



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

Michael R. Pence
Governor

Carol S. Comer
Commissioner

NOTICE OF 30-DAY PERIOD FOR PUBLIC COMMENT

Preliminary Findings Regarding the Renewal of a
Part 70 Operating Permit

for Linde, LLC in St. Joseph County

Part 70 Operating Permit Renewal No.: T141-36904-00548

The Indiana Department of Environmental Management (IDEM) has received an application from Linde, LLC located at 3809 West Calvert Street, South Bend, Indiana 46613 for a renewal of its Part 70 Operating Permit issued on December 6, 2011. If approved by IDEM's Office of Air Quality (OAQ), this proposed renewal would allow Linde, LLC to continue to operate its existing source.

This draft Part 70 Operating Permit Renewal does not contain any new equipment that would emit air pollutants; however, some conditions from previously issued permits/approvals have been corrected, changed, or removed. These corrections, changes, and removals may include Title I changes (e.g., changes that add or modify synthetic minor emission limits). This notice fulfills the public notice procedures to which those conditions are subject. IDEM has reviewed this application and has developed preliminary findings, consisting of a draft permit and several supporting documents, which would allow for these changes.

A copy of the permit application and IDEM's preliminary findings are available at:

St. Joseph County Public Library
304 South Main Street
South Bend, IN 46601

and

IDEM Northern Regional Office
300 N. Michigan Street, Suite 450
South Bend, IN 46601-1295

A copy of the preliminary findings is available on the Internet at: <http://www.in.gov/ai/appfiles/idem-caats/>.

How can you participate in this process?

The date that this notice is published in a newspaper marks the beginning of a 30-day public comment period. If the 30th day of the comment period falls on a day when IDEM offices are closed for business, all comments must be postmarked or delivered in person on the next business day that IDEM is open.

You may request that IDEM hold a public hearing about this draft permit. If adverse comments concerning the **air pollution impact** of this draft permit are received, with a request for a public hearing, IDEM will decide whether or not to hold a public hearing. IDEM could also decide to hold a public meeting instead of, or in addition to, a public hearing. If a public hearing or meeting is held, IDEM will make a separate announcement of the date, time, and location of that hearing or meeting. At a hearing, you would have an opportunity to submit written comments and make verbal comments. At a meeting,

you would have an opportunity to submit written comments, ask questions, and discuss any air pollution concerns with IDEM staff.

Comments and supporting documentation, or a request for a public hearing should be sent in writing to IDEM at the address below. If you comment via e-mail, please include your full U.S. mailing address so that you can be added to IDEM's mailing list to receive notice of future action related to this permit. If you do not want to comment at this time, but would like to receive notice of future action related to this permit application, please contact IDEM at the address below. Please refer to permit number T141-36904-00548 in all correspondence.

Comments should be sent to:

Thomas Olmstead
IDEM, Office of Air Quality
100 North Senate Avenue
MC 61-53 IGCN 1003
Indianapolis, Indiana 46204-2251
(800) 451-6027, ask for extension 3-9664
Or dial directly: (317) 233-9664
Fax: (317) 232-6749 attn: Thomas Olmstead
E-mail: tolmstea@idem.IN.gov

All comments will be considered by IDEM when we make a decision to issue or deny the permit. Comments that are most likely to affect final permit decisions are those based on the rules and laws governing this permitting process (326 IAC 2), air quality issues, and technical issues. IDEM does not have legal authority to regulate zoning, odor, or noise. For such issues, please contact your local officials.

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>.

What will happen after IDEM makes a decision?

Following the end of the public comment period, IDEM will issue a Notice of Decision stating whether the permit has been issued or denied. If the permit is issued, it may be different than the draft permit because of comments that were received during the public comment period. If comments are received during the public notice period, the final decision will include a document that summarizes the comments and IDEM's response to those comments. If you have submitted comments or have asked to be added to the mailing list, you will receive a Notice of the Decision. The notice will provide details on how you may appeal IDEM's decision, if you disagree with that decision. The final decision will also be available on the Internet at the address indicated above, at the local library indicated above, at the IDEM Regional Office indicated above, and the IDEM public file room on the 12th floor of the Indiana Government Center North, 100 N. Senate Avenue, Indianapolis, Indiana 46204-2251.

If you have any questions, please contact Thomas Olmstead of my staff at the above address.



Jenny Acker, Section Chief
Permits Branch
Office of Air Quality



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DRAFT

Part 70 Administrative Operating Permit Renewal OFFICE OF AIR QUALITY

**Linde, LLC
3809 West Calvert Street
South Bend, Indiana 46613**

(herein known as the Permittee) is hereby authorized to operate subject to the conditions contained herein, the source described in Section A (Source Summary) of this permit.

The Permittee must comply with all conditions of this permit. Noncompliance with any provisions of this permit is grounds for enforcement action; permit termination, revocation and reissuance, or modification; or denial of a permit renewal application. Noncompliance with any provision of this permit, except any provision specifically designated as not federally enforceable, constitutes a violation of the Clean Air Act. It shall not be a defense for the Permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit. An emergency does constitute an affirmative defense in an enforcement action provided the Permittee complies with the applicable requirements set forth in Section B, Emergency Provisions.

This permit is issued in accordance with 326 IAC 2 and 40 CFR Part 70 Appendix A and contains the conditions and provisions specified in 326 IAC 2-7 as required by 42 U.S.C. 7401, et. seq. (Clean Air Act as amended by the 1990 Clean Air Act Amendments), 40 CFR Part 70.6, IC 13-15 and IC 13-17.

Operation Permit No.: T141-36904-00548	
Issued by: Jenny Acker, Section Chief Permits Branch Office of Air Quality	Issuance Date: Expiration Date:

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SECTION A SOURCE SUMMARY

This permit is based on information requested by the Indiana Department of Environmental Management (IDEM), Office of Air Quality (OAQ). The information describing the source contained in conditions A.1 through A.4 is descriptive information and does not constitute enforceable conditions. However, the Permittee should be aware that a physical change or a change in the method of operation that may render this descriptive information obsolete or inaccurate may trigger requirements for the Permittee to obtain additional permits or seek modification of this permit pursuant to 326 IAC 2, or change other applicable requirements presented in the permit application.

A.1 General Information [326 IAC 2-7-4(c)][326 IAC 2-7-5(14)][326 IAC 2-7-1(22)]

The Permittee owns and operates a stationary carbon dioxide processing source.

Source Address:	3809 West Calvert Street, South Bend, Indiana 46613
General Source Phone Number:	(219) 324-5413
SIC Code:	2869 (Industrial Organic Chemicals) and 2813 (Industrial Gases)
County Location:	St Joseph
Source Location Status:	Attainment for all criteria pollutants
Source Status:	Part 70 Operating Permit Program Major Source, under PSD Rules Major Source, Section 112 of the Clean Air Act Not 1 of 28 Source Categories

A.2 Part 70 Source Definition [326 IAC 2-7-1(22)]

This carbon dioxide processing plant consists of two (2) plants:

- (a) Noble Americas South Bend Ethanol LLC, and
- (b) Linde LLC located at 3809 West Calvert Street, South Bend, Indiana.

Although the two (2) plants do not share common ownership or management, IDEM, OAQ has determined that since the two (2) plants are located on contiguous property that is owned by Noble Americas and if it were not for the existence of Noble Americas, the Linde LLC plant would not be there, the two (2) plants are considered one (1) source. Linde LLC is totally dependent on Noble Americas for its feedstock of CO₂ gas. Therefore, the term "source" in the Part 70 documents refers to both Noble Americas and Linde LLC as one (1) major source.

Separate Part 70 Operating Permits have been issued to Noble Americas South Bend Ethanol LLC and Linde LLC solely for administrative purposes. This conclusion was initially determined under Part 70 Operating Permit Renewal (T141-6956-00033) on March 17, 2008.

A.3 Specifically Regulated Insignificant Activities [326 IAC 2-7-1(21)][326 IAC 2-7-4(c)][326 IAC 2-7-5(14)]

This stationary source also includes the following insignificant activities which are specifically regulated, as defined in 326 IAC 2-7-1(21):

- (a) One (1) cooling tower system, identified as CTWR, exhausted to Stack S-CTWR, installed in May 1985, capacity: 3,000 gallons of water per minute.

A.4 Insignificant Activities [326 IAC 2-7-1(21)][326 IAC 2-7-4(c)][326 IAC 2-7-5(14)]

This stationary source also includes the following insignificant activities, as defined in 326 IAC 2-7-1(21):

- (a) Two (2) electric dryers, identified as D-20A and D-20B, both exhausted to Stack S-204,

installed in May 1985.

- (b) Two (2) electrically heated Selexsorb beds, identified as D-15A and D-15B, both exhausted to Stack S-154, installed in May 1985.
- (c) One (1) electrically heated carbon bed, identified as D-13, exhausted to Stack S-154, installed in May 1985.
- (d) Heat exchanger, cleaning and repair.
- (e) Blowdown for any of the following: sight glass, boiler, compressors, pumps and cooling tower.
- (f) One (1) diesel fuel tank, identified as T-DSL, exhausted to Stack S-DSL, installed in May 1985, capacity: 10,000 gallons. (Note: the diesel fuel is used in vehicles and not for combustion).
- (g) DA forced draft Decarbonator used to remove dissolved CO₂ from the scrubber effluent raising the pH of the discharge water and preventing the formation of sodium salts. Emission rates estimated to be less than or equal to 3 lb/hr or 15 lb/day.

A.5 Part 70 Permit Applicability [326 IAC 2-7-2]

This stationary source is required to have a Part 70 permit by 326 IAC 2-7-2 (Applicability) because:

- (a) It is a major source, as defined in 326 IAC 2-7-1(22);
- (b) It is a source in a source category designated by the United States Environmental Protection Agency (U.S. EPA) under 40 CFR 70.3 (Part 70 - Applicability).

SECTION B GENERAL CONDITIONS

B.1 Definitions [326 IAC 2-7-1]

Terms in this permit shall have the definition assigned to such terms in the referenced regulation. In the absence of definitions in the referenced regulation, the applicable definitions found in the statutes or regulations (IC 13-11, 326 IAC 1-2 and 326 IAC 2-7) shall prevail.

B.2 Permit Term [326 IAC 2-7-5(2)][326 IAC 2-1.1-9.5][326 IAC 2-7-4(a)(1)(D)][IC 13-15-3-6(a)]

- (a) This permit, T141-36904-00548, is issued for a fixed term of five (5) years from the issuance date of this permit, as determined in accordance with IC 4-21.5-3-5(f) and IC 13-15-5-3. Subsequent revisions, modifications, or amendments of this permit do not affect the expiration date of this permit.
- (b) If IDEM, OAQ, upon receiving a timely and complete renewal permit application, fails to issue or deny the permit renewal prior to the expiration date of this permit, this existing permit shall not expire and all terms and conditions shall continue in effect, including any permit shield provided in 326 IAC 2-7-15, until the renewal permit has been issued or denied.

B.3 Term of Conditions [326 IAC 2-1.1-9.5]

Notwithstanding the permit term of a permit to construct, a permit to operate, or a permit modification, any condition established in a permit issued pursuant to a permitting program approved in the state implementation plan shall remain in effect until:

- (a) the condition is modified in a subsequent permit action pursuant to Title I of the Clean Air Act; or
- (b) the emission unit to which the condition pertains permanently ceases operation.

B.4 Enforceability [326 IAC 2-7-7][IC 13-17-12]

Unless otherwise stated, all terms and conditions in this permit, including any provisions designed to limit the source's potential to emit, are enforceable by IDEM, the United States Environmental Protection Agency (U.S. EPA) and by citizens in accordance with the Clean Air Act.

B.5 Severability [326 IAC 2-7-5(5)]

The provisions of this permit are severable; a determination that any portion of this permit is invalid shall not affect the validity of the remainder of the permit.

B.6 Property Rights or Exclusive Privilege [326 IAC 2-7-5(6)(D)]

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

B.7 Duty to Provide Information [326 IAC 2-7-5(6)(E)]

- (a) The Permittee shall furnish to IDEM, OAQ, within a reasonable time, any information that IDEM, OAQ may request in writing to determine whether cause exists for modifying, revoking and reissuing, or terminating this permit, or to determine compliance with this permit. Upon request, the Permittee shall also furnish to IDEM, OAQ copies of records required to be kept by this permit.
- (b) For information furnished by the Permittee to IDEM, OAQ, the Permittee may include a claim of confidentiality in accordance with 326 IAC 17.1. When furnishing copies of requested records directly to U. S. EPA, the Permittee may assert a claim of confidentiality in accordance with 40 CFR 2, Subpart B.

B.8 Certification [326 IAC 2-7-4(f)][326 IAC 2-7-6(1)][326 IAC 2-7-5(3)(C)]

- (a) A certification required by this permit meets the requirements of 326 IAC 2-7-6(1) if:

- (1) it contains a certification by a "responsible official" as defined by 326 IAC 2-7-1(35), and
 - (2) the certification states that, based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate, and complete.
- (b) The Permittee may use the attached Certification Form, or its equivalent with each submittal requiring certification. One (1) certification may cover multiple forms in one (1) submittal.
 - (c) A "responsible official" is defined at 326 IAC 2-7-1(35).

B.9 Annual Compliance Certification [326 IAC 2-7-6(5)]

- (a) The Permittee shall annually submit a compliance certification report which addresses the status of the source's compliance with the terms and conditions contained in this permit, including emission limitations, standards, or work practices. All certifications shall cover the time period from January 1 to December 31 of the previous year, and shall be submitted no later than July 1 of each year to:

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

and

United States Environmental Protection Agency, Region V
Air and Radiation Division, Air Enforcement Branch - Indiana (AE-17J)
77 West Jackson Boulevard
Chicago, Illinois 60604-3590

- (b) The annual compliance certification report required by this permit shall be considered timely if the date postmarked on the envelope or certified mail receipt, or affixed by the shipper on the private shipping receipt, is on or before the date it is due. If the document is submitted by any other means, it shall be considered timely if received by IDEM, OAQ on or before the date it is due.
- (c) The annual compliance certification report shall include the following:
 - (1) The appropriate identification of each term or condition of this permit that is the basis of the certification;
 - (2) The compliance status;
 - (3) Whether compliance was continuous or intermittent;
 - (4) The methods used for determining the compliance status of the source, currently and over the reporting period consistent with 326 IAC 2-7-5(3); and
 - (5) Such other facts, as specified in Sections D of this permit, as IDEM, OAQ may require to determine the compliance status of the source.

The submittal by the Permittee does require a certification that meets the requirements of 326 IAC 2-7-6(1) by a "responsible official" as defined by 326 IAC 2-7-1(35).

B.10 Preventive Maintenance Plan [326 IAC 2-7-5(12)][326 IAC 1-6-3]

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

The Permittee shall implement the PMPs.

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

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

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

The PMP extension notification does not require a certification that meets the requirements of 326 IAC 2-7-6(1) by a "responsible official" as defined by 326 IAC 2-7-1(35).

The Permittee shall implement the PMPs.

- (c) A copy of the PMPs shall be submitted to IDEM, OAQ upon request and within a reasonable time, and shall be subject to review and approval by IDEM, OAQ. IDEM, OAQ may require the Permittee to revise its PMPs whenever lack of proper maintenance causes or is the primary contributor to an exceedance of any limitation on emissions. The PMPs and their submittal do not require a certification that meets the requirements of 326 IAC 2-7-6(1) by a "responsible official" as defined by 326 IAC 2-7-1(35).

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

B.11 Emergency Provisions [326 IAC 2-7-16]

- (a) An emergency, as defined in 326 IAC 2-7-1(12), is not an affirmative defense for an action brought for noncompliance with a federal or state health-based emission limitation.

- (b) An emergency, as defined in 326 IAC 2-7-1(12), constitutes an affirmative defense to an action brought for noncompliance with a technology-based emission limitation if the affirmative defense of an emergency is demonstrated through properly signed, contemporaneous operating logs or other relevant evidence that describe the following:

- (1) An emergency occurred and the Permittee can, to the extent possible, identify the causes of the emergency;
- (2) The permitted facility was at the time being properly operated;
- (3) During the period of an emergency, the Permittee took all reasonable steps to minimize levels of emissions that exceeded the emission standards or other requirements in this permit;
- (4) For each emergency lasting one (1) hour or more, the Permittee notified IDEM, OAQ or Northern Regional Office within four (4) daytime business hours after the beginning of the emergency, or after the emergency was discovered or reasonably should have been discovered;

Telephone Number: 1-800-451-6027 (ask for Office of Air Quality, Compliance and Enforcement Branch), or
Telephone Number: 317-233-0178 (ask for Office of Air Quality, Compliance and Enforcement Branch)
Facsimile Number: 317-233-6865
Northern Regional Office phone: (574) 245-4870; fax: (574) 245-4877.

