

PART 70 OPERATING PERMIT OFFICE OF AIR MANAGEMENT

**W & M Manufacturing, Inc.
1000 North Morton
Portland, Indiana 47371**

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

This permit is issued in accordance with 326 IAC 2 and 40 CFR Part 70 Appendix A and contains the conditions and provisions specified in 326 IAC 2-7 and 326 IAC 2-1-3.2 as required by 42 U.S.C. 7401, et. seq. (Clean Air Act as amended by the 1990 Clean Air Act Amendments), 40 CFR Part 70.6, IC 13-15 and IC 13-17.

Operation Permit No.: T075-6012-00017	
Issued by: Janet G. McCabe, Assistant Commissioner Office of Air Management	Issuance Date:

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SECTION A SOURCE SUMMARY

This permit is based on information requested by the Indiana Department of Environmental Management (IDEM), Office of Air Management (OAM). The information describing the source contained in conditions A.1 through A.3 is descriptive information and does not constitute enforceable conditions. However, the Permittee should be aware that a physical change or a change in the method of operation that may render this descriptive information obsolete or inaccurate may trigger requirements for the Permittee to obtain additional permits or seek modification of this permit pursuant to 326 IAC 2, or change other applicable requirements presented in the permit application.

A.1 General Information [326 IAC 2-7-4(c)] [326 IAC 2-7-5(15)]

The Permittee owns and operates a stationary injection molding and surface coating plant that manufactures automotive components and casket components.

Responsible Official: Robert McCabe, President
Source Address: 1000 North Morton, Portland, Indiana 47371
Mailing Address: P.O. Box 1088, Portland, Indiana 47371
SIC Code: 3647, 3995
County Location: Jay
County Status: Attainment for all criteria pollutants
Source Status: Part 70 Permit Program
Minor Source, under PSD
Major Source, Section 112 of the Clean Air Act

A.2 Emission Units and Pollution Control Equipment Summary [326 IAC 2-7-4(c)(3)] [326 IAC 2-7-5(15)]

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

- (a) Surface Coating operations, identified as, EU-01, including 6 spray booths identified as
- (1) EU-01 A, for applying basecoat, topcoat or primer with a maximum capacity of 800 lbs. Primer/year, equipped with HVLP spray and dry filter over spray control exhausting to Stack S1;
 - (2) EU-01 B, for applying basecoat, topcoat or primer with a maximum capacity of 36,892 lbs. Topcoat/year, equipped with HVLP/Electrostatic spray and a water curtain over spray control exhausting to Stack S2;
 - (3) EU-01 C, for applying basecoat, topcoat or primer with a maximum capacity of 121.44 lbs. Argent/year, equipped with HVLP or Air Atomized spray and a dry filter over spray control exhausting to Stack S3;
 - (4) EU-01 D, for applying basecoat, topcoat or primer with a maximum capacity of 67,249.74 lbs. Shertone/year, equipped with Electrostatic spray and a water curtain over spray control exhausting to Stack S4;
 - (5) EU-01 E, for applying basecoat, topcoat or primer with a maximum capacity of 48,780 lbs. Topcoat/year, equipped with Air Atomized spray and a water curtain over spray control exhausting to Stack S5;

- (6) EU-01 G, for applying basecoat, topcoat or primer with a maximum capacity of 7,891 lbs. Basecoat/year and equipped with HVLP spray and dry filter over spray control exhausting to Stack S7.

A.3 Specifically Regulated Insignificant Activities [326 IAC 2-7-1(21)] [326 IAC 2-7-4(c)]
[326 IAC 2-7-5(15)]

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

One multiple chambered incinerator identified as EU-03 fueled by natural gas only with a maximum heat capacity of 0.875 MMBTU per hour, maximum incineration capacity of 60 pounds of dried paint and/or topcoat varnish per hour, and controlled by an afterburner, emitting less than 25 lbs/day of NO_x, less than 25 lbs/day of CO, less than 25 lbs/day of PM and less than 15 pounds per day of VOC, and exhausting through stack BO-1.

A.4 Part 70 Permit Applicability [326 IAC 2-7-2]

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

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

SECTION B GENERAL CONDITIONS

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

- (a) 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 Part 70 permit under 326 IAC 2-7.
- (b) This prohibition shall not apply to alleged violations of applicable requirements for which the Commissioner has granted a permit shield in accordance with 326 IAC 2-1-3.2 or 326 IAC 2-7-15, as set out in this permit in the Section B condition entitled "Permit Shield."

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

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

B.3 Permit Term [326 IAC 2-7-5(2)]

This permit is issued for a fixed term of five (5) years from the effective date, as determined in accordance with IC 4-21.5-3-5(f) and IC 13-15-5-3.

B.4 Enforceability [326 IAC 2-7-7(a)]

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

B.5 Termination of Right to Operate [326 IAC 2-7-10] [326 IAC 2-7-4(a)]

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

B.6 Severability [326 IAC 2-7-5(5)]

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

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

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

B.8 Duty to Supplement and Provide Information [326 IAC 2-7-4(b)] [326 IAC 2-7-5(6)(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. If the Permittee wishes to assert a claim of confidentiality over any of the furnished records, the Permittee must 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, to furnish copies of requested records directly to U. S. EPA, and if the Permittee is making a claim of confidentiality regarding the furnished records, then the Permittee must furnish such confidential records directly to the U.S. EPA along with a claim of confidentiality under 40 CFR 2, Subpart B.

B.9 Compliance with Permit Conditions [326 IAC 2-7-5(6)(A)] [326 IAC 2-7-5(6)(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; or
 - (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.

B.10 Certification [326 IAC 2-7-4(f)] [326 IAC 2-7-6(1)]

- (a) Where specifically designated by this permit or required by an applicable requirement, any application forms, 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).

B.11 Annual Compliance Certification [326 IAC 2-7-6(5)]

- (a) The Permittee shall annually submit a compliance certification report which addresses the status of the source's compliance with the terms and conditions contained in this permit, including emission limitations, standards, or work practices. 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 July 1 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

and

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

- (b) The annual compliance certification report required by this permit shall be considered timely if the date postmarked on the envelope or certified mail receipt, or affixed by the shipper on the private shipping receipt, is on or before the date it is due. If the document is submitted by any other means, it shall be considered timely if received by IDEM, 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 or condition of this permit that is the basis of the certification;
 - (2) The compliance status;
 - (3) Whether compliance was based on continuous or intermittent data;
 - (4) The methods used for determining compliance of the source, currently and over the reporting period consistent with 326 IAC 2-7-5(3);
 - (5) Any insignificant activity that has been added without a permit revision;
 - (6) Such other facts, as specified in Sections D of this permit, as IDEM, OAM, may require to determine the compliance status of the source.

The submittal by the Permittee does require the certification by the "responsible official" as defined by 326 IAC 2-7-1(34).

B.12 Preventive Maintenance Plan [326 IAC 2-7-5(1),(3) and (13)] [326 IAC 2-7-6(1) and (6)]
[326 IAC 1-6-3]

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- (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 facility:
- (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.

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

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

- (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.

B.13 Emergency Provisions [326 IAC 2-7-16]

- (a) An emergency, as defined in 326 IAC 2-7-1(12), is not an affirmative defense for an action brought for noncompliance with a federal or state health-based emission limitation, except as provided in 326 IAC 2-7-16.
- (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 describe the following:
 - (1) An emergency occurred and the Permittee can, to the extent possible, identify the causes of the emergency;
 - (2) The permitted facility was at the time being properly operated;
 - (3) During the period of an emergency, the Permittee took all reasonable steps to minimize levels of emissions that exceeded the emission standards or other requirements in this permit;
 - (4) For each emergency lasting one (1) hour or more, the Permittee notified IDEM, 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 Number: 1-800-451-6027 (ask for Office of Air Management,
Compliance Section), or
Telephone Number: 317-233-5674 (ask for Compliance Section)
Facsimile Number: 317-233-5967

- (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 2-7-5(3)(C)(ii) and must contain the following:

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

The notification which shall be submitted by the Permittee does not require 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 2-7-4-(c)(9) 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 2-7 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 materials of substantial economic value.

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

B.14 Permit Shield [326 IAC 2-7-15]

- (a) This condition provides a permit shield as addressed in 326 IAC 2-7-15.
- (b) This permit shall be used as the primary document for determining compliance with applicable requirements established by previously issued permits. Compliance with the conditions of this permit shall be deemed in compliance with any applicable requirements as of the date of permit issuance, provided that:
 - (1) The applicable requirements are included and specifically identified in this permit; or
 - (2) The permit contains an explicit determination or concise summary of a determination that other specifically identified requirements are not applicable.
- (c) If, after issuance of this permit, it is determined that the permit is in nonconformance with an applicable requirement that applied to the source on the date of permit issuance, including any term or condition from a previously issued construction or operation permit, IDEM, OAM, shall immediately take steps to reopen and revise this permit and issue a compliance order to the Permittee to ensure expeditious compliance with the applicable requirement until the permit is reissued. The permit shield shall continue in effect so long as the Permittee is in compliance with the compliance order.
- (d) No permit shield shall apply to any permit term or condition that is determined after issuance of this permit to have been based on erroneous information supplied in the permit application.
- (e) Nothing in 326 IAC 2-7-15 or in this permit shall alter or affect the following:
 - (1) The provisions of Section 303 of the Clean Air Act (emergency orders), including the authority of the U.S. EPA under Section 303 of the Clean Air Act;
 - (2) The liability of the Permittee for any violation of applicable requirements prior to or at the time of this permit's issuance;
 - (3) The applicable requirements of the acid rain program, consistent with Section 408(a) of the Clean Air Act; and
 - (4) The ability of U.S. EPA to obtain information from the Permittee under Section 114 of the Clean Air Act.
- (f) This permit shield is not applicable to any change made under 326 IAC 2-7-20(b)(2) (Sections 502(b)(10) of the Clean Air Act changes) and 326 IAC 2-7-20(c)(2) (trading based on State Implementation Plan (SIP) provisions).
- (g) This permit shield is not applicable to modifications eligible for group processing until after IDEM, OAM, has issued the modifications. [326 IAC 2-7-12(c)(7)]
- (h) This permit shield is not applicable to minor Part 70 permit modifications until after IDEM, OAM, has issued the modification. [326 IAC 2-7-12(b)(8)]

B.15 Multiple Exceedances [326 IAC 2-7-5(1)(E)]

Any exceedance of a permit limitation or condition contained in this permit, which occurs contemporaneously with an exceedance of an associated surrogate or operating parameter established to detect or assure compliance with that limit or condition, both arising out of the same act or occurrence, shall constitute a single potential violation of this permit.

B.16 Deviations from Permit Requirements and Conditions [326 IAC 2-7-5(3)(C)(ii)]

(a) Deviations from any permit requirements (for emergencies see Section B - Emergency Provisions), 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) A 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 is a deviation.

(c) Written notification shall be submitted on the attached Emergency/Deviation Occurrence Reporting Form or its substantial equivalent. The notification does not need to be certified by the "responsible official" as defined by 326 IAC 2-7-1(34).

(d) Proper notice submittal under 326 IAC 2-7-16 satisfies the requirement of this subsection.

**B.17 Permit Modification, Reopening, Revocation and Reissuance, or Termination
[326 IAC 2-7-5(6)(C)] [326 IAC 2-7-8(a)] [326 IAC 2-7-9]**

(a) This permit may be modified, reopened, revoked and reissued, or terminated for cause. The filing of a request by the Permittee for a Part 70 permit modification, revocation and reissuance, or termination, or of a notification of planned changes or anticipated noncompliance does not stay any condition of this permit. [326 IAC 2-7-5(6)(C)]

(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 2-7-9(a)(3)]
- (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 2-7-9(b)]
- (d) The reopening and revision of this permit, under 326 IAC 2-7-9(a), shall not be initiated before notice of such intent is provided to the Permittee by IDEM, 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 2-7-9(c)]

B.18 Permit Renewal [326 IAC 2-7-4]

- (a) The application for renewal shall be submitted using the application form or forms prescribed by IDEM, OAM, and shall include the information specified in 326 IAC 2-7-4. Such information shall be included in the application for each emission unit at this source, except those emission units included on the trivial or insignificant activities list contained in 326 IAC 2-7-1(21) and 326 IAC 2-7-1(40).

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, Indiana 46206-6015

- (b) Timely Submittal of Permit Renewal [326 IAC 2-7-4(a)(1)(D)]
- (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, 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, including any permit shield provided in 326 IAC 2-7-15, until the renewal permit has been issued or denied.

- (c) Right to Operate After Application for Renewal [326 IAC 2-7-3]
If the Permittee submits a timely and complete application for renewal of this permit, the source's failure to have a permit is not a violation of 326 IAC 2-7 until IDEM, 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 being needed to process the application.
- (d) United States Environmental Protection Agency Authority [326 IAC 2-7-8(e)]
If IDEM, OAM, fails to act in a timely way on a Part 70 permit renewal, the U.S. EPA may invoke its authority under Section 505(e) of the Clean Air Act to terminate or revoke and reissue a Part 70 permit.

B.19 Permit Amendment or Modification [326 IAC 2-7-11] [326 IAC 2-7-12]

- (a) The Permittee must comply with the requirements of 326 IAC 2-7-11 or 326 IAC 2-7-12 whenever the Permittee seeks to amend or modify this permit.
- (b) Any application requesting an amendment or modification of this permit shall be submitted to:

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

Any such application should be certified by the "responsible official" as defined by 326 IAC 2-7-1(34) only if a certification is required by the terms of the applicable rule
- (c) The Permittee may implement administrative amendment changes addressed in the request for an administrative amendment immediately upon submittal of the request. [326 IAC 2-7-11(c)(3)]

B.20 Permit Revision Under Economic Incentives and Other Programs [326 IAC 2-7-5(8)]
[326 IAC 2-7-12 (b)(2)]

- (a) No Part 70 permit revision shall be required under any approved economic incentives, marketable Part 70 permits, emissions trading, and other similar programs or processes for changes that are provided for in a Part 70 permit.
- (b) Notwithstanding 326 IAC 2-7-12(b)(1)(D)(I) and 326 IAC 2-7-12(c)(1), minor Part 70 permit modification procedures may be used for Part 70 modifications involving the use of economic incentives, marketable Part 70 permits, emissions trading, and other similar approaches to the extent that such minor Part 70 permit modification procedures are explicitly provided for in the applicable State Implementation Plan (SIP) or in applicable requirements promulgated or approved by the U.S. EPA.

B.21 Changes Under Section 502(b)(10) of the Clean Air Act [326 IAC 2-7-20(b)]

The Permittee may make Section 502(b)(10) of the Clean Air Act changes (this term is defined at 326 IAC 2-7-1(36)) without a permit revision, subject to the constraint of 326 IAC 2-7-20(a) and the following additional conditions:

- (a) 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) The permit shield, described in 326 IAC 2-7-15, shall not apply to any change made under 326 IAC 2-7-20(b).

