



Joseph E. Kernan
Governor

Lori F. Kaplan
Commissioner

September 7, 2004

100 North Senate Avenue
P.O. Box 6015
Indianapolis, Indiana 46206-6015
(317) 232-8603
(800) 451-6027
www.in.gov/idem

TO: Interested Parties / Applicant

RE: Indianapolis Power and Light / T109-6569-00004

FROM: Paul Dubenetzky
Chief, Permits Branch
Office of Air Quality

Notice of Decision: Approval – Effective Immediately

Please be advised that on behalf of the Commissioner of the Department of Environmental Management, I have issued a decision regarding the enclosed matter. Pursuant to IC 13-15-5-3, this permit is effective immediately, unless a petition for stay of effectiveness is filed and granted, and may be revoked or modified in accordance with the provisions of IC 13-15-7-1.

If you wish to challenge this decision, IC 4-21.5-3-7 and IC 13-15-6-1(b) or IC 13-15-6-1(a) require that you file a petition for administrative review. This petition may include a request for stay of effectiveness and must be submitted to the Office of Environmental Adjudication, 100 North Senate Avenue, Government Center North, Room 1049, Indianapolis, IN 46204.

For an **initial Title V Operating Permit**, a petition for administrative review must be submitted to the Office of Environmental Adjudication within **thirty (30)** days from the receipt of this notice provided under IC 13-15-5-3, pursuant to IC 13-15-6-1(b).

For a **Title V Operating Permit renewal**, a petition for administrative review must be submitted to the Office of Environmental Adjudication within **fifteen (15)** days from the receipt of this notice provided under IC 13-15-5-3, pursuant to IC 13-15-6-1(a).

The filing of a petition for administrative review is complete on the earliest of the following dates that apply to the filing:

- (1) the date the document is delivered to the Office of Environmental Adjudication (OEA);
- (2) the date of the postmark on the envelope containing the document, if the document is mailed to OEA by U.S. mail; or
- (3) The date on which the document is deposited with a private carrier, as shown by receipt issued by the carrier, if the document is sent to the OEA by private carrier.

The petition must include facts demonstrating that you are either the applicant, a person aggrieved or adversely affected by the decision or otherwise entitled to review by law. Please identify the permit, decision, or other order for which you seek review by permit number, name of the applicant, location, date of this notice and all of the following:

- (1) the name and address of the person making the request;
- (2) the interest of the person making the request;
- (3) identification of any persons represented by the person making the request;
- (4) the reasons, with particularity, for the request;
- (5) the issues, with particularity, proposed for considerations at any hearing; and

- (6) identification of the terms and conditions which, in the judgment of the person making the request, would be appropriate in the case in question to satisfy the requirements of the law governing documents of the type issued by the Commissioner.

Pursuant to 326 IAC 2-7-18(d), any person may petition the U.S. EPA to object to the issuance of an initial Title V operating permit, permit renewal, or modification within sixty (60) days of the end of the forty-five (45) day EPA review period. Such an objection must be based only on issues that were raised with reasonable specificity during the public comment period, unless the petitioner demonstrates that it was impracticable to raise such issues, or if the grounds for such objection arose after the comment period.

To petition the U.S. EPA to object to the issuance of a Title V operating permit, contact:

U.S. Environmental Protection Agency
401 M Street
Washington, D.C. 20406

If you have technical questions regarding the enclosed documents, please contact the Office of Air Quality, Permits Branch at (317) 233-0178. Callers from within Indiana may call toll-free at 1-800-451-6027, ext. 3-0178.



Joseph E. Kernan
Governor

Lori F. Kaplan
Commissioner

100 North Senate Avenue
P. O. Box 6015
Indianapolis, Indiana 46206-6015
(317) 232-8603
(800) 451-6027
www.IN.gov/idem

PART 70 OPERATING PERMIT OFFICE OF AIR QUALITY

**Indianapolis Power and Light (IPL)
Eagle Valley Generating Station
(formerly H. T. Pritchard Generating Station)
4040 Blue Bluff Road
Martinsville, Indiana 46151**

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

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

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

Operation Permit No.: T109-6569-00004	
Issued by: Original signed by Janet G. McCabe, Assistant Commissioner Office of Air Quality	Issuance Date: September 7, 2004 Expiration Date: September 7, 2009

TABLE OF CONTENTS

A	SOURCE SUMMARY	6
A.1	General Information [326 IAC 2-7-4(c)] [326 IAC 2-7-5(15)] [326 IAC 2-7-1(22)]	
A.2	Emission Units and Pollution Control Equipment Summary [326 IAC 2-7-4(c)(3)] [326 IAC 2-7-5(15)]	
A.3	Specifically Regulated Insignificant Activities [326 IAC 2-7-1(21)] [326 IAC 2-7-4(c)] [326 IAC 2-7-5(15)]	
A.4	Part 70 Permit Applicability [326 IAC 2-7-2]	
B	GENERAL CONDITIONS	9
B.1	Definitions [326 IAC 2-7-1]	
B.2	Permit Term [326 IAC 2-7-5(2)] [326 IAC 2-1.1-9.5]	
B.3	Enforceability [326 IAC 2-7-7]	
B.4	Termination of Right to Operate [326 IAC 2-7-10] [326 IAC 2-7-4(a)]	
B.5	Severability [326 IAC 2-7-5(5)]	
B.6	Property Rights or Exclusive Privilege [326 IAC 2-7-5(6)(D)]	
B.7	Duty to Provide Information [326 IAC 2-7-5(6)(E)]	
B.8	Certification [326 IAC 2-7-4(f)] [326 IAC 2-7-6(1)] [326 IAC 2-7-5(3)(C)]	
B.9	Annual Compliance Certification [326 IAC 2-7-6(5)]	
B.10	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]	
B.11	Emergency Provisions [326 IAC 2-7-16]	
B.12	Permit Shield [326 IAC 2-7-15] [326 IAC 2-7-20] [326 IAC 2-7-12]	
B.13	Prior Permits Superseded [326 IAC 2-1.1-9.5]	
B.14	Deviations from Permit Requirements and Conditions [326 IAC 2-7-5(3)(C)(ii)]	
B.15	Permit Modification, Reopening, Revocation and Reissuance, or Termination [326 IAC 2-7-5(6)(C)] [326 IAC 2-7-8(a)] [326 IAC 2-7-9]	
B.16	Permit Renewal [326 IAC 2-7-3] [326 IAC 2-7-4]	
B.17	Source Modification [326 IAC 1-2-42] [326 IAC 2-7-10.5]	
B.18	Permit Amendment or Modification [326 IAC 2-7-11][326 IAC 2-7-12] [40 CFR 72]	
B.19	Permit Revision Under Economic Incentives and Other Programs [326 IAC 2-7-5(8)] [326 IAC 2-7-12 (b)(2)]	
B.20	Operational Flexibility [326 IAC 2-7-20] [326 IAC 2-7-10.5]	
B.21	Inspection and Entry [326 IAC 2-7-6] [IC 13-14-2-2] [IC 13-17-3-2] [IC 13-30-3-1]	
B.22	Transfer of Ownership or Operational Control [326 IAC 2-7-11]	
B.23	Annual Fee Payment [326 IAC 2-7-19] [326 IAC 2-7-5(7)] [326 IAC 2-1.1-7]	
B.24	Credible Evidence [326 IAC 2-7-5(3)] [326 IAC 2-7-6] [62 FR 8314]	
C	SOURCE OPERATION CONDITIONS	20
	Emission Limitations and Standards [326 IAC 2-7-5(1)]	
C.1	Particulate Emission Limitations For Processes with Process Weight Rates Less Than One Hundred (100) Pounds per Hour [40 CFR 52 Subpart P] [326 IAC 6-3-2]	
C.2	Opacity [326 IAC 5-1]	
C.3	Open Burning [326 IAC 4-1] [IC 13-17-9]	
C.4	Incineration [326 IAC 4-2] [326 IAC 9-1-2]	
C.5	Fugitive Dust Emissions [326 IAC 6-4]	
C.6	Motor Vehicle Fugitive Dust Sources [326 IAC 6-4-4]	
C.7	Stack Height [326 IAC 1-7]	
C.8	Asbestos Abatement Projects [326 IAC 14-10] [326 IAC 18] [40 CFR 61, Subpart M]	
	Testing Requirements [326 IAC 2-7-6(1)]	
C.9	Performance Testing [326 IAC 3-6]	
	Compliance Requirements [326 IAC 2-1.1-11]	

C.10 Compliance Requirements [326 IAC 2-1.1-11]

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

- C.11 Compliance Monitoring [326 IAC 2-7-5(3)] [326 IAC 2-7-6(1)]
- C.12 Maintenance of Continuous Opacity Monitoring Equipment [326 IAC 2-7-5(3)(A)(iii)]
- C.13 Monitoring Methods [326 IAC 3] [40 CFR 60] [40 CFR 63]
- C.14 Pressure Gauge and Other Instrument Specifications [326 IAC 2-1.1-11]
[326 IAC 2-7-5(3)] [326 IAC 2-7-6(1)]

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

- C.15 Emergency Reduction Plans [326 IAC 1-5-2] [326 IAC 1-5-3]
- C.16 Risk Management Plan [326 IAC 2-7-5(12)] [40 CFR 68]
- C.17 Compliance Response Plan - Preparation, Implementation, Records, and Reports
[326 IAC 2-7-5] [326 IAC 2-7-6]
- C.18 Actions Related to Noncompliance Demonstrated by a Stack Test [326 IAC 2-7-5]
[326 IAC 2-7-6]

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

- C.20 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]
- C.21 General Record Keeping Requirements [326 IAC 2-7-5(3)] [326 IAC 2-7-6]
- C.22 General Reporting Requirements [326 IAC 2-7-5(3)(C)] [326 IAC 2-1.1-11]

Stratospheric Ozone Protection

- C.23 Compliance with 40 CFR 82 and 326 IAC 22-1

D.1 FACILITY OPERATION CONDITIONS - Oil-Fired Boilers 28

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

- D.1.1 Particulate Emission Limitations for Sources of Indirect Heating [326 IAC 6-2-2]
- D.1.2 Temporary Alternative Opacity Limitations [326 IAC 5-1-3]
- D.1.3 Sulfur Dioxide (SO₂) [326 IAC 7-4-11]
- D.1.4 Operation Standards [326 IAC 2-1.1-5(a)(4)] [40 CFR 261] [40 CFR 279] [329 IAC 13]
- D.1.5 Preventive Maintenance Plan [326 IAC 2-7-5(13)]

Compliance Determination Requirements

- D.1.6 Testing Requirements [326 IAC 2-7-6(1),(6)] [326 IAC 2-1.1-11]
- D.1.7 Sulfur Dioxide Emissions and Sulfur Content [326 IAC 3-7-4] [326 IAC 7-4-11]
- D.1.8 Nitrogen Oxides Monitoring Requirement [326 IAC 10-4-4(b)(1)][326 IAC 10-4-12(b) and (c)]
[40 CFR 75]
- D.1.9 Cleaning Waste Characterization [326 IAC 2-1.1-5(a)(4)] [40 CFR 261]

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

- D.1.10 Visible Emissions Notations [326 IAC 2-7-6(1)] [326 IAC 2-7-5(1)]

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

- D.1.11 Record Keeping Requirements
- D.1.12 Reporting Requirements

D.2 FACILITY OPERATION CONDITIONS - Coal-Fired Boilers 32

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

- D.2.1 Particulate Emission Limitations for Sources of Indirect Heating [326 IAC 6-2-2]
- D.2.2 Temporary Alternative Opacity Limitations [326 IAC 5-1-3]
- D.2.3 Sulfur Dioxide (SO₂) [326 IAC 7-4-11]
- D.2.4 Operation Standards [326 IAC 2-1.1-5(a)(4)] [40 CFR 261] [40 CFR 279] [329 IAC 13]
- D.2.5 Preventive Maintenance Plan [326 IAC 2-7-5(13)]

Compliance Determination Requirements

- D.2.6 Testing Requirements [326 IAC 2-7-6(1),(6)] [326 IAC 2-1.1-11]
- D.2.7 Operation of Electrostatic Precipitator [326 IAC 2-7-6(6)]
- D.2.8 Continuous Emissions Monitoring [326 IAC 3-5]
- D.2.9 Sulfur Dioxide Emissions and Sulfur Content [326 IAC 7-2] [326 IAC 7-4-11]
- D.2.10 Nitrogen Oxides Monitoring Requirement [326 IAC 10-4-4(b)(1)][326 IAC 10-4-12(b) and (c)] [40 CFR 75]
- D.2.11 Cleaning Waste Characterization [326 IAC 2-1.1-5(a)(4)] [40 CFR 261]

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

- D.2.12 Transformer-Rectifier (T-R) Sets [326 IAC 2-7-6(1)] [326 IAC 2-7-5(1)]⁴
- D.2.13 Opacity Readings [326 IAC 2-7-6(1)] [326 IAC 2-7-5(1)]
- D.2.14 SO₂ Monitor Downtime [326 IAC 2-7-6(1)] [326 IAC 2-7-5(3)]

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

- D.2.15 Record Keeping Requirements
- D.2.16 Reporting Requirements
- D.2.17 Used Oil Requirements [326 IAC 2-1.1-5(a)(4)] [40 CFR 279] [329 IAC 13]

D.3 FACILITY OPERATION CONDITIONS - Oil-Fired Generator 40

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

- D.3.1 Sulfur Dioxide (SO₂) [326 IAC 7-1.1-2]

Compliance Determination Requirements

- D.3.2 Sulfur Dioxide Emissions and Sulfur Content [326 IAC 3-7-4] [326 IAC 7-1.1-2]

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

- D.3.3 Visible Emissions Notations [326 IAC 2-7-6(1)] [326 IAC 2-7-5(1)]

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

- D.3.4 Record Keeping Requirements
- D.3.5 Reporting Requirements

D.4 FACILITY OPERATION CONDITIONS - Coal Handling 42

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

- D.4.1 Particulate [326 IAC 6-3-2]
- D.4.2 Preventive Maintenance Plan [326 IAC 2-7-5(13)]

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

- D.4.3 Visible Emissions Notations [326 IAC 2-7-6(1)] [326 IAC 2-7-5(1)]

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

- D.4.4 Record Keeping Requirements

D.5 FACILITY OPERATION CONDITIONS - Ash Handling 44

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

- D.5.1 Fugitive Dust Emission Limitations [326 IAC 6-4-2]
- D.5.2 Preventive Maintenance Plan [326 IAC 2-7-5(13)]

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

- D.5.3 Visible Emissions Notations [326 IAC 2-7-6(1)] [326 IAC 2-7-5(1)]

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

- D.5.4 Record Keeping Requirements

D.6 FACILITY OPERATION CONDITIONS - Grinding and machining and sand blasting 46

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

- D.6.1 Particulate [326 IAC 6-3-2]

Compliance Determination Requirements

- D.6.2 Particulate Control [326 IAC 2-7-6(6)]

E ACID RAIN PROGRAM CONDITIONS 47

- E.1 Acid Rain Permit [326 IAC 2-7-5(1)(C)] [326 IAC 21] [40 CFR 72 through 40 CFR 78]
- E.2 Title IV Emissions Allowances [326 IAC 2-7-5(4)] [326 IAC 21]

Certification	49
Emergency Occurrence Report	50
Quarterly Report	52
Quarterly Deviation and Compliance Monitoring Report	53

Appendix A: Acid Rain Permit

SECTION A SOURCE SUMMARY

This permit is based on information requested by the Indiana Department of Environmental Management (IDEM), Office of Air Quality (OAQ). The information describing the source contained in conditions A.1 through A.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)] [326 IAC 2-7-1(22)]

The Permittee owns and operates a stationary electric utility generating station.

Responsible Official: Acid Rain Designated Representative
Source Address: 4040 Blue Bluff Road, Martinsville, Indiana, 46151
Mailing Address: 4040 Blue Bluff Road, Martinsville, Indiana, 46151
Source Telephone: 765-349-3413
SIC Code: 4911
County Location: Morgan
County Status: Nonattainment for ozone under the 8-hour standard
Attainment for all other criteria pollutants
Source Status: Part 70 Permit Program
Major Source, under PSD Rules and Nonattainment NSR;
Major Source, Section 112 of the Clean Air Act
1 of 28 Source Categories

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) Two (2) no. 2 fuel oil fired boilers, identified as Units 1 and Unit 2, constructed in 1949 and 1950, respectively, each with a design heat input capacity of 524 million Btu per hour (MMBtu/hr), both exhausting to stack 1-1.
- (b) One (1) tangentially-fired wet-bottom coal boiler, identified as Unit 3, constructed in 1951, with a design heat input capacity of 524 million Btu per hour (MMBtu/hr), with an electrostatic precipitator (ESP) and flue gas conditioning system for control of particulate matter, exhausting to stack 2-1. Unit 3 will combust no. 2 fuel oil during startup, shutdown, and stabilization periods. Used oil generated onsite and used oil containment materials generated onsite may be combusted in Unit 3 as supplemental fuel for energy recovery. Stack 2-1 has continuous emission monitoring systems (CEMS) for NO_x and SO₂ and a continuous opacity monitor (COM).
- (c) One (1) tangentially-fired dry-bottom coal fired boiler, identified as Unit 4, constructed in 1953, with a design heat input capacity of 741 million Btu per hour (MMBtu/hr), with an electrostatic precipitator (ESP) and flue gas conditioning system for control of particulate matter, exhausting to stack 2-1. Unit 4 will combust no. 2 fuel oil during startup, shutdown, and stabilization periods. Stack 2-1 has continuous emission monitoring systems (CEMS) for NO_x and SO₂ and a continuous opacity monitor (COM).
- (d) One (1) tangentially-fired dry-bottom coal boiler, identified as Unit 5, constructed in 1953, with a design heat input capacity of 741 million Btu per hour (MMBtu/hr), with an electrostatic precipitator (ESP) and flue gas conditioning system for control of particulate matter, exhausting to stack 3-1. Unit 5 will combust no. 2 fuel oil during startup, shutdown, and stabilization periods. Stack 3-1 has continuous emission monitoring systems (CEMS) for NO_x and SO₂ and a continuous opacity monitor (COM).

- (e) One (1) tangentially-fired dry-bottom coal boiler, identified as Unit 6, constructed in 1956, with a design heat input capacity of 1017 million Btu per hour (MMBtu/hr), with an electrostatic precipitator (ESP) for control of particulate matter, exhausting to stack 3-1. Unit 6 will combust no. 2 fuel oil during startup, shutdown, and stabilization periods. Used oil generated onsite may be combusted in Unit 6 as supplemental fuel for energy recovery. Unit 6 has had low-NO_x burners installed. Stack 3-1 has continuous emission monitoring systems (CEMS) for NO_x and SO₂ and a continuous opacity monitor (COM).
- (f) One (1) distillate oil fired generator, identified as Unit PR-10, constructed in 1967, with a design heat input capacity of 28.4 million Btu per hour (MMBtu/hr), exhausting to stack PR10-1.
- (g) Coal transfer facilities, with a maximum throughput of 800 tons per hour, with a dust suppression system using foam on coal going to the bunkers and wet spray on the coal stack out.
- (h) Rail car unloading, coal pile unloading, and coal storage, with a maximum capacity of 800 tons per hour.
- (i) Coal crushers, identified as 1A and 1B, with a maximum combined capacity of 800 tons per hour, each using an enclosure for dust control.

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):

- (a) Coal bunker and coal scale exhausts and associated dust collector vents. [326 IAC 6-3]
[326 IAC 5]
- (b) Grinding and machining operations controlled with fabric filters, scrubbers, mist collectors, wet collectors and electrostatic precipitators with a design grain loading of less than or equal to 0.03 grains per actual cubic foot and a gas flow rate less than or equal to 4000 actual cubic feet per minute, including the following: deburring; buffing; polishing; abrasive blasting; pneumatic conveying; and woodworking operations.
[326 IAC 6-3]
- (c) Other activities or categories not previously identified with potential, uncontrolled emissions equal to or less than thresholds require listing only: Pb 0.6 ton per year or 3.29 pounds per day, SO₂ 5 pounds per hour or 25 pounds per day, NO_x 5 pounds per hour or 25 pounds per day, CO 25 pounds per day, PM 5 pounds per hour or 25 pounds per day, VOC 3 pounds per hour or 15 pounds per day:
 - (1) Wet process ash handling, with hydroveyors conveying ash to storage ponds.
[326 IAC 6-4]
 - (2) Poned ash handling/removal operations. [326 IAC 6-4]
 - (3) Sandblasting room. [326 IAC 6-3]

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); and
- (c) It is an affected source under Title IV (Acid Deposition Control) of the Clean Air Act, as defined in 326 IAC 2-7-1(3).

SECTION B GENERAL CONDITIONS

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

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

B.2 Permit Term [326 IAC 2-7-5(2)] [326 IAC 2-1.1-9.5]

This permit is issued for a fixed term of five (5) years from the issuance date of this permit, as determined in accordance with IC 4-21.5-3-5(f) and IC 13-15-5-3. Subsequent revisions, modifications, or amendments of this permit do not affect the expiration date of this permit or of permits issued pursuant to Title IV of the Clean Air Act and 326 IAC 21 (Acid Deposition Control).

B.3 Enforceability [326 IAC 2-7-7]

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

B.4 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.5 Severability [326 IAC 2-7-5(5)]

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

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

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

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

- (a) The Permittee shall furnish to IDEM, OAQ, within a reasonable time, any information that IDEM, OAQ, may request in writing to determine whether cause exists for modifying, revoking and reissuing, or terminating this permit, or to determine compliance with this permit. The submittal by the Permittee does require the certification by the "responsible official" as defined by 326 IAC 2-7-1(34). Upon request, the Permittee shall also furnish to IDEM, OAQ, copies of records required to be kept by this permit.
- (b) For information furnished by the Permittee to IDEM, OAQ, the Permittee may include a claim of confidentiality in accordance with 326 IAC 17.1. When furnishing copies of requested records directly to U. S. EPA, the Permittee may assert a claim of confidentiality in accordance with 40 CFR 2, Subpart B.

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

- (a) Where specifically designated by this permit or required by an applicable requirement, any application form, report, or compliance certification submitted shall contain certification by a responsible official of truth, accuracy, and completeness. This certification 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, using the attached Certification Form, with each submittal requiring certification. One (1) certification can cover multiple forms in one (1) submittal.
- (c) A responsible official is defined at 326 IAC 2-7-1(34).

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

- (a) The Permittee shall annually submit a compliance certification report which addresses the status of the source's compliance with the terms and conditions contained in this permit, including emission limitations, standards, or work practices. The initial certification shall cover the time period from the date of final permit issuance through December 31 of the same year. All subsequent certifications 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 Branch, Office of Air Quality
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 (AE-17J)
77 West Jackson Boulevard
Chicago, Illinois 60604-3590

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

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

B.10 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 (PMPs) 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 control devices;
 - (2) A description of the items or conditions that will be inspected and the inspection schedule for said items or conditions; and
 - (3) Identification and quantification of the replacement parts that will be maintained in inventory for quick replacement.

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

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

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

- (b) The Permittee shall implement the PMPs, including any required record keeping, as necessary to ensure that failure to implement a PMP does not cause or contribute to an exceedance of any limitation on emissions or potential to emit.
- (c) A copy of the PMPs shall be submitted to IDEM, OAQ, upon request and within a reasonable time, and shall be subject to review and approval by IDEM, OAQ. IDEM, OAQ may require the Permittee to revise its PMPs whenever lack of proper maintenance causes or is the primary contributor to an exceedance of any limitation on emissions or potential to emit.

The submittal of the PMP and the PMP extension notification does not require the certification by the "responsible official" as defined by 326 IAC 2-7-1(34).

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

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

- (a) An emergency, as defined in 326 IAC 2-7-1(12), is not an affirmative defense for an action brought for noncompliance with a federal or state health-based emission limitation.
- (b) An emergency, as defined in 326 IAC 2-7-1(12), constitutes an affirmative defense to an action brought for noncompliance with a technology-based emission limitation if the affirmative defense of an emergency is demonstrated through properly signed, contemporaneous operating logs or other relevant evidence that describe the following:
 - (1) An emergency occurred and the Permittee can, to the extent possible, identify the causes of the emergency;
 - (2) The permitted facility was at the time being properly operated;
 - (3) During the period of an emergency, the Permittee took all reasonable steps to minimize levels of emissions that exceeded the emission standards or other requirements in this permit;
 - (4) For each emergency lasting one (1) hour or more, the Permittee notified IDEM, OAQ, within four (4) daytime business hours after the beginning of the emergency, or after the emergency was discovered or reasonably should have been discovered;

Telephone Number: 1-800-451-6027 (ask for Office of Air Quality,
Compliance 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 the attached Emergency Occurrence Report Form or its equivalent, either by mail or facsimile to:

Indiana Department of Environmental Management
Compliance Branch, Office of Air Quality
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). This permit condition is in addition to any emergency or upset provision contained in any applicable requirement.
 - (e) IDEM, OAQ, 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, OAQ, by telephone or facsimile of an emergency lasting more than one (1) hour in accordance with (b)(4) and (5) of this condition shall constitute a violation of 326 IAC 2-7 and any other applicable rules.
 - (g) If the emergency situation causes a deviation from a technology-based limit, the Permittee may continue to operate the affected emitting facilities during the emergency provided the Permittee immediately takes all reasonable steps to correct the emergency and minimize emissions.
 - (h) The Permittee shall include all emergencies in the Quarterly Deviation and Compliance Monitoring Report.

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

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

constitute a defense against an alleged violation of any law, regulation or standard, except for the requirement to obtain a Part 70 permit under 326 IAC 2-7 or for applicable requirements for which a permit shield has been granted.

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

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

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

- (a) All terms and conditions of previous permits issued pursuant to permitting programs approved into the state implementation plan have been either
 - (1) incorporated as originally stated,
 - (2) revised, or
 - (3) deletedby this permit.

- (b) All previous registrations and permits are superseded by this permit, except for permits issued pursuant to Title IV of the Clean Air Act and 326 IAC 21 (Acid Deposition Control).

B.14 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 Data Section, Office of Air Quality
100 North Senate Avenue, P.O. Box 6015
Indianapolis, Indiana 46206-6015

using the attached Quarterly Deviation and Compliance Monitoring Report, or its equivalent. A deviation required to be reported pursuant to an applicable requirement that exists independent of this permit, shall be reported according to the schedule stated in the applicable requirement and does not need to be included in this report.

The Quarterly Deviation and Compliance Monitoring Report does require the certification by the "responsible official" as defined by 326 IAC 2-7-1(34).

- (b) A deviation is an exceedance of a permit limitation or a failure to comply with a requirement of the permit.

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

- (a) This permit may be modified, reopened, revoked and reissued, or terminated for cause. The filing of a request by the Permittee for a Part 70 permit modification, revocation and reissuance, or termination, or of a notification of planned changes or anticipated noncompliance does not stay any condition of this permit. [326 IAC 2-7-5(6)(C)] The notification by the Permittee does require the certification by the "responsible official" as defined by 326 IAC 2-7-1(34).
- (b) This permit shall be reopened and revised under any of the circumstances listed in IC 13-15-7-2 or if IDEM, OAQ, determines any of the following:
- (1) That this permit contains a material mistake.
 - (2) That inaccurate statements were made in establishing the emissions standards or other terms or conditions.
 - (3) That this permit must be revised or revoked to assure compliance with an applicable requirement. [326 IAC 2-7-9(a)(3)]
- (c) Proceedings by IDEM, OAQ, to reopen and revise this permit shall follow the same procedures as apply to initial permit issuance and shall affect only those parts of this permit for which cause to reopen exists. Such reopening and revision shall be made as expeditiously as practicable. [326 IAC 2-7-9(b)]
- (d) The reopening and revision of this permit, under 326 IAC 2-7-9(a), shall not be initiated before notice of such intent is provided to the Permittee by IDEM, OAQ at least thirty (30) days in advance of the date this permit is to be reopened, except that IDEM, OAQ, may provide a shorter time period in the case of an emergency. [326 IAC 2-7-9(c)]

B.16 Permit Renewal [326 IAC 2-7-3] [326 IAC 2-7-4]

-
- (a) The application for renewal shall be submitted using the application form or forms prescribed by IDEM, OAQ, and shall include the information specified in 326 IAC 2-7-4. Such information shall be included in the application for each emission unit at this source, except those emission units included on the trivial or insignificant activities list contained in 326 IAC 2-7-1(21) and 326 IAC 2-7-1(40). The renewal application does require the certification by the “responsible official” as defined by 326 IAC 2-7-1(34).

Request for renewal shall be submitted to:

Indiana Department of Environmental Management
Permits Branch, Office of Air Quality
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, OAQ, on or before the date it is due.
- (2) If IDEM, OAQ, 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] [326 IAC 2-7-4]
If the Permittee submits a timely and complete application for renewal of this permit, the source’s failure to have a permit is not a violation of 326 IAC 2-7 until IDEM, OAQ, takes final action on the renewal application, except that this protection shall cease to apply if, subsequent to the completeness determination, the Permittee fails to submit by a reasonable deadline specified in writing by IDEM, OAQ, any additional information identified as being needed to process the application. [326 IAC 2-7-4(a)(2)(D) and (E)]
- (d) United States Environmental Protection Agency Authority [326 IAC 2-7-8(e)]
If IDEM, OAQ, 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.17 Source Modification [326 IAC 1-2-42] [326 IAC 2-7-10.5]

- (a) The Permittee shall obtain approval as required by 326 IAC 2-7-10.5 from the IDEM, OAQ prior to making any modification to the source. Pursuant to 326 IAC 1-2-42, “Modification” means one (1) or more of the following activities at an existing source:
- (1) A physical change or change in the method of operation of any existing emissions unit that increases the potential to emit any regulated pollutant that could be emitted from the emissions unit, or that results in emissions of any regulated pollutant not previously emitted.

- (2) Construction of one (1) or more new emissions units that have the potential to emit regulated air pollutants.
- (3) Reconstruction of one (1) or more existing emission units that increases the potential to emit of any regulated air pollutant.
- (b) Any application requesting a source modification shall be submitted to:

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

Any such application shall be certified by the "responsible official" as defined by 326 IAC 2-7-1(34).
- (c) The Permittee shall also comply with the applicable provisions of 326 IAC 2-7-11 (Administrative Permit Amendments) or 326 IAC 2-7-12 (Permit Modification) prior to operating the approved modification.

B.18 Permit Amendment or Modification [326 IAC 2-7-11] [326 IAC 2-7-12] [40 CFR 72]

- (a) Permit amendments and modifications are governed by the requirements of 326 IAC 2-7-11 or 326 IAC 2-7-12 whenever the Permittee seeks to amend or modify this permit.
- (b) Pursuant to 326 IAC 2-7-11(b) and 326 IAC 2-7-12(a), administrative Part 70 permit amendments and permit modifications for purposes of the acid rain portion of a Part 70 permit shall be governed by regulations promulgated under Title IV of the Clean Air Act. [40 CFR 72]
- (c) Any application requesting an amendment or modification of this permit shall be submitted to:

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

Any such application shall be certified by the "responsible official" as defined by 326 IAC 2-7-1(34).
- (d) 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)]
- (e) No permit amendment or modification is required for the addition, operation or removal of a nonroad engine, as defined in 40 CFR 89.2.

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

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

- (1) The changes are not modifications under any provision of Title I of the Clean Air Act;
- (2) Any preconstruction approval required by 326 IAC 2-7-10.5 has been obtained;
- (3) The changes do not result in emissions which exceed the 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 Quality
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, OAQ, in the notices specified in 326 IAC 2-7-20(b)(1), (c)(1), and (e)(2).

(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). For each such Section 502(b)(10) of the Clean Air Act change, the required written notification shall include the following:

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

The notification which shall be submitted is not considered an application form, report or compliance certification. Therefore, the notification by the Permittee does not require 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, OAQ, or U.S. EPA is required.
- (e) Backup fuel switches specifically addressed in, and limited under, Section D of this permit shall not be considered alternative operating scenarios. Therefore, the notification requirements of part (a) of this condition do not apply.

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

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

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

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

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

Indiana Department of Environmental Management
Permits Branch, Office of Air Quality

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

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

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

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

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

Notwithstanding the conditions of this permit that state specific methods that may be used to demonstrate compliance with, or a violation of, applicable requirements, any person (including the Permittee) may also use other credible evidence to demonstrate compliance with, or a violation of, any term or condition of this permit.

SECTION C SOURCE OPERATION CONDITIONS

Entire Source

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

- C.1 Particulate Emission Limitations For Processes with Process Weight Rates Less Than One Hundred (100) Pounds per Hour [40 CFR 52 Subpart P] [326 IAC 6-3-2]
- (a) Pursuant to 40 CFR 52 Subpart P, particulate matter emissions 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.
- (b) Pursuant to 326 IAC 6-3-2(e)(2), particulate emissions from any manufacturing process not exempt under 326 IAC 6-3-1(b) or (c) which has a maximum process weight rate less than 100 pounds per hour and the methods in 326 IAC 6-3-2(b) through (d) do not apply shall not exceed 0.551 pounds per hour. This condition is not federally enforceable.
- C.2 Opacity [326 IAC 5-1]
- Pursuant to 326 IAC 5-1-2 (Opacity Limitations), except as provided in 326 IAC 5-1-3 (Temporary Alternative Opacity Limitations), opacity shall meet the following, unless otherwise stated in this permit:
- (a) Opacity shall not exceed an average of 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 non-overlapping integrated averages for a continuous opacity monitor) in a six (6) hour period.
- C.3 Open Burning [326 IAC 4-1] [IC 13-17-9]
- The Permittee shall not open burn any material except as provided in 326 IAC 4-1-3, 326 IAC 4-1-4 or 326 IAC 4-1-6. The previous sentence notwithstanding, the Permittee may open burn in accordance with an open burning approval issued by the Commissioner under 326 IAC 4-1-4.1. 326 IAC 4-1-3 (a)(2)(A) and (B) are not federally enforceable.
- C.4 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. 326 IAC 9-1-2 is not federally enforceable.
- C.5 Fugitive Dust Emissions [326 IAC 6-4]
- The Permittee shall not allow fugitive dust to escape beyond the property line or boundaries of the property, right-of-way, or easement on which the source is located, in a manner that would violate 326 IAC 6-4 (Fugitive Dust Emissions). 326 IAC 6-4-2(4) is not federally enforceable.
- C.6 Motor Vehicle Fugitive Dust Sources [326 IAC 6-4-4]
- Pursuant to 326 IAC 6-4-4, no vehicle shall be driven or moved on any public street, road, alley, highway, or other thoroughfare, unless such vehicle is so constructed as to prevent its contents from dripping, sifting, leaking, or otherwise escaping therefrom so as to create conditions which result in fugitive dust. This section applies only to the cargo any vehicle may be conveying and mud tracked by the vehicle.
- C.7 Stack Height [326 IAC 1-7]

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

C.8 Asbestos Abatement Projects [326 IAC 14-10] [326 IAC 18] [40 CFR 61, Subpart M]

The Permittee shall comply with the applicable requirements of 326 IAC 14-10, 326 IAC 18, and 40 CFR 61.140.

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 any applicable procedures and analysis methods specified in 40 CFR 51, 40 CFR 60, 40 CFR 61, 40 CFR 63, 40 CFR 75, or other procedures approved by IDEM, OAQ.

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

(b) The Permittee shall notify IDEM, OAQ of the actual test date at least fourteen (14) days prior to the actual test date. The notification submitted by the Permittee does not require certification by the "responsible official" as defined by 326 IAC 2-7-1(34).

(c) Pursuant to 326 IAC 3-6-4(b), all test reports must be received by IDEM, OAQ not later than forty-five (45) days after the completion of the testing. An extension may be granted by IDEM, OAQ, if the Permittee submits to IDEM, OAQ, a reasonable written explanation not later than five (5) days prior to the end of the initial forty-five (45) day period.

Compliance Requirements [326 IAC 2-1.1-11]

C.10 Compliance Requirements [326 IAC 2-1.1-11]

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

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

C.11 Compliance Monitoring [326 IAC 2-7-5(3)] [326 IAC 2-7-6(1)]

Unless otherwise specified in this permit, all monitoring and record keeping requirements not already legally required shall be implemented within ninety (90) days of permit issuance. If required by Section D, the Permittee shall be responsible for installing any necessary equipment and initiating any required monitoring related to that equipment. If due to circumstances beyond its control, that equipment cannot be installed and operated within ninety (90) days, the Permittee may extend the compliance schedule related to the equipment for an additional ninety (90) days provided the Permittee notifies:

Indiana Department of Environmental Management

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

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

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

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

C.12 Maintenance of Continuous Opacity Monitoring Equipment [326 IAC 2-7-5(3)(A)(iii)]

- (a) The Permittee shall calibrate, maintain, and operate all necessary continuous opacity monitoring systems (COMS) and related equipment. For a boiler, the COM shall be in operation at all times that the induced draft fan is in operation.
- (b) All continuous opacity monitoring systems shall meet the performance specifications of 40 CFR 60, Appendix B, Performance Specification No. 1, and are subject to monitor system certification requirements pursuant to 326 IAC 3-5.
- (c) In the event that a breakdown of a continuous opacity monitoring system occurs, a record shall be made of the time and reason of the breakdown and efforts made to correct the problem.
- (d) Whenever a continuous opacity monitor (COM) is malfunctioning or will be down for calibration, maintenance, or repairs for a period of one (1) hour or more, compliance with the applicable opacity limits shall be demonstrated by the following:
 - (1) Visible emission (VE) notations shall be performed once per hour during daylight operations following the shutdown or malfunction of the primary COM. A trained employee shall record whether emissions are normal or abnormal for the state of operation of the emission unit at the time of the reading.
 - (A) A trained employee is an employee who has worked at the plant at least one (1) month and has been trained in the appearance and characteristics of normal visible emissions for that specific process.
 - (B) If abnormal emissions are noted during two consecutive emission notations, the Permittee shall begin Method 9 opacity observations within four hours of the second abnormal notation.
 - (C) VE notations may be discontinued once a COM is online or formal Method 9 readings have been implemented.
 - (2) If a COM is not online within twenty-four (24) hours of shutdown or malfunction of the primary COM, the Permittee shall provide certified opacity reader(s), who may be employees of the Permittee or independent contractors, to self-monitor the emissions from the emission unit stack.
 - (A) Visible emission readings shall be performed in accordance with 40 CFR 60, Appendix A, Method 9, for a minimum of five (5) consecutive six (6) minute averaging periods beginning not more than twenty-four (24) hours after the start of the malfunction or down time.

- (B) Method 9 opacity readings shall be repeated for a minimum of five (5) consecutive six (6) minute averaging periods at least once every four (4) hours during daylight operations, until such time that a COM is in operation.
 - (C) Method 9 readings may be discontinued once a COM is online.
 - (D) Any opacity exceedances determined by Method 9 readings shall be reported with the Quarterly Opacity Exceedances Reports.
- (3) If abnormal emissions are observed, the Permittee shall take reasonable response steps in accordance with Section C - Compliance Response Plan - Preparation, Implementation, Records, and Reports. Observation of abnormal emissions that do not violate an applicable opacity limit is not a deviation from this permit. Failure to take response steps in accordance with Section C - Compliance Response Plan - Preparation, Implementation, Records, and Reports, shall be considered a deviation from this permit.
- (e) Nothing in this permit shall excuse the Permittee from complying with the requirements to operate a continuous opacity monitoring system pursuant to 326 IAC 3-5.

C.13 Monitoring Methods [326 IAC 3] [40 CFR 60] [40 CFR 63]

Any monitoring or testing required by Section D of this permit shall be performed according to the provisions of 326 IAC 3, 40 CFR 60 Appendix A, 40 CFR 60 Appendix B, 40 CFR 63, or other approved methods as specified in this permit.

