



*Mitchell E. Daniels, Jr.*  
Governor

*Thomas W. Easterly*  
Commissioner

100 North Senate Avenue  
Indianapolis, Indiana 46204  
(317) 232-8603  
(800) 451-6027  
www.IN.gov/idem

TO: Interested Parties / Applicant

DATE: February 15, 2005

RE: Magnetics International, Inc. / 127-7555-00039

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

**Magnetics International, Inc.  
1111 North State Road 149  
Burns Harbor, Indiana 46304**

(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.: T127-7555-00039	
Issued by: Original Signed by Paul Dubenetzky, Branch Chief Office of Air Quality	Issuance Date: February 15, 2005  Expiration Date: February 15, 2010

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

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

The Permittee owns and operates an iron oxide and hydrochloric acid production facility.

Responsible Official:	Mike Sieckmann, Vice President
Source Address:	1111 North State Road 149, Burns Harbor, IN 46304
Mailing Address:	1111 North State Road 149, Burns Harbor, IN 46304
General Source Phone Number:	(219) 763-1199
SIC Code:	2819
County Location:	Porter
Source Location Status:	Nonattainment for 1-hour ozone and 8-hour ozone standard Unclassifiable for PM10 and SO2 Attainment for all other criteria pollutants
Source Status:	Part 70 Permit Program Minor Source, under PSD Major Source, Section 112 of the Clean Air Act

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

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

- (a) Two (2) Process Lines, installed in 1990 consisting of:
  - (1) Roaster A-an iron oxide and hydrochloric acid production system with a maximum processing rate of 12 tons per hour of ferrous chloride solution. This system consists of one (1) natural gas-fired spray roaster, identified as R-1, utilizing tangential firing and four (4) low-NO<sub>x</sub> burners rated at 7.5 MMBtu/hr each, with a maximum heat input rate of 30 MMBtu/hr total; particulate emissions are controlled by one (1) venturi separator; and HCl emissions are controlled by one (1) absorber and two (2) scrubbers in series. This system exhausts through the stack identified as S-1.
  - (2) Roaster B- an iron oxide and hydrochloric acid production system with a maximum processing rate of 12 tons per hour of ferrous chloride solution. This system consists of one (1) natural gas-fired spray roaster, identified as R-1, utilizing tangential firing and four (4) low-NO<sub>x</sub> burners rated at 7.5 MMBtu/hr each, with a maximum heat input rate of 30 MMBtu/hr total; particulate emissions are controlled by one (1) venturi separator; and HCl emissions are controlled by one (1) absorber and two (2) scrubbers in series. This system exhausts through the stack identified as S-2.
- (b) Two (2) iron oxide storage bins, identified as Bin A and Bin B, each with a storage capacity of 100 tons. Each bin is equipped with a baghouse to capture dust and exhaust through stacks 4 and 5 respectively.
- (c) One (1) tank farm identified as T-6, consisting of sixteen (16) storage tanks. Tanks No. 1-12 each have a capacity of 30,000 gallons and are used to store either ferrous chloride waste or hydrochloric acid. Tanks No. 13-16 each have a capacity of 33,000 gallons and

are used to store either ferrous chloride waste or hydrochloric acid. Each of these tanks are attached to a common vent header and fume scrubber to control vapor loss and exhausts through stack, identified as S-3.

- (d) One (1) loading and unloading station with emissions controlled by fume scrubber exhausting through stack, S-3
- (e) One (1) Enrichment Facility consisting of one (1) 4 MMBtu/hr natural gas boiler exhausting through stack EP001 and one (1) processing tank with emissions controlled by an acid fume scrubber and exhausts through stack EP002.

A.3 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).

A.4 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)]

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- (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 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: 219-757-0265

Northwest Regional Office Facsimile Number: 219-757-0267

- (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]**

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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.

- (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]**

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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]**

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

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

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

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

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

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

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

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

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

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

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

**SECTION C .....SOURCE OPERATION CONDITIONS**

Entire Source

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

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

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

**C.2 Opacity [326 IAC 5-1]**

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

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

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

The Permittee shall not open burn any material except as provided in 326 IAC 4-1-3, 326 IAC 4-1-4 or 326 IAC 4-1-6. The previous sentence notwithstanding, the Permittee may open burn in accordance with an open burning approval issued by the Commissioner under 326 IAC 4-1-4.1. 326 IAC 4-1-3 (a)(2)(A) and (B) are not federally enforceable.

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

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

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

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

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

notification.

- (4) Failure to take reasonable response steps shall be considered a deviation from the permit.
- (c) The Permittee is not required to take any further response steps for any of the following reasons:
- (1) A false reading occurs due to the malfunction of the monitoring equipment and prompt action was taken to correct the monitoring equipment.
  - (2) The Permittee has determined that the compliance monitoring parameters established in the permit conditions are technically inappropriate, has previously submitted a request for a minor permit modification to the permit, and such request has not been denied.
  - (3) An automatic measurement was taken when the process was not operating.
  - (4) The process has already returned or is returning to operating within "normal" parameters and no response steps are required.
- (d) When implementing reasonable steps in response to a compliance monitoring condition, if the Permittee determines that an exceedance of an emission limitation has occurred, the Permittee shall report such deviations pursuant to Section B-Deviations from Permit Requirements and Conditions.
- (e) The Permittee shall record all instances when, in accordance with Section D, response steps are taken. In the event of an emergency, the provisions of 326 IAC 2-7-16 (Emergency Provisions) requiring prompt corrective action to mitigate emissions shall prevail.
- (f) Except as otherwise provided by a rule or provided specifically in Section D, all monitoring as required in Section D shall be performed when the emission unit is operating, except for time necessary to perform quality assurance and maintenance activities.

C.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]**

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- (a) Pursuant to 326 IAC 2-6-3(a)(1), the Permittee shall submit by July 1 of each year an emission statement covering the previous calendar year. The emission statement shall contain, at a minimum, the information specified in 326 IAC 2-6-4(c) and shall meet the following requirements:
- (1) Indicate estimated actual emissions of all pollutants listed in 326 IAC 2-6-4(a);
  - (2) Indicate estimated actual emissions of regulated pollutants (as defined by 326 IAC 2-7-1(32)) ("Regulated pollutant which is used only for purposes of Section 19 of this rule") from the source, for purposes of 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]**

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- (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  
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)]:

- (a) Two (2) Process Lines, installed in 1990 consisting of:
  - (1) Roaster A-an iron oxide and hydrochloric acid production system with a maximum processing rate of 12 tons per hour of ferrous chloride solution. This system consists of one (1) natural gas-fired spray roaster, identified as R-1, utilizing tangential firing and four (4) low-NO<sub>x</sub> burners rated at 7.5 MMBtu/hr each, with a maximum heat input rate of 30 MMBtu/hr total; particulate emissions are controlled by one (1) venturi separator; and HCl emissions are controlled by one (1) absorber and two (2) scrubbers in series. This system exhausts through the stack identified as S-1.
  - (2) Roaster B- an iron oxide and hydrochloric acid production system with a maximum processing rate of 12 tons per hour of ferrous chloride solution. This system consists of one (1) natural gas-fired spray roaster, identified as R-1, utilizing tangential firing and four (4) low-NO<sub>x</sub> burners rated at 7.5 MMBtu/hr each, with a maximum heat input rate of 30 MMBtu/hr total; particulate emissions are controlled by one (1) venturi separator; and HCl emissions are controlled by one (1) absorber and two (2) scrubbers in series. This system exhausts through the stack identified as S-2.
- (b) Two (2) iron oxide storage bins, identified as Bin A and Bin B, each with a storage capacity of 100 tons. Each bin is equipped with a baghouse to capture dust and exhaust through stacks 4 and 5 respectively.
- (c) One (1) tank farm identified as T-6, consisting of sixteen (16) storage tanks. Tanks No. 1-12 each have a capacity of 30,000 gallons and are used to store either ferrous chloride waste or hydrochloric acid. Tanks No. 13-16 each have a capacity of 33,000 gallons and are used to store either ferrous chloride waste or hydrochloric acid. Each of these tanks are attached to a common vent header and fume scrubber to control vapor loss and exhausts through stack, identified as S-3.
- (d) One (1) loading and unloading station with emissions controlled by fume scrubber exhausting through stack, S-3
- (e) One (1) Enrichment Facility consisting of one (1) 4 MMBtu/hr natural gas boiler exhausting through stack EP001 and one (1) processing tank with emissions controlled by an acid fume scrubber and exhausts through stack EP002.