B.22 Operational Flexibility [326 IAC 2-7-20]

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

- (1) The changes are not modifications under any provision of Title I of the Clean Air Act;
- (2) Any 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 2-7-20(b), (c), or (e) and makes such records available, upon reasonable request, for public review.

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

- (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 2-7-20(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 2-7-20(c).
- (d) Alternative Operating Scenarios [326 IAC 2-7-20(d)]
The Permittee may make changes at the source within the range of alternative operating scenarios that are described in the terms and conditions of this permit in accordance with 326 IAC 2-7-5(9). No prior notification of IDEM, 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.

B.23 Construction Permit Requirement [326 IAC 2]

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.

B.24 Inspection and Entry [326 IAC 2-7-6(2)]

Upon presentation of proper identification cards, credentials, and other documents as may be required by law, the Permittee shall allow IDEM, OAM, U.S. EPA, or an authorized representative to perform the following:

- (a) Enter upon the Permittee's premises where a Part 70 source is located, or emissions related activity is conducted, or where records must be kept under the conditions of this permit;
- (b) Have access to and copy, at reasonable times, any records that must be kept under the conditions of this permit;
- (c) Inspect, at reasonable times, any facilities, equipment (including monitoring and air pollution control equipment), practices, or operations regulated or required under this permit;
- (d) Sample or monitor, at reasonable times, substances or parameters for the purpose of assuring compliance with this permit or applicable requirements; and
- (e) Utilize any photographic, recording, testing, monitoring, or other equipment for the purpose of assuring compliance with this permit or applicable requirements.
[326 IAC 2-7-6(6)]

- (1) The Permittee may assert a claim that, in the opinion of the Permittee, information removed or about to be removed from the source by IDEM, OAM, or an authorized representative, contains information that is confidential under IC 5-14-3-4(a). The claim shall be made in writing before or at the time the information is removed from the source. In the event that a claim of confidentiality is so asserted, neither IDEM, OAM, nor an authorized representative, may disclose the information unless and until IDEM, OAM, makes a determination under 326 IAC 17-1-7 through 326 IAC 17-1-9 that the information is not entitled to confidential treatment and that determination becomes final. [IC 5-14-3-4; IC 13-14-11-3; 326 IAC 17-1-7 through 326 IAC 17-1-9]
- (2) The Permittee, and IDEM, OAM, acknowledge that the federal law applies to claims of confidentiality made by the Permittee with regard to information removed or about to be removed from the source by U.S. EPA. [40 CFR Part 2, Subpart B]

B.25 Transfer of Ownership or Operation [326 IAC 2-1-6] [326 IAC 2-7-11]

Pursuant to 326 IAC 2-1-6 and 326 IAC 2-7-11:

- (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 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 2-7-11. 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) IDEM, OAM, shall reserve the right to issue a new permit.

B.26 Annual Fee Payment [326 IAC 2-7-19] [326 IAC 2-7-5(7)]

- (a) The Permittee shall pay annual fees to IDEM, OAM, within thirty (30) calendar days of receipt of a billing. If the Permittee does not receive a bill from IDEM, OAM the applicable fee is due April 1 of each year.
- (b) Failure to pay may result in administrative enforcement action, or revocation of this permit.
- (c) The Permittee may call the following telephone numbers: 1-800-451-6027 or 317-233-0425 (ask for OAM, Technical Support and Modeling Section), to determine the appropriate permit fee.

SECTION C SOURCE OPERATION CONDITIONS

Entire Source

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

C.1 PSD Minor Source Status [326 IAC 2-2] [40 CFR 52.21]

- (a) The total source potential to emit VOC is limited to less than 250 tons per year. Therefore, the requirements of 326 IAC 2-2 (Prevention of Significant Deterioration) and 40 CFR 52.21 will not apply.
- (b) Any change or modification which may increase potential to emit to 250 tons per year from this source, shall cause this source to be considered a major source under PSD, 326 IAC 2-2 and 40 CFR 52.21, and shall require approval from IDEM, OAM prior to making the change.

C.2 Particulate Matter Emission Limitations For Processes with Process Weight Rates Less Than One Hundred (100) pounds per hour [326 IAC 6-3-2(c)]

Pursuant to 326 IAC 6-3-2(c), the allowable particulate matter emissions rate from any process not already regulated by 326 IAC 6-1 or any New Source Performance Standard, and which has a maximum process weight rate less than 100 pounds per hour shall not exceed 0.551 pounds per hour.

C.3 Opacity [326 IAC 5-1]

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

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

C.4 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.

C.5 Incineration [326 IAC 4-2][326 IAC 9-1-2]

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

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

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

C.7 Operation of Equipment [326 IAC 2-7-6(6)]

All air pollution control equipment listed in this permit and used to comply with an applicable requirement shall be operated at all times that the emission units vented to the control equipment are in operation.

C.8 Asbestos Abatement Projects [326 IAC 14-10] [326 IAC 18] [40 CFR 61.140]

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

All required notifications shall be submitted to:

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

The notifications do not require a certification by the "responsible official" as defined by 326 IAC 2-7-1(34).

- (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.

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

C.9 Performance Testing [326 IAC 3-6]

- (a) All testing shall be performed according to the provisions of 326 IAC 3-6 (Source Sampling Procedures), except as provided elsewhere in this permit, utilizing methods approved by 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 prior to the intended test date. The Permittee shall submit a notice of the actual test date to the above address so that it is received at least two weeks prior to the 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.

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

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

C.10 Compliance Schedule [326 IAC 2-7-6(3)]

The Permittee:

- (a) Has certified that all facilities at this source are in compliance with all applicable requirements; and
- (b) Has submitted a statement that the Permittee will continue to comply with such requirements; and
- (c) Will comply with such applicable requirements that become effective during the term of this permit.

C.11 Compliance Monitoring [326 IAC 2-7-5(3)] [326 IAC 2-7-6(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 may extend compliance schedule an additional ninety (90) days provided the Permittee notifies:

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

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

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

C.12 Maintenance of Monitoring Equipment [326 IAC 2-7-5(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.

C.13 Monitoring Methods [326 IAC 3]

Any monitoring or testing performed to meet the applicable 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.

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

C.14 Emergency Reduction Plans [326 IAC 1-5-2] [326 IAC 1-5-3]

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

- (a) The Permittee shall prepare written emergency reduction plans (ERPs) consistent with safe operating procedures.
- (b) These ERPs shall be submitted for approval 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 ninety (90) days after the date of issuance of this permit.

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

- (c) If the ERP is disapproved by IDEM, OAM, the Permittee shall have an additional thirty (30) days to resolve the differences and submit an approvable ERP.

- (d) These ERPs shall state those actions that will be taken, when each episode level is declared, to reduce or eliminate emissions of the appropriate air pollutants.
- (e) Said ERPs shall also identify the sources of air pollutants, the approximate amount of reduction of the pollutants, and a brief description of the manner in which the reduction will be achieved.
- (f) Upon direct notification by IDEM, OAM, that a specific air pollution episode level is in effect, the Permittee shall immediately put into effect the actions stipulated in the approved ERP for the appropriate episode level. [326 IAC 1-5-3]

C.15 Risk Management Plan [326 IAC 2-7-5(12)] [40 CFR 68.215]

If a regulated substance, subject to 40 CFR 68, is present in a process in more than the threshold quantity, 40 CFR 68 is an applicable requirement and the Permittee shall:

- (a) Submit:
 - (1) A compliance schedule for meeting the requirements of 40 CFR 68 by the date provided in 40 CFR 68.10(a); or
 - (2) As a part of the compliance certification submitted under 326 IAC 2-7-6(5), a certification statement that the source is in compliance with all the requirements of 40 CFR 68, including the registration and submission of a Risk Management Plan (RMP); and
 - (3) A verification to IDEM, OAM that a RMP or a revised plan was prepared and submitted as required by 40 CFR 68.
- (b) Provide annual certification to IDEM, OAM that the Risk Management Plan is being properly implemented.

All documents submitted pursuant to this condition shall include the certification by the "responsible official" as defined by 326 IAC 2-7-1(34).

C.16 Compliance Monitoring Plan - Failure to Take Response Steps [326 IAC 2-7-5][326 IAC 2-7-6] [326 IAC 1-6]

- (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 ninety (90) 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 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 is 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 compliance monitoring 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.

C.17 Actions Related to Noncompliance Demonstrated by a Stack Test [326 IAC 2-7-5]
[326 IAC 2-7-6]

- (a) When the results of a stack test performed in conformance with Section C - Performance Testing, of this permit exceed the level specified in any condition of this permit, the Permittee shall 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.

The documents submitted pursuant to this condition do not require the certification by the "responsible official" as defined by 326 IAC 2-7-1(34).

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

C.18 Emission Statement [326 IAC 2-7-5(3)(C)(iii)][326 IAC 2-7-5(7)][326 IAC 2-7-19(c)][326 IAC 2-6]

- (a) The Permittee shall submit an annual emission statement certified pursuant to the requirements of 326 IAC 2-6, that must be received by July 1 of each year and must comply with the minimum requirements specified in 326 IAC 2-6-4. The annual emission statement shall meet the following requirements:
- (1) Indicate actual emissions of criteria pollutants from the source, in compliance with 326 IAC 2-6 (Emission Reporting);
 - (2) Indicate actual emissions of other regulated pollutants from the source, for purposes of Part 70 fee assessment.
- (b) The annual emission statement covers the twelve (12) consecutive month time period starting January 1 and ending December 31. The annual emission 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
- (c) 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.

C.19 Monitoring Data Availability [326 IAC 2-7-6(1)] [326 IAC 2-7-5(3)]

- (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 stated in (a) above.

C.20 General Record Keeping Requirements [326 IAC 2-7-5(3)][326 IAC 2-7-6]

- (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 for a minimum of three (3) years and available upon the request of an IDEM, OAM, representative, for a minimum of three (3) years. The records may be stored elsewhere for the remaining two (2) years as long as they are available upon request. If the Commissioner makes a written request for records to the Permittee, the Permittee shall furnish the records to the Commissioner within a reasonable time.
- (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 ninety (90) days of permit issuance.

C.21 General Reporting Requirements [326 IAC 2-7-5(3)(C)]

- (a) To affirm that the source has met all the compliance monitoring requirements stated in this permit the source shall submit a Quarterly Compliance Monitoring Report. Any deviation from the requirements and the date(s) of each deviation must be reported.
- (b) The report required in (a) of this condition and 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 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.
- (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 as described in Section B- Deviations from Permit Requirements Conditions must be clearly identified in such reports.
- (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.

The documents submitted pursuant to this condition do not require the certification by the "responsible official" as defined by 326 IAC 2-7-1(34).

Stratospheric Ozone Protection

C.22 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.

SECTION D.1 FACILITY OPERATION CONDITIONS

Facility Description [326 IAC 2-7-5(15)]

Surface Coating operations, identified as, EU-01, including 6 spray booths identified as

- (1) EU-01 A, for applying basecoat, topcoat or primer with a maximum capacity of 800 lbs. Primer/year, equipped with HVLP spray and dry filter over spray control exhausting to Stack S1;
- (2) EU-01 B, for applying basecoat, topcoat or primer with a maximum capacity of 36,892 lbs. Topcoat/year, equipped with HVLP/Electrostatic spray and a water curtain over spray control exhausting to Stack S2;
- (3) EU-01 C, for applying basecoat, topcoat or primer with a maximum capacity of 121.44 lbs. Argent/year, equipped with HVLP or Air Atomized spray and a dry filter over spray control exhausting to Stack S3;
- (4) EU-01 D, for applying basecoat, topcoat or primer with a maximum capacity of 67,249.74 lbs. Shertone/year, equipped with Electrostatic spray and a water curtain over spray control exhausting to Stack S4;
- (5) EU-01 E, for applying basecoat, topcoat or primer with a maximum capacity of 48,780 lbs. Topcoat/year, equipped with Air Atomized spray and a water curtain over spray control exhausting to Stack S5;
- (6) EU-01 G, for applying basecoat, topcoat or primer with a maximum capacity of 7,891 lbs. Basecoat/year and equipped with HVLP spray and dry filter over spray control exhausting to Stack S7.

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

D.1.1 Volatile Organic Compounds (VOC) [326 IAC 8-1-6][326 IAC 8-2-9]

(a) Pursuant to CP-075-2202 issued March 5, 1996, the Best Available Control Technology (BACT) for each process shall consist of:

- | | |
|-------------|---|
| EU-01A (S1) | Plastic Parts Prime Coating Primer to be applied by HVLP system |
| EU-01B (S2) | Top Coats of Plastic Parts to be applied by a robotic unit using HVLP system and Metal Parts Coating to be applied by an electrostatic spray system |
| EU-01C (S3) | Plastic Parts Coating to be applied by HVLP system or atomized spray equipment |
| EU-01E (S5) | Plastic Parts Base Coat and Top Coat to be applied by a hand-held air-atomized spray equipment |
| EU-01G (S7) | Plastic Parts Base Coat and Top Coat to be applied by HVLP system |

D.1.2 PSD Minor Limit [326 IAC 2-2] [40 CFR 52.21]

Pursuant to CP-075-2202 issued March 5, 1996, all six surface coating booths shall use less than 20 tons of VOC, including coatings, dilution solvents, and cleaning solvents, per month.

These usage limits are required to limit the potential to emit of VOC to less than 250 tons per year. Compliance with this limit makes 326 IAC 2-2 (Prevention of Significant Deterioration) and 40 CFR 52.21 not applicable.

D.1.3 Organic Solvent Emissions [326 IAC 8-6]

Pursuant to CP-075-2202 issued March 5, 1996, the booth EU-01D shall use less than 8 tons of VOC, including coatings, dilution solvents, and cleaning solvents, per month. Compliance with this limit makes 326 IAC 8-6 Organic Solvent Emissions not applicable.

D.1.4 Particulate Matter (PM) [326 IAC 6-3-2(c)]

Pursuant to CP-075-2202 issued March 5, 1996, the PM from each surface coating booth shall not exceed the pound per hour emission rate established as E in the following formula:

Interpolation and extrapolation of the data for the process weight rate up to sixty thousand (60,000) pounds per hour shall be accomplished by use of the equation:

$$E = 4.10 P^{0.67} \quad \text{where } E = \text{rate of emission in pounds per hour; and} \\ P = \text{process weight rate in tons per hour}$$

D.1.5 Preventive Maintenance Plan [326 IAC 2-7-5(13)]

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

Compliance Determination Requirements

D.1.6 Testing Requirements [326 IAC 2-7-6(1),(6)]

The Permittee is not required to test this facility by this permit. However, IDEM may require compliance testing at any specific time when necessary to determine if the facility is in compliance. If testing is required by IDEM, compliance with the VOC limits and PM limit specified in Condition D.1.1, D.1.2, D.1.3 and D.1.4 shall be determined by a performance test conducted in accordance with Section C - Performance Testing.

