



Joseph E. Kernan  
Governor

Lori F. Kaplan  
Commissioner

May 3, 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: ISG Oil Technology, Inc / 089-7517-00375

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.



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## PART 70 OPERATING PERMIT OFFICE OF AIR QUALITY

**Oil Technology, Inc.,  
a contractor of ISG-Indiana Harbor Inc.  
3001 Dickey Road  
East Chicago, Indiana 46312**

(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.: T089-7517-00375	
Issued by: Original signed by Janet G. McCabe, Assistant Commissioner Office of Air Quality	Issuance Date: May 3, 2004  Expiration Date: May 3, 2009

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## SECTION A SOURCE SUMMARY

This permit is based on information requested by the Indiana Department of Environmental Management (IDEM), Office of Air Quality (OAQ). The information describing the source contained in conditions A.1, A.3, and A.4 is descriptive information and does not constitute enforceable conditions. However, the Permittee should be aware that a physical change or a change in the method of operation that may render this descriptive information obsolete or inaccurate may trigger requirements for the Permittee to obtain additional permits or seek modification of this permit pursuant to 326 IAC 2, or change other applicable requirements presented in the permit application.

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

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The Permittee owns and operates a stationary used oil recycling facility.

Responsible Official:	Mr. Gerald Piper
Source Address:	3001 Dickey Road, East Chicago, Indiana 46312
Mailing Address:	1203 Sheffield Avenue, Dyer, Indiana 46311
Phone Number:	219-322-2724
SIC Code:	2999
County Location:	Lake County
Source Location Status:	Nonattainment for SO <sub>2</sub> , and ozone Attainment for all other criteria pollutants
Source Status:	Part 70 Permit Program Major Source, under PSD and Emission Offset Rules; Major Source, Section 112 of the Clean Air Act 1 of 28 Source Categories under PSD and Emission Offset Rules

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

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ISG-Indiana Harbor Inc., is an integrated steel mill consisting of a source with on-site contractors:

- (a) ISG-Indiana Harbor Inc. (Plant ID 089-00318), the primary operation, is located at, 3001 Dickey Road, East Chicago, Indiana and
- (b) Oil Technology, Inc (Plant ID 089-00375), the on-site contractor (a used oil recycling facility), is located at 3001 Dickey Road, East Chicago, Indiana;

IDEM has determined that ISG-Indiana Harbor Inc. and Oil Technology, Inc. are under the common control of ISG-Indiana Harbor Inc. These two plants are considered one source due to contractual control. Therefore, the term "source" in the Part 70 documents refers to both ISG-Indiana Harbor and Oil Technology, Inc. as one source.

Separate Part 70 permits will be issued to ISG-Indiana Harbor Inc. and Oil Technology, Inc. solely for administrative purposes. For permitting purposes, ISG-Indiana Harbor Inc. is assigned Permit No. 089-7099-00318 and Oil Technology, Inc. is assigned Permit No. 089-7517-00375.

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

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Oil Technology, Inc. consists of the following permitted emission units and pollution control devices:

- (a) Four (4) used oil processing tanks, identified as tanks 1, 2, 3 and 5 used for processing used oil generated by ISG-Indiana Harbor Inc. with a maximum capacity of 24,000 gallons, 35,000 gallons, 29,000 gallons and 27,000 gallons respectively. Installed in 1990 and 1999.
- (b) One (1) product storage tank with a maximum capacity of 20,00 gallons
- (c) Control equipment for the processing operation, which includes odor abatement system consisting of a condenser (CE1) to reduce steam and a packed tower scrubber (CE2) for odor control and emission control, exhausting through stack 1. Installed in 1990.

(d) One (1) loading pump with maximum pumping rate of 55 gpm.

(e) One (1) trailer loading station

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

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This stationary source does not currently have any insignificant activities, as defined in 326 IAC 2-7-1 (21) that have applicable requirements.

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

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

(a) It is a major source, as defined in 326 IAC 2-7-1(22);

(b) It is a source in a source category designated by the United States Environmental Protection Agency (U.S. EPA) under 40 CFR 70.3 (Part 70 - Applicability).

## SECTION B

## GENERAL CONDITIONS

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

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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]

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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.

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

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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)]

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

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

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

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

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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)]

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(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.

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

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

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(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 April 15 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;
  - (4) The methods used for determining the compliance status of the source, currently and over the reporting period consistent with 326 IAC 2-7-5(3); and
  - (5) Such other facts, as specified in Sections D of this permit, as IDEM, OAQ, may require to determine the compliance status of the source.

The submittal by the Permittee does require 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]

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- (a) If required by specific condition(s) in Section D of this permit, the Permittee shall prepare and maintain Preventive Maintenance Plans (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 PMP 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 60/63 to have an Operation Maintenance, and Monitoring (OMM) Plan for a unit, such Plan is deemed to satisfy the PMP requirements of 326 IAC 1-6-3 for that unit.

