

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

Addendum to the  
Technical Support Document for Federally Enforceable State Operating Permit (FESOP)

**Bayer Corporation - Middlebury Street Plant  
3400 Middlebury Street  
Elkhart, Indiana 46515**

**F-039-5362, Plt ID-039-00242**

On October 24, 1996, the Office of Air Management (OAM) had a notice published in the Elkhart Truth Publishing Newspaper, Elkhart, Indiana, stating that Bayer Corporation had applied for a Federally Enforceable State Operating Permit (FESOP) to operate a test strip impregnation source. The notice also stated that OAM proposed to issue a permit for this operation and provided information on how the public could review the proposed permit and other documentation. Finally, the notice informed interested parties that there was a period of thirty (30) days to provide comments on whether or not this permit should be issued as proposed.

On November 25, 1996, Bayer Corporation submitted comments on the proposed FESOP. The summary of the comments is as follows:

**Comment 1:**

The draft FESOP would require Bayer to maintain monthly records of not only of VOC and HAP use, but also calculated weights of VOC and HAP as emitted, "considering capture and control efficiency." The requirement to calculate emissions of VOCs and HAPs emitted on a monthly basis is unreasonable and not necessary to assure compliance with applicable emissions limitations.

Despite IDEM's estimate of Bayer's theoretical potential emissions rate of 1,165 tons per year, facility records demonstrate that annual actual VOC emissions are less than 12 tons. Bayer's theoretical potential HAP emissions rate is calculated to be 1,294 tons per year; yet actual emissions of any single HAP are less than one ton and actual combined emissions for all HAPs are less than three tons. The calculated potential emissions, more than 100 times greater than actual emissions in each case, reflect operating scenarios that could never be reached in practice and which greatly exaggerate the facility's true potential to emit VOCs and HAPs.

Bayer utilizes a batch operation, where different formulations of VOC and HAP containing solvents are utilized according to customer demand. In any given month, Bayer may run 100 or more different products containing numerous different chemicals (most of which contain de minimis quantities of HAPs and VOCs). Requiring Bayer to carry out monthly emissions calculations on all such chemicals would be unduly onerous and unnecessary to ensure compliance with annual emissions limits. Bayer maintains monthly (indeed daily) records of chemical consumption, and records show that actual VOC and HAP emissions are less than the weight of such chemicals consumed in the process. There is no need to engage in complex and time-consuming calculations to demonstrate that actual emissions are indeed lower than amounts used.

**Response to Comment 1:**

The Office of Air Management (OAM) has changed Condition D.1.5 (now re-numbered D.1.8(b)), page 26 of 32, to require Bayer to record the following:

- (1) The amount and VOC and HAP content of each coating material and solvent used. Solvent usage records shall differentiate between those added to coatings and those used as cleanup solvents;
- (2) A log of the dates of use;
- (3) The cleanup solvent usage for each month;
- (4) The total VOC and HAP usage for each month; and
- (5) The weight of VOCs and HAPs emitted for each compliance period.

**Comment 2:**

Actual annual emissions of VOCs and HAPs from all of Bayer's operations are in the range of 9-12 tons per year and 2-3 tons per year, respectively. Because these emissions are far below regulatory thresholds and levels of concern, Bayer believes that quarterly reporting requirements are unnecessary and unduly burdensome.

**Response to Comment 2:**

Reporting is required in order that the OAM can ensure that the source complies with the usage limits in the permit. From past experience the OAM believes that quarterly is the proper frequency for reporting. Therefore the condition will not change.

**Comment 3:**

The FESOP imposes fixed monthly emissions limits for VOCs of 8.25 tons per month, individual HAPs of 0.75 tons per month, and combined HAPs of 2.0 tons per month. These monthly limits are arbitrarily reduced from corresponding annual emissions limits and impose significant limitations on Bayer's operations flexibility. As previously discussed, Bayer utilizes a batch operation that is dependent on customer demand. Although Bayer is not aware of any instance when its emissions have exceeded the proposed monthly limits, customer demand could conceivably require Bayer to exceed IDEM's proposed monthly emissions limits. Such exceedances might occur even though Bayer's annual emissions of VOCs and HAPs remained well below the annual limits set by EPA.

Although not stated in the draft FESOP, IDEM's imposition of monthly emissions caps appears to flow from 326 IAC 8-1-1(c), which provides requirements for permit conditions relating to VOCs and HAPs as follows:

If the rule [restricting emissions] specifies an applicability level based on potential emissions per year, the permit or enforceable document shall restrict actual production, hours of operation, and/or capacity utilization on a monthly basis...

While this rule does suggest that monthly emissions caps should be required, it nowhere requires that such caps be set lower than one-twelfth of the relevant annual limit. Standard EPA practice and common sense would suggest that such short-term "ceiling" limits should be higher than would result from the use of straight, arithmetic averages. Restricting monthly emissions to less than one-twelfth of the annual emissions limit, as suggested by IDEM in this draft FESOP, renders the annual emissions limits

irrelevant. Indeed, no record justification, risk-based or otherwise, has been enunciated by IDEM that supports the need for monthly limits that add up to less than the EPA's annual defined potential-to-emit thresholds.

As a corollary to these comments, Bayer would note that IDEM's reduction of EPA's annual VOC limits to 99.0 tons, individual HAP limits of 9.0 tons and combined HAP limits of 24.0 tons is arbitrary and capricious. IDEM's figures evidently flow from the arbitrary lowered monthly limitations discussed above. IDEM should, consistent with federal law, require that permittees not exceed 100 tons per year, 10 tons per year, and 25 tons per year, respectively.

### **Response to Comment 3:**

In order to qualify for the FESOP program, the source's potential to emit VOC must be limited to **less than** 100 tons per year, the source's potential to emit a single HAP must be limited to **less than** 10 tons per year and the source's potential to emit all HAPs must be limited to **less than** 25 tons per year. The FESOP conditions (D.1.1 and D.1.2), page 25 of 32, have been changed to limit the source to 99 tons Volatile Organic Compound (VOC) per year, 9 tons of any single Hazardous Air Pollutant (HAP) per year, and 24 tons of any combination of HAPs per year, on a monthly rolling basis. There are no longer specific monthly limits on any pollutant.

### **Comment 4:**

The draft FESOP requires that when operating, the thermal oxidizer "shall maintain a minimum operating temperature of 1,400°F, or the temperature determined to maintain at least 90 percent destruction of VOC captured." Bayer has both literature and manufacturing data which indicates that an acceptable destruction efficiency can be obtained at temperatures below that requested (see discussion under Alternate Compliance Method).

### **Response to Comment 4:**

The FESOP Condition D.1.4 (now re-numbered D.1.7), page 26 of 32, has been changed to add "whichever is lower" at the end of the condition.

### **Comment 5:**

After receipt and review of the draft FESOP, Bayer developed an alternate compliance method for consideration by IDEM. On November 11, 1996, this proposal was discussed with Mr. Patrick Brennan, IDEM's reviewer at MES.

Bayer's proposal involved utilizing a rated and achievable thermal oxidizer efficiency of 95 percent. This would result in actual annual VOC emissions of approximately 8 tons per year, far below the 100 tons per year VOC limit authorized and approximately 20 percent less than current total annual emissions. This higher destruction efficiency is consistent with design standards for the equipment as the following evidence indicates:

1. Applications submitted to IDEM in 1982 and 1987 cited the thermal oxidizer manufacturers' state destruction efficiencies of 99 and 95 percent, respectively. IDEM apparently accepted the validity of these efficiency figures by issuing the existing registrations.
2. In 1988, Bayer conducted independent testing of the Combustion Engineering thermal oxidizer and concluded that destruction efficiencies of 99.5 percent were being achieved.

3. Available literature (which we can provide upon request) indicates that destruction efficiencies of 95 percent are achieved when thermal oxidizer temperatures are maintained 100 degrees Fahrenheit above the auto ignition temperature of the vaporous VOC in the waste stream. Bayer contends this efficiency is currently met with the existing thermal oxidizers.

In response to Bayer's proposal, Mr. Brennan of MES stated as follows:

1. IDEM would require initial stack testing of the thermal oxidizer for efficiency and emissions. This would be followed by confirmation stack testing every five years (presumably the permit span).
2. Insignificant source emissions will be estimated and subtracted from the FESOP annual limits. For example, Mr. Brennan stated that IDEM would estimate the potential dip pan VOC emissions to be 2.75 tons per year, and would subtract this amount from the 99 tons per year VOC limit. IDEM would do this regardless of compliance strategy.
3. IDEM would require the thermal oxidizer to be run at all times, even when product mixes contained less than 2.9 lbs/gallon of VOCs.
4. The emission reporting requirements in the draft FESOP would be reduced, but other reporting requirements (such as stack testing results and gas usage) would apply.

The counterproposal is arbitrary and unreasonable for three reasons. First, Bayer's proposal merely to utilize a demonstrated destruction efficiency to calculate emissions should not result in additional proposed restrictions. Second, the suggestion that the thermal oxidizer be run for every batch would double the facility's natural gas usage (increasing current costs for gas from \$80,000 to \$160,000), while not appreciably reducing VOC emissions. Because more than 75 percent of Bayer's product mixes contain less than 2.9 pounds of VOC per gallon, the trigger level for control implementation for the paper coating standard (326 IAC 8-2-5(b)), this proposed requirement is arbitrary. And third, the 2.75 tons per year proposed annual VOC emissions estimate for dip pan emissions has no basis in reality and conflicts with actual emissions as reported by Bayer to IDEM.

#### **Response to Comment 5:**

If 99.5% destruction efficiency can be proven to be achieved by a stack test conducted in accordance with 40 CFR 60, Appendix A, Method 25, the source can operate the thermal oxidizer at such destruction efficiency. The FESOP requires that the thermal oxidizer be operated at 90% destruction efficiency and that the actual VOC emission be less than or equal to 91 tons per year.

The thermal oxidizer only needs to be run when the product mixes contain more than 2.9 pounds VOC per gallon.

Because the three (3) reagent strip drying lines are limited to 91 tons of volatile organic compounds (VOC) per year, the insignificant activities actual emissions would theoretically not be greater than nine (9) tons VOC per year, making the source's actual emissions greater than 100 tons per year. Therefore, there is no need to monitor the emissions of the insignificant activities.

The reporting requirements are to submit quarterly emission reports for the three (3) reagent strip drying lines and an annual emission statement by April 15. These reports will be sufficient to show compliance with the FESOP permit conditions.

**Comment 6:**

Table of Contents and Facility Operating Conditions under D.1 - The control efficiency is stated as 99 percent. An efficiency of 90 percent is stated throughout the application. Although Bayer acknowledges that the thermal oxidizers can achieve efficiencies better than 90 percent, the permit should only mention the lower control efficiency.

**Response to Comment 6:**

The FESOP has been changed to delete the control efficiency from the equipment description.

**Comment 7:**

Table of Contents and Facility Operating Conditions under D.1 - 2,880 ft<sup>2</sup>/hr is listed as the capacity of the dryer. The dryer can run at a maximum of 20 ft/min (as indicated by the dryer manufacturer). The FESOP application states 20 ft/min as the capacity and this is the correct capacity.

**Response to Comment 7:**

The FESOP has been changed to say "20 ft/min" , rather than "2880 ft<sup>2</sup>/hr".

**Comment 8:**

Paragraph A.3 - In the FESOP application, insignificant sources are listed on Form GSD-10. The listing in Paragraph A.3 does not appear to correspond to the sources listed in the application. Bayer suggests that the specific listing of sources appear as set forth in Form GSD-10.

**Response to Comment 8:**

Condition A.3 "Insignificant Activities" has been changed to be as follows (strikeout added to show what was deleted and bold added to show what was added):

**A.3 Insignificant Activities [326 IAC 2-7-1(21)] [326 IAC 2-8-3(c)(3)(I)]**

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

- (a) ~~Natural gas-fired combustion sources with heat input equal to or less than ten million (10,000,000) Btu per hour.~~
- (b) ~~Storage tanks with capacity less than or equal to 1,000 gallons and annual throughputs less than 12,000 gallons.~~
- (c) ~~Grinding and machining operations controller with fabric filters, scrubbers, mist collectors, wet collectors and electrostatic precipitators with a design grain loading of less than or equal to 0.03 grains per actual cubic foot and a gas flow rate less than or equal to 4,000 actual cubic feet per minute, including the following: deburring; buffing; polishing; abrasive blasting; pneumatic conveying; and woodworking operations.~~
- (d) ~~Miscellaneous operations emitting greater than 1 pound per day but less than 5 pounds per day of 1 ton per year of a single ethylene glycol.~~

~~(e) Operations involving the Overly Unit dip pans and lab hoods with less than 3.0 pounds per hour or 15 pounds per day of Volatile Organic Compounds (VOC):~~

- (1) Boiler No. 1 (Natural Gas), combustion vent, identified as 1-1-1;
- (2) Boiler No. 2 (Natural Gas), combustion vent, identified as 2-1-1;
- (3) Boiler No. 3 (Natural Gas), combustion vent, identified as 3-1-1;
- (4) Boiler No. 4 (Natural Gas), combustion vent, identified as 4-1-1;
- (5) Egan Mixing Station, process vent, identified as 7-1-1;
- (6) Overly Mixing Station, process vent, identified as 8-1-1;
- (7) Paint Booth, miscellaneous vent, identified as 9-1-1;
- (8) 100 kw Emergency Generator (Natural Gas), combustion vent, identified as 11-1-1;
- (9) 30 kw Emergency Generator (Natural Gas), combustion vent, identified as 12-1-1;
- (10) Ethylene Glycol Usage, fugitive emissions, identified as F1-1;
- (11) Floor Wax Usage, fugitive emissions, identified as F2-1;
- (12) Floor Stripper No. 1, fugitive emissions, identified as F2-2;
- (13) Floor Stripper No. 2, fugitive emissions, identified as F2-3;
- (14) Machine Shop Operations, fugitive emissions, identified as F4-1;
- (15) Sand Blasting, fugitive emissions, identified as F4-2;
- (16) Overly #1 Dip Pan, process vent, identified as 13-1-1;
- (17) Overly #2 Dip Pan, process vent, identified as 14-1-1;
- (18) Hazardous Waste Storage Tank, storage tank vent, identified as 15-1-1; and
- (19) Lab Hoods (several), identified as 16-1-1.

**Comment 9:**

Page 5 - Was this page left blank intentionally?

**Response to Comment 9:**

This page was accidentally left blank. The FESOP has been changed to delete the blank page.

**Comment 10:**

Paragraph B.12(a) - The annual certification period is not clear. Is the period the previous calendar year, fiscal year, etc? Also, is it necessary to include a submittal date? Bayer proposes that the permit

reference the regulatory citation, not the current required date.

