



# INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

*We Protect Hoosiers and Our Environment.*

*Mitchell E. Daniels Jr.*  
Governor

*Thomas W. Easterly*  
Commissioner

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

TO: Interested Parties / Applicant

DATE: July 25, 2012

RE: Cook Incorporated / 105 - 32055I - 00030

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

## Notice of Decision: Approval - Effective Immediately

Please be advised that on behalf of the Commissioner of the Department of Environmental Management, I have issued a decision regarding the enclosed matter. Pursuant to IC 13-15-5-3, this permit is effective immediately, unless a petition for stay of effectiveness is filed and granted according to IC 13-15-6-3, and may be revoked or modified in accordance with the provisions of IC 13-15-7-1.

If you wish to challenge this decision, IC 4-21.5-3 and IC 13-15-6-1 require 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 of 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.dot12/03/07



# INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

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[www.idem.IN.gov](http://www.idem.IN.gov)

July 25, 2012

Larry Price  
Cook Incorporated  
6330 North Matthews Drive  
Ellettsville, IN 47429

Re: Interim Significant Permit Revision Petition Approval  
105-320551-00030

Dear Mr. Price:

On June 27, 2012, the Office of Air Quality (OAQ) received an interim Significant Permit Revision petition from Cook Incorporated, located at 6300 North Matthews Drive, Ellettsville, Indiana for construction of two (2) new ethylene oxide sterilization units.

A public notice of the interim Significant Permit Revision petition was published in The Herald-Times on July 5, 2012. The public comment period ended on July 19, 2012.

Since there are no comments received during the public comment period, pursuant to 326 IAC 2-13-1(i), the interim Significant Permit Revision petition is in effect upon issuance and will expire on the effective date of the final Significant Permit Revision permit.

Pursuant to 326 IAC 2-13-1(i), the interim Significant Permit Revision petition is in effect upon issuance and will expire on the effective date of the final Significant Permit Revision permit.

The interim Significant Permit Revision petition may be revoked after its effective date upon a written finding by the Indiana Department of Environmental Management (IDEM) that any of the reasons for denial in 326 IAC 2-13-1(h) exist or if the final Significant Permit Revision permit is denied. The IDEM has reviewed this interim Significant Permit Revision petition and has not found any such reason. The facilities specified in the interim Significant Permit Revision petition may not operate until the final Significant Permit Revision permit is issued by OAQ.

The interim Significant Permit Revision petition is federally enforceable. Detailed construction and operation conditions will be specified in the final Significant Permit Revision permit 105-320551-00030.

If you have any questions regarding this interim Significant Permit Revision petition, please contact Sarah Street, OAQ, 100 North Senate Avenue, MC 61-53, Room 1003, Indianapolis, Indiana, 46204-2251, or call at (800) 451-6027, and ask for Sarah Street or extension 2-8427, or dial (317) 232-8427.

Sincerely,

Matthew Stuckey, Branch Chief  
Permits Branch  
Office of Air Quality

Enclosure: Interim Permit Evaluation (4 pages)

MS/ss

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

## Indiana Department of Environmental Management Office of Air Management

### Interim Significant Permit Revision / Significant Source Modification Evaluation Sheet

<b>Company Name:</b> Cook Incorporated	
<b>Location:</b> Ellettsville, Indiana	<b>Permit No:</b> 105-32055i-00030
<b>Permit Reviewer:</b> Sarah Street	<b>Date Receipt of Application:</b> 6/27/12
	<b>Date of review:</b> 7/23/12
<b>Description of the interim construction:</b> The source has applied to construct two (2) new ethylene oxide sterilization units. The new sterilizers are controlled by wet acid scrubbing and chemical absorption (dry bed reaction), and are also subject to a NESHAP.	
<b>Public Notice Period</b> = 7/5/2012 to 7/19/2012	
<b>Public Notice Date + 3 days = 17 days =</b> 7/22/12	

Interim Petition Applicability: 326 IAC 2-13-1

- (a) Existing Source with valid permit;
- (b) Exemptions:
  - (1) construction of a PSD source or PSD modification;
  - (2) construction or modification in nonattainment area that would emit those pollutants for which the nonattainment designation is based.
  - (3) any modification subject to 326 IAC 2-4.1.
- (c) Public notice comment period is 14 calendar days.

**Instructions: Check (✓) appropriate answers and make a recommendation.**

1. Did the applicant submit a written petition for an interim significant permit revision or significant source modification?

- Yes Go to question 2.  
 No Ignore verbal request.

