	§63.347(g) and (h) of subpart N specify the frequency of periodic reports of monitoring data used to establish compliance. Applicable requirements of §63.10(e) have been incorporated into §63.347(g) and (h).
63.10(f)	Yes	
63.11	No	Flares will not be used to comply with the emission limits.
63.12–63.15	Yes	

[60 FR 4963, Jan. 25, 1995, as amended at 61 FR 27787, June 3, 1996; 70 FR 75345, Dec. 19, 2005]

INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

**OFFICE OF AIR QUALITY
COMPLIANCE AND ENFORCEMENT BRANCH**

**MINOR SOURCE OPERATING PERMIT
ANNUAL NOTIFICATION**

This form should be used to comply with the notification requirements under 326 IAC 2-6.1-5(a)(5).

Company Name:	Ditto Sales, Inc.
Address:	1817 W. Virginia St
City:	Evansville, Indiana 47712
Phone #:	812-482-9318
MSOP #:	M 163-21533-00126

I hereby certify that Ditto Sales, Inc. is :

still in operation.

I hereby certify that Ditto Sales, Inc. is :

no longer in operation.

in compliance with the requirements of MSOP M 163-21533-00126.

not in compliance with the requirements of MSOP M 163-21533-00126.

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

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

Noncompliance:

MALFUNCTION REPORT

INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT OFFICE OF AIR QUALITY FAX NUMBER - 317 233-6865

This form should only be used to report malfunctions applicable to Rule 326 IAC 1-6 and to qualify for the exemption under 326 IAC 1-6-4.

THIS FACILITY MEETS THE APPLICABILITY REQUIREMENTS BECAUSE IT HAS POTENTIAL TO EMIT 25 TONS/YEAR PARTICULATE MATTER ?_____, 25 TONS/YEAR SULFUR DIOXIDE ?_____, 25 TONS/YEAR NITROGEN OXIDES?_____, 25 TONS/YEAR VOC ?_____, 25 TONS/YEAR HYDROGEN SULFIDE ?_____, 25 TONS/YEAR TOTAL REDUCED SULFUR ?_____, 25 TONS/YEAR REDUCED SULFUR COMPOUNDS ?_____, 25 TONS/YEAR FLUORIDES ?_____, 100 TONS/YEAR CARBON MONOXIDE ?_____, 10 TONS/YEAR ANY SINGLE HAZARDOUS AIR POLLUTANT ?_____, 25 TONS/YEAR ANY COMBINATION HAZARDOUS AIR POLLUTANT ?_____, 1 TON/YEAR LEAD OR LEAD COMPOUNDS MEASURED AS ELEMENTAL LEAD ?_____, OR IS A SOURCE LISTED UNDER 326 IAC 2-5.1-3(2) ?_____. EMISSIONS FROM MALFUNCTIONING CONTROL EQUIPMENT OR PROCESS EQUIPMENT CAUSED EMISSIONS IN EXCESS OF APPLICABLE LIMITATION _____.

THIS MALFUNCTION RESULTED IN A VIOLATION OF: 326 IAC _____ OR, PERMIT CONDITION # _____ AND/OR PERMIT LIMIT OF _____

THIS INCIDENT MEETS THE DEFINITION OF "MALFUNCTION" AS LISTED ON REVERSE SIDE ? Y N

THIS MALFUNCTION IS OR WILL BE LONGER THAN THE ONE (1) HOUR REPORTING REQUIREMENT ? Y N

COMPANY: _____ PHONE NO. () _____
LOCATION: (CITY AND COUNTY) _____
PERMIT NO. _____ AFS PLANT ID: _____ AFS POINT ID: _____ INSP: _____
CONTROL/PROCESS DEVICE WHICH MALFUNCTIONED AND REASON: _____

DATE/TIME MALFUNCTION STARTED: ____/____/20____ ____ AM / PM

ESTIMATED HOURS OF OPERATION WITH MALFUNCTION CONDITION: _____

DATE/TIME CONTROL EQUIPMENT BACK-IN SERVICE ____/____/20____ ____ AM/PM

TYPE OF POLLUTANTS EMITTED: TSP, PM-10, SO2, VOC, OTHER: _____

ESTIMATED AMOUNT OF POLLUTANT EMITTED DURING MALFUNCTION: _____

MEASURES TAKEN TO MINIMIZE EMISSIONS: _____

REASONS WHY FACILITY CANNOT BE SHUTDOWN DURING REPAIRS:

CONTINUED OPERATION REQUIRED TO PROVIDE ESSENTIAL* SERVICES: _____

CONTINUED OPERATION NECESSARY TO PREVENT INJURY TO PERSONS: _____

CONTINUED OPERATION NECESSARY TO PREVENT SEVERE DAMAGE TO EQUIPMENT: _____

INTERIM CONTROL MEASURES: (IF APPLICABLE) _____

MALFUNCTION REPORTED BY: _____ TITLE: _____
(SIGNATURE IF FAXED)

MALFUNCTION RECORDED BY: _____ DATE: _____ TIME: _____

*SEE PAGE 2

**Please note - This form should only be used to report malfunctions
applicable to Rule 326 IAC 1-6 and to qualify for
the exemption under 326 IAC 1-6-4.**

326 IAC 1-6-1 Applicability of rule

Sec. 1. This rule applies to the owner or operator of any facility required to obtain a permit under 326 IAC 2-5.1 or 326 IAC 2-6.1.

326 IAC 1-2-39 "Malfunction" definition

Sec. 39. Any sudden, unavoidable failure of any air pollution control equipment, process, or combustion or process equipment to operate in a normal and usual manner.

***Essential services** are interpreted to mean those operations, such as, the providing of electricity by power plants. Continued operation solely for the economic benefit of the owner or operator shall not be sufficient reason why a facility cannot be shutdown during a control equipment shutdown.

If this item is checked on the front, please explain rationale:

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

**MINOR SOURCE OPERATING PERMIT
CHROMIUM ELECTROPLATING NESHAP
ONGOING COMPLIANCE STATUS REPORT**

Source Name: Ditto Sales
Source Address: 1817 W. Virginia St., Evansville, Indiana 47712
Minor Source Operating Permit No.: 163-21533-00126

Tank ID #: 26
Type of process: Decorative chromium plating
Monitoring Parameter: Surface tension of the electroplating bath
Parameter Value: 45 dynes per centimeter
Limits: Total chromium concentration may not exceed 0.01 mg/dscm.

This form is to be used to report compliance for the Chromium Electroplating NESHAP only.
The frequency for completing this report may be altered by the IDEM, OAQ, Compliance Branch.

submit this report no later than 30 days after the end of the reporting period.

This form consists of 2 pages

Page 1 of 2

BEGINNING AND ENDING DATES OF THE REPORTING PERIOD:
TOTAL OPERATING TIME OF THE TANK DURING THE REPORTING PERIOD:

MAJOR AND AREA SOURCES: CHECK ONE	
<input type="checkbox"/>	NO DEVIATIONS OF THE MONITORING PARAMETER ASSOCIATED WITH THIS TANK FROM THE COMPLIANT VALUE OR RANGE OF VALUES OCCURRED DURING THIS REPORTING PERIOD.
<input type="checkbox"/>	THE MONITORING PARAMETER DEVIATED FROM THE COMPLIANT VALUE OR RANGE OF VALUES DURING THIS REPORTING PERIOD (THUS INDICATING THE EMISSION LIMITATION MAY HAVE BEEN EXCEEDED, WHICH COULD RESULT IN MORE FREQUENT REPORTING).

AREA (I.E., NON-MAJOR) SOURCES OF HAP ONLY: IF DEVIATIONS OCCURRED, LIST THE AMOUNT OF TANK OPERATING TIME EACH MONTH THAT MONITORING RECORDS SHOW THE MONITORING PARAMETER DEVIATED FROM THE COMPLIANT VALUE OR RANGE OF VALUES.			
JAN	APR	JUL	OCT
FEB	MAY	AUG	NOV
MAR	JUN	SEP	DEC

CHROMIUM ELECTROPLATING NESHAP ONGOING COMPLIANCE STATUS REPORT

HARD CHROME TANKS / MAXIMUM RECTIFIER CAPACITY LIMITED IN ACCORDANCE WITH 40 CFR 63.342(c)(2) ONLY: LIST THE ACTUAL AMPERE-HOURS CONSUMED (BASED ON AN AMP-HR METER) BY THE INDIVIDUAL TANK.			
JAN	APR	JUL	OCT
FEB	MAY	AUG	NOV
MAR	JUN	SEP	DEC