- (5) For each emergency lasting one (1) hour or more, the Permittee submitted the attached Emergency Occurrence Report Form or its equivalent, either by mail or facsimile to:

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

within two (2) working days of the time when emission limitations were exceeded due to the emergency.

The notice fulfills the requirement of 326 IAC 2-7-5(3)(C)(ii) and must contain the following:

- (A) A description of the emergency;
- (B) Any steps taken to mitigate the emissions; and

(C) Corrective actions taken.

The notification which shall be submitted by the Permittee does not require a certification that meets the requirements of 326 IAC 2-7-6(1) by a "responsible official" as defined by 326 IAC 2-7-1(35).

(6) The Permittee immediately took all reasonable steps to correct the emergency.

- (c) In any enforcement proceeding, the Permittee seeking to establish the occurrence of an emergency has the burden of proof.
- (d) This emergency provision supersedes 326 IAC 1-6 (Malfunctions). This permit condition is in addition to any emergency or upset provision contained in any applicable requirement.
- (e) The Permittee seeking to establish the occurrence of an emergency shall make records available upon request to ensure that failure to implement a PMP did not cause or contribute to an exceedance of any limitations on emissions. However, IDEM, OAQ may require that the Preventive Maintenance Plans required under 326 IAC 2-7-4(c)(8) be revised in response to an emergency.
- (f) Failure to notify IDEM, OAQ by telephone or facsimile of an emergency lasting more than one (1) hour in accordance with (b)(4) and (5) of this condition shall constitute a violation of 326 IAC 2-7 and any other applicable rules.
- (g) If the emergency situation causes a deviation from a technology-based limit, the Permittee may continue to operate the affected emitting facilities during the emergency provided the Permittee immediately takes all reasonable steps to correct the emergency and minimize emissions.

B.12 Permit Shield [326 IAC 2-7-15][326 IAC 2-7-20][326 IAC 2-7-12]

- (a) Pursuant to 326 IAC 2-7-15, the Permittee has been granted a permit shield. The permit shield provides that compliance with the conditions of this permit shall be deemed compliance with any applicable requirements as of the date of permit issuance, provided that either the applicable requirements are included and specifically identified in this permit or the permit contains an explicit determination or concise summary of a determination that other specifically identified requirements are not applicable. The Indiana statutes from IC 13 and rules from 326 IAC, referenced in conditions in this permit, are those applicable at the time the permit was issued. The issuance or possession of this permit shall not alone constitute a defense against an alleged violation of any law, regulation or standard, except for the requirement to obtain a Part 70 permit under 326 IAC 2-7 or for applicable requirements for which a permit shield has been granted.

This permit shield does not extend to applicable requirements which are promulgated after the date of issuance of this permit unless this permit has been modified to reflect such new requirements.

- (b) If, after issuance of this permit, it is determined that the permit is in nonconformance with an applicable requirement that applied to the source on the date of permit issuance, IDEM, OAQ shall immediately take steps to reopen and revise this permit and issue a compliance order to the Permittee to ensure expeditious compliance with the applicable requirement until the permit is reissued. The permit shield shall continue in effect so long as the Permittee is in compliance with the compliance order.

- (c) No permit shield shall apply to any permit term or condition that is determined after issuance of this permit to have been based on erroneous information supplied in the permit application. Erroneous information means information that the Permittee knew to be false, or in the exercise of reasonable care should have been known to be false, at the time the information was submitted.
- (d) Nothing in 326 IAC 2-7-15 or in this permit shall alter or affect the following:
 - (1) The provisions of Section 303 of the Clean Air Act (emergency orders), including the authority of the U.S. EPA under Section 303 of the Clean Air Act;
 - (2) The liability of the Permittee for any violation of applicable requirements prior to or at the time of this permit's issuance;
 - (3) The applicable requirements of the acid rain program, consistent with Section 408(a) of the Clean Air Act; and
 - (4) The ability of U.S. EPA to obtain information from the Permittee under Section 114 of the Clean Air Act.
- (e) This permit shield is not applicable to any change made under 326 IAC 2-7-20(b)(2) (Sections 502(b)(10) of the Clean Air Act changes) and 326 IAC 2-7-20(c)(2) (trading based on State Implementation Plan (SIP) provisions).
- (f) This permit shield is not applicable to modifications eligible for group processing until after IDEM, OAQ, has issued the modifications. [326 IAC 2-7-12(c)(7)]
- (g) This permit shield is not applicable to minor Part 70 permit modifications until after IDEM, OAQ, has issued the modification. [326 IAC 2-7-12(b)(8)]

B.13 Prior Permits Superseded [326 IAC 2-1.1-9.5][326 IAC 2-7-10.5]

- (a) All terms and conditions of permits established prior to T141-36904-00548 and issued pursuant to permitting programs approved into the state implementation plan have been either:
 - (1) incorporated as originally stated,
 - (2) revised under 326 IAC 2-7-10.5, or
 - (3) deleted under 326 IAC 2-7-10.5.
- (b) Provided that all terms and conditions are accurately reflected in this permit, all previous registrations and permits are superseded by this Part 70 operating permit.

B.14 Termination of Right to Operate [326 IAC 2-7-10][326 IAC 2-7-4(a)]

The Permittee's right to operate this source terminates with the expiration of this permit unless a timely and complete renewal application is submitted at least nine (9) months prior to the date of expiration of the source's existing permit, consistent with 326 IAC 2-7-3 and 326 IAC 2-7-4(a).

B.15 Permit Modification, Reopening, Revocation and Reissuance, or Termination [326 IAC 2-7-5(6)(C)][326 IAC 2-7-8(a)][326 IAC 2-7-9]

- (a) This permit may be modified, reopened, revoked and reissued, or terminated for cause. The filing of a request by the Permittee for a Part 70 Operating Permit modification, revocation and reissuance, or termination, or of a notification of planned changes or anticipated noncompliance does not stay any condition of this permit. [326 IAC 2-7-

5(6)(C)] The notification by the Permittee does require a certification that meets the requirements of 326 IAC 2-7-6(1) by a "responsible official" as defined by 326 IAC 2-7-1(35).

- (b) This permit shall be reopened and revised under any of the circumstances listed in IC 13-15-7-2 or if IDEM, OAQ determines any of the following:
 - (1) That this permit contains a material mistake.
 - (2) That inaccurate statements were made in establishing the emissions standards or other terms or conditions.
 - (3) That this permit must be revised or revoked to assure compliance with an applicable requirement. [326 IAC 2-7-9(a)(3)]
- (c) Proceedings by IDEM, OAQ to reopen and revise this permit shall follow the same procedures as apply to initial permit issuance and shall affect only those parts of this permit for which cause to reopen exists. Such reopening and revision shall be made as expeditiously as practicable. [326 IAC 2-7-9(b)]
- (d) The reopening and revision of this permit, under 326 IAC 2-7-9(a), shall not be initiated before notice of such intent is provided to the Permittee by IDEM, OAQ at least thirty (30) days in advance of the date this permit is to be reopened, except that IDEM, OAQ may provide a shorter time period in the case of an emergency. [326 IAC 2-7-9(c)]

B.16 Permit Renewal [326 IAC 2-7-3][326 IAC 2-7-4][326 IAC 2-7-8(e)]

- (a) The application for renewal shall be submitted using the application form or forms prescribed by IDEM, OAQ and shall include the information specified in 326 IAC 2-7-4. Such information shall be included in the application for each emission unit at this source, except those emission units included on the trivial or insignificant activities list contained in 326 IAC 2-7-1(21) and 326 IAC 2-7-1(42). The renewal application does require a certification that meets the requirements of 326 IAC 2-7-6(1) by a "responsible official" as defined by 326 IAC 2-7-1(35).

Request for renewal shall be submitted to:

Indiana Department of Environmental Management
Permit Administration and Support Section, Office of Air Quality
100 North Senate Avenue
MC 61-53 IGCN 1003
Indianapolis, Indiana 46204-2251

- (b) A timely renewal application is one that is:
 - (1) Submitted at least nine (9) months prior to the date of the expiration of this permit; and
 - (2) If the date postmarked on the envelope or certified mail receipt, or affixed by the shipper on the private shipping receipt, is on or before the date it is due. If the document is submitted by any other means, it shall be considered timely if received by IDEM, OAQ on or before the date it is due.
- (c) If the Permittee submits a timely and complete application for renewal of this permit, the source's failure to have a permit is not a violation of 326 IAC 2-7 until IDEM, OAQ takes final action on the renewal application, except that this protection shall cease to apply if,

subsequent to the completeness determination, the Permittee fails to submit by the deadline specified, pursuant to 326 IAC 2-7-4(a)(2)(D), in writing by IDEM, OAQ any additional information identified as being needed to process the application.

B.17 Permit Amendment or Modification [326 IAC 2-7-11][326 IAC 2-7-12]

(a) Permit amendments and modifications are governed by the requirements of 326 IAC 2-7-11 or 326 IAC 2-7-12 whenever the Permittee seeks to amend or modify this permit.

(b) Any application requesting an amendment or modification of this permit shall be submitted to:

Indiana Department of Environmental Management
Permit Administration and Support Section, Office of Air Quality
100 North Senate Avenue
MC 61-53 IGCN 1003
Indianapolis, Indiana 46204-2251

Any such application does require a certification that meets the requirements of 326 IAC 2-7-6(1) by a "responsible official" as defined by 326 IAC 2-7-1(35).

(c) The Permittee may implement administrative amendment changes addressed in the request for an administrative amendment immediately upon submittal of the request. [326 IAC 2-7-11(c)(3)]

B.18 Permit Revision Under Economic Incentives and Other Programs [326 IAC 2-7-5(8)][326 IAC 2-7-12(b)(2)]

(a) No Part 70 permit revision or notice shall be required under any approved economic incentives, marketable Part 70 permits, emissions trading, and other similar programs or processes for changes that are provided for in a Part 70 permit.

(b) Notwithstanding 326 IAC 2-7-12(b)(1) and 326 IAC 2-7-12(c)(1), minor Part 70 permit modification procedures may be used for Part 70 modifications involving the use of economic incentives, marketable Part 70 permits, emissions trading, and other similar approaches to the extent that such minor Part 70 permit modification procedures are explicitly provided for in the applicable State Implementation Plan (SIP) or in applicable requirements promulgated or approved by the U.S. EPA.

B.19 Operational Flexibility [326 IAC 2-7-20][326 IAC 2-7-10.5]

(a) The Permittee may make any change or changes at the source that are described in 326 IAC 2-7-20(b) or (c) without a prior permit revision, if each of the following conditions is met:

(1) The changes are not modifications under any provision of Title I of the Clean Air Act;

(2) Any preconstruction approval required by 326 IAC 2-7-10.5 has been obtained;

(3) The changes do not result in emissions which exceed the limitations provided in this permit (whether expressed herein as a rate of emissions or in terms of total emissions);

(4) The Permittee notifies the:

Indiana Department of Environmental Management
Permit Administration and Support Section, Office of Air Quality
100 North Senate Avenue
MC 61-53 IGCN 1003
Indianapolis, Indiana 46204-2251

and

United States Environmental Protection Agency, Region V
Air and Radiation Division, Regulation Development Branch - Indiana (AR-18J)
77 West Jackson Boulevard
Chicago, Illinois 60604-3590

in advance of the change by written notification at least ten (10) days in advance of the proposed change. The Permittee shall attach every such notice to the Permittee's copy of this permit; and

- (5) The Permittee maintains records on-site, on a rolling five (5) year basis, which document all such changes and emission trades that are subject to 326 IAC 2-7-20(b)(1) and (c)(1). The Permittee shall make such records available, upon reasonable request, for public review.

Such records shall consist of all information required to be submitted to IDEM, OAQ in the notices specified in 326 IAC 2-7-20(b)(1) and (c)(1).

- (b) The Permittee may make Section 502(b)(10) of the Clean Air Act changes (this term is defined at 326 IAC 2-7-1(37)) without a permit revision, subject to the constraint of 326 IAC 2-7-20(a). For each such Section 502(b)(10) of the Clean Air Act change, the required written notification shall include the following:

- (1) A brief description of the change within the source;
- (2) The date on which the change will occur;
- (3) Any change in emissions; and
- (4) Any permit term or condition that is no longer applicable as a result of the change.

The notification which shall be submitted is not considered an application form, report or compliance certification. Therefore, the notification by the Permittee does not require a certification that meets the requirements of 326 IAC 2-7-6(1) by a "responsible official" as defined by 326 IAC 2-7-1(35).

- (c) Emission Trades [326 IAC 2-7-20(c)]
The Permittee may trade emissions increases and decreases at the source, where the applicable SIP provides for such emission trades without requiring a permit revision, subject to the constraints of Section (a) of this condition and those in 326 IAC 2-7-20(c).
- (d) Alternative Operating Scenarios [326 IAC 2-7-20(d)]
The Permittee may make changes at the source within the range of alternative operating scenarios that are described in the terms and conditions of this permit in accordance with 326 IAC 2-7-5(9). No prior notification of IDEM, OAQ or U.S. EPA is required.

- (e) Backup fuel switches specifically addressed in, and limited under, Section D of this permit shall not be considered alternative operating scenarios. Therefore, the notification requirements of part (a) of this condition do not apply.

B.20 Source Modification Requirement [326 IAC 2-7-10.5]

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

B.21 Inspection and Entry [326 IAC 2-7-6][IC 13-14-2-2][IC 13-30-3-1][IC 13-17-3-2]

Upon presentation of proper identification cards, credentials, and other documents as may be required by law, and subject to the Permittee's right under all applicable laws and regulations to assert that the information collected by the agency is confidential and entitled to be treated as such, the Permittee shall allow IDEM, OAQ, U.S. EPA, or an authorized representative to perform the following:

- (a) Enter upon the Permittee's premises where a Part 70 source is located, or emissions related activity is conducted, or where records must be kept under the conditions of this permit;
- (b) As authorized by the Clean Air Act, IC 13-14-2-2, IC 13-17-3-2, and IC 13-30-3-1, have access to and copy any records that must be kept under the conditions of this permit;
- (c) As authorized by the Clean Air Act, IC 13-14-2-2, IC 13-17-3-2, and IC 13-30-3-1, inspect any facilities, equipment (including monitoring and air pollution control equipment), practices, or operations regulated or required under this permit;
- (d) As authorized by the Clean Air Act, IC 13-14-2-2, IC 13-17-3-2, and IC 13-30-3-1, sample or monitor substances or parameters for the purpose of assuring compliance with this permit or applicable requirements; and
- (e) As authorized by the Clean Air Act, IC 13-14-2-2, IC 13-17-3-2, and IC 13-30-3-1, utilize any photographic, recording, testing, monitoring, or other equipment for the purpose of assuring compliance with this permit or applicable requirements.

B.22 Transfer of Ownership or Operational Control [326 IAC 2-7-11]

- (a) The Permittee must comply with the requirements of 326 IAC 2-7-11 whenever the Permittee seeks to change the ownership or operational control of the source and no other change in the permit is necessary.
- (b) Any application requesting a change in the ownership or operational control of the source shall contain a written agreement containing a specific date for transfer of permit responsibility, coverage and liability between the current and new Permittee. The application shall be submitted to:

Indiana Department of Environmental Management
Permit Administration and Support Section, Office of Air Quality
100 North Senate Avenue
MC 61-53 IGCN 1003
Indianapolis, Indiana 46204-2251

Any such application does require a certification that meets the requirements of 326 IAC 2-7-6(1) by a "responsible official" as defined by 326 IAC 2-7-1(35).

- (c) The Permittee may implement administrative amendment changes addressed in the request for an administrative amendment immediately upon submittal of the request. [326 IAC 2-7-11(c)(3)]

B.23 Annual Fee Payment [326 IAC 2-7-19][326 IAC 2-7-5(7)][326 IAC 2-1.1-7]

- (a) The Permittee shall pay annual fees to IDEM, OAQ within thirty (30) calendar days of receipt of a billing. Pursuant to 326 IAC 2-7-19(b), if the Permittee does not receive a bill from IDEM, OAQ the applicable fee is due April 1 of each year.
- (b) Except as provided in 326 IAC 2-7-19(e), failure to pay may result in administrative enforcement action or revocation of this permit.
- (c) The Permittee may call the following telephone numbers: 1-800-451-6027 or 317-233-4230 (ask for OAQ, Billing, Licensing, and Training Section), to determine the appropriate permit fee.

B.24 Credible Evidence [326 IAC 2-7-5(3)][326 IAC 2-7-6][62 FR 8314][326 IAC 1-1-6]

For the purpose of submitting compliance certifications or establishing whether or not the Permittee has violated or is in violation of any condition of this permit, nothing in this permit shall preclude the use, including the exclusive use, of any credible evidence or information relevant to whether the Permittee would have been in compliance with the condition of this permit if the appropriate performance or compliance test or procedure had been performed.