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

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

#### D.1.1 General Provisions Relating to HAPs [326 IAC 20-1-1][40 CFR 63, Subpart A]

The provisions of 40 CFR 63, Subpart A - General Provisions, which are incorporated as 326 IAC 20-1-1, apply to the emission units described in this section except when otherwise specified in 40 CFR 63, Subpart CCC.

#### D.1.2 National Emission Standards for Hazardous Air Pollutants for Steel Pickling - HCl Process Facilities and Hydrochloric Acid Regeneration Plants [40 CFR 63, Subpart CCC] [40 CFR 63.1157]

Pursuant to 40 CFR 63.1157(b), Subpart CCC, the hydrochloric acid regeneration plant shall comply with the following requirements:

The Permittee shall not cause or allow to be discharged into the atmosphere from the affected hydrochloric acid regeneration plant:

- (a) Any gases that contain HCl in a concentration in excess of 25 ppmv
- (b) Any gases that contain chlorine (Cl<sub>2</sub>) in a concentration in excess of either 6 ppmv or an

alternative source-specific maximum concentration. The source-specific maximum concentration standard shall be established according to 40 CFR 63.1161(c)(2).

#### D.1.3 NESHAP Operational and Equipment Standards [40 CFR 63.1159, Subpart CCC]

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Pursuant to 40 CFR 63.1159, Subpart CCC:

- (a) Hydrochloric acid regeneration plant. The Permittee of an affected plant must operate the affected plant at all times while in production mode in a manner that minimizes the proportion of excess air fed to the process and maximizes the process offgas temperature consistent with producing usable regenerated acid or iron oxide.
- (b) Hydrochloric acid storage vessels. The Permittee of an affected vessel shall provide and operate, except during loading and unloading of acid, a closed-vent system for each vessel. Loading and unloading shall be conducted either through enclosed lines or each point where the acid is exposed to the atmosphere shall be equipped with a local fume capture system, ventilated through an air pollution control device.

#### D.1.4 NESHAP Maintenance Requirements [40 CFR 63.1160, Subpart CCC]

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The Permittee shall comply with the operation and maintenance requirements of 40 CFR 63.6(e) (Subpart A, General Provisions). Pursuant to 40 CFR 63.1160, Subpart CCC, the Permittee shall prepare an operation and maintenance plan for each emission control device to be implemented no later than the compliance date. The Permittee shall submit an application for permit modification to incorporate the plan by reference into the Part 70 Permit. All such plans must be consistent with good maintenance practices and, for a scrubber emission control device, must at a minimum:

- (a) Require monitoring and recording the pressure drop across the scrubber once per shift while the scrubber is operating in order to identify changes that may indicate a need for maintenance;
- (b) Require the manufacturer's recommended maintenance at the recommended intervals on fresh solvent pumps, recirculating pumps, discharge pumps, and other liquid pumps, in addition to exhaust system and scrubber fans and motors associated with those pumps and fans;
- (c) Require cleaning of the scrubber internals and mist eliminators at intervals sufficient to prevent buildup of solids or other fouling;
- (d) Require an inspection of each scrubber at intervals of no less than 3 months with;
  - (1) Cleaning or replacement of any plugged spray nozzles or other liquid delivery devices;
  - (2) Repair or replacement of missing, misaligned, or damaged baffles, trays, or other internal components;
  - (3) Repair or replacement of droplet eliminator elements as needed;
  - (4) Repair or replacement of heat exchanger elements used to control the temperature of fluids entering or leaving the scrubber; and
  - (5) Adjustment of damper settings for consistency with the required air flow.
- (e) If the scrubber is not equipped with a viewport or access hatch allowing visual inspection, alternate means of inspection approved by the Administrator may be used.
- (f) The Permittee shall initiate procedures for corrective action within 1 working day of detection of an operating problem and complete all corrective actions as soon as practicable. Procedures to be initiated are the applicable actions that are specified in the

maintenance plan. Failure to initiate or provide appropriate repair, replacement, or other corrective action is a violation of the maintenance requirement.

- (g) The Permittee shall maintain a record of each inspection, including each item identified in (d) above, that is signed by the responsible maintenance official and that shows the date of each inspection, the problem identified, a description of the repair, replacement, or other corrective action taken, and the date of the repair, replacement, or other corrective action taken.

#### D.1.5 Particulate Matter (PM) and Hydrochloric Acid (HCl) [326 IAC 2-1.1-2]

Pursuant to construction permit PC (64) 1864, issued on July 2, 1990, the magnetic powder production facility shall be limited to the following:

- (a) each roaster shall be fired by natural gas fired burners rated at 30 MMBtu/hr heat input.
- (b) each roaster exhaust stack shall be limited to less than 3.09 lbs/hr of PM emissions.
- (c) combined processing capacity of waste pickle through both process trains shall not exceed 39,945,600 gallons per year. (This number is based on the plant design capacity of 76 gpm with a 24% iron chloride content).
- (d) each iron oxide storage bin shall be limited to 0.07 lb/hr of PM emissions

#### D.1.6 Particulate Matter (PM) [326 IAC 6-3-2]

Pursuant to 326 IAC 6-3-2 the particulate matter (PM) from the magnetic powder production facility shall be limited by the following:

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

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

- (a) At a process weight rate of 12 tons per hour for Roaster A Process Line, the allowable PM emission rate shall not exceed 21.7 lb/hr.
- (b) At a process weight rate of 12 tons per hour for Roaster B Process Line the allowable PM emission rate shall not exceed 21.7 lb/hr.
- (c) At a process weight rate of 1.8 tons per hour for each storage bin, the allowable PM emission rate shall not exceed 6.03 lb/hr.
- (d) At a process weight rate of 4.54 tons per hour for the Enrichment Facility, the allowable PM emission rate shall not exceed 11.3 lb/hr.

#### D.1.7 Visible Emission Limits

Pursuant to construction permit PC (64) 1864, issued on July 2, 1990, visible emissions from any stack, other process exhaust, building roof monitor, building opening or material handling operation due to the operation of the magnetic powder production facility shall not exceed five percent (5%) opacity, as determined by 40 CFR 60 appendix A, Method 9 and 326 IAC 5-1.

#### D.1.8 Compliance and Enforcement [326 IAC 2-7-6(3)][326 IAC 2-7-15]

- (a) Pursuant to 40 CFR 63.1157(b)(1), the Permittee shall not cause or allow to be discharged in the atmosphere from the affected hydrochloric acid regeneration plant, any gases that contain HCl in a concentration in excess of 25 ppmv. The IDEM has information that indicates that the Permittee is not in compliance with this applicable requirement.

- (b) Pursuant to 40 CFR 63.1157(b)(2), the Permittee shall not cause or allow to be discharged in the atmosphere from the affected hydrochloric acid regeneration plant, any gases that contain chlorine in a concentration in excess of 6 ppmv. The IDEM has information that indicates that the Permittee is not in compliance with this applicable requirement.

The IDEM OAQ will promptly reopen this permit using the provisions of 326 IAC 2-7-9 (Permit Reopening) to include detailed requirements necessary to comply with 40 CFR 63.1157(b)(1) and 40 CFR 63.1157(b)(2) and a schedule for achieving compliance with such requirements.