ATTACH A SEPARATE PAGE IF NEEDED

IF THE OPERATION AND MAINTENANCE PLAN REQUIRED BY 40 CFR 63.342 (f)(3) WAS NOT FOLLOWED, PROVIDE AN EXPLANATION OF THE REASONS FOR NOT FOLLOWING THE PLAN AND DESCRIBE THE ACTIONS TAKEN FOR THAT EVENT:
DESCRIBE ANY CHANGES IN TANKS, RECTIFIERS, CONTROL DEVICES, MONITORING, ETC. SINCE THE LAST STATUS REPORT:
ADDITIONAL COMMENTS:

ALL SOURCES: CHECK ONE
<input type="checkbox"/> I CERTIFY THAT THE WORK PRACTICE STANDARDS IN 40 CFR 63.342(f) WERE FOLLOWED IN ACCORDANCE WITH THE OPERATION AND MAINTENANCE PLAN ON FILE; AND, THAT THE INFORMATION CONTAINED IN THIS REPORT IS ACCURATE AND TRUE TO THE BEST OF MY KNOWLEDGE.
<input type="checkbox"/> THE WORK PRACTICE STANDARDS IN 40 CFR 63.342(f) WERE NOT FOLLOWED IN ACCORDANCE WITH THE OPERATION AND MAINTENANCE PLAN ON FILE, AS EXPLAINED ABOVE AND/OR ON ATTACHED.

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

Company Name: Ditto Sales, Inc.
 Address City IN Zip: 1817 W. Virginia St. Evansville IN 47712
 Notice-Only Change No: 163-31242-00126
 Reviewer: Marcia Earl
 Date: December 2011

Uncontrolled Emissions

Emission Units	PM	PM ₁₀	PM _{2.5}	SO ₂	VOC	CO	CO _{2e}	NO _x	TOTAL HAPs	WORST CASE SINGLE HAP
Process Operation	0.92	0.92	0.92	0.00	0.00	0.00	0	0.00	0.00	--
Facility Operation	0.00	0.00	0.00	0.00	0.00	0.00	0	0.00	2.07	Nickle
Combustion	0.00	0.00	0.00	0.00	0.00	0.00	0	0.00	0.00	--
Total	0.92	0.92	0.92	0.00	0.00	0.00	0	0.00	2.07	Nickle

Controlled Emissions

Emission Units	PM	PM ₁₀	PM _{2.5}	SO ₂	VOC	CO	CO _{2e}	NO _x	TOTAL HAPs	WORST CASE SINGLE HAP
Process Operation	0.184	0.184	0.184	0.00	0.00	0.00	0	0.00	0.00	--
Facility Operation	0.00	0.00	0.00	0.00	0.00	0.00	0	0.00	2.07	Nickle
Combustion	0.00	0.00	0.00	0.00	0.00	0.00	0	0.00	0.00	--
Total	0.18	0.18	0.18	0.00	0.00	0.00	0	0.00	2.07	Nickle

Appendix A: Emission Calculations

Process Operations

Company Name: Ditto Sales, Inc.
 Address City IN Zip: 1817 W. Virginia St. Evansville IN 47712
 Notice-Only Change No.: 163-31242-00126
 Reviewer: Marcia Earl
 Date: December 2011

Emission Unit	Material (lbs/unit)	Max (units/hour)	Utilization Rate***	PM/PM ₁₀ (tons/year)	Controlled PM/PM ₁₀ (tons/year)
Powder Spray Booth	0.021	200	95%	0.92	0.184

Methodology

***Emission calculations are based on AP-42 4.2.2.12 1980

Tons of PM/PM₁₀ per year = lbs of material per unit (lbs/unit) * max number of units / hour (units/hr) * (1-utilization rate/100) * (8760 hr/yr) * (1ton/2000lbs)

Lbs of PM/PM₁₀ per hour = lbs of material per unit (lbs/unit) * max number of units / hour (units/hr) * (1-utilization rate/100)

Limited Tons of PM/PM₁₀ = lbs of material per unit (lbs/unit) * max number of units / hour (units/hr) * (1-utilization rate/100) * (8760 hr/yr) * (1ton/2000lbs) * (1-.80)

Appendix A: Emission Calculations

Facility Operations

Company Name: Ditto Sales, Inc.
 Address City IN Zip: 1817 W. Virginia St. Evansville 47712
 Notice-Only Change No.: 163-31242-00126
 Reviewer: Marcia Earl
 Date: December 2011

	Emission Factor (grains per Amp hour)***	Maximum Amperage (Amp)	Nickle emissions (tons/year)	Chromium emissions (tons/year)	Total HAPs emissions (tons/year)
Nickel Tank	0.63	2500	0.99	0.00	0.99
Nickel Tank	0.63	2500	0.99	0.00	0.99
Chromium Tank	0.033	5000	0.0	0.103	0.103
Total Emissions			1.97	0.103	2.07

Methodology

***Emission Calculations are based on AP-42 - Page 12.20 (Supplement B 7/96)

Potential Ni emissions (tons/year) = emission factor * Maximum Amperage * 8760 hrs/yr * 1 ton / 2000 lbs * 1 lb / 7000 grains.