D.1.7 Volatile Organic Compounds (VOC)

Compliance with the VOC content and usage limitations contained in Conditions D.1.1 D.1.2 and D.1.3 shall be determined pursuant to 326 IAC 8-1-4(a)(3) and 326 IAC 8-1-2(a) 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.

D.1.8 VOC Emissions

Compliance with Conditions D.1.2 and D.1.3 shall be demonstrated at the end of each month based on the total volatile organic compound usage for the most recent month.

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

D.1.9 Particulate Matter (PM)

Pursuant to CP-075-2202 issued March 5, 1996 the dry filters and the water curtain overspray for PM control shall be in operation at all times when one or more of the paint booths are in operation.

D.1.10 Monitoring

- (a) Weekly inspections shall be performed to verify:
- the placement, integrity and particle loading of the filters and the correct operation of the water curtain overspray system based on the manufacturer specifications. To monitor the performance of the dry filters and water curtain over spray systems, monthly observations shall be made of the over spray from the surface coating booth stacks while one or more of the booths are in operation. The Compliance Response Plan shall be followed whenever a condition exists which should result in a response step. Failure to take response steps in accordance with Section C - Compliance Monitoring Plan - Failure to Take Response Steps, shall be considered a violation of this permit.
- (b) Monthly inspections shall be performed of the coating emissions from the stack and the presence of over spray on the rooftops and the nearby ground. The Compliance Response Plan for this unit shall contain troubleshooting contingency and response steps for when a noticeable change in over spray emission, or evidence of over spray emission is observed. The Compliance Response Plan shall be followed whenever a condition exists which should result in a response step. Failure to take response steps in accordance with Section C - Compliance Monitoring Plan - Failure to Take Response Steps, shall be considered a violation of this permit.
- (c) Additional inspections and preventive measures shall be performed as prescribed in the Preventive Maintenance Plan.

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

D.1.11 Record Keeping Requirements

- (a) To document compliance with Conditions D.1.2, D.1.3, and D.1.8, the Permittee shall maintain records in accordance with (1) through (6) below. Records maintained for (1) through (6) shall be taken monthly and shall be complete and sufficient to establish compliance with the VOC usage limits and/or the VOC emission limits established in Condition D.1.2, and D.1.3.
- (1) The amount and VOC 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 content of the coatings used for each month;
 - (4) The cleanup solvent usage for each month;
 - (5) The total VOC usage for each month; and
 - (6) The weight of VOCs emitted for each compliance period.
- (b) To document compliance with Condition D.1.9 and D.1.10, the Permittee shall maintain a log of weekly over spray observations, daily and monthly inspections, and those additional inspections prescribed by the Preventive Maintenance Plan.

- (c) All records shall be maintained in accordance with Section C - General Record Keeping Requirements, of this permit.

D.1.12 Reporting Requirements

A quarterly summary of the information to document compliance with Condition D.1.2, D.1.3, and D.1.8 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.

SECTION D.2 FACILITY OPERATION CONDITIONS

Facility Description [326 IAC 2-7-5(15)]

One multiple chambered incinerator identified as EU-03 fueled by natural gas only with a maximum heat capacity of 0.875 MMBTU per hour, maximum incineration capacity of 60 pounds of dried paint and/or topcoat varnish per hour, and controlled by an afterburner, emitting less than 25 lbs/day of NO_x, less than 25 lbs/day of CO, less than 25 lbs/day of PM and less than 15 pounds per day of VOC, and exhausting through stack BO-1.

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

D.2.1 Incinerator Requirements [326 IAC 4-2-2]

This incinerator shall:

- (1) consist of primary and secondary chambers or the equivalent;
- (2) be equipped with a primary burner unless burning wood products;
- (3) comply with 326 IAC 5-1 and 326 IAC 2;
- (4) be maintained properly as specified by the manufacturer and approved by the commissioner;
- (5) be operated according to the manufacturer's recommendations and burn only waste approved by the commissioner;
- (6) comply with other state and/or local rules or ordinances regarding installation and operation of incinerators;
- (7) be operated so that emissions of hazardous material including, but not limited to, viable pathogenic bacteria, dangerous chemicals or gases, or noxious odors are prevented;
- (8) not emit particulate matter in excess of:
 - (A) incinerators with a maximum refuse-burning capacity of two hundred (200) or more pounds per hour: three-tenths (0.3) pounds of particulate matter per one thousand (1,000) pounds of dry exhaust at standard conditions corrected to fifty percent (50%) excess air; or
 - (B) all other incinerators: five-tenths (0.5) pounds of particulate matter per one thousand (1000) pounds of dry exhaust gas at standard conditions corrected to fifty percent (50%) excess air; and
- (9) not create a nuisance or fire hazard.

If any of the above result, the burning shall be terminated immediately.

Compliance Determination Requirements

D.2.2 Testing Requirements [326 IAC 2-7-6(1),(6)]

The Permittee is not required to test this facility by this permit. However, IDEM may require compliance testing at any specific time when necessary to determine if the facility is in compliance. If testing is required by IDEM, compliance with the particulate matter limit specified in Condition D.2.1 shall be determined by a performance test conducted in accordance with Section C - Performance Testing.

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

D.2.3 Particulate Matter (PM)

Pursuant to exemption letter CP-075-4437 issued April 21, 1995, the incinerator shall be operated in accordance with the manufacturer specifications and the primary and secondary afterburners shall be in operation at all times except when shutoff by a built in safety device.

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

There are no record keeping or reporting requirements for this facility.

**INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
OFFICE OF AIR MANAGEMENT
COMPLIANCE DATA SECTION**

**PART 70 OPERATING PERMIT
CERTIFICATION**

Source Name: W & M Manufacturing, Inc.
Source Address: 1000 North Morton, Portland, IN 47371
Mailing Address: P.O. BOX 1088, Portland, IN 47371
Part 70 Permit No.: T075-6012-00017

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

Please check what document is being certified:

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

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

Signature:

Printed Name:

Title/Position:

Date:

**INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
OFFICE OF AIR MANAGEMENT
COMPLIANCE DATA SECTION
P.O. Box 6015
100 North Senate Avenue
Indianapolis, Indiana 46206-6015
Phone: 317-233-5674
Fax: 317-233-5967**

**PART 70 OPERATING PERMIT
EMERGENCY/DEVIATION OCCURRENCE REPORT**

Source Name: W & M Manufacturing, Inc.
Source Address: 1000 North Morton, Portland, IN 47371
Mailing Address: P.O. BOX 1088, Portland, IN 47371
Part 70 Permit No.: T075-6012-00017

This form consists of 2 pages

Page 1 of 2

Check either No. 1 or No.2	
9	1. This is an emergency as defined in 326 IAC 2-7-1(12) C The Permittee must notify the Office of Air Management (OAM), within four (4) business hours (1-800-451-6027 or 317-233-5674, ask for Compliance Section); and C The Permittee must submit notice in writing or by facsimile within two (2) days (Facsimile Number: 317-233-5967), and follow the other requirements of 326 IAC 2-7-16
9	2. This is a deviation, reportable per 326 IAC 2-7-5(3)(c) C The Permittee must submit notice in writing within ten (10) calendar days

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

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

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

Page 2 of 2

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

Form Completed by: _____
Title / Position: _____
Date: _____
Phone: _____

**INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
OFFICE OF AIR MANAGEMENT
COMPLIANCE DATA SECTION**

Part 70 Quarterly Report

Source Name: W & M Manufacturing, Inc.
Source Address: 1000 North Morton, Portland, IN 47371
Mailing Address: P.O. BOX 1088, Portland, IN 47371
Part 70 Permit No.: T075-6012-00017
Facility: EU-01A, EU-01B, EU-01C, EU-01D, EU-01E, EU-01F, EU-01G
Parameter: Volatile Organic Compounds usage
Limit: 20 tons per month from all paint booths
Limit: 8 tons per month from EU-01D

YEAR: _____

Month	Volatile Organic Compounds from all paint booths	Volatile Organic Compounds only from pant booth EU-01D
	tons per month	tons per month
Month 1		
Month 2		
Month 3		

- 9 No deviation occurred in this quarter.
- 9 Deviation/s occurred in this quarter.
Deviation has been reported on: _____

Submitted by: _____
Title / Position: _____
Signature: _____
Date: _____
Phone: _____

**INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
OFFICE OF AIR MANAGEMENT
COMPLIANCE DATA SECTION**

**PART 70 OPERATING PERMIT
QUARTERLY COMPLIANCE MONITORING REPORT**

Source Name: W & M Manufacturing, Inc.
Source Address: 1000 North Morton, Portland, IN 47371
Mailing Address: P.O. BOX 1088, Portland, IN 47371
Part 70 Permit No.: T075-6012-00017

Months: _____ to _____ Year: _____

This report is an affirmation that the source has met all the compliance monitoring requirements stated in this permit. This report shall be submitted quarterly. Any deviation from the compliance monitoring requirements and the date(s) of each deviation must be reported. Additional pages may be attached if necessary. This form can be supplemented by attaching the Emergency/Deviation Occurrence Report. If no deviations occurred, please specify in the box marked "No deviations occurred this reporting period".

9 NO DEVIATIONS OCCURRED THIS REPORTING PERIOD

9 THE FOLLOWING DEVIATIONS OCCURRED THIS REPORTING PERIOD.

Compliance Monitoring Requirement (Permit Conditions D.1.8 and D. 1.9)	Number of Deviations	Date of each Deviation

Form Completed By: _____
Title/Position: _____
Date: _____
Phone: _____

Attach a signed certification to complete this report.

Indiana Department of Environmental Management Office of Air Management

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

Source Background and Description

Source Name: W & M Manufacturing, Inc.
Source Location: 1000 North Morton, Portland, Indiana 47371
County: Jay
SIC Code: 3647, 3995
Operation Permit No.: T075-6012-00017
Permit Reviewer: KERAMIDA/VS

The Office of Air Management (OAM) has reviewed a Part 70 permit application from W & M Manufacturing, Inc. relating to the operation of a stationary injection molding and surface coating plant that manufactures automotive components and casket components.

Permitted Emission Units and Pollution Control Equipment

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

- (a) Surface Coating operations, identified as, EU-01, including 7 spray booths identified as
- (1) EU-01 A, for applying basecoat, topcoat or primer with a maximum capacity of 800 lbs. Primer/year, equipped with HVLP spray and dry filter over spray control exhausting to Stack S1;
 - (2) EU-01 B, for applying basecoat, topcoat or primer with a maximum capacity of 14,519 lbs. Topcoat/year, equipped with HVLP/Electrostatic spray and a water curtain over spray control exhausting to Stack S2;
 - (3) EU-01 C, for applying basecoat, topcoat or primer with a maximum capacity of 121.44 lbs. Argent/year, equipped with HVLP or Air Atomized spray and a dry filter over spray control exhausting to Stack S3;
 - (4) EU-01 D, for applying basecoat, topcoat or primer with a maximum capacity of 67,249.74 lbs. Shertone/year, equipped with Electrostatic spray and a water curtain over spray control exhausting to Stack S4;
 - (5) EU-01 E, for applying basecoat, topcoat or primer with a maximum capacity of 5418.51 lbs. Topcoat/year, equipped with Air Atomized spray and a water curtain over spray control exhausting to Stack S5;
 - (6) EU-01 F, for applying basecoat, topcoat or primer with a maximum capacity of 65,734 lbs Clear Topcoat/year, equipped with Air Atomized spray and a water curtain over spray control exhausting to Stack S6;

- (7) EU-01 G, for applying basecoat, topcoat or primer with a maximum capacity of 7,891 lbs. Basecoat/year and equipped with HVLP spray and dry filter over spray control exhausting to Stack S7.
- (b) One natural gas fired air make-up unit identified as EU-02 with a heat input rate of 10.5 MMBtu/hour and exhausting through stack S34.

Unpermitted Emission Units and Pollution Control Equipment Requiring ENSR

There are no unpermitted facilities operating at this source during this review process.

New Emission Units and Pollution Control Equipment Requiring ENSR

There are no new facilities to be reviewed under the ENSR process.

Insignificant Activities

The source also consists of the following insignificant activities, as defined in 326 IAC 2-7-1(21):

- 1) Space heaters, process heaters, or boilers using the following fuels.
 - Natural gas-fired combustion sources with heat input equal to or less than ten million (10,000,000) Btu per hour.
- 2) The following VOC and HAP storage containers:
 - Storage tanks with capacity less than or equal to 1,000 gallons and annual throughputs less than 12,000 gallons.
- 3) Solvent recycling systems with batch capacity less than or equal to 100 gallons.
- 4) Any operation using aqueous solutions containing less than 1% by weight of VOCs excluding HAPs.
- 5) Replacement or repair of electrostatic precipitators, bags in baghouses and filters in other air filtration equipment.
- 6) Paved and unpaved roads and parking lots with public access.
- 7) One multiple chambered incinerator identified as EU-03 fueled by natural gas only with a maximum heat capacity of 0.875 MMBTU per hour, maximum incineration capacity of 60 pounds of dried paint and/or topcoat varnish per hour, and controlled by an afterburner, emitting less than 25 lbs/day of NO_x, less than 25 lbs/day of CO, less than 25 lbs/day of PM and less than 15 pounds per day of VOC, and exhausting through stack BO-1.
- 8) Mold release agents using low volatile products (vapor pressure less than or equal to 2 kilopascals measured at 38 degrees C).

Existing Approvals

The source has been operating under previous approvals including, but not limited to, the following:

- (1) CP 075-2202, issued on March 5, 1996; and

(2) exemption construction and operation letter CP-075-4437, issued on April 21, 1995 .

All conditions from previous approvals were incorporated into this Part 70 permit.

Enforcement Issue

There are no enforcement actions pending.

Recommendation

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

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

An administratively complete Part 70 permit application for the purposes of this review was received on June 3, 1996. Additional information was received on March 23, 1998.

A notice of completeness was mailed to the source on March 11, 1997

Potential Emissions

Pursuant to 326 IAC 1-2-55, Potential Emissions are defined as "emissions of any one (1) pollutant which would be emitted from a facility, if that facility were operated without the use of pollution control equipment unless such control equipment is necessary for the facility to produce its normal product or is integral to the normal operation of the facility."

Pollutant	Potential Emissions (tons/year)
PM	less than 25
PM-10	less than 25
SO ₂	less than 100
VOC	514.8
CO	less than 100
NO _x	less than 100

Note: For the purpose of determining Title V applicability for particulates, PM-10, not PM, is the regulated pollutant in consideration.