#### D.1.9 Preventive Maintenance Plan [326 IAC 2-7-5(13)]

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

### **Compliance Determination Requirements**

#### D.1.10 Testing Requirements [40 CFR 63.1161, Subpart CCC]

- (a) Within twelve (12) months of the latest performance test, the Permittee shall conduct a performance test for each affected process or control device to determine and demonstrate compliance with the applicable emission limitation according to the requirements of 40 CFR Part 63.7 (Subpart A, General Provisions). Pursuant to 40 CFR Part 63.1161, Subpart CCC, this performance test shall meet the following minimum requirements:
- (1) Following approval of the site-specific test plan, the Permittee shall conduct a performance test to measure the concentration of HCl and Cl<sub>2</sub> for hydrochloric acid regeneration plants in gases exiting the process or the emission control device to determine compliance with the applicable emission concentration standards.
  - (2) Compliance with the applicable concentration standard shall be determined by the average of three consecutive runs or by the average of any three of four consecutive runs. Each run shall be conducted under conditions representative of normal process operations.
  - (3) Compliance is achieved if the average measured concentration of HCl and Cl<sub>2</sub> exiting the process or the emission control device is less than or equal to the applicable emission concentration standard.
- (b) Establishment of hydrochloric acid regeneration plant operating parameters.
- (1) During the performance test for hydrochloric acid regeneration plants, the owner or operator shall establish site-specific operating parameter values for the minimum process offgas temperature and the maximum proportion of excess air fed to the process as described in 40 CFR 63.1162(b)(1). During the emission test, each operating parameter must be monitored and recorded with sufficient frequency to establish a representative average value for that parameter, but no less frequently than once every 15 minutes for parameters that are monitored continuously. Amount of iron in the spent pickle liquor shall be determined for each run by sampling the liquor every 15 minutes and analyzing a composite of the samples. The owner or operator shall determine the compliant monitoring values as the averages of the values recorded during any of the runs for which results are used to establish the emission concentration 40 CFR 63.1161(a)(2). An owner or operator may conduct multiple performance tests to establish alternative compliant operating parameter values. Also, an owner or operator may reestablish compliant operating parameter values as part of any performance test that is conducted subsequent to the initial test or tests.
  - (2) During this performance test, the owner or operator of an existing affected plant may establish an alternative concentration standard if the owner or operator can demonstrate to the Administrator's satisfaction that the plant cannot meet a

concentration limitation for  $\text{Cl}_2$  of 6 ppmv when operated within its design parameters. The alternative concentration standard shall be established through performance testing while the plant is operated at maximum design temperature and with the minimum proportion of excess air that allows production of iron oxide of acceptable quality while measuring the  $\text{Cl}_2$  concentration in the process exhaust gas. The measured concentration shall be the concentration standard for that plant.

- (c) Performance tests shall be conducted annually or according to an alternative schedule approved by IDEM, OAQ. If any performance test shows that the HCl emission limitation is being exceeded, the Permittee is in violation of the emission limit.
- (d) Pursuant to 40 CFR 63.1163(d), the Permittee of an affected source shall notify IDEM, OAQ in writing of his or her intention to conduct a performance test at least 60 calendar days before the performance test is scheduled to begin, to allow IDEM, OAQ to review and approve the site-specific test plan required under 40 CFR 63.7(c), and, if requested by IDEM, OAQ, to have an observer present during the test.
- (e) The following test methods from Appendix A of 40 CFR 60 shall be used to determine compliance under 40 CFR 63.1157(b);
  - (1) Method 1, to determine the number and location of sampling points, with the exception that no sampling traverse point shall be within one inch of the stack or duct wall;
  - (2) Method 2, to determine gas velocity and volumetric flow rate;
  - (3) Method 3, to determine the molecular weight of the stack gas;
  - (4) Method 4, to determine the moisture content of the stack gas; and
  - (5) Method 26A, "Determination of Hydrogen Halide and Halogen Emissions from Stationary Sources B Isokinetic Method," to determine the HCl mass flows at the inlet and outlet of a control device or the concentration of HCl discharged to the atmosphere. If compliance with a collection efficiency standard is being demonstrated, inlet and outlet measurements shall be performed simultaneously. The minimum sampling time for each run shall be 60 minutes and the minimum sample volume 0.85 dry standard cubic meters (dscm) [30 dry standard cubic feet (dscf)]. The concentration of HCl shall be calculated for each run as follows:  $C_{\text{HCl(ppmv)}} = 0.659 C_{\text{HCl(mg/dscm)}}$ , where  $C_{\text{(ppmv)}}$  is concentration in ppmv and  $C_{\text{(mg/dscm)}}$  is concentration in milligrams per dry standard cubic meter as calculated by the procedure given in Method 26A.
  - (6) The Permittee may use equivalent alternative measurement methods approved by U.S. EPA.

#### D.1.11 Particulate and HCl Control

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- (a) In order to comply with D.1.2, D.1.3, D.1.5 and D.1.6, the scrubbers and baghouses shall be in operation at all times the iron oxide and hydrochloric acid regeneration and recovery plant is in operation.
- (b) Pursuant to Amendment 127-4871 issued on October 6, 1995, the vents from pickle liquor and HCl tanks and vents on tank trucks loaded at the facility shall be directed through a scrubber at all times when the facility is operating.

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

### **D.1.12 Monitoring Requirements [40 CFR 63.1162]**

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- (a) The Permittee of a new, reconstructed, or existing acid regeneration plant shall:
- (1) Install, operate and maintain systems for the measurement and recording of the scrubber makeup water flow rate and, if required, recirculation water flow rate. These flow rates must be monitored continuously and recorded at least once per shift while the scrubber is operating. Operation of the wet scrubber with excursions of scrubber makeup water flow rate and recirculation water flow rate less than the minimum values established during the performance test or tests will require initiation of corrective action as specified by the maintenance requirements in 40 CFR 63.1160(b)(2).
  - (2) Failure to record each of the operating parameters in 40 CFR 63.1162(a)(2) is a violation of the monitoring requirements of 40 CFR 63, Subpart CCC.
  - (3) Each monitoring device shall be certified by the manufacturer to be accurate to within 5 percent and shall be calibrated in accordance with the manufacturer's instructions but not less frequently than once per year.
  - (4) The Permittee may develop and implement alternative monitoring requirements subject to approval by the U.S. EPA.
- (b) The Permittee shall install, operate, and maintain systems for the measurement and recording of the:
- (1) Process offgas temperature, which shall be monitored continuously and recorded at least once every shift while the facility is operating in production mode; and
  - (2) Parameters from which proportion of excess air is determined. Proportion of excess air shall be determined by a combination of total air flow rate, fuel flow rate, spent pickle liquor addition rate, and amount of iron in the spent pickle liquor, or by any other combination of parameters approved by the Administrator in accordance with 40 CFR 63.8(f) of subpart A of this part. Proportion of excess air shall be determined and recorded at least once every shift while the plant is operating in production mode.
  - (3) Each monitoring device must be certified by the manufacturer to be accurate to within 5 percent and must be calibrated in accordance with the manufacturer's instructions but not less frequently than once per year.
  - (4) Operation of the plant with the process offgas temperature lower than the value established during performance testing or with the proportion of excess air greater than the value established during performance testing is a violation of the operational standard specified in 40 CFR 63.1159(a) of this subpart.
- (c) Pursuant to 40 CFR 63.1162, the Permittee shall inspect each hydrochloric acid storage vessel semiannually to determine that the closed-vent system and either the air pollution control device or the enclosed loading and unloading line, whichever is applicable, are installed and operating when required.

### **D.1.13 Visible Emissions Notations [326 IAC 2-7-6(1)][326 IAC 2-7-5(1)]**

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- (a) Visible emission notations of the exhausts from the Roaster A (1), Roaster B (2), iron oxide storage bins baghouses (4 and 5) and loading and unloading station shall be performed once per shift during normal daylight operations. A trained employee shall record whether emissions are normal or abnormal.

- (b) For processes operated continuously, "normal" means those conditions prevailing, or expected to prevail, eighty percent (80%) of the time the process is in operation, not counting startup or shut down time.
- (c) In the case of batch or discontinuous operations, readings shall be taken during that part of the operation that would normally be expected to cause the greatest emissions.
- (d) A trained employee is an employee who has worked at the plant at least one (1) month and has been trained in the appearance and characteristics of normal visible emissions for that specific process.
- (e) The Compliance Response Plan for this unit shall contain troubleshooting contingency and response steps for when an abnormal emission is observed. Failure to take response steps in accordance with Section C - Compliance Response Plan - Preparation, Implementation, Records, and Reports, shall be considered a violation of this permit

D.1.14 Baghouse Parametric Monitoring [326 IAC 2-7-6(1)][326 IAC 2-7-5(1)]

The Permittee shall record the total static pressure drop across the baghouses used in conjunction with the iron oxide storage bins, at least once per shift when the iron oxide storage bins are in operation when venting to the atmosphere. When for any one reading, the pressure drop across the baghouse is outside the normal range of 2.0 to 10.0 inches of water or a range established during the latest stack test, the Permittee shall take reasonable response steps in accordance with Section C- Compliance Response Plan - Preparation, Implementation, Records, and Reports. A pressure reading that is outside the above-mentioned range is not a deviation from this permit. Failure to take response steps in accordance with Section C - Compliance Response Plan - Preparation, Implementation, Records, and Reports, shall be considered a violation of this permit.

