



# INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

*We Protect Hoosiers and Our Environment.*

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**Michael R. Pence**  
Governor

**Thomas W. Easterly**  
Commissioner

To: Interested Parties

Date: December 31, 2014

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

Source Name: Indianapolis Power and Light Company Harding Street

Permit Level: Acid Rain Administrative Amendment

Permit Number: 097-35277-00033

Source Location: 3700 S Harding Street

Type of Action Taken: Changes that are administrative in nature

## 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 matter referenced above. Pursuant to 326 IAC 2, this approval was effective immediately upon submittal of the application.

The final decision is available on the IDEM website at: <http://www.in.gov/apps/idem/caats/>  
To view the document, select Search option 3, then enter permit 35277.

If you would like to request a paper copy of the permit document, please contact IDEM's central file room:

Indiana Government Center North, Room 1201  
100 North Senate Avenue, MC 50-07  
Indianapolis, IN 46204  
Phone: 1-800-451-6027 (ext. 4-0965)  
Fax (317) 232-8659

*(continues on next page)*

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.



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Michael R. Pence  
Governor

Thomas W. Easterly  
Commissioner

Jennifer Hatfield  
Indianapolis Power & Light Company - Harding Street Station  
3700 South Harding Street  
Indianapolis, IN 46217

December 31, 2014

Re: 097-35277-00033  
Administrative Amendment to  
Acid Rain Renewal 097-34193-00033

Dear Jennifer Hatfield:

Indianapolis Power & Light Company - Harding Street Station was issued an Acid Rain Permit Renewal No. 097-34193-00033 on May 1, 2014 for a stationary electric utility generating station located at 3700 South Harding Street, Indianapolis, Indiana 46217. On December 12, 2014, the Office of Air Quality (OAQ) received an application from the source requesting to remove the requirements associated with Units 3 and 4 from the permit because these units were retired on December 1, 2014.

Pursuant to 326 IAC 2-7-11(a)(7), this change to the permit is considered an administrative amendment because the permit is amended to change the descriptive information where the revision will not trigger a new applicable requirement or violate a permit term.

### Proposed Changes:

Pursuant to 326 IAC 2-7-11(a), the permit is hereby administratively amended as follows with the deleted language as ~~strikeouts~~ and new language **bolded**:

#### Title IV Operating Conditions

##### Title IV Source Description:

- ~~(a) One (1) Combustion Engineering Boiler number 9 identified as Unit 3. Unit 3 is a distillate oil fired unit with a design heat input capacity rated at 527.0 million Btu per hour and exhausting to Stack/Vent ID 3-1. Equipped with no add on air pollution control equipment. Installed in 1942.~~
- ~~(b) One (1) Combustion Engineering Boiler number 10 identified as Unit 4. Unit 4 is a distillate oil fired unit with a design heat input capacity rated at 527.0 million Btu per hour and exhausting to Stack/Vent ID 4-1. Equipped with no add on air pollution control equipment. Installed in 1947.~~
- (ea) One (1) Combustion Engineering Boiler number 50 identified as Unit 5. Unit 5 is a pulverized coal tangentially fired unit with a design heat input capacity rated at 1017.0 million Btu per hour. Emissions are directed to one (1) cold side electrostatic precipitator identified as Control Equipment ID CE 50 and exhausting at Stack/Vent ID 5-1. SO<sub>3</sub> injection is utilized as a flue gas conditioning agent for the electrostatic precipitator but the source is not required to perform gas conditioning. Also equipped with low NOX burners, neural net controls, separated overfire air (SOFA), and selective non-catalytic reduction technology (SNCR). These technologies were voluntarily installed. Distillate fuel oil is used as supplemental fuel and for firing during startup of Unit 5. Installation date for Unit 5 is 1958.**
- (db) One (1) Combustion Engineering Boiler number 60 identified as Unit 6. Unit 6 is a pulverized coal tangentially fired unit with a design heat input capacity rated at 1017.0 million Btu per hour. Emissions are directed to one (1) cold side electrostatic precipitator identified as Control Equipment ID CE 60 and exhausting at Stack/Vent ID 6-1. SO<sub>3</sub> injection is utilized as a flue**

gas conditioning agent for the electrostatic precipitator but the source is not required to perform gas conditioning. Also equipped with low NOX burners, neural net controls, separated overfire air (SOFA), and selective non-catalytic reduction technology (SNCR). These technologies were voluntarily installed. Distillate fuel oil is used as supplemental fuel and for firing during startup of Unit 6. Installation date for Unit 6 is 1961.