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

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

Telephone Number: 1-800-451-6027 (ask for Office of Air Quality, Compliance Section), or

Telephone Number: 317-233-5674 (ask for Compliance Section)

Facsimile Number: 317-233-5967

Northwest Regional Office Telephone Number: 219-881-6712

Northwest Regional Office Facsimile Number: 219-881-6745

- (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 in 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]**

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- (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.

**B.14 Deviations from Permit Requirements and Conditions [326 IAC 2-7-5(3)(C)(ii)]**

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- (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]**

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- (a) This permit may be modified, reopened, revoked and reissued, or terminated for cause. The filing of a request by the Permittee for a 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 2-7-4]**

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- (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]

If the Permittee submits a timely and complete application for renewal of this permit, the source's failure to have a permit is not a violation of 326 IAC 2-7 until IDEM, OAQ, takes final action on the renewal application, except that this protection shall cease to apply if, subsequent to the completeness determination, the Permittee fails to submit by the deadline specified in writing by IDEM, OAQ, any additional information identified as being needed to process the application.

(d) United States Environmental Protection Agency Authority [326 IAC 2-7-8(e)]

If IDEM, 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 Permit Amendment or Modification [326 IAC 2-7-11] [326 IAC 2-7-12]

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

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

Indiana Department of Environmental Management  
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 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)]

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

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

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- (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.

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

A modification, construction, or reconstruction is governed by the requirements of 326 IAC 2 and 326 IAC 2-7-10.5.

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

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

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

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

- (a) The Permittee must comply with the requirements of 326 IAC 2-7-11 whenever the Permittee seeks to change the ownership or operational control of the source and no other change in the permit is necessary.

- (b) Any application requesting a change in the ownership or operational control of the source shall contain a written agreement containing a specific date for transfer of permit responsibility, coverage and liability between the current and new Permittee. The application shall be submitted to:

Indiana Department of Environmental Management  
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, I/M & Billing Section), to determine the appropriate permit fee.

## SECTION C SOURCE OPERATION CONDITIONS

Entire Source

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

#### C.1 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 twenty percent (20%) in any one (1) six (6) minute averaging period as determined in 326 IAC 5-1-4.
- (b) Opacity shall not exceed sixty percent (60%) for more than a cumulative total of fifteen (15) minutes (sixty (60) readings as measured according to 40 CFR 60, Appendix A, Method 9 or fifteen (15) one (1) minute nonoverlapping integrated averages for a continuous opacity monitor) in a six (6) hour period.

#### C.2 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.3 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.4 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).

#### C.5 Fugitive Dust Emissions [326 IAC 6-1-11.1]

Pursuant to 326 IAC 6-1-11.1 (Lake County Fugitive Particulate Matter Control Requirements), the particulate matter emissions from source wide activities shall meet the following requirements:

- (a) The average instantaneous opacity of fugitive particulate emissions from a paved road shall not exceed ten percent (10%).
- (b) The average instantaneous opacity of fugitive particulate emissions from an unpaved road shall not exceed ten percent (10%).
- (c) The average instantaneous opacity of fugitive particulate emissions from batch transfer shall not exceed ten percent (10%).
- (d) The opacity of fugitive particulate emissions from continuous transfer of material onto and out of storage piles shall not exceed ten percent (10%) on a three (3) minute average.
- (e) The opacity of fugitive particulate emissions from storage piles shall not exceed ten percent (10%) on a six (6) minute average.
- (f) There shall be a zero (0) percent frequency of visible emission observations of a material during the inplant transportation of material by truck or rail at any time.
- (g) The opacity of fugitive particulate emissions from the inplant transportation of material by front end loaders and skip hoists shall not exceed ten percent (10%).

- (h) There shall be a zero (0) percent frequency of visible emission observations from a building enclosing all or part of the material processing equipment, except from a vent in the building.
- (i) The PM10 emissions from building vents shall not exceed twenty-two thousandths (0.022) grains per dry standard cubic foot and ten percent (10%) opacity.
- (j) The opacity of particulate emissions from dust handling equipment shall not exceed ten percent (10%).
- (k) Any facility or operation not specified in 326 IAC 6-1-11.1(d) shall meet a twenty percent (20%), three (3) minute average opacity standard.

The Permittee shall achieve these limits by controlling fugitive particulate matter emissions according to the Fugitive Dust Control Plan, submitted on December 12, 1996.

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

Except as otherwise provided by statute or rule, or in this permit, all air pollution control equipment listed in this permit and used to comply with an applicable requirement shall be operated at all times that the emission units vented to the control equipment are in operation.

#### C.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]

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

All required notifications shall be submitted to:

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

The notice shall include a signed certification from the owner or operator that the information provided in this notification is correct and that only Indiana licensed workers and project supervisors will be used to implement the asbestos removal project. The notifications do not require a certification by the "responsible official" as defined by 326 IAC 2-7-1(34).