C.14 Pressure Gauge and Other Instrument Specifications [326 IAC 2-1.1-11] [326 IAC 2-7-5(3)] [326 IAC 2-7-6(1)]

- (a) Whenever a condition in this permit requires the measurement of pressure drop across any part of the unit or its control device, the gauge employed shall have a scale such that the expected normal reading shall be no less than twenty percent (20%) of full scale and be accurate within plus or minus two percent ($\pm 2\%$) of full scale reading.
- (b) The Permittee may request the IDEM, OAQ approve the use of a pressure gauge or other instrument that does not meet the above specifications provided the Permittee can demonstrate an alternative pressure gauge or other instrument specification will adequately ensure compliance with permit conditions requiring the measurement of pressure drop or other parameters.

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

C.15 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 prepared and submitted a written emergency reduction plan (ERP) consistent with safe operating procedures. Revised ERPs were submitted on June 25, 1998, and December 28, 1998.
- (b) Upon direct notification by IDEM, OAQ, that a specific air pollution episode level is in effect, the Permittee shall immediately put into effect the actions stipulated in the approved ERP for the appropriate episode level. [326 IAC 1-5-3]

C.16 Risk Management Plan [326 IAC 2-7-5(12)] [40 CFR 68]

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

C.17 Compliance Response Plan - Preparation, Implementation, Records, and Reports
[326 IAC 2-7-5] [326 IAC 2-7-6]

(a) The Permittee is required to prepare a Compliance Response Plan (CRP) for each compliance monitoring condition of this permit. If a Permittee is required to have an Operation, Maintenance and Monitoring (OMM) Plan or Parametric Monitoring Plan and Start-up, Shutdown, and Malfunction (SSM) Plan under 40 CFR 63, such plans shall be deemed to satisfy the requirements for a CRP for those compliance monitoring conditions. A CRP shall be submitted to IDEM, OAQ upon request. The CRP shall be prepared within ninety (90) days after issuance of this permit by the Permittee, supplemented from time to time by the Permittee, maintained on site, and comprised of:

- (1) Reasonable response steps that may be implemented in the event that a response step is needed pursuant to the requirements of Section D of this permit; and an expected timeframe for taking reasonable response steps.
- (2) If, at any time, the Permittee takes reasonable response steps that are not set forth in the Permittee's current Compliance Response Plan or Operation, Maintenance and Monitoring (OMM) Plan or Parametric Monitoring Plan and Start-up, Shutdown, and Malfunction (SSM) Plan and the Permittee documents such response in accordance with subsection (e) below, the Permittee shall amend its Compliance Response Plan or Operation, Maintenance and Monitoring (OMM) Plan or Parametric Monitoring Plan and Start-up, Shutdown, and Malfunction (SSM) Plan to include such response steps taken.

The OMM Plan or Parametric Monitoring and SSM Plan shall be submitted within the time frames specified by the applicable 40 CFR 63 requirement.

(b) For each compliance monitoring condition of this permit, reasonable response steps shall be taken when indicated by the provisions of that compliance monitoring condition as follows:

- (1) Reasonable response steps shall be taken as set forth in the Permittee's current Compliance Response Plan or Operation, Maintenance and Monitoring (OMM) Plan or Parametric Monitoring Plan and Start-up, Shutdown, and Malfunction (SSM) Plan; or
- (2) If none of the reasonable response steps listed in the Compliance Response Plan or Operation, Maintenance and Monitoring (OMM) Plan or Parametric Monitoring Plan and Start-up, Shutdown, and Malfunction (SSM) Plan is applicable or responsive to the excursion, the Permittee shall devise and implement additional response steps as expeditiously as practical. Taking such additional response steps shall not be considered a deviation from this permit so long as the Permittee documents such response steps in accordance with this condition.
- (3) If the Permittee determines that additional response steps would necessitate that the emissions unit or control device be shut down, and it will be ten (10) days or more until the unit or device will be shut down, then the Permittee shall promptly notify the IDEM, OAQ of the expected date of the shut down. The notification shall also include the status of the applicable compliance monitoring parameter with respect to normal, and the results of the response actions taken up to the time of notification.
- (4) Failure to take reasonable response steps shall be considered a deviation from the permit.

(c) The Permittee is not required to take any further response steps for any of the following reasons:

- (1) A false reading occurs due to the malfunction of the monitoring equipment and 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 a minor permit modification to the permit, and such request has not been denied.
 - (3) An automatic measurement was taken when the process was not operating.
 - (4) The process has already returned or is returning to operating within "normal" parameters and no response steps are required.
- (d) When implementing reasonable steps in response to a compliance monitoring condition, if the Permittee determines that an exceedance of an emission limitation has occurred, the Permittee shall report such deviations pursuant to Section B-Deviations from Permit Requirements and Conditions.
- (e) The Permittee shall record all instances when, in accordance with Section D, response steps are 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.
- (f) Except as otherwise provided by a rule or provided specifically in Section D, all monitoring as required in Section D shall be performed when the emission unit is operating, except for time necessary to perform quality assurance and maintenance activities.

**C.18 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 response actions. The Permittee shall submit a description of these response actions to IDEM, OAQ, within thirty (30) days of receipt of the test results. The Permittee shall take appropriate action to minimize excess emissions from the affected facility while the response actions are being implemented.
- (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, OAQ that retesting in one-hundred and twenty (120) days is not practicable, IDEM, OAQ may extend the retesting deadline.
- (c) IDEM, OAQ reserves the authority to take any actions allowed under law in response to noncompliant stack tests.

The response action documents submitted pursuant to this condition do require 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.19 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) Pursuant to 326 IAC 2-6-3(a)(1), the Permittee shall submit by July 1 of each year an emission statement covering the previous calendar year. The emission statement shall contain, at a minimum, the information specified in 326 IAC 2-6-4(c) and shall meet the following requirements:

- (1) Indicate estimated actual emissions of all pollutants listed in 326 IAC 2-6-4(a);
- (2) Indicate estimated actual emissions of regulated pollutants as defined by 326 IAC 2-7-1(32) ("Regulated pollutant which is used only for purposes of Section 19 of this rule") from the source, for purposes of fee assessment.

The statement must be submitted to:

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

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

- (b) The 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, OAQ, on or before the date it is due.

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

- (a) Records of all required monitoring data, reports and support information required by this permit shall be retained for a period of at least five (5) years from the date of monitoring sample, measurement, report, or application. These records shall be physically present or electronically accessible at the source location for a minimum of three (3) years. The records may be stored elsewhere for the remaining two (2) years as long as they are available upon request. If the Commissioner makes a request for records to the Permittee, the Permittee shall furnish the records to the Commissioner within a reasonable time.
- (b) Unless otherwise specified in this permit, 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)] [326 IAC 2-1.1-11]

- (a) The Permittee shall submit the attached Quarterly Deviation and Compliance Monitoring Report or its equivalent. Any deviation from permit requirements, the date(s) of each deviation, the cause of the deviation, and the response steps taken must be reported. This report shall be submitted within thirty (30) days of the end of the reporting period. The Quarterly Deviation and Compliance Monitoring Report shall include the certification by the "responsible official" as defined by 326 IAC 2-7-1(34).
- (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 Quality
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, OAQ, on or before the date it is due.

- (d) Unless otherwise specified in this permit, all reports required in Section D of this permit shall be submitted within thirty (30) days of the end of the reporting period. All reports do require the certification by the "responsible official" as defined by 326 IAC 2-7-1(34).
- (e) 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. Reporting periods are based on calendar years, unless otherwise specified in this permit. For the purpose of this permit, "calendar year" means the twelve (12) month period from January 1 to December 31 inclusive.

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.
- (d) Pursuant to 40 CFR 82, Subpart E (The Labeling of Products Using Ozone-Depleting Substances), all containers in which a Class I or Class II substance is stored or transported and all products containing a Class I substance shall be labeled as required under 40 CFR Part 82.

SECTION D.1 FACILITY OPERATION CONDITIONS

Facility Description [326 IAC 2-7-5(15)] (The information describing the process contained in this facility description box is descriptive information and does not constitute enforceable conditions.)

- (a) Two (2) no. 2 fuel oil-fired boilers, identified as Unit 1 and Unit 2, constructed in 1949 and 1950, respectively, each with a design heat input capacity of 524 million Btu per hour (MMBtu/hr), both exhausting to stack 1-1.

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

D.1.1 Particulate Emission Limitations for Sources of Indirect Heating [326 IAC 6-2-2]

- (a) Pursuant to 326 IAC 6-2-2(a) (Particulate Emissions Limitations for Sources of Indirect Heating: Emission limitations for facilities specified in 326 IAC 6-2-1(b)), the PM emissions from Units 1, 2, 3, 4, 5, and 6 shall not exceed 0.23 pound per million Btu heat input (lb/MMBtu). This limitation was calculated using the following equation:

$$Pt = \frac{0.87}{Q^{0.16}} \quad \text{Where } Q = \text{total source capacity (MMBtu/hr) on June 8, 1972} \\ = 4,071 \text{ MMBtu/hr}$$

- (b) Pursuant to 326 IAC 6-2-2(b), the PM emissions from Units 1 and 2 shall not exceed 0.015 pound per million Btu heat input (lb/MMBtu), as requested by the source in a letter dated April 12, 1988.

Pursuant to 326 IAC 6-2-2(b), the particulate emissions from all of the facilities which were in existence on June 8, 1972, may be allocated in any way among these facilities provided that they will not result in a significantly greater air quality impact level at any receptor than that which would result if the particulate emissions from each of these facilities were limited to Pt; and provided that the emission limitations for each facility are specified in its operation permit.

D.1.2 Temporary Alternative Opacity Limitations [326 IAC 5-1-3]

- (a) Pursuant to 326 IAC 5-1-3 (Temporary Alternative Opacity Limitations), the following applies to Eagle Valley Units 1 and 2:
- (1) When starting a fire in a boiler, or shutting down a boiler, opacity may exceed the applicable limit established in 326 IAC 5-1-2 and stated in Section C - Opacity. However, opacity levels shall not exceed sixty percent (60%) for any six (6)-minute averaging period. Opacity in excess of the applicable limit established in 326 IAC 5-1-2 shall not continue for more than two (2) six (6)-minute averaging periods in any twenty-four (24) hour period. [326 IAC 5-1-3(a)]
 - (2) When removing ashes from the fuel bed or furnace in a boiler or blowing tubes, opacity may exceed the applicable limit established in 326 IAC 5-1-2 and stated in Section C - Opacity. However, opacity levels shall not exceed sixty percent (60%) for any six (6)-minute averaging period and opacity in excess of the applicable limit shall not continue for more than one (1) six (6)-minute averaging period in any sixty (60) minute period. The averaging periods in excess of the limit set in 326 IAC 5-1-2 shall not be permitted for more than three (3) six (6)-minute averaging periods in a twelve (12) hour period. [326 IAC 5-1-3(b)]
- (b) If this facility cannot meet the opacity limitations in (a)(1) and (a)(2) of this condition, the Permittee may submit a written request to IDEM, OAQ, for a temporary alternative opacity limitation in accordance with 326 IAC 5-1-3(d). The Permittee must demonstrate that the alternative limit is needed and justifiable.

D.1.3 Sulfur Dioxide (SO₂) [326 IAC 7-4-11]

Pursuant to 326 IAC 7-4-11 (Morgan County Sulfur Dioxide Emission Limitations), the SO₂ emissions from Unit 1 and Unit 2 shall not exceed 0.37 pounds per million Btu (lbs/MMBtu) each. Pursuant to 326 IAC 7-2-1, compliance shall be demonstrated using a calendar month average.

D.1.4 Operation Standards [326 IAC 2-1.1-5(a)(4)] [40 CFR 261] [40 CFR 279] [329 IAC 13]

- (a) The burning of hazardous waste, as defined by 40 CFR 261, is prohibited in these facilities without a Resource Conservation and Recovery Act (RCRA) permit. Any boiler tube chemical cleaning waste liquids evaporated in the boiler, and any used oil combusted shall meet the toxicity characteristic requirements for non-hazardous waste. These requirements are not federally enforceable pursuant to the Title V permit.
- (b) Any boiler tube chemical cleaning waste liquids evaporated in the boiler shall only contain the cleaning solution and no more than two full volume boiler rinses.

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 these facilities and any emission control devices.

Compliance Determination Requirements

D.1.6 Testing Requirements [326 IAC 2-7-6(1),(6)] [326 IAC 2-1.1-11]

- (a) Within one (1) year of issuance of this permit, compliance with the particulate limitations in Condition D.1.1(b) and with the Opacity limits in Section C - Opacity and Temporary Alternative Opacity Limitations for startup shall be determined as follows:
- (1) Compliance with the particulate limitations shall be determined by a performance stack test conducted utilizing methods as approved by the Commissioner. PM testing with both units operating and exhausting to the common stack is permitted. [326 IAC 3-6]
 - (2) To determine compliance with Section C - Opacity, visible emissions (VE) evaluations shall be performed in conjunction with the particulate emissions testing in accordance with 40 CFR 60, Appendix A, Method 9. The VE readings shall be continuously recorded for the full duration of the sampling time for each sampling repetition. [326 IAC 3-5-1(c)(2)(A)(ii)] [326 IAC 5-1-4(a)(1)]
 - (3) To demonstrate compliance with the Temporary Alternative Opacity Limitation for boiler startups, visible emissions (VE) evaluations shall be performed in accordance with 40 CFR 60, Appendix A, Method 9, during the startup from light-off to completion of start-up. [326 IAC 3-5-1(c)(2)(A)(ii)] [326 IAC 5-1-4(a)(1)]
- (b) The PM stack testing and Method 9 opacity readings shall be repeated as follows:
- (1) By December 31 of every second calendar year following this valid compliance demonstration; or
 - (2) If a unit is not operated at least 1,000 hours in the 2 years since the previous stack test, then testing shall be repeated at least once every 1,000 hours of operation for that unit, or five (5) calendar years from the date of the last valid compliance demonstration, whichever occurs first.

Testing shall be conducted in accordance with Section C - Performance Testing. For the purpose of this permit, "calendar year" means the twelve (12) month period from January 1 to December 31 inclusive.

D.1.7 Sulfur Dioxide Emissions and Sulfur Content [326 IAC 7-2] [326 IAC 7-4-11]

Compliance shall be determined utilizing one of the following options:

- (a) Pursuant to 326 IAC 3-7-4, 326 IAC 7-2, and 326 IAC 7-4-11, the Permittee shall demonstrate that the fuel oil sulfur content does not exceed the equivalent of 0.37 pounds per MMBtu each, using a calendar month average, by:
 - (1) Providing vendor analysis of fuel delivered, accompanied by a vendor certification; or
 - (2) Providing analysis of fuel oil samples collected and analyzed in accordance with 326 IAC 3-7-4(a).
 - (A) Oil samples shall be collected from the tanker truck load prior to transferring fuel to the storage tank; or
 - (B) Oil samples shall be collected from the storage tank immediately after each addition of fuel to the tank.
- (b) Upon written notification to IDEM by a facility owner or operator, continuous emission monitoring data collected and reported pursuant to 326 IAC 3-5 may be used as the means for determining compliance with the emission limitations in 326 IAC 7. Upon such notification, the other requirements of 326 IAC 7-2 shall not apply. [326 IAC 7-2-1(g)]

D.1.8 Nitrogen Oxides Monitoring Requirement [326 IAC 10-4-4(b)(1)] [326 IAC 10-4-12(b) and (c)] [40 CFR 75]

The Permittee has met the monitoring requirements of 326 IAC 10-4-12(b)(1) through (b)(3) that are applicable to their monitoring systems for the NO_x budget units. The Permittee shall record, report, and quality assure the data from the monitoring systems in accordance with 326 IAC 10-4-12 and 40 CFR 75.

D.1.9 Cleaning Waste Characterization [326 IAC 2-1.1-5(a)(4)] [40 CFR 261]

The Permittee shall use appropriate methodology as identified in 40 CFR Part 261 to characterize all boiler chemical cleaning wastes that will be evaporated, to determine compliance with the Operation Standards condition in this D section. This condition is not federally enforceable pursuant to the Title V permit.

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

D.1.10 Visible Emissions Notations [326 IAC 2-7-6(1)] [326 IAC 2-7-5(1)]

- (a) Visible emission notations of the fuel oil-fired boiler exhaust shall be performed once per shift during normal daylight operations when one or both of Units 1 and 2 are in operation. A trained employee shall record whether emissions are normal or abnormal.
- (b) If abnormal emissions are observed at any boiler exhaust, the Permittee shall take reasonable response steps in accordance with Section C - Compliance Response Plan - Preparation, Implementation, Records, and Reports. Observation of abnormal emissions that do not violate an applicable opacity limit is not a deviation from this permit. Failure to take response steps in accordance with Section C - Compliance Response Plan - Preparation, Implementation, Records, and Reports, shall be considered a deviation from this permit.
- (c) "Normal" means those conditions prevailing, or expected to prevail, eighty percent (80%) of the time the process is in operation, not counting startup or shut down time.

- (d) A trained employee is an employee who has worked at the plant at least one (1) month and has been trained in the appearance and characteristics of normal visible emissions for that specific process.

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

D.1.11 Record Keeping Requirements [326 IAC 2-7-5(3)]

- (a) To document compliance with the applicable opacity limits and Conditions D.1.1, D.1.2, and D.1.10, the Permittee shall maintain records in accordance with (1) and (2) below. Records shall be complete and sufficient to establish compliance with the opacity and particulate limits established in Section C - Opacity and Conditions D.1.1 and D.1.2.
- (1) Data and results from the most recent stack test and accompanying Method 9 visible emissions evaluation results for Units 1 and 2.
 - (2) Results of the visible emission notations of the stack 1-1 exhaust.
- (b) To document compliance with Conditions D.1.3 and D.1.7, the Permittee shall maintain records in accordance with (1) through (5) below. Records maintained shall be complete and sufficient to establish compliance with the SO₂ limit as required in Conditions D.1.3 and D.1.7.
- (1) Calendar dates covered in the compliance determination period.
 - (2) Monthly weighted average sulfur content.
 - (3) Fuel heat content.
 - (4) Fuel consumption.
 - (5) Monthly weighted average sulfur dioxide emission rate in pounds per million Btus (lb/MMBtu).
- (c) To document compliance with Condition D.1.5, the Permittee shall maintain records of any additional inspections prescribed by the Preventive Maintenance Plan.
- (d) All records shall be maintained in accordance with Section C - General Record Keeping Requirements, of this permit.

D.1.12 Reporting Requirements [326 IAC 2-7-5(3)] [326 IAC 7-2(c)]

A quarterly report of opacity exceedances and a quarterly summary of the information to document compliance with Condition D.1.3 shall be submitted to the address listed in Section C - General Reporting Requirements of this permit, within thirty (30) days after the end of the quarter being reported. The report submitted by the Permittee does require the certification by the "responsible official" as defined by 326 IAC 2-7-1(34).

SECTION D.2 FACILITY OPERATION CONDITIONS

Facility Description [326 IAC 2-7-5(15)] (The information describing the process contained in this facility description box is descriptive information and does not constitute enforceable conditions.)

- (b) One (1) tangentially-fired wet-bottom coal boiler, identified as Unit 3, constructed in 1951, with a design heat input capacity of 524 million Btu per hour (MMBtu/hr), with an electrostatic precipitator (ESP) and flue gas conditioning system for control of particulate matter, exhausting to stack 2-1. Unit 3 will combust no. 2 fuel oil during startup, shutdown, and stabilization periods. Used oil generated onsite and used oil containment materials generated onsite may be combusted in Unit 3 as supplemental fuel for energy recovery. Stack 2-1 has continuous emission monitoring systems (CEMS) for NO_x and SO₂ and a continuous opacity monitor (COM).
- (c) One (1) tangentially-fired dry-bottom coal boiler, identified as Unit 4, constructed in 1953, with a design heat input capacity of 741 million Btu per hour (MMBtu/hr), with an electrostatic precipitator (ESP) and flue gas conditioning system for control of particulate matter, exhausting to stack 2-1. Unit 4 will combust no. 2 fuel oil during startup, shutdown, and stabilization periods. Stack 2-1 has continuous emission monitoring systems (CEMS) for NO_x and SO₂ and a continuous opacity monitor (COM).
- (d) One (1) tangentially-fired dry-bottom coal boiler, identified as Unit 5, constructed in 1953, with a design heat input capacity of 741 million Btu per hour (MMBtu/hr), with an electrostatic precipitator (ESP) and flue gas conditioning system for control of particulate matter, exhausting to stack 3-1. Unit 5 will combust no. 2 fuel oil during startup, shutdown, and stabilization periods. Stack 3-1 has continuous emission monitoring systems (CEMS) for NO_x and SO₂ and a continuous opacity monitor (COM).
- (e) One (1) tangentially-fired dry-bottom coal boiler, identified as Unit 6, constructed in 1956, with a design heat input capacity of 1017 million Btu per hour (MMBtu/hr), with an electrostatic precipitator (ESP) for control of particulate matter, exhausting to stack 3-1. Unit 6 will combust no. 2 fuel oil during startup, shutdown, and stabilization periods. Used oil generated onsite may be combusted in Unit 6 as supplemental fuel for energy recovery. Unit 6 has had low-NO_x burners installed. Stack 3-1 has continuous emission monitoring systems (CEMS) for NO_x and SO₂ and a continuous opacity monitor (COM).

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

D.2.1 Particulate Emission Limitations for Sources of Indirect Heating [326 IAC 6-2-2]

- (a) Pursuant to 326 IAC 6-2-2 (Particulate Emissions for Sources of Indirect Heating: Emission limitations for facilities specified in 326 IAC 6-2-1(b)), the PM emissions from Units 1, 2, 3, 4, 5, and 6 shall not exceed 0.23 pound per million Btu heat input (lb/MMBtu). This limitation was calculated using the following equation:

$$Pt = \frac{0.87}{Q^{0.16}} \quad \text{Where } Q = \text{total source capacity (MMBtu/hr) on June 8, 1972} \\ = 4,071 \text{ MMBtu/hr}$$

- (b) Pursuant to 326 IAC 6-2-2(b), the PM emissions from Units 3, 4, 5 and 6 shall not exceed 0.27 pound per million Btu heat input (lb/MMBtu), as requested by Indianapolis Power and Light Company in a letter dated April 12, 1988.

Pursuant to 326 IAC 6-2-2(b), the particulate emissions from all of the facilities which were in existence on June 8, 1972, may be allocated in any way among these facilities provided that they will not result in a significantly greater air quality impact level at any receptor than that which would result if the particulate emissions from each of these facilities were limited to Pt; and provided that the emission limitations for each facility are specified in its operation permit.

D.2.2 Temporary Alternative Opacity Limitations [326 IAC 5-1-3]

- (a) Pursuant to 326 IAC 5-1-3 (Temporary Alternative Opacity Limitations), the following applies:
- (1) For the first three (3) years following the issuance date of the Title V permit for this source, when building a new fire in a boiler, opacity may exceed the 40% opacity limitation established in 326 IAC 5-1-2 for a period not to exceed two and one-half (2.5) hours (twenty-five (25) six (6)-minute averaging periods) or until the flue gas temperature reaches two hundred fifty (250) degrees Fahrenheit, whichever occurs first. [326 IAC 5-1-3(e)]
 - (2) Following the expiration of the alternative limitation in (a)(1) of this condition, when building a new fire in a boiler, opacity may exceed the 40% opacity limit established in 326 IAC 5-1-2; however, opacity levels shall not exceed sixty percent (60%) for any six (6)-minute averaging period. Opacity in excess of the applicable limit established in 326 IAC 5-1-2 shall not continue for more than two (2) six (6)-minute averaging periods in any twenty-four (24) hour period. [326 IAC 5-1-3(a)]
 - (3) When shutting down a boiler, opacity may exceed the 40% opacity limitation established in 326 IAC 5-1-2 for a period not to exceed one (1) hour (ten (10) six (6)-minute averaging periods). [326 IAC 5-1-3(e)]
 - (4) Operation of the electrostatic precipitator is not required during these times.
- (b) When removing ashes from the fuel bed or furnace in a boiler or blowing tubes, opacity may exceed the applicable limit established in 326 IAC 5-1-2. However, opacity levels shall not exceed sixty percent (60%) for any six (6)-minute averaging period and opacity in excess of the applicable limit shall not continue for more than one (1) six (6)-minute averaging period in any sixty (60) minute period. The averaging periods in excess of the limit set in 326 IAC 5-1-2 shall not be permitted for more than three (3) six (6)-minute averaging periods in a twelve (12) hour period. [326 IAC 5-1-3(b)]

D.2.3 Sulfur Dioxide (SO₂) [326 IAC 7-4-11]

Pursuant to 326 IAC 7-4-11 (Sulfur Dioxide Emission Limitations for Morgan County):

- (a) SO₂ emissions from Unit 3 shall not exceed 0.37 pounds per million Btu (lbs/MMBtu). [326 IAC 7-4-11(2)]
- (b) SO₂ emissions from Units 4, 5, and 6 shall not exceed 3.04 pounds per million Btu (lbs/MMBtu) each. [326 IAC 7-4-11(2)]
- (c) As an exception to the emission limitations specified in (a) and (b), at any time in which IPL burns coal on Unit 3, sulfur dioxide emissions from Units 3, 4, 5, and 6 shall be limited to two and fifty-seven hundredths (2.57) pounds per million Btu each. [326 IAC 7-4-11(3)]

D.2.4 Operation Standards [326 IAC 2-1.1-5(a)(4)] [40 CFR 261] [40 CFR 279] [329 IAC 13]

-
- (a) All coal burned, including coal treated with any additive, shall meet the ASTM definition of coal.
 - (b) The burning of hazardous waste, as defined by 40 CFR 261, is prohibited in these facilities without a Resource Conservation and Recovery Act (RCRA) permit. Any boiler tube chemical cleaning waste liquids evaporated in the boiler, and any used oil combusted shall meet the toxicity characteristic requirements for non-hazardous waste. These requirements are not federally enforceable pursuant to the Title V permit.
 - (c) Used oil may be combusted as supplemental fuel for energy recovery in compliance with 40 CFR Part 279 (Standards for the management of used oil) and 329 IAC 13 (Used Oil Management). These requirements are not federally enforceable pursuant to the Title V permit.
 - (d) Used oil shall be combusted in only Units 3 and 6; used oil containment materials generated onsite shall be combusted in only Unit 3.
 - (e) Any boiler tube chemical cleaning waste liquids evaporated in the boiler shall only contain the cleaning solution and no more than two full volume boiler rinses.

D.2.5 Preventive Maintenance Plan [326 IAC 2-7-5(13)]

- (a) A Preventive Maintenance Plan, in accordance with Section B - Preventive Maintenance Plan, of this permit, is required for these facilities and their emission control devices.
- (b) The PMP for an electrostatic precipitator shall include the following inspections, performed according to the indicated schedules:
 - (1) Plate and electrode alignment, every major maintenance outage, but no less than every 2 years;
 - (2) ESP TR set components, performed whenever there is an outage of any nature lasting more than three days, unless such inspections have been performed within the last six months. At a minimum, the following inspections shall be performed:
 - (A) Internal inspection of shell for corrosion (including but not limited to doors, hatches, insulator housings, and roof area).
 - (B) Effectiveness of rapping (including but not limited to buildup of dust on discharge electrodes and plates).
 - (C) Gas distribution (including but not limited to buildup of dust on distribution plates and turning vanes).
 - (D) Dust accumulation (including but not limited to buildup of dust on shell and support members that could result in grounds or promote advanced corrosion).
 - (E) Major misalignment of plates (including but not limited to a visual check of plate alignment).
 - (F) Rapper, vibrator and TR set control cabinets (including but not limited to motors and lubrication).
 - (G) Rapper assembly (including but not limited to loose bolts, ground wires, water in air lines, and solenoids).

- (H) Vibrator and rapper seals (including but not limited to air in-leakage, wear, and deterioration).
- (I) TR set controllers (including but not limited to low voltage trip point, over current trip point, and spark rate).
- (J) Vibrator air pressure settings.
- (3) Air and water infiltration, once per month. The recommended method for this inspection is for audible checks around ash hoppers/hatches, duct expansion joints, and areas of corrosion.
- (4) Flue gas conditioning system (FGCS) components, performed whenever there is an outage of any nature lasting more than three days, unless such inspections have been performed within the last six months.

Compliance Determination Requirements

D.2.6 Testing Requirements [326 IAC 2-7-6(1),(6)] [326 IAC 2-1.1-11]

By December 31 of the second calendar year following the most recent stack test, or within 180 days after issuance of this permit, whichever is later, compliance with the PM limitation in Condition D.2.1(b) shall be determined by a performance stack test conducted utilizing methods as approved by the Commissioner. This testing shall be repeated by December 31 of every second calendar year following this valid compliance demonstration. Testing shall be conducted in accordance with Section C- Performance Testing.

For the purpose of this permit, "calendar year" means the twelve (12) month period from January 1 to December 31 inclusive.

D.2.7 Operation of Electrostatic Precipitator [326 IAC 2-7-6(6)]

Except as otherwise provided by statute or rule or in this permit, the electrostatic precipitators (ESPs) shall be operated at all times that the boilers vented to the ESPs are in operation. Each flue gas conditioning (FGC) system shall be used with the corresponding ESP as necessary to maintain compliance with this permit.

D.2.8 Continuous Emissions Monitoring [326 IAC 3-5]

- (a) Pursuant to 326 IAC 3-5 (Continuous Monitoring of Emissions), continuous emission monitoring systems for Units 3, 4, 5 and 6 shall be calibrated, maintained, and operated for measuring opacity, SO₂, and either CO₂ or O₂, which meet the performance specifications of 326 IAC 3-5-2.
- (b) All continuous emission monitoring systems are subject to monitor system certification requirements pursuant to 326 IAC 3-5-3.
- (c) Pursuant to 326 IAC 3-5-4, if revisions are made to the continuous monitoring standard operating procedures (SOP), the Permittee shall submit updates to the department biennially.
- (d) Nothing in this permit shall excuse the Permittee from complying with the requirements to operate a continuous emission monitoring system pursuant to 326 IAC 3-5, 326 IAC 10-4, or 40 CFR 75.
- (e) Pursuant to 326 IAC 3-7-5(a), the Permittee shall develop a standard operating procedure (SOP) to be followed for sampling, handling, analysis, quality control, quality assurance, and

data reporting of the information collected pursuant to 326 IAC 3-7-2 through 326 IAC 3-7-4. In addition, any revision to the SOP shall be submitted to IDEM, OAQ.

D.2.9 Sulfur Dioxide Emissions and Sulfur Content [326 IAC 7-2] [326 IAC 7-4-11]

- (a) Pursuant to 326 IAC 7-2-1(e) and 326 IAC 3-7, coal sampling and analysis data obtained in accordance with procedures specified under 326 IAC 3-7 may be used to demonstrate compliance as follows:
- (1) Pursuant to 326 IAC 7-4-11(6), on a day for which Unit 3 does not burn any coal, compliance with the sulfur dioxide emission limitations in 326 IAC 7-4-11(2) shall be determined as specified in 326 IAC 7-2-1(c), using a thirty (30) day rolling weighted average.
 - (2) Pursuant to 326 IAC 7-4-11(7), on a day for which Unit 3 burns any coal, if the thirty (30) day rolling weighted average for any unit is above two and fifty-seven hundredths (2.57) pounds per million Btu, then 326 IAC 7-2-1(c)(1) does not apply, and the daily average emission rate for that unit for that day shall not exceed two and fifty-seven hundredths (2.57) pounds per million Btu.
- (b) Pursuant to 326 IAC 7-4-11(8), for the purposes of determining compliance under 326 IAC 7-2-1(b), stack tests performed on Units 3, 4, 5, and 6 shall demonstrate compliance with the most stringent set of limits in effect at any time during the day prior to or during the test based on the Unit 3 operating status and fuel type as indicated by the log maintained pursuant to 326 IAC 7-4-11(9).

D.2.10 Nitrogen Oxides Monitoring Requirement [326 IAC 10-4-4(b)(1)] [326 IAC 10-4-12(b) and (c)] [40 CFR 75]

The Permittee has met the monitoring requirements of 326 IAC 10-4-12(b)(1) through (b)(3) that are applicable to their monitoring systems for the NO_x budget units. The Permittee shall record, report, and quality assure the data from the monitoring systems in accordance with 326 IAC 10-4-12 and 40 CFR 75.

D.2.11 Cleaning Waste Characterization [326 IAC 2-1.1-5(a)(4)] [40 CFR 261]

The Permittee shall use appropriate methodology as identified in 40 CFR Part 261 to characterize all boiler chemical cleaning wastes that will be evaporated, to determine compliance with the Operation Standards condition in this D section. This condition is not federally enforceable pursuant to the Title V permit.

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

D.2.12 Transformer-Rectifier (T-R) Sets [326 IAC 2-7-6(1)] [326 IAC 2-7-5(1)]

- (a) The ability of the ESP to control particulate emissions shall be monitored once per shift, when the unit is in operation, by measuring and recording the number of T-R sets in service and the primary and secondary voltages and the currents of the transformer-rectifier (T-R) sets.
- (b) Reasonable response steps shall be taken in accordance with Section C - Compliance Response Plan - Preparation, Implementation, Records, and Reports whenever the percentage of T-R sets in service falls below 90 percent. T-R set failure resulting in less than 90 percent availability is not a deviation from this permit. Failure to take response steps in accordance with Section C - Compliance Response Plan - Preparation, Implementation, Records, and Reports, shall be considered a deviation from this permit.

D.2.13 Opacity Readings [326 IAC 2-7-6(1)] [326 IAC 2-7-5(1)]

- (a) In the event of emissions exceeding thirty percent (30%) average opacity for three (3) consecutive six (6) minute averaging periods, appropriate response steps shall be taken in accordance with Section C - Compliance Response Plan - Preparation, Implementation, Records, and Reports such that the cause(s) of the excursion are identified and corrected and opacity levels are brought back below thirty percent (30%). Examples of expected response steps include, but are not limited to, boiler loads being reduced, adjustment of flue gas conditioning rate, and ESP T-R sets being returned to service.
- (b) Opacity readings in excess of thirty percent (30%) but not exceeding the opacity limit for the unit are not a deviation from this permit. Failure to take response steps in accordance with Section C - Compliance Response Plan - Preparation, Implementation, Records, and Reports, shall be considered a deviation from this permit.

D.2.14 SO₂ Monitor Downtime [326 IAC 2-7-6] [326 IAC 2-7-5(3)]

- (a) Whenever the SO₂ continuous emission monitoring (CEM) system is malfunctioning or down for repairs or adjustments, the following shall be used to provide information related to SO₂ emissions:
 - (1) If the CEM system is down for less than eight (8) hours, the Permittee shall substitute an average of the quality-assured data from the hour immediately before and the hour immediately after the missing data period for each hour of missing data.
 - (2) If the CEM system is down for eight (8) hours or more, coal sampling and analysis data shall be collected in accordance with one of the following:
 - (A) Coal samples shall be collected after the bunker. Coal shall be sampled at least three (3) times per day and at least one (1) time per eight (8) hour period unless no coal is bunkered during the preceding eight (8) hour period. Minimum sample size shall be five hundred (500) grams. Coal samples shall be prepared and analyzed as specified in 326 IAC 3-7-2(c), 326 IAC 3-7-2(d), and 326 IAC 3-7-2(e).
 - or
 - (B) Pursuant to 326 IAC 3-7-3, manual or other non-ASTM automatic sampling and analysis procedures may be used upon a demonstration, submitted to the department for approval, that such procedures provide sulfur dioxide emission estimates representative either of estimates based on coal sampling and analysis procedures specified in 326 IAC 3-7-2 or of continuous emissions monitoring.
- (b) Pursuant to 326 IAC 3-7-5(a), the Permittee shall develop a standard operating procedure (SOP) to be followed for sampling, handling, analysis, quality control, quality assurance, and data reporting of the information collected pursuant to 326 IAC 3-7-2 through 326 IAC 3-7-4. In addition, any revision to the SOP shall be submitted to IDEM, OAQ.

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

D.2.15 Record Keeping Requirements

- (a) To document compliance with the applicable opacity limits and Conditions D.2.1, D.2.2, D.2.8, 2.12 and D.2.13, the Permittee shall maintain records in accordance with (1) through (4) below. Records shall be complete and sufficient to establish compliance with the opacity and particulate limits in Section C - Opacity and in Conditions D.2.1 and D.2.2.

- (1) Data and results from the most recent stack test.
 - (2) All continuous opacity monitoring data, pursuant to 326 IAC 3-5.
 - (3) The results of all visible emission (VE) notations and Method 9 visible emission readings taken during any periods of COM downtime.
 - (4) All ESP parametric monitoring readings.
- (b) To document compliance with SO₂ Conditions D.2.3, D.2.8, D.2.9, and D.2.14, the Permittee shall maintain records in accordance with (1) through (3) below. Records shall be complete and sufficient to establish compliance with the SO₂ limits as required in Conditions D.2.3 and D.2.9. The Permittee shall maintain records in accordance with (2) and (3) below during SO₂ CEM system downtime.
- (1) All SO₂ continuous emissions monitoring data, pursuant to 326 IAC 3-5-6 and 326 IAC 7-2-1(g).
 - (2) All fuel sampling and analysis data collected for SO₂ CEM downtime, in accordance with Condition D.2.14.
 - (3) Actual fuel usage during each SO₂ CEM downtime.
- (c) Pursuant to 326 IAC 7-4-11(9), the Permittee shall maintain and make available to the department upon request a log of the operating status and fuel type used for Unit 3. In addition, in the quarterly report required by 326 IAC 7-2-1(a), the Permittee shall submit to the department a daily summary indicating fuel type for Unit 3, and, for days on which Unit 3 burned any coal and any thirty (30) day rolling weighted average was greater than two and fifty-seven hundredths (2.57) pounds per million Btu, the Permittee shall submit to the department the daily average sulfur content, heat content, and sulfur dioxide emission rate for Units 3, 4, 5, and 6.
- (d) To document compliance with Condition D.2.5, the Permittee shall maintain records of the results of all boiler and emission control equipment inspections, including any additional inspections prescribed by the Preventive Maintenance Plan.
- (e) All records shall be maintained in accordance with Section C - General Record Keeping Requirements, of this permit.

D.2.16 Reporting Requirements [326 IAC 2-7-5(3)] [326 IAC 3-5-7] [326 IAC 7-2(c)]

- (a) A quarterly report of opacity exceedances and a quarterly summary of the information to document compliance with Condition D.2.3 shall be submitted to the address listed in Section C - General Reporting Requirements of this permit, within thirty (30) days after the end of the quarter being reported. The report submitted by the Permittee does require the certification by the "responsible official" as defined by 326 IAC 2-7-1(34).
- (b) Pursuant to 326 IAC 3-5-7(5), reporting of continuous monitoring system instrument downtime, except for zero (0) and span checks, which shall be reported separately, shall include the following:
 - (1) Date of downtime.
 - (2) Time of commencement.
 - (3) Duration of each downtime.

- (4) Reasons for each downtime.
- (5) Nature of system repairs and adjustments.

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

D.2.17 Used Oil Requirements [326 IAC 2-1.1-5(a)(4)] [40 CFR 279] [329 IAC 13]

The used oil burned in Boiler No. 3 shall comply with the used oil requirements specified in 329 IAC 13 (Used Oil Management). Pursuant to 329 IAC 13-3-2 (Used Oil Specifications), used oil burned for energy recovery that is classified as off-specification used oil fuel shall comply with the provisions of 329 IAC 13-8 (Used Oil Burners Who Burn Off-specification Used Oil For Energy Recovery), including:

- (a) Receipt of an EPA identification number as outlined in 329 IAC 13-8-3 (Notification),
- (b) Compliance with the used oil storage requirements specified in 329 IAC 13-8-5 (Used Oil Storage), and
- (c) Maintaining records pursuant to 329 IAC 13-8-6 (Tracking).

The burning of mixtures of used oil and hazardous waste that is regulated under 329 IAC 3.1 is prohibited at this source.

This condition is not federally enforceable pursuant to the Title V permit.

SECTION D.3 FACILITY OPERATION CONDITIONS

Facility Description [326 IAC 2-7-5(15)] (The information describing the process contained in this facility description box is descriptive information and does not constitute enforceable conditions.)

- (f) One (1) distillate oil fired generator, identified as Unit PR-10, constructed in 1967, with a design heat input capacity of 28.4 million Btu per hour (MMBtu/hr), exhausting to stack PR10-1.