2. Did the applicant pay the applicable interim permit fee? \$625 for TV, FESOP, and SSOA. \$500 for MSOP.

- Yes Go to question 3.  
 No Deny the application, pursuant to 326 IAC 2-13-1(c)(1).

Comments: \_\_\_\_\_

3. Did the applicant state acceptance of federal enforceability of an interim significant permit revision or significant source modification?

- Yes Go to question 4.  
 No Deny the application, pursuant to 326 IAC 2-13-1(c)(2)(D).

4. Did the applicant or its authorized agent sign the application?

- Yes Go to question 5.  
 No Deny the application, pursuant to 326 IAC 2-13-1(c)(2)(E).

5. Did the applicant submit a notarized affidavit stating that the applicant will proceed at its own risk (if the interim significant permit revision or significant source modification is issued), including, but not limited to:

- (a) Financial risk,
- (b) Risk that additional emission controls may be required,
- (c) Risk that the final significant permit revision or significant source modification may be denied.

- Yes Go to question 6.
- No Deny the application, pursuant to 326 IAC 2-13-1(c)(2)(F).

6. Did the applicant begin construction prior to submitting the interim significant permit revision or significant source modification application?

- Yes Deny the application, pursuant to 326 IAC 2-13-1(h)(6).
- No Go to question 7.

7. What is the type of the interim construction?

- New Source Deny the application, pursuant to 326 IAC 2-13-1(a)
- Modification to an existing source Go to question 8.

8. Did the applicant present data in the interim significant permit revision or significant source modification that is sufficient to determine PSD, NSPS, NESHAP, and state rule compliance?

- Yes Go to question 9.
- No Deny the application pursuant to:  
326 IAC 2-13-1(c)(2)(B), for PSD;  
326 IAC 2-13-1(c)(2)(C), for NSPS or NESHAP;  
326 IAC 2-13-1(c)(2)(C), for state rules.

9. Is the proposed modification to be located in a nonattainment area?

- Yes Go to question 10.
- No Go to question 11.

County: Monroe County

Comments: \_\_\_\_\_

10. Will the proposed modification emit the pollutant for which the area is nonattainment in quantities greater than the significant levels?

- Yes Deny the application, pursuant to 326 IAC 2-13-1(a)(2).
- No Go to question 11.

11. Did the petition include a complete description of the process?

- Yes Go to question 12.
- No Deny the petition, pursuant to 326 IAC 2-13-1(c)(2).

12. Did the interim significant permit revision or significant source modification petition contain conditions accepting either emission controls (baghouse, afterburners, scrubbers, etc.) or enforceable limits or other suitable restriction to avoid PSD applicability; as well as control parameters (incinerator operating temperature, baghouse pressure drop, etc.)? The specific limits must be explicitly spelled out (i.e.: The gas consumption of the boiler shall not exceed 29 million cubic feet per month.) A statement such as that the company agrees to conditions such that PSD rules are not applicable is not acceptable.

- Yes Go to question 13.
- No Deny the application, pursuant to 326 IAC 2-13-1(c)(2)(B).

13. Do the emission controls and/or throughput limits prevent PSD applicability?  
 Yes Go to question 14.  
 No Deny the application, pursuant to 326 IAC 2-13-1(c)(2)(B).
14. Will the modification, after application of all emission controls and/or throughput limitations comply with all applicable New Source Performance Standards (NSPS) (40 CFR 60)?  
 Yes Go to question 15.  
 No Deny the application, pursuant to 326 IAC 2-13-1(c)(2)(C).
15. Will the modification, after application of all emission controls and/or throughput limitations comply with all applicable National Emission Standards for Hazardous Air Pollutants (NESHAP)?  
 Yes Go to question 16.  
 No Deny the application, pursuant to 326 IAC 2-13-1(c)(2)(C).
16. Will the modification, after application of all emission controls and/or throughput limitations, comply with all applicable state rules?  
 Yes Go to question 17.  
 No Deny the application, pursuant to 326 IAC 2-13-1(c)(2)(C).
17. Does the applicant dispute applicability of any applicable state or federal rule?  
 Yes Deny the application, pursuant to 326 IAC 2-13-1(c)(2)(C).  
 No Go to question 18.
18. Is there good reason to believe that the applicant does not intend to construct in accordance with the interim significant permit revision or significant source modification petition?  
 Yes Deny the application, pursuant to 326 IAC 2-13-1(h)(1).  
 No Go to question 19.
19. Is there good reason to believe that information in the petition has been falsified?  
 Yes Deny the application, pursuant to 326 IAC 2-13-1(h)(7).  
 No Approve the interim significant permit revision or significant source modification petition.
20. Has the petition been adequately public noticed? A proof of publication copy is necessary.  
 Yes Go to question 21.  
 No Deny the application, pursuant to 326 IAC 2-13-1(e).
- Newspaper: The Herald Times, Bloomington, Indiana
- Date of publication: 7/5/2012
21. Were comments received within seventeen (17) days after the public notice of the interim significant permit revision or significant source modification?  
(14 calendar days for comment period + 3 working days for mailing)  
 Yes Evaluate the comments received, and make a recommendation.  
 No Issue the final interim significant permit revision or significant source modification approval.