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

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

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

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- (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]**

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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)]**

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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 Monitoring Methods [326 IAC 3] [40 CFR 60] [40 CFR 63]**

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

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- (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 (2%) of full scale reading.
- (b) Whenever a condition in this permit requires the measurement of a flow rate, the instrument 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 (2%) of full scale reading.
- (c) 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.14 Emergency Reduction Plans [326 IAC 1-5-2] [326 IAC 1-5-3]**

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

- (a) The Permittee shall prepare written emergency reduction plans (ERPs) consistent with safe operating procedures.
- (b) These ERPs shall be submitted for approval to:

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

within ninety (90) days after the date of issuance of this permit.

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

- (c) If the ERP is disapproved by IDEM, OAQ, the Permittee shall have an additional thirty (30) days to resolve the differences and submit an approvable ERP.
- (d) These ERPs shall state those actions that will be taken, when each episode level is declared, to reduce or eliminate emissions of the appropriate air pollutants.
- (e) Said ERPs shall also identify the sources of air pollutants, the approximate amount of reduction of the pollutants, and a brief description of the manner in which the reduction will be achieved.
- (f) Upon direct notification by IDEM, 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.15 Risk Management Plan [326 IAC 2-7-5(12)] [40 CFR 68]**

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

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- (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 60/63, 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 CFR60/63 requirements.

- (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
  - (2) If none of the reasonable response steps listed in the Compliance Response 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, 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.17 Actions Related to Noncompliance Demonstrated by a Stack Test [326 IAC 2-7-5] [326 IAC 2-7-6]**

- (a) When the results of a stack test performed in conformance with Section C - Performance Testing, of this permit exceed the level specified in any condition of this permit, the Permittee shall take appropriate 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.18 Emission Statement [326 IAC 2-7-5(3)(C)(iii)][326 IAC 2-7-5(7)][326 IAC 2-7-19(c)][326 IAC 2-6]**

- (a) The Permittee shall submit an annual emission statement certified pursuant to the requirements of 326 IAC 2-6. -This statement must be received in accordance with the compliance schedule specified in 326 IAC 2-6-3 and must comply with the minimum requirements specified in 326 IAC 2-6-4. . The submittal should cover the period identified in 326 IAC 2-6. The 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 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.

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.19 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.20 General Reporting Requirements [326 IAC 2-7-5(3)(C)] [326 IAC 2-1.1-11]**

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- (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.

**Stratospheric Ozone Protection**

**C.21 Compliance with 40 CFR 82 and 326 IAC 22-1**

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

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

## SECTION D.1 FACILITY OPERATION CONDITIONS

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

Oil Technology, Inc. consists of the following permitted emission units and pollution control devices:

- (a) Four (4) used oil processing tanks, identified as tanks 1, 2, 3 and 5 used for processing used oil generated by ISG-Indiana Harbor Inc. with a maximum capacity of 24,000 gallons, 35,000 gallons, 29,000 gallons and 27,000 gallons respectively. Installed in 1990 and 1999.
- (b) One (1) product storage tank with a maximum capacity of 20,00 gallons
- (c) Control equipment for the processing operation, which includes odor abatement system consisting of a condenser (CE1) to reduce steam and a packed tower scrubber (CE2) for odor control and emission control, exhausting through stack 1. Installed in 1990.
- (d) One (1) loading pump with maximum pumping rate of 55 gpm.
- (e) One (1) trailer loading station

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

## Emission Limitations and Standards

### D.1.1 40 CFR Part 60, Subpart Kb (Volatile Organic Storage Vessels)

- (a) The 20,000 gallon storage tank is subject to 40 CFR Part 60, Subpart Kb because the maximum capacity of the tank is greater than 40 m<sup>3</sup> and is used to store volatile organic liquids for which construction, reconstruction, or modification commenced after July 23, 1984. Pursuant to this rule, the Permittee must maintain records as required by 40 CFR 60.116b(a) and 60.116b(b).
- (b) The 20,000 gallon storage tank is exempt from the General Provisions (Part 60, Subpart A) and from the provisions of subpart Kb, except as specified in 40 CFR 60.116b(a) and 60.116b(b), because the tank has a capacity less than 75 m<sup>3</sup> storing liquid.

### D.1.2 Particulate Matter [326 IAC 6-1-2]

Pursuant to 326 IAC 6-1-2 the facilities shall not discharge to the atmosphere any gases which contain particulate matter in excess of 0.03 grains per dry standard cubic foot.

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

### D.1.3 Record Keeping Requirements

Pursuant to 40 CFR Part 60.116b:

- (a) The owner or operator shall keep copies of all records required by 40 CFR Part 60.116b (a), except for the record required by 40 CFR Part 60.116b (b), for at least 2 years. The record required by 40 CFR Part 60.116b(b) will be kept for the life of the source.
- (b) The owner or operator of each storage vessel as specified in 40 CFR Part 60.110b(a) shall keep readily accessible records showing the dimension of the storage vessel and an analysis showing the capacity of the storage vessel. Each storage vessel with a design capacity less than 75 m<sup>3</sup> is subject to no provision of this subpart other than those required by 40 CFR Part 60.110b(a).

**INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT  
OFFICE OF AIR QUALITY**

**PART 70 OPERATING PERMIT  
CERTIFICATION**

Source Name: Oil Technology, Inc., a contractor of ISG Indiana Harbor, Inc.  
Source Address: 3001 Dickey Road, East Chicago, Indiana 46312  
Mailing Address: 1203 Sheffield Avenue, Dyer, Indiana 46311  
Part 70 Permit No.: T089-7517-00375

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

Please check what document is being certified:

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

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

Signature:

Printed Name:

Title/Position:

Phone:

Date:

**INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT  
OFFICE OF AIR QUALITY  
COMPLIANCE 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: Oil Technology, Inc., a contractor of ISG Indiana Harbor Inc.  
Source Address: 3001 Dickey Road, East Chicago, Indiana 46312  
Mailing Address: 1203 Sheffield Avenue, Dyer, Indiana 46311  
Part 70 Permit No.: T089-7517-00375

**This form consists of 2 pages**

**Page 1 of 2**

<p><b>9</b> This is an emergency as defined in 326 IAC 2-7-1(12)</p> <ul style="list-style-type: none"><li>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</li><li>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.</li></ul>
---

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

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

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

**Page 2 of 2**

Date/Time Emergency started:
------------------------------

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

Form Completed by: \_\_\_\_\_

Title / Position: \_\_\_\_\_

Date: \_\_\_\_\_

Phone: \_\_\_\_\_

A certification is not required for 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: Oil Technology, Inc., a contractor of ISG Indiana Harbor Inc.  
 Source Address: 3001 Dickey Road, East Chicago, Indiana 46312  
 Mailing Address: 1203 Sheffield Avenue, Dyer, Indiana 46311  
 Part 70 Permit No.: T089-7517-00375

**Months:** \_\_\_\_\_ **to** \_\_\_\_\_ **Year:** \_\_\_\_\_

<p>This report shall be submitted quarterly based on a calendar year. 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. Additional pages may be attached if necessary. If no deviations occurred, please specify in the box marked "No deviations occurred this reporting period".</p>	
<p><input type="radio"/> NO DEVIATIONS OCCURRED THIS REPORTING PERIOD.</p>	
<p><input type="radio"/> THE FOLLOWING DEVIATIONS OCCURRED THIS REPORTING PERIOD</p>	
<p><b>Permit Requirement</b> (specify permit condition #)</p>	
<p><b>Date of Deviation:</b></p>	<p><b>Duration of Deviation:</b></p>
<p><b>Number of Deviations:</b></p>	
<p><b>Probable Cause of Deviation:</b></p>	
<p><b>Response Steps Taken:</b></p>	
<p><b>Permit Requirement</b> (specify permit condition #)</p>	
<p><b>Date of Deviation:</b></p>	<p><b>Duration of Deviation:</b></p>
<p><b>Number of Deviations:</b></p>	
<p><b>Probable Cause of Deviation:</b></p>	
<p><b>Response Steps Taken:</b></p>	

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

Form Completed By: \_\_\_\_\_

Title/Position: \_\_\_\_\_

Date: \_\_\_\_\_

Phone: \_\_\_\_\_

Attach a signed certification to complete this report.

Issued May 3, 2004

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

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

Source Name: Oil Technology, Inc., a contractor of ISG-Indiana Harbor, Inc.  
Source Location: 3001 Dickey Road, East Chicago, Indiana 46312  
County: Lake  
SIC Code: 2999  
Operation Permit No.: T089-7517-00375  
Permit Reviewer: Teresa Freeman

On November 20, 2003, the Office of Air Quality (OAQ) had a notice published in The Post Tribune in Merrillville, Indiana and The Times in Munster, Indiana, stating that Oil Technology, Inc., had applied for a Part 70 Operating Permit to operate oil recycling facility. 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 sixty (60) days to provide comments on whether or not this permit should be issued as proposed.

Upon further review, the OAQ has decided to make the following revisions to the permit (bolded language has been added, the language with a line through it has been deleted). The Table Of Contents has been modified to reflect these changes. Miscellaneous grammar and spelling corrections have been made throughout the permit also.

Change 1:

On December 31, 2003, IDEM adopted a revision to 326 IAC 1-4-1 redesignating Lake County as attainment for PM<sub>10</sub>. Therefore, condition A.1 is revised as follows:

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 used oil recycling facility.

Responsible Official: Mr. Gerald Piper  
Source Address: 3001 Dickey Road, East Chicago, Indiana 46312  
Mailing Address: 1203 Sheffield Avenue, Dyer, Indiana 46311  
Phone Number: 219-322-2724  
SIC Code: 2999  
County Location: Lake County  
Source Location Status: Nonattainment for ~~PM<sub>10</sub>~~<sup>\*</sup>, SO<sub>2</sub>, and ozone  
Attainment for all other criteria pollutants  
Source Status: Part 70 Permit Program  
Major Source, under PSD and Emission Offset Rules;  
Major Source, Section 112 of the Clean Air Act  
1 of 28 Source Categories under PSD and Emission Offset Rules

~~\*Lake County has been federally redesignated in 40 CFR 81.315 as attainment for PM<sub>10</sub>. The Air Pollution Control Board will be making the same redesignation in state rules.~~

Change 2:

A.2 (b) has been revised to include the legal name of the company and the address of the facility.