The instrument used for determining the pressure drop shall comply with Section C - Pressure Gauge and Other Instrument Specifications, of this permit, shall be subject to approval by IDEM, OAQ, and shall be calibrated at least once every six (6) months.

D.1.15 Baghouse Inspections [326 IAC 2-7-6(1)][326 IAC 2-7-5(1)]

An inspection shall be performed each calendar quarter of all bags controlling the iron oxide storage bins, when venting to the atmosphere. Inspections required by this condition shall not be performed in consecutive months. All defective bags shall be replaced.

D.1.16 Broken or Failed Bag Detection [326 IAC 2-7-6(1)][326 IAC 2-7-5(1)]

In the event that bag failure has been observed:

- (a) For multi-compartment units, the affected compartments will be shut down immediately until the failed units have been repaired or replaced. Within eight (8) business hours of the determination of failure, response steps according to the timetable described in the Compliance Response Plan shall be initiated. For any failure with corresponding response steps and timetable not described in the Compliance Response Plan, response steps shall be devised within eight (8) business hours of discovery of the failure and shall include a timetable for completion. Failure to take response steps in accordance with Section C - Compliance Response Plan - Preparation, Implementation, Records, and Reports, shall be considered a violation of this permit. If operations continue after bag failure is observed and it will be 10 days or more after the failure is observed before the failed units will be repaired or replaced, the Permittee shall promptly notify the IDEM, OAQ of the expected date the failed units will be repaired or replaced. The notification shall also include the status of the applicable compliance monitoring parameters with respect to normal, and the results of any response actions taken up to the time of notification.
- (b) For single compartment baghouses, if failure is indicated by a significant drop in the pressure readings with abnormal visible emissions or the failure is indicated by an opacity violation, or if bag failure is determined by other means, such as gas temperatures, flow

rates, air infiltration, leaks, dust traces or triboflows, then failed units and the associated process will be shut down immediately until the failed units have been repaired or replaced. Operations may continue only if the event qualifies as an emergency and the Permittee satisfies the requirements of the emergency provisions of this permit (Section B - Emergency Provisions).

**D.1.17 Scrubber Parametric Monitoring [326 IAC 2-7-6(1)][326 IAC 2-7-5(1)]**

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The Permittee shall record the total static pressure drop of the scrubber used in conjunction with the Tank Farm, at least once per shift when the storage tanks is in operation. When for any one reading, the pressure drop across the scrubber is outside the normal range of 15 to 30 inches of water or a range established during the latest stack test, the Permittee shall take reasonable response steps in accordance with Section C- Compliance Response Plan - Preparation, Implementation, Records, and Reports. A pressure drop reading that is outside the above mentioned range is not a deviation from this permit. Failure to take response steps in accordance with Section C - Compliance Response Plan – Preparation, Implementation, Records and Reports shall be considered a violation of this permit.

The instrument used for determining the pressure drop or flow rate shall comply with Section C - Pressure Gauge and other Instrument Specifications, of this permit, shall be subject to approval by IDEM, OAQ, and shall be calibrated at least once every six (6) months.

**D.1.18 Failure Detection [326 IAC 2-7-6(1)][326 IAC 2-7-5(1)]**

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In the event that a scrubber failure has been observed:

Failed units and the associated process will be shut down immediately until the failed units have been repaired or replaced. Operations may continue only if the event qualifies as an emergency and the Permittee satisfies the requirements of the emergency provisions of this permit (Section C - Emergency Provisions).

**D.1.19 Scrubber Inspections [326 IAC 2-7-6(1)][326 IAC 2-7-5(1)]**

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An inspection shall be performed each calendar quarter of the Tank Farm scrubber. Inspections required by this condition shall not be performed in consecutive months.

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

**D.1.20 Record Keeping Requirements**

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- (a) To document compliance with Conditions D.1.2 and D.1.3, the Permittee shall maintain the records pursuant to 40 CFR 63.1165:
  - (1) The Permittee, as required by 40 CFR 63.10(b)(2) (Subpart A, General Provisions), shall maintain general records – for 5 years from the date of each record of:
    - (A) The occurrence and duration of each startup, shutdown, or malfunction of operation;
    - (B) The occurrence and duration of each malfunction of the air pollution control equipment;
    - (C) All maintenance performed on the air pollution control equipment;
    - (D) Actions taken during periods of startup, shutdown, and malfunction and the dates of such actions when these actions are different from the procedures specified in the startup, shutdown, and malfunction plan;
    - (E) All information necessary to demonstrate conformance with the startup shutdown, and malfunction plan when all actions taken during periods of startup, shutdown, and malfunction (including corrective actions to restore

malfunctioning process and air pollution control equipment to its normal or usual manner of operation) are consistent with the procedures specified in such plan. This information can be recorded in a checklist or similar form (see 40 CFR 63.10(b)(2)(v))

- (F) All required measurements needed to demonstrate compliance with the standard and to support data that the source is required to report, including but not limited to, performance test measurements (including initial and any subsequent performance tests) and measurements as may be necessary to determine the conditions of the initial test or subsequent tests.
  - (G) All results of initial or subsequent performance tests;
  - (H) If the Permittee has been granted a waiver from record keeping or reporting requirements under 40 CFR 63.10(f), any information demonstrating whether a source is meeting the requirements for a waiver of record keeping or reporting requirements;
  - (I) If the Permittee has been granted a waiver from the initial performance test under 40 CFR 63.7(h), a copy of the full request and approval;
  - (J) All documentation supporting initial notifications and notifications of compliance status required by 40 CFR 63.9; and
  - (K) Records of any applicability determination, including supporting analyses.
- (2) In addition to the general records required by 40 CFR 63.1165(a), the Permittee shall maintain records for 5 years from the date of each record of:
- (A) Scrubber makeup water flow rate and recirculation water flow rate if a wet scrubber is used;
  - (B) Calibration and manufacturer certification that monitoring devices are accurate to within 5 percent;
  - (C) Each maintenance inspection and repair, replacement, or other corrective action; and
  - (D) The Permittee shall keep the written operation and maintenance plan on record after it is developed to be made available for inspection, upon request, by the U.S. EPA or IDEM, OAQ for the life of the affected source or until the source is no longer subject to these provisions. In addition, if the operation and maintenance plan is revised, the Permittee shall keep previous (i.e., superseded) versions of the plan on record to be made available for inspection by the U.S. EPA or IDEM, OAQ for a period of 5 years after each revision to the plan.
- (b) General records and 40 CFR 63, Subpart CCC records, for the most recent 2 years of operation must be maintained on site for 2 years. Records for the 3 previous years may be maintained off site.
  - (c) To document compliance with Condition D.1.13, the Permittee shall maintain records of visible emission notations of the iron oxide storage bins baghouses stack exhaust once per shift.
  - (d) To document compliance with Condition D.1.14, the Permittee shall maintain records once per shift of the total static pressure drop across the iron oxide storage bins baghouses during normal operation when venting to the atmosphere.

- (e) To document compliance with Condition D.1.17, the Permittee shall maintain records once per shift of the total static pressure drop of tank farm scrubber during normal operation when venting to the atmosphere.
- (f) To document compliance with Condition D.1.15 and D.1.19, the Permittee shall maintain records of the results of the inspections required under Condition D.1.15 and D.1.19.
- (g) All records shall be maintained in accordance with Section C - General Record Keeping Requirements, of this permit.