**Response to Comment 10:**

The certification period is the previous calendar year. It has been established that the certification will be submitted at the same time that the emission report for the previous calendar year is to be submitted. This is done so that the source would not have to submit reports covering the same information two times.

**Comment 11:**

Paragraph B.14(a) - Bayer understands that the work practice requirement of running the thermal oxidizer once VOC content is greater than 2.9 lbs/gal is not a health-based or technology-based emission limit. Therefore, the FESOP has no limit that requires following this provision. Is this a correct interpretation? If not, please clarify.

**Response to Comment 11:**

Pursuant to 326 IAC 8-2-5(b), the Permittee shall not cause, allow, or permit the discharge into the atmosphere of any volatile organic compound (VOC) in excess of 2.9 pounds of VOC per gallon, excluding water, delivered to the coating applicator. In order for Bayer to comply with this rule, the thermal oxidizer must be run with a control efficiency of at minimum 90% destruction efficiency when any coating is used that contains more than 2.9 pounds of VOC per gallon, excluding water.

**Comment 12:**

Paragraph B.14(d) - The significance of this paragraph is not clear and requires clarification.

**Response to Comment 12:**

This condition has been changed. If the source was subject to 326 IAC 1-6 (Malfunctions) required by a previous permit, the source is now subject to 326 IAC 2-8-12. This condition does not supersede any applicable requirements contained in this permit.

**Comment 13:**

Paragraph B.15 - Bayer's interpretation is that a malfunction condition occurs when the thermal oxidizer temperature falls below the minimum required temperature for at least one-hour. Short duration temperature fluctuations having no appreciable impact on emissions should not be reportable events. If the temperature remains below the required level for more than one hour, the procedure outlined in this paragraph will be followed. Is this a correct interpretation? If not, please clarify.

**Response to Comment 13:**

Bayer's interpretation of this condition is correct. However, any deviation from any permit requirement must be reported to the OAM, not just the when the thermal oxidizer temperature falls below the minimum required temperature.

**Comment 14:**

Paragraph B.23 - Bayer's interpretation is that "Allowable Emissions" are the FESOP limits of 100 tons/year of VOC, 25 tons/year of a group of HAPs, or 10 tons/year of a single HAP. Therefore, unless

Bayer plans (through production increases) on emitting equal to or greater than these three limits, no physical or operational change will require a construction permit. Is this a correct interpretation? If not, please clarify.

**Response to Comment 14:**

Bayer's interpretation is not correct. This condition (now re-numbered B.24) has been changed to state that any modification, construction, or reconstruction shall be permitted as required by and in accordance with 326 IAC 2. Bayer must notify the OAM of **any** change that will increase emissions of any pollutant above the levels set forth in 326 IAC 2-1 (Construction Permit Requirements).

**Comment 15:**

Paragraph B.24(e) - Bayer finds the wording of this section to be inconsistent with 326 IAC 2-8-5(a)(4). Bayer objects to the use of photographic equipment, particularly because of business confidentiality concerns.

**Response to Comment 15:**

This condition has been re-numbered to B.25. Bayer may submit a claim of confidentiality when any photographic equipment is used to inspect the source. IDEM, OAM, U.S. EPA, or an authorized representative will have to consider this information confidential and follow the requirements of 326 IAC 17 (Confidential Information) and 40 CFR 2. Confidential information will be kept under lock and key and will not be disclosed to any party without Bayer's prior approval.

**Comment 16:**

Paragraph B.25(d) - Bayer requests that the permit reference the requirement of 326 IAC 2-8-16 only and not a date, otherwise a conflict between the regulations and the permit is possible. Bayer does not understand why it is the responsibility of the Permittee to insure that permit billing is received.

**Response to Comment 16:**

This condition has been re-numbered to B.27. The OAM has established that the applicable fees are due April 1 of each year. It is Bayer's responsibility to insure that the permit billing is received because the OAM may not have the most current mailing information for each source. If the source notifies the OAM of any mailing information change, then the source should receive the permit billing on time.

**Comment 17:**

Paragraph C.5 - Bayer understands that no monitoring is required for opacity, fugitive dust, and open burning. The summary table in the Technical Support Document (TSD) supports this conclusion and has been confirmed by Pat Brennan of IDEM on November 6. Therefore, there are not monitoring requirements for these four applicable requirements as implied in paragraph C.5. If this is not correct, please clarify.

**Response to Comment 17:**

This condition has been re-numbered to C.9. The visible emissions notations is the monitoring for particulate matter (PM) emissions. Bayer must certify compliance for fugitive dust and open burning, so

monitoring must be done to verify compliance with these requirements (Conditions C.3 and C.5) pages 16 and 17 of 32. The other compliance monitoring that Bayer must do is run the thermal oxidizer at a minimum temperature established in a stack test when the coating used contains more than 2.9 pounds of volatile organic compound (VOC) per gallon, less water.

**Comment 18:**

Paragraph C.8(b) - The meaning of this section is not clear and requires clarification.

**Response to Comment 18:**

This condition (now re-numbered C.14) has been reworded to be clearer. The Permittee shall implement the compliance monitoring plan consisting of this condition.

**Comment 19:**

Paragraph C.9(a) - Bayer requests that the permit reference the requirement of 326 IAC 2-6 only and not a date, otherwise a conflict between the regulations and the permit is possible.

**Response to Comment 19:**

This condition (now re-named "Emission Statement" and re-numbered C.16) has been changed. The required receipt date is still included in the condition. This date is established in the 326 IAC 2-6 and the OAM has decided to leave it in the condition.

**Comment 20:**

Paragraph C.10 - The meaning of "5% of the operating time in any quarter" needs clarification.

**Response to Comment 20:**

This condition is now re-numbered C.17. 5% of the operating time in any quarter means 5% of the hours the source operated in that quarter. For example, there are 8,760 possible operating hours in a year. That means that there are 2,190 possible operating hours in a quarter. If the source only operated 2,000 hours in a quarter, then 5% of 2000 hours is 100 hours. As long as the failure did not exceed 100 hours IDEM may excuse the failure of the monitoring data.

**Comment 21:**

Paragraph D.1.1 - Bayer requests the flexibility to use rolling annual average as proposed in the application. At the CAAAC meeting in Indianapolis on October 29, Paul Dubenetzky stated that IDEM's reluctance to use rolling annual averages had changed as a result of a recent telephone conversation with EPA, and that IDEM would, therefore, allow this method for compliance.

**Response to Comment 21:**

Condition D.1.1 has been changed to allow Bayer to use the rolling annual average to show compliance.

**Comment 22:**

Paragraph D.1.4 - Bayer has suggested that the wording "whichever is lower" be added to the last sentence of this paragraph for clarification. Please refer to recommended changes on the enclosed Draft

FESOP.

**Response to Comment 22:**

This condition (now re-numbered D.1.7) has been changed to add the wording "whichever is lower".

**Comment 23:**

Paragraph D.1.5 - Since Bayer currently weighs and or records the volume of all manufacturing chemical mixtures, modifications of this paragraph are requested. Please refer to the recommended changes on the enclosed Draft FESOP.

**Response to Comment 23:**

This condition (now re-numbered D.1.8) has been changed to require Bayer to record the number of gallons of material used, the log of dates of use and the weight of the VOC and HAPs emitted for each compliance period.

**Comment 24:**

Paragraph D.1.5(e) - Indicator lights/alarms are used to inform the operator that the air supply to the thermal oxidizer is working. Bayer believes that this alarm is adequate to demonstrate that the fan is operating. Therefore, fan amperage readings are not necessary and this requirement should be deleted.

**Response to Comment 24:**

The condition requiring fan amperage readings has been deleted from this final permit. The use of the alarms to demonstrate that the fan is operating properly is included in this final permit.

**Comment 25:**

Paragraph D.1.6(b) - A dip is a mixture of a number of different chemicals which are then applied to the paper. Please use the term dip instead of the word material.

**Response to Comment 25:**

Condition D.1.6 and D.1.7 are now combined and re-numbered D.1.8. Material is meant to imply whatever the source uses in the coating process. In Bayer's case it is meant to imply a dip. The term material is used in all the FESOP permits.

**Comment 26:**

Paragraph D.1.6(e)(1) - What is the capture efficiency with respect to a HAP? Does IDEM have a source for determining this information?

**Response to Comment 26:**

This condition has been deleted from the FESOP permit since it does not apply to this particular operation.

**Comment 27:**

Paragraph D.1.6(e)(2) - What is the destruction efficiency of a single HAP? Bayer has literature stating that all VOCs (and HAPs) are destroyed when the thermal oxidizer is operated at 100°F above the auto ignition temperature of the vaporous VOC in the waste stream. Is this acceptable?

**Response to Comment 27:**

This condition has been deleted from the FESOP permit since it does not apply to this particular operation.

**Comment 28:**

Deviation Reporting Form for Control Devices - Please explain how and when to use this form. For example, the box that states "No Deviations" appears to contradict the need for the form.

**Response to Comment 28:**

This item has been deleted from the Deviation Reporting Form for Control Devices.

**Comment 29:**

Deviation Occurrence Reporting Form - Bayer understands that the permit has no rate or content limitations. The requirement to run the thermal oxidizer once the dip being processed exceeds 2.9 lbs of VOC/gallon is a work-practice standard - not a limitation. Therefore, this form would not be required. Is this correct? If not, please clarify.

**Response to Comment 29:**

Pursuant to 326 IAC 8-2-5(b), the Permittee shall not cause, allow, or permit the discharge into the atmosphere of any volatile organic compound (VOC) in excess of 2.9 pounds of VOC per gallon, excluding water, delivered to the coating applicator. In order for Bayer to comply with this rule, the thermal oxidizer must be run with a control efficiency of at minimum 90% destruction efficiency when any coating is used that contains more than 2.9 pounds of VOC per gallon, excluding water. This is a content limitation. Therefore, this form is necessary.

**Comment 30:**

FESOP Quarterly Report - Please explain the requirement for a signature or name. Isn't the form of page 22 adequate to satisfy the certification?

**Response to Comment 30:**

The responsible official is required to sign the Certification Form, but is not required to sign the Quarterly Report form. Some other person may sign the Quarterly Report Form. The Certification Form and the Quarterly Report form (or their equivalent) must both be submitted when submitting quarterly reports.

**Comment 31:**

Paragraph Referencing Total PTE in Support Document - Please change the second sentence in the first paragraph on Page 3 of 9 to read as follows: "These solvents could not be used simultaneously at the maximum usage rate in a combination that would exceed total potential VOC emissions."

**Response to Comment 31:**

The Technical Support Document cannot be physically changed, but the change is noted in this addendum to the Technical Support Document.

**Comment 32:**

Paragraph Referencing Limited PTE In Support Document - Bayer has not accepted a limit beyond that stated in the FESOP application. Bayer's September 23, 1996, letter asked IDEM to explain why these limits were changed from 10 tons per year to 9 tons per year of a single HAP and 25 tons per year to 24 tons per year of aggregate HAPs.

**Response to Comment 32:**

A source is in compliance with the FESOP requirements 326 IAC 2-8 if the emissions of any single HAP are less than 10 tons per year, or if the combination of HAPs emissions are less than 25 tons per year. The OAM decided on the limits of 9 tons per year for any single HAP and 24 tons per year of any combination of HAPs to ensure the source is in compliance. As long as the source stays at these limits there will be no question of noncompliance when it comes to rounding numbers.

On December 19, 1997, R. Lennie Scott of Bayer Corporation submitted additional comments on the proposed FESOP. The summary of the comments is as follows:

**Comment 33:**

B.11(c), Certification: The proper reference is 326 IAC 2-7-1(34).

**Response to Comment 33:**

B.11(c) has been changed from:

- (c) A responsible official is defined at 326 IAC 2-7-1(33).

to be as follows to cite the correct rule (bold added for emphasis):

- (c) A responsible official is defined at 326 IAC 2-7-1(**34**).

**Comment 34:**

B.13 and C.9, Preventive Maintenance Plan and Compliance Monitoring: Bayer requests an extension to the 90-day period allowed to come into compliance with the terms of the FESOP. A 270 day compliance window is requested to allow revision to process documentation, record keeping, implementation of monitoring systems, personnel retraining and possible staffing issues that are necessitated by the added requirements of the FESOP.

**Response to Comment 34:**

OAM feels that two hundred seventy (270) days is too long of a compliance window. Therefore, OAM has extended the compliance window to only one hundred eighty (180) days.

Pursuant to this comment, Condition B.13(a) has been changed from:

- (a) If required by specific condition(s) in Section D of this permit, the Permittee shall prepare and maintain Preventive Maintenance Plans (PMP) within ninety (90) days after issuance of this permit, including the following information on each:

to be as follows (bold added for emphasis):

- (a) If required by specific condition(s) in Section D of this permit, the Permittee shall prepare and maintain Preventive Maintenance Plans (PMP) within **one hundred eighty (180)** days after issuance of this permit, including the following information on each:

Also, the Condition C.9 has been changed from:

C.9 Compliance Monitoring [326 IAC 2-8-4(3)] [326 IAC 2-8-5(a)(1)]

Compliance with applicable requirements shall be documented as required by this permit. The Permittee shall be responsible for installing any necessary equipment and initiating any required monitoring related to that equipment no more than ninety (90) days after receipt of this permit. If due to circumstances beyond its control, this schedule cannot be met, the Permittee shall notify:

Indiana Department of Environmental Management  
Compliance Data Section, Office of Air Management  
100 North Senate Avenue, P.O. Box 6015  
Indianapolis, Indiana 46206-6015

in writing no more than ninety (90) days after receipt of this permit, with full justification of the reasons for inability to meet this date and a schedule which it expects to meet. If a denial of the request is not received before the monitoring is fully implemented, the schedule shall be deemed approved.

The notification which shall be submitted by the Permittee does require the certification by the "responsible official" as defined by 326 IAC 2-7-1(34).

to be as follows (bold added for emphasis):

C.9 Compliance Monitoring [326 IAC 2-8-4(3)] [326 IAC 2-8-5(a)(1)]

Compliance with applicable requirements shall be documented as required by this permit. The Permittee shall be responsible for installing any necessary equipment and initiating any required monitoring related to that equipment no more than **one hundred eighty (180)** days after receipt of this permit. If due to circumstances beyond its control, this schedule cannot be met, the Permittee shall notify:

Indiana Department of Environmental Management  
Compliance Data Section, Office of Air Management  
100 North Senate Avenue, P.O. Box 6015  
Indianapolis, Indiana 46206-6015

in writing no more than **one hundred eighty (180)** days after receipt of this permit, with full justification of the reasons for inability to meet this date and a schedule which it expects to meet. If a denial of the request is not received before the monitoring is fully implemented, the schedule shall be deemed approved.

The notification which shall be submitted by the Permittee does require the certification by the "responsible official" as defined by 326 IAC 2-7-1(34).