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

---

ISG-Indiana Harbor Inc., is an integrated steel mill consisting of a source with on-site contractors:

- (a) ISG-Indiana Harbor Inc. (Plant ID 089-00318), the primary operation, is located at, 3001 Dickey Road, East Chicago, Indiana and
- (b) Oil Technology, Inc (Plant ID 089-00375), the on-site contractor (a used oil recycling facility), is located at **3001 Dickey Road**, East Chicago, Indiana;

Change 3:

Language was corrected in conditions A.3 (a) and (b) to add clarity. A quantity was added to condition A.3 (e). These corrections were also made to D.1 description box.

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

---

Oil Technology, Inc. consists of the following permitted emission units and pollution control devices:

- (a) Four (4) used oil processing tanks, identified as tanks 1, 2, 3 and 5 used for processing used oil generated by ISG-Indiana Harbor Inc. with a maximum ~~capacities~~ **capacity** of 24,000 gallons, 35,000 gallons, 29,000 gallons and 27,000 gallons respectively. Installed in 1990 and 1999.
- (b) One (1) product storage tanks with a maximum ~~capacities~~ **capacity** of 20,00 gallons
- (c) Control equipment for the processing operation, which includes odor abatement system consisting of a condenser (CE1) to reduce steam and a packed tower scrubber (CE2) for odor control and emission control, exhausting through stack 1. Installed in 1990.
- (d) One (1) loading pump with maximum pumping rate of 55 gpm.
- (e) **One (1)** trailer loading station

Change 4:

The (b) in condition B.12 was identified and numbering corrected.

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

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- (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 in 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.

- ~~(c)~~(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.

- ~~(d)~~(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.
- ~~(e)~~ (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.
- ~~(f)~~ (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
- ~~(g)~~ (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)]
- ~~(h)~~(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)]

Change 5:

The title of condition B.21, Inspection and Entry, has been revised to include an additional rule cite as follows:

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

Change 6:

IDEM has revised the condition C.7 in order to clarify what parts of the regulation are not federally enforceable as follows:

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.

Change 7:

In condition C.9, the term "source" is replaced with "Permittee" as follows:

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 ~~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.

Change 8:

In condition C.15, the rule cite has been changed and the term "source" is replaced with "Permittee" as follows:

C.15 Risk Management Plan [326 IAC 2-7-5(12)] [40 CFR 68.245]

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

Change 9:

Condition C.16 - Compliance Response Plan - Preparation, Implementation, Records, and Reports 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 OAQ an opportunity to assess the situation and determine whether any additional actions are necessary to demonstrate compliance with applicable requirements. In addition if a source 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 60/63, such plans shall be deemed to satisfy the requirements for a CRP. The changes to condition C.16 are as follows:

C.16 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 60/63, such plans shall be deemed to satisfy the requirements for a CRP for those compliance monitoring conditions.** A CRP shall be submitted to IDEM, 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 CFR60/63 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
  - (2) If none of the reasonable response steps listed in the Compliance Response 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, the Permittee shall promptly notify** the IDEM, OAQ ~~shall be promptly notified~~ 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.

Change 10:

IDEM has revised condition C.18, since the rule revisions to 326 IAC 2-6 are not effective, the provisions that will be required by the revised rule will not be incorporated at this time. The condition will be revised so that the Permittee is required to follow the requirements of the rule, including the revised rule when it becomes effective, instead of requiring in the condition that the emission statement to be submitted on April 15<sup>th</sup> (or July 1<sup>st</sup>). Once the rule becomes effective, the Permittee may request an amendment to the operating permit in order to incorporate specific requirements of the revised rule.

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

- (a) The Permittee shall submit an annual emission statement certified pursuant to the requirements of 326 IAC 2-6. ~~, that must be received by April 15 of each year and This~~ **statement must be received in accordance with the compliance schedule specified in 326 IAC 2-6-3** and must comply with the minimum requirements specified in 326 IAC 2-6-4. **. The submittal should cover the period identified in 326 IAC 2-6.** 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 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 December 1 and ending November 30. 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.~~

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

Change 11:

In condition C.20, the term "source" is replaced with "Permittee" as follows:

C.20 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).

Change 12:

Section D.1 heading change:

**Record Keeping and Reporting Requirements** [326 IAC 2-8-4(3)] [326 IAC 2-8-16]  
[326 IAC 2-7-5(3)] [326 IAC 2-7-19]

## **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: Oil Technology, Inc., a contractor of ISG-Indiana Harbor, Inc.  
Source Location: 3001 Dickey Road, East Chicago, Indiana 46312  
County: Lake  
SIC Code: 2999  
Operation Permit No.: T089-7517-00375  
Permit Reviewer: Teresa Freeman

The Office of Air Quality (OAQ) has reviewed a Part 70 permit application from Oil Technology, Inc., relating to the operation of used oil recycling process.