SECTION C SOURCE OPERATION CONDITIONS

Entire Source

Emission Limitations and Standards [326 IAC 2-7-5(1)]

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

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

C.2 Opacity [326 IAC 5-1]

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

- (a) Opacity shall not exceed an average of thirty percent (30%) in any one (1) six (6) minute averaging period as determined in 326 IAC 5-1-4.
- (b) Opacity shall not exceed sixty percent (60%) for more than a cumulative total of fifteen (15) minutes (sixty (60) readings as measured according to 40 CFR 60, Appendix A, Method 9 or fifteen (15) one (1) minute nonoverlapping integrated averages for a continuous opacity monitor) in a six (6) hour period.

C.3 Open Burning [326 IAC 4-1][IC 13-17-9]

The Permittee shall not open burn any material except as provided in 326 IAC 4-1-3, 326 IAC 4-1-4 or 326 IAC 4-1-6. The previous sentence notwithstanding, the Permittee may open burn in accordance with an open burning approval issued by the Commissioner under 326 IAC 4-1-4.1.

C.4 Incineration [326 IAC 4-2][326 IAC 9-1-2]

The Permittee shall not operate an incinerator except as provided in 326 IAC 4-2 or in this permit. The Permittee shall not operate a refuse incinerator or refuse burning equipment except as provided in 326 IAC 9-1-2 or in this permit.

C.5 Fugitive Dust Emissions [326 IAC 6-4]

The Permittee shall not allow fugitive dust to escape beyond the property line or boundaries of the property, right-of-way, or easement on which the source is located, in a manner that would violate 326 IAC 6-4 (Fugitive Dust Emissions). 326 IAC 6-4-2(4) is not federally enforceable.

C.6 Asbestos Abatement Projects [326 IAC 14-10][326 IAC 18][40 CFR 61, Subpart M]

- (a) Notification requirements apply to each owner or operator. If the combined amount of regulated asbestos containing material (RACM) to be stripped, removed or disturbed is at least 260 linear feet on pipes or 160 square feet on other facility components, or at least thirty-five (35) cubic feet on all facility components, then the notification requirements of 326 IAC 14-10-3 are mandatory. All demolition projects require notification whether or not asbestos is present.
- (b) The Permittee shall ensure that a written notification is sent on a form provided by the Commissioner at least ten (10) working days before asbestos stripping or removal work or before demolition begins, per 326 IAC 14-10-3, and shall update such notice as necessary, including, but not limited to the following:

- (1) When the amount of affected asbestos containing material increases or decreases by at least twenty percent (20%); or
- (2) If there is a change in the following:
 - (A) Asbestos removal or demolition start date;
 - (B) Removal or demolition contractor; or
 - (C) Waste disposal site.
- (c) The Permittee shall ensure that the notice is postmarked or delivered according to the guidelines set forth in 326 IAC 14-10-3(2).
- (d) The notice to be submitted shall include the information enumerated in 326 IAC 14-10-3(3).

All required notifications shall be submitted to:

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

The notice shall include a signed certification from the owner or operator that the information provided in this notification is correct and that only Indiana licensed workers and project supervisors will be used to implement the asbestos removal project. The notifications do not require a certification that meets the requirements of 326 IAC 2-7-6(1) by a "responsible official" as defined by 326 IAC 2-7-1(35).

- (e) **Procedures for Asbestos Emission Control**
The Permittee shall comply with the applicable emission control procedures in 326 IAC 14-10-4 and 40 CFR 61.145(c). Per 326 IAC 14-10-1, emission control requirements are applicable for any removal or disturbance of RACM greater than three (3) linear feet on pipes or three (3) square feet on any other facility components or a total of at least 0.75 cubic feet on all facility components.
- (f) **Demolition and Renovation**
The Permittee shall thoroughly inspect the affected facility or part of the facility where the demolition or renovation will occur for the presence of asbestos pursuant to 40 CFR 61.145(a).
- (g) **Indiana Licensed Asbestos Inspector**
The Permittee shall comply with 326 IAC 14-10-1(a) that requires the owner or operator, prior to a renovation/demolition, to use an Indiana Licensed Asbestos Inspector to thoroughly inspect the affected portion of the facility for the presence of asbestos. The requirement to use an Indiana Licensed Asbestos inspector is not federally enforceable.

Testing Requirements [326 IAC 2-7-6(1)]

C.7 Performance Testing [326 IAC 3-6]

- (a) For performance testing required by this permit, a test protocol, except as provided elsewhere in this permit, shall be submitted to:

Indiana Department of Environmental Management

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

no later than thirty-five (35) days prior to the intended test date. The protocol submitted by the Permittee does not require a certification that meets the requirements of 326 IAC 2-7-6(1) by a "responsible official" as defined by 326 IAC 2-7-1(35).

- (b) The Permittee shall notify IDEM, OAQ of the actual test date at least fourteen (14) days prior to the actual test date. The notification submitted by the Permittee does not require a certification that meets the requirements of 326 IAC 2-7-6(1) by a "responsible official" as defined by 326 IAC 2-7-1(35).
- (c) Pursuant to 326 IAC 3-6-4(b), all test reports must be received by IDEM, OAQ not later than forty-five (45) days after the completion of the testing. An extension may be granted by IDEM, OAQ if the Permittee submits to IDEM, OAQ a reasonable written explanation not later than five (5) days prior to the end of the initial forty-five (45) day period.

Compliance Requirements [326 IAC 2-1.1-11]

C.8 Compliance Requirements [326 IAC 2-1.1-11]

The commissioner may require stack testing, monitoring, or reporting at any time to assure compliance with all applicable requirements by issuing an order under 326 IAC 2-1.1-11. Any monitoring or testing shall be performed in accordance with 326 IAC 3 or other methods approved by the commissioner or the U. S. EPA.

Compliance Monitoring Requirements [326 IAC 2-7-5(1)][326 IAC 2-7-6(1)]

C.9 Compliance Monitoring [326 IAC 2-7-5(3)][326 IAC 2-7-6(1)]

- (a) For new units:
Unless otherwise specified in the approval for the new emission unit(s), compliance monitoring for new emission units shall be implemented on and after the date of initial start-up.
- (b) For existing units:
Unless otherwise specified in this permit, for all monitoring requirements not already legally required, the Permittee shall be allowed up to ninety (90) days from the date of permit issuance to begin such monitoring. If, due to circumstances beyond the Permittee's control, any monitoring equipment required by this permit cannot be installed and operated no later than ninety (90) days after permit issuance, the Permittee may extend the compliance schedule related to the equipment for an additional ninety (90) days provided the Permittee notifies:

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

in writing, prior to the end of the initial ninety (90) day compliance schedule, with full justification of the reasons for the inability to meet this date.

The notification which shall be submitted by the Permittee does require a certification that meets the requirements of 326 IAC 2-7-6(1) by a "responsible official" as defined by 326 IAC 2-7-1(35).

C.10 Instrument Specifications [326 IAC 2-1.1-11][326 IAC 2-7-5(3)][326 IAC 2-7-6(1)]

- (a) When required by any condition of this permit, an analog instrument used to measure a parameter related to the operation of an air pollution control device shall have a scale such that the expected maximum reading for the normal range shall be no less than twenty percent (20%) of full scale. The analog instrument shall be capable of measuring values outside of the normal range.
- (b) The Permittee may request that the IDEM, OAQ approve the use of an instrument that does not meet the above specifications provided the Permittee can demonstrate that an alternative instrument specification will adequately ensure compliance with permit conditions requiring the measurement of the parameters.

Corrective Actions and Response Steps [326 IAC 2-7-5][326 IAC 2-7-6]

C.11 Emergency Reduction Plans [326 IAC 1-5-2][326 IAC 1-5-3]

Pursuant to 326 IAC 1-5-2 (Emergency Reduction Plans; Submission):

- (a) The Permittee shall maintain the most recently submitted written emergency reduction plans (ERPs) consistent with safe operating procedures.
- (b) Upon direct notification by IDEM, OAQ that a specific air pollution episode level is in effect, the Permittee shall immediately put into effect the actions stipulated in the approved ERP for the appropriate episode level. [326 IAC 1-5-3]

C.12 Risk Management Plan [326 IAC 2-7-5(11)][40 CFR 68]

If a regulated substance, as defined in 40 CFR 68, is present at a source in more than a threshold quantity, the Permittee must comply with the applicable requirements of 40 CFR 68.

C.13 Response to Excursions or Exceedances [326 IAC 2-7-5][326 IAC 2-7-6]

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

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

- (2) review of operation and maintenance procedures and records; and/or
- (3) inspection of the control device, associated capture system, and the process.
- (d) Failure to take reasonable response steps shall be considered a deviation from the permit.
- (e) The Permittee shall record the reasonable response steps taken.

C.14 Actions Related to Noncompliance Demonstrated by a Stack Test [326 IAC 2-7-5][326 IAC 2-7-6]

- (a) When the results of a stack test performed in conformance with Section C - Performance Testing, of this permit exceed the level specified in any condition of this permit, the Permittee shall submit a description of its response actions to IDEM, OAQ no later than seventy-five (75) days after the date of the test.
- (b) A retest to demonstrate compliance shall be performed no later than one hundred eighty (180) days after the date of the test. Should the Permittee demonstrate to IDEM, OAQ that retesting in one hundred eighty (180) days is not practicable, IDEM, OAQ may extend the retesting deadline.
- (c) IDEM, OAQ reserves the authority to take any actions allowed under law in response to noncompliant stack tests.

The response action documents submitted pursuant to this condition do require a certification that meets the requirements of 326 IAC 2-7-6(1) by a "responsible official" as defined by 326 IAC 2-7-1(35).

Record Keeping and Reporting Requirements [326 IAC 2-7-5(3)][326 IAC 2-7-19]

C.15 Emission Statement [326 IAC 2-7-5(3)(C)(iii)][326 IAC 2-7-5(7)][326 IAC 2-7-19(c)][326 IAC 2-6]

Pursuant to 326 IAC 2-6-3(a)(1), the Permittee shall submit by July 1 of each year an emission statement covering the previous calendar year. The emission statement shall contain, at a minimum, the information specified in 326 IAC 2-6-4(c) and shall meet the following requirements:

- (1) Indicate estimated actual emissions of all pollutants listed in 326 IAC 2-6-4(a);
- (2) Indicate estimated actual emissions of regulated pollutants as defined by 326 IAC 2-7-1(33) ("Regulated pollutant, which is used only for purposes of Section 19 of this rule") from the source, for purpose of fee assessment.

The statement must be submitted to:

Indiana Department of Environmental Management
Technical Support and Modeling Section, Office of Air Quality
100 North Senate Avenue
MC 61-50 IGCN 1003
Indianapolis, Indiana 46204-2251

The emission statement does require a certification that meets the requirements of 326 IAC 2-7-6(1) by a "responsible official" as defined by 326 IAC 2-7-1(35).

C.16 General Record Keeping Requirements [326 IAC 2-7-5(3)][326 IAC 2-7-6][326 IAC 2-2][326 IAC 2-3]

- (a) Records of all required monitoring data, reports and support information required by this permit shall be retained for a period of at least five (5) years from the date of monitoring sample, measurement, report, or application. Support information includes the following, where applicable:

- (AA) All calibration and maintenance records.
- (BB) All original strip chart recordings for continuous monitoring instrumentation.
- (CC) Copies of all reports required by the Part 70 permit.

Records of required monitoring information include the following, where applicable:

- (AA) The date, place, as defined in this permit, and time of sampling or measurements.
- (BB) The dates analyses were performed.
- (CC) The company or entity that performed the analyses.
- (DD) The analytical techniques or methods used.
- (EE) The results of such analyses.
- (FF) The operating conditions as existing at the time of sampling or measurement.

These records shall be physically present or electronically accessible at the source location for a minimum of three (3) years. The records may be stored elsewhere for the remaining two (2) years as long as they are available upon request. If the Commissioner makes a request for records to the Permittee, the Permittee shall furnish the records to the Commissioner within a reasonable time.

- (b) Unless otherwise specified in this permit, for all record keeping requirements not already legally required, the Permittee shall be allowed up to ninety (90) days from the date of permit issuance or the date of initial start-up, whichever is later, to begin such record keeping.

- (c) If there is a reasonable possibility (as defined in 326 IAC 2-2-8 (b)(6)(A), 326 IAC 2-2-8 (b)(6)(B), 326 IAC 2-3-2 (l)(6)(A), and/or 326 IAC 2-3-2 (l)(6)(B)) that a "project" (as defined in 326 IAC 2-2-1(oo) and/or 326 IAC 2-3-1(jj)) at an existing emissions unit, other than projects at a source with a Plantwide Applicability Limitation (PAL), which is not part of a "major modification" (as defined in 326 IAC 2-2-1(dd) and/or 326 IAC 2-3-1(y)) may result in significant emissions increase and the Permittee elects to utilize the "projected actual emissions" (as defined in 326 IAC 2-2-1(pp) and/or 326 IAC 2-3-1(kk)), the Permittee shall comply with following:

- (1) Before beginning actual construction of the "project" (as defined in 326 IAC 2-2-1(oo) and/or 326 IAC 2-3-1(jj)) at an existing emissions unit, document and maintain the following records:
 - (A) A description of the project.
 - (B) Identification of any emissions unit whose emissions of a regulated new source review pollutant could be affected by the project.
 - (C) A description of the applicability test used to determine that the project is not a major modification for any regulated NSR pollutant, including:
 - (i) Baseline actual emissions;
 - (ii) Projected actual emissions;

- (iii) Amount of emissions excluded under section 326 IAC 2-2-1(pp)(2)(A)(iii) and/or 326 IAC 2-3-1 (kk)(2)(A)(iii); and
 - (iv) An explanation for why the amount was excluded, and any netting calculations, if applicable.
- (d) If there is a reasonable possibility (as defined in 326 IAC 2-2-8 (b)(6)(A) and/or 326 IAC 2-3-2 (l)(6)(A)) that a “project” (as defined in 326 IAC 2-2-1(oo) and/or 326 IAC 2-3-1(jj)) at an existing emissions unit, other than projects at a source with a Plantwide Applicability Limitation (PAL), which is not part of a “major modification” (as defined in 326 IAC 2-2-1(dd) and/or 326 IAC 2-3-1(y)) may result in significant emissions increase and the Permittee elects to utilize the “projected actual emissions” (as defined in 326 IAC 2-2-1(pp) and/or 326 IAC 2-3-1(kk)), the Permittee shall comply with following:
- (1) Monitor the emissions of any regulated NSR pollutant that could increase as a result of the project and that is emitted by any existing emissions unit identified in (1)(B) above; and
 - (2) Calculate and maintain a record of the annual emissions, in tons per year on a calendar year basis, for a period of five (5) years following resumption of regular operations after the change, or for a period of ten (10) years following resumption of regular operations after the change if the project increases the design capacity of or the potential to emit that regulated NSR pollutant at the emissions unit.

C.17 General Reporting Requirements [326 IAC 2-7-5(3)(C)][326 IAC 2-1.1-11][326 IAC 2-2][326 IAC 2-3]

- (a) The Permittee shall submit the attached Quarterly Deviation and Compliance Monitoring Report or its equivalent. Proper notice submittal under Section B –Emergency Provisions satisfies the reporting requirements of this paragraph. Any deviation from permit requirements, the date(s) of each deviation, the cause of the deviation, and the response steps taken must be reported except that a deviation required to be reported pursuant to an applicable requirement that exists independent of this permit, shall be reported according to the schedule stated in the applicable requirement and does not need to be included in this report. This report shall be submitted not later than thirty (30) days after the end of the reporting period. The Quarterly Deviation and Compliance Monitoring Report shall include a certification that meets the requirements of 326 IAC 2-7-6(1) by a "responsible official" as defined by 326 IAC 2-7-1(35). A deviation is an exceedance of a permit limitation or a failure to comply with a requirement of the permit.
- (b) The address for report submittal is:

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

- (d) Reporting periods are based on calendar years, unless otherwise specified in this permit. For the purpose of this permit "calendar year" means the twelve (12) month period from January 1 to December 31 inclusive.
- (e) If the Permittee is required to comply with the recordkeeping provisions of (d) in Section C - General Record Keeping Requirements for any "project" (as defined in 326 IAC 2-2-1 (oo) and/or 326 IAC 2-3-1 (jj)) at an existing emissions unit, and the project meets the following criteria, then the Permittee shall submit a report to IDEM, OAQ:
 - (1) The annual emissions, in tons per year, from the project identified in (c)(1) in Section C- General Record Keeping Requirements exceed the baseline actual emissions, as documented and maintained under Section C- General Record Keeping Requirements (c)(1)(C)(i), by a significant amount, as defined in 326 IAC 2-2-1 (ww) and/or 326 IAC 2-3-1 (pp), for that regulated NSR pollutant, and
 - (2) The emissions differ from the preconstruction projection as documented and maintained under Section C - General Record Keeping Requirements (c)(1)(C)(ii).
- (f) The report for project at an existing emissions unit shall be submitted no later than sixty (60) days after the end of the year and contain the following:
 - (1) The name, address, and telephone number of the major stationary source.
 - (2) The annual emissions calculated in accordance with (d)(1) and (2) in Section C - General Record Keeping Requirements.
 - (3) The emissions calculated under the actual-to-projected actual test stated in 326 IAC 2-2-2(d)(3) and/or 326 IAC 2-3-2(c)(3).
 - (4) Any other information that the Permittee wishes to include in this report such as an explanation as to why the emissions differ from the preconstruction projection.