- (ec) One (1) Combustion Engineering Boiler number 70 identified as Unit 7. Unit 7 is a pulverized coal tangentially fired unit with a design heat input capacity rated at 4123.0 million Btu per hour. Emissions are directed to one (1) cold side electrostatic precipitator identified as Control Equipment ID CE 70 and exhausting at Stack/Vent ID 7-1. SO<sub>3</sub> injection is utilized as a flue gas conditioning agent for the electrostatic precipitator but the source is not required to perform gas conditioning. Unit 7 is equipped with low NOX burners, neural net controls, separated overfire air (SOFA), and selective catalytic reduction technology (SCR) and FGD scrubber. These technologies were voluntarily installed. When the FGD is in operation, Unit 7 exhausts to a separate wet stack. Distillate fuel oil and used oil are used as supplemental fuel and for firing during startup of Unit 7. Construction was commenced on Unit 7 prior to August 17, 1971 and completed in 1973.
- (fd) One (1) General Electric Gas Turbine Engine number GT4 identified as Unit GT4. Unit GT4 is a distillate oil fired and/or natural gas fired unit with a design heat input capacity rated at 875.0 million Btu per hour and exhausting at Stack/Vent ID GT4-1. Model number MS 7001. Water injection performed for NOX emission control. Installation date for Unit GT4 is 1994.
- (ge) One (1) General Electric Gas Turbine Engine number GT5 identified as Unit GT5. Unit GT5 is a distillate oil fired and/or natural gas fired unit with a design heat input capacity rated at 867.0 million Btu per hour and exhausting at Stack/Vent ID GT5-1. Model number MS 7001. Water injection performed for NOX emission control. Installation date for Unit GT5 is 1995.
- (hf) One (1) General Electric Gas Turbine Model number PG7241 identified as Unit GT6. Unit GT6 is a natural gas fired unit with a design heat input capacity rated at 1,660 MMBtu per hour and exhausting at Stack/Vent ID GT-6. NOX emissions will be controlled by dry low NOX burners. Installation date for Unit GT6 is 2002.

(The information contained in this box is descriptive information and does not constitute enforceable conditions.)

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## 2. Standard Permit Requirements [326 IAC 21]

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- (b) The Permittee shall operate Units ~~3, 4,~~ 5, 6, 7, GT4, GT5, and GT6 in compliance with this permit.

## 3. Monitoring Requirements [326 IAC 21]

- (a) The Permittee and, to the extent applicable, the designated representative of Units ~~3, 4,~~ 5, 6, 7, GT4, GT5, and GT6 shall comply with the monitoring requirements as provided in 40 CFR 75.
- (b) The emissions measurements recorded and reported in accordance with 40 CFR 75 shall be used to determine compliance by Units ~~3, 4,~~ 5, 6, 7, GT4, GT5, and GT6 with the acid rain emissions limitations and emissions reduction requirements for sulfur dioxide under the Acid Rain Program.
- (c) The requirements of 40 CFR 75 shall not affect the responsibility of the Permittee to monitor emissions of other pollutants or other emissions characteristics at Units ~~3, 4,~~ 5, 6,

7, GT4, GT5, and GT6 under other applicable requirements of the Clean Air Act and other provisions of the operating permit for the source.

4. Sulfur Dioxide Requirements [326 IAC 21]

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- (a) The Permittee shall:
- (1) Hold allowances, as of the allowance transfer deadline (as defined in 40 CFR 72.2), in the compliance subaccount of Units ~~3, 4~~, 5, 6, 7, GT4, GT5, and GT6, after deductions under 40 CFR 73.34(c), not less than the total annual emissions of sulfur dioxide for the previous calendar year from Units ~~3, 4~~, 5, 6, 7, GT4, GT5, and GT6; and,
  - (2) Comply with the applicable acid rain emissions limitations for sulfur dioxide.
- (b) Each ton of sulfur dioxide emitted in excess of the acid rain emissions limitations for sulfur dioxide shall constitute a separate violation of the Clean Air Act.
- (c) Units ~~3, 4~~, 5, 6, 7, GT4, GT5, and GT6 shall be subject to the requirements under paragraph 4(a) of the sulfur dioxide requirements as follows:

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5. Nitrogen Oxides Requirements [326 IAC 21]

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- ~~(a) Pursuant to 40 CFR 76, Acid Rain Nitrogen Oxides Emission Reduction Program, the natural gas fired Units GT-4, GT-5, and GT-6 are not subject to the nitrogen oxide limitations set out in 40 CFR 76.~~
- ~~(b) Pursuant to 40 CFR 76, Acid Rain Nitrogen Oxides Emission Reduction Program, the oil fired Units 3 and 4 are not subject to the nitrogen oxide limitations set out in 40 CFR 76.~~

6. Excess Emissions Requirements [40 CFR 77] [326 IAC 21]

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- (a) If Units ~~3, 4~~, 5, 6, 7, GT4, GT5, and GT6 has excess emissions of sulfur dioxide in any calendar year, the designated representative shall submit a proposed offset plan to U.S. EPA and IDEM, OAQ as required under 40 CFR 77 and 326 IAC 21.
- \*\*\*
- (c) If Units ~~3, 4~~, 5, 6, 7, GT4, GT5, and GT6 has excess emissions, as defined in 40 CFR 72.2, in any calendar year, the Permittee shall:

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7. Record Keeping and Reporting Requirements [326 IAC 21]

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- (a) Unless otherwise provided, the Permittee shall keep on site each of the following documents for a period of 5 years, as required by 40 CFR 72.9(f), from the date the document is created. This period may be extended for cause, at any time prior to the end of the 5 years, in writing by U.S. EPA or IDEM, OAQ:
- (1) The certificate of representation for the designated representative of Units ~~3, 4~~, 5, 6, 7, GT4, GT5, and GT6 and all documents that demonstrate the truth of the statements in the certificate of representation, in accordance with 40 CFR 72.24; provided that the certificate and documents shall be retained on site at the source beyond such 5 year period until such documents are superseded because of the submission of a new certificate of representation changing the designated representative;

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- (b) The designated representative of Units ~~3, 4~~, 5, 6, 7, GT4, GT5, and GT6 shall submit the reports and compliance certifications required under the Acid Rain Program, including those under 40 CFR 72.90 subpart I, 40 CFR 75, and 326 IAC 21. The required information is to be submitted to the appropriate authority(ies) as specified in 40 CFR 72.90 subpart I and 40 CFR 75.

8. Submissions [326 IAC 21]

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- (a) The designated representative of Units ~~3, 4~~, 5, 6, 7, GT4, GT5, and GT6 shall submit a certificate of representation, and any superseding certificate of representation, to U.S. EPA and IDEM, OAQ in accordance with 40 CFR 72 and 326 IAC 21.

\*\*\*

- (e) The designated representative of Units ~~3, 4~~, 5, 6, 7, GT4, GT5, and GT6 shall notify the Permittee:

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- (3) Provided that the submission or determination covers Units ~~3, 4~~, 5, 6, 7, GT4, GT5, and GT6.

- (f) The designated representative of Units ~~3, 4~~, 5, 6, 7, GT4, GT5, and GT6 shall provide the Permittee a copy of any submission or determination under paragraph (e) of this section, unless the Permittee expressly waives the right to receive a copy.

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10. Liability [326 IAC 21]

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- (d) Units ~~3, 4~~, 5, 6, 7, GT4, GT5, and GT6 shall meet the requirements of the Acid Rain Program.
- (e) Any provision of the Acid Rain Program that applies to Units ~~3, 4~~, 5, 6, 7, GT4, GT5, and GT6, including a provision applicable to the designated representative of Units ~~3, 4~~, 5, 6, 7, GT4, GT5, and GT6, shall also apply to the Permittee.
- (f) Any provision of the Acid Rain Program that applies to Units ~~3, 4~~, 5, 6, 7, GT4, GT5, and GT6, including a provision applicable to the designated representative, shall also apply to the Permittee. Except as provided under 40 CFR 72.44 (Phase II repowering extension plans) and 40 CFR 76.11 (NOx averaging plans), and except with regard to the requirements applicable to units with a common stack under 40 CFR 75, including 40 CFR 75.16, 75.17, and 75.18, the Permittee and the designated representative of one affected unit, shall not be liable for any violation by any other affected unit of which they are not owners or operators or the designated representative and that is located at a source of which they are not owners or operators or the designated representative.
- (g) Each violation of a provision of 40 CFR parts 72, 73, 75, 76, 77, and 78 by Units ~~3, 4~~, 5, 6, 7, GT4, GT5, and GT6, or by the Permittee or designated representative, shall be a separate violation of the Clean Air Act.