#### **Source Definition**

ISG-Indiana Harbor Inc., is an integrated steel mill consisting of a source with on-site contractors:

- (a) ISG-Indiana Harbor Inc. (Plant ID 089-00318), the primary operation, is located at, 3001 Dickey Road, East Chicago, Indiana and
- (b) Oil Tech, Inc (Plant ID 089-00375), the on-site contractor (a used oil recycling facility), is located at, East Chicago, Indiana;

IDEM has determined that ISG-Indiana Harbor Inc. and Oil Technology, Inc. are under the common control of ISG-Indiana Harbor Inc. These two plants are considered one source due to contractual control. Therefore, the term "source" in the Part 70 documents refers to both ISG-Indiana Harbor and Oil Technology, Inc. as one source.

Separate Part 70 permits will be issued to ISG-Indiana Harbor Inc. and Oil Technology, Inc. solely for administrative purposes. For permitting purposes, ISG-Indiana Harbor Inc. is assigned Permit No. 089-7099-00318 and Oil Technology, Inc. is assigned Permit No. 089-7517-00375.

#### **Permitted Emission Units and Pollution Control Equipment**

Oil Technology, Inc. consists of the following permitted emission units and pollution control devices:

- (a) Four (4) used oil processing tanks, identified as tanks 1, 2, 3 and 5 used for processing used oil generated by ISG-Indiana Harbor Inc. with maximum capacities of 24,000 gallons, 35,000 gallons, 29,000 gallons and 27,000 gallons respectively. Installed in 1990 and 1999.
- (b) One (1) product storage tanks with maximum capacities of 20,00 gallons
- (c) Control equipment for the processing operation, which includes odor abatement system

consisting of a condenser (CE1) to reduce steam and a packed tower scrubber (CE2) for odor control and emission control, exhausting through stack 1. Installed in 1990.

- (d) One (1) loading pump with maximum pumping rate of 55 gpm.
- (e) trailer loading station

### **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):

- (a) 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.
- (b) 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.
- (c) Equipment used exclusively for the following:
  - (1) Packaging lubricants or greases.
  - (2) Filling drums, pails or other packaging containers with lubricating oils, waxes, and greases.
- (d) Cleaners and solvents characterized as follows:
  - (1) Having a vapor pressure equal to or less than 2 kPa; 15 mm Hg; or 0.3 psi measured at 38 degrees C (100°F) or;
  - (2) Having a vapor pressure equal to or less than 0.7 kPa; 5mm Hg; or 0.1 psi measured at 20°C (68°F); the use of which for all cleaners and solvents combined does not exceed 145 gallons per 12 months.
- (e) Closed loop heating and cooling systems.
- (f) Rolling oil recovery systems.
- (g) Any operation using aqueous solutions containing less than 1% by weight of VOCs, excluding HAPs.
- (h) Heat exchanger cleaning and repair.
- (i) On-site fire and emergency response training approved by the department.

### **Existing Approvals**

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

Exemption 089-10790-00375 issued on June 11, 1999.

All conditions from previous approvals were incorporated into this Part 70 permit except the following:

- (a) Exemption 089-10790-00375, issued on June 11, 1999

Condition 1: Pursuant to 326 IAC 8-4-2 (Petroleum Refineries), the tanks shall be equipped with lids or seals such that the lids or seals are in the closed position at all times except when in actual use.

Reason not incorporated: Although Oil Technology is located in Lake County, the tanks do not meet the applicability requirements of any of the 8-4 rules. The capacity of the vessel is less than 39,000 gallons and the true vapor pressure of the volatile organic compound is below 1.52psi and it is a waste oil recycler. Oil Technology is not a petroleum refinery, petroleum liquid storage facility or gasoline terminal, plant, dispensing facility or transport. Therefore, the requirements of 326 IAC 8-4 (Petroleum Sources) do not apply.

- (b) Condition 2: Pursuant to 40 CFR 60, Subpart Kb, the Permittee shall equip each storage vessel with one of the following:

- (A) A closed vent system and control device as specified in 40 CFR 60.112b(a)(3).  
(B) A system equivalent to that described in paragraph (b)(1) as provided in 40 CFR 60.114b.

- (c) Condition 3: Pursuant to 40 CFR 60, Subpart Kb (60.116b), the Permittee shall keep the following records:

- (A) A copy of the operating plan.  
(B) A record of the measured values of the parameters monitored in accordance with 40 CFR 60.113b(c)(2)

Reason not incorporated: Conditions 2 and 3 were not applied correctly to this source.

Condition 2 does not apply because the storage vessel must have a design capacity greater than or equal to 151 m<sup>3</sup> (39,864 gallons) containing a VOL that, as stored, has a maximum true vapor pressure equal to or greater than 5.2 kPa but less than 76.6 kPa or with a design capacity greater than or equal to 75 m<sup>3</sup> (19,813 gallons), but less than 151 m<sup>3</sup> containing a VOL that, as stored, has a maximum true vapor pressure equal to or greater than 27.6 kPa but less than 76.6 kPa. The storage tank has a capacity of 20,000 gallons, but the true vapor pressure is less 27.6 kPa.