D.1.21 Reporting Requirements [40 CFR 63.1164]

- (a) As required by 40 CFR 63.10(d)(2), the Permittee of an affected source shall report the results of any performance test as part of the notification of compliance status required in 40 CFR 63.1163.
- (b) The Permittee of an affected source who is required to submit progress reports under 40 CFR 63.6(i), shall submit such reports to the IDEM, OAQ by the dates specified in the written extension of compliance. The notifications 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) Pursuant to 40 CFR 63.6(e), the Permittee of an affected source shall operate and maintain each affected emission source, including associated air pollution control equipment, in a manner consistent with good air pollution control practices for minimizing emissions at least to the level required by the standard at all time, including during any period of startup, shutdown, or malfunction. Malfunctions must be corrected as soon as practicable after their occurrence in accordance with the startup, shutdown, and malfunction plan.
  - (1) Pursuant to 40 CFR 63.6(e)(3), the Permittee shall develop and implement a written startup, shutdown, and malfunction plan that describes, in detail, procedures for operating and maintaining the source during periods of startup, shutdown, or malfunction, and a program of corrective action for malfunctioning process and air pollution control equipment used to comply with the relevant standard.
  - (2) Pursuant to 40 CFR 63.10(d)(5)(i) if actions taken by a Permittee during a startup, shutdown, or malfunction of an affected source (including actions taken to correct a malfunction) are consistent with the procedures specified in the startup, shutdown, and malfunction plan, the Permittee shall state such information in a semiannual report. The report, to be certified by the Permittee or other responsible official, shall be submitted semiannually and delivered or postmarked by the 30<sup>th</sup> day following the end of each calendar half; and
  - (3) Any time an action taken by a Permittee during a startup, shutdown, or malfunction (including actions taken to correct a malfunction) is not consistent with the procedures in the startup, shutdown, and malfunction plan, the Permittee shall comply with all requirements of 40 CFR 63.10(d)(5)(ii).
- (d) Reports shall be submitted in accordance with Section C - General Reporting Requirements of this permit. The report submitted by the Permittee does require the certification by the "responsible official" as defined by 326 IAC 2-7-1(34).

## INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT OFFICE OF AIR QUALITY

### PART 70 OPERATING PERMIT CERTIFICATION

Source Name: Magnetics International, Inc.  
Source Address: 1111 North State Road 149, Burns Harbor, Indiana 46304  
Mailing Address: 1111 North State Road 149, Burns Harbor, Indiana 46304  
Part 70 Permit No.: T127-7555-00039

**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: Magnetics International, Inc.  
Source Address: 1111 North State Road 149, Burns Harbor, Indiana 46304  
Mailing Address: 1111 North State Road 149, Burns Harbor, Indiana 46304  
Part 70 Permit No.: T127-7555-00039

**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>
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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:           Magnetics International, Inc.  
 Source Address:       1111 North State Road 149, Burns Harbor, Indiana 46304  
 Mailing Address:      1111 North State Road 149, Burns Harbor, Indiana 46304  
 Part 70 Permit No.:   T127-7555-00039

Months:      to              Year:   

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. A deviation required to be reported pursuant to an applicable requirement that exists independent of the permit, shall be reported according to the schedule stated in the applicable requirement and does not need to be included in this report. Additional pages may be attached if necessary. If no deviations occurred, please specify in the box marked "No deviations occurred this reporting period".	
<input checked="" type="checkbox"/> NO DEVIATIONS OCCURRED THIS REPORTING PERIOD.	
<input checked="" type="checkbox"/> THE FOLLOWING DEVIATIONS OCCURRED THIS REPORTING PERIOD	
<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>	
<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.

**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: Magnetics International, Inc.  
Source Location: 1111 North State Road 149, Burns Harbor, Indiana 46304  
County: Porter  
SIC Code: 2819  
Operation Permit No.: T127-7555-00039  
Permit Reviewer: Teresa Freeman

The Office of Air Quality (OAQ) has reviewed a Part 70 permit application from Magnetics International, Inc. relating to the operation of a magnetic powder production facility and hydrochloric acid regeneration and recovery plant.

**Permitted Emission Units and Pollution Control Equipment**

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

- (a) Two (2) Process Lines, installed in 1990 consisting of:
- (1) Roaster A-a hydrochloric acid recovery system with a maximum processing rate of 12 tons per hour of waste pickle liquor. This system consists of one (1) natural gas-fired spray roaster, identified as R-1, utilizing tangential firing and four (4) low-NO<sub>x</sub> burners rated at 7.5 MMBtu/hr each, with a maximum heat input rate of 30 MMBtu/hr total; particulate emissions are controlled by one (1) venturi separator; and one (1) absorber. HCl emissions are controlled by two (2) scrubbers in series. This system exhausts through a stack 1.
  - (2) Roaster B- a hydrochloric acid recovery system with a maximum processing rate of 12 tons per hour of waste pickle liquor. This system consists of one (1) natural gas-fired spray roaster, identified as R-2, utilizing tangential firing and four (4) low-NO<sub>x</sub> burners rated at 7.5 MMBtu/hr each, with a maximum heat input rate of 30 MMBtu/hr total; particulate emissions are controlled by one (1) venturi separator; and one (1) absorber. HCl emissions are controlled by two (2) scrubbers in series. This system exhausts through a stack 2.
- (b) Two (2) iron oxide storage bins, identified as Bin A and Bin B, each with a storage capacity of 200 tons, each bin is equipped with a baghouse to capture dust and exhaust through stacks 4 and 5 respectively, which are discharged back into the storage bins.
- (c) One (1) tank farm identified as T-6, consisting of sixteen (16) storage tanks. Tanks No. 1-12 each have a capacity of 30,000 gallons and are used to store either ferrous chloride waste or regenerated hydrochloric acid. Tanks No. 13-16 each have a capacity of 33,000 gallons and are used to store either ferrous chloride waste or regenerated hydrochloric acid. Each of these tanks are attached to a common vent header and fume scrubber to control vapor loss and exhausts through stack, identified as S-2.

- (d) One (1) loading and unloading station with emissions controlled by fume scrubber exhausting through stack, S-2
- (e) One (1) Enrichment Facility consisting of one (1) 4 MMBtu/hr natural gas boiler exhausting through stack EP001 and one (1) treatment tank with emissions controlled by an acid fume scrubber and exhausts through stack EP002.

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

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

### **Insignificant Activities**

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

### **Existing Approvals**

The source has constructed and has been operating under the following previous approvals:

- (a) Construction Permit (64) 1864 issued July 2, 1990
- (b) Construction Permit 127-3861-00039 issued September 23, 1994
- (c) Construction Permit 127-4871-00039 issued October 6, 1995
- (d) Construction Permit 127-6113-00039 issued March 17, 1997
- (e) Construction Permit 127-8596-00039 issued March 18, 1999

All terms and conditions of previous permits issued pursuant to permitting programs approved into the state implementation plan have been either incorporated as originally stated, revised, or deleted by this permit. All previous registrations and permits are superseded by this permit. All conditions from previous approvals were incorporated into this Part 70 permit except the following:

Construction Permit (64) 1864 issued July 2, 1990

Condition: #4c-each roaster exhaust shall be limited to 0.10 pounds per hour of HCl,

Reason not incorporated: This condition was established in Magnetic International's original construction permit under authority that is now found at 326 IAC 2-1.1-5(a) - "The commissioner shall not issue a...permit...if the commissioner determines that the terms and conditions of the...permit...: (4) are not protective of the public health."

At that time, there were no federal rules under the Clean Air Act or state air pollution control rules that regulated hydrochloric acid (HCl) emissions. In response to public concerns, the IDEM reviewed the manufacturer's specifications for Magnetics' equipment and existing information regarding the health effects of HCl exposure. Based on the limited information regarding the expected emissions from this equipment, the IDEM established an emission limit of 0.10 pounds of HCl per hour.

OSHA regulates air quality in the work place. While OSHA Permissible Exposure Levels (PEL) are established using different criteria than the U.S. EPA uses when establishing National Ambient Air Quality Standards, they are an indication of the health effects of HCl exposure. The OSHA eight-hour average PEL for HCl is 7000 micrograms per cubic meter. A computer-based air quality analysis indicated that this level of emissions would result in a maximum air quality impact of 0.224 micrograms per cubic meter on an eight-hour average or 0.003% per cent of the OSHA PEL. A maximum emission limit of 0.10 pounds of HCl per hour was included in the permit.