HAP's	Potential Emissions (tons/year)
Methanol	greater than 10
Toluene	greater than 10
Methyl-Ethyl-Ketone	greater than 10
Xylene	greater than 10
TOTAL	greater than 25

(a) The potential emissions (as defined in 326 IAC 1-2-55) of VOC are equal to or greater than 100 tons per year. Therefore, the source is subject to the provisions of 326 IAC 2-7.

- (b) The potential emissions (as defined in 326 IAC 1-2-55) of any single HAP is equal to or greater than ten (10) tons per year and/or the potential emissions (as defined in 326 IAC 1-2-55) of a combination HAPs is greater than or equal to twenty-five (25) tons per year. Therefore, the source is subject to the provisions of 326 IAC 2-7.

Actual Emissions

The following table shows the actual emissions from the source. This information reflects the 1996 OAM emission data.

Pollutant	Actual Emissions (tons/year)
PM	2.37
PM-10	2.37
SO ₂	0.003
VOC	75.58
CO	0.088
NO _x	0.42
Methanol	less than 10
Toluene	less than 10
Methyl-Ethyl-Ketone	less than 10
Xylene	less than 10

Limited Potential to Emit

The table below summarizes the total potential to emit, reflecting all limits, of the significant emission units.

Process/facility	Limited Potential to Emit (tons/year)						
	PM	PM-10	SO ₂	VOC	CO	NO _x	HAPs
EU-01A through G	-	-	-	240	-	-	103
EU-02 10.5 MMBTU	0.63	0.63	0.03	0.13	1.16	6.44	-
EU-03 Incinerator 0.875 MMBTU	3.25	3.25	-	1.95	3.25	3.25	-
Total Emissions	3.88	3.88	0.03	less than 250	4.41	9.69	103

County Attainment Status

The source is located in Jay County.

Pollutant	Status
PM-10	attainment
SO ₂	attainment
NO ₂	attainment
Ozone	unclassifiable
CO	attainment
Lead	attainment

- (a) Volatile organic compounds (VOC) and oxides of nitrogen (Nox) are precursors for the formation of ozone. Therefore, VOC and NO_x emissions are considered when evaluating the rule applicability relating to the ozone standards. Jay County has been designated as attainment or unclassifiable for ozone.

Federal Rule Applicability

- (a) There are no New Source Performance Standards (326 IAC 12) 40 CFR 60 applicable to this source.
- (b) There are no National Emission Standards for Hazardous Air Pollutants (NESHAPs) applicable to this source.

State Rule Applicability - Entire Source

PSD Minor Source Status [326 IAC 2-2] [40 CFR 52.21]

- (a) The total source potential to emit VOC is limited to less than 250 tons per year. Therefore, the requirements of 326 IAC 2-2 (Prevention of Significant Deterioration) and 40 CFR 52.21 will not apply.
- (b) Any change or modification which may increase potential to emit to 250 tons per year from this source, shall cause this source to be considered a major source under PSD, 326 IAC 2-2 and 40 CFR 52.21, and shall require approval from IDEM, OAM prior to making the change.

326 IAC 2-6 (Emission Reporting)

This source is subject to 326 IAC 2-6 (Emission Reporting), because it has the potential to emit more than one hundred (100) tons per year of VOC. Pursuant to this rule, the owner/operator of the source must annually submit an emission statement for the source. The annual statement must be received by July 1 of each year and contain the minimum requirement as 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 source will be required to annually submit a statement of the actual emissions of all federally regulated pollutants from the source, for the purpose of fee assessment.

326 IAC 5-1 (Visible Emissions Limitations)

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.

State Rule Applicability - Individual Facilities

326 IAC 8-1-6 BACT for Volatile Organic Compounds (VOC)

Pursuant to CP-075-2202 issued March 5, 1996, the Best Available Control Technology (BACT) for each process shall consist of:

- EU-01A (S1) Plastic Parts Prime Coating Primer to be applied by HVLP system
- EU-01B (S2) Top Coats of Plastic Parts to be applied by a robotic unit using HVLP system and Metal Parts Coating to be applied by an electrostatic spray system
- EU-01C (S3) Plastic Parts Coating to be applied by HVLP system or atomized spray equipment
- EU-01E (S5) Plastic Parts Base Coat and Top Coat to be applied by a hand-held air-atomized spray equipment
- EU-01F (S6) Top Coat for Metal or Plastic parts to be applied by a hand-held air-atomized spray equipment
- EU-01G (S7) Plastic Parts Base Coat and Top Coat to be applied by HVLP system

326 IAC 8-2-9 (Miscellaneous Metal Coating)

Pursuant to 326 IAC 8-2-9 (Miscellaneous Metal Coating Operations), the volatile organic compound (VOC) content of coating delivered to the applicator at the spray booths shall be limited to 3.0 pounds of VOCs per gallon of coating less water, delivered to a coating applicator.

Solvent sprayed from application equipment during cleanup or color changes shall be directed into containers. Such containers shall be closed as soon as such solvent spraying is complete, and the waste solvent shall be disposed of in such a manner that evaporation is minimized.

Based on the MSDS submitted by the source and calculations made, the spray booths are in compliance with this requirement.

PSD Minor Limit [326 IAC 2-2] [40 CFR 52.21]

Pursuant to CP-075-2202 issued March 5, 1996, all seven paint booths shall use less than 20 tons of VOC, including coatings, dilution solvents, and cleaning solvents, per month.

This usage limit is required to limit the potential to emit of VOC to less than 250 tons per year. Compliance with this limit makes 326 IAC 2-2 (Prevention of Significant Deterioration) and 40 CFR 52.21 not applicable.

Organic Solvent Emissions [326 IAC 8-6]

Pursuant to CP-075-2202 issued March 5, 1996, the booth EU-01D shall use less than 8 tons of VOC, including coatings, dilution solvents, and cleaning solvents, per month. Compliance with this limit makes 326 IAC 8-6 (Organic Solvent Emissions) not applicable.

Particulate Matter (PM) [326 IAC 6-3-2(c)]

Pursuant to CP-075-2202 issued March 5, 1996, the PM from each paint booth shall not exceed the pound per hour emission rate established as E in the following formula:

Interpolation and extrapolation of the data for the process weight rate up to sixty thousand (60,000) pounds per hour shall be accomplished by use of the equation:

$$E = 4.10 P^{0.67}$$

where E = rate of emission in pounds per hour; and
P = process weight rate in tons per hour

Preventive Maintenance Plan [326 IAC 2-7-5(13)]

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

Particulate Matter Limitation (PM) [326 IAC 6-2-4]

Pursuant to 326 IAC 6-2-4 (a) (Particulate emission limitations for sources of indirect heating: emission limitations for facilities specified in 326 IAC 6-2-1 (c)), particulate emissions from all facilities used for indirect heating purposes which received permits to construct after September 21, 1983 shall in no case exceed 0.1 pounds of particulate matter per million British thermal units heat input.

Incinerator Requirements [326 IAC 4-2-2]

The multiple chambered incinerator identified as EU-03 fueled by natural gas only with a maximum heat capacity of 0.875 MMBTU per hour, maximum incineration capacity of 60 pounds of dried paint and/or topcoat varnish per hour, and controlled by an afterburner, emitting less than 25 lbs/day of NO_x, less than 25 lbs/day of CO, less than 25 lbs/day of PM and less than 15 pounds per day of VOC, and exhausting through stack BO-1, shall:

- (1) consist of primary and secondary chambers or the equivalent;
- (2) be equipped with a primary burner unless burning wood products;
- (3) comply with 326 IAC 5-1 and 326 IAC 2;
- (4) be maintained properly as specified by the manufacturer and approved by the commissioner;
- (5) be operated according to the manufacturer's recommendations and burn only waste approved by the commissioner;
- (6) comply with other state and/or local rules or ordinances regarding installation and operation of incinerators;
- (7) be operated so that emissions of hazardous material including, but not limited to, viable pathogenic bacteria, dangerous chemicals or gases, or noxious odors are prevented;
- (8) not emit particulate matter in excess of:
 - (A) incinerators with a maximum refuse-burning capacity of two hundred (200) or more pounds per hour: three-tenths (0.3) pounds of particulate matter per one thousand (1,000) pounds of dry exhaust at standard conditions corrected to fifty percent (50%) excess air; or
 - (B) all other incinerators: five-tenths (0.5) pounds of particulate matter per one thousand (1000) pounds of dry exhaust gas at standard conditions corrected to fifty percent (50%) excess air; and
- (9) not create a nuisance or fire hazard.

If any of the above result, the burning shall be terminated immediately.

Compliance Requirements

Permits issued under 326 IAC 2-7 are required to ensure that sources can demonstrate compliance with applicable state and federal rules on a more or less continuous basis. All state and federal rules contain compliance provisions, however, these provisions do not always fulfill the requirement for a more or less continuous demonstration. When this occurs IDEM, OAM, in conjunction with the source, must develop specific conditions to satisfy 326 IAC 2-7-5. As a result, compliance requirements are divided into two sections: Compliance Determination Requirements and Compliance Monitoring Requirements.

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

The compliance monitoring requirements applicable to this source are as follows:

1. The paint booths have applicable compliance monitoring conditions as specified below:

Particulate Matter (PM)

Pursuant to CP-075-2202 issued March 5, 1996 the dry filters and the water curtain over spray for PM control shall be in operation at all times when one or more of the paint booths are in operation.

Monitoring

- (a) Daily inspections shall be performed to verify:

the placement, integrity and particle loading of the filters and the correct operation of the water curtain over spray system based on the manufacturer specifications.

To monitor the performance of the dry filters and water curtain over spray systems, daily observations shall be made of the over spray from the surface coating booth stacks while one or more of the booths are in operation. The Compliance Response Plan shall be followed whenever a condition exists which should result in a response step. Failure to take response steps in accordance with Section C - Compliance Monitoring Plan - Failure to Take Response Steps, shall be considered a violation of this permit.

- (b) Weekly inspections shall be performed of the coating emissions from the stack and the presence of over spray on the rooftops and the nearby ground. The Compliance Response Plan for this unit shall contain troubleshooting contingency and response steps for when a noticeable change in over spray emission, or evidence of over spray emission is observed. The Compliance Response Plan shall be followed whenever a condition exists which should result in a response step. Failure to take response steps in accordance with Section C - Compliance Monitoring Plan - Failure to Take Response Steps, shall be considered a violation of this permit.
- (c) Additional inspections and preventive measures shall be performed as prescribed in the Preventive Maintenance Plan.

2. The incinerator has applicable compliance monitoring conditions as specified below:

Particulate Matter (PM)

Pursuant to exemption letter CP-075-4437 issued April 21,1995, the incinerator shall be operated in accordance with the manufacturer specifications and the primary and secondary afterburners shall be in operation at all times except when shutoff by a built in safety device.

These monitoring conditions are necessary pursuant to construction permit CP-075-4437, CP-075-2202 and 326 IAR 2-7.

Air Toxic Emissions

Indiana presently requests applicants to provide information on emissions of the 187 hazardous air pollutants (HAPs) set out in the Clean Air Act Amendments of 1990. These pollutants are either carcinogenic or otherwise considered toxic and are commonly used by industries. They are listed as air toxics on the Office of Air Management (OAM) Part 70 Application Form GSD-08.

This source will emit levels of air toxics greater than those that constitute major source applicability according to Section 112 of the 1990 Clean Air Act Amendments.

Conclusion

The operation of this injection molding and surface coating plant shall be subject to the conditions of the attached proposed **Part 70 Permit No. T075-6012-00017**.

Indiana Department of Environmental Management Office of Air Management

Addendum to the Technical Support Document for Part 70 Operating Permit

Source Name: W & M Manufacturing, Inc.
Source Location: 1000 North Morton, Portland, Indiana 47371
County: Jay
SIC Code: 3647, 3995
Operation Permit No.: T075-6012-00017
Permit Reviewer: Keramida/VS

On October 27, 1998, the Office of Air Management (OAM) had a notice published in the Commercial Review, Portland, Indiana, stating that W & M Manufacturing, Inc., had applied for a Part 70 Operating Permit relating to the operation of a stationary injection molding and surface coating plant that manufactures automotive components and casket components. 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 19, 1998, Robert D. Waugaman of Bruce Carter Associates, L.L.C., submitted comments on the proposed Part 70 permit on behalf of W & M Manufacturing, Inc. The summary of the comments is as follows:

Comment 1:

Sections A.2 and D.1 should be revised to reflect changes affecting EU-01B, EU-01E, and EU-01F. Due to the deteriorating condition of EU-01F, the booth will be removed and EU-01F and the related stack S6 should be removed from the permit. The material usage for EU-01B and EU-01E should be changed to 36,892 lbs coating per year and 48,780 lbs coating per year, respectively to accommodate the EU-01E removal.

Response to Comment 1:

These changes are being made due to the deterioration of the old booth and do not increase the potential to emit. The changes meet the exemption requirements of 326 IAC 2-1-1(b)(3)(B). Consequently, there is no need for a New Source Review and the BACT decision made for the construction permit CP075-2202 issued on March 5, 1996 is not affected by these changes. The following revisions were made to Sections A.2 and D.1 in the final permit (**bolded language** has been added, the language with a ~~line through~~ it has been deleted):

A.2 Emission Units and Pollution Control Equipment Summary [326 IAC 2-7-4(c)(3)]
 [326 IAC 2-7-5(15)]

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

- (a) Surface Coating operations, identified as, EU-01, including ~~7~~ **6** spray booths identified as
 - (1) EU-01 A, for applying basecoat, topcoat or primer with a maximum capacity of 800 lbs. Primer/year, equipped with HVLP spray and dry filter over spray control exhausting to Stack S1;

- (2) EU-01 B, for applying basecoat, topcoat or primer with a maximum capacity of **36,892** ~~14,549~~ lbs. Topcoat/year, equipped with HVLP/Electrostatic spray and a water curtain over spray control exhausting to Stack S2;
- (3) EU-01 C, for applying basecoat, topcoat or primer with a maximum capacity of 121.44 lbs. Argent/year, equipped with HVLP or Air Atomized spray and a dry filter over spray control exhausting to Stack S3;
- (4) EU-01 D, for applying basecoat, topcoat or primer with a maximum capacity of 67,249.74 lbs. Shertone/year, equipped with Electrostatic spray and a water curtain over spray control exhausting to Stack S4;
- (5) EU-01 E, for applying basecoat, topcoat or primer with a maximum capacity of **48,780** ~~5418.51~~ lbs. Topcoat/year, equipped with Air Atomized spray and a water curtain over spray control exhausting to Stack S5;
- ~~(6) EU-01 F, for applying basecoat, topcoat or primer with a maximum capacity of 65,734 lbs Clear Topcoat/year, equipped with Air Atomized spray and a water curtain over spray control exhausting to Stack S6;~~
- (7 6) EU-01 G, for applying basecoat, topcoat or primer with a maximum capacity of 7,891 lbs. Basecoat/year and equipped with HVLP spray and dry filter over spray control exhausting to Stack S7.