11. Effect on Other Authorities [326 IAC 21]

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No provision of the Acid Rain Program, an acid rain permit application, an acid rain permit, an acid rain portion of an operation permit, or a written exemption under 40 CFR 72.7 or 72.8 shall be construed as:

- (a) Except as expressly provided in Title IV of the Clean Air Act (42 USC 7651 to 7651(o)), exempting or excluding the Permittee and, to the extent applicable, the designated representative of Units 3, 4, 5, 6, 7, GT4, GT5, and GT6, from compliance with any other provision of the Clean Air Act, including the provisions of Title I of the Clean Air Act relating to applicable National Ambient Air Quality Standards or State Implementation Plans;

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All other conditions of the permit shall remain unchanged and in effect.

Please find attached the entire Acid Rain Permit as amended.

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 Permit Guide on the Internet at: <http://www.in.gov/idem/5881.htm>; and the Citizens' Guide to IDEM on the Internet at: <http://www.in.gov/idem/6900.htm>.

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 Julie Mendez of my staff, at 317-234-1243 or 1-800-451-6027, and ask for extension 4-1243.

Sincerely,



Tripurari P. Sinha, Ph. D., Section Chief  
Permits Branch  
Office of Air Quality

Attachment: Updated Permit

TS/jm

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



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**Michael R. Pence**  
Governor

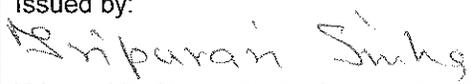
**Thomas W. Easterly**  
Commissioner

**TITLE IV (ACID RAIN)  
PERMIT RENEWAL  
OFFICE OF AIR QUALITY**

**Indianapolis Power and Light Company  
Harding Street Generating Station  
3700 South Harding Street and  
4190 South Harding Street  
Indianapolis, IN 46217  
ORIS: 990**

The owners and operators (hereinafter collectively known as the Permittee) of the above source are issued this permit under the provisions of 326 Indiana Administrative Code (IAC) 21 with conditions listed on the attached pages.

Operation Permit No.: AR 097-34193-00033	
Issued by: Original Signed Tripurari P. Sinha, Ph.D., Section Chief Permits Branch Office of Air Quality	Issuance Date: May 1, 2014  Expiration Date: May 1, 2019

Administrative Amendment No.: 097-35277-00033	
Issued by:  Tripurari P. Sinha, Ph.D., Section Chief Permits Branch Office of Air Quality	Issuance Date: December 31, 2014  Expiration Date: May 1, 2019