**Comment 35:**

B.14, Emergency Provisions: Bayer requests clarification on whether the 2.9 lb/gallon VOC content (thermal oxidizer operating criterion) is a health-based or technology-based limit. Bayer believes it to be a technology-based limit. This item is important for compliance with the emergency provisions related to continued operation during an emergency situation.

**Response to Comment 35:**

The volatile organic compound (VOC) content limit is classified to be a technology-based limit. If the volatile organic compound (VOC) contains hazardous air pollutants (HAPs), then this limit is also a technology-based limit. There will be no changes to this condition in the final permit, due to this comment.

**Comment 36:**

B.15 and C.19, Deviations From Permit Requirements and Conditions & General Reporting Requirements: Bayer requests a definition for the term "deviation." Based upon Bayer's reading of this section, it is unclear when a Deviation Occurrence Report would be required.

**Response to Comment 36:**

A deviation is defined in Section C.18(d) - General Reporting Requirements. A reportable deviation is an exceedance of a permit limitation or a failure to comply with a requirement of the permit or a rule. It does not include:

- (1) An excursion from compliance monitoring parameters as identified in Section D of this permit unless due to an applicable limit; or
- (2) An emergency as defined in 326 IAC 2-7-1(12); or
- (3) Failure to implement elements of the Preventive Maintenance Plan unless lack of maintenance has caused or contributed to a deviation; or
- (4) Failure to make or record information required by the compliance monitoring provisions of Section D unless such failure exceeds 5% of the required data in any calendar quarter.

There will be no changes to this condition in the final permit, due to this comment.

**Comment 37:**

B.23, Operational Flexibility: After review of this section and other referenced citations, "change or changes" allowed without prior permit revision are not obvious. This section is very difficult to comprehend.

**Response to Comment 37:**

The changes that are allowed without prior permit revision would be, for example, changing the type of coatings or solvents used from the ones listed in the permit application. This type of change will not have an effect on the conditions listed in this permit. The same rules and standards would apply to the facilities as with the coatings and solvents listed in the original permit application. An example of a change that would require prior permit revision would be the addition of another facility or control device. This type of change would require the conditions listed in the permit to be changed. There will be no changes to this condition in the final permit, due to this comment.

**Comment 38:**

C.7, Asbestos Abatement Projects - Accreditation: This rule is applicable to other than FESOP permittees. The inclusion of this section is not necessary as OAM has enforcement powers outside of the FESOP. Bayer requests that this section be deleted.

**Response to Comment 38:**

The Office of Air Management (OAM) includes all applicable requirements contained in Title 326 of the Indiana Air Code (IAC) in the FESOPs. There will be no changes to this condition in the final permit, due to this comment.

**Comment 39:**

C.8, Performance Testing: The wording of this section implies that testing is required and leads to potential confusion. The FESOP does not require testing other than periodic testing on the two thermal oxidizers. Bayer interprets the testing required in Section D.1.5 to be the only required performance testing.

**Response to Comment 39:**

This condition is intended to explain the requirements and steps to follow if the source is required to do performance testing. Condition D.1.5 states that this facility is specifically required to conduct a performance test for the thermal oxidizers. These procedures apply to this or any other test required at the source. The test required in Section D.1.5 is the only test specifically required at the time this permit is issued. Condition C.8 state the procedures to notify IDEM, OAM of the testing date and results. There will be no changes to this condition in the final permit, due to this comment.

**Comment 40:**

C.12, Asbestos Abatement Projects: This rule is applicable to other than FESOP permittees. The inclusion of this section is not necessary as OAM has enforcement powers outside to the FESOP. Bayer requests that this section be deleted.

**Response to Comment 40:**

The Office of Air Management (OAM) includes all applicable requirements contained in Title 326 of the Indiana Air Code (IAC) in the FESOPs. There will be no changes to this condition in the final permit, due to this comment.

**Comment 41:**

C.13, Risk Management Plan: This rule is applicable to other than FESOP permittees. The inclusion of

this section is not necessary as OAM has enforcement powers outside the FESOP. Bayer requests that this section be deleted, as the source does not meet the threshold planning requirements of RMP.

**Response to Comment 41:**

Pursuant to this comment, this condition has been deleted from the permit. The remaining conditions have been re-numbered.

**Comment 42:**

C.14, Compliance Monitoring Plan: Subsection (c) refers to an "excursion", an undefined term.

**Response to Comment 42:**

According to the Webster's II New Riverside University Dictionary, an "excursion" is defined as a deviation from the main topic or a movement from a mean position or axis. For the purposes of the FESOP, the main topic or mean position is intended to be the facility operating in compliance. Therefore, an excursion would be a deviation or movement from operating in compliance. There will be no changes to this condition in the final permit, due to this comment.

**Comment 43:**

C.17(b), Monitoring Data Availability: Documentation of times when the thermal oxidizer and other equipment is not operating is unduly burdensome for Bayer's batch operation. Process documentation will indicate when the thermal oxidizer and other equipment are in operation. At times, other than those logged, this equipment would not be operating.

**Response to Comment 43:**

In order to document compliance with Condition D.1.7, the source must log when the facilities and their control equipment are and are not in operation. Since the thermal oxidizer must be operated at all times when non-compliant coatings are used, OAM must be able to verify that this facility is in compliance. OAM requires that the source may keep records of operation and assume non-operation when not logged as operating. Since the source must keep records of when non-compliant coatings are used, if the records of non-operation of the thermal oxidizer coincide with the records of non-compliance coating usage, the source must record the date, time, duration, and cause of non-operation along with any corrective actions taken to correct the deviation.

**Comment 44:**

C.18, General Record Keeping Requirements: Bayer operates several plants in northern Indiana, which are referred to as the Elkhart Area Site. All records required by the FESOP will be maintained at the Elkhart Area Site, which may or may not be at the Middlebury Street plant address. Therefore, the arbitrary one (1) hour records availability requirement will not be practical in all cases. In any event, Bayer will make these records available for inspection, upon request.

**Response to Comment 44:**

Pursuant to 326 IAC 2-8-4(3)(B)(ii)(DD), the source is required to keep their records required by the FESOP on site for three (3) years and shall make them available upon request for the two (2) years following. Therefore, the records required by the FESOP can not be kept at the Elkhart Area Site. They must be kept at the Middlebury Street Plant for three (3) years. Because of this requirement, OAM feels that one (1) hour is sufficient to provide the records, upon request. There will be no changes to this condition in the final permit, due to this comment.

**Comment 45:**

C.20, Compliance with 40 CFR 82 and 326 IAC 22-1: This rule is applicable to other than FESOP permittees. The inclusion of this section is not necessary as OAM has enforcement powers outside of the FESOP. Bayer requests that this section be deleted.

**Response to Comment 45:**

The Office of Air Management (OAM) includes all applicable requirements contained in Title 326 of the Indiana Air Code (IAC) in the FESOPs. There will be no changes to this condition in the final permit, due to this comment.

**Comment 46:**

D.1.1, Volatile Organic Compounds: Bayer requests that VOC emissions limit be raised to 100 tons per year as provided by 326 IAC 2-7-1. This will allow for consistency with section C.1.

**Response to Comment 46:**

In order to qualify for the FESOP program, the source's potential to emit volatile organic compounds must be limited to **less than** one hundred (100) tons per year. Therefore, the volatile organic compound emissions limit cannot be raised to one hundred (100) tons per year. The volatile organic compound emissions have been limited to ninety-nine (99) tons per year because this source requested a twelve-month rolling average to show compliance with the FESOP limit, rather than a set monthly limit.

**Comment 47:**

D.1.2, Hazardous Air Pollutants: Bayer requests that the HAP emissions limits be raised to 10 tons per year for a single HAP and 25 tons per year for any combination of HAPs as provided in 326 IAC 2-7-1. This will allow for consistency with section C.1.

**Response to Comment 47:**

In order to qualify for the FESOP program, the source's potential to emit hazardous air pollutants must be limited to **less than** ten (10) tons per year for any single HAP and **less than** twenty-five (25) tons per year for the combination of HAPs. Therefore, the hazardous air pollutant emissions limit cannot be raised to ten (10) tons per year for any single HAP and twenty-five (25) tons per year for the combination of HAPs. The hazardous air pollutant emissions have been limited to 9 tons per year for any single HAP and twenty-four (24) tons per year for the combination of HAPs because this source requested a twelve-month rolling average to show compliance with the FESOP limit, rather than a set monthly limit.

**Comment 48:**

D.1.3, Natural Gas Fuel: The correct rated for the second listed thermal oxidizer as presented in the original application is 3.95 mmBtu/hr.

**Response to Comment 48:**

Pursuant to this comment, Condition D.1.3 has been changed from:

**D.1.3 Natural Gas Fuel**

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The two (2) thermal oxidizers, rated at 23.0 and 3.75 mmBtu/hr, shall use only natural gas as

fuel.

to be as follows (bold added for emphasis):

**D.1.3 Natural Gas Fuel**

---

The two (2) thermal oxidizers, rated at 23.0 and **3.95** mmBtu/hr, shall use only natural gas as fuel.

**Comment 49:**

D.1.5, Testing Requirements: Bayer requests that the time period be modified to "Within thirty-six (36) months after issuance..."

**Response to Comment 49:**

Pursuant to this comment, Condition D.1.5 has been changed from:

**D.1.5 Testing Requirements [326 IAC 2-8-5(1)]**

---

During the period between thirty (30) and thirty-six (36) months after issuance of this permit, the Permittee shall perform volatile organic compound (VOC) testing on the two (2) thermal oxidizers for capture and destruction efficiency utilizing Method 25 (40 CFR 60, Appendix A), or other methods as approved by the Commissioner. This test shall be repeated at least once every five (5) years from the date of this valid compliance demonstration.

to be as follows to let the source perform the compliance test on the two (2) thermal oxidizers prior to thirty (30) months after issuance of this permit (bold added for emphasis):

**D.1.5 Testing Requirements [326 IAC 2-8-5(1)]**

---

**Within** thirty-six (36) months after issuance of this permit, the Permittee shall perform volatile organic compound (VOC) testing on the two (2) thermal oxidizers for capture and destruction efficiency utilizing Method 25 (40 CFR 60, Appendix A), or other methods as approved by the Commissioner. This test shall be repeated at least once every five (5) years from the date of this valid compliance demonstration.

**Comment 50:**

D.1.6, Volatile Organic Compounds: Bayer proposes to use the formulated amount of VOCs in the coating solution as the actual VOC content (the worst case condition), until the VOC content of the coating solution has been determined by testing in accordance with ASTM 2369-92. Bayer requests that this be written into Section D.1.6.

**Response to Comment 50:**

Pursuant to this comment, Condition D.1.6 has been changed from:

**D.1.6 Volatile Organic Compounds (VOC)**

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Compliance with the VOC content and usage limitations contained in Conditions D.1.1 shall be determined pursuant to 326 IAC 8-1-4(a)(3)(A) and 326 IAC 8-1-2(a)(7) using formulation data supplied by the coating manufacturer. IDEM, OAM reserves the authority to determine compliance using Method 24 in conjunction with the analytical procedures specified in 326 IAC 8-1-4.

to be as follows to state that formulation amount of VOC in the coating solution is the actual VOC content (the worst case condition), until the VOC content of the coating solution has been determined by testing in accordance with ASTM 2369-92 (bold added for emphasis):

#### D.1.6 Volatile Organic Compounds (VOC)

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Compliance with the VOC content and usage limitations contained in Conditions D.1.1 shall be determined pursuant to 326 IAC 8-1-4(a)(3)(A) and 326 IAC 8-1-2(a)(7) using formulation data supplied by the coating manufacturer. IDEM, OAM reserves the authority to determine compliance using Method 24 in conjunction with the analytical procedures specified in 326 IAC 8-1-4. **The Permittee may establish actual VOC content of coating solutions using Method 24 in conduction with the analytical procedures specified in 326 IAC 8-1-4.**

#### Comment 51:

D.1.7, Thermal Oxidizer: Temperature variations of  $\pm 20$  degrees F from the thermal oxidizer temperature set point are not abnormal. Temperature operating limits must allow for the accuracy of the total monitoring systems (i.e. thermocouples, sensors, etc.). Bayer would not consider a malfunction of the incinerator to have occurred until a temperature of  $> 20$  degrees below set point had occurred. The malfunction would not be reportable to IDEM until the operating temperature remained 20 degrees below set point for  $> 1$  hour. The set point would be 1400 degrees F or the temperature that has been shown to achieve at least 90% destruction efficiency, whichever is lower. A one hour or longer malfunction would constitute an emergency condition if it resulted in the violation of a health-based or technology-based limit.

The VOC content of any coating should exclude water, acetone, and any other organic compound determined by regulation to be non-VOC.

#### Response to Comment 51:

The FESOP states in Section C - Temperature Gauge Specifications that the temperature be accurate within plus or minus two percent ( $\pm 2\%$ ) of full scale reading. Two percent (2%) of 1,400 degrees F is twenty-eight (28) degrees F. Therefore, a temperature of  $\pm 28$  degrees F is not considered a deviation or malfunction. There will be no changes to this condition in the final permit, due to this comment.

#### Comment 52:

D.1.8, Record Keeping Requirements: Bayer formulates all of the coating solutions used. Therefore, purchase orders, invoices, and material safety data sheets for raw materials are not required to establish the VOC and HAP content of coating solutions. Additionally, the term "volume weighted" is not relevant to demonstrate compliance since all coating solutions will have an established VOC/HAP content, based upon test results. Bayer requests that these references be removed.

#### Response to Comment 52:

The source must keep records to document compliance with FESOP Conditions D.1.1 and D.1.2. The examples shown during the meeting held on February 13, 1998 have been determined to be sufficient to document compliance with these requirements.

**Comment 53:**

D.1.8(a), Record Keeping Requirements: Since sections D.1.1 and D.1.2 address emissions only, the following subsection changes are proposed:

- (1) The amount and VOC and HAP content of each coating material. Records shall include formulation records necessary to verify the type, amount and date used.
- (2) Suggest deleting in entirety.
- (3) Suggest deleting in entirety.
- (4) A monthly usage record of cleaning solvent.
- (5) The total VOC and HAP emissions for each month.
- (6) Suggest deleting in entirety.