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

D.3.1 Sulfur Dioxide (SO₂) [326 IAC 7-1.1-2]

Pursuant to 326 IAC 7-1.1-2 (Sulfur Dioxide Emission Limitations), the SO₂ emissions from Unit PR-10 shall not exceed 0.5 pound per million Btu (lb/MMBtu).

Compliance Determination Requirements

D.3.2 Sulfur Dioxide Emissions and Sulfur Content [326 IAC 7-1.1-2] [326 IAC 7-2]

Pursuant to 326 IAC 3-7-4, 326 IAC 7-1.1-2, and 326 IAC 7-2, the Permittee shall demonstrate that the fuel oil sulfur content does not exceed the equivalent of 0.5 lb/MMBtu, using a calendar month average, by:

- (a) Providing vendor analysis of fuel delivered, accompanied by a vendor certification; or
- (b) Providing analysis of fuel oil samples collected and analyzed in accordance with 326 IAC 3-7-4(a).
- (1) Oil samples shall be collected from the tanker truck load prior to transferring fuel to the storage tank; or
- (2) Oil samples shall be collected from the storage tank immediately after each addition of fuel to the tank.

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

D.3.3 Record Keeping Requirements

- (a) To document compliance with Condition D.3.1 and D.3.2, the Permittee shall maintain records in accordance with (1) through (5) below. Records maintained shall be complete and sufficient to establish compliance with the SO₂ limit as required in Condition D.3.1 and D.3.2.
- (1) Calendar dates covered in the compliance determination period.
- (2) Monthly weighted average sulfur content.
- (3) Fuel heat content.
- (4) Fuel consumption.
- (5) Monthly weighted average sulfur dioxide emission rate in pounds per million Btus (lb/MMBtu).
- (b) All records shall be maintained in accordance with Section C - General Record Keeping Requirements, of this permit.

D.3.4 Reporting Requirements [326 IAC 2-7-5(3)] [326 IAC 7-2(c)]

A quarterly summary of the information to document compliance with Condition D.3.1 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. The report submitted by the Permittee does require the certification by the "responsible official" as defined by 326 IAC 2-7-1(34).

SECTION D.4 FACILITY OPERATION CONDITIONS

Facility Description [326 IAC 2-7-5(15)] (The information describing the process contained in this facility description box is descriptive information and does not constitute enforceable conditions.)

- (g) Coal transfer facilities, with a maximum throughput of 800 tons per hour, with a dust suppression system using foam on coal going to the bunkers and a wet spray on the coal stack out.
- (h) Rail car unloading, coal pile unloading, and coal storage, with a maximum capacity of 800 tons per hour.
- (i) Coal crushers, identified as 1A and 1B, with a maximum combined capacity of 800 tons per hour, each using an enclosure for dust control.

Insignificant Activities:

Coal bunker and coal scale exhausts and associated dust collector vents.

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

D.4.1 Particulate [326 IAC 6-3-2]

Pursuant to 326 IAC 6-3-2 (Particulate Emission Limitations for Manufacturing Processes), the particulate emission rate from the coal processing drop points and the particulate emission rate from the coal crushers shall not exceed amounts determined by the following:

- (a) Interpolation 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:

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

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

$$E = 55.0 P^{0.11} - 40 \quad \text{where } E = \text{rate of emission in pounds per hour; and} \\ P = \text{process weight rate in tons per hour.}$$

- (c) When the process weight rate exceeds two hundred (200) tons per hour, the allowable emission may exceed the pounds per hour limitation calculated using the above equation, provided the concentration of particulate in the discharge gases to the atmosphere is less than 0.10 pounds per one thousand (1,000) pounds of gases.

D.4.2 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 the foam and wet spray application systems associated with these facilities.

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

D.4.3 Visible Emissions Notations [326 IAC 2-7-6(1)] [326 IAC 2-7-5(1)]

- (a) Visible emission notations of any coal transfer exhaust points shall be performed once per shift during normal daylight operations when transferring coal. A trained employee shall record whether emissions are normal or abnormal.

- (b) Visible emission notations of the rail car unloading shall be performed once per shift during normal daylight operations when unloading coal. A trained employee shall record whether emissions are normal or abnormal.
- (c) Visible emission notations of the coal crusher stack exhaust shall be performed once per shift during normal daylight operations when the crusher is in operation. A trained employee shall record whether emissions are normal or abnormal.
- (d) If abnormal emissions are observed at a transfer point exhaust or crusher exhaust or from the coal unloading, the Permittee shall take reasonable response steps in accordance with Section C - Compliance Response Plan - Preparation, Implementation, Records, and Reports. Observation of abnormal emissions that do not violate 326 IAC 6-4 (Fugitive Dust Emissions) or an applicable opacity limit is not a deviation from this permit. Failure to take response steps in accordance with Section C - Compliance Response Plan - Preparation, Implementation, Records, and Reports, shall be considered a deviation from this permit.
- (e) For processes operated continuously, "normal" means those conditions prevailing, or expected to prevail, eighty percent (80%) of the time the process is in operation.
- (f) In the case of batch or discontinuous operations, readings shall be taken during that part of the operation that would normally be expected to cause the greatest emissions.
- (g) A trained employee is an employee who has worked at the plant at least one (1) month and has been trained in the appearance and characteristics of normal visible emissions for that specific process.

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

D.4.4 Record Keeping Requirements

- (a) To document compliance with Section C - Opacity and Condition D.4.3, the Permittee shall maintain records of the visible emission notations of the rail car unloading, coal crusher exhausts points, any coal transfer exhaust points, and all response steps taken and the outcome for each.
- (b) To document compliance with Condition D.4.2, the Permittee shall maintain records of any 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.

SECTION D.5 FACILITY CONDITIONS

Facility Description [326 IAC 2-7-5(15)] (The information describing the process contained in this facility description box is descriptive information and does not constitute enforceable conditions.)

Insignificant Activities:

Wet process ash handling, with hydroveyors conveying ash to storage ponds.

Ponded ash handling/removal operations.

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

D.5.1 Fugitive Dust Emission Limitations [326 IAC 6-4-2]

Pursuant to 326 IAC 6-4-2:

- (a) Any ash storage pond area generating fugitive dust shall be in deviation from this rule (326 IAC 6-4) if any of the following criteria are violated:

- (1) A source or combination of sources which cause to exist fugitive dust concentrations greater than sixty-seven percent (67%) in excess of ambient upwind concentrations as determined by the following formula:

$$P = \frac{100(R) - U}{U}$$

Where

P = Percentage increase

R = Number of particles of fugitive dust measured at downward receptor site

U = Number of particles of fugitive dust measured at upwind or background site

- (2) The fugitive dust is comprised of fifty percent (50%) or more respirable dust, then the percent increase of dust concentration in subdivision (1) of this section shall be modified as follows:

$$P_R = (1.5 \pm N) P$$

Where

N = Fraction of fugitive dust that is respirable dust;

P_R = allowable percentage increase in dust concentration above background;
and

P = no value greater than sixty-seven percent (67%).

- (3) The ground level ambient air concentrations exceed fifty (50) micrograms per cubic meter above background concentrations for a sixty (60) minute period.
- (4) If fugitive dust is visible crossing the boundary or property line of a source. This subdivision may be refuted by factual data expressed in subdivisions (1), (2) or (3) of this section. 326 IAC 6-4-2(4) is not federally enforceable.
- (b) Pursuant to 326 IAC 6-4-6(6) (Exceptions), fugitive dust from a source caused by adverse meteorological conditions will be considered an exception to this rule (326 IAC 6-4) and therefore not in violation.

Adverse weather conditions do not relieve a source from taking all reasonable measures to mitigate fugitive dust formation and transport. Failure to take reasonable measures during this period may be considered to be a deviation from this permit.

D.5.2 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 these facilities and any emission control devices associated with these facilities.

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

D.5.3 Visible Emissions Notations [326 IAC 2-7-6(1)] [326 IAC 2-7-5(1)]

- (a) Visible emission notations of the fly ash storage pond area(s) shall be performed at least once per day during normal daylight operations. A trained employee shall record whether emissions are normal or abnormal.
- (b) If visible emissions are observed crossing the property line or boundaries of the property, right-of-way, or easement on which the source is located, the Permittee shall take reasonable response steps in accordance with Section C - Compliance Response Plan - Preparation, Implementation, Records, and Reports. Failure to take response steps in accordance with Section C - Compliance Response Plan - Preparation, Implementation, Records, and Reports, shall be considered a deviation from this permit.
- (c) For processes operated continuously, "normal" means those conditions prevailing, or expected to prevail, eighty percent (80%) of the time the process is in operation.
- (d) In the case of batch or discontinuous operations, readings shall be taken during that part of the operation that would normally be expected to cause the greatest emissions.
- (e) A trained employee is an employee who has worked at the plant at least one (1) month and has been trained in the appearance and characteristics of normal visible emissions for that specific process.

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

D.5.4 Record Keeping Requirements

- (a) To document compliance with Conditions D.5.1 and D.5.3, the Permittee shall maintain records of visible emission notations of the fly ash storage pond area(s).
- (b) To document compliance with Condition D.5.2, the Permittee shall maintain records of any 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.

SECTION D.6 FACILITY CONDITIONS

Facility Description [326 IAC 2-7-5(15)] (The information describing the process contained in this facility description box is descriptive information and does not constitute enforceable conditions.)

Insignificant Activities:

Grinding and machining operations controlled with fabric filters, scrubbers, mist collectors, wet collectors and electrostatic precipitators with a design grain loading of less than or equal to 0.03 grains per actual cubic foot and a gas flow rate less than or equal to 4000 actual cubic feet per minute, including the following: deburring; buffing; polishing; abrasive blasting; pneumatic conveying; and woodworking operations.

Sandblasting room.

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

D.6.1 Particulate [326 IAC 6-3-2]

Pursuant to 326 IAC 6-3-2 (Particulate Emission Limitations for Manufacturing Processes), the particulate emission rate from the grinding and machining operations and the particulate emission rate from the sandblasting shall not exceed amounts determined by the following:

Interpolation 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:

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

Compliance Determination Requirement

D.6.2 Particulate Control [326 IAC 2-7-6(6)]

Except as otherwise provided by statute or rule or in this permit, the fabric filters for particulate control shall be in operation and control emissions from the grinding and machining operations and from the sandblasting at all times that the associated process is in operation.

SECTION E

TITLE IV CONDITIONS

Facility Description [326 IAC 2-7-5(15)] (The information describing the process contained in this facility description box is descriptive information and does not constitute enforceable conditions.)

- (a) Two (2) no. 2 fuel oil fired boilers, identified as Units 1 and Unit 2, constructed in 1949 and 1950, respectively, each with a design heat input capacity of 524 million Btu per hour (MMBtu/hr), both exhausting to stack 1-1.
- (b) One (1) tangentially-fired wet-bottom coal boiler, identified as Unit 3, constructed in 1951, with a design heat input capacity of 524 million Btu per hour (MMBtu/hr), with an electrostatic precipitator (ESP) and flue gas conditioning system for control of particulate matter, exhausting to stack 2-1. Unit 3 will combust no. 2 fuel oil during startup, shutdown, and stabilization periods. Used oil generated onsite and used oil containment materials generated onsite may be combusted in Unit 3 as supplemental fuel for energy recovery. Stack 2-1 has continuous emission monitoring systems (CEMS) for NO_x and SO₂ and a continuous opacity monitor (COM).
- (c) One (1) tangentially-fired dry-bottom coal fired boiler, identified as Unit 4, constructed in 1953, with a design heat input capacity of 741 million Btu per hour (MMBtu/hr), with an electrostatic precipitator (ESP) and flue gas conditioning system for control of particulate matter, exhausting to stack 2-1. Unit 4 will combust no. 2 fuel oil during startup, shutdown, and stabilization periods. Stack 2-1 has continuous emission monitoring systems (CEMS) for NO_x and SO₂ and a continuous opacity monitor (COM).
- (d) One (1) tangentially-fired dry-bottom coal boiler, identified as Unit 5, constructed in 1953, with a design heat input capacity of 741 million Btu per hour (MMBtu/hr), with an electrostatic precipitator (ESP) and flue gas conditioning system for control of particulate matter, exhausting to stack 3-1. Unit 5 will combust no. 2 fuel oil during startup, shutdown, and stabilization periods. Stack 3-1 has continuous emission monitoring systems (CEMS) for NO_x and SO₂ and a continuous opacity monitor (COM).
- (e) One (1) tangentially-fired dry-bottom coal boiler, identified as Unit 6, constructed in 1956, with a design heat input capacity of 1017 million Btu per hour (MMBtu/hr), with an electrostatic precipitator (ESP) for control of particulate matter, exhausting to stack 3-1. Unit 6 will combust no. 2 fuel oil during startup, shutdown, and stabilization periods. Used oil generated onsite may be combusted in Unit 6 as supplemental fuel for energy recovery. Unit 6 has had low-NO_x burners installed. Stack 3-1 has continuous emission monitoring systems (CEMS) for NO_x and SO₂ and a continuous opacity monitor (COM).

Acid Rain Program

E.1 Acid Rain Permit [326 IAC 2-7-5(1)(C)] [326 IAC 21] [40 CFR 72 through 40 CFR 78]

Pursuant to 326 IAC 21 (Acid Deposition Control), the Permittee shall comply with all provisions of the Acid Rain permit issued for this source, and any other applicable requirements contained in 40 CFR 72 through 40 CFR 78. The Acid Rain permit for this source is attached to this permit as Appendix A, and is incorporated by reference.

E.2 Title IV Emissions Allowances [326 IAC 2-7-5(4)] [326 IAC 21]

Emissions exceeding any allowances that the Permittee lawfully holds under the Title IV Acid Rain Program of the Clean Air Act are prohibited, subject to the following limitations:

- (a) No revision of this permit shall be required for increases in emissions that are authorized by allowances acquired under the Title IV Acid Rain Program, provided that such increases do not require a permit revision under any other applicable requirement.
- (b) No limit shall be placed on the number of allowances held by the Permittee. The Permittee may not use allowances as a defense to noncompliance with any other applicable requirement.
- (c) Any such allowance shall be accounted for according to the procedures established in regulations promulgated under Title IV of the Clean Air Act.

INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT OFFICE OF AIR QUALITY

PART 70 OPERATING PERMIT CERTIFICATION

Source Name: Indianapolis Power and Light (IPL) Eagle Valley Generating Station
Source Address: 4040 Blue Bluff Road, Martinsville, IN 46151
Mailing Address: 4040 Blue Bluff Road, Martinsville, IN 46151
Part 70 Permit No.: T109-6569-00004

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

Please check what document is being certified:

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

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

Signature:

Printed Name:

Title/Position:

Telephone:

Date:

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

**PART 70 OPERATING PERMIT
EMERGENCY OCCURRENCE REPORT**

Source Name: Indianapolis Power and Light (IPL) Eagle Valley Generating Station
Source Address: 4040 Blue Bluff Road, Martinsville, IN 46151
Mailing Address: 4040 Blue Bluff Road, Martinsville, IN 46151
Part 70 Permit No.: T109-6569-00004

This form consists of 2 pages

Page 1 of 2

- 9** This is an emergency as defined in 326 IAC 2-7-1(12)
- C** The Permittee must notify the Office of Air Quality (OAQ), 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) working days (Facsimile Number: 317-233-5967), and follow the other requirements of 326 IAC 2-7-16.

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

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

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

Page 2 of 2

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

Form Completed by: _____

Title / Position: _____

Date: _____

Telephone: _____

A certification is not required for this report.

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

Part 70 Quarterly Report

Source Name: Indianapolis Power and Light (IPL) Eagle Valley Generating Station
Source Address: 4040 Blue Bluff Road, Martinsville, IN 46151
Mailing Address: 4040 Blue Bluff Road, Martinsville, IN 46151
Part 70 Permit No.: T109-6569-00004
Facility: Unit PR-10 distillate oil-fired generator
Parameter: SO₂ emissions
Limit: shall not exceed 0.5 pound per million Btu (lb/MMBtu),
demonstrated using a 30 day rolling weighted average

YEAR: _____

Month	Column 1	Column 2	Column 1 + Column 2
	This Month	Previous 11 Months	12 Month Total
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: _____

Telephone: _____

Attach a signed certification to complete this report.

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

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

Source Name: Indianapolis Power and Light (IPL) Eagle Valley Generating Station
 Source Address: 4040 Blue Bluff Road, Martinsville, IN 46151
 Mailing Address: 4040 Blue Bluff Road, Martinsville, IN 46151
 Part 70 Permit No.: T109-6569-00004

Months: _____ to _____ Year: _____

This report shall be submitted quarterly based on a calendar year. For the purpose of this permit, "calendar year" means the twelve (12) month period from January 1 to December 31 inclusive. Any deviation from the requirements, the date(s) of each deviation, the probable cause of the deviation, and the response steps taken must be reported. A deviation required to be reported pursuant to an applicable requirement that exists independent of the permit, shall be reported according to the schedule stated in the applicable requirement and does not need to be included in this report. Additional pages may be attached if necessary. If no deviations occurred, please specify in the box marked "No deviations occurred this reporting period".	
<input checked="" type="radio"/> NO DEVIATIONS OCCURRED THIS REPORTING PERIOD.	
<input checked="" type="radio"/> THE FOLLOWING DEVIATIONS OCCURRED THIS REPORTING PERIOD	
Permit Requirement (specify permit condition #)	
Date of Deviation:	Duration of Deviation:
Number of Deviations:	
Probable Cause of Deviation:	
Response Steps Taken:	
Permit Requirement (specify permit condition #)	
Date of Deviation:	Duration of Deviation:
Number of Deviations:	
Probable Cause of Deviation:	
Response Steps Taken:	

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

Form Completed By: _____

Title/Position: _____

Date: _____

Telephone: _____

Attach a signed certification to complete this report.

Indiana Department of Environmental Management Office of Air Quality

Addendum to the Technical Support Document for a Part 70 Operating Permit

Source Name: Indianapolis Power and Light (IPL) Eagle Valley Generating Station
(formerly H. T. Pritchard Generating Station)
Source Location: 4040 Blue Bluff Road, Martinsville, Indiana, 46151
County: Morgan
SIC Code: 4911
Operation Permit No.: T109-6569-00004
Permit Reviewer: Vickie Cordell

On December 13, 2002, the Office of Air Quality (OAQ) had a notice published in the Martinsville Reporter, Mooresville, Indiana, stating that Indianapolis Power and Light (IPL) had applied for a Part 70 Operating Permit to operate the Eagle Valley Generating Station. The notice also stated that OAQ 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 January 13, 2003, James Hauck of Barnes & Thornburg submitted comments on the proposed Part 70 permit on behalf of IPL. The following is a summary of the comments. Comments were also received from the Indiana Electric Utility Air Work Group (IEUAWG); these comments are shown following IPL's comments. In the responses, additions to the permit are bolded for emphasis; the language with a line through it has been deleted. The Table Of Contents has been modified to reflect these changes.

IPL Comment 1:

Condition B.11(a) Preventative Maintenance Plan: This condition should clarify that neither the PMP nor the PMP extension notification requires certification by the responsible official, as follows:

B.11 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 (PMPs) within ninety (90) days after issuance of this permit, including the following information on each facility:

The PMP and ~~The PMP extension notification does not require the certification by the "responsible official" as defined by 326 IAC 2-7-1(34).~~

Response:

This portion of B.11(a) (now B.10) addresses only the submittal of the PMP extension notification. B.11(c) says "The submittal of the PMP and the PMP extension notification does not require the certification by the "responsible official" as defined by 326 IAC 2-7-1(34)." There is no need to include the additional wording in B.11(a).

IPL Comment 2:

Condition B.12(h) Emergency Provisions: This condition should be amended to require that information on only those emergencies required to be reported under subpart (f) must be included on the quarterly report, as follows:

B.12 Emergency Provisions [326 IAC 2-7-16]

- (h) The Permittee shall include **information on** all emergencies **required to be reported under subpart (f)** in the Quarterly Deviation and Compliance Monitoring Report.

Response:

B.12(f) (now B.11) requires that emergencies lasting one hour or more be reported within four hours. However, 326 IAC 2-7-1(12) does not limit the definition of emergency to only those requiring notification within one hour. All emergencies are deviations. 326 IAC 2-7-5(3)(C)(i) requires that all instances of deviations from Part 70 permit requirements must be clearly reported in the reports of any required monitoring. 326 IAC 2-7-5(3)(C)(ii) says that a Part 70 permit shall require the reporting of deviations from Part 70 permit requirements, including those attributable to upset conditions as defined in a Part 70 permit. There has been no change to this condition.

IPL Comment 3:

Condition C.1 Particulate Emission Limitations For Processes with Process Weight Rates Less Than One Hundred (100) pounds per hour: Subpart (a) of this condition should reflect that the SIP-approved rule limits "*particulate matter*," as stated in that rule. Also, subpart (b) should reflect that the state-only requirement applies to a covered "manufacturing process" as stated in the regulation. The condition should be amended as follows:

C.1 Particulate Emission Limitations For Processes with Process Weight Rates Less Than One Hundred (100) pounds per hour [40 CFR 52 Subpart P] [326 IAC 6-3-2]

- (a) Pursuant to 40 CFR 52 Subpart P, 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.
- (b) Pursuant to 326 IAC 6-3-2(e)(2), the allowable particulate emissions rate from any **manufacturing** process not exempt under 326 IAC 6-3-1(b) or (c) which has a maximum process weight rate less than 100 pounds per hour and the methods in 326 IAC 6-3-2(b) through (d) do not apply shall not exceed 0.551 pounds per hour. This condition is not federally enforceable.

Response:

The condition language has been revised to follow the current wording of the rule even more closely, as follows:

C.1 Particulate Emission Limitations For Processes with Process Weight Rates Less Than One Hundred (100) pounds per hour [40 CFR 52 Subpart P] [326 IAC 6-3-2]

- (a) Pursuant to 40 CFR 52 Subpart P, ~~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.
- (b) Pursuant to 326 IAC 6-3-2(e)(2), ~~the allowable~~ particulate emissions ~~rate~~ from any **manufacturing** process not exempt under 326 IAC 6-3-1(b) or (c) which has a maximum

process weight rate less than 100 pounds per hour and the methods in 326 IAC 6-3-2(b) through (d) do not apply shall not exceed 0.551 pounds per hour. This condition is not federally enforceable.

IPL Comment 4:

C.10 Compliance Monitoring: IPL requests that this condition provide 180 days from the effective date of the permit for implementation of all required monitoring and recordkeeping because 90 days is not enough time for procurement, installation and testing of equipment and related employee training involved in such implementation. Therefore, IPL requests that the condition be amended as follows:

C.10 Compliance Monitoring [326 IAC 2-7-5(3)] [326 IAC 2-7-6(1)]

Unless otherwise specified in this permit, all monitoring and record keeping requirements not already legally required shall be implemented within **one hundred eighty (180) ~~ninety (90)~~** days of **the effective date of the** permit issuance. If required by Section D, the Permittee shall be responsible for installing any necessary equipment and initiating any required monitoring related to that equipment. If due to circumstances beyond its control, that equipment cannot be installed and operated within **one hundred eighty (180) ~~ninety (90)~~** days, the Permittee may extend the compliance schedule related to the equipment for an additional ninety (90) days provided the Permittee notifies:

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

in writing, prior to the end of the initial **one hundred eighty (180) ~~ninety (90)~~** day compliance schedule, with full justification of the reasons for the inability to meet this date.

Response:

Pursuant to IC 13-15-5-3, the permit becomes effective upon issuance; therefore the effective date of the permit and the issuance date of the permit are the same. It is not necessary to replace the word "issuance" with the phrase "the effective date of the".

The department does not intend to grant a blanket exemption for not complying with the 90 days deadline. Condition C.10 allows for the extension of the deadline if IPL provides a full justification. There has been no change to this requirement.

IPL Comment 5:

Condition C.11(c) Maintenance of Continuous Opacity Monitoring Equipment: IPL requests that IDEM delete the requirement for a calibrated backup COM and Method 9 readings when the COM will be down for more than four hours. Installation of a calibrated backup COM in this timeframe is not feasible because the drift test for the backup monitor requires seven days. In addition, installation of the COM would require physical installation and interfacing with the data acquisition system that is not practicable in a four hour timeframe. Also, the requirement for repeated Method 9 readings for one hour of every four hours is unduly burdensome because IPL has a limited number of employees on staff who are trained in Method 9. Accordingly, IPL requests that Condition C.11(c) be deleted and subpart (d) be relabeled as follows:

C.11 Maintenance of Continuous Opacity Monitoring Equipment [326 IAC 2-7-5(3)(A)(iii)]

- (c) ~~Whenever a continuous opacity monitor (COM) is malfunctioning or will be down for calibration, maintenance, or repairs for a period of four (4) hours or more, compliance with the applicable opacity limits shall be demonstrated by one of the following:~~
- ~~(1) A calibrated backup COM shall be brought online within four (4) hours of shutdown of the primary COM; or~~
 - ~~(2) Visible emission readings shall be performed in accordance with 40 CFR 60, Appendix A, Method 9, for a minimum of one (1) hour beginning four (4) hours after the start of the malfunction or down time.~~
 - ~~(A) If the reading period begins less than one hour before sunset, readings shall be performed until sunset. If the first required reading period would occur between sunset and sunrise, the first reading shall be performed as soon as there is sufficient daylight.~~
 - ~~(B) Method 9 opacity readings shall be repeated for a minimum of one (1) hour at least once every four (4) hours during daylight operations, until such time that a calibrated COM is in operation.~~
 - ~~(C) All of the opacity readings during this period shall be reported in the Quarterly Deviation and Compliance Monitoring Reports.~~
- (d) Nothing in this permit shall excuse the Permittee from complying with the requirements to operate a continuous opacity monitoring system pursuant to 326 IAC 3-5.

Response:

OAQ has revised the condition to allow the initial use of visible emission notations, which do not require a Method 9 certified reader. However, the OAQ believes that the requirement to have a certified visible emissions reader on-site within 24 hours of a COM shutdown or malfunction is reasonable and necessary. The Permittee is required to certify continuous compliance with all conditions of the permit. The Permittee must have sufficient information available in order to be able to certify continuous compliance. If the COM system fails and the Permittee does not perform any supplemental monitoring during the period of time when the COM is not operating, there will not be sufficient information available for the Permittee to be able to certify continuous compliance during that time period. Therefore, the permit must include a requirement to perform supplemental monitoring whenever the COM system is not in operation and the emission unit is in operation.

IDEM believes that after 24 hours of monitor downtime, the Permittee must have a certified person perform Method 9 visible emissions readings to assure that variations in the coal and boiler load do not impact emissions. Normal/abnormal visible emission notations by someone who is not trained to perform Method 9 visible emissions readings, would not be adequate to differentiate such variations.

The condition has also been revised to specify when the COM should be in operation. The opacity limit and the requirement to use a continuous opacity monitor are applicable to any times that opacity is emitted by or from the boilers, including opacity emitted during maintenance or cool down. However, OAQ recognizes that when the induced draft fan is not in operation, standing particulate in the stack can cause false opacity emission readings when no opacity is actually being emitted from the stack. To address this possibility, OAQ has specified that the COM must be in operation at all times that the induced draft fan is operation.

The wording of Condition C.11 (now C.12) for Title V permits has been revised as follows:

C.142 Maintenance of Continuous Opacity Monitoring Equipment [326 IAC 2-7-5(3)(A)(iii)]

- (a) The Permittee shall ~~install, calibrate, maintain, and operate~~ all necessary continuous opacity monitoring systems (COMS) and related equipment. ~~In addition, prompt corrective action shall be initiated whenever indicated.~~ **For a boiler, the COM shall be in operation at all times that the induced draft fan is in operation.**
- (b) **All continuous opacity monitoring systems shall meet the performance specifications of 40 CFR 60, Appendix B, Performance Specification No. 1, and are subject to monitor system certification requirements pursuant to 326 IAC 3-5.**
- ~~(b)(c)~~ In the event that a breakdown of a continuous opacity monitoring system occurs, a record shall be made of the times and reasons of the breakdown and efforts made to correct the problem.
- ~~(c)(d)~~ Whenever a continuous opacity monitor (COM) is malfunctioning or will be down for calibration, maintenance, or repairs for a period of ~~four (4)~~ one (1) hours or more, compliance with the applicable opacity limits shall be demonstrated by ~~one of the~~ following:
- (1) ~~A calibrated backup COM shall be brought online within four (4) hours of shutdown of the primary COM; or~~
- (2) ~~Visible emission readings shall be performed in accordance with 40 CFR 60, Appendix A, Method 9, for a minimum of one (1) hour beginning four (4) hours after the start of the malfunction or down time:~~
- (A) ~~If the reading period begins less than one hour before sunset, readings shall be performed until sunset. If the first required reading period would occur between sunset and sunrise, the first reading shall be performed as soon as there is sufficient daylight.~~
- (B) ~~Method 9 opacity readings shall be repeated for a minimum of one (1) hour at least once every four (4) hours during daylight operations, until such time that a calibrated COM is in operation.~~
- (C) ~~All of the opacity readings during this period shall be reported in the Quarterly Deviation and Compliance Monitoring Reports:~~
- (1) **Visible emission (VE) notations shall be performed once per hour during daylight operations following the shutdown or malfunction of the primary COM. A trained employee shall record whether emissions are normal or abnormal for the state of operation of the emission unit at the time of the reading.**
- (A) **A trained employee is an employee who has worked at the plant at least one (1) month and has been trained in the appearance and characteristics of normal visible emissions for that specific process.**
- (B) **If abnormal emissions are noted during two consecutive emission notations, the Permittee shall begin Method 9 opacity observations within four hours of the second abnormal notation.**
- (C) **VE notations may be discontinued once a COM is online or formal Method 9 readings have been implemented.**

- (2) **If a COM is not online within twenty-four (24) hours of shutdown or malfunction of the primary COM, the Permittee shall provide certified opacity reader(s), who may be employees of the Permittee or independent contractors, to self-monitor the emissions from the emission unit stack.**
- (A) **Visible emission readings shall be performed in accordance with 40 CFR 60, Appendix A, Method 9, for a minimum of five (5) consecutive six (6) minute averaging periods beginning not more than twenty-four (24) hours after the start of the malfunction or down time.**
- (B) **Method 9 opacity readings shall be repeated for a minimum of five (5) consecutive six (6) minute averaging periods at least once every four (4) hours during daylight operations, until such time that a COM is in operation.**
- (C) **Method 9 readings may be discontinued once a COM is online.**
- (D) **Any opacity exceedances determined by Method 9 readings shall be reported with the Quarterly Opacity Exceedances Reports.**
- (3) **If abnormal emissions are observed, the Permittee shall take reasonable response steps in accordance with Section C - Compliance Response Plan - Preparation, Implementation, Records, and Reports. Observation of abnormal emissions that do not violate an applicable opacity limit is not a deviation from this permit. Failure to take response steps in accordance with Section C - Compliance Response Plan - Preparation, Implementation, Records, and Reports, shall be considered a deviation from this permit.**
- (d)(e) Nothing in this permit shall excuse the Permittee from complying with the requirements to operate a continuous opacity monitoring system pursuant to 326 IAC 3-5 and 40 CFR 60.

IPL Comment 6:

Condition C.17(a) Compliance Response Plan - Preparation, Implementation, Records, and Reports: IPL requests that the permit provide 180 days for preparation of the CRP to allow adequate time for implementation of all required monitoring and compliance response steps, which is necessary to the development of the CRP. Therefore, IPL requests that this condition be revised as follows:

C.17 Compliance Response Plan - Preparation, Implementation, Records, and Reports
~~[326 IAC 2-7-5]~~ [326 IAC 2-7-6]

- (a) The Permittee is required to prepare a Compliance Response Plan (CRP) for each compliance monitoring condition of this permit. A CRP shall be submitted to IDEM, OAQ upon request. The CRP shall be prepared within **one hundred eighty (180)** ~~ninety (90)~~ days after issuance of this permit by the Permittee, supplemented from time to time by the Permittee, maintained on site, and comprised of:

Response:

For most sources, the CRP will consist largely of components of the plant's pre-existing standard operating procedures. IDEM believes that ninety days is sufficient time to develop plans for the new compliance monitoring provisions of the Title V permit. There has been no change to this condition in response to this comment.

IPL Comment 7:

Condition C.19(a) Emission Statement: IPL requests that this condition be amended to clarify that HAPs are not required to be reported as such on the annual emissions statement beyond what is necessary to determine the source's Title V fees under 326 IAC 2-7-19. Also, for any HAP that is specifically regulated and also is considered particulate matter or VOC, the condition should clarify that double counting of such pollutants is not required and they may be reported as the criteria pollutant only. Therefore, IPL requests that Condition C.19 be amended as follows:

C.19 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 estimated actual emissions of criteria pollutants from the source, in compliance with 326 IAC 2-6 (Emission Reporting);
 - (2) Indicate estimated actual emissions of other regulated pollutants (as defined by 326 IAC 2-7-1) from the source, for purposes of Part 70 fee assessment.
 - (3) **This condition shall not be construed to require reporting beyond what is required by 326 IAC 2-7-19, nor to require reporting of the same ton of pollutant more than once when it is described by more than one of the criteria in the definition of "regulated pollutant" under 326 IAC 2-7-1(32).**

Response:

326 IAC 2-7-19(c) states "Each Part 70 source shall pay a base fee of one thousand five hundred dollars (\$1,500) and shall pay an additional fee of of thirty-three dollars (\$33) per ton **for each ton of regulated air pollutant emitted**, provided that no source shall pay more than one hundred fifty thousand dollars (\$150,000)...." (emphasis added). Each ton of a pollutant is only emitted once and is therefore only counted once, even if the pollutant is included in more than one category, such as HAPS and VOC or HAPS and particulates. Also, 326 IAC 2-7-1(32) specifies pollutants that are NOT considered "regulated air pollutants" for the purposes of 326 IAC 2-7-19.

The wording of the condition has been revised to better reflect the rule language, as shown below. It is noted that pursuant to 326 IAC 2-7-19(c) and (d), Eagle Valley Generating Station will probably meet the maximum fee assessment based on just the SO₂ and NO_x emissions. In this case, paragraph (a)(2) is then not applicable.

C.19 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 estimated actual emissions of criteria pollutants from the source, in compliance with 326 IAC 2-6 (Emission Reporting);
 - (2) Indicate estimated actual emissions of ~~other~~ regulated pollutants (as defined by 326 IAC 2-7-1)**(32) ("Regulated pollutant which is used only for purposes of Section 19 of this rule")** from the source, for purposes of Part 70 fee assessment.

IPL Comment 8:

Condition D.1.1(a) Particulate Emission Limitations for Sources of Indirect Heating: Condition D.1.1(a) is superfluous because Condition D.1.1(b) includes a condition limiting the same emissions to a lower level. Therefore, Condition D.1.1(a) should be deleted, and Condition D.1.1(b) should be revised appropriately, as follows:

D.1.1 Particulate Emission Limitations for Sources of Indirect Heating [326 IAC 6-2-2]

- ~~(a) Pursuant to 326 IAC 6-2-2(a) (Particulate Emissions Limitations for Sources of Indirect Heating: Emission limitations for facilities specified in 326 IAC 6-2-1(b)), the PM emissions from Units 1, 2, 3, 4, 5, and 6 shall not exceed 0.23 pound per million Btu heat input (lb/MMBtu). This limitation was calculated using the following equation:~~

$$P_t = \frac{0.87}{Q^{0.16}} \quad \text{Where } Q = \text{total source capacity (MMBtu/hr)} \\ = 4,071 \text{ MMBtu/hr}$$

- ~~(b) Pursuant to 326 IAC 6-2-2(b), the PM emissions from Units 1 and 2 shall not exceed 0.015 pound per million Btu heat input (lb/MMBtu), as requested by the source in a letter dated April 12, 1988.~~

~~Pursuant to 326 IAC 6-2-2(b), the particulate emissions from all of the facilities which were in existence on June 8, 1972, may be allocated in any way among these facilities provided that they will not result in a significantly greater air quality impact level at any receptor than that which would result if the particulate emissions from each of these facilities were limited to **P_t, as defined in 326 IAC 6-2-2(b)**; and provided that the emission limitations for each facility are specified in its operation permit.~~

Response:

It is preferable to have the underlying rule in the condition as well as the elective PM limit. This provides more clarity for permit readers who are not familiar with this seldom-used provision of the rule. Also, IPL could choose to reallocate the allowable particulate emissions at any time; however, the overall limit derived using the equation in 326 IAC 6-2-2(a) will not change. There has been no change in response to this comment.

To further clarify the basis for the value used for Q, additional wording from 326 IAC 6-2-2(b) has been included in Conditions D.1.1 and D.2.1, as follows:

D.1.1 Particulate Emission Limitations for Sources of Indirect Heating [326 IAC 6-2-2]

- (a) Pursuant to 326 IAC 6-2-2(a) (Particulate Emissions Limitations for Sources of Indirect Heating: Emission limitations for facilities specified in 326 IAC 6-2-1(b)), the PM emissions from Units 1, 2, 3, 4, 5, and 6 shall not exceed 0.23 pound per million Btu heat input (lb/MMBtu). This limitation was calculated using the following equation:

$$P_t = \frac{0.87}{Q^{0.16}} \quad \text{Where } Q = \text{total source capacity (MMBtu/hr) on June 8, 1972} \\ = 4,071 \text{ MMBtu/hr}$$

IPL Comment 9:

Condition D.1.2(a) Temporary Alternative Opacity Limitations: This condition, in subpart D.1.2(a)(1), allows only twelve minutes of exemption from the opacity limitation for startup of the boiler. This is not enough time to reach a stable operating state. Based on operational experience, IPL requests that it be allowed twenty-five six-minute averaging periods for startup. These units are uncontrolled and little used -- over the years 1998 to 2002, the capacity factor for these units has not exceeded 5%. As a result, no

approach for reducing startup time is economically feasible. Therefore, IPL requests that this condition be revised to allow for twenty-five six-minute averaging periods, as follows:

D.1.2 Temporary Alternative Opacity Limitations [326 IAC 5-1-3]

- (a) Pursuant to 326 IAC 5-1-3 (Temporary Alternative Opacity Limitations), the following applies to Eagle Valley Units 1 and 2:
- (1) When starting a fire in a boiler, or shutting down a boiler, opacity may exceed the applicable limit established in 326 IAC 5-1-2 and stated in Section C - Opacity. However, opacity levels shall not exceed sixty percent (60%) for any six (6)-minute averaging period. Opacity in excess of the applicable limit established in 326 IAC 5-1-2 shall not continue for more than **twenty-five (25)** ~~two (2)~~ six (6)-minute averaging periods in any twenty-four (24) hour period. [326 IAC 5-1-3(a)]
 - (2) When removing ashes from the fuel bed or furnace in a boiler or blowing tubes, opacity may exceed the applicable limit established in 326 IAC 5-1-2 and stated in Section C - Opacity. However, opacity levels shall not exceed sixty percent (60%) for any six (6)-minute averaging period and opacity in excess of the applicable limit shall not continue for more than one (1) six (6)-minute averaging period in any sixty (60) minute period. The averaging periods in excess of the limit set in 326 IAC 5-1-2 shall not be permitted for more than three (3) six (6)-minute averaging periods in a twelve (12) hour period. [326 IAC 5-1-3(b)]
- (b) If this facility cannot meet the opacity limitations in (a)(1) and (a)(2) of this condition, the Permittee may submit a written request to IDEM, OAQ, for a temporary alternative opacity limitation in accordance with 326 IAC 5-1-3(d). The Permittee must demonstrate that the alternative limit is needed and justifiable.

Response:

There has been no change in response to this comment. The current wording is taken directly from 326 IAC 5-1-3(a) and (b); there is no provision in the rule for additional averaging periods. If IPL finds that the TAOL time is insufficient, an application for an unit-specific TAOL may be submitted pursuant to 326 IAC 5-1-3(d).