Comments: \_\_\_\_\_  
\_\_\_\_\_

Recommendation: \_\_\_\_\_

Date the applicant was informed of the decision: \_\_\_\_\_

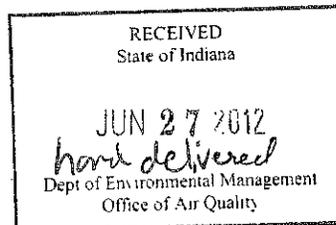
Method of informing the applicant: \_\_\_\_\_

105-32055I-00030

Taft/

Taft Stettinius & Hollister LLP  
One Indiana Square, Suite 3500 / Indianapolis, IN 46204-2023 / Tel: 317.713.3500 / Fax: 317.713.3699 / www.taftlaw.com  
Cincinnati / Cleveland / Columbus / Dayton / Indianapolis / Northern Kentucky / Phoenix

Lawrence A. Vanore  
317-713-3524  
lvanore@taftlaw.com



June 18, 2012

IDEM Air Permit Administration  
ATTN: Incoming Applications  
100 North Senate Avenue  
MC 61-53 ICGN 1003  
Indianapolis, Indiana 46204-2251

Re: Application for Source and FESOP No. 27381 Modification, Confidentiality Claim and Petition for Interim Approval, for existing Cook Incorporated Sterilization Facility. 6330 North Matthews Drive, Ellettsville, Indiana 47429

To Whom it May Concern:

On behalf of Cook Incorporated, we are submitting the enclosed application for a Significant Source and Permit Modification for a proposed expansion of sterilization operations at Cook's Ellettsville North facility, Ellettsville, Indiana. In addition, Cook is making a confidentiality claim for certain information in the application pursuant to 326 IAC 17.1-5-1, and is submitting a petition for interim approval of the modification pursuant to 326 IAC 2-13. We are submitting a check for \$625.00 for the interim approval petition.

#### Introduction

The proposed modification consists of adding two new sterilizers. Because the sterilizers use ethylene oxide (ETO), a VOC as well as a HAP, 326 IAC 8-1-6 applies since potential uncontrolled emissions of VOCs from the modification exceed 25 tons per year. The applicability of 325 IAC 8-1-6 is the only reason the FESOP modification is considered significant. The potential to emit as defined in the air permit rules is limited by an applicable NESHAP and control requirements on the existing permit; actual as well as potential new emissions of ETO from the modification will be about 300 pounds per year.

Because aspects of the production processes are trade secrets, which has been recognized by IDEM in past air permits for this source, Cook is submitting a confidentiality claim pursuant to 326 IAC 17.1-4. This confidentiality claim is submitted concurrent with and as an integral part of this source and FESOP modification application.

Confidentiality Claim Pursuant to 326 IAC 17.1-4.

As required by 326 IAC 17.1-4-1, Cook provides the following information in support of its confidentiality claim:

1. The information claimed to be confidential is stamped "confidential" on the appropriate pages in the enclosed application. Cook is submitting both confidential and public versions of the application.
2. The information claimed as confidential consists of trade secrets and confidential business information (CBI). The trade secrets are information provided by Vacudyne, the manufacturer of the sterilizers, and Atlantic Technologies, which designed the treatment system for ETO emissions. In both cases, the trade secrets involve proprietary information regarding the design and function of products and technologies created by the two companies, including engineering drawings and descriptions of specialized proprietary software. Were this information made public, both Vacudyne and Atlantic Technologies would suffer a competitive disadvantage. In addition, Cook is contractually obligated to maintain the confidentiality of the information.