## Title IV Operating Conditions

### Title IV Source Description:

- (a) One (1) Combustion Engineering Boiler number 50 identified as Unit 5. Unit 5 is a pulverized coal tangentially fired unit with a design heat input capacity rated at 1017.0 million Btu per hour. Emissions are directed to one (1) cold side electrostatic precipitator identified as Control Equipment ID CE 50 and exhausting at Stack/Vent ID 5-1. SO<sub>3</sub> injection is utilized as a flue gas conditioning agent for the electrostatic precipitator but the source is not required to perform gas conditioning. Also equipped with low NOX burners, neural net controls, separated overfire air (SOFA), and selective non-catalytic reduction technology (SNCR). These technologies were voluntarily installed. Distillate fuel oil is used as supplemental fuel and for firing during startup of Unit 5. Installation date for Unit 5 is 1958.
- (b) One (1) Combustion Engineering Boiler number 60 identified as Unit 6. Unit 6 is a pulverized coal tangentially fired unit with a design heat input capacity rated at 1017.0 million Btu per hour. Emissions are directed to one (1) cold side electrostatic precipitator identified as Control Equipment ID CE 60 and exhausting at Stack/Vent ID 6-1. SO<sub>3</sub> injection is utilized as a flue gas conditioning agent for the electrostatic precipitator but the source is not required to perform gas conditioning. Also equipped with low NOX burners, neural net controls, separated overfire air (SOFA), and selective non-catalytic reduction technology (SNCR). These technologies were voluntarily installed. Distillate fuel oil is used as supplemental fuel and for firing during startup of Unit 6. Installation date for Unit 6 is 1961.
- (c) One (1) Combustion Engineering Boiler number 70 identified as Unit 7. Unit 7 is a pulverized coal tangentially fired unit with a design heat input capacity rated at 4123.0 million Btu per hour. Emissions are directed to one (1) cold side electrostatic precipitator identified as Control Equipment ID CE 70 and exhausting at Stack/Vent ID 7-1. SO<sub>3</sub> injection is utilized as a flue gas conditioning agent for the electrostatic precipitator but the source is not required to perform gas conditioning. Unit 7 is equipped with low NOX burners, neural net controls, separated overfire air (SOFA), and selective catalytic reduction technology (SCR) and FGD scrubber. These technologies were voluntarily installed. When the FGD is in operation, Unit 7 exhausts to a separate wet stack. Distillate fuel oil and used oil are used as supplemental fuel and for firing during startup of Unit 7. Construction was commenced on Unit 7 prior to August 17, 1971 and completed in 1973.
- (d) One (1) General Electric Gas Turbine Engine number GT4 identified as Unit GT4. Unit GT4 is a distillate oil fired and/or natural gas fired unit with a design heat input capacity rated at 875.0 million Btu per hour and exhausting at Stack/Vent ID GT4-1. Model number MS 7001. Water injection performed for NOX emission control. Installation date for Unit GT4 is 1994.
- (e) One (1) General Electric Gas Turbine Engine number GT5 identified as Unit GT5. Unit GT5 is a distillate oil fired and/or natural gas fired unit with a design heat input capacity rated at 867.0 million Btu per hour and exhausting at Stack/Vent ID GT5-1. Model number MS 7001. Water injection performed for NOX emission control. Installation date for Unit GT5 is 1995.
- (f) One (1) General Electric Gas Turbine Model number PG7241 identified as Unit GT6. Unit GT6 is a natural gas fired unit with a design heat input capacity rated at 1,660 MMBtu per hour and exhausting at Stack/Vent ID GT-6. NOX emissions will be controlled by dry low NOX burners. Installation date for Unit GT6 is 2002.

(The information contained in this box is descriptive information and does not constitute enforceable conditions.)

### 1. Statutory and Regulatory Authorities

In accordance with IC 13-17-3-4 and IC 13-17-3-11, as well as Titles IV and V of the Clean Air Act, the Indiana Department of Environmental Management (IDEM), Office of Air Quality (OAQ) issues this permit pursuant to 326 IAC 2 and 326 IAC 21 (incorporates by reference 40 Code of Federal Regulations (CFR) 72 through 78).

2. Standard Permit Requirements [326 IAC 21]

- (a) The designated representative has submitted a complete acid rain permit application in accordance with 40 CFR 72.30.
- (b) The Permittee shall operate Units 5, 6, 7, GT4, GT5, and GT6 in compliance with this permit.

3. Monitoring Requirements [326 IAC 21]

- (a) The Permittee and, to the extent applicable, the designated representative of Units 5, 6, 7, GT4, GT5, and GT6 shall comply with the monitoring requirements as provided in 40 CFR 75.
- (b) The emissions measurements recorded and reported in accordance with 40 CFR 75 shall be used to determine compliance by Units 5, 6, 7, GT4, GT5, and GT6 with the acid rain emissions limitations and emissions reduction requirements for sulfur dioxide under the Acid Rain Program.
- (c) The requirements of 40 CFR 75 shall not affect the responsibility of the Permittee to monitor emissions of other pollutants or other emissions characteristics at Units 5, 6, 7, GT4, GT5, and GT6 under other applicable requirements of the Clean Air Act and other provisions of the operating permit for the source.