Condition 3 does not apply to the four (4) processing tanks. The four (4) processing tanks are not subject to the requirements of the New Source Performance Standard, 326 IAC 12, (40 CFR 60.110b, Subpart Kb) because the tanks are processing tanks and not storage as required by the rule.

### **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 December 12, 1996

A notice of completeness letter was mailed to the source on July 2, 1997.

**Potential To Emit-ISG Indiana Harbor Inc. and Oil Technology, Inc.**

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.”.

This table reflects the PTE before controls. Control equipment is not considered federally enforceable until it has been required in a federally enforceable permit.

Pollutant	Potential To Emit (tons/year)
PM	greater than 100
PM-10	greater than 100
SO <sub>2</sub>	greater than 100
VOC	greater than 25
CO	greater than 100
NO <sub>x</sub>	greater than 100
Total HAPs	greater than 25

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

- (a) The potential to emit (as defined in 326 IAC 2-1.1-1(16)) of PM<sub>10</sub>, SO<sub>2</sub>, CO and NO<sub>x</sub> are equal to or greater than 100 tons per year and the potential to emit (as defined in 326 IAC 2-1.1-1(16)) of VOC is equal to or greater than 25 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 emissions are counted toward determination of PSD and Emission Offset applicability.

**Actual Emissions-Oil Technology, Inc.**

The following table shows the actual emissions from Oil Technology, Inc. This information reflects the 2001 OAQ emission data.

Pollutant	Actual Emissions (tons/year)
PM	less than 100
PM-10	less than 100
SO <sub>2</sub>	less than 100
VOC	1.6
CO	less than 100
NO <sub>x</sub>	less than 100
HAP	less than 10

### County Attainment Status

The source is located in Lake County.

Pollutant	Status
PM-10	Moderate nonattainment*
SO <sub>2</sub>	Marginal Nonattainment
NO <sub>2</sub>	Attainment
Ozone	Severe Nonattainment
CO	Attainment
Lead	Attainment or unclassifiable

\*Lake County has been federally redesignated in 40 CFR 81.315 as attainment for PM10. The Air Pollution Control Board will be making the same redesignation in state rules.

- (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. Lake County has been designated as nonattainment for ozone. Therefore, VOC emissions were reviewed pursuant to the requirements for Emission Offset, 326 IAC 2-3.
- (b) Lake County has been classified as nonattainment for PM10 (see table above) and SO<sub>2</sub>. Therefore, these emissions were reviewed pursuant to the requirements for Emission Offset, 326 IAC 2-3.
- (c) Lake County has been classified as attainment or unclassifiable for all other pollutants. Therefore, these emissions were reviewed pursuant to the requirements for Prevention of Significant Deterioration (PSD), 326 IAC 2-2.
- (d) Fugitive Emissions  
Since this type of operation is one of the twenty-eight (28) listed source categories under 326 IAC 2-2, the fugitive emissions are counted toward determination of PSD and Emission Offset applicability.

### 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

- (a) The four (4) processing tanks are not subject to the requirements of the New Source Performance Standard, 326 IAC 12, (40 CFR 60.110b, Subpart Kb) because the tanks are processing tanks and not storage as required by the rule. Therefore, the requirements of 40 CFR 60.110b, Subpart Kb, are not applicable.

- (b) The storage tank is subject to 40 CFR Part 60, Subpart Kb because the maximum capacity of the tank is greater than 40 m<sup>3</sup> and is used to store volatile organic liquids for which construction, reconstruction, or modification commenced after July 23, 1984. Pursuant to this rule, the Permittee must maintain records as required by 40 CFR 60.116b(a) and 60.116b(b).

The storage tank is exempt from the General Provisions (Part 60, Subpart A) and from the provisions of subpart Kb, except as specified in 40 CFR 60.116b(a) and 60.116b(b), because the tank has a capacity less than 75 m<sup>3</sup> storing liquid.

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

### **State Rule Applicability - Entire Source**

#### 326 IAC 2-2 (PSD) and 326 IAC 2-3 (Emission Offset)

This source is a major stationary source because a regulated pollutant is emitted at a rate of 100 tons per year or more, and it is one of the 28 listed source categories.

#### 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 (Lake County) of PM<sub>10</sub>. 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 April 15 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 5-1 (Opacity Limitations)

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 twenty percent (20%) 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.

#### 326 IAC 6-1-2 (Nonattainment Area Particulate Limitations)

The facilities listed in this permit are subject to 6-1-2 because the source is located in a nonattainment area for particulate matter and PTE of PM is greater than 100 tpy. The facilities shall not discharge to the atmosphere any gases which contain particulate matter in excess of 0.03 grains per dry standard cubic foot.