SECTION D.1 FACILITY OPERATION CONDITIONS

Facility Description [326 IAC 2-7-5(15)]

Surface Coating operations, identified as, EU-01, including 7 6 spray booths identified as

- (1) EU-01 A, for applying basecoat, topcoat or primer with a maximum capacity of 800 lbs. Primer/year, equipped with HVLP spray and dry filter over spray control exhausting to Stack S1;
- (2) EU-01 B, for applying basecoat, topcoat or primer with a maximum capacity of **36,892** ~~14,519~~ lbs. Topcoat/year, equipped with HVLP/Electrostatic spray and a water curtain over spray control exhausting to Stack S2;
- (3) EU-01 C, for applying basecoat, topcoat or primer with a maximum capacity of 121.44 lbs. Argent/year, equipped with HVLP or Air Atomized spray and a dry filter over spray control exhausting to Stack S3;
- (4) EU-01 D, for applying basecoat, topcoat or primer with a maximum capacity of 67,249.74 lbs. Shertone/year, equipped with Electrostatic spray and a water curtain over spray control exhausting to Stack S4;
- (5) EU-01 E, for applying basecoat, topcoat or primer with a maximum capacity of **48,780** ~~5418.54~~ lbs. Topcoat/year, equipped with Air Atomized spray and a water curtain over spray control exhausting to Stack S5;
- ~~(6) EU-01 F, for applying basecoat, topcoat or primer with a maximum capacity of 65,734 lbs. Clear Topcoat/year, equipped with Air Atomized spray and a water curtain over spray control exhausting to Stack S6;~~
- (7 6) EU-01 G, for applying basecoat, topcoat or primer with a maximum capacity of 7,891 lbs. Basecoat/year and equipped with HVLP spray and dry filter over spray control exhausting to Stack S7.

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

D.1.1 Volatile Organic Compounds (VOC) [326 IAC 8-1-6][326 IAC 8-2-9]

- (a) Pursuant to CP-075-2202 issued March 5, 1996, the Best Available Control Technology (BACT) for each process shall consist of:

- | | |
|------------------------|---|
| EU-01A (S1) | Plastic Parts Prime Coating Primer to be applied by HVLP system |
| EU-01B (S2) | Top Coats of Plastic Parts to be applied by a robotic unit using HVLP system and Metal Parts Coating to be applied by an electrostatic spray system |
| EU-01C (S3) | Plastic Parts Coating to be applied by HVLP system or atomized spray equipment |
| EU-01E (S5) | Plastic Parts Base Coat and Top Coat to be applied by a hand-held air-atomized spray equipment |
| EU-01F (S6) | Top Coat for Metal of Plastic parts to be applied by a hand-held air-atomized spray equipment |
| EU-01G (S7) | Plastic Parts Base Coat and Top Coat to be applied by HVLP system |

Comment 2:

B.27, Credible Evidence, states in part that “other credible evidence may be used to demonstrate compliance or non compliance.” In other conditions, the permit states specific methods that may be used to determine compliance or noncompliance with applicable requirements of the permit. To allow for use of “Other credible evidence” is vague and subject to interpretation as to meaning. IDEM’s authority to include such a vague provision in a Part 70 permit is in question. W&M does not believe this condition should be made a binding part of the permit and requests that the condition be removed in its entirety.

Response to Comment 2:

Condition B.27, Credible Evidence

IDEM now believes that this condition is not necessary and has removed it from the permit. The issues regarding credible evidence can be adequately addressed during a showing of compliance or noncompliance. Indiana’s statutes, and the rules adopted under their authority, govern the admissibility of evidence in any proceeding. Indiana law contains no provisions that limit the use of any credible evidence and an explicit statement is not required in the permit.

~~B.27 — Credible Evidence [326 IAC 2-7-5(3)][62 Federal Register 8313][326 IAC 2-7-6]~~

~~Notwithstanding the conditions of this permit that state specific methods that may be used to assess compliance or noncompliance with applicable requirements, other credible evidence may be used to establish compliance or noncompliance.~~

Comment 3:

D.1.1(b) limits the VOC content of the coatings to 3.0 pounds per gallon of coating less water based on 326 IAC 8-2-9. This rule does not apply to this source. According to the BACT analysis completed in May 1994, approximately 4% of the parts coated are metal burial caskets parts with the balance being plastic parts. The application of coatings to burial caskets is exempted from 326 IAC 8-2-9 by 326 IAC 8-2-9(b)(10). Both the burial casket parts and the plastic parts coating operations were subject to 327 IAC 8-1-6 and included in the above noted BACT analysis. W&M requests that this condition be removed in its entirety. The TSD page 6 of 9 should also be corrected to reflect this change.

Response to Comment 3:

The OAM agrees that this source is not subject to 326 IAC 8-2-9 and therefore, Condition D.1.1 (b) will be removed (the language with a line through it has been deleted).

~~D.1.1 Volatile Organic Compounds (VOC) [326 IAC 8-1-6][326 IAC 8-2-9]~~

~~(a) Pursuant to CP-075-2202 issued March 5, 1996, the Best Available Control Technology (BACT) for each process shall consist of:~~

- ~~EU-01A (S1) Plastic Parts Prime Coating Primer to be applied by HVLP system~~
- ~~EU-01B (S2) Top Coats of Plastic Parts to be applied by a robotic unit using HVLP system and Metal Parts Coating to be applied by an electrostatic spray system~~
- ~~EU-01C (S3) Plastic Parts Coating to be applied by HVLP system or atomized spray equipment~~
- ~~EU-01E (S5) Plastic Parts Base Coat and Top Coat to be applied by a hand-held air- atomized spray equipment~~
- ~~EU-01G (S7) Plastic Parts Base Coat and Top Coat to be applied by HVLP system~~

~~(b) Pursuant to 326 IAC 8-2-9 (Miscellaneous Metal Coating Operations), the volatile organic compound (VOC) content of coating delivered to the applicator at the spray booths shall be limited to 3.0 pounds of VOCs per gallon of coating less water, delivered to a coating applicator.~~

Page 6 of 9 in the TSD will also be revised as follows (bolded language has been added, the language with a line through it has been deleted):

326 IAC 8-2-9 (Miscellaneous Metal Coating)

~~Pursuant to 326 IAC 8-2-9 (Miscellaneous Metal Coating Operations), the volatile organic compound (VOC) content of coating delivered to the applicator at the spray booths shall be limited to 3.0 pounds of VOCs per gallon of coating less water, delivered to a coating applicator.~~

Solvent sprayed from application equipment during cleanup or color changes shall be directed into containers. Such containers shall be closed as soon as such solvent spraying is complete, and the waste solvent shall be disposed of in such a manner that evaporation is minimized.

Based on the MSDS submitted by the source and calculations made, the spray booths are in compliance with this requirement.

Comment 4:

D.1.8, VOC Emissions, requires compliance demonstration at the end of each month for the most recent month. This requirement is unreasonable and over burdensome. W&M requests that this condition be reworded to allow 30 days to complete the compliance demonstration. This 30 day allowance is consistent with the time allotted for quarterly reporting of the same information in Condition D.1.12.

Response to Comment 4:

In order to clarify the reporting requirement, Condition D.1.12, Reporting Requirements, has been revised in the final permit (bolded language has been added, the language with a line through it has been deleted).

D.1.12 Reporting Requirements

A quarterly summary of the information to document compliance with Condition D.1.1, D.1.2, and D.1.3, **and D.1.8** 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.

Comment 5:

D.1.10(a) requires daily inspections of the filter placement, integrity and particle loading and correct operation of the water curtain as well as daily observations of overspray from the booth stacks while one or more booths are in operation. To require both the daily observations of overspray is redundant and over burdensome. IDEM has determined that the booths will be in compliance with 326 IAC 6-3-2(c) by the proper use and operation of the filter systems. Since the filters will be inspected daily and the Compliance Monitoring Plan will require proper placement and replacement as needed, further daily observations are not needed. W&M requests that the requirement of daily observations of overspray from the booths be removed in its entirety. Likewise, the requirement in D.1.11(b) for a "log of daily overspray observations" should be removed.

Comment 6:

D.1.10(b) requires "response steps for when...evidence of overspray emission is observed." Even though the emissions are expected to be small, a fraction of the overspray will still escape at less than 100% control efficiency. In addition, D.1.2, Particulate Matter, allows PM emissions based on the equation $E=4.10P^{0.67}$. To require W&M to take response steps when "evidence of overspray emission is observed" is over burdensome and not consistent with the allowance of PM emissions based on the above equation and a less than 100% control efficiency. W&M requests that this condition be reworded.

Response to Comment 5 and 6:

The monitoring of overspray from the surface coating booth stacks is necessary to know when response steps may be required. Under normal working conditions, there should be very little, if any, overspray accumulating at the exhaust points. The purpose of this condition is to require response steps be taken if overspray is detected at the exhaust points, not to indicate noncompliance with 326 IAC 6-3-2. With the exception of spray booths that qualify as insignificant activities and a positive establishment that controls would never be necessary to comply, the old language includes daily filter checks, daily visible observations, and weekly checks for abnormal over spray accumulation at the exhaust. This can require a significant amount of resources at a plant with a large number of spray booths. The daily filter checks are one of the very few examples of a direct check on the air pollution control equipment that is included in our compliance monitoring provisions. The OAM believes that this is a very effective means of ensuring ongoing compliance. Additional monitoring of emissions is still useful to ensure that the filter is operating as designed; however, this can be done less frequently. The new language requires weekly, rather than daily, visible observations and monthly, rather than weekly, rooftop over spray checks.

D.1.10 Monitoring

- (a) **Daily Weekly** inspections shall be performed to verify:
- the placement, integrity and particle loading of the filters and the correct operation of the water curtain overspray system based on the manufacturer specifications.
- To monitor the performance of the dry filters and water curtain over spray systems, **weekly monthly** observations shall be made of the over spray from the surface coating booth stacks while one or more of the booths are in operation. The Compliance Response Plan shall be followed whenever a condition exists which should result in a response step. Failure to take response steps in accordance with Section C - Compliance Monitoring Plan - Failure to Take Response Steps, shall be considered a violation of this permit.
- (b) Monthly inspections shall be performed of the coating emissions from the stack and the presence of over spray on the rooftops and the nearby ground. The Compliance Response Plan for this unit shall contain troubleshooting contingency and response steps for when a noticeable change in over spray emission, or evidence of over spray emission is observed. The Compliance Response Plan shall be followed whenever a condition exists which should result in a response step. Failure to take response steps in accordance with Section C - Compliance Monitoring Plan - Failure to Take Response Steps, shall be considered a violation of this permit.
- (c) Additional inspections and preventive measures shall be performed as prescribed in the Preventive Maintenance Plan.

Comment 7:

D.11 requires monthly record keeping to document compliance with Conditions D.1.1, D.1.2, and D.1.3. The limits listed in D.1.1, 3.0 pounds VOC per gallon of coating less water, do not apply and have been addressed in Comment 3 above. References to Condition D.1.1 in this condition, Condition D.1.11, and Condition D.1.12 should be removed. Likewise, condition D.1.11(a)(3) is no longer relevant and should be removed. The limits in Conditions D.1.2 and D.1.3 are monthly limits while the record keeping requirements of D.1.11(a)(2), (4) and (5) require daily record keeping. W & M requests that these daily record keeping requirements be changed to reflect monthly record keeping.

Response to Comment 7:

The condition in Section D is changed as follows:

D.1.11 Record Keeping Requirements

- (a) To document compliance with Conditions ~~D.1.1~~, D.1.2, D.1.3, and D.1.8, the Permittee shall maintain records in accordance with (1) through (6) below. Records maintained for (1) through (6) shall be taken ~~daily~~ **monthly** and shall be complete and sufficient to establish compliance with the VOC usage limits and/or the VOC emission limits established in Condition D.1.1, D.1.2, and D.1.3.
- (1) The amount and VOC 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 content of the coatings used for each ~~day~~ **month**;
 - (4) The cleanup solvent usage for each ~~day~~ **month**;
 - (5) The total VOC usage for each ~~day~~ **month**;
 - (6) The weight of VOCs emitted for each compliance period.
- (b) To document compliance with Condition D.1.9 and D.1.10, the Permittee shall maintain a log of ~~daily~~ **weekly** over spray observations, daily and ~~weekly~~ **monthly** inspections, and those additional inspections prescribed by the Preventive Maintenance Plan.
- (c) All records shall be maintained in accordance with Section C - General Record Keeping Requirements, of this permit.

D.1.12 Reporting Requirements

A quarterly summary of the information to document compliance with Condition ~~D.1.1~~, D.1.2, D.1.3 and D.1.8 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.

Comment 8:

Please add one (1) additional air makeup unit at 900,000 BTU/hr to the list of insignificant activities.

Response to Comment 8:

The OAM prefers that the TSD reflect the permit that was on public notice. Changes to the permit or technical support material that occur after the public notice are documented in the Addendum to the TSD. This accomplishes the desired result of ensuring that these types of concerns are documented and part of the record regarding this permit decision.

It is noted in this Addendum to the TSD that the air makeup unit is included in the list of insignificant activities.

Upon further review, the OAM has decided to make the following revisions to the permit (**bolded** language has been added, the language with a ~~line through~~ it has been deleted). The Table Of Contents has been modified to reflect these changes.

SECTION A

Section A (Source Summary) has been revised to clarify that the description of the source in conditions A.1 through A.3 is informational only and does not constitute separately enforceable conditions. The descriptive information in other permit conditions is enforceable.

SECTION A 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.~~ **The information describing the source contained in conditions A.1 through A.3 is descriptive information and does not constitute enforceable conditions. However, the Permittee should be aware that a physical change or a change in the method of operation that may render this descriptive information obsolete or inaccurate may trigger requirements for the Permittee to obtain additional permits or seek modification of this permit pursuant to 326 IAC 2, or change other applicable requirements presented in the permit application.**

A.5 (Prior Permit Conditions Superseded)

Condition A.5 (Prior Permit Conditions Superseded) has been deleted. Language has been added to B.14 (Permit Shield) to address the effect of prior permit conditions. U.S. EPA stated that it would object to any permit that contained such supersession language.

B GENERAL CONDITIONS

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

Comment 1:

All but the first sentence of this provision should be deleted.