Cook also asserts that certain information in the application constitutes CBI. This information consists of details concerning Cook's production processes, the size of the product batches and pallets processed in the sterilizers, and overall production levels. Cook is not claiming confidential treatment of emission data or the amounts of ETO used for sterilization. However, information concerning pallet size and the numbers of pallets and batches that can be processed in each sterilizer would allow Cook's competitors to determine the types and volumes of products sterilized, placing Cook at a competitive disadvantage. Cook's sterilization processes are unique and set Cook apart from its competitors. For these reasons, Cook requires visitors to its Ellettsville North facility who view the sterilization process to sign a confidentiality agreement. Since the information Cook claims as CBI appears throughout the introductory portions of the application, the introductory text should be treated as confidential in its entirety. It should be noted that the permit application forms themselves are not confidential.

3. All of the information designated as confidential in the modification application has been determined to be confidential by IDEM previously, in Cook's initial FESOP application and in three subsequent FESOP renewals.

4. The portions of the FESOP modification application claimed as confidential are designated with a red CONFIDENTIAL stamp in the original application on the appropriate pages and the cover.
5. Cook requests that the confidential information remain confidential for the maximum time permitted by law.
6. Cook is required to submit the information claimed as confidential by the rules governing FESOP modifications at 326 IAC 2-8. IDEM requires such information to verify Cook's emission calculations and to determine that the treatment systems will meet applicable NESHAP and BACT requirements at 40 CFR Part 63, Subpart O and 326 IAC 8-1-6. Facts demonstrating that the information may be treated as confidential under IC 5-14-3-4(b) are set forth above.

Petition for Interim Approval Under 326 IAC 2-13

THE PETITION FOR INTERIM APPROVAL IS SUBJECT TO THE APPROVAL PROCEDURES UNDER 326 IAC 2-13-1(d)

Cook's petition for interim approval should be acted upon no later than 19 days from the date of submission, and does not require public notice and comment, because Cook meets three of the criteria for a minor FESOP modification under 328 IAC 2-8-11.1(d), although only one is necessary.

Cook acknowledges that its FESOP modification is significant because it is subject to 326 IAC 8-1-6. However, for interim approval purposes, the rule states that " a modification that meets the criteria for a minor permit revision, as described under ... 326 IAC 2-8-11.1(d)" must be approved within 19 days and is not subject to public notice and comment. Cook's proposed modification meets the following criteria for a minor FESOP modification:

1. The proposed new sterilizers use ETO and are therefore subject to emissions standards in a NESHAP, 40 CFR Part 63, Subpart O. As explained in the application materials enclosed herewith, the Ellettsville facility is already subject to the NESHAP and possesses emission controls that are more than 99% efficient. The proposed modification will be subject to the NESHAP as well, and the existing controls will operate at the same efficiency level, so that potential to emit as well as actual emissions will be well below the major modification threshold of 25 tons per year set forth at 326 IAC 2-8-11.1(d) (3) (E).
2. The potential to emit of the modification is limited to less than 10 tons per year of the single HAP, ETO, by annual usage limits. 326 IAC 2-8-11(d) (4) (B).
3. The proposed modification is subject to a NESHAP, which is the most stringent applicable requirement, and the modification is NOT subject to the

provisions of 40 CFR Part 63, Subpart B, for construction or reconstruction of a major HAPs source. The facility is not a major source either before or after the modification, because it is subject to a FESOP. 326 IAC 2-8-11.1 (d) (5).

**INFORMATION REQUIRED TO SUPPORT PETITION FOR INTERIM APPROVAL UNDER 326 IAC 2-13-1(C)**

In accordance with 326 IAC 2-13-1(C), Cook submit's the following information:

1. The type of operating permit revision required under 326 IAC 2 is a significant FESOP modification.
2. The conditions that will be in effect to ensure the construction is not a major PSD modification or a major new or reconstructed source of HAPs are found in Cook's current FESOP and in the applicable NESHAP. The existing sterilizers are required to meet the emission standards in the applicable NESHAP, 40 CFR, Part 63, Subpart O. Cook must control 99% of ETO emissions from both the old and new sterilizers. The NESHAP is enforceable independently of the permit. In addition, Cook's current FESOP limits ETO usage such that the potential to emit of the source is far less than the PSD major source threshold.

The proposed construction itself will not cause any new ETO emissions. Cook understands that it may not operate the two new sterilizers until the FESOP modification is approved. Cook is requesting ETO usage limitations to ensure that PSD thresholds are not crossed, just as in the existing permit. Thus, the construction cannot cause an exceedance of the PSD threshold. In addition, detailed emission calculations are presented in the application demonstrating that the proposed modification will result in increased emissions of only about 300 pounds per year. Cook further understands that an emissions test will be required to demonstrate continued compliance with the permit and regulatory limits.