4. Sulfur Dioxide Requirements [326 IAC 21]

- (a) The Permittee shall:
  - (1) Hold allowances, as of the allowance transfer deadline (as defined in 40 CFR 72.2), in the compliance subaccount of Units 5, 6, 7, GT4, GT5, and GT6, after deductions under 40 CFR 73.34(c), not less than the total annual emissions of sulfur dioxide for the previous calendar year from Units 5, 6, 7, GT4, GT5, and GT6; and,
  - (2) Comply with the applicable acid rain emissions limitations for sulfur dioxide.
- (b) Each ton of sulfur dioxide emitted in excess of the acid rain emissions limitations for sulfur dioxide shall constitute a separate violation of the Clean Air Act.
- (c) Units 5, 6, 7, GT4, GT5, and GT6 shall be subject to the requirements under paragraph 4(a) of the sulfur dioxide requirements as follows:
  - (1) Starting January 1, 2000, an affected unit under 40 CFR 72.6(a)(2); or,
  - (2) Starting on the latter of January 1, 2000, or the deadline for monitor certification under 40 CFR 75, an affected unit under 40 CFR 72.6(a)(3).
- (d) Allowances shall be held in, deducted from, or transferred among Allowance Tracking System accounts in accordance with the Acid Rain Program.
- (e) An allowance shall not be deducted in order to comply with the requirements under paragraph 4(a) of the sulfur dioxide requirements prior to the calendar year for which the allowance was allocated.
- (f) Unit GT6 was not allocated allowances by United States Environmental Protection Agency (U.S. EPA) under 40 CFR 73.10. However, Unit GT6 must still comply with the requirement to hold allowances to account for sulfur dioxide emissions under paragraph 4(a) and 326 IAC 21.
- (g) An allowance allocated by the U.S. EPA under the Acid Rain Program is a limited authorization to emit sulfur dioxide in accordance with the Acid Rain Program. No provision of the Acid Rain Program, the acid rain permit application, the acid rain permit, the acid rain portion of an operating permit, or the written exemption under 40 CFR 72.7

and 72.8 and 326 IAC 21, and no provision of law shall be construed to limit the authority of the United States to terminate or limit such authorization.

- (h) An allowance allocated by U.S. EPA under the Acid Rain Program does not constitute a property right.
- (i) No permit revision may be required for increases in emissions that are authorized by allowances acquired pursuant to the Acid Rain Program, provided that the increases do not require a permit revision under any other applicable requirement. [326 IAC 2-7-5(4)(A)]
- (j) No limit shall be placed on the number of allowances held by the Permittee. The Permittee may not, however, use allowances as a defense to noncompliance with any applicable requirement other than the requirements of the Acid Rain Program. [326 IAC 2-7-5(4)(B)]

5. Nitrogen Oxides Requirements [326 IAC 21]

Pursuant to 40 CFR 76, Acid Rain Nitrogen Oxides Emission Reduction Program, the natural gas fired Units GT-4, GT-5, and GT-6 are not subject to the nitrogen oxide limitations set out in 40 CFR 76.

6. Excess Emissions Requirements [40 CFR 77] [326 IAC 21]

(a) If Units 5, 6, 7, GT4, GT5, and GT6 has excess emissions of sulfur dioxide in any calendar year, the designated representative shall submit a proposed offset plan to U.S. EPA and IDEM, OAQ as required under 40 CFR 77 and 326 IAC 21.

(b) The designated representative shall submit required information to:

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

and

U.S. Environmental Protection Agency  
Clean Air Markets Division  
1200 Pennsylvania Avenue, NW  
Mail Code (6204N)  
Washington, DC 20460

(c) If Units 5, 6, 7, GT4, GT5, and GT6 has excess emissions, as defined in 40 CFR 72.2, in any calendar year, the Permittee shall:

- (1) Pay to U.S. EPA without demand the penalty required, and pay to U.S. EPA upon demand the interest on that penalty, as required by 40 CFR 77 and 326 IAC 21; and,
- (2) Comply with the terms of an approved sulfur dioxide offset plan, as required by 40 CFR 77 and 326 IAC 21.