Reports required in this part shall be submitted to:

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

- (g) The Permittee shall make the information required to be documented and maintained in accordance with (c) in Section C- General Record Keeping Requirements available for review upon a request for inspection by IDEM, OAQ. The general public may request this information from the IDEM, OAQ under 326 IAC 17.1.

Stratospheric Ozone Protection

C.18 Compliance with 40 CFR 82 and 326 IAC 22-1

Pursuant to 40 CFR 82 (Protection of Stratospheric Ozone), Subpart F, except as provided for motor vehicle air conditioners in Subpart B, the Permittee shall comply with applicable standards for recycling and emissions reduction.

SECTION D.1 EMISSIONS UNIT OPERATION CONDITIONS

Emissions Unit Description:

- (a) One (1) cooling tower system, identified as CTWR, exhausted to Stack S-CTWR, installed in May 1985, capacity: 3,000 gallons of water per minute.

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

Emission Limitations and Standards [326 IAC 2-7-5(1)]

D.1.1 Particulate Matter (PM) [326 IAC 6.5-1-2(a)]

Pursuant to 326 IAC 6.5-1-2(a), particulate matter (PM) emissions from the one (1) cooling tower system, identified as CTWR, shall be limited to 0.03 grains per dry standard cubic foot of exhaust air.

**INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
OFFICE OF AIR QUALITY
COMPLIANCE AND ENFORCEMENT BRANCH
PART 70 OPERATING PERMIT
CERTIFICATION**

Source Name: Linde, LLC
Source Address: 3809 West Calvert Street, South Bend, Indiana 46613
Part 70 Permit No.: T141-36904-00548

This certification shall be included when submitting monitoring, testing reports/results or other documents as required by this permit.

Please check what document is being certified:

- Annual Compliance Certification Letter
- Test Result (specify)
- Report (specify)
- Notification (specify)
- Affidavit (specify)
- Other (specify)

I certify that, based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate, and complete.

Signature:

Printed Name:

Title/Position:

Phone:

Date:

**INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
OFFICE OF AIR QUALITY
COMPLIANCE AND ENFORCEMENT BRANCH
100 North Senate Avenue
MC 61-53 IGCN 1003
Indianapolis, Indiana 46204-2251
Phone: (317) 233-0178
Fax: (317) 233-6865**

**PART 70 OPERATING PERMIT
EMERGENCY OCCURRENCE REPORT**

Source Name: Linde, LLC
Source Address: 3809 West Calvert Street, South Bend, Indiana 46613
Part 70 Permit No.: T141-36904-00548

This form consists of 2 pages

Page 1 of 2

- | |
|---|
| <p><input type="checkbox"/> This is an emergency as defined in 326 IAC 2-7-1(12)</p> <ul style="list-style-type: none">• The Permittee must notify the Office of Air Quality (OAQ), within four (4) daytime business hours (1-800-451-6027 or 317-233-0178, ask for Compliance Section); and• The Permittee must submit notice in writing or by facsimile within two (2) working days (Facsimile Number: 317-233-6865), and follow the other requirements of 326 IAC 2-7-16. |
|---|

If any of the following are not applicable, mark N/A

Facility/Equipment/Operation:
Control Equipment:
Permit Condition or Operation Limitation in Permit:
Description of the Emergency:
Describe the cause of the Emergency:

If any of the following are not applicable, mark N/A

Page 2 of 2

Date/Time Emergency started:
Date/Time Emergency was corrected:
Was the facility being properly operated at the time of the emergency? Y N
Type of Pollutants Emitted: TSP, PM-10, SO ₂ , VOC, NO _x , CO, Pb, other:
Estimated amount of pollutant(s) emitted during emergency:
Describe the steps taken to mitigate the problem:
Describe the corrective actions/response steps taken:
Describe the measures taken to minimize emissions:
If applicable, describe the reasons why continued operation of the facilities are necessary to prevent imminent injury to persons, severe damage to equipment, substantial loss of capital investment, or loss of product or raw materials of substantial economic value:

Form Completed by: _____

Title / Position: _____

Date: _____

Phone: _____

**INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
 OFFICE OF AIR QUALITY
 COMPLIANCE AND ENFORCEMENT BRANCH
 PART 70 OPERATING PERMIT
 QUARTERLY DEVIATION AND COMPLIANCE MONITORING REPORT**

Source Name: Linde, LLC
 Source Address: 3809 West Calvert Street, South Bend, Indiana 46613
 Part 70 Permit No.: T141-36904-00548

Months: _____ **to** _____ **Year:** _____

<p>This report shall be submitted quarterly based on a calendar year. Proper notice submittal under Section B –Emergency Provisions satisfies the reporting requirements of paragraph (a) of Section C- General Reporting. Any deviation from the requirements of this permit, the date(s) of each deviation, the probable cause of the deviation, and the response steps taken must be reported. A deviation required to be reported pursuant to an applicable requirement that exists independent of the permit, shall be reported according to the schedule stated in the applicable requirement and does not need to be included in this report. Additional pages may be attached if necessary. If no deviations occurred, please specify in the box marked "No deviations occurred this reporting period".</p>	
<input type="checkbox"/> NO DEVIATIONS OCCURRED THIS REPORTING PERIOD.	
<input type="checkbox"/> THE FOLLOWING DEVIATIONS OCCURRED THIS REPORTING PERIOD	
Permit Requirement (specify permit condition #)	
Date of Deviation:	Duration of Deviation:
Number of Deviations:	
Probable Cause of Deviation:	
Response Steps Taken:	
Permit Requirement (specify permit condition #)	
Date of Deviation:	Duration of Deviation:
Number of Deviations:	
Probable Cause of Deviation:	
Response Steps Taken:	

Permit Requirement (specify permit condition #)	
Date of Deviation:	Duration of Deviation:
Number of Deviations:	
Probable Cause of Deviation:	
Response Steps Taken:	
Permit Requirement (specify permit condition #)	
Date of Deviation:	Duration of Deviation:
Number of Deviations:	
Probable Cause of Deviation:	
Response Steps Taken:	
Permit Requirement (specify permit condition #)	
Date of Deviation:	Duration of Deviation:
Number of Deviations:	
Probable Cause of Deviation:	
Response Steps Taken:	

Form Completed by: _____

Title / Position: _____

Date: _____

Phone: _____

Indiana Department of Environmental Management
Office of Air Quality

Technical Support Document (TSD) for a Part 70 Operating Permit Renewal

Source Background and Description

Source Name:	Linde, LLC
Source Location:	3809 West Calvert Street, South Bend, Indiana 46613
County:	St. Joseph
SIC Code:	2869 (Industrial Organic Chemicals) and 2813 (Industrial Gases)
Permit Renewal No.:	T141-36904-00548
Permit Reviewer:	Thomas Olmstead

The Office of Air Quality (OAQ) has reviewed the operating permit renewal application from Linde, LLC relating to the operation of a stationary carbon dioxide processing source. On March 7, 2016, Linde, LLC submitted an application to the OAQ requesting to renew its operating permit. Linde, LLC was issued its first Part 70 Operating Permit Renewal T141-30309-00548 on December 6, 2011.

Source Definition

This Source Definition from the Noble Americas South Bend Ethanol LLC Part 70 Operating Permit Renewal permit number T141-32025-00033 was incorporated as follows:

This carbon dioxide processing plant consists of two (2) plants:

- (a) Noble Americas South Bend Ethanol LLC, and
- (b) Linde LLC located at 3809 West Calvert Street, South Bend, Indiana.

Although the two (2) plants do not share common ownership or management, IDEM, OAQ has determined that since the two (2) plants are located on contiguous property that is owned by Noble Americas and if it were not for the existence of Noble Americas, the Linde LLC plant would not be there, the two (2) plants are considered one (1) source. Linde LLC is totally dependent on Noble Americas for its feedstock of CO₂ gas. Therefore, the term "source" in the Part 70 documents refers to both Noble Americas and Linde LLC as one (1) major source.

Separate Part 70 Operating Permits have been issued to Noble Americas South Bend Ethanol LLC and Linde LLC solely for administrative purposes. This conclusion was initially determined under Part 70 Operating Permit Renewal (T141-6956-00033) on March 17, 2008.

Insignificant Activities

The source also consists of the following insignificant activities:

- (a) Two (2) electric dryers, identified as D-20A and D-20B, both exhausted to Stack S-204, installed in May 1985.
- (b) Two (2) electrically heated Selexsorb beds, identified as D-15A and D-15B, both exhausted to Stack S-154, installed in May 1985.
- (c) One (1) electrically heated carbon bed, identified as D-13, exhausted to Stack S-154, installed in May 1985.

- (d) Heat exchanger, cleaning and repair.
- (e) Blowdown for any of the following: sight glass, boiler, compressors, pumps and cooling tower.
- (f) One (1) diesel fuel tank, identified as T-DSL, exhausted to Stack S-DSL, installed in May 1985, capacity: 10,000 gallons. (Note: the diesel fuel is used in vehicles and not for combustion).
- (g) One (1) cooling tower system, identified as CTWR, exhausted to Stack S-CTWR, installed in May 1985, capacity: 3,000 gallons of water per minute.
- (h) DA forced draft Decarbonator used to remove dissolved CO₂ from the scrubber effluent raising the pH of the discharge water and preventing the formation of sodium salts. Emission rates estimated to be less than or equal to 3 lb/hr or 15 lb/day.

Existing Approvals

The source was issued Part 70 Operating Permit No. T141-30309-00548 on December 6, 2011. There have been no subsequent approvals issued.

All terms and conditions of previous permits issued pursuant to permitting programs approved into the State Implementation Plan have been either incorporated as originally stated, revised, or deleted by this permit. All previous registrations and permits are superseded by this permit.

Enforcement Issue

There are no enforcement actions pending.

Emission Calculations

See Appendix A of this document for detailed emission calculations.

County Attainment Status

The source is located in St. Joseph County.

Pollutant	Designation
SO ₂	Better than national standards.
CO	Unclassifiable or attainment effective November 15, 1990.
O ₃	Unclassifiable or attainment effective July 20, 2012, for the 2008 8-hour ozone standard. ¹
PM _{2.5}	Unclassifiable or attainment effective April 5, 2005, for the annual PM _{2.5} standard.
PM _{2.5}	Unclassifiable or attainment effective December 13, 2009, for the 24-hour PM _{2.5} standard.
PM ₁₀	Unclassifiable effective November 15, 1990.
NO ₂	Cannot be classified or better than national standards.
Pb	Unclassifiable or attainment effective December 31, 2011.

¹Attainment effective October 18, 2000, for the 1-hour ozone standard for the South Bend-Elkhart area, including St. Joseph County, and is a maintenance area for the 1-hour ozone National Ambient Air Quality Standards (NAAQS) for purposes of 40 CFR 51, Subpart X*.

Pollutant	Designation
The 1-hour standard was revoked effective June 15, 2005.	

- (a) **Ozone Standards**
Volatile organic compounds (VOC) and Nitrogen Oxides (NO_x) are regulated under the Clean Air Act (CAA) for the purposes of attaining and maintaining the National Ambient Air Quality Standards (NAAQS) for ozone. Therefore, VOC and NO_x emissions are considered when evaluating the rule applicability relating to ozone. St. Joseph County has been designated as attainment or unclassifiable for ozone. Therefore, VOC and NO_x emissions were reviewed pursuant to the requirements for Prevention of Significant Deterioration (PSD), 326 IAC 2-2.
- (b) **PM_{2.5}**
St. Joseph County has been classified as attainment for PM_{2.5}. Therefore, direct PM_{2.5}, SO₂, and NO_x emissions were reviewed pursuant to the requirements for Prevention of Significant Deterioration (PSD), 326 IAC 2-2.
- (c) **Other Criteria Pollutants**
St. Joseph County has been classified as attainment or unclassifiable in Indiana for all other criteria pollutants. Therefore, these emissions were reviewed pursuant to the requirements for Prevention of Significant Deterioration (PSD), 326 IAC 2-2.

Fugitive Emissions

Noble Americas South Bend Ethanol LLC operation includes a gasoline storage tank, an ethanol storage tank, an ethanol production operation, and boilers with a total heat input rating of greater than 250 million British thermal units per hour (MMBtu/hr) which support the fuel-grade ethanol production plant.

- (a) EPA published a final rule in the Federal Register on May 1, 2007, that excluded ethanol production facilities that produce ethanol through natural fermentation, from the major source category "Chemical Process Plants". Therefore, the fugitive emissions from ethanol production facilities are not counted toward determination of PSD, Emission Offset, and Part 70 Permit applicability.
- (b) The gasoline storage tank, identified as T-601, at Noble Americas South Bend Ethanol LLC has an applicable New Source Performance Standard, Subpart Ka, that was in effect on August 7, 1980. Therefore, its fugitive emissions are counted toward the determination of PSD, Emission Offset, and Part 70 Permit applicability.
- (c) The fugitive emissions from the ethanol storage tank, identified as T-611, at Noble Americas South Bend Ethanol LLC are not counted toward PSD, Emission Offset, and Part 70 Permit applicability because the applicable NSPS, Kb was in effect after August 7, 1980.
- (d) The fugitive emissions from equipment leaks at Noble Americas South Bend Ethanol LLC are not counted toward PSD, Emission Offset, and Part 70 Permit applicability because the applicable NSPS, VV was in effect after August 7, 1980.
- (e) The natural gas-fired boilers at Noble Americas South Bend Ethanol LLC with a total heat input rating of greater than 250 MMBtu/hr are considered one of the 28 listed source categories, based on the EPA guidance for "nested activities". Therefore, any fugitive emissions from these boilers are counted toward PSD, Emission Offset, and Part 70 Permit applicability.

The Noble Americas South Bend Ethanol LLC and Linde LLC operations are not one of the twenty-eight (28) listed source categories under 326 IAC 2-2, 326 IAC 2-3, or 326 IAC 2-7, however, there are applicable New Source Performance Standards that were in effect on August 7, 1980. These New Source Performance Standards that were in effect on August 7, 1980 do not affect Linde, LLC because Linde, LLC does not have any of the affected units that are subject to New Source Performance Standards that were in effect on August 7, 1980.

Since this type of operation is not one of the twenty-eight (28) listed source categories under 326 IAC 2-2, 326 IAC 2-3, or 326 IAC 2-7, and there is no applicable New Source Performance Standard that was in effect on August 7, 1980, fugitive emissions are not counted toward the determination of PSD, Emission Offset, and Part 70 Permit applicability.

Unrestricted Potential Emissions

This table reflects the unrestricted potential emissions of the source based on TSD T141-32025-00033.

Unrestricted Potential Emissions	
Pollutant	Tons/year
PM	greater than 250
PM ₁₀	greater than 250
PM _{2.5}	greater than 250
SO ₂	greater than 250
NO _x	greater than 250
VOC	greater than 250
CO	greater than 250
Single HAP	greater than 10
Total HAP	greater than 25

On June 23, 2014, in the case of *Utility Air Regulatory Group v. EPA*, cause no. 12-1146, (available at http://www.supremecourt.gov/opinions/13pdf/12-1146_4g18.pdf) the United States Supreme Court ruled that the U.S. EPA does not have the authority to treat greenhouse gases (GHGs) as an air pollutant for the purpose of determining operating permit applicability or PSD Major source status. On July 24, 2014, the U.S. EPA issued a memorandum to the Regional Administrators outlining next steps in permitting decisions in light of the Supreme Court's decision. U.S. EPA's guidance states that U.S. EPA will no longer require PSD or Title V permits for sources "previously classified as 'Major' based solely on greenhouse gas emissions."

The Indiana Environmental Rules Board adopted the GHG regulations required by U.S. EPA at 326 IAC 2-2-1(zz), pursuant to Ind. Code § 13-14-9-8(h) (Section 8 rulemaking). A rule, or part of a rule, adopted under Section 8 is automatically invalidated when the corresponding federal rule, or part of the rule, is invalidated. Due to the United States Supreme Court Ruling, IDEM, OAQ cannot consider GHGs emissions to determine operating permit applicability or PSD applicability to a source or modification.

