



# INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

*We Protect Hoosiers and Our Environment.*

*Michael R. Pence*  
**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)

Beth Pierson  
Gavilon Grain LLC  
11 ConAgra Drive  
| Omaha, Nebraska 68102

Re: Permit By Rule Status  
153-32698-0039

Dear Beth Pierson:

On July 7, 2008, Gavilon Grain LLC was issued Minor Source Operating Permit No. M153-25660-00039 for a stationary grain elevator, located at 302 E Saline Street, Carlisle, IN 47838. On January 7, 2013, Gavilon Grain LLC submitted a letter with supporting data to the Office of Air Quality (OAQ) indicating that the source satisfies the criteria to operate under the provisions of 326 IAC 2-11 (Permit by Rule for Specific Source Categories). Based on the data and information submitted and the provisions of 326 IAC 2-11 (Permit by Rule for Specific Source Categories), Gavilon Grain LLC, is now operating under Permit by Rule (PBR) status. This PBR supersedes MSOP No. 153-25660-00039, issued on July 7, 2008.

Pursuant to 326 IAC 2-11-1 (General Provisions) and 326 IAC 2-11-3 (Permit by Rule for Grain Elevators):

- (a) This source shall comply with the following:
  - (1) This grain elevator receives grain by truck and/or rail and ships grain by truck and/or rail. To limit allowable emissions or potential to emit as provided in 326 IAC 2-11-1(c), the annual total throughput limits shall be equal to or less than eleven million two hundred thousand (11,200,000) bushels. [326 IAC 2-11-3(b)(1)].
  - (2) This source shall operate and properly maintain air pollution control devices at the source. [326 IAC 2-11-1(g)(1)]
  - (3) This source shall follow generally accepted industry work practices to minimize emissions of regulated air pollutants. [326 IAC 2-11-1(g)(2)]
  - (4) The source shall not discharge air pollutants so as to create a public nuisance. [326 IAC 2-11-1(g)(3)]
- (b) A source complying with 326 IAC 2-11 is not subject to 326 IAC 2-6.1 unless otherwise required by law. A source complying with 326 IAC 2-11 is not subject to 326 IAC 2-5.1 or 326 IAC 2-7 provided the rule limits the sources allowable emissions or potential to emit below the applicability thresholds for 326 IAC 2-5.1 or 326 IAC 2-7. [326 IAC 2-11-1(c)]
- (c) A source complying with 326 IAC 2-11 may at any time apply for a permit under 326 IAC 2-5.1, 326 IAC 2-6.1, 326 IAC 2-7, 326 IAC 2-8 or an operating agreement under 326 IAC 2-9 as applicable. [326 IAC 2-11-1(d)]
- (d) Before a source subject to 326 IAC 2-11 modifies its facility or operations in such a way that it will no longer comply with 326 IAC 2-11, it shall obtain the appropriate approval

from the commissioner under 326 IAC 2-5.1, 326 IAC 2-6.1, 326 IAC 2-2, 326 IAC 2-3, 326 IAC 2-7 or 326 IAC 2-8. [326 IAC 2-11-1(e)]

- (e) No later than thirty (30) days after receipt of a written request by the Department of Environmental Management, Office of Air Quality (OAQ), or the U.S. EPA, the owner or operator of the source shall demonstrate that the source is in compliance with the limits of 326 IAC 2-11, by providing throughput records for the previous twelve (12) months. [326 IAC 2-11-1(f)]
- (f) This Permit by Rule Status does not relieve the source of the responsibility to comply with the provisions of any applicable federal, state or local requirements, such as New Source Performance Standards (NSPS), 40 CFR Part 60, or National Standards for Hazardous Air Pollutants (NESHAP), 40 CFR Part 61 or 40 CFR Part 63. [326 IAC 2-11-1(h)]
- (g) Pursuant to 326 IAC 2-11-1(i), a source subject to 326 IAC 2-11 may be subject to applicable requirements for a major source, including 326 IAC 2-7, if:
  - (1) at any time the source is not in compliance with the conditions provided in an applicable section of 326 IAC 2-11; or
  - (2) the source does not timely or adequately demonstrate compliance with the conditions in an applicable section of 326 IAC 2-11.
- (h) Any violation of 326 IAC 2-11 may result in administrative or judicial enforcement proceedings and penalties under IC 13-30-3. [326 IAC 2-11-1(j)]

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

If you have any questions on this matter, please contact Susann Brown, of my staff, at 317-234-5176 or 1-800-451-6027, and ask for extension 4-5176.

Sincerely,



Chrystal Wagner, Section Chief  
Permits Branch  
Office of Air Quality

CW/sb

cc: File - Sullivan County  
Sullivan County Health Department  
Compliance and Enforcement Branch  
Billing, Licensing and Training Section



# INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

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

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**Commissioner**

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

TO: Beth Pierson  
Gavilon Grain LLC  
11 ConAgra Drive  
Omaha, Nebraska 68102

DATE: January 17, 2013

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

SUBJECT: Final Decision  
153-32698-00039

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

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

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

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

Final Applicant Cover letter.dot 11/30/07

# Mail Code 61-53

IDEM Staff	DPABST 1/17/2013 Gavilon Grain LLC 153-32698-00039 (Final)		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	Type of Mail:  <b>CERTIFICATE OF MAILING ONLY</b>	

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		Beth Pierson Gavilon Grain LLC 11 ConAgra Dr Omaha NE 68102 (Source CAATS) (CONFIRM DELIVERY)										
2		Mr. Wendell Hibdon Plumbers & Steam Fitters Union, Local 136 2300 St. Joe Industrial Park Dr Evansville IN 47720 (Affected Party)										
3		Sullivan County Health Department 31 N Court Street Sullivan IN 47882-1509 (Health Department)										
4		Sullivan County Commissioners 100 Courthouse Square Sullivan IN 47882-1593 (Local Official)										
5		Mr. Richard Monday 545 E. Margaret Dr. Terre Haute IN 47801 (Affected Party)										
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