IPL Comment 10:

Condition D.1.4(a) Operation Standards: Subpart (a) of this condition should be deleted because it includes requirements under the federal and state regulations for solid and hazardous waste management which are not within IDEM's authority to include in a Title V air permit. In addition to the hazardous and solid waste regulations, IDEM cites 326 IAC 2-1.1-5(a)(4), which states that a permit shall not be issued if the terms and conditions of the permit are not protective of the public health. We do not believe that this regulation of the Air Pollution Control Board provides IDEM authority to include hazardous and solid waste requirements in an air permit. Additionally, this condition should not restrict firing of cleaning waste liquids to two boiler rinses because no regulation provides IDEM authority to include such a restriction. Therefore, IPL requests that Condition D.1.4(a) be deleted, and the remaining subparts relabeled and modified accordingly, as follows:

D.1.4 Operation Standards [326 IAC 2-1.1-5(a)(4)] [40 CFR 261] [40 CFR 279] [329 IAC 13]

- (a) ~~The burning of hazardous waste, as defined by 40 CFR 261, is prohibited in these facilities. Any boiler tube chemical cleaning waste liquids or used oil combusted shall meet the toxicity characteristic requirements for non-hazardous waste.~~
- (b) Any boiler tube chemical cleaning waste liquids fired in the boiler shall only contain the cleaning solution and ~~two full volume~~ boiler rinses.

- ~~(b)(e)~~ The following condition from Operation Permits No. 55-08-89-0098 and 55-08-89-0099, issued on August 1, 1988, has been removed:

Units 1 and 2 shall burn No. 2 fuel oil only.

The boilers are allowed to fire No. 2 fuel oil and small quantities of the cleaning compound described in subparts (a) and ~~(b)~~ of this condition. The combustion of any alternative fuel would require additional evaluation pursuant to New Source Review requirements. Therefore, this fuel restriction language has been deleted at this time.

Response:

The burning of hazardous waste could be subject the National Emission Standards for Hazardous Air Pollutants (NESHAP): Standards for Hazardous Waste Combustors, 40 CFR 63 Subpart EEE, once the rule is finalized. Prior to finalization of Subpart EEE, the burning of hazardous waste could make the boiler subject to a case-by-case Section 112(j) MACT determination. However, OAQ has determined that part (b) of the Operation Standards condition and all of the Cleaning Waste Characterization condition can be identified as not federally enforceable pursuant to the Title V permit. The RCRA regulations are federally enforceable if applicable, but enforcement would be taken through another program area.

The wording of part (b) of the condition has been revised for accuracy. Non-combustible liquids do not actually burn, but instead evaporate. The evaporation of large quantities of liquid, including boiler cleaning waste, could affect combustion and consequently affect emissions from the boiler.

Former part (c) has been deleted from the permit. See page 5 of 25 of the Technical Support Document (TSD) for IPL Eagle Valley; also, the previous Operation Permits cited in the condition were not subject to public notice requirements and were therefore not federally enforceable.

The Operation Standards condition has been revised as shown below.

D.1.4 Operation Standards [326 IAC 2-1.1-5(a)(4)] [40 CFR 261] [40 CFR 279] [329 IAC 13]

- (a) The burning of hazardous waste, as defined by 40 CFR 261, is prohibited in these facilities **without a Resource Conservation and Recovery Act (RCRA) permit**. Any boiler tube chemical cleaning waste liquids evaporated in the boiler, and any used oil combusted shall meet the toxicity characteristic requirements for non-hazardous waste. **These requirements are not federally enforceable pursuant to the Title V permit.**
- (b) Any boiler tube chemical cleaning waste liquids ~~fire~~ **evaporated** in the boiler shall only contain the cleaning solution and **no more than** two full volume boiler rinses.
- ~~(c) The following condition from Operation Permits No. 55-08-89-0098 and 55-08-89-0099, issued on August 1, 1988, has been removed:~~

~~Units 1 and 2 shall burn No. 2 fuel oil only.~~

~~The boilers are allowed to fire No. 2 fuel oil and small quantities of the cleaning compound described in subparts (a) and (b) of this condition. The combustion of any alternative fuel would require additional evaluation pursuant to New Source Review requirements. Therefore, this fuel restriction language has been deleted at this time.~~

IPL Comment 11:

Condition D.1.5 Preventative Maintenance Plan: This condition should be deleted because there are no emission control devices on these units and the requirement for a preventative maintenance plan applies to control devices only. The preventative maintenance plan requirement of 326 IAC 1-6-3, as reflected in Condition B.11, states that the plan must include information related to "inspecting, maintaining and repairing *emission control devices*" (emphasis added). The requirement has no applicability to a facility with no emission control device. Therefore, IPL requests that Condition D.1.5 be deleted as follows:

~~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 these facilities and any emission control devices.~~

Response:

The Preventive Maintenance Plan requirement must be included in every applicable Part 70 permit pursuant to 326 IAC 2-7-5(13). This rule refers back to the Preventive Maintenance Plan 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)).

Pursuant to 326 IAC 1-6-1 (Applicability), 326 IAC 1-6-3 applies to the owner or operator of any facility required to obtain a permit under 326 IAC 2-1-2 and 326 IAC 2-1-4. Therefore, it is clear from the structure of 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. 326 IAC 1-6-3(b) provides that "...as deemed necessary by the commissioner, any person operating a facility shall comply with the requirements of subsection (a) of this section."

In addition to preventive maintenance performed on any control devices, preventive maintenance should be performed on the boilers themselves because lack of proper maintenance on the boiler can result in boiler tube leaks or improper burner air settings which can result in increased emissions.

Because Boilers 1 and 2 do not currently have any emission control devices, Condition D.1.5 has been revised as shown below. The Record Keeping condition, formerly Condition D.1.12, has also been revised to show that the Permittee must maintain records of any inspections required by the PMP.

~~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 these facilities and ~~their~~ **any** emission control devices.~~

~~D.1.12¹ Record Keeping Requirements [326 IAC 2-7-5(3)]~~

- (c) **To document compliance with Condition D.1.5, the Permittee shall maintain records of any additional inspections prescribed by the Preventive Maintenance Plan.**

IPL Comment 12:

Condition D.1.6(b) Testing Requirements: IPL requests that five year maximum between tests when the unit has not run at least 1,000 hours in those five years be deleted. The types of changes to the units that could affect emissions would most likely be caused by operation of the unit and not simply the passing of time. Therefore, in light of the cost of stack testing, there is not an adequate justification in terms of environmental benefits for the requirement to retest every five years regardless of operating hours.

IPL also requests that IDEM delete the language in subpart (c) of this condition stating that a reason for visible emissions ("VE") evaluations performed in conjunction with the stack test is "to establish a correlation between opacity and particulate levels." No showing of such correlation is required by any rule.

Therefore, IPL requests that subparts (b) and (c) of this condition be amended as follows:

D.1.6 Testing Requirements [326 IAC 2-7-6(1),(6)] [326 IAC 2-1.1-11]

- (b) This test shall be repeated as follows:
- (1) At least once every two (2) calendar years from the date of this valid compliance demonstration; or
 - (2) If a unit is not operated at least 1,000 hours in the 2 years since the previous stack test, then testing shall be repeated at least once every 1,000 hours of operation for that unit, ~~or five (5) calendar years from the date of the last valid compliance demonstration, whichever occurs first.~~
- (c) ~~To determine compliance with Section C - Opacity and to establish a correlation between the opacity readings and the particulate emission levels,~~ Visible emissions (VE) evaluations shall be performed in conjunction with the particulate emissions testing by a qualified observer in accordance with the procedures contained in 326 IAC 5-1-4. The VE readings shall be continuously recorded for the full duration of the sampling time for each sampling repetition.

Testing shall be conducted in accordance with Section C - Performance Testing.

Response:

Using the AP-42 filterable PM emission factor for external combustion of No. 2 fuel oil and an average heat content of 140 MMBtu/10³ gallons, the estimated emissions rate for Units 1 and 2 is 0.014 lb/MMBtu:

$$2 \text{ lbs}/10^3 \text{ gallons} \times 10^3 \text{ gallons}/140 \text{ MMBtu} = 0.014 \text{ lbs/MMBtu}$$

The emission factors provided in AP-42 are average values; in general, half of the units used in establishing each emission factor actually tested above the AP-42 value. Pursuant to 326 IAC 6-2-2(b), the PM emissions from Units 1 and 2 are not to exceed 0.015 pound per million Btu heat input (lb/MMBtu), as shown in Condition D.1.1 of the Part 70 permit and in Response to IPL Comment 8, above. This is a very slender margin between the allowable and the estimated actual emissions.

In addition to the usual consequences if a unit is determined to be exceeding an emission limit, there are special concerns regarding Eagle Valley Units 1 and 2. If Units 1 and 2 are unable to comply with the 0.015 lb/MMBtu PM limit, then the PM allowable calculated according to 326 IAC 6-2-2(a) might need to be re-allocated to "shift" some PM allowable back from the coal-fired units. Also, pursuant to 326 IAC 3-5-1(c)(2)(A)(ii), a continuous opacity monitoring system would be required for Stack 1-1 if Units 1 and 2 cannot comply with the applicable opacity limits of 326 IAC 5-1 and particulate matter limit of 326 IAC 6-2 without the use of particulate matter collection equipment.

Although these units are infrequently operated, the OAQ believes that PM stack testing for Units 1 and 2 at least once every five years is necessary. However, in response to this comment and to IPL Comment 15 regarding the former Method 9 Opacity Observation compliance monitoring condition, and for increased clarity of part (b)(1) regarding the frequency of repeat stack testing, Condition D.1.6) has been revised as follows:

D.1.6 Testing Requirements [326 IAC 2-7-6(1),(6)] [326 IAC 2-1.1-11]

- (a) Within one (1) year of issuance of this permit, compliance **with the particulate limitations in Condition D.1.1(b) and with the Opacity limits in Section C - Opacity and Temporary Alternative Opacity Limitations for startup shall be determined as follows:**
- (1) **Compliance** with the particulate limitations in ~~Condition D.1.1(a) and (b)~~ shall be determined by a performance stack test conducted utilizing methods as approved by the Commissioner. PM testing with both units operating and exhausting to the common stack is permitted.
- ~~(b) This test [326 IAC 3-6]~~
- (2) **To determine compliance with Section C - Opacity, visible emissions (VE) evaluations shall be performed in conjunction with the particulate emissions testing in accordance with 40 CFR 60, Appendix A, Method 9. The VE readings shall be continuously recorded for the full duration of the sampling time for each sampling repetition. [326 IAC 3-5-1(c)(2)(A)(ii)] [326 IAC 5-1-4(a)(1)]**
 - (3) **To demonstrate compliance with the Temporary Alternative Opacity Limitation of 326 IAC 5-1-3(a) for boiler startups, visible emissions (VE) evaluations shall be performed in accordance with 40 CFR 60, Appendix A, Method 9, during the startup from light-off to completion of start-up. [326 IAC 3-5-1(c)(2)(A)(ii)] [326 IAC 5-1-4(a)(1)]**
- (b) **The PM stack testing and Method 9 opacity readings shall be repeated as follows:**
- (1) ~~At least once By December 31 of every two (2) second~~ calendar years ~~from the date of following~~ this valid compliance demonstration; or
 - (2) If a unit is not operated at least 1,000 hours in the 2 years since the previous stack test, then testing shall be repeated at least once every 1,000 hours of operation for that unit, or five (5) calendar years from the date of the last valid compliance demonstration, whichever occurs first.
- ~~(c) To determine compliance with Section C - Opacity and to establish a correlation between the opacity readings and the particulate emission levels, visible emissions (VE) evaluations shall be performed in conjunction with the particulate emissions testing by a qualified observer in accordance with the procedures contained in 326 IAC 5-1-4. The VE readings shall be continuously recorded for the full duration of the sampling time for each sampling repetition.~~

Testing shall be conducted in accordance with Section C - Performance Testing. **For the purpose of this permit, "calendar year" means the twelve (12) month period from January 1 to December 31 inclusive.**

IPL Comment 13:

Condition D.1.7(a) Sulfur Dioxide Emissions and Sulfur Content: IPL requests that this condition be clarified as set out below to avoid confusion over what ASTM methods are allowed when fuel oil samples must be collected and analyzed in accordance with 326 IAC 3-7-4(a). Therefore, IPL requests that this condition be modified as follows:

D.1.7 Sulfur Dioxide Emissions and Sulfur Content [326 IAC 7-2] [326 IAC 7-4-11]

Compliance shall be determined utilizing one of the following options:

- (a) Pursuant to 326 IAC 3-7-4, 326 IAC 7-2, and 326 IAC 7-4-11, the Permittee shall demonstrate that the fuel oil sulfur content does not exceed the equivalent of 0.37 pounds per MMBtu each, using a thirty (30) day rolling weighted average, by:
 - (1) Providing vendor analysis of fuel delivered, accompanied by a vendor certification; or
 - (2) Providing analysis of fuel oil samples collected and analyzed **in accordance with** using the ASTM methods cited in 326 IAC 3-7-4(a).
 - (A) Oil samples shall be collected from the tanker truck load prior to transferring fuel to the storage tank; or
 - (B) Oil samples shall be collected from the storage tank immediately after each addition of fuel to the tank.

Response:

The condition has been revised as requested. In addition, the draft condition wording erroneously stated that compliance is to be demonstrated using a thirty (30) day rolling weighted average. 326 IAC 7-2-1(c)(3) actually requires that compliance be demonstrated using a calendar month average for oil-fired units. The OAQ Compliance Branch has confirmed that IPL uses the correct averaging method. The condition is now as shown:

D.1.7 Sulfur Dioxide Emissions and Sulfur Content [326 IAC 7-2] [326 IAC 7-4-11]

Compliance shall be determined utilizing one of the following options:

- (a) Pursuant to 326 IAC 3-7-4, 326 IAC 7-2, and 326 IAC 7-4-11, the Permittee shall demonstrate that the fuel oil sulfur content does not exceed the equivalent of 0.37 pounds per MMBtu each, using a ~~thirty (30) day rolling weighted~~ **calendar month** average, by:
 - (1) Providing vendor analysis of fuel delivered, accompanied by a vendor certification; or
 - (2) Providing analysis of fuel oil samples collected and analyzed **in accordance with** using the ASTM methods cited in 326 IAC 3-7-4(a).
 - (A) Oil samples shall be collected from the tanker truck load prior to transferring fuel to the storage tank; or
 - (B) Oil samples shall be collected from the storage tank immediately after each addition of fuel to the tank.
- (b) Upon written notification to IDEM by a facility owner or operator, continuous emission monitoring data collected and reported pursuant to 326 IAC 3-5 may be used as the

means for determining compliance with the emission limitations in 326 IAC 7. Upon such notification, the other requirements of 326 IAC 7-2 shall not apply. [326 IAC 7-2-1(g)]

IPL Comment 14:

Condition D.1.9 Cleaning Waste Analysis: For the reasons given in the comment to Condition D.1.4(a), above, IPL believes this condition must be deleted as follows:

~~D.1.9 Cleaning Waste Analysis [326 IAC 2-1.1-5(a)(4)] [40 CFR 261]~~

~~The Permittee shall use appropriate test methods as listed in 40 CFR Part 261 to analyze all boiler chemical cleaning wastes that will be burned, to determine compliance with the Operation Standards condition in this D section.~~

Response:

See Response to IPL Comment 10, above. Also, the title and wording of the condition has been revised in recognition that 40 CFR Part 261 allows for the use of generator knowledge in determining if a waste material is a hazardous material; in some cases actual analysis of the material is not required. The condition has been revised as follows:

D.1.9 Cleaning Waste Analysis Characterization [326 IAC 2-1.1-5(a)(4)] [40 CFR 261]

The Permittee shall use appropriate ~~test methods~~ **methodology** as listed ~~identified~~ in 40 CFR Part 261 to ~~analyze~~ **characterize** all boiler chemical cleaning wastes that will be ~~burned~~ **evaporated**, to determine compliance with the Operation Standards condition in this D section. **This condition is not federally enforceable pursuant to the Title V permit.**

IPL Comment 15:

Condition D.1.10 Method 9 Opacity Observations: The requirement to take readings continuously during boiler startup is unduly burdensome and inconsistent with the startup and shutdown exemption provided. Because continuous Method 9 readings over a long period of time may not be sustainable for a single person, this requirement would force IPL to add one or two additional staff during startup, without a commensurate environmental benefit over taking fewer readings. Readings taken two times per hour would be sufficient to demonstrate compliance. In addition, IPL requests that this condition be modified to reflect that opacity observation must be performed during daylight hours only. Therefore, IPL requests that this condition be modified as follows:

D.1.10 Method 9 Opacity Observations [326 IAC 2-7-6(1)] [326 IAC 2-7-5(1)]

- (a) To document compliance with the Temporary Alternative Opacity Limitation during boiler startups, the Permittee shall provide certified opacity reader(s), who may be employees of the Permittee or independent contractors, to self-monitor the emissions from the fuel oil-fired boiler stack.
- (b) Opacity observations shall be performed **at least two times per hour during daylight hours** in accordance with 40 CFR 60, Appendix A, Method 9 during each ~~daylight~~ startup from light-off to completion of start-up.

Response:

There is no exemption from any applicable limit for periods of startup and shutdown. Pursuant to 326 IAC 5-1-3, these units are subject to a Temporary Alternative Opacity Limitation (TAOL) during those periods. The OAQ believes that Method 9 visible emission evaluations during startup are not inconsistent with the TAOL, but rather are necessary to show compliance in the absence of continuous opacity monitoring. However, the OAQ has determined that it is not necessary to conduct Method 9 readings for every startup.

Method 9 readings are now required in conjunction with the PM stack testing, including VE readings throughout the startup (see Response to IPL Comment 12 above). This change eliminates the need to ensure that a certified opacity reader is available onsite every time Unit 1 or Unit 2 is needed. The former Method 9 Opacity Observations condition has been deleted. The Visible Emissions Notations condition has been revised to reflect these changes and to show that failure to take a response step is a deviation from, not a violation of, the permit. The Record Keeping condition has also been revised to reflect these changes.

~~D.1.10 Method 9 Opacity Observations [326 IAC 2-7-6(1)] [326 IAC 2-7-5(1)]~~

- ~~(a) To document compliance with the Temporary Alternative Opacity Limitation during boiler startups, the Permittee shall provide certified opacity reader(s), who may be employees of the Permittee or independent contractors, to self-monitor the emissions from the fuel oil-fired boiler stack.~~
- ~~(b) Opacity observations shall be performed in accordance with 40 CFR 60, Appendix A, Method 9 during each daylight startup from light-off to completion of start-up.~~

~~D.1.110 Visible Emissions Notations [326 IAC 2-7-6(1)] [326 IAC 2-7-5(1)]~~

- ~~(a) Visible emission notations of the fuel oil-fired boiler exhaust shall be performed once per shift during normal daylight operations when one or both of Units 1 and 2 are in operation. A trained employee shall record whether emissions are normal or abnormal. If Method 9 observations have already been conducted during a shift, then no additional VE notations are required for that shift.~~
- ~~(b) If abnormal emissions are observed at any boiler exhaust, the Permittee shall take reasonable response steps in accordance with Section C - Compliance Response Plan - Preparation, Implementation, Records, and Reports. Observation of abnormal emissions that do not violate an applicable opacity limit is not a deviation from this permit. Failure to take response steps in accordance with Section C - Compliance Response Plan - Preparation, Implementation, Records, and Reports, shall be considered a violation of **deviation from** this permit.~~

~~D.1.121 Record Keeping Requirements [326 IAC 2-7-5(3)]~~

- ~~(a) To document compliance with the applicable opacity limits and Conditions D.1.1, **D.1.2,** and D.1.10 and ~~D.1.14~~, the Permittee shall maintain records in accordance with (1) and (2) below. Records shall be complete and sufficient to establish compliance with the opacity and particulate limits established in Section C - Opacity and Conditions D.1.1 and D.1.2.~~
 - ~~(1) Data and results from the most recent stack test and accompanying Method 9 visible emissions evaluation results for Units 1 and 2.~~
 - ~~(2) Results of the Method 9 opacity readings of the stack 1-1 exhaust.~~
 - ~~(3) Results of the visible emission notations of the stack 1-1 exhaust.~~

IPL Comment 16:

Condition D.2.1(a) Particulate Emission Limitations for Sources of Indirect Heating: Subpart (a) should be deleted for the same reason given in the comment to Condition D.1.1(a) above. Therefore, IPL requests that Condition D.2.1(a) be deleted, and Condition D.1.1(b) should be revised appropriately, as follows:

D.2.1 Particulate Emission Limitations for Sources of Indirect Heating [326 IAC 6-2-2]

- (a) Pursuant to 326 IAC 6-2-2 (Particulate Emissions for Sources of Indirect Heating: Emission limitations for facilities specified in 326 IAC 6-2-1(b)), the PM emissions from Units 1, 2, 3, 4, 5, and 6 shall not exceed 0.23 pound per million Btu heat input (lb/MMBtu). This limitation was calculated using the following equation:

$$Pt = \frac{0.87}{Q^{0.16}} \quad \text{Where } Q = \text{total source capacity (MMBtu/hr)} \\ = 4,071 \text{ MMBtu/hr}$$

- (b) Pursuant to 326 IAC 6-2-2(b), the PM emissions from Units 3, 4, 5 and 6 shall not exceed 0.27 pound per million Btu heat input (lb/MMBtu), as requested by Indianapolis Power and Light Company in a letter dated April 12, 1988.

Pursuant to 326 IAC 6-2-2(b), the particulate emissions from all of the facilities which were in existence on June 8, 1972, may be allocated in any way among these facilities provided that they will not result in a significantly greater air quality impact level at any receptor than that which would result if the particulate emissions from each of these facilities were limited to Pt, **as defined in 326 IAC 6-2-2(b)**; and provided that the emission limitations for each facility are specified in its operation permit.

Response:

See Response to IPL Comment 8, above. The condition has been revised as follows:

D.2.1 Particulate Emission Limitations for Sources of Indirect Heating [326 IAC 6-2-2]

- (a) Pursuant to 326 IAC 6-2-2 (Particulate Emissions for Sources of Indirect Heating: Emission limitations for facilities specified in 326 IAC 6-2-1(b)), the PM emissions from Units 1, 2, 3, 4, 5, and 6 shall not exceed 0.23 pound per million Btu heat input (lb/MMBtu). This limitation was calculated using the following equation:

$$Pt = \frac{0.87}{Q^{0.16}} \quad \text{Where } Q = \text{total source capacity (MMBtu/hr) on June 8, 1972} \\ = 4,071 \text{ MMBtu/hr}$$

IPL Comment 17:

Condition D.2.2(a) Temporary Alternative Opacity Limitations: IPL requests that Condition D.2.2(a)(2) be deleted and that Condition D.2.2(a)(1) be modified to be consistent with IPL's current operating permits and amended in letters dated October 31, 1988. Condition D.2.2(a)(1) should be effective for the duration of the permit, making D.2.2(a)(2) unnecessary. The three-year limitation on the alternative limitation in Condition D.2.2(a)(1) is without a basis in the regulations and compliance with the requirements of Condition D.2.2(a)(2) would be extremely difficult or impossible.

In addition, the provision limiting the startup exemption to 2.5 hours when the flue gas temperature has not reached 250 degrees Fahrenheit is inconsistent with safety concerns that prevent IPL from operating the control device before the flue gas temperature reaches that critical level. It is generally unsafe to use electrostatic precipitators when the flue gas temperature is below 250 degrees Fahrenheit. To the extent that this time limitation on the alternative opacity limit is designed to force IPL to use natural gas for startup, we note that there is no natural gas at the site.

Therefore, IPL requests that Condition D.2.2(a) be modified as follows:

D.2.2 Temporary Alternative Opacity Limitations [326 IAC 5-1-3]

(a) Pursuant to 326 IAC 5-1-3 (Temporary Alternative Opacity Limitations), the following applies:

- (1) ~~For the first three (3) years following the issuance date of the Title V permit for this source, w~~ When building a new fire in a boiler, opacity may exceed the 40% opacity limitation established in 326 IAC 5-1-2 for a period not to exceed two and one-half (2.5) hours (twenty-five (25) six (6)-minute averaging periods) or until the flue gas temperature reaches two hundred fifty (250) degrees Fahrenheit; ~~whichever occurs first.~~ [326 IAC 5-1-3(e)]
- (2) ~~Following the expiration of the alternative limitation in (a)(1) of this condition, when building a new fire in a boiler, opacity may exceed the 40% opacity limit established in 326 IAC 5-1-2; however, opacity levels shall not exceed sixty percent (60%) for any six (6)-minute averaging period. Opacity in excess of the applicable limit established in 326 IAC 5-1-2 shall not continue for more than two (2) six (6)-minute averaging periods in any twenty-four (24) hour period.~~ [326 IAC 5-1-3(a)]
- ~~(3)~~ When shutting down a boiler, opacity may exceed the 40% opacity limitation established in 326 IAC 5-1-2 for a period not to exceed one (1) hour (ten (10) six (6)-minute averaging periods). [326 IAC 5-1-3(e)]
- ~~(3)(4)~~ Operation of the electrostatic precipitator is not required during these times unless necessary to comply with these limits.

Response:

EPA has expressed reluctance to approve any provision which might be viewed as automatically exempting the applicability of any limit, including the incorporation of previously-issued opacity exemptions for startup and shutdown. EPA Region 5 has requested that temporary alternative opacity limits not be issued pursuant 326 IAC 5-1-3(e) for any utility boilers that are capable, or reasonably should be capable, of complying with the standard opacity limit during start up and shutdown periods.

IDEM used the historical data from the Permittee's continuous opacity monitoring systems to determine the usual length of time required for startup for each boiler as well as the usual range of opacity levels for various startups and shutdowns over the past several years. The data indicates that, with rare exceptions, the Eagle Valley coal-fired boilers can comply with the temporary alternative opacity limitations in Condition D.2.2(a)(1). These rare exceptions do not support revising the temporary alternative opacity limitations that would apply to all startups and shutdowns.

IDEM recognizes that modification of startup fuel or procedures or some other change in operation may be necessary for future compliance with D.2.2(a)(2). However, Region 5 has indicated that such modifications should be pursued wherever reasonable. For example, as one possible option, a map issued by the Indiana Department of Natural Resources titled "Map of Indiana Showing Oil, Gas, and Products Pipelines" (1991) indicates that there is a natural gas pipeline near the Eagle Valley station.

There has been no change to this condition.

IPL Comment 18:

Condition D.2.3 Sulfur Dioxide: The limitations in this condition should reflect the 30-day rolling average standard set out in 326 IAC 7-2-1(c)(1) and included in the compliance determination requirements under Condition D.2.9. Therefore, IPL requests that Condition D.2.3 be modified as follows:

D.2.3 Sulfur Dioxide (SO₂) [326 IAC 7-4-11]

Pursuant to 326 IAC 7-4-11 (Sulfur Dioxide Emission Limitations for Morgan County):

- (a) SO₂ emissions from Unit 3 shall not exceed 0.37 pounds per million Btu (lbs/MMBtu) **on a 30-day rolling average**. [326 IAC 7-4-11(2)]
- (b) SO₂ emissions from Units 4, 5, and 6 shall not exceed 3.04 pounds per million Btu (lbs/MMBtu) each **on a 30-day rolling average**. [326 IAC 7-4-11(2)]
- (c) As an exception to the emission limitations specified in (a) and (b), at any time in which IPL burns coal on Unit 3, sulfur dioxide emissions from Units 3, 4, 5, and 6 shall be limited to two and fifty-seven hundredths (2.57) pounds per million Btu each **on a 30-day rolling average**. [326 IAC 7-4-11(3)]

Response:

For some circumstances, 326 IAC 7-4-11 includes the requirement to demonstrate compliance with a daily average emission rate, rather than in accordance then 326 IAC 7-2-1(c)(1). The specific requirements are detailed in Compliance Determination Requirements Condition D.2.9 (Sulfur Dioxide Emissions and Sulfur Content). There has been no change in response to this comment.

IPL Comment 19:

Condition D.2.4 Operation Standards:

For the reason set out in the comment to Condition D.1.4, above, subpart (b) should be deleted, and subpart (c) should be modified to remove the references to used oil management regulations.

Subpart (c) should be revised to make it clear that it is limiting the burning of used oil to certain boilers and not limiting the fuels that may be burned in those boilers.

Subpart (d) should be modified as set out below for the reason included in the comment to Condition D.1.4, above.

Therefore, IPL requests that Condition D.2.4 be modified as follows:

D.2.4 Operation Standards [326 IAC 2-1.1-5(a)(4)] [40 CFR 261] [40 CFR 279] [329 IAC 13]

- (a) All coal burned, including coal treated with any additive, shall meet the ASTM definition of coal.
- (b) ~~The burning of hazardous waste, as defined by 40 CFR 261, is prohibited in these facilities. Any boiler tube chemical cleaning waste liquids, binding agent, or used oil combusted shall meet the toxicity characteristic requirements for non-hazardous waste.~~
- (c) ~~Used oil may be combusted as supplemental fuel for energy recovery in compliance with 40 CFR Part 279 (Standards for the management of used oil) and 329 IAC 13 (Used Oil Management). Used oil shall only be combusted in Units 3 and 6 **only**; used oil containment materials generated onsite shall only be combusted in Unit 3 **only**.~~

(d) Any boiler tube chemical cleaning waste liquids fired in the boiler shall only contain the cleaning solution and ~~two full volume~~ boiler rinses.

Response:

See Response to IPL Comment 10, above. Also, the OAQ is aware that coal can be treated with a variety of substances, most frequently for dust suppression, sometimes before it is even received at the plant. The addition of large quantities of any substance to the previously permitted fuel could require additional review under air regulations. The condition has been revised to clarify that used oil is not the only fuel that is allowed to be fired in the units that have previously received written approval from OAQ to combust used oil. The condition is now as follows:

D.2.4 Operation Standards [326 IAC 2-1.1-5(a)(4)] [40 CFR 261] [40 CFR 279] [329 IAC 13]

- (a) All coal burned, including coal treated with any additive, shall meet the ASTM definition of coal.
- (b) The burning of hazardous waste, as defined by 40 CFR 261, is prohibited in these facilities **without a Resource Conservation and Recovery Act (RCRA) permit**. Any boiler tube chemical cleaning waste liquids **evaporated in the boiler, and any** binding agent; or used oil combusted shall meet the toxicity characteristic requirements for non-hazardous waste. **These requirements are not federally enforceable pursuant to the Title V permit.**
- (c) Used oil may be combusted as supplemental fuel for energy recovery in compliance with 40 CFR Part 279 (Standards for the management of used oil) and 329 IAC 13 (Used Oil Management). **These requirements are not federally enforceable pursuant to the Title V permit.**
- (d) Used oil shall ~~only~~ be combusted in **only** Units 3 and 6; used oil containment materials generated onsite shall ~~only~~ be combusted in **only** Unit 3.
- ~~(d)~~(e) Any boiler tube chemical cleaning waste liquids ~~fired~~ **evaporated** in the boiler shall only contain the cleaning solution and **no more than** two full volume boiler rinses.

IPL Comment 20:

Condition D.2.5 Preventative Maintenance Plan: We request that this condition be revised to state that the PMP is required for emission control devices, and not facilities, for the reason set out in the comment to Condition D.1.5. Therefore, IPL requests that this condition be modified as follows:

D.2.5 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 ~~these facilities and~~ any emission control devices **associated with these facilities.**

Response:

The Preventive Maintenance Plan requirement must be included in every applicable Part 70 permit pursuant to 326 IAC 2-7-5(13). This rule refers back to the Preventive Maintenance Plan 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)).

Pursuant to 326 IAC 1-6-1 (Applicability), 326 IAC 1-6-3 applies to the owner or operator of any facility required to obtain a permit under 326 IAC 2-1-2 and 326 IAC 2-1-4. Therefore, it is clear from the structure of 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. 326 IAC 1-6-3(b) provides that "...as deemed necessary by the commissioner, any person operating a facility shall comply with the requirements of subsection (a) of this section." Therefore, it is also clear from the structure of 326 IAC 1-6-5 that the PMP requirement affects the emission unit as well as the control device.

In addition to preventive maintenance performed on the control devices, preventive maintenance should be performed on the boilers themselves because lack of proper maintenance on the boiler can result in boiler tube leaks or improper burner air settings which can result in increased emissions.

The ESP must operate properly in order for the boilers to maintain compliance with the PM and opacity limits; therefore, IDEM believes it is reasonable and necessary to require the source to inspect the ESP periodically. The detailed requirements for inspecting the ESPs are taken from a US EPA Publication titled "Operation and Maintenance Manual for Electrostatic Precipitators", which is document number EPA/625/1-85/017.

Condition D.2.5 has been revised to include the ESP inspection requirements, the former Compliance Monitoring Condition D.2.12 (Preventive Inspections: Electrostatic Precipitator) has been removed, and the Record Keeping condition has been revised, as shown:

D.2.5 Preventive Maintenance Plan [326 IAC 2-7-5(13)]

- (a) A Preventive Maintenance Plan, in accordance with Section B - Preventive Maintenance Plan, of this permit, is required for these facilities and ~~any~~ **their** emission control devices.
- (b) **The PMP for an electrostatic precipitator shall include the following inspections, performed according to the indicated schedules:**
 - (1) **Plate and electrode alignment, every major maintenance outage, but no less than every 2 years;**
 - (2) **ESP TR set components, performed whenever there is an outage of any nature lasting more than three days, unless such inspections have been performed within the last six months. At a minimum, the following inspections shall be performed:**
 - (A) **Internal inspection of shell for corrosion (including but not limited to doors, hatches, insulator housings, and roof area).**
 - (B) **Effectiveness of rapping (including but not limited to buildup of dust on discharge electrodes and plates).**
 - (C) **Gas distribution (including but not limited to buildup of dust on distribution plates and turning vanes).**
 - (D) **Dust accumulation (including but not limited to buildup of dust on shell and support members that could result in grounds or promote advanced corrosion).**

- (E) Major misalignment of plates (including but not limited to a visual check of plate alignment).
 - (F) Rapper, vibrator and TR set control cabinets (including but not limited to motors and lubrication).
 - (G) Rapper assembly (including but not limited to loose bolts, ground wires, water in air lines, and solenoids).
 - (H) Vibrator and rapper seals (including but not limited to air in-leakage, wear, and deterioration).
 - (I) TR set controllers (including but not limited to low voltage trip point, over current trip point, and spark rate).
 - (J) Vibrator air pressure settings.
- (3) Air and water infiltration, once per month. The recommended method for this inspection is for audible checks around ash hoppers/hatches, duct expansion joints, and areas of corrosion.
 - (4) Flue gas conditioning system (FGCS) components, performed whenever there is an outage of any nature lasting more than three days, unless such inspections have been performed within the last six months.

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

~~D.2.12 Preventive Inspections: Electrostatic Precipitator [326 IAC 2-7-6(1)] [326 IAC 2-7-5(1)]~~

- ~~(a) The following inspections shall be performed according to the indicated schedules, in accordance with the Preventive Maintenance Plan prepared in accordance with Section B – Preventive Maintenance Plan:~~
 - ~~(1) Plate and electrode alignment, every major maintenance outage, but no less than every 2 years;~~
 - ~~(2) ESP TR set components, performed whenever there is an outage of any nature lasting more than three days, unless such inspections have been performed within the last six months. At a minimum, the following inspections shall be performed:~~
 - ~~(A) Internal inspection of shell for corrosion (including but not limited to doors, hatches, insulator housings, and roof area);~~
 - ~~(B) Effectiveness of rapping (including but not limited to buildup of dust on discharge electrodes and plates);~~
 - ~~(C) Gas distribution (including but not limited to buildup of dust on distribution plates and turning vanes);~~
 - ~~(D) Dust accumulation (including but not limited to buildup of dust on shell and support members that could result in grounds or promote advanced corrosion);~~

- ~~(E) Major misalignment of plates (including but not limited to a visual check of plate alignment).~~
- ~~(F) Rapper, vibrator and TR set control cabinets (including but not limited to motors and lubrication).~~
- ~~(G) Rapper assembly (including but not limited to loose bolts, ground wires, water in air lines, and solenoids).~~
- ~~(H) Vibrator and rapper seals (including but not limited to air in-leakage, wear, and deterioration).~~
- ~~(I) TR set controllers (including but not limited to low voltage trip point, over current trip point, and spark rate).~~
- ~~(J) Vibrator air pressure settings.~~
- ~~(3) Air and water infiltration, once per month. The recommended method for this inspection is for audible checks around ash hoppers/hatches, duct expansion joints, and areas of corrosion.~~
- ~~(b) Reasonable response steps shall be taken in accordance with Section C - Compliance Response Plan - Preparation, Implementation, Records, and Reports for any improper or abnormal conditions found during an inspection. Discovery of an abnormal or improper condition is not a deviation from this permit. Failure to take response steps in accordance with Section C - Compliance Response Plan - Preparation, Implementation, Records, and Reports, shall be considered a violation of this permit.~~

D.2.165 Record Keeping Requirements

- (a) To document compliance with the applicable opacity limits and Conditions D.2.1, **D.2.2, D.2.8, D.2.12, and D.2.13 and D.2.14**, the Permittee shall maintain records in accordance with (1) through (4) below. Records shall be complete and sufficient to establish compliance with the opacity and particulate limits in Section C - Opacity and in Conditions D.2.1 and D.2.2.
 - (1) Data and results from the most recent stack test.
 - (2) All continuous opacity monitoring data, pursuant to 326 IAC 3-5.
 - (3) The results of all visible emission (VE) notations and Method 9 visible emission readings taken during any periods of COM downtime.**
 - ~~(34) All ESP parametric monitoring readings.~~
 - ~~(4) Records of the results of the ESP inspections.~~
- (d) To document compliance with Condition D.2.5, the Permittee shall maintain records of the results of all boiler and emission control equipment inspections, including any additional inspections prescribed by the Preventive Maintenance Plan.**

IPL Comment 21:

Condition D.2.6 Testing requirements: IPL requests that this condition be modified to require the initial performance test within two calendar years of the effective date of the permit, as follows:

D.2.6 Testing Requirements [326 IAC 2-7-6(1),(6)] [326 IAC 2-1.1-11]

Within the two (2) calendar years **of the effective date of this permit** following the most recent stack test, compliance with the PM limitation in Condition D.2 shall be determined by a performance stack test conducted utilizing methods as approved by the Commissioner. This test shall be repeated at least once every two (2) calendar years following this valid compliance demonstration. Testing shall be conducted in accordance with Section C- Performance Testing.

Response:

For increased clarity regarding stack testing frequency, and in recognition that stack testing for some large boilers in Indiana has not been conducted within the last two years, the condition has been revised as shown below. The issuance date is the effective date for the permit.

D.2.6 Testing Requirements [326 IAC 2-7-6(1),(6)] [326 IAC 2-1.1-11]

Within the two (2) calendar years **By December 31 of the second calendar year** following the most recent stack test, **or within 180 days after issuance of this permit, whichever is later**, compliance with the PM limitation in Condition D.2.1**(b)** shall be determined by a performance stack test conducted utilizing methods as approved by the Commissioner. This testing shall be repeated **by December 31 of every second calendar year** at least once every two (2) calendar years following this valid compliance demonstration. Testing shall be conducted in accordance with Section C- Performance Testing.

For the purpose of this permit, "calendar year" means the twelve (12) month period from January 1 to December 31 inclusive.

IPL Comment 22:

Condition D.2.11 Cleaning Waste Analysis: This condition should be deleted for the reason set out in the comment to Condition D.1.4, as follows:

~~D.2.11 Cleaning Waste Analysis [326 IAC 2-1.1-5(a)(4)] [40 CFR 261]~~

~~The Permittee shall use appropriate test methods as listed in 40 CFR Part 261 to analyze all boiler chemical cleaning wastes that will be burned, to determine compliance with the Operation Standards condition in this D section.~~

Response:

See Response to IPL Comments 10 and 14, above. The Cleaning Waste Characterization condition has been revised as shown below.