- (a) The potential to emit (as defined in 326 IAC 2-7-1(30)) of PM₁₀, PM_{2.5}, SO₂, VOC, CO, and NO_x are equal to or greater than 100 tons per year. Therefore, the source is subject to the provisions of 326 IAC 2-7 and will be issued a Part 70 Operating Permit Renewal.

negl. = negligible

* Under the Part 70 Permit program (40 CFR 70), PM10 and PM2.5, not particulate matter (PM), are each considered as a regulated air pollutant".

**PM_{2.5} listed is direct PM_{2.5}.

***TSD Appendix A 141-35917-00033

On June 23, 2014, in the case of *Utility Air Regulatory Group v. EPA*, cause no. 12-1146, (available at http://www.supremecourt.gov/opinions/13pdf/12-1146_4g18.pdf) the United States

Supreme Court ruled that the U.S. EPA does not have the authority to treat greenhouse gases (GHGs) as an air pollutant for the purpose of determining operating permit applicability or PSD Major source status. On July 24, 2014, the U.S. EPA issued a memorandum to the Regional Administrators outlining next steps in permitting decisions in light of the Supreme Court's decision. U.S. EPA's guidance states that U.S. EPA will no longer require PSD or Title V permits for sources "previously classified as 'Major' based solely on greenhouse gas emissions."

The Indiana Environmental Rules Board adopted the GHG regulations required by U.S. EPA at 326 IAC 2-2-1(zz), pursuant to Ind. Code § 13-14-9-8(h) (Section 8 rulemaking). A rule, or part of a rule, adopted under Section 8 is automatically invalidated when the corresponding federal rule, or part of the rule, is invalidated. Due to the United States Supreme Court Ruling, IDEM, OAQ cannot consider GHGs emissions to determine operating permit applicability or PSD applicability to a source or modification.

- (a) This existing source is a major stationary source, under PSD (326 IAC 2-2), because a PSD regulated pollutant is emitted at a rate of 250 tons per year or more, and it is not one of the twenty-eight (28) listed source categories, as specified in 326 IAC 2-2-1(ff)(1).
- (b) These emissions are based upon TSD Appendix A 141-36904-00548.
- (c) This existing source is a major source of HAPs, as defined in 40 CFR 63.2, because HAP emissions are greater than ten (10) tons per year for a single HAP and greater than twenty-five (25) tons per year for a combination of HAPs. Therefore, this source is a major source under Section 112 of the Clean Air Act (CAA).

Federal Rule Applicability

CAM

- (a) Pursuant to 40 CFR 64.2, Compliance Assurance Monitoring (CAM) is applicable to each existing pollutant-specific emission unit that meets the following criteria:
 - (1) has a potential to emit before controls equal to or greater than the major source threshold for the pollutant involved;
 - (2) is subject to an emission limitation or standard for that pollutant; and
 - (3) uses a control device, as defined in 40 CFR 64.1, to comply with that emission limitation or standard.

None of the emission units at Linde, LLC are equipped with a control device. The requirements of 40 CFR Part 64, CAM are not applicable to any of the existing units as part of this Part 70 permit renewal.

NSPS

- (b) The requirements of the New Source Performance Standard for Volatile Organic Liquid Storage Vessels (Including Petroleum Liquid Storage Vessels) for Which Construction, Reconstruction, or Modification Commenced After July 23, 1984 (40 CFR 60, Subpart

Kb) is not included in the permit for the one (1) diesel fuel tank, identified as T-DSL because for the purposes of Subpart Kb, the diesel fuel tank has a capacity less than 75 cubic meters (m³) for volatile organic liquids as specified in 40 CFR 60, Subpart Kb.

NESHAP:

- (c) There are no National Emission Standards for Hazardous Air Pollutants (NESHAPs) (326 IAC 14, 326 IAC 20 and 40 CFR Part 63) applicable to this source.

State Rule Applicability - Entire Source

326 IAC 2-4.1 (Major Sources of Hazardous Air Pollutants (HAP))

Linde, LLC is not subject to the requirements of 326 IAC 2-4.1, since the unlimited potential to emit of HAPs from each emission unit is less than ten (10) tons per year for any single HAP and less than twenty-five (25) tons per year of a combination of HAPs.

326 IAC 2-6 (Emission Reporting)

This source is subject to 326 IAC 2-6 (Emission Reporting) because it is required to have an operating permit pursuant to 326 IAC 2-7 (Part 70). The potential to emit of VOC and PM10 is greater than 250 tons per year. Therefore, pursuant to 326 IAC 2-6-3(a)(1), annual reporting is required. An emission statement shall be submitted by July 1, 2016, and every year thereafter. The emission statement shall contain, at a minimum, the information specified in 326 IAC 2-6-4.

326 IAC 2-7-6(5) (Annual Compliance Certification)

The U.S. EPA Federal Register 79 FR 54978 notice does not exempt Title V Permittees from the requirements of 40 CFR 70.6(c)(5)(iv) or 326 IAC 2-7-6(5)(D), but the submittal of the Title V annual compliance certification to IDEM satisfies the requirement to submit the Title V annual compliance certifications to EPA. IDEM does not intend to revise any permits since the requirements of 40 CFR 70.6(c)(5)(iv) or 326 IAC 2-7-6(5)(D) still apply, but Permittees can note on their Title V annual compliance certification that submission to IDEM has satisfied reporting to EPA per Federal Register 79 FR 54978. This only applies to Title V Permittees and Title V compliance certifications.

326 IAC 5-1 (Opacity Limitations)

This source is subject to the opacity limitations specified in 326 IAC 5-1-2(2)

326 IAC 6.5 (PM Limitations Except Lake County)

This source is subject to 326 IAC 6.5 because it is located in St. Joseph County, its PM PTE (or limited PM PTE) is equal to or greater than 100 tons/year or actual emissions are greater than 10 tons/year. However, this source is not one of the sources specifically listed in 326 IAC 6.5-2 through 326 IAC 6.5-10. Therefore, 326 IAC 6.5-1-2(a) applies.

326 IAC 6.8 (PM Limitations for Lake County)

This source is not subject to 326 IAC 6.8 because it is not located in Lake County.

326 IAC 6-3-2 (Particulate Emission Limitations for Manufacturing Processes)

Pursuant to 326 IAC 6-3-1(b)(11), noncontact cooling tower systems are exempt from the requirements of 326 IAC 6-3-2.

326 IAC 6-4 (Fugitive Dust Emissions Limitations)

Pursuant to 326 IAC 6-4 (Fugitive Dust Emissions Limitations), Linde, LLC shall not allow fugitive dust to escape beyond the property line or boundaries of the property, right-of-way, or easement on which the source is located, in a manner that would violate 326 IAC 6-4.

326 IAC 6-5 (Fugitive Particulate Matter Emission Limitations)

Noble Americas South Bend Ethanol LLC is subject to the requirements of 326 IAC 6-5, because they have potential fugitive particulate emissions greater than 25 tons per year. Linde LLC shall comply with 326 IAC 6-4 (Fugitive Dust Emissions Limitations).

326 IAC 8-1-6 (VOC Rules: General Reduction Requirements for New Facilities)

Linde, LLC is not subject to the requirements of 326 IAC 8-1-6, since the VOC potential emissions from each facility are less than twenty-five (25) tons per year.

326 IAC 8-5-1 (Miscellaneous Operations)

Linde, LLC does not engage in any of the miscellaneous operations specified in 326 IAC 8-5-1. Therefore, the requirements of 326 IAC 8-5-1 are not applicable.

326 IAC 8-9-1 (Volatile Organic Liquid Storage Vessels)

The provisions in 326 IAC 8-9-1 (Volatile Organic Liquid Storage Vessels) do not apply to sources that are not located in Clark, Floyd, Lake, or Porter County. Therefore, 326 IAC 8-9-1 (Volatile Organic Liquid Storage Vessels) does not apply to the source.

Compliance Determination and Monitoring Requirements

Permits issued under 326 IAC 2-7 are required to ensure that sources can demonstrate compliance with all applicable state and federal rules on a continuous basis. All state and federal rules contain compliance provisions, however, these provisions do not always fulfill the requirement for a continuous demonstration. When this occurs, IDEM, OAQ, in conjunction with the source, must develop specific conditions to satisfy 326 IAC 2-7-5. As a result, Compliance Determination Requirements are included in the permit. The Compliance Determination Requirements in Section D of the permit are those conditions that are found directly within state and federal rules and the violation of which serves as grounds for enforcement action.

If the Compliance Determination Requirements are not sufficient to demonstrate continuous compliance, they will be supplemented with Compliance Monitoring Requirements, also in Section D of the permit. Unlike Compliance Determination Requirements, failure to meet Compliance Monitoring conditions would serve as a trigger for corrective actions and not grounds for enforcement action. However, a violation in relation to a compliance monitoring condition will arise through a source's failure to take the appropriate corrective actions within a specific time period.

No compliance determination requirements or compliance monitoring requirements are applicable to the source.

Proposed Changes

The changes listed below have been made to Part 70 Operating Permit No. T141-30309-00548. Deleted language appears as ~~strike through~~ text and new language appears as **bold** text:

Proposed Changes

- (a) Typographical errors have been corrected throughout.
- (b) Conditions have been renumbered throughout.
- (c) On October 27, 2010, the Indiana Air Pollution Control Board issued revisions to 326 IAC 2. These revisions resulted in changes to the rule citations listed in the permit. These changes are not changes to the underlining provisions. The change is only to cite of these rules in Section A - General Information, Section A - Emission Units and Pollution Control Equipment Summary, Section A - Specifically Regulated Insignificant Activities,

Section B - Preventative Maintenance Plan, Section B - Emergency Provisions, Section B - Permit Renewal, Section B - Operational Flexibility, Section C - Risk Management Plan, Section C - General Record Keeping Requirements, and Section C - General Reporting Requirements.

- (d) On November 3, 2011, the Indiana Air Pollution Control Board issued a revision to 326 IAC 2. The revision resulted in a change to the rule cite of the "responsible official" definition. The rule citation has been changed throughout the permit as follows:
- 326 IAC 2-7-1(~~34~~)(35)
- (e) Condition A.1 - General Information has been revised to specify the SIC code.
- (f) Condition A.2 - Part 70 Source Definition has been updated to the Noble Americas South Bend Ethanol LLC Part 70 Operating Permit Renewal permit number T141-32025-00033 Source Definition.
- (g) Condition A.3 - Specifically Regulated Insignificant Activities has been modified and Section D.1 has been added to the permit because the source is subject to 326 IAC 6.5 because it is located in St. Joseph County, its PM PTE (or limited PM PTE) is equal to or greater than 100 tons/year or actual emissions are greater than 10 tons/year. However, this source is not one of the sources specifically listed in 326 IAC 6.5-2 through 326 IAC 6.5-10. Therefore, 326 IAC 6.5-1-2(a) applies to the one (1) cooling tower system, identified as CTWR. All other emission units located at the source are insignificant activities as defined in 326 IAC 2-7-1(21). Therefore, Condition A.4 - Insignificant Activities has been added to the permit.
- (h) **Section B - Revocation of Permits and Section B - Affidavit of Construction**
The source is not constructing any new emission units that require construction approval. Therefore, Section B - Revocation of Permits and Section B - Affidavit of Construction have been removed.
- (i) **Section B - Annual Compliance Certification**
The submission date for the Annual Compliance Certification (ACC) will continue to depend on which county the source is located.
- (j) **Multiple Conditions - Timeframe References**
IDEM, OAQ has decided that the phrases "no later than" and "not later than" are clearer than "within" in relation to the end of a timeline. Therefore, all references to timelines have been revised to "no later than" or "not later than" except for the timelines in subparagraphs (b)(4) and (b)(5) of Section B - Emergency Provisions and Section B - Annual Fee Payment, in which the underlying rules state "within".
- (k) **Section C - Stack Height**
The source does not have a potential (before controls) of twenty-five (25) tons per year or more of particulate matter or sulfur dioxide. Therefore, 326 IAC 1-7 (Stack Height Provisions) does not apply.
- (l) **Section C - Compliance Monitoring**
IDEM is changing the Section C - Compliance Monitoring Condition to clearly describe when new monitoring for new and existing units must begin.
- (m) **Section C - Instrument Specifications**
IDEM has clarified Section C - Instrument Specifications to indicate that the analog instrument must be capable of measuring the parameters outside the normal range.

- (n) **Section C - Emission Statement**
The rule cite for 'regulated pollutants' that is for reporting is specific to the Emission Statement moved with a rule update. It was 32 and now 33.
- (o) **Section C - Emission Statement**
This source is subject to 326 IAC 2-6 (Emission Reporting) because it is required to have an operating permit pursuant to 326 IAC 2-7 (Part 70). The potential to emit of VOC and PM10 is greater than 250 tons per year. Therefore, pursuant to 326 IAC 2-6-3(a)(1), annual reporting is required. An emission statement shall be submitted by July 1, 2016, and every year thereafter. The emission statement shall contain, at a minimum, the information specified in 326 IAC 2-6-4.
- (p) **Section C - General Record Keeping Requirements**
IDEM has added "where applicable" to the lists in Section C - General Record Keeping Requirements to more closely match the underlining rule.

The permit has been revised as follows:

This permit is based on information requested by the Indiana Department of Environmental Management (IDEM), Office of Air Quality (OAQ). The information describing the source contained in conditions A.1 through A.34 is descriptive information and does not constitute enforceable conditions. However, the Permittee should be aware that a physical change or a change in the method of operation that may render this descriptive information obsolete or inaccurate may trigger requirements for the Permittee to obtain additional permits or seek modification of this permit pursuant to 326 IAC 2, or change other applicable requirements presented in the permit application.

A.1 General Information [326 IAC 2-7-4(c)][326 IAC 2-7-5(4514)][326 IAC 2-7-1(22)]

The Permittee owns and operates a stationary carbon dioxide processing source.

Source Address:	3809 W. West Calvert Street, South Bend, Indiana 46613
General Source Phone Number:	(219) 324-5413
SIC Code:	2869 (Industrial Organic Chemicals) and 2813 (Industrial Gases)
County Location:	St. Joseph
Source Location Status:	Attainment for all criteria pollutants
Source Status:	Part 70 Operating Permit Program Major Source, under PSD Rules Major Source, Section 112 of the Clean Air Act Not 1 of 28 Source Categories

A.2 Part 70 Source Definition [326 IAC 2-7-1(22)]

~~This Source Definition from the Part 70 Operating Renewal Administrative Permit was incorporated into this permit as follows:~~

~~This carbon dioxide processing plant is part of a source that consists of two (2) plants:~~

- ~~(a) — (a) **Noble Americas South Bend Ethanol LLC, and**~~
- ~~(b) Linde, LLC located at 3809 West Calvert Street, South Bend, Indiana, and~~
- ~~(b) — New Energy Corp. (NEC) located at 3201 West Calvert Street, South Bend, Indiana.~~

~~The relationship between the two (2) plants is described below:~~

- ~~(a) — The Linde, LLC plant is contiguous to the NEC plant and is on property owned by NEC, but leased to Linde, LLC.~~

- ~~(b) New Energy Corp. (NEC) and Linde, LLC have the same two (2) digit SIC codes (28) but do not have common ownership defined as:~~
- ~~(1) A third person/business that owns more than fifty percent (50%) of each of the plants; or~~
 - ~~(2) The plants share common corporate officers or managers, in whole or in part, who are responsible for day to day operations; or~~
 - ~~(3) One (1) plant owns more than fifty percent (50%) of the other plant.~~
- ~~(c) The two (2) plants are not under common control and there are no employees common to Linde, LLC and NEC.~~
- ~~(d) CO₂ from NEC is one hundred percent (100%) of Linde, LLC feed stock.~~
- ~~(e) There is a physical connection between the plants, NEC sells CO₂ to LINDE, LLC via a sixteen (16) inch pipeline. NEC sells 150 psig steam to LINDE, LLC via a four (4) inch pipeline for heat tracing.~~
- ~~(f) NEC sells CO₂ to LINDE, LLC under a sales agreement, which sets minimum quantity and gas specifications and provides for price adjustments based on selling price of liquid CO₂.~~

~~Therefore,~~ Although the two (2) plants do not share common ownership or management, IDEM, OAQ has determined that since the two (2) plants are located on contiguous property that is owned by ~~NEC~~ **Noble Americas** and if it were not for the existence of ~~NEC~~ **Noble Americas**, the Linde, LLC plant would not be there, the two (2) plants are considered one (1) source. Linde, LLC is totally dependent on ~~NEC~~ **Noble Americas** for its feedstock of CO₂ gas. **Therefore, the term "source" in the Part 70 documents refers to both Noble Americas and Linde LLC as one (1) major source.**

Separate Part 70 Operating Permits ~~will be~~ **have been** issued to ~~New Energy Corp.~~ **Noble Americas South Bend Ethanol LLC** and Linde, LLC plant **LLC solely for administrative purposes. This conclusion was initially determined under Part 70 Operating Permit Renewal (T141-6956-00033) on March 17, 2008.**

A.3 Specifically Regulated Insignificant Activities [326 IAC 2-7-1(21)][326 IAC 2-7-4(c)][326 IAC 2-7-5(~~14~~)]

~~The~~**This stationary source also consists of** includes the following insignificant activities: **which are specifically regulated, as defined in 326 IAC 2-7-1(21):**

- (a) One (1) cooling tower system, identified as CTWR, exhausted to Stack S-CTWR, installed in May 1985, capacity: 3,000 gallons of water per minute.**

A.4 Insignificant Activities [326 IAC 2-7-1(21)][326 IAC 2-7-4(c)][326 IAC 2-7-5(14)]

This stationary source also includes the following insignificant activities, as defined in 326 IAC 2-7-1(21):

- (a) Two (2) electric dryers, identified as D-20A and D-20B, both exhausted to Stack S-204, installed in May 1985.**
- (b) Two (2) electrically heated Selexsorb beds, identified as D-15A and D-15B, both exhausted to Stack S-154, installed in May 1985.**

- (c) One (1) electrically heated carbon bed, identified as D-13, exhausted to Stack S-154, installed in May 1985.
- (d) Heat exchanger, cleaning and repair.
- (e) Blowdown for any of the following: sight glass, boiler, compressors, pumps and cooling tower.
- (f) One (1) diesel fuel tank, identified as T-DSL, exhausted to Stack S-DSL, installed in May 1985, capacity: 10,000 gallons. (Note: the diesel fuel is used in vehicles and not for combustion).
- ~~(g) One (1) cooling tower system, identified as CTWR, exhausted to Stack S-CTWR, installed in May 1985, capacity: 3,000 gallons of water per minute.~~
- ~~(h)~~(g) DA forced draft Decarbonator used to remove dissolved CO₂ from the scrubber effluent raising the pH of the discharge water and preventing the formation of sodium salts. Emission rates estimated to be less than or equal to 3 lb/hr or 15 lb/day.