**Response to Comment 53:**

The records are required to ensure compliance with Conditions D.1.1 and D.1.2. The VOC and HAP content in the coatings and records of usage will show what the emissions will be. The VOC content and records of usage will also show if the thermal oxidizer is being operated when it should be operated. There will be no changes to this condition in the final permit, due to this condition. However, to be more detailed and specific Condition D.1.8 (a) has been changed from:

- (a) To document compliance with Conditions D.1.1 and D.1.2, the Permittee shall maintain records in accordance with (1) through (5) below. Records maintained for (1) through (5) shall be taken monthly and shall be complete and sufficient to establish compliance with the VOC and HAP usage limits and/or the VOC and HAP emission limits established in Condition D.1.1 and D.1.2.
  - (1) The amount and VOC and HAP content of each coating material and solvent used. Records shall include purchase orders, invoices, and material safety data sheets (MSDS) necessary to verify the type and amount used. Solvent usage records shall differentiate between those added to coatings and those used as cleanup solvents;
  - (2) A log of the dates of use;
  - (3) The volume weighted VOC and HAP content of the coatings used for each month;
  - (4) The cleanup solvent usage for each month;
  - (5) The total VOC and HAP usage for each month; and
  - (6) The weight of VOCs and HAPs emitted for each compliance period.

to be as follows to state that times, dates and usage of the non-compliant coatings must be logged to ensure compliance with 326 IAC 8-2-5 (Paper Coating Operations) (strikeout added to show what was deleted and bold added to show what was added):

- (a) **To document compliance with Condition D.1.1(a), the Permittee shall record the dates, times and durations that non-compliant coatings are used in each reagent strip drying line.**
  
- (b) To document compliance with Conditions **D.1.1(b)** and D.1.2, the Permittee shall maintain records in accordance with (1) through ~~(6)~~ **(5)** below. Records maintained for (1) through ~~(6)~~ **(5)** shall be taken monthly and shall be complete and sufficient to establish compliance with the VOC and HAP usage limits and/or the VOC and HAP emission limits established in Condition D.1.1 and D.1.2.
  - (1) The amount and VOC and HAP content of each coating material and solvent used. ~~Records shall include purchase orders, invoices, and material safety data sheets (MSDS) necessary to verify the type and amount used.~~ Solvent usage records shall differentiate between those added to coatings and those used as cleanup solvents;
  - (2) A log of the dates of use;
  - ~~(3) The volume weighted VOC and HAP content of the coatings used for each month;~~
  - ~~(4)~~**(3)** The cleanup solvent usage for each month;
  - ~~(5)~~**(4)** The total VOC and HAP usage for each month; and
  - ~~(6)~~**(5)** The weight of VOCs and HAPs emitted for each compliance period.

**Comment 54:**

Quarterly Compliance Report: The provided form requests that each permit condition be individually listed and verified with respect to deviations. This requirement is unnecessarily burdensome, increases record keeping, and resource requirements to demonstrate compliance. Additionally, Bayer is being requested to verify that there were no deviations to permit sections that do not apply to the source (e.g. section C.13 Risk Management Planning). Bayer requests that this form be modified to require only the reporting of deviations from permit conditions.

**Response to Comment 54:**

The only conditions that are required to be listed on the Quarterly Compliance Report are the conditions in Section D of the permit under the "Compliance Determination Requirements" and "Compliance Monitoring Requirements". Also, there is a separate form for reporting deviations. Both forms should be used to ensure compliance with this permit.

**Comment 55:**

Temporary Operations, Experimentals, and Trial Runs: Bayer periodically conducts temporary operations, experimentals, and trial runs at the Middlebury Street source. In accordance with 326 IAC 2-1-1(b)(3) these operations are exempt from construction and operating permits. Therefore, Bayer will not create or maintain operating records, reports, and/or emissions data resulting from such operations, for compliance with the FESOP.

**Response to Comment 55:**

Temporary Operations, experimentals, and trial runs are exempt from construction and operating permits. Therefore, no operating records, reports, and/or emissions data resulting from such operations will be required to show compliance with this FESOP.

Upon further review, the OAM has decided to make the following changes to the FESOP:

The following conditions have been added to the FESOP:

SECTION A: The following paragraph has been added after the title "SOURCE SUMMARY"

This permit is based on information requested by the Indiana Department of Environmental Management (IDEM), Office of Air Management (OAM) and presented in the permit application.

**A.5 Prior Permit Conditions Superseded [326 IAC 2]**

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The terms and conditions of this permit incorporate all the current applicable requirements for all emission units located at this source and supersede all terms and conditions in all registrations and permits, including construction permits, issued prior to the date of issuance of this permit. All terms and conditions in such registrations and permits are no longer in effect.

**B.22 Changes Under Section 502(b)(10) of the Clean Air Act [326 IAC 2-8-15(b)]**

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The Permittee may make Section 502(b)(10) of the Clean Air Act changes (this term is defined at 326 IAC 2-7-1(36)) without a permit revision, subject to the constraint of 326 IAC 2-8-15(a) and the following additional condition:

For each such change, the required written notification shall include a brief description of the change within the source, the date on which the change will occur, any change in emissions, and any permit term or condition that is no longer applicable as a result of the change.

**B.26 Transfer of Ownership or Operation [326 IAC 2-1-6] [326 IAC 2-8-10]**

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Pursuant to 326 IAC 2-1-6 and 2-8-10:

- (a) In the event that ownership of this source is changed, the Permittee shall notify IDEM, OAM, Permits Branch, within thirty (30) days of the change. Notification shall include a written agreement containing a specific date for transfer of permit responsibility, coverage and liability between the current Permittee and the new owner.
- (b) The written notification shall be sufficient to transfer the permit to the new owner by an administrative amendment pursuant to 326 IAC 2-8-10.
- (c) IDEM, OAM shall reserve the right to issue a new permit.

**C.1 Overall Source Limit [326 IAC 2-8]**

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The purpose of this permit is to limit this source's potential to emit to less than major source levels for the purpose of Section 502(a) of the Clean Air Act.

- (a) Pursuant to 326 IAC 2-8:

- (1) The potential to emit any regulated pollutant from the entire source shall be limited to less than one-hundred (100) tons per three hundred sixty-five (365) consecutive day period.
  - (2) The potential to emit any individual hazardous air pollutant (HAP) from the entire source shall be limited to less than ten (10) tons per three hundred sixty-five (365) consecutive day period; and
  - (3) The potential to emit any combination of HAPs from the entire source shall be limited to less than twenty-five (25) tons per three hundred sixty-five (365) consecutive day period.
- (b) This condition shall include all emission points at this source including those that are insignificant as defined in 326 IAC 2-7-1(21). The source shall be allowed to add insignificant activities not already listed in this permit, provided that the source's potential to emit does exceed the above specified limits.
- (c) Section D of this permit contains independently enforceable provisions to satisfy this requirement.

**C.4 Incineration [326 IAC 4-2] [326 IAC 9-1-2(3)]**

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The Permittee shall not operate an incinerator or incinerate any waste or refuse except as provided in 326 IAC 4-2 and in 326 IAC 9-1-2.

**C.7 Asbestos Abatement Projects - Accreditation [326 IAC 14-10] [326 IAC 18-1]  
[40 CFR 61, Subpart M]**

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Prior to the commencement of any demolition or renovation activities, the Permittee shall use an Indiana accredited asbestos inspector to inspect thoroughly the affected facility or part of the facility where the demolition or renovation operation will occur for the presence of asbestos, including Category I and Category II nonfriable asbestos containing material. The requirement that the inspector be accredited is federally enforceable.

**C.8 Performance Testing [326 IAC 3-2.1]**

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- (a) All testing shall be performed according to the provisions of 326 IAC 3-2.1 (Source Sampling Procedures), except as provided elsewhere in this permit, utilizing methods approved by the IDEM, OAM.

A test protocol, except as provided elsewhere in this permit, shall be submitted to:

Indiana Department of Environmental Management  
Compliance Data Section, Office of Air Management  
100 North Senate Avenue, P.O. Box 6015  
Indianapolis, Indiana 46206-6015

no later than thirty-five (35) days before the intended test date.

- (b) All test reports must be received by IDEM, OAM within forty-five (45) days after the completion of the testing. An extension may be granted by the Commissioner, if the source submits to IDEM, OAM, a reasonable written explanation within five (5) days prior to the end of the initial forty-five (45) day period.

**C.12 Temperature Gauge Specifications**

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Whenever a condition in this permit requires the measurement of a temperature drop across any part of the unit or its control device, the gauge employed shall have a scale such that the expected normal reading shall be no less than twenty percent (20%) of full scale and be accurate no less than two percent (-2%) of full scale reading.

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**C.13 Asbestos Abatement Projects [326 IAC 14-10] [326 IAC 18-1] [40 CFR 61.140]**

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- (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 insure that a written notification is to be 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
  - (3) 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  
Asbestos Section, Office of Air Management  
100 North Senate Avenue, P.O. Box 6015  
Indianapolis, Indiana 46206-6015

- (e) **Procedures for Asbestos Emission Control**  
The Permittee shall comply with the emission control procedures in 326 IAC 14-10-4 and 40 CFR 61.145(c). Per 326 IAC 14-10-4 emission control requirements are mandatory 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) **Indiana Accredited 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 Accredited Asbestos Inspector to thoroughly inspect the affected portion of the facility for the presence of asbestos. The

requirement that the inspector be accredited is federally enforceable.

#### C.15 Actions Related to Noncompliance Demonstrated by a Stack Test

- (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 take appropriate corrective actions. The Permittee shall submit a description of these corrective actions to IDEM, OAM, within thirty (30) days of receipt of the test results. The Permittee shall take appropriate action to minimize emissions from the affected facility while the corrective actions are being implemented. IDEM, OAM shall notify the Permittee within thirty (30) days, if the corrective actions taken are deficient. The Permittee shall submit a description of additional corrective actions taken to IDEM, OAM within thirty (30) days of receipt of the notice of deficiency. IDEM, OAM reserves the authority to use enforcement activities to resolve noncompliant stack tests.
- (b) A retest to demonstrate compliance shall be performed within one hundred twenty (120) days of receipt of the original test results. Should the Permittee demonstrate to IDEM, OAM that retesting in one-hundred and twenty (120) days is not practicable, IDEM, OAM may extend the retesting deadline. Failure of the second test to demonstrate compliance with the appropriate permit conditions may be grounds for immediate revocation of the permit to operate the affected facility.

#### C.20 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 the standards for recycling and emissions reduction:

- (a) Persons opening appliances for maintenance, service, repair or disposal must comply with the required practices pursuant to 40 CFR 82.156
- (b) Equipment used during the maintenance, service, repair or disposal of appliances must comply with the standards for recycling and recovery equipment pursuant to 40 CFR 82.158.
- (c) Persons performing maintenance, service, repair or disposal of appliances must be certified by an approved technician certification program pursuant to 40 CFR 82.161.

#### D.1.4 Preventive Maintenance Plan [326 IAC 2-8-3(c)(6)]

A Preventive Maintenance Plan, in accordance with Section B - Preventive Maintenance Plan, of this permit, is required for this facility and any control devices.

#### D.1.5 Testing Requirements [326 IAC 2-8-5(1)]

During the period between thirty (30) and thirty-six (36) months after issuance of this permit, the Permittee shall perform volatile organic compound (VOC) testing on the two (2) thermal oxidizers for capture and destruction efficiency utilizing Method 25 (40 CFR 60, Appendix A), or other methods as approved by the Commissioner. This test shall be repeated at least once every five (5) years from the date of this valid compliance demonstration.

#### D.1.6 Volatile Organic Compounds (VOC)

Compliance with the VOC content and usage limitations contained in Conditions D.1.1 shall be determined pursuant to 326 IAC 8-1-4(a)(3)(A) and 326 IAC 8-1-2(a)(7) using formulation data supplied by the coating manufacturer. IDEM, OAM reserves the authority to determine

compliance using Method 24 in conjunction with the analytical procedures specified in 326 IAC 8-1-4. The formulation amount of VOC in the coating solution is considered to be the actual VOC content (the worst case condition) until the VOC content of the coating solution has been determined by testing in accordance with a method approved by the Commissioner.

The following conditions have been modified on the FESOP.

1. The rule cite in Condition A.1 has been changed from:

A.1 General Information [326 IAC 2-8-3(c)]

to be as follows (bold added for emphasis):

A.1 General Information [**326 IAC 2-8-3(b)**]

2. Condition A.2 has been changed from:

A.2 Emission Units and Pollution Control Equipment Summary [326 IAC 2-8-3(c)]

The stationary source consists of the following emission units and pollution control devices:

- a) One (1) reagent strip drying line, known as the Egan Impregnating Line and Tunnel Dryer, equipped with a natural gas fired direct flame oxidizer with a control efficiency of 99%, capacity: 2,880 ft<sup>2</sup> per hour.
- b) Two (2) reagent strip drying lines, known as the Overly Impregnating Line and Dryers 1 and 2, equipped with a natural gas fired direct flame oxidizer with a control efficiency of 99%, capacity: 900 ft<sup>2</sup> per hour.

to be as follows (bold added for emphasis):

A.2 Emission Units and Pollution Control Equipment Summary [326 IAC 2-8-3(c)(3)]

This stationary source consists of the following emission units and pollution control devices:

- (a) One (1) reagent strip drying line, known as the Egan Impregnating Line and Tunnel Dryer, equipped with a natural gas fired direct flame oxidizer, capacity: **20 ft/min**; and
- (b) Two (2) reagent strip drying lines, known as the Overly Impregnating Line and Dryers 1 and 2, **both controlled by one (1)** natural gas fired direct flame oxidizer, capacity: **20 ft/min**.

3. Condition A.3 has been changed from:

A.3 Insignificant Activities [326 IAC 2-8-3(c)(3)(I)]

This stationary source also includes the following insignificant activities, as defined in 326 IAC 2-7-1(20):

- (a) Natural gas-fired combustion sources with heat input equal to or less than ten million (10,000,000) Btu per hour.
- (b) Storage tanks with capacity less than or equal to 1,000 gallons and annual throughputs less than 12,000 gallons.
- (c) Grinding and machining operations controller with fabric filters, scrubbers, mist

collectors, wet collectors and electrostatic precipitators with a design grain loading of less than or equal to 0.03 grains per actual cubic foot and a gas flow rate less than or equal to 4,000 actual cubic feet per minute, including the following: deburring; buffing; polishing; abrasive blasting; pneumatic conveying; and woodworking operations.