Response to Comment 1:

This provision sets out the provisions of 326 IAC 2-1-10 and also refers to the permit shield, which is set out in B. 14 of the model permit. B.1 (b) was changed so that B.1 now reads as follows (added language appears in **bold**):

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

- (a) 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 Part 70 permit under 326 IAC 2-7.
- (b) This prohibition shall not apply to alleged violations of applicable requirements for which the Commissioner has granted a permit shield in accordance with 326 IAC 2-1-3.2 or 326 IAC 2-7-15, **as set out in this permit in the Section B condition entitled "Permit Shield."**

B.8 Duty to Supplement and Provide Information [326 IAC 2-7-4(b)] [326 IAC 2-7-5(6)(E)]

Comment 1:

The wording about confidentiality claims should be revised as suggested in the Chamber/IMA mark-up of IDEM's model permit.

Response to Comment 1:

The wording was changed to read as follows (deleted language in ~~strikeout~~, add language in **bold**):

- (c) Upon request, the Permittee shall also furnish to IDEM, OAM copies of records required to be kept by this permit. **If the Permittee wishes to assert a claim of confidentiality over any of the furnished records,** ~~For information claimed to be confidential,~~ the Permittee ~~must shall~~ furnish such records to IDEM, OAM, **(and local agency when applicable)** along with a claim of confidentiality under 326 IAC 17. If requested by IDEM, OAM, or the U.S. EPA, **to furnish copies of requested records directly to U.S.EPA, and if the Permittee is making a claim of confidentiality regarding the furnished records,** then the Permittee ~~must shall~~ furnish such confidential records directly to the U.S. EPA along with a claim of confidentiality under 40 CFR 2, Subpart B.

B.10 Certification [326 IAC 2-7-4(f)] [326 IAC 2-7-6(1)]

Comment 1:

The permit should state that the Responsible Official's Certification (ROC) is only needed if the permit term or an applicable requirement specifically calls for a ROC. The ROC is needed only on:

1. Semi-annual or quarterly reports,
2. Compliance Certifications, and
3. Applications for permit revisions.

Response to Comment 1:

The specific permit conditions requiring submittal of documents will note when the responsible official's certification is required. Change were made as follows:

B.10 Certification [326 IAC 2-7-4(f)] [326 IAC 2-7-6(1)]

-
- (a) **Where specifically designated by this permit or required by an applicable requirement, any** Any application forms, 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).

B.11 Annual Compliance Certification [326 IAC 2-7-6(5)]

Comment 1:

In B.11(a), the time period for submitting annual compliance certification should not follow the time frames set out in 326 IAC 2-6, but should generally use July 1 (six months after the end of the year being certified) and allow for negotiation with the permittee to set a later date.

Response to Comment 1:

The present requirement is for submission by April 15 or July 1, depending on the terms of 326 IAC 2-6. In order to protect public health, IDEM must respond in a reasonable time frame to any non-compliance identified in the Annual Compliance Certifications. Four to six months is an adequate amount of time for the source to determine compliance with the conditions of its permit. No change was made to the model as a result of this comment. IDEM will consider circumstances that would make submission by April 15 extraordinarily difficult for a particular source.

Comment 2:

In B.11(c), item (1) should be changed to state, " **An appropriate** ~~The~~ identification of **the terms and conditions** ~~each term or condition~~ of the permit that **are** ~~is~~ the basis of the certification;". Item (3) should be changes as follows, "Whether compliance was **based on** continuous or intermittent **data**";". Item (5) should cross reference to the specific paragraphs of the D sections that specify facts that may be required to determine the compliance status, instead of the present general reference to the D sections.

Response to Comment 2:

The present language for items (1) and (3) matches the language in 326 IAC 2-7-6(5)(C). OAM is aware that the CAM rule has modified the Part 70 rules to make the change suggested in item (3). The Indiana Air Pollution Control Board has not adopted that change, though a notice of proposed rule making involving the Federal Compliance Assurance Monitoring (CAM) rule [62 Federal Register 54900, October 22, 1997] has been published in the April, 1998 Indiana Register. OAM will make the changes suggested for item (3), since the CAM rule change seems to be a clarification rather than a change in the requirement. Cross referencing item (5) would make for a very complicated provision. Each compliance determination provision is clearly labeled as such in each D section. OAM is revising nonrule policy document, Air-007 NPD so that it will provide additional guidance regarding the annual compliance certification. Please note that OAM added a new item in (c) that would include the requirement that the permittee list any insignificant activity that had been added without a permit revision. The new B.11(c) reads as follows (deleted language in ~~strikeout~~, add language in **bold**):

(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 **based on** continuous or intermittent **data**;
- (4) The methods used for determining compliance of the source, currently and over the reporting period consistent with 326 IAC 2-7-5(3);

- (5) **Any insignificant activity that has been added without a permit revision;** and
- (6) Such other facts, as specified in Sections D of this permit, as IDEM, OAM may require to determine the compliance status of the source.

The submittal by the Permittee does require the certification by the "responsible official" as defined by 326 IAC 2-7-1(34).

B.12 Preventive Maintenance Plan [326 IAC 2-7-5(1),(3)and (13)][326 IAC 2-7-6(1)and(6)]

Comment 1:

The permittee should have 120 days, not 90 days, to prepare and maintain the Preventive Maintenance Plan, and the section B condition should be deleted if none of the Section D subsections require a PMP. In B.12(a)(1), only the titles of the individuals responsible for the emission control devices should be required. The PMP is applicable to pollution control equipment, not to emission units. The language in (b) should be expanded to make it clearer that failure to implement the PMP is a violation only if such failure causes or contributes to a violation of an emissions limit.

Response to Comment 1:

An additional time notification provision will be added. OAM believes that most permits have a PMP required in at least one D section, therefore this condition will remain mandatory. In rare occasions where there is no PMP, the source may request that the condition be removed. The titles of the individuals can be one of the ways to identify the individual, but the wording of the condition tracks the rule language and will not be changed. The PMP is applicable to emission units and control devices. The wording of 326 IAC 1-6-5 clarifies that the PMP includes emission units since the PMP can be changed to reduce excessive malfunctions in combustion and process equipment, as well as control devices. The (a) language has been changed to more closely match the language in 326 IAC 1-6-3. The language in (b) seems clear and does not require clarification. B.12 now reads as follows (deleted language in ~~strikeout~~, add language in **bold**):

**B.12 Preventive Maintenance Plan [326 IAC 2-7-5(1),(3) and (13)] [326 IAC 2-7-6(1) and (6)]
[326 IAC 1-6-3]**

-
- (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~~ **ninety (90) days (this time frame is determined on a case by case basis but no more than ninety (90) days)** after issuance of this permit, including the following information on each **facility**:
- (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.

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

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

in writing, prior to the end of the ninetieth (90th) day, with full justification of the reasons for the inability to meet this date, certified by the "responsible official" as defined by 326 IAC 2-7-1(34).

- (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.

B.14 Permit Shield [326 IAC 2-7-15]

Comment 1:

This condition should specifically list the requirements which have a non-applicability determination. Changes in the wording of the condition should also be made.

Response to Comment 1:

This condition is almost exactly the wording required by 326 IAC 2-7-15. OAM agrees that some of the wording should be changed as requested. 40 CFR 70.6(f) states that the permitting authority may expressly include in a Part 70 permit a provision stating that compliance with the conditions of the permit shall be deemed compliance with any applicable requirements. OAM believes non-applicable requirement determinations should be dealt with in Section D. OAM is also added language dealing with applicable requirements from prior permits. On July 28, 1998, the OAM was notified that the U.S. EPA would object to any Title V Operating Permit that superceded all previous construction permits. The U.S. EPA indicated that they believed that the authority for certain applicable requirements might expire if the construction permits that established them expired. The OAM believes that the regulatory process is best served if all affected parties are able to rely on the Title V Operating Permit to identify all applicable requirements and the means for demonstrating compliance with each requirement.

The OAM intends to continue discussions with the U.S. EPA regarding the issues related to past construction permits. However the OAM also believes that the Permit Shield condition B.14 (b) (1) & (2) establishes that the Title V permit shall be used as the primary document for determining compliance with applicable requirements established by previously issued permits. Compliance with the conditions of the permit shall be deemed in compliance with any applicable requirements as of the date of the permit issuance for all the previous permits identified by the source and the OAM during the course of this review.

B.14 now reads as follows(deleted language in ~~strikeout~~, add language in **bold**):

B.14 Permit Shield [326 IAC 2-7-15]

(a) **This condition provides a permit shield as addressed in 326 IAC 2-7-15.**

- (b) **This permit shall be used as the primary document for determining compliance with applicable requirements established by previously issued permits.** Compliance with the conditions of this permit shall be deemed in compliance with any applicable requirements as of the date of permit issuance, provided **that either of the following:**
- (1) The applicable requirements are included and specifically identified in this permit; **or**
 - (2) **The permit contains an explicit determination or concise summary of a determination that other specifically identified requirements are not applicable.**
- (c) If, after issuance of this permit, it is determined that the permit is in nonconformance with an applicable requirement **that applied to the source on the date of permit issuance, including any term or condition from a previously issued construction or operation permit,** IDEM, OAM shall immediately take steps to reopen and revise this permit and issue a compliance order to the Permittee to ensure expeditious compliance with the applicable requirement until the permit is reissued. The permit shield shall continue in effect so long as the Permittee is in compliance with the compliance order.
- (d) No permit shield shall apply to any permit term or condition that is determined after issuance of this permit to have been based on erroneous information supplied in the permit application.
- (e) Nothing in 326 IAC 2-7-15 or in this permit shall alter or affect the following:
- (1) The provisions of Section 303 of the Clean Air Act (emergency orders), including the authority of the U.S. EPA under Section 303 of the Clean Air Act;
 - (2) The liability of the Permittee for any violation of applicable requirements prior to or at the time of this permit's issuance;
 - (3) The applicable requirements of the acid rain program, consistent with Section 408(a) of the Clean Air Act; and
 - (4) The ability of U.S. EPA to obtain information from the Permittee under Section 114 of the Clean Air Act.
- (f) This permit shield is not applicable to any change made under 326 IAC 2-7-20(b)(2) (Sections 502(b)(10) of the Clean Air Act changes) and 326 IAC 2-7-20(c)(2) (trading based on State Implementation Plan (SIP) provisions).
- (g) This permit shield is not applicable to modifications eligible for group processing until after IDEM, OAM has issued the modifications. [326 IAC 2-7-12(c)(7)]
- (h) This permit shield is not applicable to minor Part 70 permit modifications until after IDEM, OAM has issued the modification. [326 IAC 2-7-12(b)(8)]

B.16 Deviations from Permit Requirements and Conditions [326 IAC 2-7-5(3)(C)(ii)]

Comment 1:

This condition should be deleted since C.24 adequately addresses this matter.

Response to Comment 1:

B.16 contains information and requirements not in C.24. The deviation terminology from C.24(e) was moved to B.16(b). B.16 now reads as follows (deleted language in ~~strikeout~~, add language in **bold**):

B.16 Deviations from Permit Requirements and Conditions [326 IAC 2-7-5(3)(C)(ii)]

- (a) Deviations from any permit requirements (for emergencies see Section B - Emergency Provisions), 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) **A 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 is a deviation.

- (c) Written notification shall be submitted on the attached Emergency/Deviation Occurrence Reporting Form or its substantial equivalent. **The notification does not need to be certified by the "responsible official" as defined by 326 IAC 2-7-1(34).**
- (d) Proper notice submittal under 326 IAC 2-7-16 satisfies the requirement of this subsection.

B.18 Permit Renewal [326 IAC 2-7-4]

Comment 1:

Trivial activities should be added to (a).

Response to Comment 1:

B.18 (a), first paragraph, now reads as follows (deleted language in ~~strikeout~~, add language in **bold**):

B.18 Permit Renewal [326 IAC 2-7-4]

- (a) The application for renewal shall be submitted using the application form or forms prescribed by IDEM, OAM and shall include the information specified in 326 IAC 2-7-4. Such information shall be included in the application for each emission unit at this source, except those emission units included on the trivial or insignificant activities list contained in 326 IAC 2-7-1(21) **and 326 IAC 2-7-1(40)**.

B.19 Permit Amendment or Modification [326 IAC 2-7-11][326 IAC 2-7-12]

Comment 1:

In order to cover all applicable requirements we have now chosen a broader reference to the rules section that govern modifications.

Response to Comment 1:

B.19, B.20 and B.21 were combined into one permit condition that reads as follows (deleted language in ~~strikeout~~, add language in **bold**):

B.19 Permit Amendment or Modification [326 IAC 2-7-11] [326 IAC 2-7-12]

- (a) **The Permittee must comply with the requirements of 326 IAC 2-7-11 or 326 IAC 2-7-12 whenever the Permittee seeks to amend or modify this permit.**
- (b) **Any application requesting an amendment or modification of this permit shall be submitted to:**
- Indiana Department of Environmental Management
Permits Branch, Office of Air Management
100 North Senate Avenue, P.O. Box 6015
Indianapolis, Indiana 46206-6015**
- Any such application should be certified by the “responsible official” as defined by 326 IAC 2-7-1(34) only if a certification is required by the terms of the applicable rule**
- (c) **The Permittee may implement the administrative amendment changes addressed in the request for an administrative amendment immediately upon submittal of the request. [326 IAC 2-7-11(c)(3)]**

B.24 Inspection and Entry [326 IAC 2-7-6(2)]

Comment 1:

Additional language should be added regarding confidentiality.

Response to Comment 1:

The clarification sought can be achieved by deleting the instruction on the use of B.24(e)(1) and (2) so that those terms appear in each permit. (deleted language in ~~strikeout~~, add language in **bold**):

B.24 Inspection and Entry [326 IAC 2-7-6(2)]

- (e) Utilize any photographic, recording, testing, monitoring, or other equipment for the purpose of assuring compliance with this permit or applicable requirements. [326 IAC 2-7-6(6)]
 - (1) The Permittee may assert a claim that, in the opinion of the Permittee, information removed or about to be removed from the source by IDEM, OAM or an authorized representative, contains information that is confidential under IC 5-14-3-4(a). The claim shall be made in writing before or at the time the information is removed from the source. In the event that a claim of confidentiality is so asserted, neither IDEM, OAM nor an authorized representative, may disclose the information unless and until IDEM, OAM makes a determination under 326 IAC 17-1-7 through 326 IAC 17-1-9 that the information is not entitled to confidential treatment and that determination becomes final. [IC 5-14-3-4; IC 13-14-11-3; 326 IAC 17-1-7 through 326 IAC 17-1-9]
 - (2) The Permittee, and IDEM, OAM acknowledge that the federal law applies to claims of confidentiality made by the Permittee with regard to information removed or about to be removed from the source by U.S. EPA. [40 CFR Part 2, Subpart B]

B.25 Transfer of Ownership or Operation [326 IAC 2-1-6] [326 IAC 2-7-11]

Comment 1:

A note should be added stating the notification does not require a Responsible Official's certification.