Magnetics has never been able to comply with this limit. During the time that Magnetics was investigating methods to reduce the HCl emissions, the U.S. EPA was compiling information to be used in establishing a National Emission Standard for Hazardous Air Pollutants that would apply to acid regeneration sources. That rule was published on September 18, 1997, as 40 CFR 63 Subpart CCC - Steel Pickling Facilities and Hydrochloric Acid Regeneration Plants. The rule applies to Magnetics and includes limits on HCl and chlorine emissions of 25 ppmv and 6 ppmv respectively. The rule also establishes monitoring, testing, and work practice requirements. These requirements are included in this permit.

The 25 ppmv emissions limitation will limit HCl emissions at Magnetics to less than 0.83 pounds per hour. An air quality analysis comparable to the one done to support the initial permit indicates a maximum air quality impact of 3.7 microgram per cubic meter or 0.05% of the OSHA PEL. Because the NESHAP will ensure the protection of public health, the original limit is obsolete and is not included in this permit.

### **Enforcement Issue**

The source has the following enforcement actions pending:

U.S. EPA has issued a Finding of Violation (FOV) on June 17, 2003, stating that Magnetics International, Inc. is violating the following:

- (a) On December 20, 2002, Magnetics emitted from its Acid Regeneration Unit B stack hydrochloric acid at a level of 53.8 ppmv. This is a violation of 40 CFR Part 63.1157(b)(1) which states that no owner or operator of an existing source shall discharge into the atmosphere any gases that contain HCl in a concentration greater than 25 ppmv.
- (b) On December 20, 2002, Magnetics emitted from its Acid Regeneration Unit B stack chlorine at an average level of 38.3 ppmv. This is a violation of 40 CFR Part 63.1157(b)(2) which states that no owner or operator of an existing source shall discharge into the atmosphere any gases that contain chlorine in a concentration greater than 6 ppmv.

Upon the conclusion of enforcement, IDEM may reopen this permit to include any requirements and compliance schedule developed in the resolution of the litigation.

### **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. Additional information was received on May 31, 2000, as an amendment to this Title V application. It was assigned as number T127-12333-00039 but has been combined with T127-7555-00039, as one (1) application.

A notice of completeness letter was mailed to the source on February 11, 1997, and all of the amendments from T127-12333-00039 were incorporated into T127-7555-00039.

### **Potential to Emit of the Source**

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>	less than 100
VOC	less than 25
CO	less than 100
NO <sub>x</sub>	less than 100

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

HAPs	Potential To Emit (tons/year)
HCl	greater than 10
Cl	greater than 10
TOTAL	greater than 25

- (a) The potential to emit (as defined in 326 IAC 2-1.1-1(16)) of PM10 is equal to or greater than 100 tons per year. Therefore, the source is subject to the provisions of 326 IAC 2-7.
- (b) The potential to emit (as defined in 326 IAC 2-7-1(29)) of any single HAP is equal to or greater than ten (10) tons per year and/or the potential to emit (as defined in 326 IAC 2-7-1(29)) of a combination of HAPs is equal to or greater than 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 not one of the twenty-eight (28) listed source categories under 326 IAC 2-2, the fugitive emissions are not counted toward determination of PSD and Emission Offset applicability.

**Actual Emissions**

The following table shows the actual emissions from the source. This information reflects the 2002 OAQ emission data.

Pollutant	Actual Emissions (tons/year)
PM	2.12
PM-10	2.12
SO <sub>2</sub>	0.08
VOC	0.72
CO	11.0
NO <sub>x</sub>	13.2
HCl	15.5
Chlorine	21.5

**County Attainment Status**

The source is located in Porter County.

Pollutant	Status
PM-10	unclassifiable
SO <sub>2</sub>	unclassifiable
NO <sub>2</sub>	attainment
1-hour Ozone	nonattainment
8-hour Ozone	nonattainment
CO	attainment
Lead	attainment

- (a) Volatile organic compounds (VOC) and Nitrogen Oxides (NOx) are precursors for the formation of ozone.
  - (1) On January 26, 1996 in 40 CFR 52.777(i), the U.S. EPA granted a waiver of the requirements of Section 182(f) of the CAA for Lake and Porter Counties, including the lower NOx threshold for nonattainment new source review. Therefore, VOC emissions alone are considered when evaluating the rule applicability relating to the 1-hour ozone standards. Porter County has been designated as nonattainment in Indiana for the 1-hour ozone standard. Therefore, VOC emissions were reviewed pursuant to the requirements for Emission Offset, 326 IAC 2-3. See the State Rule Applicability for the source section.
  - (2) VOC and NOx emissions are considered when evaluating the rule applicability relating to the 8-hour ozone standard. Porter County has been designated as nonattainment for the 8-hour ozone standard. Therefore, VOC and NOx emissions were reviewed pursuant to the requirements for nonattainment new source review.
- (b) Porter County has been classified as attainment or unclassifiable for PM10, SO2, CO and lead. Therefore, these emissions were reviewed pursuant to the requirements for Prevention of Significant Deterioration (PSD), 326 IAC 2-2.
- (c) Fugitive Emissions  
Since this type of operation is not one of the 28 listed source categories under 326 IAC 2-2, the fugitive emissions are not 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 assure that all reasonable information is provided to evaluate continuous compliance with the applicable requirements.

**Federal Rule Applicability**

- (a) There are no New Source Performance Standards (NSPS)(326 IAC 12 and 40 CFR Part 60) applicable to this source.
- (b) This source is subject to the requirements of the National Emission Standards for Hazardous Air Pollutants (NESHAPS), 40 CFR Part 63, Subpart CCC-Steel Pickling Facilities.

- (1) Pursuant to 40 CFR Part 63.1155(a)(2), Subpart CCC, the hydrochloric acid regeneration plant shall comply with the following requirements:

The Permittee shall not cause or allow to be discharged into the atmosphere from the affected hydrochloric acid regeneration plant:

- (A) Any gases that contain HCl in a concentration in excess of 25 ppmv
- (B) Any gases that contain chlorine (Cl<sub>2</sub>) in a concentration in excess of either 6 ppmv or an alternative source-specific maximum concentration. The source-specific maximum concentration standard shall be established according to 40 CFR Part 63.1161(c)(2).

- (2) Operational and equipment standards [40 CFR Part 63.63.1159, Subpart CCC]

- (A) Hydrochloric acid regeneration plant. The Permittee of an affected plant must operate the affected plant at all times while in production mode in a manner that minimizes the proportion of excess air fed to the process and maximizes the process offgas temperature consistent with producing usable regenerated acid or iron oxide.
- (B) Hydrochloric acid storage vessels. The Permittee of an affected vessel shall provide and operate, except during loading and unloading of acid, a closed-vent system for each vessel. Loading and unloading shall be conducted either through enclosed lines or each point where the acid is exposed to the atmosphere shall be equipped with a local fume capture system, ventilated through an air pollution control device.

- (3) The Permittee shall comply with the operation and maintenance requirements of 40 CFR Part 63.6(e) (Subpart A, General Provisions). Pursuant to 40 CFR Part 63.1160, Subpart CCC, the Permittee shall prepare an operation and maintenance plan for each emission control device to be implemented no later than the compliance date. The Permittee shall submit an application for permit modification to incorporate the plan by reference into the Part 70 Permit. All such plans must be consistent with good maintenance practices and, for a scrubber emission control device, must at a minimum:

- (A) Require monitoring and recording the pressure drop across the scrubber once per shift while the scrubber is operating in order to identify changes that may indicate a need for maintenance;
- (B) Require the manufacturer's recommended maintenance at the recommended intervals on fresh solvent pumps, recirculating pumps, discharge pumps, and other liquid pumps, in addition to exhaust system and scrubber fans and motors associated with those pumps and fans;
- (C) Require cleaning of the scrubber internals and mist eliminators at intervals sufficient to prevent buildup of solids or other fouling;
- (D) Require an inspection of each scrubber at intervals of no less than 3 months with;
  - (i) Cleaning or replacement of any plugged spray nozzles or other liquid delivery devices;
  - (ii) Repair or replacement of missing, misaligned, or damaged baffles, trays, or other internal components;

- (iii) Repair or replacement of droplet eliminator elements as needed;
  - (iv) Repair or replacement of heat exchanger elements used to control the temperature of fluids entering or leaving the scrubber; and
  - (v) Adjustment of damper settings for consistency with the required air flow.
- (E) If the scrubber is not equipped with a viewport or access hatch allowing visual inspection, alternate means of inspection approved by the Administrator may be used.
- (F) The Permittee shall initiate procedures for corrective action within 1 working day of detection of an operating problem and complete all corrective actions as soon as practicable. Procedures to be initiated are the applicable actions that are specified in the maintenance plan. Failure to initiate or provide appropriate repair, replacement, or other corrective action is a violation of the maintenance requirement.
- (G) The Permittee shall maintain a record of each inspection, including each item identified in (D) above, that is signed by the responsible maintenance official and that shows the date of each inspection, the problem identified, a description of the repair, replacement, or other corrective action taken, and the date of the repair, replacement, or other corrective action taken.