- (d) Miscellaneous operations emitting greater than 1 pound per day but less than 5 pounds per day of 1 ton per year of a single ethylene glycol.
- (e) Operations involving the Overly Unit dip pans and lab hoods with less than 3.0 pounds per hour or 15 pounds per day of Volatile Organic Compounds (VOC).

to be as follows (bold added for emphasis):

A.3 Insignificant Activities **[326 IAC 2-7-1(21)]** [326 IAC 2-8-3(c)(3)]

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

- (1) **Boiler No. 1 (Natural Gas), combustion vent, identified as 1-1-1;**
- (2) **Boiler No. 2 (Natural Gas), combustion vent, identified as 2-1-1;**
- (3) **Boiler No. 3 (Natural Gas), combustion vent, identified as 3-1-1;**
- (4) **Boiler No. 4 (Natural Gas), combustion vent, identified as 4-1-1;**
- (5) **Egan Mixing Station, process vent, identified as 7-1-1;**
- (6) **Overly Mixing Station, process vent, identified as 8-1-1;**
- (7) **Paint Booth, miscellaneous vent, identified as 9-1-1;**
- (8) **100 kw Emergency Generator (Natural Gas), combustion vent, identified as 11-1-1;**
- (9) **30 kw Emergency Generator (Natural Gas), combustion vent, identified as 12-1-1;**
- (10) **Ethylene Glycol Usage, fugitive emissions, identified as F1-1;**
- (11) **Floor Wax Usage, fugitive emissions, identified as F2-1;**
- (12) **Floor Stripper No. 1, fugitive emissions, identified as F2-2;**
- (13) **Floor Stripper No. 2, fugitive emissions, identified as F2-3;**
- (14) **Machine Shop Operations, fugitive emissions, identified as F4-1;**
- (15) **Sand Blasting, fugitive emissions, identified as F4-2;**
- (16) **Overly #1 Dip Pan, process vent, identified as 13-1-1;**
- (17) **Overly #2 Dip Pan, process vent, identified as 14-1-1;**

**(18) Hazardous Waste Storage Tank, storage tank vent, identified as 15-1-1; and**

**(19) Lab Hoods (several), identified as 16-1-1.**

4. Condition B.1 has been changed from:

B.1 General Requirements [IC 13-15] [IC 13-17]

The permittee shall comply with the provisions of IC 13-15 (Permits Generally), IC 13-17 (Air Pollution Control) and the rules promulgated thereunder.

to be as follows (bold added for emphasis):

**B.1 Permit No Defense [326 IAC 2-1-10] [IC 13]**

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**Indiana statutes from IC 13 and rules from 326 IAC, quoted 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 FESOP under 326 IAC 2-8.**

5. Condition B.5 has been changed from:

B.5 Termination of Right to Operate [326 IAC 2-8-9]

The expiration of this permit terminates the Permittee's right to operate unless a timely and complete renewal application has been submitted consistent with 326 IAC 2-8-3(h) and 326 IAC 2-8-7.

to be as follows (bold added for emphasis):

**B.5 Termination of Right to Operate [326 IAC 2-8-9] [326 IAC 2-8-3(h)]**

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**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 2-8-3(h) and 326 IAC 2-8-9.**

6. Condition B.6 has been changed from:

B.6 Severability [326 IAC 2-8-4(4)]

(a) The provisions of this permit are severable, and if any provisions of this permit, or the application of any provision of this permit to any circumstance, is held invalid, the application of such provision to other circumstances, and the remainder of this permit, shall not be affected thereby.

(b) Indiana rules from 326 IAC quoted 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.

to be as follows (bold added for emphasis):

**B.6 Severability [326 IAC 2-8-4(4)]**

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**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.**

7. Condition B.8 has been changed from:

**B.8 Duty to Supplement and Provide Information [326 IAC 2-8-3(f)] [326 IAC 2-8-4(5)(E)]**

- (a) The Permittee, upon becoming aware that any relevant facts were omitted or incorrect information was submitted in the permit application, shall promptly submit such supplementary facts or corrected information to:

Indiana Department of Environmental Management,  
Permits Branch, Office of Air Management,  
100 North Senate Avenue, P.O. Box 6015  
Indianapolis, Indiana 46206-6015

- (b) The Permittee shall also provide additional information as requested by IDEM, OAM, to determine the compliance status of the source in accordance with 326 IAC 2-8-5(a).
- (c) The Permittee shall furnish to IDEM, OAM, within a reasonable time, any information that the IDEM, OAM 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.
- (d) Upon written request, the Permittee shall also furnish to IDEM, OAM, copies of records required to be kept by this permit. For information claimed to be confidential, the Permittee shall furnish such records directly to both the U.S. EPA and IDEM, OAM, along with a claim of confidentiality.

Such confidentiality claims shall meet the requirements of 40 CFR Part 2, Subpart B (when submitting to U.S. EPA) and 326 IAC 17 (when submitting to IDEM, OAM).

to be as follows (bold added for emphasis):

**B.8 Duty to Supplement and Provide Information [326 IAC 2-8-3(f)] [326 IAC 2-8-4(5)(E)]**

- (a) The Permittee, upon becoming aware that any relevant facts were omitted or incorrect information was submitted in the permit application, shall promptly submit such supplementary facts or corrected information to:

Indiana Department of Environmental Management  
Permits Branch, Office of Air Management  
100 North Senate Avenue, P.O. Box 6015  
Indianapolis, Indiana 46206-6015

- (b) The Permittee shall furnish to IDEM, OAM, within a reasonable time, any information that IDEM, OAM, 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.
- (c) Upon request, the Permittee shall also furnish to IDEM, OAM, copies of records required to be kept by this permit. For information claimed to be confidential, the Permittee shall furnish such records to IDEM, OAM, **along with a claim of confidentiality under 326 IAC 17. If requested by IDEM, OAM, or the U.S. EPA, the Permittee shall furnish such confidential records directly to the U.S. EPA along with a claim of confidentiality under 40 CFR 2, Subpart B.**

8. Condition B.10 has been changed from:

B.10 Compliance with Permit Conditions [326 IAC 2-8-4(5)(A)] [326 IAC 2-8-4(5)(B)]

- (a) The Permittee must comply with all conditions of this permit. Noncompliance with any provisions of this permit is grounds for:
- (1) enforcement action;
  - (2) permit termination, revocation and reissuance or modification; and
  - (3) denial of a permit renewal application.
- (b) 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.

to be as follows (bold added for emphasis):

B.10 Compliance with Permit Conditions [326 IAC 2-8-4(5)(A)] [326 IAC 2-8-4(5)(B)]

- (a) The Permittee must comply with all conditions of this permit. Noncompliance with any provisions of this permit **constitutes a violation of the Clean Air Act and is grounds for:**
- (1) Enforcement action;
  - (2) Permit termination, revocation and reissuance, or modification; and
  - (3) Denial of a permit renewal application.
- (b) 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.

9. Condition B.11 has been changed from:

B.11 Certification [326 IAC 2-8-3(d)] [326 IAC 2-8-4(3)(C)(i)]

Any application form, report, or compliance certification submitted under this permit shall contain certification by a responsible official of truth, accuracy, and completeness. This certification and any other certification required under this permit shall state that, based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate, and complete.

A responsible official is defined at 326 IAC 2-7-1(33).

to be as follows (bold added for emphasis):

B.11 Certification [326 IAC 2-8-3(d)] [326 IAC 2-8-4(3)(C)(i)] [326 IAC 2-8-5(1)]

- (a) Any application form, report, or compliance certification submitted under this permit shall contain certification by a responsible official of truth, accuracy, and completeness. This certification, and any other certification required under this permit, shall state that, based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate, and complete.

(b) One (1) certification shall be included, on the attached Certification Form, **with each submittal.**

(c) A responsible official is defined at 326 IAC 2-7-1(34).

10. Condition B.12 "Annual Compliance Certification" has been changed from:

B.12 Annual Compliance Certification [326 IAC 2-8-5(a)(1)]

(a) The Permittee shall annually certify that the source has complied with the terms and conditions contained in this permit, including emission limitations, standards, and work practices. The certification shall be submitted April 15 to:

Indiana Department of Environmental Management,  
Compliance Data Section, Office of Air Management,  
100 North Senate Avenue, P.O. Box 6015  
Indianapolis, Indiana 46206-6015

and

U.S. Environmental Protection Agency (EPA), Regional Administrator, Region V  
Air and Radiation Division, Regulation Development Branch (AR-18J)  
77 West Jackson Boulevard  
Chicago, Illinois 60604-3590

(b) This annual compliance certification report required by this permit shall be timely if:

- (1) Delivered by U.S. mail and postmarked on or before the date it is due; or
- (2) Delivered by any other method if it is received and stamped by IDEM, OAM, on or before the date it is due.

(c) The annual compliance certification report shall include the following:

- (1) The identification of each term and 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; and
- (5) Such other facts as IDEM, OAM, may require to determine the compliance status of the source.

to be as follows (bold added for emphasis):

B.12 Annual Compliance Certification [326 IAC 2-8-5(a)(1)]

(a) The Permittee shall annually ~~certify that this source has complied~~ **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. The certification shall **cover the time period from January 1 to**

**December 31 of the previous year, and** shall be submitted in letter form no later than April 15 of each year to:

Indiana Department of Environmental Management  
Compliance Data Section, Office of Air Management  
100 North Senate Avenue, P.O. Box 6015  
Indianapolis, Indiana 46206-6015

- (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.**
- (c) The annual compliance certification report shall include the following:
  - (1) The 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 2-8-4(3)**; and
  - (5) Such other facts as **specified in Sections D of this permit**, IDEM, OAM, may require to determine the compliance status of the source.

**The notification which shall be submitted by the Permittee does require the certification by the “responsible official” as defined by 326 IAC 2-7-1(34).**

11. Condition B.13 has been changed from:

B.13 Preventive Maintenance Plan [326 IAC 2-8-4(9)] [326 IAC 1-6-3]

- (a) The Permittee shall prepare, maintain and implement operation and Preventive Maintenance Plans as necessary including the following information on each:
  - (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;
  - (3) Corrective actions that will be implemented in the event an inspection indicates an out of specification situation;
  - (4) A time schedule for taking such corrective actions including a schedule for devising additional corrective actions for situations that may not have been predicted; and
  - (5) Identification and quantification of the replacement parts which will be maintained in inventory for quick replacement.
- (b) Preventive Maintenance Plans shall be submitted to IDEM, OAM, upon request and shall

be subject to review and approval by IDEM, OAM.

to be as follows (bold added for emphasis):

**B.13 Preventive Maintenance Plan [326 IAC 1-6-3][326 IAC 2-8-4(9)] [326 IAC 2-8-5(a)(1)]**

- (a) If required by specific condition(s) in Section D of this permit, the Permittee shall prepare and maintain Preventive Maintenance Plans (PMP) within one hundred eighty (180) days after issuance of this permit, including the following information on each:**
- (1) Identification of the individual(s) responsible for inspecting, maintaining, and repairing emission units and associated emission control devices;**
  - (2) A description of the items or conditions that will be inspected and the inspection schedule for said items or conditions;**
  - (3) Identification and quantification of the replacement parts that will be maintained in inventory for quick replacement.**
- (b) The Permittee shall implement the Preventive Maintenance Plans as necessary to ensure that lack of proper maintenance does not cause or contribute to a violation of any limitation on emissions or potential to emit.**
- (c) PMP's shall be submitted to IDEM, OAM, upon request and shall be subject to review and approval by IDEM, OAM.**

12. Condition B.14 has been changed from:

**B.14 Emergency Provisions [326 IAC 2-8-12]**

- (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, except as provided as follows:**
- (b) An emergency, as defined in 326 IAC 2-7-1(12), constitutes an affirmative defense to an action brought for noncompliance with a health-based or technology-based emission limitation if the affirmative defense of an emergency is demonstrated through properly signed, contemporaneous operating logs or other relevant evidence that describes 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 of this permit;**
  - (4) The Permittee notified IDEM, OAM, within four (4) daytime business hours after the beginning of the emergency occurrence by telephone or facsimile;**

Telephone No.: 1-800-451-6027 (ask for Office of Air Management) or,  
Telephone No.: 317-233-0178

Facsimile No.: 317-233-5967

- (5) The Permittee submitted written notice or by facsimile of the emergency to:

Indiana Department of Environmental Management,  
Compliance Branch, Office of Air Management,  
100 North Senate Avenue, P.O. Box 6015  
Indianapolis, Indiana 46206-6015

within two (2) working days of the time when emission limitations were exceeded due to the emergency. The notice shall fulfill the requirement of 326 IAC 2-8-4(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.

- (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 any emergency or upset provision contained in 326 IAC 1-6 (Malfunctions). This permit condition is in addition to any emergency or upset provision contained in any applicable requirement.
- (e) IDEM, OAM, may require that the preventive maintenance plan required under 326 IAC 2-8-3(c)(6) be revised in response to an emergency.
- (f) Failure to notify IDEM, OAM, by telephone or facsimile within four (4) daytime business hours after the beginning of the emergency shall constitute a violation of 326 IAC 2-8 and any other applicable rules.
- (g) Operations may continue during an emergency only if the following conditions are met:
  - (1) 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.
  - (2) If an emergency situation causes a deviation from a health-based limit, the Permittee may not continue to operate the affected emissions facilities unless:
    - (A) the Permittee immediately takes all reasonable steps to correct the emergency situation and to minimize emissions; and
    - (B) continued operation of the facilities is necessary to prevent imminent injury to persons, severe damage to equipment, substantial loss of capital investment, or loss of product or raw material of substantial economic value.

Any operations shall continue no longer than the minimum time required to prevent the situations identified in clause (B) above.

to be as follows (bold added for emphasis):

**B.14 Emergency Provisions [326 IAC 2-8-12]**

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- (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, except as provided **in 326 IAC 2-8-12.**
- (b) An emergency, as defined in 326 IAC 2-7-1(12), constitutes an affirmative defense to an action brought for noncompliance with a health-based or technology-based emission limitation if the affirmative defense of an emergency is demonstrated through properly signed, contemporaneous operating logs or other relevant evidence that describes 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, OAM, 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 No.: 1-800-451-6027 (ask for Office of Air Management, Compliance Section) or,  
Telephone No.: 317-233-5674 (ask for Compliance Section)  
Facsimile No.: 317-233-5967

**Failure to notify IDEM, OAM, by telephone or facsimile within four (4) daytime business hours after the beginning of the emergency, or after the emergency is discovered or reasonably should have been discovered, shall constitute a violation of 326 IAC 2-8 and any other applicable rules. [326 IAC 2-8-12(f)]**

- (5) **For each emergency lasting one (1) hour or more, the Permittee submitted notice either in writing or facsimile, of the emergency to:**

Indiana Department of Environmental Management  
Compliance Branch, Office of Air Management  
100 North Senate Avenue, P.O. Box 6015  
Indianapolis, Indiana 46206-6015

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 2-8-4(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 the certification by the “responsible official” as defined by 326 IAC 2-7-1(34).**

- (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) for sources subject to this rule after the effective date of this rule**. This permit condition is in addition to any emergency or upset provision contained in any applicable requirement.
- (e) IDEM, OAM, may require that the Preventive Maintenance Plans required under 326 IAC 2-8-3(c)(6) be revised in response to an emergency.
- (f) Failure to notify IDEM, OAM, by telephone or facsimile **of an emergency lasting more than one (1) hour in compliance with (b)(4) and (5) of this condition** shall constitute a violation of 326 IAC 2-8 and any other applicable rules.
- (g) Operations may continue during an emergency only if the following conditions are met:
  - (1) 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.
  - (2) If an emergency situation causes a deviation from a health-based limit, the Permittee may not continue to operate the affected emissions facilities unless:
    - (A) The Permittee immediately takes all reasonable steps to correct the emergency situation and to minimize emissions; and
    - (B) Continued operation of the facilities is necessary to prevent imminent injury to persons, severe damage to equipment, substantial loss of capital investment, or loss of product or raw material of substantial economic value.