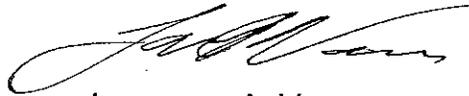
3. The proposed modification will be subject to the NESHAP for ETO sterilization and the BACT requirement of 326 IAC 8-1-6. The two new sterilizers will therefore be connected to the existing emissions control system, as explained in the application. The potential to emit from the proposed modification is about 300 pounds of ETO per year. Detailed emission calculations are in the application.
4. Cook consents to the federal enforceability of the interim approval.
5. The applicant's notarized signature is included in the attached affidavit.
6. A notarized affidavit meeting the requirements of 326 IAC 2-13-1(c) (2) (F) is attached to this letter.

7. An interim approval checklist is attached to this letter.

\*\*\*\*\*

Thank you for your attention to this application for FESOP modification, confidentiality claim and petition for interim approval for Cook's Ellettsville North facility. Please do not hesitate to contact Michael Chambers or Brad Sugarman at 317-713-3500 if you have any questions or require additional information.

Sincerely,



Lawrence A. Vanore

LAV/psh

Enclosures

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

<b>Interim Petition Checklist</b>	
<b>Instructions:</b> (a) Please answer yes or no. (b) Enclosed this checklist with the completed interim petition package.	
<b>Company Name:</b> <u>COOK, INC.</u>	
<b>Location:</b> <u>ELLETTSVILLE, MONROE COUNTY, INDIANA</u>	
✓	1. Is the written interim petition prepared?
✓	2. Is the written petition signed and dated?
N/A	3. Is the public notice drafted?
✓	4. Is the filing and review fee enclosed? \$625 for TV, FESOP, and SSOA. \$500 for MSOP.
✓	5. Is the account number written on the check or money order?
✓	6. Is the Affidavit of Construction signed, dated, and notarized?
✓	7. Is the proposed modification/revision described in detail?
✓	8. Is the proposed modification/revision a modification or addition to an existing source?
✓	9. Is the proposed modification/revision located in an attainment area for all the criteria pollutants?
N/A	10. Is the proposed modification/revision located in a nonattainment area? If yes, answer No. 11.
N/A	11. Is the pollutant, which the nonattainment designation is based on, going to be emitted in this proposed modification/revision?
✓	12. Are potential emissions calculated?
✓	13. Is federal enforceability consent specifically indicated?
✓	14. Are specific conditions, limitations, and/or restrictions included that preclude applicability of PSD?
✓	15. Are specific conditions, limitations, and/or restrictions included that preclude applicability of NSPS?
NE SHAP APPLIES	16. Are specific conditions, limitations, and/or restrictions included that preclude applicability of NESHAP?
✓	17. Are specific conditions, limitations, and/or restrictions included that assure compliance with all applicable state air pollution rules?
✓	18. Has a regular modification/revision permit application been submitted to OAQ?
NO	19. Has the proposed modification/revision commenced prior to the submission of the interim permit petition?
N/A	20. The interim petition comment period has been decided to be: <u>14 calendar days</u>
Additional Comments:	

**INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT  
OFFICE OF AIR QUALITY**

**PETITION FOR INTERIM SIGNIFICANT PERMIT REVISION, SIGNIFICANT SOURCE  
MODIFICATION, MINOR PERMIT REVISION, OR MINOR SOURCE MODIFICATION**

Source Name: COOK, INC.  
 Source Address: 6330 N. MATTHEWS DRIVE  
 Mailing Address: SAME  
 SIC/NAICS Code: SIC 3841

**Description of the Operation or Equipment:**

Write the detailed description of the operation or equipment, including the maximum capacity of the process: units/hour or maximum rating of the equipment such as heating input/hour. Also indicate if there is an air pollution control device, and its operating specifications (i.e.: % efficiency).

*PLEASE SEE INTRODUCTORY PORTION OF PERMITS MODIFICATION APPLICATION*

**Potential to Emit:**

The (pollutant) potential to emit are ? tons/year. Show the methodology and calculations of the potential to emit before and after control in detail.

*22.8 TPY VOCs FROM THE MODIFICATION*

**PSD Requirements:**

Write the conditions, limits, and/or restrictions that will be in effect to ensure that the construction does not qualify as a major PSD source or major PSD modification.

*Examples:*

(a) If the potential to emit is less than the PSD significant level, then use the following recommended sentence:

The potential to emit is less than the PSD Significant levels, therefore, PSD rules and requirements do not apply.

