



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: January 18, 2013

RE: Green Plains Bluffton / 179-32603-00033

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



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Michael R. Pence
Governor

Thomas W. Easterly
Commissioner

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Charles Baller
Green Plains Bluffton, LLC
P.O. Box 297
1441 S. Adams Street
Bluffton, IN 46714

January 18, 2013

Re: Response to Review Request No.179-32603-00033:
Applicability Determination
Plant ID: T179-00033

Dear Charles Baller:

Green Plains Bluffton, LLC was issued a Part 70 Operating Permit No. T179-29393-00033 for construction and operation of a stationary ethanol production plant, located at 1441 S. Adams Street, Bluffton, Indiana 46714. On September 6, 2012, the source was issued an Administrative Amendment No. 179-32192-00033 for operation of a new corn storage pile.

On December 17, 2012, Green Plains Bluffton, LLC submitted a request to the Office of Air Quality (OAQ) for an applicability determination regarding the recently permitted corn pile. Specifically, whether the corn pile is temporary or permanent under 40 CFR 60, Subpart DD Standards of Performance for Grain Elevators.

Pursuant to 40 CFR 60.301, *Permanent storage capacity* means grain storage capacity which is inside a building, bin, or silo.

However, in a letter between Michael S. Alushin, (Director, Compliance Assessment and Media Programs Division, Office of Compliance, U.S. EPA) and Kendall Keith (President, National Grain and Feed Association (NGFA)), dated November 21, 2007, the U.S. EPA states that the definition found at 40 CFR 60.301 is intentionally broad to include the variety of structures used to store grain. While EPA did not define the word "bin" in Subpart DD, Webster's New Collegiate Dictionary (2006) defines "bin" as "a box, frame, crib or enclosed space used for storage." This letter is a response for clarification of the definition of *permanent storage capacity* due to the use of grain storage systems marketed as "temporary."

The letter describes these storage systems marketed as "temporary" as generally characterized by permanent asphalt or concrete foundations, rigid sidewalls and long-lasting tarp covers. Additionally, these storage systems usually have permanent aeration towers and conveyor systems. Based on this information, the U.S. EPA determined that the storage systems in question were considered to be permanent under 40 CFR 60, Subpart DD.

The corn storage system at Green Plains Bluffton, LLC consists of a 150 x 480 feet oval steel storage wall anchored with re-bar spikes with a base consisting of packed limestone. Corn is dumped by trucks onto a portable conveyor and then transferred to the pile. The pile is not covered until it is filled, and is open during both filling and removal of the corn. The cover is used for protection against wind erosion and there is not a permanent aeration tower or conveyor system associated with this pile.

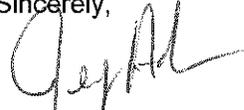
Based on the information provided by Green Plains Bluffton, LLC and the criteria from the letter referenced above, OAQ believes the temporary corn storage pile does not meet the characteristics associated with a *permanent storage capacity* for 40 CFR 60 Subpart DD applicability, and therefore, should be considered temporary for purposes of 40 CFR 60 Subpart DD applicability.

If a definitive decision on this issue is necessary, a request should be submitted to U.S. EPA Region 5 at the following address:

Environmental Protection Agency
77 West Jackson Boulevard
Chicago, IL 60604-3507

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 Joshua Levering, of my staff, at (800) 451-6027, and ask for extension 4-6543, or dial (317) 234-6543.

Sincerely,



Jenny Adker, Section Chief
Permits Branch
Office of Air Quality

JA/JL

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