A.45 Part 70 Permit Applicability [326 IAC 2-7-2]

B.2 ~~Revocation of Permits [326 IAC 2-2-8]~~

~~Pursuant to 326 IAC 2-2-8(a)(1), this permit to construct shall expire if construction is not commenced within eighteen (18) months after receipt of this approval or if construction is discontinued for a period of eighteen (18) months or more.~~

B.3 ~~Affidavit of Construction [326 IAC 2-5.1-3(h)][326 IAC 2-5.1-4]~~

~~This document shall also become the approval to operate pursuant to 326 IAC 2-5.1-4 when prior to the start of operation, the following requirements are met:~~

- ~~(a) The attached Affidavit of Construction shall be submitted to the Office of Air Quality (OAQ), verifying that the emission units were constructed as proposed in the application or the permit. The emission units covered in this permit may begin operating on the date the Affidavit of Construction is postmarked or hand-delivered to IDEM if constructed as proposed.~~
- ~~(b) If actual construction of the emission units differs from the construction proposed in the application, the source may not begin operation until the permit has been revised pursuant to 326 IAC 2 and an Operation Permit Validation Letter is issued.~~
- ~~(c) The Permittee shall attach the Operation Permit Validation Letter received from the Office of Air Quality (OAQ) to this permit.~~

B.4B.2 Permit Term [326 IAC 2-7-5(2)][326 IAC 2-1.1-9.5][326 IAC 2-7-4(a)(1)(D)][IC 13-15-3-6(a)]

- (a) ~~The Part 70 Operating Renewal Administrative Permit T 141-30309~~ **(a) This permit, T141-36904-00548, is issued for a fixed term of five (5) years from the issuance date of this permit, as determined in accordance with IC 4-21.5-3-5(f) and IC 13-15-3-3. Subsequent revisions, modifications, or amendments of this permit do not affect the expiration date of this permit.**

B.53 Term of Conditions [326 IAC 2-1.1-9.5]

B.64 Enforceability [326 IAC 2-7-7][IC 13-17-12]

B.75 Severability [326 IAC 2-7-5(5)]

B.86 Property Rights or Exclusive Privilege [326 IAC 2-7-5(6)(D)]

B.97 Duty to Provide Information [326 IAC 2-7-5(6)(E)]

B.108 Certification [326 IAC 2-7-4(f)][326 IAC 2-7-6(1)][326 IAC 2-7-5(3)(C)]

- (a) A certification required by this permit meets the requirements of 326 IAC 2-7-6(1) if:
- (1) it contains a certification by a "responsible official" as defined by 326 IAC 2-7-1(~~3435~~), and
 - (2) the certification states that, based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate, and complete.
- (b) The Permittee may use the attached Certification Form, or its equivalent with each submittal requiring certification. One (1) certification may cover multiple forms in one (1) submittal.
- (c) A "responsible official" is defined at 326 IAC 2-7-1(~~3435~~).

B.119 Annual Compliance Certification [326 IAC 2-7-6(5)]

- (a) The Permittee shall annually submit a compliance certification report which addresses the status of the source's compliance with the terms and conditions contained in this permit, including emission limitations, standards, or work practices. All certifications shall cover the time period from January 1 to December 31 of the previous year, and shall be submitted no later than ~~April 15~~**July 1** of each year to:

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

and

United States Environmental Protection Agency, Region V
Air and Radiation Division, Air Enforcement Branch - Indiana (AE-17J)
77 West Jackson Boulevard
Chicago, Illinois 60604-3590

- (b) The annual compliance certification report required by this permit shall be considered timely if the date postmarked on the envelope or certified mail receipt, or affixed by the shipper on the private shipping receipt, is on or before the date it is due. If the document is submitted by any other means, it shall be considered timely if received by IDEM, OAQ on or before the date it is due.

- (c) The annual compliance certification report shall include the following:
- (1) The appropriate identification of each term or condition of this permit that is the basis of the certification;
 - (2) The compliance status;
 - (3) Whether compliance was continuous or intermittent;
 - (4) The methods used for determining the compliance status of the source, currently and over the reporting period consistent with 326 IAC 2-7-5(3); and
 - (5) Such other facts, as specified in Sections D of this permit, as IDEM, OAQ may require to determine the compliance status of the source.

The submittal by the Permittee does require a certification that meets the requirements of 326 IAC 2-7-6(1) by a "responsible official" as defined by 326 IAC 2-7-1(3435).

B.4210 Preventive Maintenance Plan [326 IAC 2-7-5(4),(3) and (13)][326 IAC 2-7-6(1) and (612)][326 IAC 1-6-3]

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

The Permittee shall implement the PMPs.

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

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

Indiana Department of Environmental Management
Compliance and Enforcement Branch, Office of Air Quality

100 North Senate Avenue
MC 61-53 IGCN 1003
Indianapolis, Indiana 46204-2251

The PMP extension notification does not require a certification that meets the requirements of 326 IAC 2-7-6(1) by a "responsible official" as defined by 326 IAC 2-7-1(3435).

The Permittee shall implement the PMPs.

- (c) A copy of the PMPs shall be submitted to IDEM, OAQ upon request and within a reasonable time, and shall be subject to review and approval by IDEM, OAQ. IDEM, OAQ may require the Permittee to revise its PMPs whenever lack of proper maintenance causes or is the primary contributor to an exceedance of any limitation on emissions. The PMPs and their submittal do not require a certification that meets the requirements of 326 IAC 2-7-6(1) by a "responsible official" as defined by 326 IAC 2-7-1(3435).

B.4311 Emergency Provisions [326 IAC 2-7-16]

- (a) An emergency, as defined in 326 IAC 2-7-1(12), is not an affirmative defense for an action brought for noncompliance with a federal or state health-based emission limitation.
- (b) An emergency, as defined in 326 IAC 2-7-1(12), constitutes an affirmative defense to an action brought for noncompliance with a technology-based emission limitation if the affirmative defense of an emergency is demonstrated through properly signed, contemporaneous operating logs or other relevant evidence that describe the following:
- (1) An emergency occurred and the Permittee can, to the extent possible, identify the causes of the emergency;
 - (2) The permitted facility was at the time being properly operated;
 - (3) During the period of an emergency, the Permittee took all reasonable steps to minimize levels of emissions that exceeded the emission standards or other requirements in this permit;
 - (4) For each emergency lasting one (1) hour or more, the Permittee notified IDEM, OAQ, or Northern Regional Office ~~no later than~~ **within** four (4) daytime business hours after the beginning of the emergency, or after the emergency was discovered or reasonably should have been discovered;

Telephone Number: 1-800-451-6027 (ask for Office of Air Quality, Compliance and Enforcement Branch), or
Telephone Number: 317-233-0178 (ask for Office of Air Quality, Compliance and Enforcement Branch)
Facsimile Number: 317-233-6865
Northern Regional Office phone: (574) 245-4870; fax: (574) 245-4877.

- (5) For each emergency lasting one (1) hour or more, the Permittee submitted the attached Emergency Occurrence Report Form or its equivalent, either by mail or facsimile to:

Indiana Department of Environmental Management
Compliance and Enforcement Branch, Office of Air Quality
100 North Senate Avenue

MC 61-53 IGCN 1003
Indianapolis, Indiana 46204-2251

~~no later than~~ **within** two (2) working days of the time when emission limitations were exceeded due to the emergency.

The notice fulfills the requirement of 326 IAC 2-7-5(3)(C)(ii) and must contain the following:

- (A) A description of the emergency;
- (B) Any steps taken to mitigate the emissions; and
- (C) Corrective actions taken.

The notification which shall be submitted by the Permittee does not require a certification that meets the requirements of 326 IAC 2-7-6(1) by a "responsible official" as defined by 326 IAC 2-7-1(~~3435~~).

- (6) The Permittee immediately took all reasonable steps to correct the emergency.
- (c) In any enforcement proceeding, the Permittee seeking to establish the occurrence of an emergency has the burden of proof.
- (d) This emergency provision supersedes 326 IAC 1-6 (Malfunctions). This permit condition is in addition to any emergency or upset provision contained in any applicable requirement.
- (e) The Permittee seeking to establish the occurrence of an emergency shall make records available upon request to ensure that failure to implement a PMP did not cause or contribute to an exceedance of any limitations on emissions. However, IDEM, OAQ may require that the Preventive Maintenance Plans required under 326 IAC 2-7-4(c)(~~98~~) be revised in response to an emergency.

B.4412 Permit Shield [326 IAC 2-7-15][326 IAC 2-7-20][326 IAC 2-7-12]

B.4513 Prior Permits Superseded [326 IAC 2-1.1-9.5][326 IAC 2-7-10.5]

- (a) All terms and conditions of permits established prior to ~~T-141-30309~~ **T141-36904-00548** and issued pursuant to permitting programs approved into the state implementation plan have been either:
 - (1) incorporated as originally stated,
 - (2) revised under 326 IAC 2-7-10.5, or
 - (3) deleted under 326 IAC 2-7-10.5.
- (b) Provided that all terms and conditions are accurately reflected in this ~~combined~~ permit, all previous registrations and permits are superseded by this ~~combined new source review~~ and Part 70 operating permit.

B.4614 Termination of Right to Operate [326 IAC 2-7-10][326 IAC 2-7-4(a)]

**B.4715 Permit Modification, Reopening, Revocation and Reissuance, or Termination
[326 IAC 2-7-5(6)(C)][326 IAC 2-7-8(a)][326 IAC 2-7-9]**

- (a) This permit may be modified, reopened, revoked and reissued, or terminated for cause. The filing of a request by the Permittee for a Part 70 Operating Permit modification, revocation and reissuance, or termination, or of a notification of planned changes or anticipated noncompliance does not stay any condition of this permit. [326 IAC 2-7-5(6)(C)] The notification by the Permittee does require a certification that meets the requirements of 326 IAC 2-7-6(1) by a "responsible official" as defined by 326 IAC 2-7-1(3435).

B.4816 Permit Renewal [326 IAC 2-7-3][326 IAC 2-7-4][326 IAC 2-7-8(e)]

- (a) The application for renewal shall be submitted using the application form or forms prescribed by IDEM, OAQ and shall include the information specified in 326 IAC 2-7-4. Such information shall be included in the application for each emission unit at this source, except those emission units included on the trivial or insignificant activities list contained in 326 IAC 2-7-1(21) and 326 IAC 2-7-1(4042). The renewal application does require a certification that meets the requirements of 326 IAC 2-7-6(1) by a "responsible official" as defined by 326 IAC 2-7-1(3435).

Request for renewal shall be submitted to:

Indiana Department of Environmental Management
Permit Administration and Support Section, Office of Air Quality
100 North Senate Avenue
MC 61-53 IGCN 1003
Indianapolis, Indiana 46204-2251

- (b) A timely renewal application is one that is:
- (1) Submitted at least nine (9) months prior to the date of the expiration of this permit; and
 - (2) If the date postmarked on the envelope or certified mail receipt, or affixed by the shipper on the private shipping receipt, is on or before the date it is due. If the document is submitted by any other means, it shall be considered timely if received by IDEM, OAQ on or before the date it is due.
- (c) If the Permittee submits a timely and complete application for renewal of this permit, the source's failure to have a permit is not a violation of 326 IAC 2-7 until IDEM, OAQ takes final action on the renewal application, except that this protection shall cease to apply if, subsequent to the completeness determination, the Permittee fails to submit by the ~~reasonable~~ deadline specified, pursuant to 326 IAC 2-7-4(a)(2)(D), in writing by IDEM, OAQ any additional information identified as being needed to process the application.

B.4917 Permit Amendment or Modification [326 IAC 2-7-11][326 IAC 2-7-12]

- (a) Permit amendments and modifications are governed by the requirements of 326 IAC 2-7-11 or 326 IAC 2-7-12 whenever the Permittee seeks to amend or modify this permit.

- (b) Any application requesting an amendment or modification of this permit shall be submitted to:

Indiana Department of Environmental Management
Permit Administration and Support Section, Office of Air Quality
100 North Senate Avenue
MC 61-53 IGCN 1003
Indianapolis, Indiana 46204-2251

Any such application does require a certification that meets the requirements of 326 IAC 2-7-6(1) by a "responsible official" as defined by 326 IAC 2-7-1(3435).

B.2018 Permit Revision Under Economic Incentives and Other Programs [326 IAC 2-7-5(8)][326 IAC 2-7-12(b)(2)]

B.2119 Operational Flexibility [326 IAC 2-7-20][326 IAC 2-7-10.5]

- (a) The Permittee may make any change or changes at the source that are described in 326 IAC 2-7-20(b), (c), or (e) without a prior permit revision, if each of the following conditions is met:

- (1) The changes are not modifications under any provision of Title I of the Clean Air Act;
- (2) Any preconstruction approval required by 326 IAC 2-7-10.5 has been obtained;
- (3) The changes do not result in emissions which exceed the limitations provided in this permit (whether expressed herein as a rate of emissions or in terms of total emissions);
- (4) The Permittee notifies the:

Indiana Department of Environmental Management
Permit Administration and Support Section, Office of Air Quality
100 North Senate Avenue
MC 61-53 IGCN 1003
Indianapolis, Indiana 46204-2251

and

United States Environmental Protection Agency, Region V
Air and Radiation Division, Regulation Development Branch - Indiana (AR-18J)
77 West Jackson Boulevard
Chicago, Illinois 60604-3590

in advance of the change by written notification at least ten (10) days in advance of the proposed change. The Permittee shall attach every such notice to the Permittee's copy of this permit; and

- (5) The Permittee maintains records on-site, on a rolling five (5) year basis, which document all such changes and emission trades that are subject to 326 IAC 2-7-20(b), (1) and (c), or (e)(1). The Permittee shall make such records available, upon reasonable request, for public review.

Such records shall consist of all information required to be submitted to IDEM, OAQ in the notices specified in 326 IAC 2-7-20(b)(1), ~~(c)(1),~~ and ~~(e)(2)(1)~~.

- (b) The Permittee may make Section 502(b)(10) of the Clean Air Act changes (this term is defined at 326 IAC 2-7-1(~~3637~~)) without a permit revision, subject to the constraint of 326 IAC 2-7-20(a). For each such Section 502(b)(10) of the Clean Air Act change, the required written notification shall include the following:
- (1) A brief description of the change within the source;
 - (2) The date on which the change will occur;
 - (3) Any change in emissions; and
 - (4) Any permit term or condition that is no longer applicable as a result of the change.

The notification which shall be submitted is not considered an application form, report or compliance certification. Therefore, the notification by the Permittee does not require a certification that meets the requirements of 326 IAC 2-7-6(1) by a "responsible official" as defined by 326 IAC 2-7-1(~~3435~~).