(b) If the company wants to limit the emissions, then such restriction should be stated in this interim petition, such as:

- (i) the amount of raw material consumed on a daily or monthly rolled basis,
- (ii) the amount of fuel combusted on a daily or monthly rolled basis,
- (ii) a specification of the control device being used.

(c) If the company needs to use the netting process, then the following information should be specified:

- (i) any corresponding shutdown of equipment being replaced,
- (ii) a condition related to any limitation on the new equipment's operation,
- (iii) information on the actual contemporaneous increases and decreases.

**NSPS Requirements:**

Write the conditions, limits, and/or restrictions that will be in effect to ensure that the construction complies with applicable NSPS rules.

Examples:

- (a) If the operation or equipment is not subject to any NSPS rules, then use the following recommended sentence:

There is no applicable NSPS rule applicable to this operation or equipment.

- (b) If the operation or equipment is subject to NSPS, conditions listing those specific limits and/or requirements should be indicated.

**NESHAP Requirements:** *N/A*

Write the conditions, limits, and/or restrictions that will be in effect to ensure that the construction complies with applicable NESHAP rules.

Examples:

- ~~(a)~~ If the operation or equipment is not subject to any NESHAP rules, then use the following recommended sentence:

There is no applicable NESHAP rule applicable to this operation or equipment.

- (b) If the operation or equipment is subject to NESHAP, conditions listing those specific limits and/or requirements should be indicated.

*46 CFR, PART 67, SUBPART O APPLICABLE - LIMITS & RESTRICTIONS APPLICABLE TO MODIFICATION SAME AS EXISTING*

**State Rules & Requirements:**

Write all the applicable state rules and requirements: such as opacity, PM limits, VOC content.

*SAME AS EXISTING PERMIT*

**Federal Enforceability:**

The company consents to the federal enforceability of this interim petition.

Signature: PLEASE SEE ATTACHED AFFIDAVIT

Printed Name: \_\_\_\_\_

Title or Position: \_\_\_\_\_

Phone Number: \_\_\_\_\_

Date: \_\_\_\_\_

## INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT OFFICE OF AIR QUALITY

### PETITION FOR INTERIM SIGNIFICANT PERMIT REVISION, SIGNIFICANT SOURCE MODIFICATION, MINOR PERMIT REVISION, OR MINOR SOURCE MODIFICATION

Source Name: \_\_\_\_\_

Source Address: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

SIC/NAICS Code: \_\_\_\_\_

#### Description of the Operation or Equipment:

Write the detailed description of the operation or equipment, including the maximum capacity of the process: units/hour or maximum rating of the equipment such as heating input/hour. Also indicate if there is an air pollution control device, and its operating specifications (i.e.: % efficiency).

#### Potential to Emit:

The (pollutant) potential to emit are ? tons/year. Show the methodology and calculations of the potential to emit before and after control in detail.

#### PSD Requirements:

Write the conditions, limits, and/or restrictions that will be in effect to ensure that the construction does not qualify as a major PSD source or major PSD modification.

##### *Examples:*

- (a) If the potential to emit is less than the PSD significant level, then use the following recommended sentence:

The potential to emit is less than the PSD Significant levels, therefore, PSD rules and requirements do not apply.

- (b) If the company wants to limit the emissions, then such restriction should be stated in this interim petition, such as:

- (i) the amount of raw material consumed on a daily or monthly rolled basis,
- (ii) the amount of fuel combusted on a daily or monthly rolled basis,
- (ii) a specification of the control device being used.

- (c) If the company needs to use the netting process, then the following information should be specified:

- (i) any corresponding shutdown of equipment being replaced,
- (ii) a condition related to any limitation on the new equipment's operation,
- (iii) information on the actual contemporaneous increases and decreases.

### NSPS Requirements:

Write the conditions, limits, and/or restrictions that will be in effect to ensure that the construction complies with applicable NSPS rules.

*Examples:*

- (a) If the operation or equipment is not subject to any NSPS rules, then use the following recommended sentence:

There is no applicable NSPS rule applicable to this operation or equipment.

- (b) If the operation or equipment is subject to NSPS, conditions listing those specific limits and/or requirements should be indicated.

### NESHAP Requirements:

Write the conditions, limits, and/or restrictions that will be in effect to ensure that the construction complies with applicable NESHAP rules.

*Examples:*

- (a) If the operation or equipment is not subject to any NESHAP rules, then use the following recommended sentence:

There is no applicable NESHAP rule applicable to this operation or equipment.