Any operations shall continue no longer than the minimum time required to prevent the situations identified in **(g)(2)(B) of this condition**.

13. Condition B.15 has been changed from:

B.15 Deviations from Permit Requirements and/or Conditions [326 IAC 2-8-4(3)(C)(ii)]

Deviations from requirements, (for emergencies see Condition B.14 - Emergency Provision) the probable cause of such deviations, and any corrective actions or preventive measures taken shall be reported to:

Indiana Department of Environmental Management,  
Compliance Branch, Office of Air Management,  
100 North Senate Avenue, P.O. Box 6015  
Indianapolis, Indiana 46206-6015

within ten (10) calendar days from the date of the discovery of the deviation.

Written notification shall be submitted on the attached Deviation Occurrence Reporting Forms.

to be as follows (bold added for emphasis):

**B.15 Deviations from Permit Requirements and Conditions [326 IAC 2-8-4(3)(C)(ii)]**

- (a) Deviations from **any permit** requirements (for emergencies see Section B - Emergency Provision), the probable cause of such deviations, and any **response steps** or preventive measures taken shall be reported to:

Indiana Department of Environmental Management  
Compliance Branch, Office of Air Management  
100 North Senate Avenue, P.O. Box 6015  
Indianapolis, Indiana 46206-6015

within ten (10) calendar days from the date of the discovery of the deviation.

- (b) Written notification shall be submitted on the attached **Emergency/Deviation Occurrence Reporting Forms or its substantial equivalent.**
- (c) **Proper notice submittal under 326 IAC 2-7-16 satisfies the requirement of this subsection.**

14. Condition B.16 has been changed from:

**B.16 Permit Modification, Reopening, Revocation, and Reissuance, or Termination**

[326 IAC 2-8-4(5)(C)] [326 IAC 2-8-7(a)] [326 IAC 2-8-8(a)] [326 IAC 2-8-8(b)] [326 IAC 2-8-8(c)]

- (a) This permit may be modified, reopened, revoked and reissued, or terminated for cause. The filing of a request by the Permittee for a 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 2-8-4(5)(C)]
- (b) This permit shall be reopened and revised under any of the circumstances listed in IC 15-15-7-2 (prior to July 1, 1996, in IC 13-7-10-5) or if the commissioner determines any of the following:
- (1) That it 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 2-8-8(a)]
- (c) Proceedings by IDEM, OAM, 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 practical. [326 IAC 2-8-8(b)]
- (d) The reopening and revision of this permit, under 326 IAC 2-8-8(a), shall not be initiated before notice of such intent is provided to the Permittee by IDEM, OAM, at least thirty (30) days in advance of the date this permit is to be reopened, except that IDEM, OAM, may provide a shorter time period in the case of an emergency. [326 IAC 2-8-8(c)]

to be as follows (bold added for emphasis):

**B.16 Permit Modification, Reopening, Revocation and Reissuance, or Termination**  
**[326 IAC 2-8-4(5)(C)] [326 IAC 2-8-7(a)] [326 IAC 2-8-8]**

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- (a) This permit may be modified, reopened, revoked and reissued, or terminated for cause. The filing of a request by the Permittee for a FESOP 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 2-8-4(5)(C)]
- (b) This permit shall be reopened and revised under any of the circumstances listed in **IC 13-15-7-2** or if **IDEM, OAM** 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 2-8-8(a)]
- (c) Proceedings by IDEM, OAM, 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 2-8-8(b)]
- (d) The reopening and revision of this permit, under 326 IAC 2-8-8(a), shall not be initiated before notice of such intent is provided to the Permittee by IDEM, OAM, at least thirty (30) days in advance of the date this permit is to be reopened, except that IDEM, OAM, may provide a shorter time period in the case of an emergency. [326 IAC 2-8-8(c)]

15. Condition B.17 has been changed from:

**B.17 Permit Renewal [326 IAC 2-8-3(h)]**

- (a) The application for renewal shall be submitted using the application form or forms prescribed by IDEM, OAM, and shall include, at minimum, the information specified in 326 IAC 2-8-3. 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(20).

Request for renewal shall be submitted to:

Indiana Department of Environmental Management,  
Permits Branch, Office of Air Management,  
100 North Senate Avenue, P.O. Box 6015  
Indianapolis, IN 46206-6015

- (b) Timely Submittal of Permit Renewal [326 IAC 2-5-3]
- (1) The Permittee has a duty to submit a timely and complete permit renewal application. A timely renewal application is one that is:
- (A) Submitted at least nine (9) months prior to the date of the expiration of this permit; and
  - (B) Delivered by U.S. mail and postmarked on or before the date it is due; or
  - (C) Delivered by any other method if it is received and stamped by IDEM, OAM, on or before the date it is due.
- (2) If IDEM, OAM 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 until the renewal permit has been issued or denied.
- (c) Right to Operate After Application of Renewal [326 IAC 2-8-9]  
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 2-8 until IDEM, OAM 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 in writing by IDEM, OAM, any additional information identified as needed to process the application.

to be as follows (bold added for emphasis):

**B.17 Permit Renewal [326 IAC 2-8-3(h)]**

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- (a) The application for renewal shall be submitted using the application form or forms prescribed by IDEM, OAM and shall include, at minimum, the information specified in 326 IAC 2-8-3. 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)**.

Request for renewal shall be submitted to:

Indiana Department of Environmental Management  
Permits Branch, Office of Air Management  
100 North Senate Avenue, P.O. Box 6015  
Indianapolis, IN 46206-6015

- (b) Timely Submittal of Permit Renewal [326 IAC 2-8-3]
- (1) A timely renewal application is one that is:
- (A) Submitted at least nine (9) months prior to the date of the expiration of

this permit; and

**(B) 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, OAM, on or before the date it is due. [326 IAC 2-5-3]**

(2) If IDEM, OAM **upon receiving a timely and complete 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 until the renewal permit has been issued or denied.

(c) Right to Operate After Application for Renewal [326 IAC 2-8-9]  
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 2-8 until IDEM, OAM 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 in writing by IDEM, OAM, any additional information identified as needed to process the application.

16. Condition B.19 has been changed from:

B.19 Minor Permit Modification [326 IAC 2-8-11(a)] [326 IAC 2-8-11(b)(1) and (2)]

- (a) A permit modification is any revision to this permit that cannot be accomplished as an administrative permit amendment under 326 IAC 2-8-10.
- (b) Minor permit modification procedures shall follow the procedures specified under 326 IAC 2-8-11(b)(1)(A) through (F).
- (c) An application requesting the use of minor modification procedures shall meet the requirements of 326 IAC 2-8-3(c) and shall include the information required in 326 IAC 2-8-11(b)(3)(A) through (D).
- (d) The Permittee may make the change proposed in its minor permit modification application immediately after it files such application unless the change is subject to the construction permit requirements of 326 IAC 2-1, 326 IAC 2-2, or 326 IAC 2-3. After the Permittee makes the change allowed under minor permit modification procedures, and until IDEM, OAM takes any of the actions specified in 326 IAC 2-8-11(b)(5), the Permittee must comply with both the applicable requirements governing the change and the proposed permit terms and conditions. During this period, the Permittee need not comply with the existing permit terms and conditions it seeks to modify. If the Permittee fails to comply with its proposed permit terms and conditions during this time period, the existing permit terms and conditions it seeks to modify may be enforced against it. [326 IAC 2-8-11(b)(6)]

to be as follows (bold added for emphasis):

B.19 Minor Permit Modification [326 IAC 2-8-11(a)] [326 IAC 2-8-11(b)(1) and (2)]

- (a) A permit modification is any revision to this permit that cannot be accomplished as an administrative permit amendment under 326 IAC 2-8-10.

- (b) **Minor modification of this permit shall follow the procedures specified under 326 IAC 2-8-11(b)(1)(A) through (F), except as provided by 326 IAC 2-8-11(c).**
- (c) An application requesting the use of minor modification procedures shall meet the requirements of 326 IAC 2-8-3(c) and shall include the information required in 326 IAC 2-8-11(b)(3)(A) through (D).
- (d) **The Permittee may make the change proposed in its minor permit modification application immediately after it files such application provided that the change has received any approval required by 326 IAC 2-1. After the Permittee makes the change allowed under minor permit modification procedures, and until IDEM, OAM, takes any of the actions specified in 326 IAC 2-8-11(b)(5), the Permittee must comply with both the applicable requirements governing the change and the proposed permit terms and conditions. During this period, the Permittee need not comply with the existing permit terms and conditions it seeks to modify. If the Permittee fails to comply with its proposed permit terms and conditions during this time period, the existing permit terms and conditions it seeks to modify may be enforced against it. [326 IAC 2-8-11(b)(6)]**

17. Condition B.21 has been changed from:

B.21 Permit Revision Under Economic Incentives and Other Programs [326 IAC 2-8-11(b)(2)]  
Notwithstanding 326 IAC 2-8-11(b)(1)(D)(i) and 326 IAC 2-8-11(c)(1), minor permit modification procedures may be used for modifications of this permit involving the use of economic incentives, marketable FESOP's, emissions trading, and other similar approaches to the extent that such minor permit modification procedures are explicitly provided for in the applicable implementation plan (SIP) or in applicable requirements promulgated by the U.S. EPA.

to be as follows (bold added for emphasis):

B.21 Permit Revision Under Economic Incentives and Other Programs [326 IAC 2-8-11(b)(2)]  
Notwithstanding 326 IAC 2-8-11(b)(1)(D)(i) and 326 IAC 2-8-11(c)(1), minor permit modification procedures may be used for modifications of this permit involving the use of economic incentives, marketable **permits**, emissions trading, and other similar approaches to the extent that such minor permit modification procedures are explicitly provided for in the applicable **State** Implementation Plan (SIP) or in applicable requirements promulgated by U.S. EPA.

18. Condition B.22 (now re-numbered as Condition B.23) has been changed from:

B.23 Operational Flexibility [326 IAC 2-8-15]

- (a) The Permittee may make any change or changes at the source that are described in 326 IAC 2-8-15(b) through (d), without 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) The changes do not result in emissions which exceed the emissions allowable under this permit (whether expressed therein as a rate of emissions or in terms of total emissions);
  - (3) The Permittee notifies the:

100 North Senate Avenue, P.O. Box 6015  
Indianapolis, Indiana 46206-6015

and

Regional Administrator, Region V, U.S. Environmental Protection Agency (EPA)  
Air and Radiation Division, Regulation Development Branch (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

- (4) The Permittee maintains records on-site which document, on a rolling five (5) year basis, all such changes and emissions trading that are subject to 326 IAC 2-8-15(b) through (d) and makes such records available, upon reasonable request, to public review. Such records shall consist of all information required to be submitted to IDEM, OAM, in the notices specified in 326 IAC 2-8-15(b)(1), (c)(1), and (d).
- (b) For each such 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.
- (c) Emission trades [326 IAC 2-8-15(c)]  
The Permittee may trade increases and decreases in emissions in the source, where the applicable SIP provides for such emission trades without requiring a permit revision, subject to the constraints in section (a) of this condition and those in 326 IAC 2-8-15(c).
- (d) Alternative Operating Scenarios [326 IAC 2-8-15(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 2-8-4(7) and subject to the constraints in section (a) of this condition and those in 326 IAC 2-8-15(d)

to be as follows (bold added for emphasis):

**B.23 Operational Flexibility [326 IAC 2-8-15]**

- (a) The Permittee may make any change or changes at this source that are described in 326 IAC 2-8-15(b) through (d), without 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 approval required by 326 IAC 2-1 has been obtained;**

(3) The changes do not result in emissions which exceed the emissions allowable under 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  
Permits Branch, Office of Air Management  
100 North Senate Avenue, P.O. Box 6015  
Indianapolis, Indiana 46206-6015

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 which document, on a rolling five (5) year basis, all such changes and emissions trading that are subject to 326 IAC 2-8-15(b) through (d) and makes such records available, upon reasonable request, to public review.

**Such records shall consist of all information required to be submitted to IDEM, OAM, in the notices specified in 326 IAC 2-8-15(b), (c)(1), and (d).**

**(b) 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 by the Permittee does not require the certification by the "responsible official" as defined by 326 IAC 2-7-1(34).**

**(c) Emission Trades [326 IAC 2-8-15(c)]**

**The Permittee may trade increases and decreases in emissions in 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 2-8-15(c).**

- (d) Alternative Operating Scenarios [326 IAC 2-8-15(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 2-8-4(7). **No prior notification of IDEM, OAM 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.

19. Condition B.23 (now re-numbered as B.24) has been changed from:

**B.24 Construction Permit Requirement [326 IAC 2-1]**

Prior to any change in the operation which may result in an increase in allowable emissions exceeding those specified in 326 IAC 2-1-1 (Construction and Operating Permit Requirements), the change must be approved by the Office of Air Management (OAM)

to be as follows (bold added for emphasis):

**B.24 Construction Permit Requirement [326 IAC 2]**

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**Except as allowed by Indiana P.L. 130-1996 Section 12, as amended by P.L. 244-1997, modification, construction, or reconstruction shall be approved as required by and in accordance with 326 IAC 2.**

20. Condition B.25 (now re-numbered as Condition B.27) has been changed from:

**B.27 Annual Fee Payment [326 IAC 2-8-4(6)] [326 IAC 2-8-16]**

- (a) The Permittee shall pay annual fees to IDEM, OAM, consistent with the fee schedule established in 326 IAC 2-8-16.
- (b) Failure to pay may result in administrative enforcement action, revocation of this permit, referral to the Office of Attorney General for collection, or other appropriate measures.
- (c) The Permittee shall pay the annual fee within thirty (30) calendar days of receipt of a billing by IDEM, OAM or in a time period that is consistent with the payment schedule issued by IDEM, OAM.
- (d) If the Permittee does not receive a bill from IDEM, OAM, thirty (30) calendar days before due date, the Permittee shall call the following telephone numbers: 1-800-451-6027 or 317-233-0179 (ask for OAM, Data Support Section), to determine the appropriate permit fee. The applicable fee is due April 1 of each year.

to be as follows (bold added for emphasis):

**B.27 Annual Fee Payment [326 IAC 2-8-4(6)] [326 IAC 2-8-16]**

- 
- (a) The Permittee shall pay annual fees to IDEM, OAM, within thirty (30) calendar days of receipt of a billing, or in a time period consistent with the fee schedule established in 326 IAC 2-8-16.
  - (b) Failure to pay may result in administrative enforcement action, or revocation of this

permit.