Potential Chromium emissions (tons/year) = emission factor * Maximum Amperage * 60 minutes/hr * 8760 hrs/yr * 1 ton / 2000 lbs * 1 lb / 7000 grains.

Appendix A: Emissions Calculations

Natural Gas Combustion Only

MM BTU/HR <100

Greenhouse Gas Emissions

Company Name: Ditto Sales, Inc.

Address City IN Zip: 1817 W. Virginia St. Evansville 47712

Notice-Only Change No.: 163-31242-00126

Reviewer: Marcia Earl

Date: December 2011

Heat Input Capacity MMBtu/hr	HHV mmBtu mmscf	Potential Throughput MMCF/yr
0.0	1000	0.0

	Greenhouse Gas		
	CO2	CH4	N2O
Emission Factor in lb/MMcf	120,000	2.3	2.2
Potential Emission in tons/yr	0	0.0	0.0
Summed Potential Emissions in tons/yr	0		
CO2e Total in tons/yr	0		

Methodology

The N2O Emission Factor for uncontrolled is 2.2. The N2O Emission Factor for low Nox burner is 0.64.
 Emission Factors are from AP 42, Table 1.4-2 SCC #1-02-006-02, 1-01-006-02, 1-03-006-02, and 1-03-006-03.
 Greenhouse Warming Potentials (GWP) from Table A-1 of 40 CFR Part 98 Subpart A.
 Emission (tons/yr) = Throughput (MMCF/yr) x Emission Factor (lb/MMCF)/2,000 lb/ton
 CO2e (tons/yr) = CO2 Potential Emission ton/yr x CO2 GWP (1) + CH4 Potential Emission ton/yr x



INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

We Protect Hoosiers and Our Environment.

Mitchell E. Daniels Jr.
Governor

Thomas W. Easterly
Commissioner

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

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

TO: John Evans
Ditto Sales, Inc.
1817 W Virginia Street
Evansville, IN 47712

DATE: December 29, 2011

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

SUBJECT: Final Decision
Notice-Only Change
163-31242-00126

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:
Bob Jahn – Manufacturing Engineer
OAQ Permits Branch Interested Parties List

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

Final Applicant Cover letter.dot 11/30/07

Mail Code 61-53

IDEM Staff	GHOTOPP 12/29/2011 Ditto Sales, Inc. 163-31242-00126 Final		Type of Mail: CERTIFICATE OF MAILING ONLY	AFFIX STAMP HERE IF USED AS CERTIFICATE OF MAILING
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1		John Evans Ditto Sales, Inc. 1817 W Virginia St Evansville IN 47712 (Source CAATS) via confirmed delivery										
2		Bob Jahn VP - Mfg Engineering Ditto Sales, Inc. 2332 Cathy Lane Evansville IN 47546 (RO CAATS)										
3		Evansville City Council and Mayors Office 1NW MLK Blvd, Rm 302 Evansville IN 47708 (Local Official)										
4		Vanderburgh County Commissioners 1 NW MLK Blvd, Rm 305 Evansville IN 47708 (Local Official)										
5		Mr. Charles L. Berger Berger & Berger, Attorneys at Law 313 Main Street Evansville IN 47700 (Affected Party)										
6		Mr. Wendell Hibdon Plumbers & Steam Fitters Union, Local 136 2300 St. Joe Industrial Park Dr Evansville IN 47720 (Affected Party)										
7		Mr. Don Mottley Save Our Rivers 6222 Yankeetown Hwy Boonville IN 47601 (Affected Party)										
8		Vanderburgh County Health Dept. 420 Milberry Street Evansville IN 47713-1888 (Health Department)										
9		Kim Sherman 3355 Woodview Drive Newburgh IN 47630 (Affected Party)										
10		Mr. John Blair 800 Adams Ave Evansville IN 47713 (Affected Party)										
11		Evansville EPA 100 E. Walnut St. Suite 100, Newsome Center Evansville IN 47713 (Local Official)										
12												
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