### **State Rule Applicability – Entire Source**

#### **326 IAC 1-6-3 (Preventive Maintenance Plan)**

The source has submitted a Preventive Maintenance Plan (PMP) on August 1, 2001. This PMP has been verified to fulfill the requirements of 326 IAC 1-6-3 (Preventive Maintenance Plan).

#### **326 IAC 1-5-2 (Emergency Reduction Plans)**

The source has submitted an Emergency Reduction Plan (ERP) on August 1, 2001. The ERP has been verified to fulfill the requirements of 326 IAC 1-5-2 (Emergency Reduction Plans).

#### **326 IAC 2-6 (Emission Reporting)**

Since this source is required to have an operating permit under 326 IAC 2-7, Part 70 Permit Program, this source is subject to 326 IAC 2-6 (Emission Reporting). In accordance with the compliance schedule in 326 IAC 2-6-3, an emission statement must be submitted triennially by July 1 beginning in 2004 and every 3 years after. This source which is located in Porter County also has the potential to emit greater than or equal to 25 tons of NO<sub>x</sub>; therefore, an emission statement covering the previous calendar year must be submitted by July 1 of any year that the source is not already required to submit a statement if the source emits NO<sub>x</sub> into the ambient air at levels equal to or greater than 25 tpy. The emission statement shall contain, at a minimum, the information specified in 326 IAC 2-6-4.

#### **326 IAC 5-1 (Opacity Limitations)**

(a) 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:

- (1) Opacity shall not exceed an average of forty percent (40%) any one (1) six (6) minute averaging period as determined in 326 IAC 5-1-4.
- (2) 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.

- (b) Pursuant to construction permit PC (64) 1864, issued on July 2, 1990, visible emissions from any stack, other process exhaust, building roof monitor, building opening or material handling operation due to the operation of the magnetic powder production facility shall not exceed 5 percent opacity, as determined by 40 CFR 60 appendix A, Method 9 and 326 IAC 5-1.

**326 IAC 6-4 (Fugitive Dust Emission Limitations)**

The source is subject to the requirements of 326 IAC 6-4 because this rule applies to all sources of fugitive dust. Pursuant to the applicability requirements (326 IAC 6-4-1), "fugitive dust" means the generation of particulate matter to the extent that some portion of the material escapes beyond the property line or boundaries of the property, right-of-way, or easement on which the source is located. The source shall be considered in violation of this rule if any of the criteria presented in 326 IAC 6-4 are violated.

**State Rule Applicability – Individual Facilities**

**326 IAC 2-1.1-2 Construction Permit**

Pursuant to construction permit PC (64) 1864, issued on July 2, 1990, the magnetic powder production facility shall be limited to the following:

- (a) each roaster shall be fired by natural gas fired burners rated at 30 MMBtu/hr heat input.
- (b) each roaster exhaust stack shall be limited to less than 3.09 lbs/hr of PM emissions.
- (c) combined processing capacity of waste pickle through both process trains shall not exceed 39,945,600 gallons per year. (This number is based on the plant design capacity of 76 gpm with a 24% iron chloride content).
- (d) each iron oxide storage bin shall be limited to 0.07 lb/hr of PM emissions

**326 IAC 6-3-2 (Process Operations)**

Pursuant to 326 IAC 6-3-2 the particulate matter (PM) from the magnetic powder production facility shall be limited by the following:

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

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

- (a) At a process weight rate of 12 tons per hour for Roaster A Process Line, the allowable PM emission rate shall not exceed 21.7 lb/hr.
- (b) At a process weight rate of 12 tons per hour for Roaster B Process Line the allowable PM emission rate shall not exceed 21.7 lb/hr.
- (c) At a process weight rate of 1.8 tons per hour for each storage bin, the allowable PM emission rate shall not exceed 6.03 lb/hr.
- (d) At a process weight rate of 4.54 tons per hour for the Enrichment Facility, the allowable PM emission rate shall not exceed 11.3 lb/hr.

The scrubbers and baghouses shall be in operation at all times the iron oxide and hydrochloric acid regeneration and recovery plant is in operation, in order to comply with this limit.

## Testing Requirements

- (a) Within six (6) months of issuance of this permit, the Permittee shall conduct a performance test for each affected process or control device to determine and demonstrate compliance with the applicable emission limitation according to the requirements of 40 CFR Part 63.7 (Subpart A, General Provisions). Pursuant to 40 CFR Part 63.1161, Subpart CCC, this initial performance test shall meet the following minimum requirements:
  - (1) Following approval of the site-specific test plan, the Permittee shall conduct a performance test to measure the concentration of HCl and Cl<sub>2</sub> for hydrochloric acid regeneration plants in gases exiting the process or the emission control device.
  - (2) Compliance with the applicable concentration standard shall be determined by the average of three consecutive runs or by the average of any three of four consecutive runs. Each run shall be conducted under conditions representative of normal process operations.
  - (3) Compliance is achieved if the average measured concentration of HCl and Cl<sub>2</sub> exiting the process or the emission control device is less than or equal to the applicable emission concentration standard.
- (b) Establishment of hydrochloric acid regeneration plant operating parameters.
  - (1) During the performance test for hydrochloric acid regeneration plants, the owner or operator shall establish site-specific operating parameter values for the minimum process offgas temperature and the maximum proportion of excess air fed to the process as described in 40 CFR Part 63.1162(b)(1). During the emission test, each operating parameter must be monitored and recorded with sufficient frequency to establish a representative average value for that parameter, but no less frequently than once every 15 minutes for parameters that are monitored continuously. Amount of iron in the spent pickle liquor shall be determined for each run by sampling the liquor every 15 minutes and analyzing a composite of the samples. The owner or operator shall determine the compliant monitoring values as the averages of the values recorded during any of the runs for which results are used to establish the emission concentration 40 CFR Part 63.1161(a)(2). An owner or operator may conduct multiple performance tests to establish alternative compliant operating parameter values. Also, an owner or operator may reestablish compliant operating parameter values as part of any performance test that is conducted subsequent to the initial test or tests.
  - (2) During this performance test, the owner or operator of an existing affected plant may establish an alternative concentration standard if the owner or operator can demonstrate to the Administrator's satisfaction that the plant cannot meet a concentration limitation for Cl<sub>2</sub> of 6 ppmv when operated within its design parameters. The alternative concentration standard shall be established through performance testing while the plant is operated at maximum design temperature and with the minimum proportion of excess air that allows production of iron oxide of acceptable quality while measuring the Cl<sub>2</sub> concentration in the process exhaust gas. The measured concentration shall be the concentration standard for that plant.
- (c) Performance tests shall be conducted annually or according to an alternative schedule approved by IDEM, OAQ. If any performance test shows that the HCl emission limitation is being exceeded, the Permittee is in violation of the emission limit.
- (d) Pursuant to 40 CFR Part 63.1163(d), the Permittee of an affected source shall notify IDEM, OAQ in writing of his or her intention to conduct a performance test at least 60 calendar

days before the performance test is scheduled to begin, to allow IDEM, OAQ to review and approve the site-specific test plan required under 40 CFR Part 63.7(c), and, if requested by IDEM, OAQ, to have an observer present during the test.