- (c) If the Permittee does not receive a bill from IDEM, OAM, thirty (30) calendar days before the due date, the Permittee may call the following telephone numbers: 1-800-451-6027 or 317-233-0425 (ask for OAM, Technical Support and Modeling Section), to determine the appropriate permit fee. The applicable fee is due April 1 of each year.

21. Condition C.1 (now re-numbered as Condition C.2) has been changed from:

C.2 Opacity

Pursuant to 326 IAC 5-1-2 (Visible Emissions Limitations), except as provided in 326 IAC 5-1-3 (Temporary Exemptions), visible emissions shall meet the following:

- (a) Visible emissions shall not exceed an average of 40% opacity in 24 consecutive readings,
- (b) Visible emissions shall not exceed 60% opacity for more than a cumulative total of 15 minutes (60 readings) in a 6-hour period.

to be as follows (bold added for emphasis):

C.2 Opacity [326 IAC 5-1]

Pursuant to 326 IAC 5-1-2(Visible Emissions Limitations), except as provided in 326 IAC 5-1-3 (Temporary Exemptions), visible emissions shall meet the following, unless otherwise stated in this permit:

- (a) Visible emissions shall not exceed an average of forty percent (40%) opacity in twenty-four (24) consecutive readings as determined by 326 IAC 5-1-4,
- (b) Visible emissions shall not exceed sixty percent (60%) opacity for more than a cumulative total of fifteen (15) minutes (sixty (60) readings) in a six (6) hour period.

22. Condition C.2 (now re-numbered as Condition C.3) has been changed from:

C.3 Open Burning

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. This is not a federally enforceable condition.

to be as follows (bold added for emphasis):

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. 326 IAC 4-1-3(a)(2)(A) and (B) are not federally enforceable.**

23. Condition C.3 (now re-numbered as Condition C.5) has been changed from:

C.5 Fugitive Dust Emissions

The Permittee shall be in violation of 326 IAC 6-4 if any of the criteria specified in 326 IAC 6-4-2 (1) through (4) are violated. This is not a federally enforceable condition.

to be as follows (bold added for emphasis):

**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.**

24. Condition C.4 (now re-numbered as Condition C.6) has been changed from:

**C.6 Operation of Equipment [326 IAC 2-8-5(a)(4)]**

- (a) All equipment that potentially might emit pollutants into the ambient air shall be properly operated and maintained.
- (b) Unless otherwise stated in this permit, all air pollution control equipment listed in this permit shall be operated at all times that the emission unit(s) vented to the control equipment is in operation.
- (c) The permittee shall perform all necessary maintenance and make all necessary attempts to keep all air pollution control equipment in proper operating condition at all times.

to be as follows (bold added for emphasis):

**C.6 Operation of Equipment [326 IAC 2-8-5(a)(4)]**

---

All air pollution control equipment listed in this permit shall be operated at all times that the emission units **are using non-compliant coatings, as described in Section D of this permit.**

25. Condition C.5 (now re-numbered as Condition C.9) has been changed from:

**C.9 Compliance Monitoring [326 IAC 2-8-4(3)]**

Compliance with applicable requirements shall be documented in accordance with the provisions of 326 IAC 2-8-4(3). The Permittee shall be responsible for installing any necessary equipment and initiating any additional monitoring no less than ninety (90) days after receipt of this permit. If due to circumstances beyond its control, this schedule cannot be met, the Permittee shall notify:

Indiana Department of Environmental Management,  
Compliance Data Section, Office of Air Management,  
100 North Senate Avenue, P.O. Box 6015  
Indianapolis, Indiana 46206-6015

in writing, with full justification of the reasons for inability to meet this date and a schedule which it expects to meet. If a denial of the request is not received before the monitoring is fully implemented, the schedule shall be deemed approved.

to be as follows (bold added for emphasis):

**C.9 Compliance Monitoring [326 IAC 2-8-4(3)] [326 IAC 2-8-5(a)(1)]**

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**Compliance with applicable requirements shall be documented as required by this permit.** The Permittee shall be responsible for installing any necessary equipment and initiating

any **required** monitoring **related to that equipment no more** than one hundred eighty (180) days after receipt of this permit. If due to circumstances beyond its control, this schedule cannot be met, the Permittee shall notify:

Indiana Department of Environmental Management  
Compliance Data Section, Office of Air Management  
100 North Senate Avenue, P.O. Box 6015  
Indianapolis, Indiana 46206-6015

in writing **no more than one hundred eighty (180) days after receipt of this permit**, with full justification of the reasons for inability to meet this date and a schedule which it expects to meet. If a denial of the request is not received before the monitoring is fully implemented, the schedule shall be deemed approved.

**The notification which shall be submitted by the Permittee does require the certification by the "responsible official" as defined by 326 IAC 2-7-1(34).**

26. Condition C.6 (now re-numbered as Condition C.10) has been changed from:

C.10 Maintenance of Monitoring Equipment [326 IAC 1-6]

The Permittee shall perform all necessary maintenance and make all necessary attempts to keep all required monitoring equipment in proper operating condition at all times. In the event that a breakdown of the monitoring equipment occurs, a record shall be made of the times and reasons of the breakdown and efforts made to correct the problem.

The Permittee shall install, calibrate, quality assure, maintain, and operate all necessary monitors and related equipment. Preventive maintenance plans of the monitors shall be implemented. In addition prompt correction, as indicated, shall be initiated within the time frames specified, whenever the parameters monitored fall outside of the indicated values.

to be as follows (bold added for emphasis):

C.10 Maintenance of Monitoring Equipment **[326 IAC 2-8-4(3)(A)(iii)]**

**(a) In the event that a breakdown of the monitoring equipment occurs, a record shall be made of the times and reasons of the breakdown and efforts made to correct the problem. To the extent practicable, supplemental or intermittent monitoring of the parameter should be implemented at intervals no less frequent than required in Section D of this permit until such time as the monitoring equipment is back in operation. In the case of continuous monitoring, supplemental or intermittent monitoring of the parameter should be implemented at intervals no less than one (1) hour until such time as the continuous monitor is back in operation.**

**(b) The Permittee shall install, calibrate, quality assure, maintain, and operate all necessary monitors and related equipment. In addition, prompt corrective action shall be initiated whenever indicated.**

27. Condition C.7 (now re-numbered as Condition C.11) has been changed from:

C.11 Monitoring Methods [326 IAC 3]

Any monitoring or testing performed to meet the requirements of this permit shall be performed,

whenever applicable according to the provisions of 326 IAC 3, or 40 CFR Part 60, Appendix A, as appropriate, unless some other method is specified in this permit.

to be as follows (bold added for emphasis):

C.11 Monitoring Methods [326 IAC 3]

---

**Any monitoring or testing performed to meet the requirements of this permit shall be performed according to the provisions of 326 IAC 3, 40 CFR 60, Appendix A, or other approved methods as specified in this permit.**

28. Condition C.8 (now re-numbered as Condition C.14) has been changed from:

C.14 Failure to take Corrective Action

For each unit for which parametric monitoring is required, appropriate corrective actions as described in the Preventive Maintenance Plan shall be taken when indicated by monitoring information. Failure to take corrective action following an excursion of a surrogate monitoring parameter within the indicated time may constitute a violation of the permit coupled with any one of the following conditions:

- (a) The permittee fails to determine and document the cause of the excursion; or
- (b) Taking corrective action as set in the Plan would be unreasonable; or
- (c) Failure to take corrective action results in the exceedance of an enforceable emission limitation, in which case the violation would be of the underlying standard and may result in a more severe penalty.

After investigating the reason for the excursion, the permittee may be excused from taking further corrective action for any of the following reasons:

- (a) Providing that prompt action was taken to correct the monitoring equipment, that the monitoring equipment malfunctioned, giving a false reading; or
- (b) The permittee has determined that the parameters established in the permit conditions are technically inappropriate, has previously submitted a request for an administrative amendment to the permit, and such request has not been denied; or
- (c) An automatic measurement was taken when the process was not operating; or
- (d) The permittee determines that the process has already returned to operating within "normal" parameters and no corrective action is required.

Records shall be kept of all instances in which the action values were not met and of all corrective actions taken. In the event of an "emergency" as defined in 326 IAC 2-7-16 the provisions of that rule requiring prompt corrective action to mitigate emissions shall prevail.

to be as follows (bold added for emphasis):

C.14 Compliance Monitoring Plan - Failure to Take Response Steps [326 IAC 2-8-4(3)]

- 
- (a) The Permittee is required to implement a compliance monitoring plan to ensure that reasonable information is available to evaluate its continuous compliance with applicable requirements. This compliance monitoring plan is comprised of:**

- (1) This condition;**
  - (2) The Compliance Determination Requirements in Section D of this permit;**
  - (3) The Compliance Monitoring Requirements in Section D of this permit;**
  - (4) The Record Keeping and Reporting Requirements in Section C (Monitoring Data Availability, General Record Keeping Requirements, and General Reporting Requirements) and in Section D of this permit; and**
  - (5) A Compliance Response Plan (CRP) for each compliance monitoring condition of this permit. CRP's shall be submitted to IDEM, OAM upon request and shall be subject to review and approval by IDEM, OAM. The CRP shall be prepared within one hundred eighty (180) days after issuance of this permit by the Permittee and maintained on site, and is comprised of:**
    - (A) Response steps that will be implemented in the event that compliance related information indicates that a response step is needed pursuant to the requirements of Section D of this permit; and**
    - (B) A time schedule for taking such response steps including a schedule for devising additional response steps for situations that may not have been predicted.**
- (b) For each compliance monitoring condition of this permit appropriate response steps shall be taken when indicated by the provisions of that compliance monitoring condition. Failure to perform the actions detailed in the compliance monitoring conditions or failure to take the response steps within the prescribed time prescribed in the Compliance Response Plan, shall constitute a violation of the permit unless taking the response steps set forth in the Compliance Response Plan would be unreasonable.**
- (c) After investigating the reason for the excursion, the Permittee may be excused from taking further **response steps** for any of the following reasons:**
- (1) The monitoring equipment malfunctioned, giving a false reading. This shall be an excuse from taking further response steps providing that prompt action was taken to correct the monitoring equipment.**
  - (2) The Permittee has determined that the parameters established in the permit conditions are technically inappropriate, has previously submitted a request for an administrative amendment to the permit, and such request has not been denied; or**
  - (3) An automatic measurement was taken when the process was not operating; or**
  - (4) The process has already returned to operating within "normal" parameters and**

no **response steps** are required.

- (d) Records shall be kept of all instances in which the **compliance related information was** not met and of all **response steps** taken. In the event of an **emergency, the provisions of 326 IAC 2-7-16 (Emergency Provisions)** requiring prompt corrective action to mitigate emissions shall prevail.

29. Condition C.9 (now re-numbered as Condition C.16) has been changed from:

C.16 Emission Reporting [326 IAC 2-6]

- (a) The Permittee shall submit a certified, annual emission statement that meets the requirements of 326 IAC 2-6 (Emission Reporting). This annual statement must be received by April 15 of each year and must comply with the minimum requirements specified in 326 IAC 2-6-4. The submittal should cover the period defined in 326 IAC 2-6-2(8)(Emission Statement Operating Year). The annual statement must be submitted to:

Indiana Department of Environmental Management,  
Data Support Section, Office of Air Management,  
100 North Senate Avenue, P.O. Box 6015  
Indianapolis, Indiana 46206-6015

- (b) This annual emission statement required by this permit shall be timely if:
- (1) Delivered by U.S. mail and postmarked on or before the date it is due; or
  - (2) Delivered by any other method if it is received and stamped by IDEM, OAM, on or before the date it is due.

to be as follow (bold added for emphasis):

C.16 Emission **Statement** [326 IAC 2-6] [**326 IAC 2-8-4(3)**]

- (a) The Permittee shall submit a certified, annual emission statement that meets the requirements of 326 IAC 2-6 (Emission Reporting). This annual statement must be received by April 15 of each year and must comply with the minimum requirements specified in 326 IAC 2-6-4. The submittal should cover the period defined in 326 IAC 2-6-2(8) (Emission Statement Operating Year). The annual statement must be submitted to:

Indiana Department of Environmental Management  
**Technical Support and Modeling Section**, Office of Air Management  
100 North Senate Avenue, P.O. Box 6015  
Indianapolis, Indiana 46206-6015

- (b) **The annual emission statement 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, OAM, on or before the date it is due.**

30. Condition C.10 (now re-numbered as Condition C.17) has been changed from:

C.17 Monitoring Data Availability

All observations, sampling, maintenance procedures, and record keeping, required as a condition of this permit shall be performed at all times the equipment is operating at normal representative conditions. Records shall be kept of the times that the equipment is not operating. If the equipment is operating but abnormal conditions prevail, additional observations and sampling should be taken with a record made of the nature of the abnormality. If for reasons beyond its control, the operator fails to make required observations, sampling, maintenance procedures, or record keeping, reasons for this must be recorded. At its discretion, IDEM may excuse such failure providing adequate justification is documented and such failures do not exceed 5% of the operating time in any quarter. Temporary, unscheduled unavailability of staff qualified to perform the required observations, sampling, maintenance procedures, or record keeping shall be considered a valid reason.

to be as follow (bold added for emphasis):

C.17 Monitoring Data Availability

- (a) **With the exception of performance tests conducted in accordance with Section C- Performance Testing all observations, sampling, maintenance procedures, and record keeping, required as a condition of this permit shall be performed at all times the equipment is operating at normal representative conditions.**
- (b) **As an alternative to the observations, sampling, maintenance procedures, and record keeping of subsection (a) above, when the equipment listed in Section D of this permit is not operating, the Permittee shall either record the fact that the equipment is shut down or perform the observations, sampling, maintenance procedures, and record keeping that would otherwise be required by this permit.**
- (c) If the equipment is operating but abnormal conditions prevail, additional observations and sampling should be taken with a record made of the nature of the abnormality.
- (d) If for reasons beyond its control, the operator fails to make required observations, sampling, maintenance procedures, or record keeping, reasons for this must be recorded.
- (e) At its discretion, IDEM may excuse such failure providing adequate justification is documented and such failures do not exceed **five percent (5%)** of the operating time in any quarter.
- (f) Temporary, unscheduled unavailability of staff qualified to perform the required observations, sampling, maintenance procedures, or record keeping shall be considered a valid reason for **failure to perform the requirements in (a) above.**

31. Condition C.11 (now re-numbered as Condition C.18) has been changed from:

C.18 General Record Keeping Requirements

- (a) Records of all required monitoring data and support information shall be retained for a period of at least five (5) years from the date of monitoring sample, measurement, report, or application. These records shall be kept at the source location and available within one hour upon verbal request of an IDEM, OAM representative, for a minimum of three (3) years. They may be stored elsewhere for the remaining two years providing they are made available within thirty (30) days after written request.