D.2.11 Cleaning Waste Analysis **Characterization** [326 IAC 2-1.1-5(a)(4)] [40 CFR 261]

The Permittee shall use appropriate test methods **methodology** as listed **identified** in 40 CFR Part 261 to **analyze characterize** all boiler chemical cleaning wastes that will be **burned evaporated**, to determine compliance with the Operation Standards condition in this D section. **This condition is not federally enforceable pursuant to the Title V permit.**

IPL Comment 23:

Condition D.2.12 Preventive Inspections: Electrostatic Precipitator Condition, Condition D.2.13 Transformer-Rectifier (TR) Sets / Electrostatic Precipitator Parametric Monitoring, and Condition D.2.14 Opacity Readings

IPL requests that these conditions be deleted because their requirements extend beyond IDEM's authority. These types of requirements are appropriately included in the Preventative Maintenance Plan to be developed by the permittee, who is in the best position to determine what maintenance is most appropriate. The provisions included herein as enforceable permit requirements are overly prescriptive and we believe it is beyond IDEM's authority to include them in this permit. Therefore, IPL requests that Conditions D.2.12, D.2.13 and D.2.14 be deleted.

Response:

IDEM believes it is reasonable and necessary to require the source to inspect the ESP periodically. However, following comments from other sources with large boilers with ESPs, OAQ agreed to delete the Preventive Inspections: Electrostatic Precipitator condition and move the ESP inspection parameters to the Preventive Maintenance Plan condition. See the Response to IPL Comment 20 regarding the ESP inspection requirements which are now included in Condition D.2.5.

The ESPs controlling the boilers must operate properly at all times to assure that the boilers maintain continuous compliance with all applicable requirements. In order to assure proper operation of the ESPs, IDEM has included permit conditions requiring the Permittee to monitor the performance of the ESPs by monitoring certain ESP operating parameters once per shift. IDEM has the authority to require such monitoring pursuant to 326 IAC 2-7-5(1) and 326 IAC 2-7-6(1).

IPL is required pursuant to 326 IAC 3-5 to operate continuous opacity monitors (COM) to measure opacity from Units 3, 4, 5 and 6. Pursuant to 326 IAC 5-1, the boilers are subject to a 40% opacity limit. Pursuant to 326 IAC 2-2, the boilers are also subject to a particulate matter emission limit. The particulate matter emission limit and the opacity limit were established completely independently of one another. Therefore, compliance with a 40% opacity limit does not indicate compliance with the applicable particulate matter emissions limit.

The percentage of T-R sets that are operating effectively is a primary indicator of whether or not an ESP is maintaining sufficient particulate matter control efficiency. Decreased control efficiency could cause an exceedance of a particulate matter limitation or an exceedance of an opacity limit. COM readings can assure compliance with the opacity limit. However, the Permittee could not affirm that an abnormal ESP condition was not causing a violation of an applicable particulate matter limit without performing a stack test during the abnormal operation. Monitoring of the ESP operating parameters can provide an indication of whether sufficient control efficiency is being maintained. Without any other evidence to the contrary, abnormal ESP conditions would be credible evidence that the emissions from the stack could be in violation of an applicable particulate matter limit. For these reasons, Condition D.2.12 (formerly D.2.13) requires the Permittee to take response steps whenever the percentage of T-R sets in service falls below 90%, and the failure to take any response steps in accordance with the CRP will be considered a violation of the permit.

The condition D.2.13 (formerly D.2.14) requires the Permittee to take response steps when the opacity is above the level indicative of normal operating conditions. During normal operations opacity from the boilers is significantly less than 30%, as evidenced by the results of IDEM approved stack testing. Since the stack testing demonstrated compliance with the PM emissions when opacity levels were well below the opacity limits, it is appropriate for IPL to take response steps when the observed opacity is significantly above the levels demonstrated during a compliant PM stack test.

Unusually high opacity levels can indicate a process upset or a malfunction of the control device. Either of these situations could cause an exceedance of a particulate matter limitation. Without performing a stack test, the Permittee could not affirm that the unusually high opacity levels were not indicating a

violation of the particulate matter limits in the permit. Without taking any response steps or conducting any stack test during the period of elevated opacity, the only information available regarding emissions would be that the opacity levels were unusually high. Without any other evidence to the contrary, the unusually high opacity levels would be credible evidence that the emissions from the stack could be in violation of the particulate matter limits in the permit. For these reasons, the Permittee is required to take response steps whenever unusually high opacity levels are observed and the failure to take any response steps in accordance with the CRP will be considered a violation of the permit.

The Permittee has not provided the facility-specific values needed for the second option for Condition D.2.12; therefore, the Transformer-Rectifier (T-R) Sets condition has been retained and the Electrostatic Precipitator Parametric Monitoring condition has been deleted. The Opacity Readings condition has been revised to state the triggering event at the beginning of the condition, to add another example of a possible response step, and to show that failure to take a response step is a deviation from, not a violation of, the permit.

~~D.2.13~~ **D.2.13² Transformer-Rectifier (T-R) Sets** [326 IAC 2-7-6(1)] [326 IAC 2-7-5(1)]

- (a) The ability of the ESP to control particulate emissions shall be monitored once per shift, when the unit is in operation, by measuring and recording the number of T-R sets in service and the primary and secondary voltages and the currents of the transformer-rectifier (T-R) sets.
- (b) Reasonable response steps shall be taken in accordance with Section C - Compliance Response Plan - Preparation, Implementation, Records, and Reports whenever the percentage of T-R sets in service falls below 90 percent. T-R set failure resulting in less than 90 percent availability is not a deviation from this permit. Failure to take response steps in accordance with Section C - Compliance Response Plan - Preparation, Implementation, Records, and Reports, shall be considered a ~~violation of~~ **deviation from** this permit.

~~D.2.13~~ **D.2.13 Electrostatic Precipitator Parametric Monitoring** [326 IAC 2-7-6(1)] [326 IAC 2-7-5(1)]

- (a) ~~The ability of the ESP to control particulate emissions shall be monitored once per shift, when the unit is in operation, by measuring and recording the primary and secondary voltages and the currents of the transformer-rectifier (T-R) sets.~~
- (b) ~~When for any one reading, operation is outside one of the normal ranges shown below, or a range established during the latest stack test, the Permittee shall take reasonable response steps in accordance with Section C - Compliance Response Plan - Preparation, Implementation, Records, and Reports. A voltage or current reading outside the normal range is not a deviation from this permit. Failure to take response steps in accordance with Section C - Compliance Response Plan - Preparation, Implementation, Records, and Reports, shall be considered a violation of this permit.~~

- (1) Primary voltage: ~~_____~~ ***260 - 300 V****
- (2) Secondary voltage: ~~_____~~ ***35 - 55 kV****
- (3) T-R set primary current: ~~_____~~ ***50 - 75 A****

****(The values shown in italics are for illustrative purposes only; source needs to provide correct ranges for their operation if this option is selected. Note that Section C (Compliance Response Plan - Preparation, Implementation, Records, and Reports) allows for short term, temporary excursions outside of these normal operating parameters, and no response step is necessary if operation is already returning to normal operation.)****

~~D.2.14~~ **D.2.14³ Opacity Readings** [326 IAC 2-7-6(1)] [326 IAC 2-7-5(1)]

- (a) ~~In the event of emissions exceeding thirty percent (30)% average opacity for three (3) consecutive six (6) minute averaging periods, Appropriate response steps shall be taken in accordance with Section C - Compliance Response Plan - Preparation, Implementation, Records, and Reports whenever the opacity exceeds thirty percent~~

~~(30%) for three (3) consecutive six (6) minute averaging periods. In the event of opacity exceeding thirty percent (30%), response steps will be taken such that the cause(s) of the excursion are identified and corrected and opacity levels are brought back below thirty percent (30%). Examples of expected response steps include, but are not limited to, boiler loads being reduced, **adjustment of flue gas conditioning rate**, and ESP T-R sets being returned to service.~~

- (b) Opacity readings in excess of thirty percent (30%) but not exceeding the opacity limit for the unit are not a deviation from this permit. Failure to take response steps in accordance with Section C - Compliance Response Plan - Preparation, Implementation, Records, and Reports, shall be considered a ~~violation of~~ **deviation from** this permit.

IPL Comment 24:

Condition D.2.15 SO₂ Monitor Downtime: IPL requests that this condition provide, as a third alternative, the data substitution procedures provided by the Acid Rain Program. The option would provide consistency between the Acid Rain and Title V provisions. IPL requests that this condition be revised as follows:

D.2.15 SO₂ Monitor Downtime [326 IAC 2-7-6] [326 IAC 2-7-5(1)]

Whenever the SO₂ continuous emission monitor is malfunctioning or will be down for repairs or adjustments for a period of four (4) hours or more, compliance with the applicable SO₂ limits pursuant to 326 IAC 7 shall be demonstrated by one of the following:

- (a) A calibrated backup CEM shall be brought online within four (4) hours of shutdown of the primary CEM; ~~or~~

Fuel sampling shall be conducted as specified in 326 IAC 3-7-2(a) or (b), and fuel sample preparation and analysis shall be conducted as specified in 326 IAC 3-7-2(c), 326 IAC 3-7-2(d), and 326 IAC 3-7-2(e). Pursuant to 326 IAC 3-7-3, manual or other non-ASTM automatic sampling and analysis procedures may be used upon a demonstration, submitted to the department for approval, that such procedures provide sulfur dioxide emission estimates representative either of estimates based on coal sampling and analysis procedures specified in 326 IAC 3-7-2 or of continuous emissions monitoring; **or**

The data substitution procedures for SO₂ set out at 40 CFR 75.

Response:

IDEM has determined that for SO₂ emissions, which are prone to variability based on coal sulfur values, the Part 75 data substitution procedures may not be as representative as coal sampling and analysis to show compliance with a short term limit when the CEMS is down for a long period of time. Therefore, the Part 75 data substitution procedures cannot be used to demonstrate compliance with 326 IAC 7-4-12 for coal boilers. However, the condition has been revised to allow the substitution of data from the hour before and the hour after the downtime for downtime less than eight hours. This is equivalent to the 40 CFR 75 data substitution procedures for SO₂ CEMS provided that the monitoring system has not experienced excessive data gaps.

~~D.2.154~~ SO₂ Monitor Downtime [326 IAC 2-7-6] [326 IAC 2-7-5(13)]

- (a) Whenever the SO₂ continuous emission monitor **monitoring (CEM) system** is malfunctioning or will be down for repairs or adjustments for a period of four (4), **the following shall be used to provide information related to SO₂ emissions:**

- (1) **If the CEM system is down for less than eight (8) hours, the Permittee shall substitute an average of the quality-assured data from the hour immediately before and the hour immediately after the missing data period for each hour of missing data.**
- (2) **If the CEM system is down for eight (8) hours or more, compliance with the applicable SO₂ limits pursuant to 326 IAC 7 shall be demonstrated by coal sampling and analysis data shall be collected in accordance with one of the following:**
 - ~~(a) A calibrated backup CEM shall be brought online within four (4) hours of shutdown of the primary CEM; or~~
 - ~~(b) Fuel sampling shall be conducted as specified in 326 IAC 3-7-2(a) or (b), and fuel sample preparation and analysis shall be conducted~~
 - (A) **Coal samples shall be collected after the bunker. Coal shall be sampled at least three (3) times per day and at least one (1) time per eight (8) hour period unless no coal is bunkered during the preceding eight (8) hour period. Minimum sample size shall be five hundred (500) grams. Coal samples shall be prepared and analyzed as specified in 326 IAC 3-7-2(c), 326 IAC 3-7-2(d), and 326 IAC 3-7-2(e).**
 - or
 - (B) Pursuant to 326 IAC 3-7-3, manual or other non-ASTM automatic sampling and analysis procedures may be used upon a demonstration, submitted to the department for approval, that such procedures provide sulfur dioxide emission estimates representative either of estimates based on coal sampling and analysis procedures specified in 326 IAC 3-7-2 or of continuous emissions monitoring.
- (b) **Pursuant to 326 IAC 3-7-5(a), the Permittee shall develop a standard operating procedure (SOP) to be followed for sampling, handling, analysis, quality control, quality assurance, and data reporting of the information collected pursuant to 326 IAC 3-7-2 through 326 IAC 3-7-4. In addition, any revision to the SOP shall be submitted to IDEM, OAQ.**

D.2.165 Record Keeping Requirements

- (b) To document compliance with **SO₂** Conditions D.2.3, D.2.910, **D.2.11**, and D.2.156, the Permittee shall maintain records in accordance with (1) through (5) below during CEM downtime if a backup CEM is not used. ~~Records maintained for (1) through (6) through (3) below. Records shall be complete and sufficient to establish compliance with the SO₂ limits as required in Conditions D.2.3 and D.2.911. The Permittee shall maintain records in accordance with (2) and (3) below during SO₂ CEM system downtime.~~
 - ~~(1) Calendar dates and beginning and ending times of SO₂-CEM downtime.~~
 - ~~(2) Daily average sulfur content.~~
 - ~~(3) Coal heat content.~~
 - ~~(4) Weighing factor.~~
 - ~~(5) Daily average sulfur dioxide emission rate in pounds per million Btus.~~

- (6)(1) All SO₂ continuous emissions monitoring data, pursuant to **326 IAC 3-5-6 and 326 IAC 7-2-1(g)**.
 - (2) **All fuel sampling and analysis data collected for SO₂ CEM downtime, in accordance with Condition D.2.16.**
 - (3) **Actual fuel usage during each SO₂ CEM downtime.**
- (c) ~~Pursuant to 326 IAC 3-7-5(a), the Permittee shall develop a standard operating procedure (SOP) to be followed for sampling, handling, analysis, quality control, quality assurance, and data reporting of the information collected pursuant to 326 IAC 3-7-2 through 326 IAC 3-7-4. In addition, any revision to the SOP shall be submitted to IDEM, OAQ.~~

IPL Comment 25:

Condition D.2.19 Used Oil Requirements: This condition should be deleted for the reasons set out in the comment to Condition D.1.4, as follows:

~~D.2.19 Used Oil Requirements [326 IAC 2-1.1-5(a)(4)] [40 CFR 279] [329 IAC 13]~~

~~The used oil burned in Boiler No. 3 shall comply with the used oil requirements specified in 329 IAC 13 (Used Oil Management). Pursuant to 329 IAC 13-3-2 (Used Oil Specifications), used oil burned for energy recovery that is classified as off-specification used oil fuel shall comply with the provisions of 329 IAC 13-8 (Used Oil Burners Who Burn Off-specification Used Oil For Energy Recovery), including:~~

- ~~(a) Receipt of an EPA identification number as outlined in 329 IAC 13-8-3 (Notification);~~
- ~~(b) Compliance with the used oil storage requirements specified in 329 IAC 13-8-5 (Used Oil Storage), and~~
- ~~(c) Maintaining records pursuant to 329 IAC 13-8-6 (Tracking).~~

~~The burning of mixtures of used oil and hazardous waste that is regulated under 329 IAC 3.1 is prohibited at this source.~~

Response:

See Response to IPL Comment 10, above. The OAQ has determined that this condition can be identified as not federally enforceable pursuant to the Title V permit. The RCRA regulations are federally enforceable if applicable, but enforcement would be taken through another program area.

D.2.197 Used Oil Requirements [326 IAC 2-1.1-5(a)(4)] [40 CFR 279] [329 IAC 13]

The used oil burned in Boiler No. 3 shall comply with the used oil requirements specified in 329 IAC 13 (Used Oil Management). Pursuant to 329 IAC 13-3-2 (Used Oil Specifications), used oil burned for energy recovery that is classified as off-specification used oil fuel shall comply with the provisions of 329 IAC 13-8 (Used Oil Burners Who Burn Off-specification Used Oil For Energy Recovery), including:

- (a) Receipt of an EPA identification number as outlined in 329 IAC 13-8-3 (Notification),
- (b) Compliance with the used oil storage requirements specified in 329 IAC 13-8-5 (Used Oil Storage), and
- (c) Maintaining records pursuant to 329 IAC 13-8-6 (Tracking).

The burning of mixtures of used oil and hazardous waste that is regulated under 329 IAC 3.1 is prohibited at this source.

This condition is not federally enforceable pursuant to the Title V permit.

IPL Comment 26:

Condition D.3.2 Sulfur Dioxide Emissions and Sulfur Content: IPL requests that this condition be revised in the manner and for the reason set forth in the comment on Condition D.1.7(a), as follows:

D.3.2 Sulfur Dioxide Emissions and Sulfur Content] [326 IAC 7-1.1-2] [326 IAC 7-2]
Pursuant to 326 IAC 3-7-4, 326 IAC 7-1.1-2, and 326 IAC 7-2, the Permittee shall demonstrate that the fuel oil sulfur content does not exceed the equivalent of 0.5 lb/MMBtu, demonstrated on a thirty (30) day rolling weighted average, by:

- (a) Providing vendor analysis of fuel delivered, accompanied by a vendor certification; or
- (b) Providing analysis of fuel oil samples collected and analyzed **in accordance with** using the ~~ASTM methods cited in 326 IAC 3-7-4(a)~~.
 - (1) Oil samples shall be collected from the tanker truck load prior to transferring fuel to the storage tank; or
 - (2) Oil samples shall be collected from the storage tank immediately after each addition of fuel to the tank.

Response:

See Response to IPL Comment 13, above. The condition has been revised as follows:

D.3.2 Sulfur Dioxide Emissions and Sulfur Content] [326 IAC 7-1.1-2] [326 IAC 7-2]
Pursuant to 326 IAC 3-7-4, 326 IAC 7-1.1-2, and 326 IAC 7-2, the Permittee shall demonstrate that the fuel oil sulfur content does not exceed the equivalent of 0.5 lb/MMBtu, using a ~~thirty (30) day rolling weighted~~ **calendar month** average, by:

- (a) Providing vendor analysis of fuel delivered, accompanied by a vendor certification; or
- (b) Providing analysis of fuel oil samples collected and analyzed **in accordance with** using the ~~ASTM methods cited in 326 IAC 3-7-4(a)~~.
 - (1) Oil samples shall be collected from the tanker truck load prior to transferring fuel to the storage tank; or
 - (2) Oil samples shall be collected from the storage tank immediately after each addition of fuel to the tank.

IPL Comment 27:

Sections D.4 and D.5: IPL requests that all of the requirements of these sections be deleted because the processes listed in these sections are sources of fugitive dust only, with no emission points. IPL does not have the ability to monitor the emission rates from these units to determine compliance with the process weight rule and likewise cannot perform visible emission notations since there are no emission points. These processes are already regulated under the fugitive dust rule, as referenced in Condition C.5.

However, if Sections D.4 and D.5 will not be deleted, IPL provides comments on specific conditions in these sections below.

Response:

The handling of coal is subject to 326 IAC 6-3. While the product is electricity, the plant cannot produce electricity without coal to burn. The rule does not exclude conveyance of any material. Condition D.4.1 (Particulate) has not been removed or revised in response to this comment. The coal handling operations are also subject to the opacity limitations of 326 IAC 5-1-3.

IDEM, OAQ agrees that the process weight rule is not applicable to the wet process ash handling. Both the fly ash and bottom ash are conveyed to storage pond(s) by hydroveyors; no particulate emissions are generated by this method of material transfer. However, there is a possibility of fugitive dust if the stored material is not kept sufficiently wet or covered in some manner, or if the material is allowed to become dry during removal operations. Therefore, the following condition has been added to Section D.5, and the Record Keeping condition has been revised accordingly, as shown:

D.5.1 Fugitive Dust Emission Limitations [326 IAC 6-4-2]

Pursuant to 326 IAC 6-4-2:

- (a) Any ash storage pond area generating fugitive dust shall be in deviation from this rule (326 IAC 6-4) if any of the following criteria are violated:
- (1) A source or combination of sources which cause to exist fugitive dust concentrations greater than sixty-seven percent (67%) in excess of ambient upwind concentrations as determined by the following formula:

$$P = \frac{100 (R) - U}{U}$$

Where

P = Percentage increase

R = Number of particles of fugitive dust measured at downward receptor site

U = Number of particles of fugitive dust measured at upwind or background site

- (2) The fugitive dust is comprised of fifty percent (50%) or more respirable dust, then the percent increase of dust concentration in subdivision (1) of this section shall be modified as follows:

$$P_R = (1.5 \pm N) P$$

Where

N = Fraction of fugitive dust that is respirable dust;

P_R = allowable percentage increase in dust concentration above background; and

P = no value greater than sixty-seven percent (67%).

- (3) The ground level ambient air concentrations exceed fifty (50) micrograms per cubic meter above background concentrations for a sixty (60) minute period.
- (4) If fugitive dust is visible crossing the boundary or property line of a source. This subdivision may be refuted by factual data expressed in subdivisions (1), (2) or (3) of this section. 326 IAC 6-4-2(4) is not federally enforceable.

- (b) Pursuant to 326 IAC 6-4-6(6) (Exceptions), fugitive dust from a source caused by adverse meteorological conditions will be considered an exception to this rule (326 IAC 6-4) and therefore not in violation.**

Adverse weather conditions do not relieve a source from taking all reasonable measures to mitigate fugitive dust formation and transport. Failure to take reasonable measures during this period may be considered to be a deviation from this permit.

D.5.3 4 Record Keeping Requirements

- (a) To document compliance with ~~Section C - Fugitive Dust Emissions and Conditions D.5.21 and D.5.3~~, the Permittee shall maintain records of visible emission notations of the flyash storage pond area(s).
- (b) To document compliance with Condition D.5.2, the Permittee shall maintain records of any additional inspections prescribed by the Preventive Maintenance Plan.**
- (bc) All records shall be maintained in accordance with Section C - General Record Keeping Requirements, of this permit.

IPL Comment 28:

Condition D.4.2 Preventative Maintenance Plan: We request that this Condition be revised to state that the PMP is required for emission control devices, and not facilities, for the reason set out in the comment to Condition D.1.5. Therefore, IPL requests that this condition be modified as follows:

D.4.2 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 ~~these facilities and~~ any emission control devices **associated with these facilities**.

Response:

See Response to IPL Comment 20 above. The facility description for the coal handling has been revised in Condition A.2 and in the facility description box for Section D.4 to include control system information provided by IPL on August 2, 2002. In addition, the wording "exhausting to the ambient air" has been removed because it is unnecessary.

The Preventive Maintenance Plan condition has been revised accordingly. OAQ has determined that no PMP is required for the coal conveyors or other coal handling equipment, only for the particulate control systems.

These conditions have been revised as follows:

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:

- (g) Coal transfer facilities, with a maximum throughput of 800 tons per hour, with a dust suppression system using foam on coal going to the bunkers and wet spray on the coal stack out ~~exhausting to the ambient air~~.
- (h) Rail car unloading, coal pile unloading, and coal storage, with a maximum capacity of 800 tons per hour, ~~exhausting to the ambient air~~.

SECTION D.4 FACILITY OPERATION CONDITIONS

Facility Description [326 IAC 2-7-5(15)] (The information describing the process contained in this facility description box is descriptive information and does not constitute enforceable conditions.)

- (g) Coal transfer facilities, with a maximum throughput of 800 tons per hour, ~~exhausting to the ambient air;~~ **with a dust suppression system using foam on coal going to the bunkers and a wet spray on the coal stack out.**
- (h) Rail car unloading, coal pile unloading, and coal storage, with a maximum capacity of 800 tons per hour, ~~exhausting to the ambient air;~~

D.4.2 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 ~~these facilities~~ **the foam and wet spray application systems and any emission control devices associated with these facilities.**

IPL Comment 29:

Conditions D.4.3 and D.4.4 Visible Emissions Notations and Recordkeeping Requirements: IPL requests that this condition be deleted because these requirements serve no useful purpose in that VE readings will not indicate whether the facilities are in compliance with the process weight rule or the fugitive dust rule, nor are there any compliance steps that could be taken regarding these fugitive emissions sources. These facilities are subject to the fugitive dust rule and Condition C.5, which should be sufficient to control these operations.

Response:

The coal handling, other than the open storage piles, is not fugitive and is subject to opacity and particulate limitations pursuant to 326 IAC 5-1-2 and 326 IAC 6-3-2. Visible emission notations are used to indicate compliance these requirements. There has been no change to this condition in response to this comment. However, the condition has been revised to indicate that failure to take response steps is a deviation from, not a violation of, the permit.

D.4.3 Visible Emissions Notations [326 IAC 2-7-6(1)] [326 IAC 2-7-5(1)]

- (d) If abnormal emissions are observed at a transfer point exhaust or crusher exhaust or from the coal unloading, the Permittee shall take reasonable response steps in accordance with Section C - Compliance Response Plan - Preparation, Implementation, Records, and Reports. Observation of abnormal emissions that do not violate 326 IAC 6-4 (Fugitive Dust Emissions) or an applicable opacity limit is not a deviation from this permit. Failure to take response steps in accordance with Section C - Compliance Response Plan - Preparation, Implementation, Records, and Reports, shall be considered a ~~violation of~~ **deviation from** this permit.

IPL Comment 30:

Condition D.5.1 Preventative Maintenance Plan: We request that this Condition be revised to state that the PMP is required for emission control devices, and not facilities, for the reason set out in the comment to Condition D.1.5. Therefore, IPL requests that this condition be modified as follows:

D.5.1 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 ~~these facilities~~ and any emission control devices **associated with these facilities**.

Response:

See Response to IPL Comment 20 above. The condition has been renumbered due to the addition of the Fugitive Dust Emission Limitations condition, and revised as follows:

D.5.42 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 these facilities and any emission control devices **associated with these facilities**.

IPL Comment 31:

Conditions D.5.2 and D.5.3 Visible Emissions Notations and Recordkeeping Requirements: IPL requests that this condition be deleted for the reasons set out in the comment to Conditions D.4.3 and D.4.4.

Response:

See Response to IPL Comment 29. Condition D.5.3 (formerly D.5.2) has been revised to show that failure to take a response step is a deviation from, not a violation of, the permit.

D.5.3 Visible Emissions Notations [326 IAC 2-7-6(1)] [326 IAC 2-7-5(1)]

- (b) If visible emissions are observed crossing the property line or boundaries of the property, right-of-way, or easement on which the source is located, the Permittee shall take reasonable response steps in accordance with Section C - Compliance Response Plan - Preparation, Implementation, Records, and Reports. Failure to take response steps in accordance with Section C - Compliance Response Plan - Preparation, Implementation, Records, and Reports, shall be considered a ~~violation of~~ **deviation from** this permit.

On January 13, 2003, the Indiana Electric Utility Air Work Group (IEUAWG), consisting of American Electric Power, Cinergy Corp, Hoosier Energy, Indianapolis Power & Light Company, Indiana-Kentucky Electric Corporation, Northern Indiana Public Service Company, and Vectren Corporation, submitted comments on the proposed Part 70 permit. The summary of the comments and any changes made as a result of the comments follows. New text is shown in bold font and deleted text is shown in strikethrough font.

IEUAWG Comment 1:

Condition C.2 (Opacity)

The IEUAWG is concerned that as currently written, this provision will be impossible to comply with on an ongoing basis. As we know IDEM is aware, the current particulate technologies cannot prevent all six-minute opacity exceedances no matter how well maintained and operated the control equipment is. Historically, IDEM has handled this situation by allowing somewhere between two and five percent of the operating time to have opacity exceedances for all reasons before beginning an inquiry that could lead to an enforcement action.

While this practice has been highly successfully under the past permitting and compliance scheme, it will not work under Title V. However, since the same equipment that has been used the past to comply with

particulate and opacity limits is still in place, it is still necessary to have this same allowance in place. We therefore believe that IDEM should add a provision to this condition that allows up to 2% of the operating hours to exceed the opacity standard for the facility and still allow the certification of full compliance with the provisions of the permit under this section.

Furthermore, failing to put a threshold in this provision would result in permit holders operating in a nearly continuous state of technical non-compliance with this provision of the Title V Permit and being unable to develop a compliance plan/schedule that will provide for 100% compliance with this provision as required under the Title V program. This is an untenable condition for both the permit holder and IDEM, and one that is eminently resolvable with the addition of the 2% allowance currently being administratively granted by IDEM and U.S. EPA.

We recognize that U.S. EPA has been troubled by the placing of this condition into Title V Permits in other states. However, in putting this threshold into the permit, IDEM will still have the opportunity to revisit the threshold each time the Title V permit is renewed. This opportunity would allow changes should particulate control technologies develop in the future to a point that such a change would be justified.

In order to implement this necessary provision, we recommend that IDEM change Condition C.2 as follows by adding the language of a new subsection (c) below:

C.2 Opacity [326 IAC 5-1]

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

- (a) Opacity shall not exceed an average 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.

Add:

- (c) **For purposes of this condition, ninety-eight percent (98%) compliance with the six (6) minute opacity standard constitutes compliance.**

Response:

326 IAC 5-1 does not allow exemptions from the opacity limit up to two percent (2%) of the boiler operating time; therefore, IDEM cannot simply create such an exemption in the permit when one does not exist in the rule. IDEM will continue to use enforcement discretion; however, the permit will not include the suggested blanket exemption for exceeding the opacity limit up to 2% of the boiler operating time.

IEUAWG Comment 2:

Condition C.11 (Maintenance of Continuous Opacity Monitoring Equipment)

The IEUAWG believes that the requirement that a source be required to read opacity for a minimum of one hour every four hours if the opacity monitor malfunctions is excessive under most situations. If a unit is operating at relatively steady state, one or two readings every few hours may be sufficient to determine that the opacity limit is not in danger of being exceeded, without requiring one full hour of reading. The IEUAWG believes that this provision should be revised to allow more flexibility based on real world situations rather than imposing an absolute mandate of one hour of continuous readings every four hours of downtime.

We believe that revising subsection (c) by deleting the current subsections 1, 2, and 3 and the replacing them with the following language will provide the necessary flexibility:

- (c) Whenever a continuous opacity monitor (COM) is malfunctioning or will be down for calibration, maintenance, or repairs for a period of four (4) hours or more, **a calibrated backup COM shall be brought online within four (4) hours of shutdown of the primary COM, if possible. If this is not possible, visible emissions readings shall be performed in accordance with 40 CFR 60, Appendix A, Method 9, for a minimum of once per shift beginning four (4) hours after the start of the malfunction or down time.** compliance with the applicable opacity limits shall be demonstrated by one of the following:
- (1) ~~A calibrated backup COM shall be brought online within four (4) hours of shutdown of the primary COM; or~~
- (2) ~~Visible emission readings shall be performed in accordance with 40 CFR 60, Appendix A, Method 9, for a minimum of one (1) hour beginning four (4) hours after the start of the malfunction or down time.~~
- (A) ~~If the reading period begins less than one hour before sunset, readings shall be performed until sunset. If the first required reading period would occur between sunset and sunrise, the first reading shall be performed as soon as there is sufficient daylight.~~
- (B) ~~Method 9 opacity readings shall be repeated for a minimum of one (1) hour at least once every four (4) hours during daylight operations, until such time that a calibrated COM is in operation.~~
- (C) ~~All of the opacity readings during this period shall be reported in the Quarterly Deviation and Compliance Monitoring Reports.~~

Response:

The visible emission notations required in this condition are taken in response to COM downtime and, therefore, are required to assure continuous compliance pursuant to 326 IAC 2-7-5(3). The visible emission notations now required by Condition C.12(d)(1) for the first 24 hours of COM downtime are only normal / abnormal observations made by a employee trained in the appearance of normal emissions from that particular stack. A trained employee for the purposes of this condition is defined as follows: "A trained employee is an employee who has worked at the plant at least one (1) month and has been trained in the appearance and characteristics of normal visible emissions for that specific process." It clearly is not an overly burdensome task for a trained employee to briefly observe the emissions from the stack once per hour to assure that emissions are normal.

Method 9 visible emission readings required to be taken by a certified opacity reader are required if a COM is not functioning at the end of a 24 hour period of COM downtime. The OAQ does not believe that one or two Method 9 readings in several hours is a sufficient substitute for continuous opacity monitoring.

See Response to IPL Comment 5 for revisions to this condition.

IEUAWG Comment 3:

IDEM is not authorized to impose a requirement to develop and implement a "compliance response plan." However, certain companies in the IEUAWG may be willing to accept this condition on a unit specific basis for their individual company if the specific monitoring conditions are acceptable.

Response:

An important goal of the Part 70 Operating Permit program is to assure that each Permittee has the ability to assure compliance with applicable requirements on a continuous basis.

During the development of the Part 70 permit program, IDEM worked with interested parties, such as the:

Clean Air Strong Economy (CASE)
Clean Air Act Advisory Council's Permit Committee,
Indiana Manufacturing Association,
Indiana Chamber of Commerce, and
individual Part 70 sources.

A consensus was reached that written plans, outside of the permit document, such as the Compliance Response Plan (CRP), are vital tools that the Permittee can implement to ensure compliance. Plans are also the documents to implement if an emission unit or air pollution control device deviates from its normal operation.

It is correct that 326 IAC 2-7-5 and 326 IAC 2-7-6 do not have or use the exact term "CRP" however, 326 IAC 2-7-6(6) provides the Department the authority to specify provisions in the Part 70 Operating Permit as the Commissioner may require with respect to ensuring compliance with applicable requirements. IDEM has determined that a CRP provision is necessary with respect to compliance assurance.

The requirement to develop and implement the plan does not prescribe any new applicable requirement. The CRP is a compilation or reasonable responses, schedules, work practices and other information developed by the Permittee from the standpoint of good business practices and the prevention of environmental problems. The Permittee has to implement these reasonable responses and schedules to maintain or return to compliance. The steps documented in the plan are reasonable actions to be taken for specific deviations that occur at the emission unit or control device.

Permittees already have maintenance schedules and trouble shooting guidelines that specify options and steps to be taken when the emission unit or control device is not operating or functioning properly. The Permittee has the knowledge, expertise and experience on how to operate the equipment at the plant, and is required to develop the CRP based on this knowledge, experience and expertise. The CRP maintains the documentation, such that changes in personnel will not hinder the proper operation of the emission unit and control device. The CRP provides the plant's employees a quick reference on how to respond when an emission unit or air pollution control device deviates from its normal operation, thus avoiding long periods of deviations.

IEUAWG Comment 4:

Condition C.18 – Actions Related to Noncompliance Demonstrated by a Stack Test.

IDEM should modify this condition to allow itself and the permit holder more flexibility in the event a stack test is failed. As currently written, this condition specifies certain actions that must be taken when noncompliance is demonstrated by a stack test. In reality, negotiations to resolve the issue generally occur on the spot between the representatives of the source and IDEM. The specific corrective measures are developed at that time depending on the specific circumstances. The specific procedures set out in Condition C.18 interfere with the ability of both IDEM and the permit holder to make determinations on the spot and inhibit flexibility. In order to restore the current flexibility both IDEM and the source have when this occurs, the condition should be modified by adding a new subsection (c) as indicated below and relettering the remaining subsections.

- C.18 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 response actions to IDEM, OAQ, within thirty (30) days of receipt of the test results. The Permittee shall take appropriate action to minimize excess emissions from the affected facility while the response actions are being implemented.

- (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, OAQ that retesting in one-hundred and twenty (120) days is not practicable, IDEM, OAQ may extend the retesting deadline.
- (c) The Permittee is not required to follow the specific procedures set out in (a) and (b) above if it and IDEM, OAQ agree to a different schedule of activities to address any noncompliant situation. IDEM, OAQ will agree to any such alternative procedures proposed by the Permittee so long as they are reasonable and consistent with applicable law.**
- ~~(d)~~ (e) IDEM, OAQ reserves the authority to take any actions allowed under law in response to noncompliant stack tests.

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

Response:

The condition as currently written provides sufficient flexibility for IDEM, OAQ and the Permittee to establish a different schedule of activities if appropriate. For example, paragraph (b) already states that should the Permittee demonstrate to IDEM, OAQ that retesting in 120 days is not practicable, IDEM, OAQ may extend the retesting deadline. No change to the condition is necessary.

IEUAWG Comment 5:

Condition D.1.5 – Preventive Maintenance Plan.

As currently written, this requirement exceeds the authority granted to IDEM in the underlying rules. IDEM must modify this condition related to Preventive Maintenance Plans to indicate that it is required only for its emission control devices, not for emitting units, to be consistent with the Preventive Maintenance Plan rule set out at 326 IAC 1-6-3. Condition D.1.5 should be modified as follows:

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 **the emission control devices at the facility.** ~~these facilities and any emission control devices.~~

Response:

See Response to IPL Comment 11, above. There has been no change in response to this comment.

IEUAWG Comment 6:

Condition D.1.6 – Testing Requirements.

IEUAWG acknowledges IDEM's change to allow testing within two calendar years rather than within two years. IEUAWG approves of that change and appreciates IDEM's responsiveness in connection with IEUAWG's request. Additionally, the IEUAWG supports alternative testing intervals, such as those being proposed by AES for Eagle Valley, on a case specific basis. We further believe that IDEM should

consider, again on a case by case basis, testing intervals that accommodate units which are infrequently operated.

Response:

There has been no change in response to this comment. See Response to IPL Comment 12. Condition D.1.6 (Testing Requirements) does include special language for testing the oil-fired Units 1 and 2 if their use remains infrequent.

IEUAWG Comment 7:

Condition D.2.2(a) – Temporary Alternative Opacity Limitations.

IDEM should delete Condition D.2.2(a)(2) and Condition D.2.2(a)(1) should be modified to be consistent with IPL's current operating permits. Condition D.2.2(a)(1) should be effective for the duration of the permit, making D.2.2(a)(2) unnecessary. The three-year limitation on the alternative limitation in Condition D.2.2(a)(1) is without a basis in the regulations. This permit should not be a vehicle for imposing new requirements.

In addition, the provision limiting the startup exemption to 2.5 hours when the flue gas temperature has not reached 250 degrees Fahrenheit may be inconsistent with safety concerns that prevent a facility from operating the control device before the flue gas temperature reaches that critical level.

Therefore, Condition D.2.2(a) should be modified as follows:

D.2.2 Temporary Alternative Opacity Limitations [326 IAC 5-1-3]

(a) Pursuant to 326 IAC 5-1-3 (Temporary Alternative Opacity Limitations), the following applies:

- (1) ~~For the first three (3) years following the issuance date of the Title V permit for this source, w~~ **When building a new fire in a boiler, opacity may exceed the 40% opacity limitation established in 326 IAC 5-1-2 for a period not to exceed two and one-half (2.5) hours (twenty-five (25) six (6)-minute averaging periods) or until the flue gas temperature reaches two hundred fifty (250) degrees Fahrenheit, whichever occurs first. [326 IAC 5-1-3(e)]**
- (2) ~~Following the expiration of the alternative limitation in (a)(1) of this condition, when building a new fire in a boiler, opacity may exceed the 40% opacity limit established in 326 IAC 5-1-2; however, opacity levels shall not exceed sixty percent (60%) for any six (6)-minute averaging period. Opacity in excess of the applicable limit established in 326 IAC 5-1-2 shall not continue for more than two (2) six (6)-minute averaging periods in any twenty-four (24) hour period. [326 IAC 5-1-3(a)]~~
- ~~(2)(3)~~ When shutting down a boiler, opacity may exceed the 40% opacity limitation established in 326 IAC 5-1-2 for a period not to exceed one (1) hour (ten (10) six (6)-minute averaging periods). [326 IAC 5-1-3(e)]
- ~~(3)(4)~~ Operation of the electrostatic precipitator is not required during these times unless necessary to comply with these limits.

Response:

IDEM used the historical data from the Permittee's continuous opacity monitoring systems to determine the usual length of time required for startup for each boiler and what level of opacity resulted from various startups and shutdowns over the past several years. The past startups are expected to have been conducted safely. There has been no change in response to this comment.

IEUAWG Comment 8:

Condition D.2.6 – Testing Requirements.

As with Condition D.1.6, IEUAWG acknowledges IDEM's change to allow testing within two calendar years rather than within two years. IEUAWG approves of that change and appreciates IDEM's responsiveness in connection with IEUAWG's request.

Response:

No response is required.

IEUAWG Comment 9:

Condition D.2.7 – Operation of Electrostatic Precipitator

As currently structured, Condition D.2.7 requires the electrostatic precipitators to be operated at all times when the controlled processes are in operation. These requirements conflict with the regulations that allow continued operation even when the control equipment is not operating. Such situations include start-ups, shut-downs, emergencies, malfunctions, and situations where a unit can comply with the underlying regulations without operation of the control equipment. In addition, these requirements may cause a violation of other employee safety regulations during some operating regimens. We believe that this section should be revised to provide for these conditions without causing a violation of the permit, as would currently be the case. The following revision to this condition accomplishes this goal.