B.2220 Source Modification Requirement [326 IAC 2-7-10.5]

B.2321 Inspection and Entry [326 IAC 2-7-6][IC 13-14-2-2][IC 13-30-3-1][IC 13-17-3-2]

B.2422 Transfer of Ownership or Operational Control [326 IAC 2-7-11]

- (a) The Permittee must comply with the requirements of 326 IAC 2-7-11 whenever the Permittee seeks to change the ownership or operational control of the source and no other change in the permit is necessary.
- (b) Any application requesting a change in the ownership or operational control of the source shall contain a written agreement containing a specific date for transfer of permit responsibility, coverage and liability between the current and new Permittee. The application shall be submitted to:

Indiana Department of Environmental Management
Permit Administration and Support Section, Office of Air Quality
100 North Senate Avenue
MC 61-53 IGCN 1003
Indianapolis, Indiana 46204-2251

~~The~~**Any such** application ~~which shall be submitted by the Permittee~~ does require a certification that meets the requirements of 326 IAC 2-7-6(1) by a "responsible official" as defined by 326 IAC 2-7-1(~~3435~~).

B.2523 Annual Fee Payment [326 IAC 2-7-19][326 IAC 2-7-5(7)][326 IAC 2-1.1-7]

~~B.2624~~ Credible Evidence [326 IAC 2-7-5(3)][326 IAC 2-7-6][62 FR 8314][326 IAC 1-1-6]

~~C.6~~ Stack Height [326 IAC 1-7]

~~The Permittee shall comply with the applicable provisions of 326 IAC 1-7 (Stack Height Provisions), for all exhaust stacks through which a potential (before controls) of twenty-five (25) tons per year or more of particulate matter or sulfur dioxide is emitted by using ambient air quality modeling pursuant to 326 IAC 1-7-4. The provisions of 326 IAC 1-7-1(3), 326 IAC 1-7-2, 326 IAC 1-7-3(c) and (d), 326 IAC 1-7-4, and 326 IAC 1-7-5(a), (b), and (d) are not federally enforceable.~~

~~G.7C.6~~ Asbestos Abatement Projects [326 IAC 14-10][326 IAC 18][40 CFR 61, Subpart M]

- (a) Notification requirements apply to each owner or operator. If the combined amount of regulated asbestos containing material (RACM) to be stripped, removed or disturbed is at least 260 linear feet on pipes or 160 square feet on other facility components, or at least thirty-five (35) cubic feet on all facility components, then the notification requirements of 326 IAC 14-10-3 are mandatory. All demolition projects require notification whether or not asbestos is present.
- (b) The Permittee shall ensure that a written notification is sent on a form provided by the Commissioner at least ten (10) working days before asbestos stripping or removal work or before demolition begins, per 326 IAC 14-10-3, and shall update such notice as necessary, including, but not limited to the following:
- (1) When the amount of affected asbestos containing material increases or decreases by at least twenty percent (20%); or
 - (2) If there is a change in the following:
 - (A) Asbestos removal or demolition start date;
 - (B) Removal or demolition contractor; or
 - (C) Waste disposal site.
- (c) The Permittee shall ensure that the notice is postmarked or delivered according to the guidelines set forth in 326 IAC 14-10-3(2).
- (d) The notice to be submitted shall include the information enumerated in 326 IAC 14-10-3(3).

All required notifications shall be submitted to:

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

The notice shall include a signed certification from the owner or operator that the information provided in this notification is correct and that only Indiana licensed workers and project supervisors will be used to implement the asbestos removal project. The notifications do not require a certification that meets the requirements of 326 IAC 2-7-6(1) by a "responsible official" as defined by 326 IAC 2-7-1(3435).

Testing Requirements [326 IAC 2-7-6(1)]

C.87 Performance Testing [326 IAC 3-6]

- (a) For performance testing required by this permit, a test protocol, except as provided elsewhere in this permit, shall be submitted to:

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

no later than thirty-five (35) days prior to the intended test date. The protocol submitted by the Permittee does not require a certification that meets the requirements of 326 IAC 2-7-6(1) by a "responsible official" as defined by 326 IAC 2-7-1(~~3435~~).

- (b) The Permittee shall notify IDEM, OAQ of the actual test date at least fourteen (14) days prior to the actual test date. The notification submitted by the Permittee does not require a certification that meets the requirements of 326 IAC 2-7-6(1) by a "responsible official" as defined by 326 IAC 2-7-1(~~3435~~).

Compliance Requirements [326 IAC 2-1.1-11]

C.98 Compliance Requirements [326 IAC 2-1.1-11]

Compliance Monitoring Requirements [326 IAC 2-7-5(1)][326 IAC 2-7-6(1)]

C.409 Compliance Monitoring [326 IAC 2-7-5(3)][326 IAC 2-7-6(1)]

- (a) **For new units:**
Unless otherwise specified in the approval for the new emission unit(s), compliance monitoring for new emission units shall be implemented on and after the date of initial start-up.
- (b) **For existing units:**
Unless otherwise specified in this permit, for all monitoring requirements not already legally required, the Permittee shall be allowed up to ninety (90) days from the date of permit issuance ~~or of initial start-up, whichever is later,~~ to begin such monitoring. If, due to circumstances beyond the Permittee's control, any monitoring equipment required by this permit cannot be installed and operated no later than ninety (90) days after permit issuance ~~or the date of initial startup, whichever is later,~~ the Permittee may extend the compliance schedule related to the equipment for an additional ninety (90) days provided the Permittee notifies:

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

in writing, prior to the end of the initial ninety (90) day compliance schedule, with full justification of the reasons for the inability to meet this date.

The notification which shall be submitted by the Permittee does require a certification that meets the requirements of 326 IAC 2-7-6(1) by a "responsible official" as defined by 326 IAC 2-7-1(3435).

~~Unless otherwise specified in the approval for the new emission unit(s), compliance monitoring for new emission units or emission units added through a source modification shall be implemented when operation begins.~~

C.4410 Instrument Specifications [326 IAC 2-1.1-11][326 IAC 2-7-5(3)][326 IAC 2-7-6(1)]

- (a) When required by any condition of this permit, an analog instrument used to measure a parameter related to the operation of an air pollution control device shall have a scale such that the expected maximum reading for the normal range shall be no less than twenty percent (20%) of full scale. **The analog instrument shall be capable of measuring values outside of the normal range.**

Corrective Actions and Response Steps [326 IAC 2-7-5][326 IAC 2-7-6]

C.4211 Emergency Reduction Plans [326 IAC 1-5-2][326 IAC 1-5-3]

C.4312 Risk Management Plan [326 IAC 2-7-5(4211)][40 CFR 68]

C.4413 Response to Excursions or Exceedances [326 IAC 2-7-5][326 IAC 2-7-6]

C.4514 Actions Related to Noncompliance Demonstrated by a Stack Test [326 IAC 2-7-5][326 IAC 2-7-6]

- (a) When the results of a stack test performed in conformance with Section C - Performance Testing, of this permit exceed the level specified in any condition of this permit, the Permittee shall submit a description of its response actions to IDEM, OAQ, no later than seventy-five (75) days after the date of the test.
- (b) A retest to demonstrate compliance shall be performed no later than one hundred eighty (180) days after the date of the test. Should the Permittee demonstrate to IDEM, OAQ that retesting in one hundred eighty (180) days is not practicable, IDEM, OAQ may extend the retesting deadline.
- (c) IDEM, OAQ reserves the authority to take any actions allowed under law in response to noncompliant stack tests.

The response action documents submitted pursuant to this condition do require a certification that meets the requirements of 326 IAC 2-7-6(1) by a "responsible official" as defined by 326 IAC 2-7-1(3435).

Record Keeping and Reporting Requirements [326 IAC 2-7-5(3)][326 IAC 2-7-19]

C.4615 Emission Statement [326 IAC 2-7-5(3)(C)(iii)][326 IAC 2-7-5(7)][326 IAC 2-7-19(c)][326 IAC 2-6]

- ~~(a) In accordance with the compliance schedule specified in~~ **Pursuant to** 326 IAC 2-6-3(b)(2), starting in 2004 and every three (3) years thereafter, **a(1)**, the Permittee shall submit by July 1 **of each year** an emission statement covering the previous calendar year. The emission statement shall contain, at a minimum, the information specified in 326 IAC 2-6-4(c) and shall meet the following requirements:

- (1) Indicate estimated actual emissions of all pollutants listed in 326 IAC 2-6-4(a);
- (2) ~~(2)~~—Indicate estimated actual emissions of regulated pollutants as defined by 326 IAC 2-7-1(~~3233~~) (“Regulated pollutant, which is used only for purposes of Section 19 of this rule”) from the source, for purpose of fee assessment.

The statement must be submitted to:

Indiana Department of Environmental Management
Technical Support and Modeling Section, Office of Air Quality
100 North Senate Avenue
MC 61-50 IGCN 1003
Indianapolis, Indiana 46204-2251

The emission statement does require a certification that meets the requirements of 326 IAC 2-7-6(1) by a "responsible official" as defined by 326 IAC 2-7-1(~~3435~~).

C.4716 General Record Keeping Requirements [326 IAC 2-7-5(3)][326 IAC 2-7-6][326 IAC 2-2][326 IAC 2-3]

-
- (a) Records of all required monitoring data, reports and support information required by this permit shall be retained for a period of at least five (5) years from the date of monitoring sample, measurement, report, or application. **Support information includes the following, where applicable:**

- (AA) **All calibration and maintenance records.**
- (BB) **All original strip chart recordings for continuous monitoring instrumentation.**
- (CC) **Copies of all reports required by the Part 70 permit.**

Records of required monitoring information include the following, where applicable:

- (AA) **The date, place, as defined in this permit, and time of sampling or measurements.**
- (BB) **The dates analyses were performed.**
- (CC) **The company or entity that performed the analyses.**
- (DD) **The analytical techniques or methods used.**
- (EE) **The results of such analyses.**
- (FF) **The operating conditions as existing at the time of sampling or measurement.**

These records shall be physically present or electronically accessible at the source location for a minimum of three (3) years. The records may be stored elsewhere for the remaining two (2) years as long as they are available upon request. If the Commissioner makes a request for records to the Permittee, the Permittee shall furnish the records to the Commissioner within a reasonable time.

- (b) Unless otherwise specified in this permit, for all record keeping requirements not already legally required, the Permittee shall be allowed up to ninety (90) days from the date of permit issuance or the date of initial start-up, whichever is later, to begin such record keeping.
- (c) If there is a reasonable possibility (as defined in ~~40 CFR 51.165(a)~~**326 IAC 2-2-8 (b)(6)(vi)(A)**, ~~40 CFR 51.165(a)~~**326 IAC 2-2-8 (b)(6)(vi)(B)**, ~~40 CFR 51.166(r)~~**326 IAC 2-3-2 (l)(6)(vi)(A)**, and/or ~~40 CFR 51.166(r)~~**326 IAC 2-3-2 (l)(6)(vi)(B)**) that a “project” (as defined in 326 IAC 2-2-1(~~qqoo~~) and/or 326 IAC 2-3-1(~~lljj~~)) at an existing emissions unit, other than projects at a source with a Plantwide Applicability Limitation (PAL), which is not part of a “major modification” (as defined in 326 IAC 2-2-1(~~eedd~~) and/or 326 IAC 2-3-1(~~zy~~)) may result in significant emissions increase and the Permittee elects to utilize the

“projected actual emissions” (as defined in 326 IAC 2-2-1(~~ffpp~~) and/or 326 IAC 2-3-1(~~mmkk~~)), the Permittee shall comply with following:

- (1) Before beginning actual construction of the “project” (as defined in 326 IAC 2-2-1(~~qqoo~~) and/or 326 IAC 2-3-1(~~hjj~~)) at an existing emissions unit, document and maintain the following records:
 - (A) A description of the project.
 - (B) Identification of any emissions unit whose emissions of a regulated new source review pollutant could be affected by the project.
 - (C) A description of the applicability test used to determine that the project is not a major modification for any regulated NSR pollutant, including:
 - (i) Baseline actual emissions;
 - (ii) Projected actual emissions;
 - (iii) Amount of emissions excluded under section 326 IAC 2-2-1(~~ffpp~~)(2)(A)(iii) and/or 326 IAC 2-3-1(~~mmkk~~)(2)(A)(iii); and
 - (iv) An explanation for why the amount was excluded, and any netting calculations, if applicable.
- (d) If there is a reasonable possibility (as defined in ~~40 CFR 51.165(a)~~**326 IAC 2-2-8 (b)(6)(vi)(A)** and/or ~~40 CFR 51.166(f)~~**326 IAC 2-3-2 (I)(6)(vi)(A)**) that a “project” (as defined in 326 IAC 2-2-1(~~qqoo~~) and/or 326 IAC 2-3-1(~~hjj~~)) at an existing emissions unit, other than projects at a source with a Plantwide Applicability Limitation (PAL), which is not part of a “major modification” (as defined in 326 IAC 2-2-1(~~eedd~~) and/or 326 IAC 2-3-1(~~zy~~)) may result in significant emissions increase and the Permittee elects to utilize the “projected actual emissions” (as defined in 326 IAC 2-2-1(~~ffpp~~) and/or 326 IAC 2-3-1(~~mmkk~~)), the Permittee shall comply with following:

~~C.4817~~ General Reporting Requirements [326 IAC 2-7-5(3)(C)][326 IAC 2-1.1-11][326 IAC 2-2][326 IAC 2-3]

- (a) The Permittee shall submit the attached Quarterly Deviation and Compliance Monitoring Report or its equivalent. **Proper notice submittal under Section B –Emergency Provisions satisfies the reporting requirements of this paragraph.** Any deviation from permit requirements, the date(s) of each deviation, the cause of the deviation, and the response steps taken must be reported except that a deviation required to be reported pursuant to an applicable requirement that exists independent of this permit, shall be reported according to the schedule stated in the applicable requirement and does not need to be included in this report. This report shall be submitted not later than thirty (30) days after the end of the reporting period. The Quarterly Deviation and Compliance Monitoring Report shall include a certification that meets the requirements of 326 IAC 2-7-6(1) by a "responsible official" as defined by 326 IAC 2-7-1(~~3435~~). A deviation is an exceedance of a permit limitation or a failure to comply with a requirement of the permit.
- (b) The address for report submittal is:

Indiana Department of Environmental Management

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

- (c) Unless otherwise specified in this permit, any notice, report, or other submission required by this permit shall be considered timely if the date postmarked on the envelope or certified mail receipt, or affixed by the shipper on the private shipping receipt, is on or before the date it is due. If the document is submitted by any other means, it shall be considered timely if received by IDEM, OAQ on or before the date it is due.
- ~~(d) The first report shall cover the period commencing on the date of issuance of this permit and ending on the last day of the reporting period.~~ (d) Reporting periods are based on calendar years, unless otherwise specified in this permit. For the purpose of this permit "calendar year" means the twelve (12) month period from January 1 to December 31 inclusive.
- (e) If the Permittee is required to comply with the recordkeeping provisions of (d) in Section C - General Record Keeping Requirements for any "project" (as defined in 326 IAC 2-2-1 (qqoo) and/or 326 IAC 2-3-1 (#jj)) at an existing emissions unit, and the project meets the following criteria, then the Permittee shall submit a report to IDEM, OAQ:
- (1) The annual emissions, in tons per year, from the project identified in (c)(1) in Section C- General Record Keeping Requirements exceed the baseline actual emissions, as documented and maintained under Section C- General Record Keeping Requirements (c)(1)(C)(i), by a significant amount, as defined in 326 IAC 2-2-1 (xxww) and/or 326 IAC 2-3-1 (qapp), for that regulated NSR pollutant, and

Stratospheric Ozone Protection

C.1918 Compliance with 40 CFR 82 and 326 IAC 22-1

SECTION D.1 EMISSIONS UNIT OPERATION CONDITIONS

Emissions Unit Description:

- (a) One (1) cooling tower system, identified as CTWR, exhausted to Stack S-CTWR, installed in May 1985, capacity: 3,000 gallons of water per minute.

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

Emission Limitations and Standards [326 IAC 2-7-5(1)]

D.1.1 Particulate Matter (PM) [326 IAC 6.5-1-2(a)]

Pursuant to 326 IAC 6.5-1-2(a), particulate matter (PM) emissions from the one (1) cooling tower system, identified as CTWR, shall be limited to 0.03 grains per dry standard cubic foot of exhaust air.

Recommendation

The staff recommends to the Commissioner that the Part 70 Operating Permit Renewal be approved. This recommendation is based on the following facts and conditions:

Unless otherwise stated, information used in this review was derived from the application and additional information submitted by the applicant.

An application for the purposes of this review was received on March 7, 2016.

Conclusion

The operation of this stationary carbon dioxide processing source shall be subject to the conditions of the attached Part 70 Operating Permit Renewal No. T141-36904-00548.