7. Record Keeping and Reporting Requirements [326 IAC 21]

(a) Unless otherwise provided, the Permittee shall keep on site each of the following documents for a period of 5 years, as required by 40 CFR 72.9(f), from the date the document is created. This period may be extended for cause, at any time prior to the end of the 5 years, in writing by U.S. EPA or IDEM, OAQ:

- (1) The certificate of representation for the designated representative of Units 5, 6, 7, GT4, GT5, and GT6 and all documents that demonstrate the truth of the statements in the certificate of representation, in accordance with 40 CFR 72.24;

provided that the certificate and documents shall be retained on site at the source beyond such 5 year period until such documents are superseded because of the submission of a new certificate of representation changing the designated representative;

- (2) All emissions monitoring information collected in accordance with 40 CFR 75 shall be retained on site for 3 years;
  - (3) Copies of all reports, compliance certifications, and other submissions and all records made or required under the Acid Rain Program; and,
  - (4) Copies of all documents used to complete an acid rain permit application and any other submission under the Acid Rain Program or to demonstrate compliance with the requirements of the Acid Rain Program.
- (b) The designated representative of Units 5, 6, 7, GT4, GT5, and GT6 shall submit the reports and compliance certifications required under the Acid Rain Program, including those under 40 CFR 72.90 subpart I, 40 CFR 75, and 326 IAC 21. The required information is to be submitted to the appropriate authority(ies) as specified in 40 CFR 72.90 subpart I and 40 CFR 75.

8. Submissions [326 IAC 21]

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- (a) The designated representative of Units 5, 6, 7, GT4, GT5, and GT6 shall submit a certificate of representation, and any superseding certificate of representation, to U.S. EPA and IDEM, OAQ in accordance with 40 CFR 72 and 326 IAC 21.

- (b) The designated representative shall submit required information 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, IN 46204-2251

and

U.S. Environmental Protection Agency  
Clean Air Markets Division  
1200 Pennsylvania Avenue, NW  
Mail Code (6204N)  
Washington, DC 20460

- (c) Each such submission under the Acid Rain Program shall be submitted, signed and certified by the designated representative for all sources on behalf of which the submission is made.
- (d) In each submission under the Acid Rain Program, the designated representative shall certify, by his or her signature, the following statements which shall be included verbatim in the submission:
- (1) "I am authorized to make this submission on behalf of the owners and operators of the affected source or affected units for which the submission is made."; and,
  - (2) "I certify under penalty of law that I have personally examined, and am familiar with, the statements and information submitted in this document and all its attachments. Based on my inquiry of those individuals with primary responsibility for obtaining the information, I certify that the statements and information are to the best of my knowledge and belief true, accurate, and complete. I am aware that there are significant penalties for submitting false statements and information or omitting required statements and information, including the possibility of fine or imprisonment."

- (e) The designated representative of Units 5, 6, 7, GT4, GT5, and GT6 shall notify the Permittee:
  - (1) By the date of submission, of any Acid Rain Program submissions by the designated representative;
  - (2) Within 10 business days of receipt of any written determination by U.S. EPA or IDEM, OAQ; and,
  - (3) Provided that the submission or determination covers Units 5, 6, 7, GT4, GT5, and GT6.
- (f) The designated representative of Units 5, 6, 7, GT4, GT5, and GT6 shall provide the Permittee a copy of any submission or determination under paragraph (e) of this section, unless the Permittee expressly waives the right to receive a copy.

9. Severability [326 IAC 21]

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Invalidation of the acid rain portion of an operating permit does not affect the continuing validity of the rest of the operating permit, nor shall invalidation of any other portion of the operating permit affect the continuing validity of the acid rain portion of the permit. [40 CFR 72.72(b), 326 IAC 21, and 326 IAC 2-7-5(5)]