D.2.7 Except as otherwise provided by statute or rule or in this permit, **the control equipment shall be operating at all times the emitting equipment is in operation and shall control emissions from the emitting equipment at all times the emitting equipment is in operation, except for cases of start-up, shut-down, emergency, and/or malfunction, consistent with safe operating practices and protection of equipment, as allowed by applicable regulations, or in cases where the emitting unit can comply with the underlying limits without the operation of the emission control equipment.** ~~the electrostatic precipitators (ESPs) shall be operated at all times that the boilers vented to the ESPs are in operation.~~

Response:

The condition as currently written does not conflict with the regulations that allow continued operation even when the emission control equipment is not operating, because the condition already states "Except as otherwise provided by statute or rule or in this permit..." The applicable requirements regarding the ESP operation during startups, shutdowns, and emergencies are provided elsewhere in the permit. The units are not equipped with continuous emission monitoring systems to measure particulate matter mass emissions, and the Permittee has not conducted any stack tests demonstrating compliance with the particulate matter emission limitations while the ESP was NOT in operation. Additionally, the Permittee has not submitted any information to demonstrate that compliance with the particulate matter mass emission limitations can be achieved without the use of the ESP; therefore, IDEM does not agree to make the requested revisions to the condition.

IDEM used the historical data from the Permittee's continuous opacity monitoring systems to determine the usual length of time required for startup for each boiler. This information was used in revising the TAOL for each unit pursuant to 326 IAC 5-1-3(e). It is assumed that the boilers were operated safely during previous startups. There has been no change made in response to this comment.

IEUAWG Comment 10:

Condition D.2.12 – Preventative Inspections: Electrostatic Precipitator.

In reviewing this provision, we believe that IDEM again has greatly exceeded their authority by developing a proscriptive list of items that must be inspected on the particulate control equipment and then dictating a schedule under which this must be performed. The IEUAWG believes that this activity is the function of the Preventative Maintenance Plan that is required by other provisions in this permit and by 326 IAC 1-6-3. Should a violation of an emission limit occur, IDEM does have the authority to require revisions to the Preventative Maintenance Plan if such changes are necessary to remedy the situation causing the noncompliance in the future. The list of inspections and the time frames to accomplish them are not reasonable in many cases and in our experience may be of little value in maintaining compliance with the emissions requirements of this permit. Even if a condition similar to the proposed D.2.12 was included, the IEUAWG would object to the phrase "included but not limited to" that is specified in each prescriptive condition. This phrase is overly broad and could be used to impose even more prescriptive requirements.

In order to restore this section to its proper function and keep it within IDEM's authority under the existing laws and regulations we recommend deleting this section in its entirety and substituting the following language:

D.2.12 Preventive Inspections: Electrostatic Precipitator [326 IAC 2-7-6(1)] [326 IAC 2-7-5(1)]
(a) **Inspections shall be performed in accordance with the Preventive Maintenance Plan prepared in accordance with Section B-Preventive Maintenance Plan of this Permit and 326 IAC 1-6-3.** ~~The following inspections shall be performed according to the indicated schedules, in accordance with the Preventive Maintenance Plan prepared in accordance with Section B—Preventive Maintenance Plan: * * *~~

Response:

See Response to IPL Comment 20. The wording "included but not limited to" is included to clarify that the operator is not prohibited from adding components to the inspection if desired. There has been no change in response to this comment.

IEUAWG Comment 11:

Condition D.2.13 – Transformer-Rectifier (T-R) Sets and Electrostatic Precipitator Parametric Monitoring. Again, we believe that this provision exceeds IDEM's cited authorities. In reviewing the requirements of this provision, we cannot see where the stated requirements will serve to assure compliance with either the mass or opacity limits contained in the permit. Our experience with particulate control devices tells us that these relationships are highly site and fuel specific. Using a "one size fits all" approach in the forum of the Title V Permit results in a taking of operational flexibility away from the source and does not serve to further compliance with the permit. For these reasons, the IEUAWG encourages IDEM to remove this section of the permit.

Response:

See Response to IPL Comment 23. There has been no change in response to this comment.

IEUAWG Comment 12:

Condition D.2.14 – Opacity Readings.

We believe that IDEM has greatly exceeded their statutory and regulatory authority in this provision in attempting to set a "trigger" below the applicable limit and by attempting to change the time period for evaluating the limit. The only proper way to take this action is through notice and comment rulemaking where full technical justification is made available to the regulated community and other interested parties to review. Condition D.2.14 sets an opacity trigger below the regulatory established forty percent limit and requires activities to be conducted based on that trigger. This essentially changes the limit without any basis in law. It also conflicts with the regulatory provision allowing up to sixty percent opacity for a

certain period of time without causing a violation of the opacity regulations. Even if a condition similar to the proposed D.2.14 was included, the IEUAWG would object to the phrase "include but are not limited to" that is specified in the prescriptive condition. This phrase is overly broad and could be used to impose even more prescriptive requirements.

IDEM must remove this inappropriate opacity threshold "trigger" requirement and restructure this section to conform to the properly promulgated opacity regulations. The cited sections do not give IDEM the authority to ignore existing state laws and regulations. We believe that the following changes to this section conform to the underlying state laws and regulations relating to opacity and compliance. In addition, we believe the last sentence of D.2.14(a) should be deleted as it inappropriately presents an expectation of the content of the Compliance Response Plan and as such interferes with the company's right to determine the appropriate method to operate their equipment.

D.2.14 Opacity Readings [326 IAC 2-7-6(1)] [326 IAC 2-7-5(1)]

- (a) Appropriate response steps shall be taken in accordance with Section C – Compliance Response Plan-Preparation, Implementation, Records, and Reports whenever the opacity exceeds the **forty percent (40%)** ~~thirty percent (30%)~~ for three (3) consecutive six (6) minute averaging periods. In the event of opacity exceeding **forty percent (40%)** ~~thirty percent (30%)~~, response steps will be taken such that the cause(s) of the excursion are identified and corrected and opacity levels are brought back below **forty percent (40%)** ~~thirty percent (30%)~~. ~~Examples of expected response steps include, but are not limited to, boiler loads being reduced and ESP T-R sets being returned to service.~~
- (b) Opacity readings in excess of **forty percent (40%)** ~~thirty percent (30%)~~ but not exceeding the opacity limit for the unit are not a deviation from this permit. Failure to take response steps in accordance with Section C – Compliance Response Plan – Preparation, Implementation, Records, and Reports, shall be considered a violation of this permit for situations where the opacity exceeds forty percent (40%) for three (3) consecutive six-minute averages and no action is taken.

Response:

See Response to IPL Comment 23. The wording in the Opacity Readings condition "Examples of expected response steps include, but are not limited to, boiler loads being reduced, adjustment of flue gas conditioning rate, and ESP T-R sets being returned to service" is included to clarify that the few examples listed are not the only possible response steps. There has been no change in response to this comment.

IEUAWG Comment 13:

Condition D.2.15 SO₂ Monitor Downtime:

The IEUAWG requests that this condition provide, as a third alternative, the data substitution procedures provided by the Acid Rain Program. The option would provide consistency between the Acid Rain and Title V provisions. The IEUAWG requests that this condition be revised as follows:

D.2.15 SO₂ Monitor Downtime -[326 IAC 2-7-6] [326 IAC 2-7-5(1)]

Whenever the SO₂ continuous emission monitor is malfunctioning or will be down for repairs or adjustments for a period of four (4) hours or more, compliance with the applicable SO₂ limits pursuant to 326 IAC 7 shall be demonstrated by one of the following:

- (a) A calibrated backup CEM shall be brought online within four (4) hours of shutdown of the primary CEM; ~~or~~
- (b) Fuel sampling shall be conducted as specified in 326 IAC 3-7-2(a) or (b), and fuel sample preparation and analysis shall be conducted as specified in 326 IAC 3-7-2(c), 326 IAC 3-7-2(d), and 326 IAC 3-7-2(e). Pursuant to 326 IAC 3-7-3, manual or other non-ASTM

automatic sampling and analysis procedures may be used upon a demonstration, submitted to the department for approval, that such procedures provide sulfur dioxide emission estimates representative either of estimates based on coal sampling and analysis procedures specified in 326 IAC 3-7-2 or of continuous emissions monitoring; or

- (c) **The data substitution procedures for SO₂ set out at 40 CFR 75.33.**

Response:

See Response to IPL Comment 24. There has been no change in response to this comment.

IEUAWG Comment 14:

General Comment.

The IEUAWG wishes to confirm that all information included within the "Facility Description" boxes is descriptive only and not enforceable.

Response:

Yes. Each Facility Description box includes "(The information describing the process contained in this facility description box is descriptive information and does not constitute enforceable conditions.)"

Upon further review, the IDEM Office of Air Quality (OAQ) has made the following additional changes 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, and has been corrected as needed to correctly match the condition names and rule cites shown in the rest of the permit.

Revision 1

The provision that is required by 326 IAC 2-7-5(6) has been moved from Condition B.8 to the front of the permit. Also, the source name on the cover page has been revised for consistency.

**PART 70 OPERATING PERMIT
OFFICE OF AIR QUALITY**

Indianapolis Power and Light (IPL)
Eagle Valley Generating Station
(formerly H. T. Pritchard Generating Station)
~~Indianapolis Power and Light (IPL)~~
4040 Blue Bluff Road
Martinsville, Indiana 46151

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

The Permittee must comply with all conditions of this permit. Noncompliance with any provisions of this permit is grounds for enforcement action; permit termination, revocation and reissuance, or modification; or denial of a permit renewal application. Noncompliance with any provision of this permit, except any provision specifically designated as not federally enforceable, constitutes a violation of the Clean Air Act. It

shall not be a defense for the Permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit. An emergency does constitute an affirmative defense in an enforcement action provided the Permittee complies with the applicable requirements set forth in Section B, Emergency Provisions.

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

~~B.8 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 is grounds for:
 - ~~(1) Enforcement action;~~
 - ~~(2) Permit termination, revocation and reissuance, or modification; or~~
 - ~~(3) Denial of a permit renewal application.~~~~
- ~~(b) Noncompliance with any provision of this permit, except any provision specifically designated as not federally enforceable, constitutes a violation of the Clean Air Act.~~
- ~~(c) 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.~~
- ~~(d) An emergency does constitute an affirmative defense in an enforcement action provided the Permittee complies with the applicable requirements set forth in Section B, Emergency Provisions.~~

Revision 2

Condition E.1 and the Table of Contents description for Appendix A were revised to avoid the need for additional changes in the Part 70 permit when the Acid Rain Permit is revised or reissued.

TABLE OF CONTENTS

Appendix A: Phase II Acid Rain Permit ~~AR 109-5114-00004~~

- ~~E.1 Acid Rain Permit [326 IAC 2-7-5(1)(C)] [326 IAC 21] [40 CFR 72 through 40 CFR 78]~~
-
- ~~(a) The Acid Rain permit for this source, AR 109-5114-00004, issued on December 31, 1997, is incorporated by reference into this Part 70 permit. Pursuant to 326 IAC 21 (Acid Deposition Control), the Permittee shall comply with all provisions of the Acid Rain permit issued for this source, and any other applicable requirements contained in 40 CFR 72 through 40 CFR 78.~~
 - ~~(b) Where an applicable requirement of the Clean Air Act is more stringent than an applicable requirement of regulations promulgated under Title IV of the Act, both provisions shall apply. **The Acid Rain permit for this source is attached to this permit as Appendix A, and is incorporated by reference.**~~

Revision 3

Changes Resulting from Ozone 8-hour County Attainment Status Designations:

On April 15, 2004, the United States Environmental Protection Agency (U.S. EPA) named 23 Indiana counties and one partial county nonattainment for the new 8-hour ozone standard. The designations became effective on June 15, 2004. Morgan County has been designated as nonattainment for the 8-hour ozone standard. The following revisions have been made to Condition A.1 (General Information):

A.1 General Information [326 IAC 2-7-4(c)] [326 IAC 2-7-5(15)] [326 IAC 2-7-1(22)]

The Permittee owns and operates a stationary electric utility generating station.

Responsible Official: Acid Rain Designated Representative
 Source Address: 4040 Blue Bluff Road, Martinsville, Indiana, 46151
 Mailing Address: 4040 Blue Bluff Road, Martinsville, Indiana, 46151
 Source Telephone: 765-349-3413
 SIC Code: 4911
 County Location: Morgan
 County Status: ~~Attainment for all criteria pollutants~~
Nonattainment for ozone under the 8-hour standard
Attainment for all other criteria pollutants
 Source Status: Part 70 Permit Program
 Major Source, under PSD Rules **and Nonattainment NSR**;
 Major Source, Section 112 of the Clean Air Act
 1 of 28 Source Categories

Although the TSD itself will not be revised as it is a historical document and the TSD was correct at the time of public notice, the following is being provided to show how the county attainment status has been affected as a result of the 8-hour ozone standard designations. The county attainment status regarding other pollutants remain unchanged; therefore will not be shown below other than in the table.

County Attainment Status

The source is located in Morgan County.

Pollutant	Status
PM-10	attainment
SO ₂	attainment
1-hour Ozone	attainment
8-hour Ozone	nonattainment
CO	attainment
Lead	attainment

- (a) ~~Volatile organic compounds (VOC) are precursors for the formation of ozone. Therefore, VOC emissions are considered when evaluating the rule applicability relating to the ozone standards. Morgan County has been designated as attainment or unclassifiable for ozone.~~ **Volatile organic compounds (VOC) and Nitrogen Oxides (NO_x) are regulated under the Clean Air Act (CAA) for the purposes of attaining and maintaining the National Ambient Air Quality Standards (NAAQS) for ozone. Therefore, VOC and NO_x emissions are considered when evaluating the rule applicability relating to the ozone standards. Morgan County has been designated as nonattainment for the 8-hour ozone standard.**

Revision 4

For accuracy, the continuous emission monitoring systems have been added to the boiler descriptions in Condition A.2 and in the description boxes for Sections D.2 and E. The wording regarding the flue gas conditioning systems was already in the description box for Section D.2 and has been added to Condition A.2 and the description box for Section E.

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) Two (2) no. 2 fuel oil fired boilers, identified as Units 1 and Unit 2, constructed in 1949 and 1950, respectively, each with a design heat input capacity of 524 million Btu per hour (MMBtu/hr), both exhausting to stack 1-1.
- (b) One (1) tangentially-fired wet-bottom coal boiler, identified as Unit 3, constructed in 1951, with a design heat input capacity of 524 million Btu per hour (MMBtu/hr), with an electrostatic precipitator (ESP) **and flue gas conditioning system** for control of particulate matter, exhausting to stack 2-1. Unit 3 will combust no. 2 fuel oil during startup, shutdown, and stabilization periods. Used oil generated onsite and used oil containment materials generated onsite may be combusted in Unit 3 as supplemental fuel for energy recovery. **Stack 2-1 has continuous emission monitoring systems (CEMS) for NO_x and SO₂ and a continuous opacity monitor (COM).**
- (c) One (1) tangentially-fired dry-bottom coal fired boiler, identified as Unit 4, constructed in 1953, with a design heat input capacity of 741 million Btu per hour (MMBtu/hr), with an electrostatic precipitator (ESP) **and flue gas conditioning system** for control of particulate matter, exhausting to stack 2-1. Unit 4 will combust no. 2 fuel oil during startup, shutdown, and stabilization periods. **Stack 2-1 has continuous emission monitoring systems (CEMS) for NO_x and SO₂ and a continuous opacity monitor (COM).**
- (d) One (1) tangentially-fired dry-bottom coal boiler, identified as Unit 5, constructed in 1953, with a design heat input capacity of 741 million Btu per hour (MMBtu/hr), with an electrostatic precipitator (ESP) **and flue gas conditioning system** for control of particulate matter, exhausting to stack 3-1. Unit 5 will combust no. 2 fuel oil during startup, shutdown, and stabilization periods. **Stack 3-1 has continuous emission monitoring systems (CEMS) for NO_x and SO₂ and a continuous opacity monitor (COM).**
- (e) One (1) tangentially-fired dry-bottom coal boiler, identified as Unit 6, constructed in 1956, with a design heat input capacity of 1017 million Btu per hour (MMBtu/hr), with an electrostatic precipitator (ESP) for control of particulate matter, exhausting to stack 3-1. Unit 6 will combust no. 2 fuel oil during startup, shutdown, and stabilization periods. Used oil generated onsite may be combusted in Unit 6 as supplemental fuel for energy recovery. Unit 6 has had low-NO_x burners installed. **Stack 3-1 has continuous emission monitoring systems (CEMS) for NO_x and SO₂ and a continuous opacity monitor (COM).**

SECTION E

TITLE IV CONDITIONS

Facility Description [326 IAC 2-7-5(15)] (The information describing the process contained in this facility description box is descriptive information and does not constitute enforceable conditions.)

- (a) Two (2) no. 2 fuel oil fired boilers, identified as Units 1 and Unit 2, constructed in 1949 and 1950, respectively, each with a design heat input capacity of 524 million Btu per hour (MMBtu/hr), both exhausting to stack 1-1.
- (b) One (1) tangentially-fired wet-bottom coal boiler, identified as Unit 3, constructed in 1951, with a design heat input capacity of 524 million Btu per hour (MMBtu/hr), with an electrostatic precipitator (ESP) **and flue gas conditioning system** for control of particulate matter, exhausting to stack 2-1. Unit 3 will combust no. 2 fuel oil during startup, shutdown, and stabilization periods. Used oil generated onsite and used oil containment materials generated onsite may be combusted in Unit 3 as supplemental fuel for energy recovery. **Stack 2-1 has continuous emission monitoring systems (CEMS) for NO_x and SO₂ and a continuous opacity monitor (COM).**
- (c) One (1) tangentially-fired dry-bottom coal fired boiler, identified as Unit 4, constructed in 1953, with a design heat input capacity of 741 million Btu per hour (MMBtu/hr), with an electrostatic precipitator (ESP) **and flue gas conditioning system** for control of particulate matter, exhausting to stack 2-1. Unit 4 will combust no. 2 fuel oil during startup, shutdown, and stabilization periods. **Stack 2-1 has continuous emission monitoring systems (CEMS) for NO_x and SO₂ and a continuous opacity monitor (COM).**
- (d) One (1) tangentially-fired dry-bottom coal boiler, identified as Unit 5, constructed in 1953, with a design heat input capacity of 741 million Btu per hour (MMBtu/hr), with an electrostatic precipitator (ESP) **and flue gas conditioning system** for control of particulate matter, exhausting to stack 3-1. Unit 5 will combust no. 2 fuel oil during startup, shutdown, and stabilization periods. **Stack 3-1 has continuous emission monitoring systems (CEMS) for NO_x and SO₂ and a continuous opacity monitor (COM).**
- (e) One (1) tangentially-fired dry-bottom coal boiler, identified as Unit 6, constructed in 1956, with a design heat input capacity of 1017 million Btu per hour (MMBtu/hr), with an electrostatic precipitator (ESP) for control of particulate matter, exhausting to stack 3-1. Unit 6 will combust no. 2 fuel oil during startup, shutdown, and stabilization periods. Used oil generated onsite may be combusted in Unit 6 as supplemental fuel for energy recovery. Unit 6 has had low-NO_x burners installed. **Stack 3-1 has continuous emission monitoring systems (CEMS) for NO_x and SO₂ and a continuous opacity monitor (COM).**

Revision 4

The duty to supplement an application is not an ongoing requirement after the permit is issued; therefore, (a) has been removed from B.7 Duty to Supplement and Provide Information.

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

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

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

- (b) The Permittee shall furnish to IDEM, OAQ, within a reasonable time, any information that IDEM, OAQ, may request in writing to determine whether cause exists for modifying, revoking and reissuing, or terminating this permit, or to determine compliance with this permit. The submittal by the Permittee does require the certification by the "responsible official" as defined by 326 IAC 2-7-1(34). Upon request, the Permittee shall also furnish to IDEM, OAQ, copies of records required to be kept by this permit.
- (e)b For information furnished by the Permittee to IDEM, OAQ, the Permittee may include a claim of confidentiality in accordance with 326 IAC 17.1. When furnishing copies of requested records directly to U. S. EPA, the Permittee may assert a claim of confidentiality in accordance with 40 CFR 2, Subpart B.

Revision 5

Section B - Preventive Maintenance Plan was revised to clarify that required record keeping needs to be implemented as well as the rest of the plan to ensure that failure to implement a PMP does not cause or contribute to an exceedance of any limitation on emissions or potential to emit. Also, (c) has been revised to clarify that OAQ may require the Permittee to revise its PMPs whenever lack of proper maintenance is the primary contributor to an exceedance of any limitation on emissions or potential to emit. The requirements to keep records of preventive maintenance in (d) has been moved to D Section. Because the general record keeping requirements (i.e. retained for 5 years) are in Section C, it is not necessary to include them in this condition or in the D condition. At some sources, an OMM Plan is required. Instead of having two separate plans, the OMM Plan may satisfy the PMP requirements, so a new part (d) has been added to this condition.

B.140 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]

- (b) The Permittee shall implement the PMPs, **including any required record keeping**, as necessary to ensure that failure to implement a PMP does not cause or contribute to a ~~violation~~ **in exceedance** of any limitation on emissions or potential to emit.
- (c) A copy of the PMPs shall be submitted to IDEM, OAQ, upon request and within a reasonable time, and shall be subject to review and approval by IDEM, OAQ. IDEM, OAQ, may require the Permittee to revise its PMPs whenever lack of proper maintenance causes or ~~contributes to any violation~~: **is the primary contributor to an exceedance of any limitation on emissions or potential to emit.**

The submittal of the PMP and the PMP extension notification does not require the certification by the "responsible official" as defined by 326 IAC 2-7-1(34).

- (d) ~~Records of preventive maintenance shall be retained for a period of at least five (5) years. These records shall be kept at the source location for a minimum of three (3) years. The records may be stored elsewhere for the remaining two (2) years as long as they are available upon request. If the Commissioner makes a request for records to the Permittee, the Permittee shall furnish the records to the Commissioner within a reasonable time.~~ **To the extent the Permittee is required by 40 CFR Part 63 to have an Operation, Maintenance, and Monitoring (OMM) Plan for a unit, such Plan is deemed to satisfy the PMP requirements of 326 IAC 1-6-3 for that unit.**

Revision 6

The following was added to clarify that sources can add an electric generator or similar device for a few months without seeking a modification. An engine no longer meets the definition of "nonroad engine" once it remains at the source for 12 consecutive months, or a shorter period of time for a unit located at a seasonal source.

B.198 Permit Amendment or Modification [326 IAC 2-7-11] [326 IAC 2-7-12] [40 CFR 72]

- (e) **No permit amendment or modification is required for the addition, operation or removal of a nonroad engine, as defined in 40 CFR 89.2.**

Revision 7

For clarity, additional rule cites have been added to the Inspection and Entry condition.

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

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

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

Revision 8

The Annual Fee Payment condition has been revised due to the reorganization and renaming of the OAQ section that handles billing.

B.243 Annual Fee Payment [326 IAC 2-7-19] [326 IAC 2-7-5(7)] [326 IAC 2-1.1-7]

- (c) The Permittee may call the following telephone numbers: 1-800-451-6027 or 317-233-4230 (ask for OAQ, ~~IM~~ & Billing, **Licensing, and Training** Section), to determine the appropriate permit fee.

Revision 9

In accordance with the credible evidence rule (62 Fed. Reg. 8314, Feb 24, 1997); Section 113(a) of the Clean Air Act, 42 U.S. C. § 7413 (a); and a letter from the United States Environmental Protection Agency (USEPA) to IDEM, OAQ dated May 18, 2004, all permits must address the use of credible evidence; otherwise, USEPA will object to the permits. The following language has been incorporated into the permit to address credible evidence; subsequent conditions have been renumbered accordingly:

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

Notwithstanding the conditions of this permit that state specific methods that may be used to demonstrate compliance with, or a violation of, applicable requirements, any person (including the Permittee) may also use other credible evidence to demonstrate compliance with, or a violation of, any term or condition of this permit.

Revision 10

In response to complaints regarding fugitive dust from motor vehicles at some of the power plants, the requirements of 326 IAC 6-4-4 have been added to the Part 70 permits for the electric utility plants.

C.6 Motor Vehicle Fugitive Dust Sources [326 IAC 6-4-4]

Pursuant to 326 IAC 6-4-4, no vehicle shall be driven or moved on any public street, road, alley, highway, or other thoroughfare, unless such vehicle is so constructed as to prevent its contents from dripping, sifting, leaking, or otherwise escaping therefrom so as to create conditions which result in fugitive dust. This section applies only to the cargo any vehicle may be conveying and mud tracked by the vehicle.

Revision 11

Wording has been added to the Stack Height condition to clarify what provisions of 1-7 are not federally enforceable.

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

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

Revision 12

Condition C.9 (formerly C.8) has been revised to clarify that the Permittee submits the extension request.

C.89 Performance Testing [326 IAC 3-6]

- (c) Pursuant to 326 IAC 3-6-4(b), all test reports must be received by IDEM, OAQ not later than forty-five (45) days after the completion of the testing. An extension may be granted by IDEM, OAQ, if the ~~source~~ **Permittee** submits to IDEM, OAQ, a reasonable written explanation not later than five (5) days prior to the end of the initial forty-five (45) day period.

Revision 13

Due to the broad range of continuous monitoring requirements that can be applicable to electric generating stations, the general condition in Section C has been replaced by more specific requirements in the appropriate D sections of the permit.

~~C.12 Maintenance of Continuous Emission Monitoring Equipment [326 IAC 2-7-5(3)(A)]~~

- ~~(a) The Permittee shall install, calibrate, maintain, and operate all necessary continuous emission monitoring systems (CEMS) and related equipment.~~

- ~~(b) All continuous emission monitoring systems shall meet all applicable performance specifications of 40 CFR 60 or any other performance specification, and are subject to monitor system certification requirements pursuant to 326 IAC 3-5-3.~~
- ~~(c) In the event that a breakdown of a continuous emission monitoring system occurs, a record shall be made of the times and reasons of the breakdown and efforts made to correct the problem.~~
- ~~(d) Whenever a continuous emission monitor other than an opacity monitor is malfunctioning or is down for maintenance or repairs, the following shall be used as an alternative to continuous data collection:
 - ~~(1) If the CEM is required for monitoring NO_x emissions pursuant to 40 CFR 75 (Title IV Acid Rain program) or 326 IAC 10-4 (NO_x Budget Trading Program), the Permittee shall comply with the relevant requirements of 40 CFR 75 Subpart D- Missing Data Substitution Procedures.~~
 - ~~(2) If the CEM is not used to monitor NO_x emissions from a unit subject to requirements of the Title IV Acid Rain program or the NO_x Budget Trading Program, and is down for a period of four (4) hours or more, then supplemental or intermittent monitoring of the parameter shall be implemented as specified in Section D of this permit until such time as the emission monitor system is back in operation.~~~~
- ~~(e) Nothing in this permit shall excuse the Permittee from complying with the requirements to operate a continuous emission monitoring system pursuant to 326 IAC 3-5, 40 CFR 75, or 326 IAC 10-4.~~

D.2.8 Continuous Emissions Monitoring [326 IAC 3-5]

- (a)** Pursuant to 326 IAC 3-5 (Continuous Monitoring of Emissions), continuous emission monitoring systems for Units 3, 4, 5 and 6 shall be calibrated, maintained, and operated for measuring opacity, SO₂, and the percent **either** CO₂ or O₂, which meet the performance specifications of 326 IAC 3-5-2.
- (b)** **All continuous emission monitoring systems are subject to monitor system certification requirements pursuant to 326 IAC 3-5-3.**
- (c)** Pursuant to 326 IAC 3-5-4, if revisions are made to the continuous monitoring standard operating procedures (SOP), the Permittee shall submit updates to the department biennially.
- (d)** Nothing in this permit shall excuse the Permittee from complying with the requirements to operate a continuous emission monitoring system pursuant to 326 IAC 3-5, 326 IAC 10-4, or 40 CFR 75.
- (e)** Pursuant to 326 IAC 3-7-5(a), the Permittee shall develop a standard operating procedure (SOP) to be followed for sampling, handling, analysis, quality control, quality assurance, and data reporting of the information collected pursuant to 326 IAC 3-7-2 through 326 IAC 3-7-4. In addition, any revision to the SOP shall be submitted to IDEM, OAQ.

Revision 14

C.16 Risk Management Plan has been revised so that it is more straightforward, and the condition requires the source to comply with the applicable requirements of 40 CFR 68 if a regulated substance is present at a source in more than a threshold quantity.

C.16 Risk Management Plan [326 IAC 2-7-5(12)] [40 CFR 68.215]

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

~~(b) The Permittee shall verify that a Risk Management Plan or a revised plan was prepared as required by 40 CFR 68 and submitted to IDEM, OAQ.~~

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

Revision 15

Some sources are required, or will be required, to have an Operation, Maintenance and Monitoring (OMM) Plan or Start-up, Shutdown, and Malfunction (SSM) Plan. Instead of having an additional plan, it has been determined that having an OMM can satisfy the requirements for having a CRP. If a source is required to have an SSM Plan, a Parametric Monitoring Plan would also be required to satisfy the requirements to have a CRP. The upcoming utility RACT is expected to become effective during the five year term of this Title V permit, and will probably include requirements for some of these plans. Inclusion of this language at this time will allow the source to discontinue any such duplicative requirements without requiring a permit revision.

The notification requirement in (b)(3) has been modified to apply only to situations where the emissions unit will continue to operate for an extended time while the compliance monitoring parameter is out of range. It is intended to provide the OAQ an opportunity to assess the situation and determine whether any additional actions are necessary to demonstrate compliance with applicable requirements.

Failure to take reasonable response steps shall be considered deviation of the permit; therefore, (b)(4) was revised. Language was added to (e) to clarify that the records that need to be kept are those instances when, in accordance with Section D, response steps are taken.

C.17 Compliance Response Plan - Preparation, Implementation, Records, and Reports
[326 IAC 2-7-5] [326 IAC 2-7-6]

(a) The Permittee is required to prepare a Compliance Response Plan (CRP) for each compliance monitoring condition of this permit. **If a Permittee is required to have an Operation, Maintenance and Monitoring (OMM) Plan or Parametric Monitoring Plan and Start-up, Shutdown, and Malfunction (SSM) Plan under 40 CFR 63, such plans shall be deemed to satisfy the requirements for a CRP for those compliance monitoring conditions.** A CRP shall be submitted to IDEM, OAQ upon request. The CRP shall be prepared within ninety (90) days after issuance of this permit by the Permittee, supplemented from time to time by the Permittee, maintained on site, and comprised of:

- (1) Reasonable response steps that may be implemented in the event that a response step is needed pursuant to the requirements of Section D of this permit; and an expected timeframe for taking reasonable response steps.
- (2) If, at any time, the Permittee takes reasonable response steps that are not set forth in the Permittee's current Compliance Response Plan **or Operation, Maintenance and Monitoring (OMM) Plan or Parametric Monitoring Plan and Start-up, Shutdown, and Malfunction (SSM) Plan** and the Permittee documents such response in accordance with subsection (e) below, the Permittee shall amend its Compliance Response Plan **or Operation, Maintenance and Monitoring (OMM) Plan or Parametric Monitoring Plan and Start-up, Shutdown, and Malfunction (SSM) Plan** to include such response steps taken.

The OMM Plan or Parametric Monitoring and SSM Plan shall be submitted within the time frames specified by the applicable 40 CFR 63 requirement.

- (b) For each compliance monitoring condition of this permit, reasonable response steps shall be taken when indicated by the provisions of that compliance monitoring condition as follows:
- (1) Reasonable response steps shall be taken as set forth in the Permittee's current Compliance Response Plan **or Operation, Maintenance and Monitoring (OMM) Plan or Parametric Monitoring Plan and Start-up, Shutdown, and Malfunction (SSM) Plan**; or
 - (2) If none of the reasonable response steps listed in the Compliance Response Plan **or Operation, Maintenance and Monitoring (OMM) Plan or Parametric Monitoring Plan and Start-up, Shutdown, and Malfunction (SSM) Plan** is applicable or responsive to the excursion, the Permittee shall devise and implement additional response steps as expeditiously as practical. Taking such additional response steps shall not be considered a deviation from this permit so long as the Permittee documents such response steps in accordance with this condition.
 - (3) If the Permittee determines that additional response steps would necessitate that the emissions unit or control device be shut down, ~~the IDEM, OAQ shall be promptly notified~~ **and it will be ten (10) days or more until the unit or device will be shut down, then the Permittee shall promptly notify the IDEM, OAQ** of the expected date of the shut down. **The notification shall also include** the status of the applicable compliance monitoring parameter with respect to normal, and the results of the **response** actions taken up to the time of notification.
 - (4) Failure to take reasonable response steps shall ~~constitute~~ **be considered** a violation ~~of deviation from~~ the permit.
- (c) The Permittee is not required to take any further response steps for any of the following reasons:
- (1) A false reading occurs due to the malfunction of the monitoring equipment and 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 a minor permit modification to the permit, and such request has not been denied.
 - (3) An automatic measurement was taken when the process was not operating.
 - (4) The process has already returned or is returning to operating within "normal" parameters and no response steps are required.
- (d) When implementing reasonable steps in response to a compliance monitoring condition, if the Permittee determines that an exceedance of an emission limitation has occurred, the Permittee shall report such deviations pursuant to Section B-Deviations from Permit Requirements and Conditions.
- (e) The Permittee shall record all instances when, **in accordance with Section D**, response steps are 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.

- (f) Except as otherwise provided by a rule or provided specifically in Section D, all monitoring as required in Section D shall be performed when the emission unit is operating, except for time necessary to perform quality assurance and maintenance activities.

Revision 16

In order to clarify which documents need to be certified by the responsible official, the following update has been made:

- C.18 Actions Related to Noncompliance Demonstrated by a Stack Test [326 IAC 2-7-5]
[326 IAC 2-7-6]
-

The **response action** documents submitted pursuant to this condition do require the certification by the “responsible official” as defined by 326 IAC 2-7-1(34).

Revision 17

To reflect revisions to the 326 IAC 2-6, the Emission Statement condition has been revised.

- C.19 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) Pursuant to **326 IAC 2-6-3(a)(1)**, 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 **emission statement covering the previous calendar year. The emission statement shall contain, at a minimum, the information** specified in 326 IAC 2-6-4(c). ~~The annual emission statement and~~ shall meet the following requirements:

- (1) Indicate estimated actual emissions of ~~criteria~~ **all** pollutants from the source, **listed** in compliance with 326 IAC 2-6-4(a) (Emission Reporting);
- (2) Indicate estimated actual emissions of ~~other~~ regulated pollutants (as defined by 326 IAC 2-7-1(32) (“**Regulated pollutant which is used only for purposes of Section 19 of this rule**”) 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 Quality
100 North Senate Avenue, P. O. Box 6015
Indianapolis, Indiana 46206-6015

The emission statement does require the certification by the “responsible official” as defined by 326 IAC 2-7-1(34).

- (eb) 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, OAQ, on or before the date it is due.

Revision 18

It is acceptable for records to be electronically accessible instead of being physically present at a source; therefore, the following update has been made:

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

- (a) Records of all required **monitoring** data, reports and support information **required by this Permit** shall be retained for a period of at least five (5) years from the date of monitoring sample, measurement, report, or application. These records shall be **physically present or electronically accessible** ~~kept~~ at the source location for a minimum of three (3) years. The records may be stored elsewhere for the remaining two (2) years as long as they are available upon request. If the Commissioner makes a request for records to the Permittee, the Permittee shall furnish the records to the Commissioner.
- (b) Unless otherwise specified in this permit, all record keeping requirements not already legally required shall be implemented within ninety (90) days of permit issuance.

Revision 19

Permittees, not sources, submit reports. The condition has also been revised to include the intended definition of "calendar year".

C.21 General Reporting Requirements [326 IAC 2-7-5(3)(C)] [326 IAC 2-1.1-11]

- (a) The ~~source~~ **Permittee** shall submit the attached Quarterly Deviation and Compliance Monitoring Report or its equivalent. Any deviation from permit requirements, the date(s) of each deviation, the cause of the deviation, and the response steps taken must be reported. This report shall be submitted within thirty (30) days of the end of the reporting period. The Quarterly Deviation and Compliance Monitoring Report shall include the certification by the "responsible official" as defined by 326 IAC 2-7-1(34).
- (e) 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. Reporting periods are based on calendar years, **unless otherwise specified in this permit. For the purpose of this permit, "calendar year" means the twelve (12) month period from January 1 to December 31 inclusive.**

Revision 20

The Nitrogen Oxides (NO_x) Budget Permit will be incorporated in the Part 70 permit later by a Permit Modification with a public comment period. The Permittee has submitted the NO_x budget permit application for Boiler 1 through 6. Therefore, Conditions D.1.8 and D.2.10 have been revised, and former Conditions D.1.14 and D.2.18 have been removed, as follows:

D.1.8 Nitrogen Oxides Monitoring Requirement [326 IAC 10-4-4(b)(1)] [326 IAC 10-4-12(b) and (c)] [40 CFR 75]

The Permittee ~~shall meet~~ **has met** the monitoring requirements of 326 IAC 10-4-12(b)(1) through (b)(3) that are applicable to their monitoring systems for the NO_x budget units ~~on or before May 1, 2003~~. The Permittee shall record, report, and quality assure the data from the monitoring systems ~~on and after May 1, 2003~~ in accordance with 326 IAC 10-4-12 and 40 CFR 75.

~~D.1.14 Nitrogen Oxides Budget Permit Application Submittal Requirement [326 IAC 10-4-4(a)(1)]~~

~~For NO_x budget units that commenced operation prior to January 1, 2001, the NO_x authorized account representative shall submit a complete NO_x budget permit application in accordance with 326 IAC 10-4-7 at least two hundred seventy (270) days prior to May 31, 2004. This application shall be submitted by the NO_x authorized account representative to:~~

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

D.2.10 Nitrogen Oxides Monitoring Requirement [326 IAC 10-4-4(b)(1)] [326 IAC 10-4-12(b) and (c)] [40 CFR 75]

The Permittee ~~shall meet~~ **has met** the monitoring requirements of 326 IAC 10-4-12(b)(1) through (b)(3) that are applicable to their monitoring systems for the NO_x budget units ~~on or before May 1, 2003~~. The Permittee shall record, report, and quality assure the data from the monitoring systems ~~on and after May 1, 2003~~ in accordance with 326 IAC 10-4-12 and 40 CFR 75.

~~D.2.18 Nitrogen Oxides Budget Permit Application Submittal Requirement [326 IAC 10-4-4(a)(1)]~~

~~For NO_x budget units that commenced operation prior to January 1, 2001, the NO_x authorized account representative shall submit a complete NO_x budget permit application in accordance with 326 IAC 10-4-7 at least two hundred seventy (270) days prior to May 31, 2004. This application shall be submitted by the NO_x authorized account representative to:~~

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

Revision 21

Wording has been added to the Operation of Electrostatic Precipitator condition because flue gas conditioning is used with some of the ESPs at Eagle Valley.

D.2.7 Operation of Electrostatic Precipitator [326 IAC 2-7-6(6)]

Except as otherwise provided by statute or rule or in this permit, the electrostatic precipitators (ESPs) shall be operated at all times that the boilers vented to the ESPs are in operation. **Each flue gas conditioning (FGC) system shall be used with the corresponding ESP as necessary to maintain compliance with this permit.**

Revision 22

A requirement has been added to the Condition D.4.4 to require records to maintained since the requirement has been removed from Section B.