IDEM Contact

- (a) Questions regarding this proposed permit can be directed to Thomas Olmstead at the Indiana Department Environmental Management, Office of Air Quality, Permits Branch, 100 North Senate Avenue, MC 61-53 IGCN 1003, Indianapolis, Indiana 46204-2251 or by telephone at (317) 233-9664 or toll free at 1-800-451-6027 extension 3-9664.
- (b) A copy of the findings is available on the Internet at: <http://www.in.gov/ai/appfiles/idem-caats/>
- (c) 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>.

**Appendix A: Emission Calculations
PTE Summary**

Company Name: Linde, LLC
Address City IN Zip: 3809 West Calvert Street, South Bend, Indiana 46613
Permit No./Plt ID: T141-36904-00548
Reviewer: Thomas Olmstead
Date: May, 2016

Uncontrolled Potential to Emit (tons/yr)									
Emission Unit	PM	PM10	PM2.5 *	SO ₂	NO _x	VOC	CO	Total HAPs	Worst Single HAP Acetaldehyde
Electric dryers (D-20A and D-20B) Stack S-204	--	--	--	--	--	1.01	--	--	--
Selexsorb beds (D-15A and D-15B) Stack S-154	--	--	--	--	--	0.25	--	--	--
Diesel Fuel Tank (T-DSL)	--	--	--	--	--	2.56E-03	--	--	--
Cooling Tower System (CTWR)	14.98	14.98	14.98	--	--	--	--	--	--
Decarbonator	--	--	--	--	--	0.49	--	--	--
Total	14.98	14.98	14.98	--	--	1.75	--	--	--

* PM2.5 listed is direct PM2.5

Potential to Emit after Issuance (tons/yr)									
Emission Unit	PM	PM10	PM2.5 *	SO ₂	NO _x	VOC	CO	Total HAPs	Worst Single HAP Acetaldehyde
Electric dryers (D-20A and D-20B) Stack S-204	--	--	--	--	--	1.01	--	--	--
Selexsorb beds (D-15A and D-15B) Stack S-154	--	--	--	--	--	0.25	--	--	--
Diesel Fuel Tank (T-DSL)	--	--	--	--	--	2.56E-03	--	--	--
Cooling Tower System (CTWR)	14.98	14.98	14.98	--	--	--	--	--	--
Decarbonator	--	--	--	--	--	0.49	--	--	--
Total	14.98	14.98	14.98	--	--	1.75	--	--	--

* PM2.5 listed is direct PM2.5

Total PTE after Issuance Noble Americas South Bend Ethanol LLC*	27.80	27.86	17.63	77.92	254.88	66.26	125.47	26.18	12.36
Total PTE after Issuance Entire Source	42.78	42.84	32.61	77.92	254.88	68.01	125.47	26.18	12.36

*TSD Appendix A 141-35917-00033

Appendix A: Emission Calculations Calculations Discussion

Company Name: Linde, LLC

Address City IN Zip: 3809 West Calvert Street, South Bend, Indiana 46613

Permit No./Plt ID: T141-36904-00548

Reviewer: Thomas Olmstead

Date: May, 2016

Linde LLC South Bend, IN Facility Emissions from CO2 plant Calculations Discussion

Feed gas to the Carbon Dioxide Purification Plant comes from Noble Americas South Bend Ethanol LLC. The Linde plant is a 500 TPD CO₂ processing plant, the maximum feed rate is 44,600 pounds per hour. It is important to note that the Linde Plant does not produce any air pollutants, there are no natural gas fired combustion processes or other sources of priority pollutants. The only potential pollutants that will be emitted are those found in the CO₂ stream from Noble Americas South Bend Ethanol LLC which is purified by Linde, thus resulting in small amounts of emissions. Analysis of the feed stream taken on 4/27/10 was used to determine pollutants entering the plant. This stream is 99.7 % pure CO₂. A second feed gas sample taken on 3/16/2011 showed the feed stream to be 99.99 % pure CO₂. The only priority pollutants of note in this stream are trace concentrations of VOC's.

Emissions are from two sources:

- 1] Silencer S-204 [vent] from Eclectic Dryers D-20A and B
- 2] Silencer S-154 [vent] from Selexsorb beds D-15A and B

The carbon bed does not have it's own vent, it vents through the dryer beds, S-204

For purposes of the potential to emit calculation, it is assumed that all of the VOC's in the incoming feed stream, minus those found in the product stream (an analysis of the product stream taken from a sample taken 5/5/2011 was used) were emitted to the air. This is a very conservative assumption, as some of the incoming impurities are removed by various water streams and sent to the local POTW. The acetylaldehyde emissions to the air have been quantified as zero, as this stream is removed from the feed gas by the water tower at the beginning of the plant. The following analysis of VOC and Acetylaldehyde show that the potential to emit from the incoming feed stream is below significant levels.

In addition, emissions have been calculated from the Decarbonator stream, the diesel tank and the entrained dust in the cooling water tower as particulate. The calculations for the decarbonator and the diesel tank are separate attachments. The emissions from both the decarbonator and the diesel tank are insignificant, and the particulate from the cooling water stream is simply dust particles that are entrained in the water prior to cooling. It is also insignificant.

Appendix A: Emissions Calculations
Emission Unit Calculations

Company Name: Linde, LLC
Address City IN Zip: 3809 West Calvert Street, South Bend, Indiana 46613
Permit No./Plt ID: T141-36904-00548
Reviewer: Thomas Olmstead
Date: May, 2016

S-204 and S-154

Table 1- Feed and Product Stream Sample Data

Pollutant	Feed stream sample dated 4/27/10	Product stream sample dated 5/5/2011	Max Possible Emission
Volatile Hydrocarbons	0.4	0.3	0.1
Methane	0.1		
n-Pentane	0.3	0.3	
Volatile Oxygenates	5.8	0.00E+00	5.8
Methanol	0.1		
Ethanol	0.4		
Ethyl Acetate	5.3		
Volatile Sulfurs	0.23	0.02	0.21
Carbonyl Sulfide	0.03	0.02	
Methyl Mercaptan	0.01		
Dimethyl Sulfide	0.19		
Acetaldehyde	0.33	0.00E+00	0.33
Total VOC's (ppm)	6.76	0.32	6.44

Table 2 - Vent Stack Potential Emissions

Pollutant	Feed Stream to Plant	Product Stream from Plant	Inlet - Outlet	Emissions Rate*	**S-204 Emissions		**S-154 Emissions		Total emissions	
	ppm	ppm			Lb/Hr	T/Yr	Lb/Hr	T/Yr	Lb/Hr	T/Yr
Total VOC	6.76	0.32	6.44	0.29	0.23	1.01	0.06	0.25	0.29	1.26
Acetaldehyde***	0.33	0.00E+00	0.33	0.00E+00	--	--	--	--	--	--

Methodology

*Total max gas flow is 44,600 pounds per hour

**Assume Emissions from the two silencers is split approximately 80% from S-204 and 20% from S-154

The carbon bed emissions are vented to S-204, for demonstration purposes all emissions are assumed to be from the dryers

***Acetaldehyde is removed from the feed stream in the first water tower and is not emitted to the air.

PTE is based on 8760 hours per year

Emissions Rate (lb/hr) = [Total max gas flow (lb/hr)] * [Inlet - Outlet (ppm)] * [1 / 1,000,000]

Emissions (tons/yr) = Emissions Rate (lb/hr) * [8760 hrs/yr] / [2,000 lb/ton]

Diesel Fuel Tank (T-DSL)

Diesel Fuel Tank (T-DSL)		
Pollutant	lb/yr	T/Yr
VOC	5.12	0.003

Methodology

VOC emissions calculated using TANKS 4.0 Software.

Emissions (tons/yr) = [lb/yr] / [2,000 lb/ton]

Cooling Tower System (CTWR)

Cooling Tower System (CTWR)		
Pollutant	lb/hour	T/Yr
PM10	3.42	14.98

Methodology

Calculations based on AP-42 - Table 13.4.1 for induced draft CWT using emission factor of .019 lbs of PM10/1000 gallons of water

The design flow rate for this cooling tower is 3,000 gpm

Emissions Rate (lb/hr) = [Flow rate (gpm)] * [Emission Factor (lb/1000 gals of water)] * [60 min/hr]

Emissions (tons/yr) = [lb/hr] * [8760 hrs/yr] / [2,000 lb/ton]

Decarbonator

Decarbonator Emissions			
Inlet Flow (gpm)	VOC concentration max possible* (ppm)	Total max potential VOC in stream (lb/hr)	Potential Emissions T/Yr
35	6.44	0.11	0.49

Methodology

*Intuitively, if the total VOC released in the plant is 6.44 ppm, there cannot possibly be 6.44 ppm in the decarbonator stream.

However, this is taken as a worst case since no water samples are available.

Total max potential VOC in stream (lb/hr) = [Inlet Flow (gpm)] * [60 min/hr] * [VOC concentration max possible (ppm)] * [1 / 1,000,000] * [8.34 lb / gal]

Emissions (tons/yr) = [Total max potential VOC in stream (lb/hr)] * [8760 hrs/yr] / [2,000 lb/ton]



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

Michael R. Pence
Governor

Carol S. Comer
Commissioner

July 7, 2016

Mr. Thomas Zolvinski
Linde, LLC
7996 North State Road 39
La Porte, Indiana 46350

Re: Public Notice
Linde, LLC.
Permit Level: Title V Renewal Administrative Permit
Permit Number: 141-36904-00548

Dear Mr. Zolvinski:

Enclosed is a copy of your draft Title V – Renewal Administrative Permit, Technical Support Document, emission calculations, and the Public Notice which will be printed in your local newspaper.

The Office of Air Quality (OAQ) has prepared two versions of the Public Notice Document. The abbreviated version will be published in the newspaper, and the more detailed version will be made available on the IDEM's website and provided to interested parties. Both versions are included for your reference. The OAQ has requested that the South Bend Tribune in South Bend, Indiana publish the abbreviated version of the public notice no later than July 11, 2016. You will not be responsible for collecting any comments, nor are you responsible for having the notice published in the newspaper.

OAQ has submitted the draft permit package to the St. Joseph County Public Library, 304 South Main Street in South Bend, Indiana. As a reminder, you are obligated by 326 IAC 2-1.1-6(c) to place a copy of the complete permit application at this library no later than ten (10) days after submittal of the application or additional information to our department. We highly recommend that even if you have already placed these materials at the library, that you confirm with the library that these materials are available for review and request that the library keep the materials available for review during the entire permitting process.

Please review the enclosed documents carefully. This is your opportunity to comment on the draft permit and notify the OAQ of any corrections that are needed before the final decision. Questions or comments about the enclosed documents should be directed to Thomas Olmstead, Indiana Department of Environmental Management, Office of Air Quality, 100 N. Senate Avenue, Indianapolis, Indiana, 46204 or call (800) 451-6027, and ask for extension 3-9664 or dial (317) 233-9664.

Sincerely,

Vicki Biddle

Vicki Biddle
Permits Branch
Office of Air Quality

Enclosures
PN Applicant Cover letter 2/17/2016



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

Michael R. Pence
Governor

Carol S. Comer
Commissioner

ATTENTION: PUBLIC NOTICES, LEGAL ADVERTISING

July 7, 2016

South Bend Tribune
225 W. Colfax Avenue
South Bend, Indiana 46626

Enclosed, please find one Indiana Department of Environmental Management Notice of Public Comment for Linde, LLC, St. Joseph County, Indiana.

Since our agency must comply with requirements which call for a Notice of Public Comment, we request that you print this notice one time, no later than July 11, 2016.

Please send a notarized form, clippings showing the date of publication, and the billing to the Indiana Department of Environmental Management, Accounting, Room N1345, 100 North Senate Avenue, Indianapolis, Indiana, 46204.

To ensure proper payment, please reference account # 100174737.

We are required by the Auditor's Office to request that you place the Federal ID Number on all claims. If you have any conflicts, questions, or problems with the publishing of this notice or if you do not receive complete public notice information for this notice, please call Vicki Biddle at 800-451-6027 and ask for extension 3-6867 or dial 317-233-6867.

Sincerely,

Vicki Biddle

Vicki Biddle
Permit Branch
Office of Air Quality

Permit Level: Title V – Renewal Administrative Permit
Permit Number: 141-36904-00548

Enclosure

PN Newspaper.dot 2/17/2016



Indiana Department of Environmental Management

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100 N. Senate Avenue • Indianapolis, IN 46204

(800) 451-6027 • (317) 232-8603 • www.idem.IN.gov

Michael R. Pence
Governor

Carol S. Comer
Commissioner

July 7, 2016

To: St. Joseph County Public Library

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

Subject: **Important Information to Display Regarding a Public Notice for an Air Permit**

Applicant Name: Linde, LLC
Permit Number: 141-36904-00548

Enclosed is a copy of important information to make available to the public. This proposed project is regarding a source that may have the potential to significantly impact air quality. Librarians are encouraged to educate the public to make them aware of the availability of this information. The following information is enclosed for public reference at your library:

- Notice of a 30-day Period for Public Comment
- Request to publish the Notice of 30-day Period for Public Comment
- Draft Permit and Technical Support Document

You will not be responsible for collecting any comments from the citizens. Please refer all questions and request for the copies of any pertinent information to the person named below.

Members of your community could be very concerned in how these projects might affect them and their families. **Please make this information readily available until you receive a copy of the final package.**

If you have any questions concerning this public review process, please contact Joanne Smiddie-Brush, OAQ Permits Administration Section at 1-800-451-6027, extension 3-0185. Questions pertaining to the permit itself should be directed to the contact listed on the notice.

Enclosures
PN Library.dot 2/16/2016



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

Michael R. Pence
Governor

Carol S. Comer
Commissioner

Notice of Public Comment

July 7, 2016
Linde, LLC
141-36904-00548

Dear Concerned Citizen(s):

You have been identified as someone who could potentially be affected by this proposed air permit. The Indiana Department of Environmental Management, in our ongoing efforts to better communicate with concerned citizens, invites your comment on the draft permit.

Enclosed is a Notice of Public Comment, which has been placed in the Legal Advertising section of your local newspaper. The application and supporting documentation for this proposed permit have been placed at the library indicated in the Notice. These documents more fully describe the project, the applicable air pollution control requirements and how the applicant will comply with these requirements.

If you would like to comment on this draft permit, please contact the person named in the enclosed Public Notice. Thank you for your interest in the Indiana's Air Permitting Program.

Please Note: *If you feel you have received this Notice in error, or would like to be removed from the Air Permits mailing list, please contact Patricia Pear with the Air Permits Administration Section at 1-800-451-6027, ext. 3-6875 or via e-mail at PPEAR@IDEM.IN.GOV. If you have recently moved and this Notice has been forwarded to you, please notify us of your new address and if you wish to remain on the mailing list. Mail that is returned to IDEM by the Post Office with a forwarding address in a different county will be removed from our list unless otherwise requested.*

Enclosure
PN AAA Cover.dot 2/17/2016



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

Michael R. Pence
Governor

Carol S. Comer
Commissioner

AFFECTED STATE NOTIFICATION OF PUBLIC COMMENT PERIOD DRAFT INDIANA AIR PERMIT

July 7, 2016

A 30-day public comment period has been initiated for:

Permit Number: 141-36904-00548
Applicant Name: Linde, LLC
Location: South Bend, St. Joseph County, Indiana

The public notice, draft permit and technical support documents can be accessed via the **IDEM Air Permits Online** site at:

<http://www.in.gov/ai/appfiles/idem-caats/>

Questions or comments on this draft permit should be directed to the person identified in the public notice by telephone or in writing to:

Indiana Department of Environmental Management
Office of Air Quality, Permits Branch
100 North Senate Avenue
Indianapolis, IN 46204

Questions or comments regarding this email notification or access to this information from the EPA Internet site can be directed to Chris Hammack at chammack@idem.IN.gov or (317) 233-2414.

Affected States Notification.dot 2/17/2016

Mail Code 61-53

IDEM Staff	VBIDDLE 7/7/2016 Linde LLC 141-36904-00548 DRAFT		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: CERTIFICATE OF MAILING ONLY	

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		Thomas Zolvinski Linde LLC 7996 N SR 39 La Porte IN 46350 (Source CAATS)										
2		Holly Jerdi HSE Linde LLC 575 Mountain Ave Murray Hill NJ 07974 (RO CAATS)										
3		Mr. Wayne Falda South Bend Tribune 255 W Colfax Ave South Bend IN 46626 (Affected Party)										
4		South Bend City Council / Mayors Office 227 W. Jefferson Blvd. South Bend IN 46601 (Local Official)										
5		St. Joseph County Board of Commissioners 227 West Jefferson Blvd, South Bend IN 46601 (Local Official)										
6		St. Joseph County Health Department 227 W Jefferson Blvd, Room 825 South Bend IN 46601-1870 (Health Department)										
7		South Bend Public Library 304 South Main Street South Bend IN 46601 (Library)										
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Total number of pieces Listed by Sender 7	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 Domestic Mail Manual R900, S913, and S921 for limitations of coverage on inured and COD mail. See International Mail Manual 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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