Response to Comment 1:

OAM has not stated that the notification requires an ROC. OAM has added that **"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)."**

B.26 Annual Fee Payment [326 IAC 2-7-19] [326 IAC 2-7-5(7)]

Comment 1:

Delete the first sentence of (c).

Response to Comment 1:

B.26 now reads as follows (deleted language in ~~strikeout~~, add language in **bold**):

B.26 Annual Fee Payment [326 IAC 2-7-19] [326 IAC 2-7-5(7)]

- (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 2-7-19.~~ **If the Permittee does not receive a bill from IDEM, OAM the applicable fee is due April 1 of each year.**
- (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~~ **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.~~

B.28 Credible Evidence [326 IAC 2-7-5(3)][62 Federal Register 8313][326 IAC 2-7-6]

IDEM now believes that this condition is not necessary and has removed it from the permit. The issues regarding credible evidence can be adequately addressed during a showing of compliance or noncompliance. Indiana's statutes, and the rules adopted under their authority, govern the admissibility of evidence in any proceeding. Indiana law contains no provisions that limit the use of any credible evidence and an explicit statement is not required in the permit.

~~**B.28 Credible Evidence [326 IAC 2-7-5(3)][62 Federal Register 8313][326 IAC 2-7-6]**~~

~~Notwithstanding the conditions of this permit that state specific methods that may be used to assess compliance or noncompliance with applicable requirements, other credible evidence may be used to demonstrate compliance or non-compliance.~~

C.1 PSD Minor Source Status [326 IAC 2-2][40 CFR 52.21]

Condition C.1 is revised to change the overall source to an amount "less than" the applicable limit.

C.2 Particulate Matter Emission Limitations For Processes with Process Weight Rates Less Than One Hundred (100) pounds per hour [326 IAC 6-3-2(c)]

Condition C.2 (Particulate Matter Emission Limitations For Processes with Process Weight Rates Less Than One Hundred (100) pounds per hour) is a new condition that reads as follows to address the PM emission limitation for facilities below 100 pounds per hour.

C.2 Particulate Matter Emission Limitations For Processes with Process Weight Rates Less Than One Hundred (100) pounds per hour [326 IAC 6-3-2(c)]

Pursuant to 326 IAC 6-3-2(c), the allowable particulate matter emissions rate from any process not already regulated by 326 IAC 6-1 or any New Source Performance Standard, and which has a maximum process weight rate less than 100 pounds per hour shall not exceed 0.551 pounds per hour.

C.3 Opacity [326 IAC 5-1]

The last sentence of Condition C.2 (renumbered C.3), has been deleted and the condition has been revised to reflect current rule language. The condition has been changed to:

C.3 Opacity [326 IAC 5-1]

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

- (a) ~~Visible emissions Opacity~~ shall not exceed an average of forty percent (40%) ~~opacity~~ in ~~twenty-four (24) consecutive readings~~; **any one (1) six (6) minute averaging period** as determined in 326 IAC 5-1-4.
- (b) ~~Visible emissions Opacity~~ shall not exceed sixty percent (60%) ~~opacity~~ for more than a cumulative total of fifteen (15) minutes (~~sixty (60) readings~~) **as measured according to 40 CFR 60, Appendix A, Method 9 or fifteen (15) one (1) minute nonoverlapping integrated averages for a continuous opacity monitor** in a six (6) hour period.

C.7 Operation of Equipment [326 IAC 2-7-6(6)]

Comment 1:

Condition should be deleted because it is stated in the applicable D section conditions.

Response to Comment 1:

The condition was not deleted; however, it has been modified as follows (deleted language in ~~strikeout~~, add language in **bold**):

C.7 Operation of Equipment [326 IAC 2-7-6(6)]

All air pollution control equipment listed in this permit **and used to comply with an applicable requirement** shall be operated at all times that the emission unit(s) vented to the control equipment is in operation. ~~as described in Section D of this permit.~~

C.9 Stack Height [326 IAC 1-7]

Comment 1:

Wording needs to be more specific.

Response to Comment 1:

C.9 has been changed as follows (deleted language in ~~strikeout~~, add language in **bold**):

C.9 Stack Height [326 IAC 1-7] (*Check Applicability*)

- (a) The Permittee shall comply with the **applicable** provisions of 326 IAC 1-7 (Stack Height Provisions), for all exhaust stacks through which a potential (before controls) of twenty-five (25) tons per year or more of particulate matter or sulfur dioxide is emitted.
- (b) ~~Any change in an applicable stack shall require prior approval from IDEM, OAM.~~

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

Comment 1:

Delete condition that is duplicative of C.16 and asbestos notifications should not require responsible official certification.

Response to Comment 1:

The permit does not state that asbestos notifications require responsible official certification (ROC). C.16 will be incorporated into C.10 and will clearly state that a ROC is not required. The new condition now reads as follows (deleted language in ~~strikeout~~, add language in **bold**):

C. 10 Asbestos Abatement Projects [326 IAC 14-10] [326 IAC 18] [40 CFR 61.140] (*Mandatory*)

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

All required notifications shall be submitted to:

Indiana Department of Environmental Management
Asbestos Section, Office of Air Management
100 North Senate Avenue, P.O. Box 6015
Indianapolis, Indiana 46206-6015
(and local agency when applicable)

The notifications do not require a certification by the "responsible official" as defined by 326 IAC 2-7-1(34).

- (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.11 Performance Testing [326 IAC 3-6]

Comment 1:

The submittal or the notification and reports described in this condition do not require a responsible official's certification.

Response to Comment 1:

OAM has not stated that the notification requires an ROC. This condition has been changed as follows (deleted language in ~~strikeout~~, add language in **bold**):

C.11 Performance Testing ~~[326 IAC 3-2.1]~~ [326 IAC 3-6]

- (a) All testing shall be performed according to the provisions of 326 IAC ~~3-2.1~~ **3-6** (Source Sampling Procedures), except as provided elsewhere in this permit, utilizing methods approved by 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~~ **prior to** the intended test date. **The Permittee shall submit a notice of the actual test date to the above address so that it is received at least two weeks prior to the 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.

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

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

C.12 Compliance Schedule [326 IAC 2-7-6(3)]

Comment 1:

Add wording to (a) and delete (b) and (c).

Response to Comment 1:

The condition now reads (deleted language in ~~strikeout~~, add language in **bold**):

C.12 Compliance Schedule [326 IAC 2-7-6(3)]

The Permittee:

- (a) **Has certified that all facilities at this source are in compliance with all applicable requirements; and** ~~Will continue to comply with such requirements that become effective during the term of this permit; and~~
- (b) Has submitted a statement that the Permittee will continue to comply with such requirements; and
- (c) **Will comply with such applicable requirements that become effective during the term of this permit.** ~~Has certified that all facilities at this source are in compliance with all applicable requirements.~~

C.13 Compliance Monitoring [326 IAC 2-7-5(3)] [326 IAC 2-7-6(1)]

Comment 1:

IDEM has no authority to require compliance monitoring and the requirements in Section C and Section D should be deleted. (For similar comments that include a reference to the EPA's CAM rule include paragraph 1. Exclude the first paragraph for all comments that do not contain a reference to EPA's CAM rule.)

Response to Comment 1:

The U.S. EPA's OAM rule supplements the existing federal requirements of 40 CFR 70 and corresponding Indiana authority under 326 IAC 2-7. The CAM rule does not apply to this permit (nor does it apply to the majority of Indiana's initial Part 70 permits) because a completed application was received prior to this rule. The OAM is continuing to implement Indiana's established approach to compliance monitoring while considering how to address the federal CAM rule through the State rulemaking process. An overview of the established compliance monitoring approach follows.

IDEM has worked with members of the Clean Air Act Advisory Council's Permit Committee, Indiana Manufacturing Association, Indiana Chamber of Commerce and individual applicants regarding the Preventive Maintenance Plan, the Compliance Monitoring Plan and the Compliance Response Plan. IDEM has clarified the preventive maintenance requirements by working with sources on draft language over the past two years. The plans are fully supported by rules promulgated by the Air Pollution Control Board. The plans are the mechanism each permittee will use to verify continuous compliance with its permit and the applicable rules and will form the basis for each permittee's Annual Compliance Certification. Each permittee's ability to verify continuous compliance with its air pollution control requirements is a central goal of the Title V and FESOP permit programs.

The regulatory authority for and the essential elements of a compliance monitoring plan were clarified in IDEM's Compliance Monitoring Guidance, in May 1996. IDEM originally placed all the preventive maintenance requirements in the permit section titled "Preventive Maintenance Plan." Under that section the permittee's Preventive Maintenance Plan(PMP) had to set out requirements for the inspection and maintenance of equipment both on a routine basis and in response to monitoring. Routine maintenance was a set schedule of inspections and maintenance of the equipment. The second was inspection and maintenance in response to monitoring that showed that the equipment was not operating in its normal range. This monitoring would indicate that maintenance was required to prevent the exceedance of an emission limit or other permit requirement. The maintenance plan was to set out the "corrective actions" that the permittee would take in the event an inspection indicated an "out of specification situation", and also set out the time frame for taking the corrective action. In addition, the PMP had to include a schedule for devising additional corrective actions for out of compliance situations that the source had not predicted in the PMP. All these plans, actions and schedules were part of the Preventive Maintenance Plan, with the purpose of maintaining the permittee's equipment so that an exceedance of an emission limit or violation of other permit requirements could be prevented.

After issuing the first draft Title V permits on public notice in July of 1997, IDEM received comments from members of the regulated community regarding many of the draft permit terms, including the PMP requirements. One suggestion was that the corrective action and related schedule requirements be removed from the PMP requirement and placed into some other requirement in the permit. This suggestion was based, in some part, on the desire that a permittee's maintenance staff handle the routine maintenance of the equipment, and a permittee's environmental compliance and engineering staff handle the compliance monitoring and steps taken in reaction to an indication that the facility required maintenance to prevent an environmental problem.

IDEM carefully considered this suggestion and agreed to separate the "corrective actions" and related schedule requirements from the PMP. These requirements were placed into a separate requirement, which IDEM named the Compliance Response Plan (CRP). In response to another comment, IDEM changed the name of the "corrective actions" to "response steps." That is how the present CRP requirements became separated from the PMP requirement, and acquired their distinctive nomenclature.

Other comments sought clarification on whether the failure to follow the PMP was violation of the permit. The concern was that a permittee's PMP might call for the permittee to have, for example, three "widget" replacement parts in inventory. If one widget was taken from inventory for use in maintenance, then the permittee might be in violation of the PMP, since there were no longer three widgets in inventory, as required by the PMP. Comments also expressed a view that if a maintenance employee was unexpectedly delayed in making the inspection under the PMP's schedule, for example by the employee's sudden illness, another permit violation could occur, even though the equipment was still functioning properly.

IDEM considered the comments and revised the PMP requirement so that if the permittee fails to follow its PMP, a permit violation will occur only if the lack of proper maintenance causes or contributes to a violation of any limitation on emissions or potential to emit. This was also the second basis for separating the compliance maintenance response steps from the PMP and placing them in the Compliance Response Plan (CRP). Unlike the PMP, the permittee must conduct the required monitoring and take any response steps as set out in the CRP (unless otherwise excused) or a permit violation will occur.

The Compliance Monitoring Plan is made up of the PMP, the CRP, the compliance monitoring and compliance determination requirements in section D of the permit, and the record keeping and reporting requirements in sections C and D. IDEM decided to list all these requirements under this new name, the Compliance Monitoring Plan (CMP), to distinguish them from the PMP requirements. The section D provisions set out which facilities must comply with the CMP requirement. The authority for the CMP provisions is found at 326 IAC 2-7-5(1), 2-7-5(3), 2-7-5(13), 2-7-6(1), 1-6-3 and 1-6-5.

Most permittees already have a plan for conducting preventive maintenance for the emission units and control devices. It is simply a good business practice to have identified the specific personnel whose job duties include inspecting, maintaining and repairing the emission control devices. The emission unit equipment and the emission control equipment may be covered by a written recommendation from the manufacturer set out schedules for the regular inspection and maintenance of the equipment. The permittee will usually have adopted an inspection and maintenance schedule that works for its particular equipment and process in order to keep equipment downtime to a minimum and achieve environmental compliance. The manufacturer may also have indicated, or the permittee may know from experience, what replacement parts should be kept on hand. The permittee may already keep sufficient spare parts on hand so that if a replacement is needed, it can be quickly installed, without a delay in the permittee's business activities and without an environmental violation. For the most part, the PMP can be created by combining present business practices and equipment manufacturer guidance into one document, the Preventive Maintenance Plan (PMP).

The permittee has 90 days to prepare, maintain and implement the PMP. IDEM is not going to draft the PMP. Permittees know their processes and equipment extremely well and are in the best position to draft the PMP. IDEM's air inspectors and permit staff will be available to assist the permittee with any questions about the PMP. IDEM may request a copy of the PMP to review and approve.

The Preventive Maintenance Plan requirement must be included in every applicable Title V permit pursuant to 326 IAC 2-7-5(13) and for each FESOP permit pursuant to 326 IAC 2-8-4(9). Both of those rules refer back to the Preventive Maintenance Plan requirement as described in 326 IAC 1-6-3. This Preventive Maintenance Plan rule sets out the requirements for:

- (1) Identification of the individuals responsible for inspecting, maintaining and repairing the emission control equipment (326 IAC 1-6-3(a)(1)),
- (2) The description of the items or conditions in the facility that will be inspected and the inspection schedule for said items or conditions (326 IAC 1-6-3(a)(2)), and
- (3) The identification and quantification of the replacement parts for the facility which the permittee will maintain in inventory for quick replacement (326 IAC 1-6-3(a)(2)).

It is clear from the structure of the wording in 326 IAC 1-6-3 that the PMP requirement affects the entirety of the applicable facilities. Only 326 IAC 1-6-3(a)(1) is limited, in that it requires identification of the personnel in charge of only the emission control equipment, and not any other facility equipment. The commissioner may require changes in the maintenance plan to reduce excessive malfunctions in any control device or combustion or process equipment under 326 IAC 1-6-5.

The CRP requirement of response steps and schedule requirements are another example of documenting procedures most permittees already have developed in the course of good business practices and the prevention of environmental problems. Equipment will often arrive with the manufacturer's trouble shooting guide. It will specify the steps to take when the equipment is not functioning correctly. The steps may involve some initial checking of the system to locate the exact cause, and other steps to place the system back into proper working order. Using the trouble shooting guide and the permittee's own experience with the equipment, the steps are taken in order and as scheduled until the problem is fixed.

A permittee will likely already have a procedure to follow when an unforeseen problem situation occurs. The procedure may list the staff to contact in order to select a course of action, or other step, before the equipment problem creates an environmental violation or interrupts the permittee's business process.