D.4.4 Record Keeping Requirements

- (a) To document compliance with Section C - Opacity and Condition D.4.3, the Permittee shall maintain records of the visible emission notations of the rail car unloading, coal crusher exhausts points, any coal transfer exhaust points, and all response steps taken and the outcome for each.
- (b) **To document compliance with Condition D.4.2, the Permittee shall maintain records of any additional inspections prescribed by the Preventive Maintenance Plan.**

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

Revision 23

Wording was added to the Quarterly Deviation and Compliance Monitoring Report form to provide the definition of "calendar year". Wording was also added to be consistent with the language of condition B.14(a), and to clarify that the deviations that are not required to be reported on the form are those deviations that are required to be reported pursuant to an applicable requirement that exists independent of the permit.

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

PART 70 OPERATING PERMIT QUARTERLY DEVIATION AND COMPLIANCE MONITORING REPORT

This report shall be submitted quarterly based on a calendar year. **For the purpose of this permit, "calendar year" means the twelve (12) month period from January 1 to December 31 inclusive.** Any deviation from the requirements, the date(s) of each deviation, the probable cause of the deviation, and the response steps taken must be reported. ~~Deviations that are required to be reported by an applicable requirement shall be reported according to the schedule stated in the applicable requirement and do not need to be included in this report.~~ **A deviation required to be reported pursuant to an applicable requirement that exists independent of the permit, shall be reported according to the schedule stated in the applicable requirement and does not need to be included in this report.** Additional pages may be attached if necessary. If no deviations occurred, please specify in the box marked "No deviations occurred this reporting period".

Revision 24

Federal Rule Applicability

40 CFR 63 (National Emission Standards for Hazardous Air Pollutants)

Section 112(j) Maximum Achievable Control Technology (MACT)

The requirements of Section 112(j) of the Clean Air Act (40 CFR Part 63.50 through 63.56) are not applicable to this source because the source does not include any units that belong to one or more source categories affected by the Section 112(j) Maximum Achievable Control Technology (MACT) Hammer date of May 15, 2002.

IPL Eagle Valley Generating Station submitted a Part 1 Maximum Achievable Control Technology (MACT) application under the requirements of Section 112(j) of the Clean Air Act (CAA) (40 CFR 63.50 through 63.56) on May 6, 2002. The Part 1 MACT application indicated that IPL Eagle Valley Generating Station was subject to Section 112(j) because the source is a major source of hazardous air pollutants and has a distillate oil-fired generator (Unit PR-10) that could be regulated under the Reciprocating Internal Combustion Engine source category. Since the final MACT standard for the Reciprocating Internal Combustion Engine source category, 40 CFR 63, Subpart ZZZZ, was signed by the US EPA Administrator on February 26, 2004 and is considered promulgated by the US EPA, the Eagle Valley Generating Station is no longer subject to Section

112(j) for that source category in accordance with 40 CFR 63.50(c). Therefore, no Part 2 MACT Application is required.

40 CFR 63, Subpart DDDDD (National Emission Standards for Hazardous Air Pollutants for Industrial, Commercial, and Institutional Boilers and Process Heaters)

Units 1, 2, 3, 4, 5, and 6 are not subject to the National Emission Standards for Hazardous Air Pollutants (NESHAP) for Industrial, Commercial, and Institutional Boilers and Process Heaters, 40 CFR 63, Subpart DDDDD. Each of these units is an electric utility steam generating unit, as defined by 40 CFR 63.7575, because each is a fossil-fired combustion unit of more than 25 megawatts that serves a generator that produces electricity for sale. Pursuant to 40 CFR 63.7491(c), an electric utility steam generating unit is not subject to 40 CFR 63, Subpart DDDDD.

40 CFR 63, Subpart ZZZZ (National Emission Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines (RICE))

The distillate oil fired generator, PR-10, is not subject to the requirements of the National Emission Standards for Hazardous Air Pollutants (NESHAP) for Stationary Reciprocating Internal Combustion Engines (RICE), 40 CFR 63, Subpart ZZZZ. The unit is an existing compression ignition stationary RICE, as defined by 40 CFR 63.6675. However, pursuant to 40 CFR 63.6590(b)(3), there are no applicable requirements from 40 CFR 63, Subpart ZZZZ and 40 CFR 63, Subpart A for existing compression ignition RICE.

Condition C.24 is no longer applicable and has been removed from the Part 70 permit, as follows:

Part 2 MACT Application Submittal Requirement

~~C.24 Application Requirements for Section 112(j) of the Clean Air Act [40 CFR 63.52(e)]
[40 CFR 63.56(a)] [40 CFR 63.9(b)] [326 IAC 2-7-12]~~

~~(a) The Permittee shall submit a Part 2 Maximum Achievable Control Technology (MACT) Application in accordance with 40 CFR 63.52(e)(1). The Part 2 MACT Application shall meet the requirements of 40 CFR 63.53(b).~~

~~(b) Notwithstanding paragraph (a), the Permittee is not required to submit a Part 2 MACT Application if the Permittee no longer meets the applicability criteria of 40 CFR 63.50 by the application deadline in 40 CFR 63.52(e)(1). For example, the Permittee would not have to submit a Part 2 MACT Application if, by the application deadline:~~

~~(1) The source is no longer a major source of hazardous air pollutants, as defined in 40 CFR 63.2;~~

~~(2) The source no longer includes one or more units in an affected source category for which the U.S. EPA failed to promulgate an emission standard by May 15, 2002; or~~

~~(3) The MACT standard or standards for the affected source categories included at the source are promulgated.~~

~~(c) Notwithstanding paragraph (a), pursuant to 40 CFR 63.56(a), the Permittee shall comply with an applicable promulgated MACT standard in accordance with the schedule provided in the MACT standard if the MACT standard is promulgated prior to the Part 2 MACT Application deadline or prior to the issuance of permit with a case-by-case Section 112(j) MACT determination. The MACT requirements include the applicable General Provisions requirements of 40 CFR 63, Subpart A. Pursuant to 40 CFR 63.9(b), the Permittee shall submit an initial notification not later than 120 days after the effective date of the MACT, unless the MACT specifies otherwise. The initial notification shall be submitted to:~~

~~Indiana Department of Environmental Management~~

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

and

~~United States Environmental Protection Agency, Region V
Director, Air and Radiation Division
77 West Jackson Boulevard
Chicago, Illinois 60604-3590~~

TSD Correction

The boilers, Units 1, 2, 3, 4, 5, and 6, are not subject to the requirements of the New Source Performance Standard, 326 IAC 12, (40 CFR 60.40 through 60.48c, Subparts D, **Da**, **Db**, and **Dc**, Standards of Performance for Fossil-Fuel-Fired Steam Generators and Standards of Performance for Industrial-Commercial-Institutional Steam Generating Units), because the boilers were constructed before August 17, 1971. All of the boilers were constructed in the 1950's.

No change will be made to the TSD. The OAQ 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 this Addendum to the Technical Support Document. This accomplishes the desired result of ensuring that these types of concerns are documented and part of the record regarding this permit decision.

Indiana Department of Environmental Management
Office of Air Quality
Technical Support Document (TSD) for a Part 70 Operating Permit

Source Background and Description

Source Name: Indianapolis Power and Light (IPL) Eagle Valley Generating Station
(formerly H. T. Pritchard Generating Station)
Source Location: 4040 Blue Bluff Road, Martinsville, Indiana, 46151
County: Morgan
SIC Code: 4911
Operation Permit No.: T109-6569-00004
Permit Reviewer: Vickie Cordell

The Office of Air Quality (OAQ) has reviewed a Part 70 permit application from Indianapolis Power and Light (IPL) Eagle Valley Generating Station (formerly known as H. T. Pritchard Generating Station), relating to the operation of a stationary electric utility generating station.

Permitted Emission Units and Pollution Control Equipment

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

- (a) Two (2) no. 2 fuel oil fired boilers, identified as Units 1 and Unit 2, constructed in 1949 and 1950, respectively, each with a design heat input capacity of 524 million Btu per hour (MMBtu/hr), both exhausting to stack 1-1.
- (b) One (1) tangentially-fired wet-bottom coal boiler, identified as Unit 3, constructed in 1951, with a design heat input capacity of 524 million Btu per hour (MMBtu/hr), with an electrostatic precipitator (ESP) for control of particulate matter, exhausting to stack 2-1. Unit 3 will combust no. 2 fuel oil during startup, shutdown, and stabilization periods. Used oil generated onsite and used oil containment materials generated onsite may be combusted in Unit 3 as supplemental fuel for energy recovery.
- (c) One (1) tangentially-fired dry-bottom coal boiler, identified as Unit 4, constructed in 1953, with a design heat input capacity of 741 million Btu per hour (MMBtu/hr), with an electrostatic precipitator (ESP) for control of particulate matter, exhausting to stack 2-1. Unit 4 will combust no. 2 fuel oil during startup, shutdown, and stabilization periods.
- (d) One (1) tangentially-fired dry-bottom coal boiler, identified as Unit 5, constructed in 1953, with a design heat input capacity of 741 million Btu per hour (MMBtu/hr), with an electrostatic precipitator (ESP) for control of particulate matter, exhausting to stack 3-1. Unit 5 will combust no. 2 fuel oil during startup, shutdown, and stabilization periods.
- (e) One (1) tangentially-fired dry-bottom coal boiler, identified as Unit 6, constructed in 1956, with a design heat input capacity of 1017 million Btu per hour (MMBtu/hr), with an electrostatic precipitator (ESP) for control of particulate matter, exhausting to stack 3-1. Unit 6 will combust no. 2 fuel oil during startup, shutdown, and stabilization periods. Used oil generated onsite may be combusted in Unit 6 as supplemental fuel for energy recovery. Unit 6 has had low-NO_x burners installed.
- (f) One (1) distillate oil fired generator, identified as Unit PR-10, constructed in 1967, with a design heat input capacity of 28.4 million Btu per hour (MMBtu/hr), exhausting to stack PR10-1.
- (g) Coal transfer facilities, with a maximum throughput of 800 tons per hour, exhausting to the ambient air;
- (h) Rail car unloading, coal pile unloading, and coal storage, with a maximum capacity of 800 tons per hour, exhausting to the ambient air;

- (i) Coal crushers, identified as 1A and 1B, with a maximum combined capacity of 800 tons per hour, each using an enclosure for dust control.

Unpermitted Emission Units and Pollution Control Equipment

There are no unpermitted facilities operating at this source during this review 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:
 - (A) Natural gas-fired combustion sources with heat input equal to or less than ten million (10,000,000) Btu per hour.
 - (B) Fuel oil-fired combustion sources with heat input equal to or less than two million (2,000,000) Btu per hour and firing fuel containing less than five-tenths (0.5) percent sulfur by weight.
- (2) Equipment powered by internal combustion engines of capacity equal to or less than 500,000 Btu/hour, except where total capacity of equipment operated by one stationary source exceeds 2,000,000 Btu/hour.
- (3) Combustion source flame safety purging on startup.
- (4) A gasoline fuel transfer and dispensing operation handling less than or equal to 1,300 gallons per day, such as filling of tanks, locomotives, automobiles, having a storage capacity less than or equal to 10,500 gallons.
- (5) A petroleum fuel, other than gasoline, dispensing facility having a storage capacity less than or equal to 10,500 gallons, and dispensing less than or equal to 230,000 gallons per month.
- (6) The following VOC and HAP storage containers:
 - (A) Storage tanks with capacity less than or equal to 1,000 gallons and annual throughput less than 12,000 gallons.
 - (B) Vessels storing lubricating oils, hydraulic oils, machining oils, and machining fluids.
- (7) Application of oils, greases, lubricants, or other nonvolatile materials applied as temporary protective coatings.
- (8) Machining where an aqueous cutting coolant continuously floods the machining interface.
- (9) Degreasing operations that do not exceed 145 gallons per 12 months, except if subject to 326 IAC 20-6.
- (10) Cleaners and solvents characterized as follows:
 - (A) Having a vapor pressure equal to or less than 2 kPa; 15 mm Hg; or 0.3 psi measured at 38 degrees C (100EF) or;
 - (B) Having a vapor pressure equal to or less than 0.7 kPa; 5mm Hg; or 0.1 psi measured at 20EC (68EF); the use of which for all cleaners and solvents combined does not exceed 145 gallons per 12 months.

- (11) Closed loop heating and cooling systems.
- (12) Any of the following structural steel and bridge fabrication activities:
 - (A) Cutting 200,000 linear feet or less of one inch (10) plate or equivalent.
 - (B) Using 80 tons or less of welding consumables.
- (13) Solvent recycling systems with batch capacity less than or equal to 100 gallons.
- (14) Activities associated with the treatment of wastewater streams with an oil and grease content less than or equal to 1% by volume.
- (15) Activities associated with the transportation and treatment of sanitary sewage, provided discharge to the treatment plant is under the control of the owner/operator, that is, an on-site sewage treatment facility.
- (16) Any operation using aqueous solutions containing less than 1% by weight of VOCs, excluding HAPs.
- (17) Water based adhesives that are less than or equal to 5% by volume of VOCs, excluding HAPs.
- (18) Replacement or repair of electrostatic precipitators, bags in baghouses and filters in other air filtration equipment.
- (19) Heat exchanger cleaning and repair.
- (20) Process vessel degreasing and cleaning to prepare for internal repairs.
- (21) Stockpiled soils from soil remediation activities that are covered and waiting transportation for disposal.
- (22) Paved and unpaved roads and parking lots with public access.
- (23) Underground conveyors.
- (24) Coal bunker and coal scale exhausts and associated dust collector vents.
- (25) Asbestos abatement projects regulated by 326 IAC 14-10.
- (26) Purging of gas lines and vessels that is related to routing maintenance and repair of buildings, structures, or vehicles at the source where air emissions from those activities would not be associated with any production process.
- (27) Flue gas conditioning systems and associated chemicals such as the following: sodium sulfate, ammonia, and sulfur trioxide.
- (28) Equipment used to collect any material that might be released during a malfunction, process upset, or spill cleanup, including catch tanks, temporary liquid separators, tanks, and fluid handling equipment.
- (29) Blowdown for any of the following: sight glass; boiler; compressors; pumps; and cooling tower.
- (30) Grinding and machining operations controlled with fabric filters, scrubbers, mist collectors, wet collectors and electrostatic precipitators with a design grain loading of less than or equal to 0.03 grains per actual cubic foot and a gas flow rate less than or equal to 4000

actual cubic feet per minute, including the following: deburring; buffing; polishing; abrasive blasting; pneumatic conveying; and woodworking operations.

- (31) Purge double block and bleed valves.
- (32) Filter or coalescer media changeout.
- (31) Vents from ash transport systems not operated at positive pressure.
- (33) Vents from ash transport systems not operated at positive pressure.
- (34) A laboratory as defined in 326 IAC 2-7-1(21)(D).
- (35) Other activities or categories not previously identified with potential, uncontrolled emissions equal to or less than thresholds require listing only: Pb 0.6 ton per year or 3.29 pounds per day, SO₂ 5 pounds per hour or 25 pounds per day, NO_x 5 pounds per hour or 25 pounds per day, CO 25 pounds per day, PM 5 pounds per hour or 25 pounds per day, VOC 3 pounds per hour or 15 pounds per day:
 - (a) Wet process ash handling, with hydroveyors conveying ash to storage ponds.
 - (b) Poned ash handling/removal operations.
 - (c) Coal pile wind erosion.
 - (d) One (1) sandblasting room..
 - (e) Two (2) 298,000 gallon distillate oil fuel tanks.
 - (f) One (1) 11,500 gallon diesel fuel tank.
 - (g) One (1) power wash degreaser.

Existing Approvals

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

- (a) OP 55-08-89-0098, issued on August 1, 1988;
- (b) OP 55-08-89-0099, issued on August 1, 1988;
- (c) OP 55-08-89-0100, issued on August 1, 1988;
- (d) OP 55-08-89-0101, issued on August 1, 1988;
- (e) OP 55-08-89-0102, issued on August 1, 1988;
- (f) OP 55-08-89-0103, issued on August 1, 1988;
- (g) OP 55-08-89-0104, issued on August 1, 1988;
- (h) Amendment to OP 55-08-89-0100, -0101, and -0102, issued October 31, 1988;
- (i) Amendment to OP 55-08-89-0103, issued October 31, 1988;
- (g) OP 109-3265-00004, issued on December 1, 1993; and

- (h) Acid Rain permit AR 109-5114-00004, issued on December 31, 1997.

All conditions from previous approvals were incorporated into this Part 70 permit except the following:

- (a) OP 55-08-89-0098, -0099, -0100, -0101, -0102, and -0103 issued on August 1, 1988:

- (1) SO₂ rule cites and requirements and fuel sampling and analysis requirements have been updated.
- (2) Visible emissions/opacity requirements have been updated.

- (b) OP 55-08-89-0100, -0101, -0102 and -0103, issued on August 1, 1988:

Stack height has been increased from 250 feet to 281 feet.

- (c) OP 55-08-89-0098 and 55-08-89-0099, issued on August 1, 1988:

The condition specifying that Units 1 and 2 shall burn only No. 2 fuel oil has been removed. The boilers are allowed to fire No. 2 fuel oil and small quantities of boiler tube chemical cleaning waste liquids. The combustion of any alternative fuel would require additional evaluation pursuant to New Source Review requirements. Therefore, this fuel restriction language has been deleted at this time.

- (d) Conditions that existed only in previous operation permits and are not currently required by applicable state or federal requirements.

These conditions included limits on the operation of the distillate oil-fired generator identified as Unit PR-10. OP 55-08-89-0103, issued on August 1, 1988, and an Amendment to the permit issued on October 31, 1988, had limited the operation of the generator to 4,380 hours per year and the fuel used to a maximum sulfur content of 0.35%. These conditions were intended to limit the unit's emissions to registration levels. However, only SO₂ emissions were considered when the limits were established. Based on AP-42 emission factors, the NO_x emissions are significantly higher than the SO₂ emissions. The conditions were not sufficient to limit the unit's NO_x emissions to registration levels.

Additional review for the Title V permit determined that there is no basis for any limits on the generator other than the SO₂ emission limitation for distillate oil combustion, found in 326 IAC 7-1.1-2. The unit was constructed in 1967; therefore, it predates all PSD regulations. The unit is properly permitted at this time as part of an existing major PSD source subject to Title V requirements.

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 September 13, 1996. Additional information was received on June 2, 1998; August 2, 2002; and September 20, 2002.

A notice of completeness letter was mailed to the source on November 1, 1996.

Potential To Emit

Pursuant to 326 IAC 2-1.1-1(16), Potential to Emit is defined as “the maximum capacity of a stationary source to emit any air pollutant under its physical and operational design. Any physical or operational limitation on the capacity of a source to emit an air pollutant, including air pollution control equipment and restrictions on hours of operation or type or amount of material combusted, stored, or processed shall be treated as part of its design if the limitation is enforceable by the U. S. EPA.”

Pollutant	Potential To Emit (tons/year)
PM	greater than 100
PM-10	greater than 100
SO ₂	greater than 100
VOC	less than 100
CO	greater than 100
NO _x	greater 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 To Emit (tons/year)
Benzene	less than 10
Cyanide	less than 10
Hydrogen chloride	greater than 10
Hydrogen fluoride	greater than 10
Methane	greater than 10
Selenium	less than 10
TOTAL	greater than 25

Note: Only HAPS with Potential to Emit of 1 ton per year or more are listed.

- (a) The potential to emit (as defined in 326 IAC 2-1.1-1(16)) of SO₂, NO_x, CO, PM-10, and 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 to emit (as defined in 326 IAC 2-1.1-1(16)) of any single HAP is equal to or greater than ten (10) tons per year and the potential to emit (as defined in 326 IAC 2-7-1(29)) 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.
- (c) Fugitive Emissions
 Since this type of operation is one of the twenty-eight (28) listed source categories under 326 IAC 2-2, the fugitive particulate matter (PM) and volatile organic compound (VOC) emissions are counted toward determination of PSD and Emission Offset applicability.

Actual Emissions

The following table shows the actual emissions from the source. This information reflects the 2000 OAQ emission data, except for the HAP emission information which was provided in the permit application.

Pollutant	Actual Emissions (tons/year)
PM-10	93
SO ₂	17,663
VOC	28
CO	198
NO _x	4,468
hydrogen chloride, HCl	150
hydrogen fluoride, HF	33

Note: Only HAPS with Actual Emissions of 1 ton per year or more are listed.

Limited Potential to Emit / Source Status

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

Process/facility	Limited Potential to Emit, lb/MMBtu or as noted					
	Particulate ^(a)	PM-10	SO ₂ ^(b)	VOC	CO	NO _x
distillate oil-fired Boilers 1 and 2	0.015		0.37			
oil and coal-fired Boiler 3	0.27		0.37 when firing oil; 2.57 when firing coal			
coal-fired Boilers 4, 5, & 6	0.27		3.04 when Unit 3 is firing oil; 2.57 when Unit 3 is firing coal			
distillate oil-fired generator			0.5			
coal processing	74.7 lb/hr, or less than 0.10 pounds per 1,000 pounds of discharge gases					
Total PTE ^(c) , tons/year	greater than 100	greater than 100	greater than 100	less than 100	greater than 100	greater than 100

(a) The particulate limits for the boilers were established pursuant to 326 IAC 6-2-2(a) and allocated pursuant to 326 IAC 6-2-2(b).

Particulate limits for the material processing operations are established by 326 IAC 6-3-2. At the maximum coal handling rate of 800 tons per hour the particulate emissions are limited to not more than 74.7 pounds per hour, or not more than 0.10 pounds per 1,000 pounds of discharge gases.

- (b) The SO₂ limits are pursuant to 326 IAC 7-4-11.
- (c) The total Potential to Emit of the significant emission units, with all applicable limits.
- (d) This existing source is a major stationary source because it is in one of the 28 listed source categories and at least one regulated pollutant is emitted at a rate of 100 tons per year or more. All of the major emission units were constructed prior to 1977. The source would be subject to PSD review for any future significant modifications.

County Attainment Status

The source is located in Morgan County.

Pollutant	Status
PM-10	attainment
SO ₂	attainment
Ozone	attainment
CO	attainment
Lead	attainment

- (a) Volatile organic compounds (VOC) are precursors for the formation of ozone. Therefore, VOC emissions are considered when evaluating the rule applicability relating to the ozone standards. Morgan County has been designated as attainment or unclassifiable for ozone.
- (b) Morgan County has been classified as attainment or unclassifiable for all other criteria pollutants.

Part 70 Permit Conditions

This source is subject to the requirements of 326 IAC 2-7, pursuant to which the source has to meet the following:

- (a) Emission limitations and standards, including those operational requirements and limitations that assure compliance with all applicable requirements at the time of issuance of Part 70 permits.
- (b) Monitoring and related record keeping requirements which assume that all reasonable information is provided to evaluate continuous compliance with the applicable requirements.

Federal Rule Applicability

40 CFR 72 through 40 CFR 78 (Acid Rain Permit)

- (a) The Acid Rain permit for this source, AR 109-5114-00004, issued on December 31, 1997, is incorporated by reference into this Part 70 permit. Pursuant to 326 IAC 21 (Acid Deposition Control), the Permittee shall comply with all provisions of the Acid Rain permit issued for this source, and any other applicable requirements contained in 40 CFR 72 through 40 CFR 78.
- (b) Where an applicable requirement of the Clean Air Act is more stringent than an applicable requirement of regulations promulgated under Title IV of the Act, both provisions shall apply.

Note:

The Acid Rain permit for the source is included as an Appendix to the Title V permit.

Title IV Emissions Allowances

Emissions exceeding any allowances that the Permittee lawfully holds under the Title IV Acid Rain Program of the Clean Air Act are prohibited, subject to the following limitations:

- (a) No revision of this permit shall be required for increases in emissions that are authorized by allowances acquired under the Title IV Acid Rain Program, provided that such increases do not require a permit revision under any other applicable requirement.
- (b) No limit shall be placed on the number of allowances held by the Permittee. The Permittee may not use allowances as a defense to noncompliance with any other applicable requirement.
- (c) Any such allowance shall be accounted for according to the procedures established in regulations promulgated under Title IV of the Clean Air Act.

40 CFR 60 (New Source Performance Standards)

There are no New Source Performance Standards (NSPS)(326 IAC 12 and 40 CFR Part 60) applicable to this source.

The boilers, Units 1, 2, 3, 4, 5, and 6, are not subject to the requirements of the New Source Performance Standard, 326 IAC 12, (40 CFR 60.40 through 60.48c, Subparts D, Db, and Dc, Standards of Performance for Fossil-Fuel-Fired Steam Generators and Standards of Performance for Industrial-Commercial-Institutional Steam Generating Units), because all of the boilers were constructed before August 17, 1971, and have not been modified after that date.

The coal transfer and processing facilities are not subject to the New Source Performance Standard (NSPS), 326 IAC 12, (40 CFR 60.252, Subpart Y, Standards of Performance for Coal Preparation Plants), because the coal handling facilities were constructed before October 24, 1974.

The 11,500 gallon diesel fuel oil storage tank is not subject to the requirements of the New Source Performance Standard, 326 IAC 12, 40 CFR 60 Subpart K (Standards of Performance for Storage Vessels for Petroleum Liquids for which Construction, Reconstruction, or Modification Commenced After June 11, 1973, and prior to May 19, 1978) or Subpart Ka (Standards of Performance for Storage Vessels for Petroleum Liquids for which Construction, Reconstruction, or Modification Commenced After May 18, 1978, and prior to July 23, 1984) because it was installed in 1950 and has not been reconstructed or modified.

The two (2) 298,000 gallon distillate oil fuel storage tanks are not subject to the requirements of the New Source Performance Standard, 326 IAC 12, 40 CFR 60 Subpart K (Standards of Performance for Storage Vessels for Petroleum Liquids for which Construction, Reconstruction, or Modification Commenced After June 11, 1973, and prior to May 19, 1978) or Subpart Ka (Standards of Performance for Storage Vessels for Petroleum Liquids for which Construction, Reconstruction, or Modification Commenced After May 18, 1978, and prior to July 23, 1984) because the tanks were installed in 1973 and have not been reconstructed or modified. The exact date of installation is not known; however, Subparts K and Ka specifically exempt Nos. 2 through 6 fuel oils from the definition of Petroleum Liquids.

40 CFR 63 (National Emission Standards for Hazardous Air Pollutants)

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

The requirements of Section 112(j) of the Clean Air Act (40 CFR Part 63.50 through 63.56) are applicable to this source because the source is a major source of HAPs (i.e., the source has the potential to emit 10 tons per year or greater of a single HAP or 25 tons per year or greater of a combination of HAPs) and the source includes one or more units that belong to one or more

source categories affected by the Section 112(j) Maximum Achievable Control Technology (MACT) Hammer date of May 15, 2002.

- (a) This rule requires the source to:
- (1) Submit a Part 1 MACT Application by May 15, 2002; and
 - (2) Submit a Part 2 MACT Application within twenty-four (24) months after the Permittee submitted a Part 1 MACT Application.
- (b) The Permittee submitted a Part 1 MACT Application on May 6, 2002. Therefore, the Permittee is required to submit the Part 2 MACT Application on or before May 6, 2004. Note that on April 25, 2002, Earthjustice filed a lawsuit against the US EPA regarding the April 5, 2002 revisions to the rules implementing Section 112(j) of the Clean Air Act. In particular, Earthjustice is challenging the US EPA's 24-month period between the Part 1 and Part 2 MACT Application due dates. Therefore, the Part 2 MACT Application due date may be changed as a result of the suit. Based on a proposed settlement published in the August 26, 2002 *Federal Register*, it appears that US EPA intends to revise the rule so that the due date of the Part 2 MACT Application will be within twelve (12) months after the Permittee submitted the Part 1 MACT application.
- (c) Pursuant to 40 CFR 63.56(a), the Permittee shall comply with an applicable promulgated MACT standard in accordance with the schedule provided in the MACT standard if the MACT standard is promulgated prior to the Part 2 MACT Application deadline or prior to the issuance of permit with a case-by-case Section 112(j) MACT determination. The MACT requirements include the applicable General Provisions requirements of 40 CFR 63, Subpart A. Pursuant to 40 CFR 63.9(b), the Permittee shall submit an initial notification not later than 120 days after the effective date of the MACT, unless the MACT specifies otherwise. The MACT and the General Provisions of 40 CFR 63, Subpart A will become new applicable requirements, as defined by 326 IAC 2-7-1(6), that must be incorporated into the Part 70 permit. After IDEM, OAQ receives the initial notification, any of the following will occur:
- (1) If three or more years remain on the Part 70 permit term at the time the MACT is promulgated, IDEM, OAQ will notify the source that IDEM, OAQ will reopen the permit to include the MACT requirements pursuant to 326 IAC 2-7-9; or
 - (2) If less than three years remain on the Part 70 permit term at the time the MACT is promulgated, the Permittee must include information regarding the MACT in the renewal application, including the information required in 326 IAC 2-7-4(c); or
 - (3) The Permittee may submit an application for a significant permit modification under 326 IAC 2-7-12 to incorporate the MACT requirements. The application may include information regarding which portions of the MACT are applicable to the emission units at the source and which compliance options will be followed.

40 CFR 52.21 (Prevention of Significant Deterioration)
40 CFR 261 (Identification and Listing of Hazardous Waste)
40 CFR 279 (Standards for the Management of Used Oil)

This permit does not include any review pursuant to 40 CFR 52.21 (Prevention of Significant Deterioration). However, language has been added to the D sections for boilers in the Part 70 permits for the electric utility plants to address the need for additional evaluation if a source elects to fire a fuel that was not included in previous permitting.

Also, several conditions citing 40 CFR 261 (Identification and Listing of Hazardous Waste) and 40 CFR 279 (Standards for the Management of Used Oil) have been included in the D sections for

these boilers. Inclusion of these conditions was not the result of actions at a specific plant. This language was included to address general concerns regarding the possible disposal of hazardous materials in large boilers; and to note the necessity of the occasional use of boiler cleaning solution in all large boilers and the special allowances provided for firing used oil as a supplemental fuel in utility boilers.

These conditions include:

Operation Standards [326 IAC 2-1.1-5(a)(4)] [40 CFR 261] [40 CFR 279] [329 IAC 13]

For oil-fired boilers:

- (a) The burning of hazardous waste, as defined by 40 CFR 261, is prohibited in these facilities. Any boiler tube chemical cleaning waste liquids or used oil combusted shall meet the toxicity characteristic requirements for non-hazardous waste.
- (b) Any boiler tube chemical cleaning waste liquids fired in the boiler shall only contain the cleaning solution and two full volume boiler rinses.

For coal-fired boilers:

- (a) All coal burned, including coal treated with any additive, shall meet the ASTM definition of coal.
- (b) The burning of hazardous waste, as defined by 40 CFR 261, is prohibited in these facilities. Any boiler tube chemical cleaning waste liquids, binding agent, or used oil combusted shall meet the toxicity characteristic requirements for non-hazardous waste.
- (c) Used oil may be combusted as supplemental fuel for energy recovery in compliance with 40 CFR Part 279 (Standards for the management of used oil) and 329 IAC 13 (Used Oil Management). Used oil shall only be combusted in Units 3 and 6; used oil containment materials generated onsite shall only be combusted in Unit 3.
- (d) Any boiler tube chemical cleaning waste liquids fired in the boiler shall only contain the cleaning solution and two full volume boiler rinses.

Cleaning Waste Analysis [326 IAC 2-1.1-5(a)(4)] [40 CFR 261]

The Permittee shall use appropriate test methods as listed in 40 CFR Part 261 to analyze all boiler chemical cleaning wastes that will be burned, to determine compliance with the Operation Standards condition in this D section.

Used Oil Requirements [326 IAC 2-1.1-5(a)(4)] [40 CFR 279] [329 IAC 13]

The used oil burned in Boiler No. 3 shall comply with the used oil requirements specified in 329 IAC 13 (Used Oil Management). Pursuant to 329 IAC 13-3-2 (Used Oil Specifications), used oil burned for energy recovery that is classified as off-specification used oil fuel shall comply with the provisions of 329 IAC 13-8 (Used Oil Burners Who Burn Off-specification Used Oil For Energy Recovery), including:

- (a) Receipt of an EPA identification number as outlined in 329 IAC 13-8-3 (Notification),
- (b) Compliance with the used oil storage requirements specified in 329 IAC 13-8-5 (Used Oil Storage), and
- (c) Maintaining records pursuant to 329 IAC 13-8-6 (Tracking).

The burning of mixtures of used oil and hazardous waste that is regulated under 329 IAC 3.1 is prohibited at this source.

State Rule Applicability - Entire Source

326 IAC 1-5-2 (Emergency Reduction Plans)

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

- (a) The Permittee prepared and submitted a written emergency reduction plan (ERP) consistent with safe operating procedures. Revised ERPs were submitted on June 25, 1998, and December 28, 1998.
- (b) Upon direct notification by IDEM, OAQ, that a specific air pollution episode level is in effect, the Permittee shall immediately put into effect the actions stipulated in the approved ERP for the appropriate episode level. [326 IAC 1-5-3]

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 SO₂, NO_x, CO, and PM-10. 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).

326 IAC 4-2 and 326 IAC 9-1-2 (Incineration)

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. 326 IAC 9-1-2 is not federally enforceable.

Note:

Used oil fired in utility boilers is regulated as a supplemental fuel for energy recovery, not a waste, pursuant to 40 CFR Part 279 (Standards for the management of used oil) and 329 IAC 13 (Used Oil Management).

326 IAC 5-1 (Opacity)

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

- (a) Opacity shall not exceed an average of forty percent (40%) 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.

326 IAC 6-3-2 and 40 CFR 52 Subpart P (Particulate Emission Limitations For Processes with Process Weight Rates Less Than One Hundred (100) pounds per hour)

- (a) Pursuant to 40 CFR 52 Subpart P, the allowable particulate 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.
- (b) Pursuant to 326 IAC 6-3-2(e)(2), the allowable particulate emissions rate from any process not exempt under 326 IAC 6-3-1(b) or (c) which has a maximum process weight rate less than 100 pounds per hour and the methods in 326 IAC 6-3-2(b) through (d) do

not apply shall not exceed 0.551 pounds per hour. This condition is not federally enforceable.

326 IAC 6-4 (Fugitive Dust Emissions)

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.

326 IAC 7-3 (Ambient Monitoring)

Pursuant to 326 IAC 7-3-2(d), on July 31, 1997, IPL submitted a request to IDEM to discontinue ambient SO₂ and meteorological monitoring at Pritchard Station (now know as Eagle Valley). IDEM approved the request on August 22, 1997.

326 IAC 7-3-2(d) requires the petition for an administrative waiver of the requirements of 326 IAC 7-3 to include a demonstration that ambient monitoring is unnecessary to determine continued maintenance of the sulfur dioxide ambient air quality standards in the vicinity of the source. Failure to continuously meet the requirements for obtaining the waiver or failure to comply with any condition contained in the approval of a waiver shall render the waiver void.

State Rule Applicability - Individual Facilities

Fuel oil-fired boilers, identified as Units 1 and 2:

326 IAC 5-1-3 (Temporary Alternative Opacity Limitations)

- (a) Pursuant to 326 IAC 5-1-3 (Temporary Alternative Opacity Limitations), the following applies to Eagle Valley Units 1 and 2:
- (1) When building a new fire in a boiler, or shutting down a boiler, opacity may exceed the applicable limit established in 326 IAC 5-1-2 and stated in Section C - Opacity. However, opacity levels shall not exceed sixty percent (60%) for any six (6)-minute averaging period. Opacity in excess of the applicable limit established in 326 IAC 5-1-2 shall not continue for more than two (2) six (6)-minute averaging periods in any twenty-four (24) hour period. [326 IAC 5-1-3(a)]
 - (2) When removing ashes from the fuel bed or furnace in a boiler or blowing tubes, opacity may exceed the applicable limit established in 326 IAC 5-1-2 and stated in Section C - Opacity. However, opacity levels shall not exceed sixty percent (60%) for any six (6)-minute averaging period and opacity in excess of the applicable limit shall not continue for more than one (1) six (6)-minute averaging period in any sixty (60) minute period. The averaging periods in excess of the limit set in 326 IAC 5-1-2 shall not be permitted for more than three (3) six (6)-minute averaging periods in a twelve (12) hour period. [326 IAC 5-1-3(b)]
- (b) If this facility cannot meet the opacity limitations in (a)(1) and (a)(2) of this condition, the Permittee may submit a written request to IDEM, OAQ, for a temporary alternative opacity limitation in accordance with 326 IAC 5-1-3(d). The Permittee must demonstrate that the alternative limit is needed and justifiable.

326 IAC 6-2-2 (Particulate Emission Limitations for Sources of Indirect Heating)

- (a) Pursuant to 326 IAC 6-2-2 (Particulate Emissions Limitations for Sources of Indirect Heating: Emission limitations for facilities specified in 326 IAC 6-2-1(b)), the PM emissions from Units 1, 2, 3, 4, 5, and 6 shall not exceed 0.23 pound per million Btu heat input (lb/MMBtu). This limitation was calculated using the following equation:

$$Pt = \frac{0.87}{Q^{0.16}} \quad \text{Where } Q = \text{total source capacity (MMBtu/hr)} \\ = 4,071 \text{ MMBtu/hr}$$

Pursuant to 326 IAC 6-2-2(b), the emission limitations for those indirect heating facilities which were existing and in operation on or before June 8, 1972, shall be calculated using the above equation where Q shall reflect the total source capacity on June 8, 1972. For Eagle Valley Units 1, 2, 3, 4, 5, and 6, $Q = 4,071$ MMBtu/hr.

- (b) Pursuant to 326 IAC 6-2-2(b), the PM emissions from Units 1 and 2 shall not exceed 0.015 pound per million Btu heat input (lb/MMBtu), as requested by the source in a letter dated April 12, 1988.

Pursuant to 326 IAC 6-2-2(b), the particulate emissions from all of the facilities which were in existence on June 8, 1972, may be allocated in any way among these facilities provided that they will not result in a significantly greater air quality impact level at any receptor than that which would result if the particulate emissions from each of these facilities were limited to Pt; and provided that the emission limitations for each facility are specified in its operation permit.

326 IAC 7-4-11 (Sulfur Dioxide (SO₂))

Pursuant to 326 IAC 7-4-11 (Morgan County Sulfur Dioxide Emission Limitations), the SO₂ emissions from Unit 1 and Unit 2 shall not exceed 0.37 pounds per million Btu (lbs/MMBtu) each. Pursuant to 326 IAC 7-2-1, compliance shall be demonstrated on a thirty (30) day rolling weighted average.

326 IAC 7-2 and 326 IAC 7-4-1 (Sulfur Dioxide Emissions and Sulfur Content)

Compliance shall be determined utilizing one of the following options:

- (a) Pursuant to 326 IAC 3-7-4, 326 IAC 7-2, and 326 IAC 7-4-11, the Permittee shall demonstrate that the fuel oil sulfur content does not exceed the equivalent of 0.37 pounds per MMBtu each, using a thirty (30) day rolling weighted average, by:
- (1) Providing vendor analysis of fuel delivered, accompanied by a vendor certification; or
 - (2) Providing analysis of fuel oil samples collected and analyzed using the ASTM methods cited in 326 IAC 3-7-4(a).
 - (A) Oil samples shall be collected from the tanker truck load prior to transferring fuel to the storage tank; or
 - (B) Oil samples shall be collected from the storage tank immediately after each addition of fuel to the tank.
- (b) Upon written notification to IDEM by a facility owner or operator, continuous emission monitoring data collected and reported pursuant to 326 IAC 3-5 may be used as the means for determining compliance with the emission limitations in 326 IAC 7. Upon such notification, the other requirements of 326 IAC 7-2 shall not apply. [326 IAC 7-2-1(g)]

326 IAC 10-4 (NO_x Budget Trading Program)

Pursuant to 326 IAC 10-4-2(16) each of these units is considered an "electricity generating unit (EGU)" because it commenced operation before January 1, 1997 and served a generator during 1995 or 1996 that had a nameplate capacity greater than twenty-five (25) megawatts that produced electricity for sale under a firm contract to the electric grid. Pursuant to 326 IAC 10-4-1(a)(1), an "EGU" is a NO_x budget unit. Because this source meets the criteria of having one (1) or more NO_x budget units, it is a NO_x budget source. The Permittee shall be subject to the requirements of this rule.