10. Liability [326 IAC 21]

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- (a) Any person who knowingly violates any requirement or prohibition of the Acid Rain Program, an acid rain permit, an acid rain portion of an operation permit, or a written exemption under 40 CFR 72.7 or 72.8, including any requirement for the payment of any penalty owed to the United States, shall be subject to enforcement by U.S. EPA pursuant to Section 113(c) of the Clean Air Act and shall be subject to enforcement by IDEM pursuant to 326 IAC 21 and IC 13-30-3.
- (b) Any person who knowingly makes a false, material statement in any record, submission, or report under the Acid Rain Program shall be subject to criminal enforcement pursuant to Section 113(c) of the Clean Air Act, 18 U.S.C. 1001 and IDEM pursuant to 326 IAC 21 and IC 13-30-6-2.
- (c) No permit revision shall excuse any violation of the requirements of the Acid Rain Program that occurs prior to the date that the revision takes effect.
- (d) Units 5, 6, 7, GT4, GT5, and GT6 shall meet the requirements of the Acid Rain Program.
- (e) Any provision of the Acid Rain Program that applies to Units 5, 6, 7, GT4, GT5, and GT6, including a provision applicable to the designated representative of Units 3, 4, 5, 6, 7, GT4, GT5, and GT6, shall also apply to the Permittee.
- (f) Any provision of the Acid Rain Program that applies to Units 5, 6, 7, GT4, GT5, and GT6, including a provision applicable to the designated representative, shall also apply to the Permittee. Except as provided under 40 CFR 72.44 (Phase II repowering extension plans) and 40 CFR 76.11 (NOx averaging plans), and except with regard to the requirements applicable to units with a common stack under 40 CFR 75, including 40 CFR 75.16, 75.17, and 75.18, the Permittee and the designated representative of one affected unit, shall not be liable for any violation by any other affected unit of which they are not owners or operators or the designated representative and that is located at a source of which they are not owners or operators or the designated representative.
- (g) Each violation of a provision of 40 CFR parts 72, 73, 75, 76, 77, and 78 by Units 5, 6, 7, GT4, GT5, and GT6, or by the Permittee or designated representative, shall be a separate violation of the Clean Air Act.

11. Effect on Other Authorities [326 IAC 21]

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No provision of the Acid Rain Program, an acid rain permit application, an acid rain permit, an acid rain portion of an operation permit, or a written exemption under 40 CFR 72.7 or 72.8 shall be construed as:

- (a) Except as expressly provided in Title IV of the Clean Air Act (42 USC 7651 to 7651(o)), exempting or excluding the Permittee and, to the extent applicable, the designated representative of Units 5, 6, 7, GT4, GT5, and GT6, from compliance with any other provision of the Clean Air Act, including the provisions of Title I of the Clean Air Act relating to applicable National Ambient Air Quality Standards or State Implementation Plans;
- (b) Limiting the number of allowances a unit can hold; provided, that the number of allowances held by the unit shall not affect the source's obligation to comply with any other provisions of the Clean Air Act;
- (c) Requiring a change of any kind in any state law regulating electric utility rates and charges, affecting any state law regarding such state regulation, or limiting such state regulation, including any prudence review requirements under such state law;
- (d) Modifying the Federal Power Act (16 USC 791(a) et seq.) or affecting the authority of the Federal Energy Regulatory Commission under the Federal Power Act; or,
- (e) Interfering with or impairing any program for competitive bidding for power supply in a state in which such a program is established.



# INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

*We Protect Hoosiers and Our Environment.*

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

**Michael R. Pence**  
*Governor*

**Thomas W. Easterly**  
*Commissioner*

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

**TO:** Jennifer Hatfield  
Indianapolis Power & Light Company - Harding Stree  
3700 S Harding St  
Indianapolis, IN 46217

**DATE:** December 31, 2014

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

**SUBJECT:** Final Decision  
Acid Rain Administrative Amendment  
097-35277-00033

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:  
Justin Barrett  
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 6/13/2013

# Mail Code 61-53

IDEM Staff	CDENNY 12/31/2014 Indianapolis Power & Light Company - Harding Street Station 097-35277-00033 (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		Jennifer Hatfield Indianapolis Power & Light Company - Harding Stree 3700 S Harding St Indianapolis IN 46217 (Source CAATS) VIA CERTIFIED MAIL USPS										
2		Marion County Health Department 3838 N, Rural St Indianapolis IN 46205-2930 (Health Department)										
3		Indianapolis City Council 200 East Washington Street, Room E Indianapolis IN 46204 (Local Official)										
4		Marion County Commissioners 200 E. Washington St. City County Bldg., Suite 801 Indianapolis IN 46204 (Local Official)										
5		Matt Mosier Office of Sustainability City-County Bldg/200 E Washington St. Rm# 2460 Indianapolis IN 46204 (Local Official)										
6		Johan & Susan Van Den Heuvel 4409 Blue Creek Drive Carmel IN 46033 (Affected Party)										
7		Fairfield Builders Supply Corp PO Box 4427 Lafayette IN 47903 (Affected Party)										
8		Indiana Members Credit Union 5103 Madison Avenue Indianapolis IN 46227 (Affected Party)										
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<b>7</b>			