The Compliance Monitoring Plan (CMP) is consistent with IDEM's Compliance Monitoring Guidance released in May of 1996. The guidance discusses corrective action plans setting out the steps to take when compliance monitoring shows an out of range reading (Guidance, page 13). Some of the terminology has changed, as a result of comments from regulated sources, but the requirements in the permit do not conflict with the guidance.

Comment 2:

Permittee's request to extend the deadline for initiating compliance monitoring does not require a responsible official's certification.

Response to Comment 2

- 3 Compliance monitoring is one of the main goals of the Title V permit program. If a permittee is unable to begin monitoring within the initial time period, the notification with a full justification of the reasons for the inability to meet the deadline should be accompanied by a ROC. 326 IAC 2-7-6 gives ample authority for this requirement. The condition now reads as follows (deleted language in ~~strikeout~~, add language in **bold**):

C.13 Compliance Monitoring [326 IAC 2-7-5(3)] [326 IAC 2-7-6(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 **may extend compliance schedule an additional ninety (90) days provided the** Permittee notifies:

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

in writing, **prior to the end of the ninety (90) day compliance schedule**, with full justification of the reasons for the inability to meet this date ~~and a schedule which it expects to meet~~.

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).

C.15 Monitoring Methods [326 IAC 3]

Comment 1:

Add the term “applicable” to modify the term provisions.

Response to Comment 1:

C.15 now reads

C.15 Monitoring Methods [326 IAC 3]

Any monitoring or testing performed to meet the **applicable** 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.

C.16 Actions Related to Noncompliance Demonstrated by a Stack Test [326 IAC 2-7-5]

Condition C.16 is revised to add the following rule cites to the title, and clarify that any submittal under this condition does not require a certification by a responsible official.

**C.16 Actions Related to Noncompliance Demonstrated by a Stack Test [326 IAC 2-7-5]
[326 IAC 2-7-6]**

- (a) When the results of a stack test performed in conformance with Section C - Performance Testing, of this permit exceed the level specified in any condition of this permit, the Permittee shall 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.

The documents submitted pursuant to this condition do not require the certification by the “responsible official” as defined by 326 IAC 2-7-1(34).

C.17 Emergency Reduction Plans [326 IAC 1-5-2] [326 IAC 1-5-3]

Comment 1:

Submittal of ERPs should not require an ROC, and submitted ERPs should be approved prior to permit issuance.

Response to Comment 1:

OAM has not stated that the submittal requires an ROC. Administratively ERP approval is best handled outside the permit approval process. OAM changed the condition as follows (deleted language in ~~strikeout~~, add language in **bold**):

C.17 Emergency Reduction Plans [326 IAC 1-5-2] [326 IAC 1-5-3]

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

(a) The Permittee shall prepare written emergency reduction plans (ERPs) consistent with safe operating procedures.

(b) These ERPs shall be submitted for approval 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 ninety (90) days after the date of issuance of this permit.

The ERP does not require the certification by the “responsible official” as defined by 326 IAC 2-7-1(34).

(c) If the ERP is disapproved by IDEM, OAM the Permittee shall have an additional thirty (30) days to resolve the differences and submit an approvable ERP. ~~If after this time, the Permittee does not submit an approvable ERP, then IDEM, OAM shall supply such plan.~~

(d) These ERPs shall state those actions that will be taken, when each episode level is declared, to reduce or eliminate emissions of the appropriate air pollutants.

(e) Said ERPs shall also identify the sources of air pollutants, the approximate amount of reduction of the pollutants, and a brief description of the manner in which the reduction will be achieved.

(f) Upon direct notification by IDEM, OAM that a specific air pollution episode level is in effect, the Permittee shall immediately put into effect the actions stipulated in the approved ERP for the appropriate episode level. [326 IAC 1-5-3]

C.18 Risk Management Plan [326 IAC 2-7-5(12)] [40 CFR 68.215]

Comment 1:

Clarification of language. This provision should only be placed in permits where the source does have the applicable regulated substance. In addition, the language should be changed as follows: "If a regulated substance, subject to 40 CFR 68, is present **in a process** in more than the threshold quantity, 40 CFR 68 is an applicable requirement and the Permittee shall:". The provision of C.18(b), requiring an annual certification that the RMP is being properly implemented should be deleted.

Response to Comment 1:

OAM agrees to make the instruction and “in a process” changes. However, the annual certification is required under 326 IAC 2-7-5(12). The condition now reads as follows (deleted language in ~~strikeout~~, add language in **bold**):

C.18 Risk Management Plan [326 IAC 2-7-5(12)] [40 CFR 68.215]

If a regulated substance, subject to 40 CFR 68, is present **in a process** in more than the threshold quantity, 40 CFR 68 is an applicable requirement and the Permittee shall:

- (a) Submit:
- (1) A compliance schedule for meeting the requirements of 40 CFR 68 by the date provided in 40 CFR 68.10(a); or
 - (2) As a part of the compliance certification submitted under 326 IAC 2-7-6(5), a certification statement that the source is in compliance with all the requirements of 40 CFR 68, including the registration and submission of a Risk Management Plan (RMP); and
 - (3) A verification to IDEM, OAM, that a RMP or a revised plan was prepared and submitted as required by 40 CFR 68.
- (b) Provide annual certification to IDEM, OAM that the Risk Management Plan is being properly implemented.

All documents submitted pursuant to this condition shall include the certification by the "responsible official" as defined by 326 IAC 2-7-1(34).

C.19 Compliance Monitoring Plan - Failure to Take Response Steps [326 IAC 2-7-5]

Comment 1:

Delete/revise most of condition, especially the compliance response plan.

Response to Comment 1:

OAM does not agree. This condition is a direct result of C/IMA's comments in September of 1997. OAM fully set out the language at that time. OAM's September 1997 response stated: "C/IMA requests removal of the language regarding "corrective actions" in B.12(a)(3) and (4) and C.16.(C.19 in new OAM Model.) The OAM believes that responding promptly to compliance-related information is necessary to the compliance status of the source. In response to several concerns that have been expressed about this approach, the OAM plans to make the following adjustments to the way the compliance monitoring plan is presented in the permit:

- a) The term "response steps" will be used rather than "corrective actions."
- b) The description of the response steps will be contained in a Compliance Response Plan (CRP) rather than integrated with the Preventative Maintenance Plan. While some sources may include it as an addendum to the PMP, having Compliance Response Plan as an identifiable document will allow the permit to be more clear as to the regulatory responsibilities of each document. The CRP will not be described in the permit and may be revised by the permittee without notice to the OAM. The OAM reserves the authority to require the submittal, or the submittal and approval, of the CRP as necessary."

In OAM's Model Response to Comments the history of the development of this term is set out, as well as OAM's expectations of what each Permittee will actually need to do to comply. No change to the condition was made as a result of this comment; however, the rule cites were changed to the following (add language in **bold**):

C.19 Compliance Monitoring Plan - Failure to Take Response Steps [326 IAC 2-7-5(3)]**[326 IAC 2-7-6]**
[326 IAC 1-6]

C.20 Actions Related to Noncompliance Demonstrated by a Stack Test [326 IAC 2-7-5]

Comment:

Delete condition. If not deleted, clarify that an ROC is not required.

Response:

OAM has authority under 326 IAC 2-7-6(6) to require this condition. OAM also has authority under 326 IAC 2-7-5. OAM has not stated that the submittals and notifications require an ROC. OAM has added to the condition (add language in **bold**):

C.20 Actions Related to Noncompliance Demonstrated by a Stack Test **[326 IAC 2-7-5]**
[326 IAC 2-7-6]

The documents submitted pursuant to this condition do not require the certification by the "responsible official" as defined by 326 IAC 2-7-1(34).

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

C.21 Emission Statement [326 IAC 2-7-5(3)(C)(iii)] [326 IAC 2-7-5(7)] [326 IAC 2-7-19(c)]

Comment 1:

Revise language for sources that are not required by 326 IAC 2-6 to submit emission statements. Change the date of submittal deadline to July 1. Change language so that is certified pursuant to the requirements of 326 IAC 2-6, rather than requiring an ROC.

Response to Comment 1:

OAM sets the submission date pursuant to the requirements of 326 IAC 2-6. 326 IAC 2-7-5(3)(C)(iii) requires the submittal or an annual emission statement that meets the requirements of 326 IAC 2-6, or other equivalent information. OAM has not stated that the statement requires an ROC. OAM changed the (a) subcondition as follows (deleted language in ~~strikeout~~, add language in **bold**):

C.21 Emission Statement [326 IAC 2-7-5(3)(C)(iii)]**[326 IAC 2-7-5(7)]****[326 IAC 2-7-19(c)]****[326 IAC 2-6]**
[326 IAC 2-7-19 (e)]

(a) The Permittee shall submit an ~~certified~~, annual emission statement **certified pursuant to the requirements of 326 IAC 2-6**, that must be received by **(April 15 or July 1)** of each year and must comply with the minimum requirements specified in 326 IAC 2-6-4. The annual emission statement shall meet the following requirements and be used for the purpose of a Part 70 fee assessment:

C.23 General Record Keeping Requirements [326 IAC 2-7-5(3)]

Comment 1:

The time period for producing records should be changed from one hour for on site records and thirty days for records stored elsewhere to "a reasonable time period." The (d) section must be removed.

Response to Comment 1:

The one hour was used to provide a specific time frame other than "upon request" in response to previous concerns expressed by applicants. Therefore, the OAM now believes that citing "upon request" as stated in the rule is the preferable language. Generally, sources and the OAM can come to an agreement on the amount of time needed to produce records, especially if the request requires a substantial amount of information. Otherwise, this condition is not changed except that Condition C.23(a) will now read (deleted language in ~~strikeout~~, add language in **bold**):

C.23 General Record Keeping Requirements [326 IAC 2-7-5(3)(B)]~~[326 IAC 2-7-6]~~

- (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 **for a minimum of three (3) years** and available **upon the request** ~~within one (1) hour upon verbal request~~ of an IDEM, OAM representative, ~~for a minimum of three (3) years. They~~ **The records** may be stored elsewhere for the remaining two (2) years **as long as they are available upon request** ~~providing they are made available within thirty (30) days after written request. If the Commissioner (or local agency) makes a written request for records to the Permittee, the Permittee shall furnish the records to the Commissioner or local agency within a reasonable time.~~

C.20 General Reporting Requirements [326 IAC 2-7-5(3)(C)]

Condition C.20 (General Reporting Requirements) is revised to clarify what is included in the compliance monitoring reports and clarify that any submittal under this condition does not require a certification by a responsible official. The deviation terminology was moved to a Section B condition titled Deviations from Permit Requirements and Conditions.

C.20 General Reporting Requirements [326 IAC 2-7-5(3)(C)]

- (a) To affirm that the source has met all the **compliance monitoring** requirements stated in this permit the source shall submit a Quarterly Compliance **Monitoring** Report. Any deviation from the requirements and the date(s) of each deviation must be reported.
- (b) The report required in (a) of this condition and 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 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.
- (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 **as described in Section B- Deviations from Permit Requirements Conditions** 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.

The documents submitted pursuant to this condition do not require the certification by the "responsible official" as defined by 326 IAC 2-7-1(34).

Facility Description [326 IAC 2-7-5(15)]

The facility description box in Section D is revised to include the rule citation:

Facility Description [326 IAC 2-7-5(15)]

Certification Form

The Certification Form is revised to clarify which forms require a certification.

Emergency/Deviation Occurrence Reporting Form

The Emergency/Deviation Occurrence Reporting Form is revised to eliminate the certification requirement.

Quarterly Compliance Report

The Quarterly Compliance Report is renamed the Quarterly Compliance Monitoring Report and is revised to make it easier to understand and use.

**INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
OFFICE OF AIR MANAGEMENT
COMPLIANCE DATA SECTION**

**PART 70 OPERATING PERMIT
CERTIFICATION**

Source Name:
Source Address:
Mailing Address:
Part 70 Permit No.:

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

Please check what document is being certified:

- 9 Annual Compliance Certification Letter
- ~~9 Emergency/Deviation Occurrence Reporting Form~~
- 9 Test Result (specify) _____
- 9 Report (specify) _____
- 9 Notification (specify) _____
- 9 Other (specify) _____

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

Signature:

Printed Name:

Title/Position:

Date:

**INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
OFFICE OF AIR MANAGEMENT
COMPLIANCE DATA SECTION
P.O. Box 6015
100 North Senate Avenue
Indianapolis, Indiana 46206-6015
Phone: 317-233-5674
Fax: 317-233-5967**

**PART 70 OPERATING PERMIT
EMERGENCY/DEVIATION OCCURRENCE REPORT**

Source Name:
Source Address:
Mailing Address:
Part 70 Permit No.:

This form consists of 2 pages

Page 1 of 2

Check either No. 1 or No.2	
<input type="radio"/> 1.	This is an emergency as defined in 326 IAC 2-7-1(12) <input type="checkbox"/> The Permittee must notify the Office of Air Management (OAM), within four (4) business hours (1-800-451-6027 or 317-233-5674, ask for Compliance Section); and <input type="checkbox"/> The Permittee must submit notice in writing or by facsimile within two (2) days (Facsimile Number: 317-233-5967), and follow the other requirements of 326 IAC 2-7-16
<input type="radio"/> 2.	This is a deviation, reportable per 326 IAC 2-7-5(3)(c) <input type="checkbox"/> The Permittee must submit notice in writing within ten (10) calendar days

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

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

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

Page 2 of 2

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

Form Completed by: _____
Title / Position: _____
Date: _____
Phone: _____

Attach a signed certification to complete this report.

**INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
 OFFICE OF AIR MANAGEMENT
 COMPLIANCE DATA SECTION**

**PART 70 OPERATING PERMIT
 QUARTERLY COMPLIANCE MONITORING REPORT**

Source Name:
 Source Address:
 Mailing Address:
 Part 70 Permit No.:

Months: _____ to _____ Year: _____

This report is an affirmation that the source has met all the **compliance monitoring** requirements stated in this permit. This report shall be submitted quarterly. Any deviation from the **compliance monitoring** requirements and the date(s) of each deviation must be reported. Additional pages may be attached if necessary. This form can be supplemented by attaching the Emergency/Deviation Occurrence Report. If no deviations occurred, please specify zero in the column marked "No Deviations" in the box marked "No deviations occurred this reporting period".

9 NO DEVIATIONS OCCURRED THIS REPORTING PERIOD.

9 THE FOLLOWING DEVIATIONS OCCURRED THIS REPORTING PERIOD: LIST EACH COMPLIANCE REQUIREMENT EXISTING FOR THIS SOURCE:

<u>Compliance Monitoring Requirement</u> (e.g. Permit Condition D.1.3)	Number of Deviations	Date of each Deviations	No Deviations

Form Completed By: _____
 Title/Position: _____
 Date: _____
 Phone: _____

Attach a signed certification to complete this report.