- (b) Records of required monitoring information shall include:
  - (1) The date, place, and time of sampling or measurements;
  - (2) The dates analyses were performed;
  - (3) The company or entity performing the analyses;
  - (4) The analytic techniques or methods used;
  - (5) The results of such analyses; and
  - (6) The operating conditions existing at the time of sampling or measurement.
  
- (c) Support information shall include:
  - (1) Copies of all reports required by this permit.;
  - (2) All original strip chart recordings for continuous monitoring instrumentation;
  - (3) All calibration and maintenance records;
  - (4) All preventive maintenance and corrective actions that were implemented. Such records shall briefly describe what was done and indicate who did it;
  - (5) Relevant work purchases orders;
  - (6) Quality assurance and quality control procedures;
  - (7) Operator's standard operating procedures;
  - (8) Manufacturer's specifications or their equivalent; and
  - (9) Equipment "troubleshooting" guidance.

to be as follows (bold added for emphasis):

**C.18 General Record Keeping Requirements [326 IAC 2-8-4(3)(B)]**

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- (a) Records of all required monitoring data and support information shall be retained for a period of at least five (5) years from the date of monitoring sample, measurement, report, or application. These records shall be kept at the source location and available within one (1) hour upon verbal request of an IDEM, OAM representative, for a minimum of three (3) years. They may be stored elsewhere for the remaining two (2) years providing they are made available within thirty (30) days after written request.
  
- (b) Records of required monitoring information shall include, **where applicable**:
  - (1) The date, place, and time of sampling or measurements;
  - (2) The dates analyses were performed;

- (3) The company or entity performing the analyses;
  - (4) The analytic techniques or methods used;
  - (5) The results of such analyses; and
  - (6) The operating conditions existing at the time of sampling or measurement.
- (c) Support information shall include, **where applicable**:
- (1) Copies of all reports required by this permit;
  - (2) All original strip chart recordings for continuous monitoring instrumentation;
  - (3) All calibration and maintenance records;
  - (4) **Records of preventive maintenance shall be sufficient to demonstrate that improper maintenance did not cause or contribute to a violation of any limitation on emissions or potential to emit. To be relied upon subsequent to any such violation, these records may include, but are not limited to: work orders, parts inventories, and operator's standard operating procedures. Records of response steps taken shall indicate whether the response steps were performed in accordance with the Compliance Response Plan required by Section C - Compliance Monitoring Plan - Failure to take Response Steps, of this permit, and whether a deviation from a permit condition was reported. All records shall briefly describe what maintenance and response steps were taken and indicate who performed the tasks.**
- (d) **All record keeping requirements not already legally required shall be implemented within one hundred eighty (180) days of permit issuance.**

32. Condition C.12 (now re-numbered as Condition C.19) has been changed from:

C.19 General Reporting Requirements

- (a) Unless otherwise stated in this permit, monitoring reports shall be submitted semiannually to:  
  
Indiana Department of Environmental Management,  
Compliance Data Section, Office of Air Management,  
100 North Senate Avenue, P.O. Box 6015  
Indianapolis, Indiana 46206-6015
- (b) Unless otherwise specified in this permit, any notice, report, or other submission required by this permit shall be timely if:
  - (1) Delivered by U.S. mail and postmarked on or before the date it is due; or
  - (2) Delivered by any other method if it is received and stamped by IDEM, OAM, on or before the date it is due.
- (c) All instances of deviations from any requirements of this permit must be clearly identified

in such reports.

to be as follows (bold added for emphasis):

**C.19 General Reporting Requirements [326 IAC 2-8-4(3)(C)]**

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- (a) **To affirm that the source has met all the requirements stated in this permit the source shall submit a Quarterly Compliance Report. Any deviation from the requirements and the date(s) of each deviation must be reported.**
  
- (b) **Reports required by conditions in Section D of this permit shall be submitted to:**  
  
Indiana Department of Environmental Management  
Compliance Data Section, Office of Air Management  
100 North Senate Avenue, P.O. Box 6015  
Indianapolis, Indiana 46206-6015
  
- (c) Unless otherwise specified in this permit, any notice, report, or other submission required by this permit shall be 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, OAM, on or before the date it is due.**
  
- (d) **Unless otherwise specified in this permit any quarterly report shall be submitted within thirty (30) days of the end of the reporting period.**
  
- (e) All instances of deviations from any requirements of this permit must be clearly identified in such reports. **A reportable deviation is an exceedance of a permit limitation or a failure to comply with a requirement of the permit or a rule. It does not include:**
  - (1) **An excursion from compliance monitoring parameters as identified in Section D of this permit unless tied to an applicable rule or limit; or**
  - (2) **An emergency as defined in 326 IAC 2-7-1(12); or**
  - (3) **Failure to implement elements of the Preventive Maintenance Plan unless lack of maintenance has caused or contributed to a deviation.**
  - (4) **Failure to make or record information required by the compliance monitoring provisions of Section D unless such failure exceeds 5% of the required data in any calendar quarter.**

**A Permittee's failure to take the appropriate response step when an excursion of a compliance monitoring parameter has occurred or failure to monitor or record the required compliance monitoring is a deviation.**
  
- (f) **Any corrective actions or response steps taken as a result of each deviation must be clearly identified in such reports.**

- (g) 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.**

33. The equipment listed under Section D.1 has been changed from:

D.1 FACILITY OPERATION CONDITIONS

One (1) reagent strip drying line, known as the Egan Impregnating Line and Tunnel Dryer, equipped with a natural gas fired direct flame oxidizer with a control efficiency of 99%, capacity: 2,880 ft<sup>2</sup> per hour.

Two (2) reagent strip drying lines, known as the Overly Impregnating Line and Dryers 1 and 2, equipped with a natural gas fired direct flame oxidizer with a control efficiency of 99%, capacity: 900 ft<sup>2</sup> per hour.

to be as follows (bold added for emphasis):

- (a) One (1) reagent strip drying line, known as the Egan Impregnating Line and Tunnel Dryer, equipped with a natural gas fired direct flame oxidizer, capacity: **20 ft/min**; and
- (b) Two (2) reagent strip drying lines, known as the Overly Impregnating Line and Dryers 1 and 2, **both controlled by one (1) natural gas fired direct flame oxidizer, capacity: 20 ft/min.**

34. Condition D.1.1 has been changed from:

D.1.1 Volatile Organic Compound

- (a) Pursuant to 326 IAC 8-2-5 (Paper Coating), the permittee shall not discharge into the atmosphere volatile organic compounds (VOC) in excess of 2.9 lbs, excluding water and acetone, per gallon of coating delivered to the applicator.
- (b) That the volatile organic compound (VOC) emissions from the three reagent strip drying lines and two (2) natural gas fired thermal oxidizers shall not exceed 8.25 tons per month (99.0 tons/year). Therefore, the requirements of 326 IAC 2-7 do not apply.

to be as follows (bold added for emphasis):

D.1.1 Volatile Organic Compounds (VOC) [326 IAC 8-2-5] [326 IAC 2-8]

- (a) Pursuant to 326 IAC 8-2-5 (Paper Coating Operations), the Permittee shall not discharge into the atmosphere Volatile Organic Compound (VOC) in excess of 2.9 pounds, excluding water and acetone, per gallon of coating delivered to the applicator.
- (b) **The input VOC shall be limited by the following equation such that the potential to emit (PTE) Volatile Organic Compound (VOC) from the three reagent strip drying lines and two (2) natural gas fired thermal oxidizers shall not exceed 99 tons per year, on a monthly rolling basis.** Therefore, the requirements of 326 IAC 2-7 (Part 70) do not apply:

**Input VOC (uncontrolled) + Input VOC \* (1 - control efficiency) # 99.0 tons per year**

35. Condition D.1.2 has been changed from:

D.1.2 Hazardous Air Pollutants

That the hazardous air pollutant emissions shall be limited as follows:

- (a) A single hazardous air pollutant (HAP) emissions shall not exceed 0.75 tons/month.
- (b) Any combination of HAPs emissions shall not exceed 2.0 tons/month.

Therefore, the requirements of 326 IAC 2-7 do not apply.

to be as follows (bold added for emphasis):

**D.1.2 Hazardous Air Pollutants (HAP) [326 IAC 2-8]**

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The hazardous air pollutant (HAP) emissions shall be limited as follows:

- (a) **The potential to emit (PTE) a single hazardous air pollutant (HAP) shall not exceed 9 tons per year, on a monthly rolling basis.**

**Input HAP (uncontrolled) + Input HAP \* (1 - control efficiency) # 9.0 tons per year**

- (b) **The potential to emit (PTE) for any combination of HAPs shall not exceed 24 tons per year, on a monthly rolling basis.**

**Input HAPs (uncontrolled) + Input HAPs \* (1 - control efficiency) # 24.0 tons per year**

Therefore, the requirements of 326 IAC 2-7 (Part 70) do not apply.

36. Condition D.1.4 (now re-numbered as Condition D.1.7) has been changed from:

D.1.7 Thermal Oxidizer

Pursuant to 326 IAC 8-2-5, the natural gas fired thermal oxidizers shall be in operation on each reagent strip drying line at all times when the VOC content of any coating used in the production process exceeds 2.9 lbs of VOC/gallon of coating less water and acetone. When operating, the thermal oxidizer shall maintain a minimum operating temperature of 1,400°F, or the temperature determined to maintain at least 90% destruction of VOC captured.

to be as follows (bold added for emphasis):

D.1.7 Thermal Oxidizer

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Pursuant to 326 IAC 8-2-5, the natural gas fired thermal oxidizers shall be in operation on each reagent strip drying line at all times when the VOC content of any coating used in the production process **will emit 2.9 pounds or more** of VOC per gallon coating less water and acetone. When operating, the thermal oxidizer shall maintain a minimum operating temperature of 1,400°F, or the temperature determined to maintain at least 90% destruction of VOC captured, **whichever is lower, providing that the resultant emissions (after oxidation) be less than or equal to 2.9 pounds of VOC per gallon less water and acetone. The indicator lights/alarms shall be operating at all times the thermal oxidizers are operating to ensure that the fan is operating properly.**

37. Conditions D.1.5 and D.1.6 have been changed from:

D.1.5 Volatile Organic Compound (VOC) Usage

The Permittee shall maintain records at the source of the materials used that contain any VOCs. The records shall be complete and sufficient to establish compliance with the VOC usage limits and/or VOC emission limits established in this permit. The records shall contain a minimum of the following:

- (a) The weight of VOC containing material used, including purchase orders and invoices necessary to verify the type and amount used;
- (b) The VOC content (weight percent) of each material used;
- (c) The weight of VOCs emitted for each compliance period, considering capture and control efficiency, if applicable;
- (d) The calculated VOC emissions using an assumed 90% destruction efficiency, and
- (e) Continuous or intermittent temperature of the thermal oxidizer and fan amperage readings.

and

**D.1.6 Hazardous Air Pollutant (HAP)**

The Permittee shall maintain records at the facility of the materials used that contain any HAPs. The records shall be complete and sufficient to establish compliance with the HAP usage limits and/or HAP emission limits that may be established in this permit. The records shall contain a minimum of the following:

- (a) The weight of HAP containing material used, including purchase orders and invoices necessary to verify the type and amount used;
- (b) The HAP content (weight percent) of each material used;
- (c) The weight of HAPs emitted for each compliance period, considering capture and control efficiency, if applicable;
- (d) Identification of the facility or facilities associated with the usage of each HAP; and
- (e) The following operating parameters of the thermal oxidizer:
  - (1) Individual HAP capture efficiency;
  - (2) Individual HAP destruction efficiency of the control device;
  - (3) A description of the data used to establish the capture and destruction efficiency of the thermal oxidizer; and
  - (4) Continuous or intermittent temperature and fan amperage readings.

to be as follows (bold added for emphasis):

**D.1.8 Record Keeping Requirements**

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- (a) To document compliance with Condition D.1.1 and D.1.2, the Permittee shall record the dates, times and durations that non-compliant coatings are used in each reagent strip drying line.**
  - (b) To document compliance with Conditions D.1.1(b) and D.1.2, the Permittee shall maintain records in accordance with (1) through (5) below. Records maintained for (1) through (5) shall be taken monthly and shall be complete and sufficient to establish compliance with the VOC and HAP usage limits and/or the VOC and HAP emission limits established in Condition D.1.1 and D.1.2.**

- (1) **The amount and VOC and HAP content of each coating material and solvent used. Solvent usage records shall differentiate between those added to coatings and those used as cleanup solvents;**
  - (2) **A log of the dates of use;**
  - (3) **The cleanup solvent usage for each month;**
  - (4) **The total VOC and HAP usage for each month; and**
  - (5) **The weight of VOCs and HAPs emitted for each compliance period.**
- (c) **All records shall be maintained in accordance with Section C - General Record Keeping Requirements, of this permit.**

38. Condition D.1.7 (now re-numbered as Condition D.1.9) has been changed from:

D.1.9 Quarterly Reporting

That a quarterly summary to document compliance with operation conditions number D.1.1 and D.1.2 shall be submitted, using the enclosed forms or their equivalent, within thirty (30) days after the end of the quarter being reported.

to be as follows (bold added for emphasis):

**D.1.9 Reporting Requirements**

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A quarterly summary **of the information** to document compliance with **Conditions D.1.1(b) and D.1.2** shall be submitted **to the address listed in Section C - General Reporting Requirements, of this permit**, using the **reporting forms located at the end of this permit**, or their equivalent, within thirty (30) days after the end of the quarter being reported.

39. The cover page has been changed to say source described rather than facilities listed since this permit is intended to cover the entire source.
40. The mailing address has been added to the Certification Form, the Emergency/Deviation Occurrence Report Form and the Quarterly Report form.
41. "Annual Compliance Certification Letter" has been added as one of the items on the Certification Form and the Deviation Forms have been combined and changed to Emergency/Deviation Occurrence Report Form.
42. The Deviation Occurrence Forms have been combined into one Emergency/Deviation Occurrence Report Form.
43. The Relocation Notification Form has been deleted from the permit. It is not necessary to report changes in equipment locations within the source.
44. The Quarterly Report has been changed to record the emission data on a monthly rolling basis rather than a monthly basis. This change was requested by the source.
45. The phone number of the signing party is now required for the Quarterly Report form. A line has been added to include this information.

46. A Quarterly Compliance Report Form has been added to the end of the permit.
47. The Technical Support Document (TSD), Total PTE, the sentence "These solvents could not be used simultaneously at the maximum usage rate." has been changed to "These solvents could not be used simultaneously at the maximum usage rate in a combination that would exceed total potential VOC emissions."