Pursuant to 326 IAC 10-4-12(c), the Permittee shall install the appropriate monitoring systems and complete all certification tests as required by 326 IAC 10-4-12(b)(1) through (3) on or before May 1, 2003. The Permittee shall record, report, and quality assure the data from the monitoring systems on and after May 1, 2003.

326 IAC 3-5 (Continuous Emissions Monitoring)

There are no continuous emission monitoring system requirements for Units 1 and 2 pursuant to 326 IAC 3-5-1(c)(2) (Continuous Monitoring of Emissions). Each unit is a fossil fuel-fired steam generator greater than one hundred million Btu per hour heat input capacity. However, continuous opacity monitoring is not required for these oil-fired units provided that each of the facilities can comply with 326 IAC 5-1 and 326 IAC 6-2 without the use of particulate matter collection equipment [326 IAC 3-5-1(c)(2)(A)(ii)]. The stack testing and compliance monitoring for Units 1 and 2 have been determined to be sufficient for the Permittee to certify compliance with these requirements.

Continuous emission monitoring for SO₂ and NO_x is not required because no pollution control equipment has been installed and no monitor is required by 326 IAC 12 (New Source Performance Standards) or a construction permit [326 IAC 3-5-1(c)(2)(B) and (C)].

Coal-fired boilers, identified as Units 3, 4, 5, and 6:

326 IAC 5-1-3 (Temporary Alternative Opacity Limitations)

(a) Pursuant to 326 IAC 5-1-3 (Temporary Alternative Opacity Limitations), the following applies:

- (1) For the first three (3) years following the issuance date of the Title V permit for this source, when building a new fire in a boiler, opacity may exceed the 40% opacity limitation established in 326 IAC 5-1-2 for a period not to exceed two and one-half (2.5) hours (twenty-five (25) six (6)-minute averaging periods) or until the flue gas temperature reaches two hundred fifty (250) degrees Fahrenheit, whichever occurs first. [326 IAC 5-1-3(e)]
- (2) Following the expiration of the alternative limitation in (a)(1) of this condition, when building a new fire in a boiler, opacity may exceed the 40% opacity limit established in 326 IAC 5-1-2; however, opacity levels shall not exceed sixty percent (60%) for any six (6)-minute averaging period. Opacity in excess of the applicable limit established in 326 IAC 5-1-2 shall not continue for more than two (2) six (6)-minute averaging periods in any twenty-four (24) hour period. [326 IAC 5-1-3(a)]
- (3) When shutting down a boiler, opacity may exceed the 40% opacity limitation established in 326 IAC 5-1-2 for a period not to exceed one (1) hour (ten (10) six (6)-minute averaging periods). [326 IAC 5-1-3(e)]
- (4) Operation of the electrostatic precipitator is not required during these times unless necessary to comply with these limits.

(b) When removing ashes from the fuel bed or furnace in a boiler or blowing tubes, opacity may exceed the applicable limit established in 326 IAC 5-1-2. However, opacity levels shall not exceed sixty percent (60%) for any six (6)-minute averaging period and opacity in excess of the applicable limit shall not continue for more than one (1) six (6)-minute averaging period in any sixty (60) minute period. The averaging periods in excess of the limit set in 326 IAC 5-1-2 shall not be permitted for more than three (3) six (6)-minute averaging periods in a twelve (12) hour period. [326 IAC 5-1-3(b)]

Note:

Energizing an Electrostatic Precipitator (ESP) when the flue gas temperature is below the sulfuric acid dew point can result in damage to the precipitator. Condensation of sulfuric acid in the ESP may cause corrosion. It may also condense on the dust in the unit causing hard deposits which reduce the PM collection efficiency of the ESP. During the ignition of a coal-fired boiler, there is also a risk of a fire or an explosion if the ESP is energized too early. Normal sparking can ignite any combustible gases in the unit. It is not reasonable to require the use of an ESP when the ESP cannot be safely energized. Therefore, less restrictive opacity requirements are commonly applied during startup and shutdown for boilers that rely on ESPs for opacity control.

Most of the old State operating permits for utilities with coal-fired boilers included alternative opacity limits for periods of startup and shutdown. These pre-existing alternative limits, also known as opacity exemptions, were not federally enforceable. The Title V permits for these sources include federally enforceable Temporary Alternative Opacity Limits (TAOLs). The new TAOLs are established using the Quarterly Excess Opacity Emissions Reports from each source. The State is bound by the provisions in 326 IAC 5-1-3(e) to establish limits which, among other things, "limit the duration and extent of excess emissions to the greatest degree practicable," and "minimize the duration and extent of excess emissions."

The TAOL for each unit was determined by the OAQ Compliance branch based on actual opacity readings during startup and shutdown, as reported in past opacity exceedance reports. The TAOL for Eagle Valley Units 3 through 6 becomes more stringent after three years, due to the availability of cleaner alternatives for startup that would mitigate exceedances.

326 IAC 6-2-2 (Particulate Emission Limitations for Sources of Indirect Heating)

- (a) Pursuant to 326 IAC 6-2-2 (Particulate Emissions for Sources of Indirect Heating: Emission limitations for facilities specified in 326 IAC 6-2-1(b)), the PM emissions from Units 1, 2, 3, 4, 5, and 6 shall not exceed 0.23 pound per million Btu heat input (lb/MMBtu). This limitation was calculated using the following equation:

$$Pt = \frac{0.87}{Q^{0.16}} \quad \text{Where } Q = \begin{array}{l} \text{total source capacity (MMBtu/hr)} \\ = 4,071 \text{ MMBtu/hr} \end{array}$$

Pursuant to 326 IAC 6-2-2(b), the emission limitations for those indirect heating facilities which were existing and in operation on or before June 8, 1972, shall be calculated using the above equation where Q shall reflect the total source capacity on June 8, 1972. For Eagle Valley Units 1, 2, 3, 4, 5, and 6, Q = 4,071 MMBtu/hr.

- (b) Pursuant to 326 IAC 6-2-2(b), the PM emissions from Units 3, 4, 5 and 6 shall not exceed 0.27 pound per million Btu heat input (lb/MMBtu), as requested by Indianapolis Power and Light Company in a letter dated April 12, 1988.

Pursuant to 326 IAC 6-2-2(b), the particulate emissions from all of the facilities which were in existence on June 8, 1972, may be allocated in any way among these facilities provided that they will not result in a significantly greater air quality impact level at any receptor than that which would result if the particulate emissions from each of these facilities were limited to Pt; and provided that the emission limitations for each facility are specified in its operation permit.

326 IAC 7-4-11 (Sulfur Dioxide (SO₂))

Pursuant to 326 IAC 7-4-11 (Sulfur Dioxide Emission Limitations for Morgan County):

- (a) SO₂ emissions from Unit 3 shall not exceed 0.37 pounds per million Btu (lbs/MMBtu). [326 IAC 7-4-11(2)]

- (b) SO₂ emissions from Units 4, 5, and 6 shall not exceed 3.04 pounds per million Btu (lbs/MMBtu) each. [326 IAC 7-4-11(2)]
- (c) As an exception to the emission limitations specified in (a) and (b), at any time in which IPL burns coal on Unit 3, sulfur dioxide emissions from Units 3, 4, 5, and 6 shall be limited to two and fifty-seven hundredths (2.57) pounds per million Btu each. [326 IAC 7-4-11(3)]

The Permittee shall maintain and make available to the department upon request a log of the operating status and fuel type used for Unit 3. In addition, in the quarterly report required by 326 IAC 7-2-1(a), IPL shall submit to the department a daily summary indicating fuel type for Unit 3, and, for days on which Unit 3 burned any coal and any thirty (30) day rolling weighted average was greater than two and fifty-seven hundredths (2.57) pounds per million Btu, IPL shall submit to the department the daily average sulfur content, heat content, and sulfur dioxide emission rate for Units 3, 4, 5, and 6. [326 IAC 7-4-11(9)]

326 IAC 7-2 and 326 IAC 7-4-11 (Sulfur Dioxide Emissions and Sulfur Content)

- (a) Pursuant to 326 IAC 7-2-1(e) and 326 IAC 3-7, coal sampling and analysis data obtained in accordance with procedures specified under 326 IAC 3-7 may be used to demonstrate compliance as follows:
 - (1) Pursuant to 326 IAC 7-4-11(6), on a day for which Unit 3 does not burn any coal, compliance with the sulfur dioxide emission limitations in 326 IAC 7-4-11(2) shall be determined as specified in 326 IAC 7-2-1(c), using a thirty (30) day rolling weighted average.
 - (2) Pursuant to 326 IAC 7-4-11(7), on a day for which Unit 3 burns any coal, if the thirty (30) day rolling weighted average for any unit is above two and fifty-seven hundredths (2.57) pounds per million Btu, then 326 IAC 7-2-1(c)(1) does not apply, and the daily average emission rate for that unit for that day shall not exceed two and fifty-seven hundredths (2.57) pounds per million Btu.
- (b) Pursuant to 326 IAC 7-4-11(8), for the purposes of determining compliance under 326 IAC 7-2-1(b), stack tests performed on Units 3, 4, 5, and 6 shall demonstrate compliance with the most stringent set of limits in effect at any time during the day prior to or during the test based on the Unit 3 operating status and fuel type as indicated by the log maintained pursuant to 326 IAC 7-4-11(9).
- (c) Upon written notification to IDEM by a facility owner or operator, continuous emission monitoring data collected and reported pursuant to 326 IAC 3-5 may be used as the means for determining compliance with the emission limitations in 326 IAC 7. Upon such notification, the other requirements of 326 IAC 7-2 shall not apply. [326 IAC 7-2-1(g)]

326 IAC 10-4 (NO_x Budget Trading Program)

Pursuant to 326 IAC 10-4-2(16) each of these units is considered an "electricity generating unit (EGU)" because it commenced operation before January 1, 1997 and served a generator during 1995 or 1996 that had a nameplate capacity greater than twenty-five (25) megawatts that produced electricity for sale under a firm contract to the electric grid. Pursuant to 326 IAC 10-4-1(a)(1), an "EGU" is a NO_x budget unit. Because this source meets the criteria of having one (1) or more NO_x budget units, it is a NO_x budget source. The Permittee shall be subject to the requirements of this rule.

Pursuant to 326 IAC 10-4-12(c), the Permittee shall install the appropriate monitoring systems and complete all certification tests as required by 326 IAC 10-4-12(b)(1) through (3) on or before May 1, 2003. The Permittee shall record, report, and quality assure the data from the monitoring systems on and after May 1, 2003.

326 IAC 3-5 (Continuous Emissions Monitoring)

Pursuant to 326 IAC 3-5 (Continuous Emissions Monitoring of Emissions), continuous emission monitoring systems for Units 3, 4, 5 and 6 shall be calibrated, maintained, and operated for measuring opacity, SO₂, and the percent CO₂ or O₂, which meet the performance specifications of 326 IAC 3-5-2.

Distillate oil-fired generator, identified as Unit PR-10:

326 IAC 7-1.1-2 (Sulfur Dioxide (SO₂))

Pursuant to 326 IAC 7-1.1-2 (Sulfur Dioxide Emission Limitations), the SO₂ emissions from Unit PR-10 shall not exceed 0.5 pounds per million Btu (lbs/MMBtu).

326 IAC 7-1.1-2 and 326 IAC 7-2 (Sulfur Dioxide Emissions and Sulfur Content)

Pursuant to 326 IAC 3-7-4, 326 IAC 7-1.1-2, and 326 IAC 7-2, the Permittee shall demonstrate that the fuel oil sulfur content does not exceed the equivalent of 0.5 lb/MMBtu, demonstrated on a thirty (30) day rolling weighted average, by:

- (a) Providing vendor analysis of fuel delivered, accompanied by a vendor certification; or
- (b) Providing analysis of fuel oil samples collected and analyzed using the ASTM methods cited in 326 IAC 3-7-4(a).
 - (1) Oil samples shall be collected from the tanker truck load prior to transferring fuel to the storage tank; or
 - (2) Oil samples shall be collected from the storage tank immediately after each addition of fuel to the tank.

326 IAC 6-2 (Particulate Emission Limitations for Sources of Indirect Heating)

This unit is not subject to 326 IAC 6-2 because the generator is an internal combustion source, not a source of indirect heating.

326 IAC 10-4 (NO_x Budget Trading Program)

This unit is not subject to 326 IAC 10-4-1 because it is not an "Electricity Generating Unit" or "EGU" as defined in 326 IAC 10-4-2(16) and it is not a "large affected unit" as defined in 326 IAC 10-4-2(27). The unit is not an EGU because it does not serve a generator that has a nameplate capacity greater than twenty-five (25) megawatts that produces electricity for sale under a firm contract to the electric grid. The unit is not a large affected unit because it does not have a maximum design heat input greater than two hundred fifty million (250,000,000) Btus per hour.

Coal transfer and storage facilities:

326 IAC 6-3-2 (Particulate)

Pursuant to 326 IAC 6-3-2 (Particulate Emission Limitations for Manufacturing Processes), the particulate emission rate from the coal processing drop points and the particulate emission rate from the coal crushers shall not exceed an amount determined by the following:

- (a) Interpolation 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:

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

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

$$E = 55.0 P^{0.11} - 40 \quad \text{where } E = \text{rate of emission in pounds per hour; and} \\ P = \text{process weight rate in tons per hour.}$$

- (c) When the process weight rate exceeds two hundred (200) tons per hour, the allowable emission may exceed the pounds per hour limitation calculated using the above equation, provided the concentration of particulate in the discharge gases to the atmosphere is less than 0.10 pounds per one thousand (1,000) pounds of gases.

Wet process ash handling and storage

326 IAC 6-3-2 (Particulate)

326 IAC 6-3-2 (Particulate Emission Limitations for Manufacturing Processes) does not apply to the ash handling because all of the ash is always handled wet and enclosed in the hydroveyor system until discharged into a storage pond; therefore, there are no particulate emissions from these operations.

Grinding and machining operations and sand blasting room

326 IAC 6-3-2 (Particulate)

Pursuant to 326 IAC 6-3-2 (Particulate Emission Limitations for Manufacturing Processes), the particulate emission rate from the grinding and machining operations and the particulate emission rate from the sandblasting shall not exceed an amount determined by the following:

Interpolation 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:

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

326 IAC 2-7-6(6) (Particulate Control)

Except as otherwise provided by statute or rule or in this permit, the fabric filters for particulate control shall be in operation and control emissions from the grinding and machining operations and from the sandblasting at all times that the associated process is in operation.

Degreasing operations

326 IAC 8-3 (Organic Solvent Degreasing Operations)

The degreasing operations listed as insignificant activities, including the power wash degreaser, are not subject to 326 IAC 8-3 because they are located in Morgan county and were existing as of January 1, 1980.

Testing Requirements

Fuel oil-fired boilers

326 IAC 2-7-6(1),(6) and 326 IAC 2-1.1-11 (Testing Requirements)

- (a) Within one (1) year of issuance of this permit, compliance with the particulate limitations in Condition D.1.1(a) and (b) shall be determined by a performance stack test conducted utilizing methods as approved by the Commissioner. PM testing with both units operating and exhausting to the common stack is permitted.
- (b) This test shall be repeated as follows:
- (1) At least once every two (2) calendar years from the date of this valid compliance demonstration; or

- (2) If a unit is not operated at least 1,000 hours in the 2 years since the previous stack test, then testing shall be repeated at least once every 1,000 hours of operation for that unit, or five (5) calendar years from the date of the last valid compliance demonstration, whichever occurs first.
- (c) To determine compliance with Section C - Opacity and to establish a correlation between the opacity readings and the particulate emission levels, visible emissions (VE) evaluations shall be performed in conjunction with the particulate emissions testing by a qualified observer in accordance with the procedures contained in 326 IAC 5-1-4. The VE readings shall be continuously recorded for the full duration of the sampling time for each sampling repetition.

Testing shall be conducted in accordance with Section C - Performance Testing.

Coal-fired boilers

326 IAC 2-7-6(1),(6) and 326 IAC 2-1.1-11 (Testing Requirements)

Within the two (2) calendar years following the most recent stack test, compliance with the PM limitation in Condition D.2 shall be determined by a performance stack test conducted utilizing methods as approved by the Commissioner. This test shall be repeated at least once every two (2) calendar years following this valid compliance demonstration. Testing shall be conducted in accordance with Section C- Performance Testing.

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

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

1. The two (2) no. 2 fuel oil fired boilers, identified as Unit 1 and Unit 2, have applicable compliance monitoring conditions as specified below:
 - Method 9 Opacity Observations [326 IAC 2-7-6(1)] [326 IAC 2-7-5(1)]
 - (a) To document compliance with the Temporary Alternative Opacity Limitation during boiler startups, the Permittee shall provide certified opacity reader(s), who may be employees of the Permittee or independent contractors, to self-monitor the emissions from the fuel oil-fired boiler stack.
 - (b) Opacity observations shall be performed in accordance with 40 CFR 60, Appendix A, Method 9 during each daylight startup from light-off to completion of start-up.

Visible Emissions Notations [326 IAC 2-7-6(1)] [326 IAC 2-7-5(1)]

- (a) Visible emission notations of the fuel oil-fired boiler exhaust shall be performed once per shift during normal daylight operations when one or both of Units 1 and 2 are in operation. A trained employee shall record whether emissions are normal or abnormal.
 - (b) If Method 9 observations have already been conducted during a shift, then no additional VE notations are required for that shift.
 - (c) If abnormal emissions are observed at any boiler exhaust, the Permittee shall take reasonable response steps in accordance with Section C - Compliance Response Plan - Preparation, Implementation, Records, and Reports. Observation of abnormal emissions that do not violate an applicable opacity limit is not a deviation from this permit. Failure to take response steps in accordance with Section C - Compliance Response Plan - Preparation, Implementation, Records, and Reports, shall be considered a violation of this permit.
 - (d) "Normal" means those conditions prevailing, or expected to prevail, eighty percent (80%) of the time the process is in operation, not counting startup or shut down time.
 - (e) A trained employee is an employee who has worked at the plant at least one (1) month and has been trained in the appearance and characteristics of normal visible emissions for that specific process.
2. The four (4) coal fired boilers, identified as Units 3, 4, 5 and 6, have applicable compliance monitoring conditions as specified below:

Preventive Inspections: Electrostatic Precipitator [326 IAC 2-7-6(1)] [326 IAC 2-7-5(1)]

- (a) The following inspections shall be performed according to the indicated schedules, in accordance with the Preventive Maintenance Plan prepared in accordance with Section B – Preventive Maintenance Plan:
 - (1) Plate and electrode alignment, every major maintenance outage, but no less than every 2 years;
 - (2) ESP TR set components, performed whenever there is an outage of any nature lasting more than three days, unless such inspections have been performed within the last six months. At a minimum, the following inspections shall be performed:
 - (A) Internal inspection of shell for corrosion (including but not limited to doors, hatches, insulator housings, and roof area).
 - (B) Effectiveness of rapping (including but not limited to buildup of dust on discharge electrodes and plates).
 - (C) Gas distribution (including but not limited to buildup of dust on distribution plates and turning vanes).
 - (D) Dust accumulation (including but not limited to buildup of dust on shell and support members that could result in grounds or promote advanced corrosion).
 - (E) Major misalignment of plates (including but not limited to a visual check of plate alignment).
 - (F) Rapper, vibrator and TR set control cabinets (including but not limited to motors and lubrication).

- (G) Rapper assembly (including but not limited to loose bolts, ground wires, water in air lines, and solenoids).
 - (H) Vibrator and rapper seals (including but not limited to air in-leakage, wear, and deterioration).
 - (I) TR set controllers (including but not limited to low voltage trip point, over current trip point, and spark rate).
 - (J) Vibrator air pressure settings.
- (3) Air and water infiltration, once per month. The recommended method for this inspection is for audible checks around ash hoppers/hatches, duct expansion joints, and areas of corrosion.
- (b) Reasonable response steps shall be taken in accordance with Section C - Compliance Response Plan - Preparation, Implementation, Records, and Reports for any improper or abnormal conditions found during an inspection. Discovery of an abnormal or improper condition is not a deviation from this permit. Failure to take response steps in accordance with Section C - Compliance Response Plan - Preparation, Implementation, Records, and Reports, shall be considered a violation of this permit.

(source can choose between two options for D.2.13)

Transformer-Rectifier (T-R) Sets [326 IAC 2-7-6(1)] [326 IAC 2-7-5(1)]

- (a) The ability of the ESP to control particulate emissions shall be monitored once per shift, when the unit is in operation, by measuring and recording the number of T-R sets in service and the primary and secondary voltages and the currents of the transformer-rectifier (T-R) sets.
- (b) Reasonable response steps shall be taken in accordance with Section C - Compliance Response Plan - Preparation, Implementation, Records, and Reports whenever the percentage of T-R sets in service falls below 90 percent. T-R set failure resulting in less than 90 percent availability is not a deviation from this permit. Failure to take response steps in accordance with Section C - Compliance Response Plan - Preparation, Implementation, Records, and Reports, shall be considered a violation of this permit.

OR

Electrostatic Precipitator Parametric Monitoring [326 IAC 2-7-6(1)] [326 IAC 2-7-5(1)]

- (a) The ability of the ESP to control particulate emissions shall be monitored once per shift, when the unit is in operation, by measuring and recording the primary and secondary voltages and the currents of the transformer-rectifier (T-R) sets.
- (b) When for any one reading, operation is outside one of the normal ranges shown below, or a range established during the latest stack test, the Permittee shall take reasonable response steps in accordance with Section C- Compliance Response Plan - Preparation, Implementation, Records, and Reports. A voltage or current reading outside the normal range is not a deviation from this permit. Failure to take response steps in accordance with Section C - Compliance Response Plan - Preparation, Implementation, Records, and Reports, shall be considered a violation of this permit.

- (1) Primary voltage: 260 - 300 V*
- (2) Secondary voltage: 35 - 55 kV*
- (3) T-R set primary current: 50 - 75 A*

**(The values shown in italics are for illustrative purposes only; source needs to provide correct ranges for their operation if this option is selected. Note that Section C (Compliance Response Plan - Preparation, Implementation, Records, and Reports) allows for short term, temporary excursions outside of these normal operating parameters, and no response step is necessary if operation is already returning to normal operation.)*

Opacity Readings [326 IAC 2-7-6(1)] [326 IAC 2-7-5(1)]

- (a) Appropriate response steps shall be taken in accordance with Section C - Compliance Response Plan - Preparation, Implementation, Records, and Reports whenever the opacity exceeds thirty percent (30%) for three (3) consecutive six (6) minute averaging periods. In the event of opacity exceeding thirty percent (30%), response steps will be taken such that the cause(s) of the excursion are identified and corrected and opacity levels are brought back below thirty percent (30%). Examples of expected response steps include, but are not limited to, boiler loads being reduced and ESP T-R sets being returned to service.
- (b) Opacity readings in excess of thirty percent (30%) but not exceeding the opacity limit for the unit are not a deviation from this permit. Failure to take response steps in accordance with Section C - Compliance Response Plan - Preparation, Implementation, Records, and Reports, shall be considered a violation of this permit.

Note:

The OAQ Compliance Branch used all recent stack test data and associated COM data and recent inspection findings to make a reasoned determination of what the Opacity Reading "trigger level" should be for each unit. The trigger level is one of the surrogate tools used to demonstrate continued compliance with a PM limit, in lieu of continuous emissions monitoring for particulate. The other surrogate used for boilers to indicate compliance with a PM limit is ESP performance data.

SO₂ Monitor Downtime [326 IAC 2-7-6] [326 IAC 2-7-5(1)]

Whenever the SO₂ continuous emission monitor is malfunctioning or will be down for repairs or adjustments for a period of four (4) hours or more, compliance with the applicable SO₂ limits pursuant to 326 IAC 7 shall be demonstrated by one of the following:

- (a) A calibrated backup CEM shall be brought online within four (4) hours of shutdown of the primary CEM; or
- (b) Fuel sampling shall be conducted as specified in 326 IAC 3-7-2(a) or (b), and fuel sample preparation and analysis shall be conducted as specified in 326 IAC 3-7-2(c), 326 IAC 3-7-2(d), and 326 IAC 3-7-2(e). Pursuant to 326 IAC 3-7-3, manual or other non-ASTM automatic sampling and analysis procedures may be used upon a demonstration, submitted to the department for approval, that such procedures provide sulfur dioxide emission estimates representative either of estimates based on coal sampling and analysis procedures specified in 326 IAC 3-7-2 or of continuous emissions monitoring.

Note:

The fuel sampling methods specified in 326 IAC 3-7-2(a) or 326 IAC 3-7-3 are required for sources that routinely use fuel analysis to demonstrate compliance with the SO₂ limits established in 326 IAC 7 and that have total coal-fired capacity greater than or equal to 1,500 MMBtu/hr. However, fuel sampling is not required by 326 IAC 7-2 for sources that have been approved to use CEM data to demonstrate compliance with SO₂ limits, and many of these sources no longer have the sampling equipment required by 326 IAC 3-7-2(a). Therefore, these sources are allowed to use the sampling methods specified in 326 IAC 3-7-2(b) during CEM down time.

3. The distillate oil fired generator, Unit PR-10, does not have any compliance monitoring conditions, such as visible emission notations, because there is no applicable particulate matter limit for the unit.
4. The coal handling and processing facilities have an applicable compliance monitoring condition as specified below:

Visible Emissions Notations [326 IAC 2-7-6(1)] [326 IAC 2-7-5(1)]

- (a) Visible emission notations of any coal transfer exhaust points shall be performed once per shift during normal daylight operations when transferring coal. A trained employee shall record whether emissions are normal or abnormal.
 - (b) Visible emission notations of the rail car unloading shall be performed once per shift during normal daylight operations when unloading coal. A trained employee shall record whether emissions are normal or abnormal.
 - (c) Visible emission notations of the coal crusher stack exhaust shall be performed once per shift during normal daylight operations when the crusher is in operation. A trained employee shall record whether emissions are normal or abnormal.
 - (d) If abnormal emissions are observed at a transfer point exhaust or crusher exhaust or from the coal unloading, the Permittee shall take reasonable response steps in accordance with Section C - Compliance Response Plan - Preparation, Implementation, Records, and Reports. Observation of abnormal emissions that do not violate 326 IAC 6-4 (Fugitive Dust Emissions) or an applicable opacity limit is not a deviation from this permit. Failure to take response steps in accordance with Section C - Compliance Response Plan - Preparation, Implementation, Records, and Reports, shall be considered a violation of this permit.
 - (e) For processes operated continuously, "normal" means those conditions prevailing, or expected to prevail, eighty percent (80%) of the time the process is in operation.
 - (f) In the case of batch or discontinuous operations, readings shall be taken during that part of the operation that would normally be expected to cause the greatest emissions.
 - (g) A trained employee is an employee who has worked at the plant at least one (1) month and has been trained in the appearance and characteristics of normal visible emissions for that specific process.
5. The ash storage ponds have an applicable compliance monitoring condition as specified below:

Visible Emissions Notations [326 IAC 2-7-6(1)] [326 IAC 2-7-5(1)]

- (a) Visible emission notations of the flyash storage pond area(s) shall be performed at least once per day during normal daylight operations. A trained employee shall record whether emissions are normal or abnormal.
- (b) If visible emissions are observed crossing the property line or boundaries of the property, right-of-way, or easement on which the source is located, the Permittee shall take reasonable response steps in accordance with Section C - Compliance Response Plan - Preparation, Implementation, Records, and Reports. Failure to take response steps in accordance with Section C - Compliance Response Plan - Preparation, Implementation, Records, and Reports, shall be considered a violation of this permit.

- (c) For processes operated continuously, "normal" means those conditions prevailing, or expected to prevail, eighty percent (80%) of the time the process is in operation.
 - (d) In the case of batch or discontinuous operations, readings shall be taken during that part of the operation that would normally be expected to cause the greatest emissions.
 - (e) A trained employee is an employee who has worked at the plant at least one (1) month and has been trained in the appearance and characteristics of normal visible emissions for that specific process.
6. The insignificant activities subject to 326 IAC 6-3-2, including the grinding and machining operations and the sandblasting room, do not have any compliance monitoring conditions, such as visible emission notations, because the process all have particulate control and the allowable particulate emission rate for each process is less than ten (10) pounds per hour.

These monitoring conditions are necessary because the facilities and associated control devices must function properly to ensure compliance with the SO₂, PM-10, and opacity limits.

Conclusion

The operation of this electric utility generating station shall be subject to the conditions of the attached proposed **Part 70 Permit No. T109-6569-00004**

Phase II Acid Rain Permit

INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

Source: H.T. Pritchard Generating Station
Address: 4040 Blue Bluff Road, Martinsville, IN 46151
Operated by: Indianapolis Power and Light
ORIS Code: 991
Effective: January 1, 2000 through December 31, 2004

the above corporation is hereby authorized to operate subject to the conditions contained
herein, these facilities:

Units 1, 2, 3, 4, 5, and 6.

Operation Permit No.: AR 109-5114-00004	
Issued by: Felicia R. George, Assistant Commissioner Office of Air Management	Issuance Date: Expiration Date:

Table of Contents

- 1) Statement of Basis.
- 2) Standard Requirements.

1) Statement of Basis

Statutory and Regulatory Authorities: In accordance with IC 13-17-3-4, IC 13-17-3-11, IC 13-17-8-1, and IC 13-17-8-2 as well as Titles IV and V of the Clean Air Act, the Indiana Department of Environmental Management (IDEM), Office of Air Management (OAM) issues this permit pursuant to 326 IAC 2 and 326 IAC 21 (incorporates by reference 40 CFR 72 through 78).

2) Standard Requirements

Permit Requirements [326 IAC 21]

- (a) The designated representative of each affected source and each affected unit at the source shall:
 - (1) Submit a complete Acid Rain Permit application, by submitting a sulfur dioxide application and compliance plan in accordance with the deadlines in 40 CFR 72.30; and
 - (2) Submit in a timely manner any supplemental information that IDEM, OAM determines is necessary in order to review an Acid Rain Permit application or an Acid Rain portion of an operation permit application and issue or deny an Acid Rain Permit;

Information required by (1) and (2) above 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) The owners and operators of each affected source and each affected unit at the source shall:
 - (1) Operate the unit in compliance with a complete Acid Rain Permit application or a superseding Acid Rain Permit issued by the IDEM, OAM.

Monitoring Requirements [326 IAC 21]

- (a) The owners and operators and, to the extent applicable, the designated representative of each affected source and each affected unit at the source shall comply with the monitoring requirements as provided in 40 CFR 74, 75, and 76.
- (b) The emissions measurements recorded and reported in accordance with 40 CFR 75 and 76 shall be used to determine compliance by the unit with the Acid Rain emissions limitations and emissions reduction requirements for sulfur dioxide and nitrogen oxides under the Acid Rain Program.

- (c) The requirements of 40 CFR 74 and 75 shall not affect the responsibility of the owners and operators to monitor emissions of other pollutants or other emissions characteristics at the unit under other applicable requirements of the Clean Air Act and other provisions of the operating permit for the source.

Sulfur Dioxide Requirements [326 IAC 21]

- (a) The owners and operators of each source and each affected unit at the source shall:
 - (1) Hold allowances, as of the allowance transfer deadline (as defined in 40 CFR 73.35), in the unit's compliance subaccount, after deductions under 40 CFR 73.34(c), not less than the total annual emissions of sulfur dioxide for the previous calendar year from the unit; and
 - (2) Comply with the applicable Acid Rain emissions limitations for sulfur dioxide.
- (b) Each ton of sulfur dioxide emitted in excess of the Acid Rain emissions limitations for sulfur dioxide shall constitute a separate violation of the Clean Air Act.
- (c) An affected unit shall be subject to the requirements under paragraph (a) of the sulfur dioxide requirements as follows:
 - (1) Starting January 1, 2000, an affected unit under 40 CFR 72.6(a)(2); or
 - (2) Starting on the latter of January 1, 2000 or the deadline for monitor certification under 40 CFR 75, an affected unit under 40 CFR 72.6(a)(3).
- (d) Allowances shall be held in, deducted from, or transferred among Allowance Tracking System accounts in accordance with the Acid Rain Program.
- (e) An allowance shall not be deducted in order to comply with the requirements under paragraph (a)(1) of the sulfur dioxide requirements prior to the calendar year for which the allowance was allocated.
- (f) An allowance allocated by the U.S. EPA under the Acid Rain Program is a limited authorization to emit sulfur dioxide in accordance with the Acid Rain Program. No provision of the Acid Rain Program, the Acid Rain Permit application, the Acid Rain Permit, the Acid Rain portion of an operating permit, or the written exemption under 40 CFR 72.7 and 72.8 and 326 IAC 21, and no provision of law shall be construed to limit the authority of the United States to terminate or limit such authorization.
- (g) An allowance allocated by U.S. EPA under the Acid Rain Program does not constitute a property right.
- (h) No permit revision may be required for increases in emissions that are authorized by allowances acquired pursuant to the Acid Rain Program, provided that the increases do not require a permit revision under any other applicable requirement. [326 IAC 2-7-5(4)(A)].

- (i) No limit shall be placed on the number of allowances held by an affected source. A affected source may not, however, use allowances as a defense to noncompliance with any applicable requirement other than the requirements of the Acid Rain Program. [326 IAC 2-7-5(4)(B)]
- (j) Sulfur dioxide allowances shall be allocated to each unit at the source as follows:

SO₂ Allowance Allocations for Unit 1

- (1) 2000 - 0
- (2) 2001 - 0
- (3) 2002 - 0
- (4) 2003 - 0
- (5) 2004 - 0

SO₂ Allowances for Unit 2

- (1) 2000 - 1
- (2) 2001 - 1
- (3) 2002 - 1
- (4) 2003 - 1
- (5) 2004 - 1

SO₂ Allowances for Unit 3

- (1) 2000 - 238*
- (2) 2001 - 238*
- (3) 2002 - 238*
- (4) 2003 - 238*
- (5) 2004 - 238*

SO₂ Allowances for Unit 4

- (1) 2000 - 529*
- (2) 2001 - 529*
- (3) 2002 - 529*
- (4) 2003 - 529*
- (5) 2004 - 529*

SO₂ Allowances for Unit 5

- (1) 2000 - 592*
- (2) 2001 - 592*
- (3) 2002 - 592*
- (4) 2003 - 592*
- (5) 2004 - 592*

SO₂ Allowances for Unit 6

- (1) 2000 - 2,467*
- (2) 2001 - 2,467*
- (3) 2002 - 2,467*
- (4) 2003 - 2,467*
- (5) 2004 - 2,467*

*The number of allowances allocated to Phase II affected units by U.S. EPA may change in a revision to 40 CFR 73 Tables 2, 3, and 4 and 326 IAC 21. In addition, the number of allowances actually held by an affected source in a unit account may differ

from the number allocated by U.S. EPA. Neither of the aforementioned conditions necessitate a revision to the unit SO₂ allowance allocations identified in this permit (See 40 CFR 72.84).

Nitrogen Oxides Requirements [326 IAC 21]

- (a) The owners and operators of the source and each affected unit at the source shall comply with the applicable Acid Rain emissions limitation for nitrogen oxides (NO_x).
- (b) The designated representative shall submit a timely and complete permit application and compliance plan for NO_x emissions for each Phase II affected unit at the source to IDEM, OAM and U.S.EPA by January 1, 1998, in accordance with 40 CFR 76.9.

The designated representative shall submit required information to:

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

and

U.S. Environmental Protection Agency
Acid Rain Program (6204J)
Attn.: Phase II NO_x
401 M Street, SW
Washington, DC 20460

- (c) After receipt of the required information, IDEM, OAM will reopen and revise the Acid Rain portion of this permit to add Acid Rain Program NO_x requirements, in accordance with 40 CFR 76.
- (d) The reopening in (c) shall not affect the term of the acid rain portion of the source's operating permit. [40 CFR 72.85(d)]
- (e) Upon application by a source and approval by the Commissioner, an Alternative Emissions Limit (AELs) may be granted to a unit in accordance with 40 CFR 76.10.

Excess Emissions Requirements [326 IAC 21]

- (a) The designated representative of an affected unit that has excess emissions of sulfur dioxide in any calendar year shall submit a proposed offset plan to U.S. EPA and IDEM, OAM as required under 40 CFR 77 and 326 IAC 21.

The designated representative shall submit required information to:

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

and

U.S. Environmental Protection Agency
Acid Rain Program (6204J)
Attn.: Annual Reconciliation
401 M Street, SW
Washington, DC 20460

- (b) The owners and operators of an affected unit that has excess emissions in any calendar year shall:
 - (1) Pay to U.S. EPA without demand the penalty required, and pay to U.S. EPA upon demand the interest on that penalty, as required by 40 CFR 77 and 326 IAC 21; and
 - (2) Comply with the terms of an approved offset plan, as required by 40 CFR 77 and 326 IAC 21.

Record Keeping and Reporting Requirements [326 IAC 21]

- (a) Unless otherwise provided, the owners and operators of the source and each affected unit at the source shall keep on site at the source each of the following documents for a period of 5 years from the date the document is created. This period may be extended for cause, at any time prior to the end of 5 years, in writing by U.S. EPA or IDEM, OAM:
 - (1) The certificate of representation for the designated representative for the source and each affected unit at the source and all documents that demonstrate the truth of the statements in the certificate of representation, in accordance with 40 CFR 72.24; provided that the certificate and documents shall be retained on site at the source beyond such 5-year period until such documents are superseded because of the submission of a new certificate of representation changing the designated representative;
 - (2) All emissions monitoring information collected shall be retained on site for 3 years in accordance with 40 CFR 75;
 - (3) Copies of all reports, compliance certifications, and other submissions and all records made or required under the Acid Rain Program; and
 - (4) Copies of all documents used to complete an Acid Rain Permit application and any other submission under the Acid Rain Program or to demonstrate compliance with the requirements of the Acid Rain Program.
- (b) The designated representative of an affected source and each affected unit at the source shall submit the reports and compliance certifications required under the Acid Rain Program, including those under 40 CFR 72.90 subpart I, 40 CFR 75, and 326 IAC 21.

Submit required information to the appropriate authority(ies) as specified in 40 CFR

72.90 subpart I and 40 CFR 75.

Submissions [326 IAC 21]

- (a) The designated representative shall submit a certificate of representation, and any superseding certificate of representation, to U.S. EPA in accordance with 40 CFR 72 and 326 IAC 21.

The designated representative shall submit required information to:

U.S. Environmental Protection Agency
Acid Rain Program (6204J)
Attn.: Designated Representative
401 M Street, SW
Washington, DC 20460

- (b) Each submission under the Acid Rain Program shall be submitted, signed and certified by the designated representative for all sources on behalf of which the submission is made.
- (c) In each submission under the Acid Rain Program, the designated representative shall certify, by his or her signature:
- (1) The following statement, which shall be included verbatim in the submission: "I am authorized to make this submission on behalf of the owners and operators of the affected source or affected units for which the submission is made." and
 - (2) The following statement which shall be included verbatim in the submission: "I certify under penalty of law that I have personally examined, and am familiar with, the statements and information submitted in this document and all its attachments. Based on my inquiry of those individuals with primary responsibility for obtaining the information, I certify that the statements and information are to the best of my knowledge and belief true, accurate, and complete. I am aware that there are significant penalties for submitting false statements and information or omitting required statements and information, including the possibility of fine or imprisonment."
- (d) The designated representative of a source shall serve notice on each owner and operator of the source and of an affected unit at the source:
- (1) By the date of submission, of any Acid Rain Program submissions by the designated representative, and
 - (2) Within 10 business days of receipt of a determination, of any written determination by U.S. EPA or IDEM, OAM,
 - (3) Provided that the submission or determination covers the source or the unit.
- (e) The designated representative of a source shall provide each owner and operator of an affected unit at the source a copy of any submission or determination under condition (d) of this section, unless the owner or operator expressly waives the right to receive a copy.

Severability [326 IAC 21]

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

Liability [326 IAC 21]

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

- (g) Each violation of a provision of 40 CFR 72, 73, 74, 75, 76, 77, and 78 by an affected source or affected unit, or by an owner or operator or designated representative of such source or unit, shall be a separate violation of the Clean Air Act.

Effect on Other Authorities [326 IAC 21]

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

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