- (b) If the operation or equipment is subject to NESHAP, conditions listing those specific limits and/or requirements should be indicated.

### State Rules & Requirements:

Write all the applicable state rules and requirements: such as opacity, PM limits, VOC content.

### Federal Enforceability:

The company consents to the federal enforceability of this interim petition.

Signature: \_\_\_\_\_

Printed Name: \_\_\_\_\_

Title or Position: \_\_\_\_\_

Phone Number: \_\_\_\_\_

Date: \_\_\_\_\_

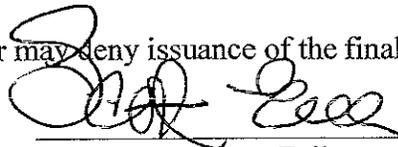
STATE OF INDIANA        )  
                                  )  
COUNTY OF MARION     )        SS:

**AFFIDAVIT OF SCOTT EELLS**

Scott Eells, being first duly sworn upon his oath, deposes and says that:

1. I have personal knowledge of the matters stated herein.
2. I am the Chief Operating Officer of Cook Incorporated.
3. With respect to the proposed modification to FESOP permit no. 27381 for Cook Incorporated's Ellettsville, Indiana facility, I acknowledge that the project will proceed at Cook's own risk, including but not limited to the following:

- a. Financial risk;
- b. The risk that the Commissioner of IDEM will require additional or different control technologies in order for a final approval to be issued under applicable law;
- c. The risk that the Commissioner may deny issuance of the final approval.

  
\_\_\_\_\_  
Scott Eells

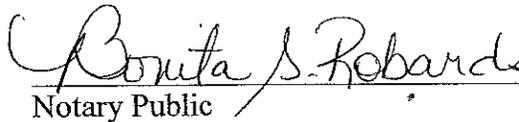
STATE OF INDIANA        )  
                                  ) SS:  
COUNTY OF MONROE     )

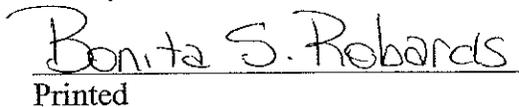
Before me, the undersigned, a Notary Public in and for said County and State, personally appeared Scott Eells, and he, being first duly sworn by me upon his oath, stated, under penalties for perjury, that the foregoing facts are true to the best of his knowledge, information and belief.

Signed and sealed this 14<sup>th</sup> day of May, 2012.

My Commission Expires: 3-19-17

My County of Residence: Marion

  
\_\_\_\_\_  
Notary Public

  
\_\_\_\_\_  
Printed



Taft Stettinius & Hollister LL  
Cook Inc.

HERALD-TIMES  
BLOOMINGTON, INDIANA

PROOF OF PUBLICATION

State of Indiana

County of Monroe

The undersigned, being duly sworn on oath, says that he/she is Public Notice Clerk of Herald-Times a public newspaper of general circulation, printed in the town of Bloomington, in said county and state; that the notice, of which the annexed is a true copy, was published in regular edition of said paper, issued upon the following dates, to wit:

07/05/12

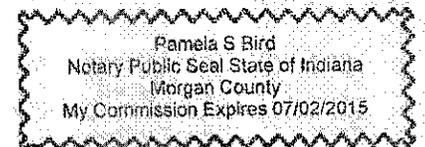
*Joyce Thomas*

Subscribed and sworn to before me  
July 05, 2012

*P. S. Bird*  
Notary Public or Clerk

My Commission expires: \_\_\_\_\_

n Fee: \$122.32



**NOTICE OF 14-DAY PERIOD FOR PUBLIC COMMENT**  
Proposed Approval of Interim Significant Permit Revision/ Significant Source Modification for Cook Incorporated in Monroe County  
Notice is hereby given that the above company located at 6330 North Mathews Drive in Ellettsville, Indiana, has made application to the Indiana Department of Environmental Management (IDEM), Office of Air Quality (OAG) for an interim permit to construct a new building addition with the installation of two (2) new sterilizers with a combination of wet acid scrubbing and chemisorption (dry bed reaction) as air pollution control. Based on 8,760 hours per year of operation, the Ethylene Oxide emissions are predicted to be 24.0 tons per year, respectively. This potential to emit is limited by an applicable NESHAP and control requirements on the existing permit. Actual emissions of Ethylene Oxide resulting from the modification is predicted to be 0.38 tons per year. The company has submitted an application for a significant permit revision / significant source modification. The OAG shall review the application in accordance with the Permit Review Rules. Operation of the source cannot commence until a valid operating permit is issued. The construction of the proposed project is entirely at the applicants own risk.  
Notice is hereby given that there will be a period of 14 days from the date of publication of this notice during which any interested person may comment on why this interim permit should or should not be issued. Appropriate comments should be related to air quality issues, interpretation of the applicable state and federal rules, calculations made, technical issues, or the effect that the operation of this facility would have on any aggrieved individuals. A copy of the application and staff review is available for examination at the Ellettsville Branch Public Library, 600 West Temperance Street, Ellettsville, Indiana, 47429. All comments, along with supporting documentation, should be submitted in writing to the IDEM, OAG, 100 North Senate Avenue, MC 61-53, Room 1003, Indianapolis, Indiana, 46204-2251.  
Persons not wishing to comment at this time, but wishing to receive notice of future proceedings conducted related to this action, must submit a written request to the Office of Air Quality (OAG), at the above address. All interested parties of record will receive a notice of the decision on this matter and will then have 15 days after receipt of the Notice of Decision to file a petition for administrative review. Procedures for filing such a petition will be enclosed with this Notice.  
Questions should be directed to OACI, 100 North Senate Avenue, MC 61-531 Room 1003, Indianapolis, Indiana, 462042251, or call (800) or (317) 233-0178.  
Scott Eells  
Cook Incorporated



# INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

*We Protect Hoosiers and Our Environment.*

*Mitchell E. Daniels Jr.*  
**Governor**

*Thomas W. Easterly*  
**Commissioner**

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

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

**TO:** Larry Price  
Cook Incorporated  
6330 Matthews Dr  
Ellettsville, IN 47429

**DATE:** July 25, 2012

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

**SUBJECT:** Final Decision  
FESOP - Interim  
105 - 32055I - 00030

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:  
Scott Eells, COO & EVP  
Brad Sugarman Taft Stettinius & Hollister LLP  
OAQ Permits Branch Interested Parties List

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

Final Applicant Cover letter.dot 11/30/07

# Mail Code 61-53

IDEM Staff	LPOGOST 7/25/2012 Cook Incorporated 105 - 320551 - 00030 final)		Type of Mail:  <b>CERTIFICATE OF MAILING ONLY</b>	AFFIX STAMP HERE IF USED AS CERTIFICATE OF MAILING
Name and address of Sender		Indiana Department of Environmental Management Office of Air Quality – Permits Branch 100 N. Senate Indianapolis, IN 46204		

Line	Article Number	Name, Address, Street and Post Office Address	Postage	Handing Charges	Act. Value (If Registered)	Insured Value	Due Send if COD	R.R. Fee	S.D. Fee	S.H. Fee	Rest. Del. Fee
											Remarks
1		Larry Price Cook Incorporated 6330 Matthews Dr Ellettsville IN 47429 (Source CAATS) Via confirmed delivery									
2		Scott Eells COO & EVP Cook Incorporated 750 Daniels Way, PO Box 489 Bloomington IN 47402 (RO CAATS)									
3		Monroe County Health Department 119 W 7th St Bloomington IN 47404-3989 (Health Department)									
4		Mr. Wendell Hibdon Plumbers & Steam Fitters Union, Local 136 2300 St. Joe Industrial Park Dr Evansville IN 47720 (Affected Party)									
5		Mr. Richard Monday 545 E. Margaret Dr. Terre Haute IN 47801 (Affected Party)									
6		Monroe County Commissioners Monroe County Courthouse, Room 322 Bloomington IN 47404 (Local Official)									
7		Ellettsville Town Council PO Box 8, 221 N. Salle St. Ellettsville IN 47429 (Local Official)									
8		Brad Sugarman Taft Stettinius & Hollister LLP One Indiana Square, Suite 3500 Indianapolis IN 46204 (Consultant)									
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Total number of pieces Listed by Sender	Total number of Pieces Received at Post Office	Postmaster, Per (Name of Receiving employee)	The full declaration of value is required on all domestic and international registered mail. The maximum indemnity payable for the reconstruction of nonnegotiable documents under Express Mail document reconstructing insurance is \$50,000 per piece subject to a limit of \$50, 000 per occurrence. The maximum indemnity payable on Express mil merchandise insurance is \$500. The maximum indemnity payable is \$25,000 for registered mail, sent with optional postal insurance. See <b>Domestic Mail Manual R900, S913, and S921</b> for limitations of coverage on inured and COD mail. See <b>International Mail Manual</b> for limitations o coverage on international mail. Special handling charges apply only to Standard Mail (A) and Standard Mail (B) parcels.
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