### **State Rule Applicability - Individual Facilities**

#### 326 IAC 6-1-10.1 (Lake County PM<sub>10</sub> Emission Requirements)

There are no specific emissions limitations established in 326 IAC 6-1-10.1 for the facilities in this permit. Therefore, the requirements of 326 IAC 6-1-10.1 do not apply to these facilities.

#### 326 IAC 6-1-11.1 (Lake County Fugitive Particulate Matter Control Requirements)

Pursuant to 326 IAC 6-1-11.1 (Lake County Fugitive Particulate Matter Control Requirements), the particulate matter emissions from the new emission unit stacks and fugitive sources shall not exceed the following limitations:

- (a) The average instantaneous opacity of fugitive particulate emissions from a paved road shall not exceed ten percent (10%).
- (b) The average instantaneous opacity of fugitive particulate emissions from an unpaved road shall not exceed ten percent (10%).
- (c) The average instantaneous opacity of fugitive particulate emissions from batch transfer shall not exceed ten percent (10%).
- (d) The opacity of fugitive particulate emissions from continuous transfer of material onto and out of storage piles shall not exceed ten percent (10%) on a three (3) minute average.
- (e) The opacity of fugitive particulate emissions from storage piles shall not exceed ten percent (10%) on a six (6) minute average.
- (f) There shall be a zero percent (0%) frequency of visible emission observations of a material during the in plant transportation of material by truck or rail at any time.
- (g) The opacity of fugitive particulate emissions from the inplant transportation of material by front end loaders and skip hoists shall not exceed ten percent (10%).
- (h) There shall be a zero percent (0%) frequency of visible emission observations from a building enclosing all or part of the material processing equipment, except from a vent in the building.
- (i) The PM<sub>10</sub> emissions from building vents shall not exceed twenty-two thousandths (0.022) grains per dry standard cubic foot and ten percent (10%) opacity.
- (j) The opacity of particulate emissions from dust handling equipment shall not exceed ten percent (10%).
- (k) Any facility or operation not specified in 326 IAC 6-1-11.1(d) shall meet a twenty percent (20%), three (3) minute opacity standard.
- (l) PM<sub>10</sub> emissions from each material processing stack shall not exceed 0.022 grains per dry standard cubic foot and ten percent (10%) opacity.
- (m) Fugitive particulate matter from the material processing facilities shall not exceed ten percent (10%) opacity.

Material processing facilities include crushers, screens, grinders, mixers, dryers, belt conveyors, bucket elevators, bagging operations, storage bins, and truck or railroad car loading stations.

The Permittee shall achieve these limits by controlling fugitive particulate matter emissions according to the Permittee's Continuous Compliance Plan (CCP). The CCP shall be updated to include all new equipment and control strategies within the date of initial start-up.

The Permittee shall achieve these limits by controlling fugitive particulate matter emissions according to the Fugitive Dust Control Plan, submitted on December 12, 1996.

#### 326 IAC 6-1-11.2 (Lake County Particulate Matter Contingency Measures)

The source is subject to 326 IAC 6-1-11.2 because it is subject to the requirements of 326 IAC 6-1-11.1 and 326 IAC 6-1-10.1(d). Pursuant to this rule, the source shall comply with parts (h), (i), (k), (l), (m), (o), (p) and (q) of this rule.

#### 326 IAC 6-3 (Particulate Emissions Limitations for Process Operations)

The source is not subject to the requirements of 326 IAC 6-3 because the source is subject to the

requirements of 326 IAC 6-1 (Nonattainment Particulate Emission Limitations). Pursuant to the applicability requirements (326 IAC 6-3-1(b)), if any limitation established by this rule is inconsistent with applicable limitations contained in 326 IAC 6-1 (Nonattainment Particulate Emission Limitations) or 326 IAC 12 (New Source Performance Standards), then the limitations contained in 326 IAC 6-1 or 326 IAC 12 prevail.

**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 8-1-6 (BACT)**

Potential emissions from each of the processing tanks are below 25 tons per year. Therefore, the requirements of 326 IAC 8-1-6 (BACT) do not apply.

**326 IAC 8-4 (Petroleum Sources)**

Although Oil Technology is located in Lake County, the tanks do not meet the applicability requirements of any of the 8-4 rules. The capacity of the vessel is less than 39,000 gallons and the true vapor pressure of the volatile organic compound is below 1.52psi and it is a waste oil recycler. Oil Technology is not a petroleum refinery, petroleum liquid storage facility or gasoline terminal, plant, dispensing facility or transport. Therefore, the requirements of 326 IAC 8-4 (Petroleum Sources) do not apply.

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

326 IAC 8-9-1 does not apply to the four (4) used oil processing tanks, it is only applicable to storage vessels. Because 40 CFR Part 60 Subpart Kb applies to the 20, 000 gallon storage tank, 326 IAC 8-9-1 does not apply.

## **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 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 is as follows:

There are no compliance monitoring conditions applicable to the facility. There are recordkeeping requirements only.

## **Conclusion**

The operation of this used oil recycling facility shall be subject to the conditions of the attached proposed Part 70 Permit No. T089-7517-00375.