- (e) The following test methods from Appendix A of 40 CFR Part 60 shall be used to determine compliance under condition D.1.2 and D.1.3 of the permit, if required:
- (1) Method 1, to determine the number and location of sampling points, with the exception that no sampling traverse point shall be within one inch of the stack or duct wall;
  - (2) Method 2, to determine gas velocity and volumetric flow rate;
  - (3) Method 3, to determine the molecular weight of the stack gas;
  - (4) Method 4, to determine the moisture content of the stack gas; and
  - (5) Method 26A, "Determination of Hydrogen Halide and Halogen Emissions from Stationary Sources B Isokinetic Method," to determine the HCl mass flows at the inlet and outlet of a control device or the concentration of HCl discharged to the atmosphere. If compliance with a collection efficiency standard is being demonstrated, inlet and outlet measurements shall be performed simultaneously. The minimum sampling time for each run shall be 60 minutes and the minimum sample volume 0.85 dry standard cubic meters (dscm) [30 dry standard cubic feet (dscf)]. The concentration of HCl shall be calculated for each run as follows:  $C_{HCL(ppmv)} = 0.659 C_{HCL(mg/dscm)}$ , where  $C_{(ppmv)}$  is concentration in ppmv and  $C_{(mg/dscm)}$  is concentration in milligrams per dry standard cubic meter as calculated by the procedure given in Method 26A.
  - (6) The Permittee may use equivalent alternative measurement methods approved by U.S. EPA.

## Compliance Requirements

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

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

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

- (a) The iron oxide and hydrochloric acid regeneration and recovery plant has applicable compliance monitoring conditions as specified below:

The Permittee of an existing iron oxide and hydrochloric acid regeneration and recovery plant shall:

- (1) The Permittee shall install, operate and maintain systems for the measurement and recording of the scrubber makeup water flow rate and, if required, recirculation water flow rate. These flow rates must be monitored continuously and recorded at least once per shift while the scrubber is operating. Operation of the wet scrubber with excursions of scrubber makeup water flow rate and recirculation water flow rate less than the minimum values established during the performance test or tests will require initiation of corrective action as specified by the maintenance requirements in 40 CFR Part 63.1160(b)(2).
  - (2) Failure to record each of the operating parameters in (1) above is a violation of the monitoring requirements of 40 CFR Part 63, Subpart CCC.
  - (3) Each monitoring device shall be certified by the manufacturer to be accurate to within 5 percent and shall be calibrated in accordance with the manufacturer's instructions but not less frequently than once per year.
  - (4) The Permittee may develop and implement alternative monitoring requirements subject to approval by IDEM, OAQ.
- (b) The Permittee of an existing acid regeneration plant subject to this subpart shall also install, operate, and maintain systems for the measurement and recording of the:
- (1) Process offgas temperature, which shall be monitored continuously and recorded at least once every shift while the facility is operating in production mode; and
  - (2) Parameters from which proportion of excess air is determined. Proportion of excess air shall be determined by a combination of total air flow rate, fuel flow rate, spent pickle liquor addition rate, and amount of iron in the spent pickle liquor, or by any other combination of parameters approved by the Administrator in accordance with 40 CFR Part 63.8(f) of subpart A of this part. Proportion of excess air shall be determined and recorded at least once every shift while the plant is operating in production mode.
  - (3) Each monitoring device must be certified by the manufacturer to be accurate to within 5 percent and must be calibrated in accordance with the manufacturer's instructions but not less frequently than once per year.
  - (4) Operation of the plant with the process offgas temperature lower than the value established during performance testing or with the proportion of excess air greater than the value established during performance testing is a violation of the operational standard specified in 40 CFR Part 63.1159(a) of this subpart.
- (c) The Permittee of an affected hydrochloric acid storage vessel shall inspect each vessel semiannually to determine that the closed-vent system and either the air pollution control device or the enclosed loading and unloading line, whichever is applicable, are installed and operating when required.
- (d) Visible emission notations of the exhausts from the Roaster A (1), Roaster B (2), iron oxide storage bins baghouses (4 and 5) and loading and unloading station shall be performed once per shift during normal daylight operations. A trained employee shall record whether emissions are normal or abnormal. For processes operated continuously "normal" means those conditions prevailing, or expected to prevail, eighty percent (80%) of the time the process is in operation, not counting startup or shut down time. In the case of batch or discontinuous operations, readings shall be taken during that part of the operation that would normally be expected to cause the greatest emissions. A trained employee is an employee who has worked at the plant at least one (1) month and has been trained in the appearance and characteristics of normal visible emissions for that specific process. The

Compliance Response Plan for this unit shall contain troubleshooting contingency and response steps for when an abnormal emission is observed. Failure to take response steps in accordance with Section C - Compliance Response Plan - Preparation, Implementation, Records, and Reports, shall be considered a violation of this permit

- (e) The Permittee shall record the total static pressure drop across the baghouses used in conjunction with the iron oxide storage bins, at least once per shift when the iron oxide storage bins are in operation when venting to the atmosphere. When for any one reading, the pressure drop across the baghouse is outside the normal range of 3.0 and 8.0 inches of water or a range established during the latest stack test, the Permittee shall take reasonable response steps in accordance with Section C- Compliance Response Plan - Preparation, Implementation, Records, and Reports. A pressure reading that is outside the above mentioned range is not a deviation from this permit. Failure to take response steps in accordance with Section C - Compliance Response Plan - Preparation, Implementation, Records, and Reports, shall be considered a violation of this permit.
- (f) An inspection shall be performed each calendar quarter of all bags controlling the iron oxide storage bins, when venting to the atmosphere. A baghouse inspection shall be performed within three months of redirecting vents to the atmosphere and every three months thereafter. Inspections required by this condition shall not be performed in consecutive months. All defective bags shall be replaced.
- (g) The Permittee shall record the total static pressure drop and flow rate of the scrubber used in conjunction with the Tank Farm Scrubbers, at least once per shift when the storage tanks is in operation. When for any one reading, the pressure drop across the scrubber is outside the normal range of 15 to 30 inches of water or a range established during the latest stack test and the flow rate of the scrubber is below the minimum of 0.5 to 2.5 gallons per minute, or a minimum rate established during the latest stack test, the Permittee shall take reasonable response steps in accordance with Section C- Compliance Response Plan - Preparation, Implementation, Records, and Reports. A pressure drop or flow rate reading that is outside the above mentioned range is not a deviation from this permit. Failure to take response steps in accordance with Section C - Compliance Response Plan – Preparation, Implementation, Records and Reports shall be considered a violation of this permit.
- (h) An inspection shall be performed each calendar quarter of the Tank Farm scrubbers. Inspections required by this condition shall not be performed in consecutive months.

## Conclusion

The operation of this iron oxide and hydrochloric acid regeneration and recovery plant shall be subject to the conditions of the attached proposed Part 70 Permit No. T127-7555-00039.

# Indiana Department of Environmental Management Office of Air Quality

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

Source Name: Magnetics International, Inc.  
Source Location: Burns Harbor, IN 46368  
County: Porter  
SIC Code: 2819  
Operation Permit No.: T127-7555-00039  
Permit Reviewer: Teresa Freeman

On July 14, 2004, the Office of Air Quality (OAQ) had a notice published in The Chesterton Tribune in Chesterton, Indiana, stating that Magnetics International, Inc. had applied for a Part 70 Operating Permit to operate a magnetic powder production facility and hydrochloric acid regeneration and recovery plant. The notice also stated that OAQ proposed to issue a permit for this operation and provided information on how the public could review the proposed permit and other documentation. Finally, the notice informed interested parties that there was a period of thirty (30) days to provide comments on whether or not this permit should be issued as proposed.

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:

A change has been made to the Quarterly Deviation and Compliance Monitoring Report to clarify which deviations should be reported on the form and which should be reported per an applicable requirement as follows:

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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.~~ **A deviation required to be reported pursuant to an applicable requirement that exists independent of the permit, shall be reported according to the schedule stated in the applicable requirement and does not need to be included in this report.** Additional pages may be attached if necessary. If no deviations occurred, please specify in the box marked "No deviations occurred this reporting period".

### Change 2:

Conditions in Section D.1 have been revised to ensure that the permit conditions are consistent with the requirements of 40 CFR 63, Subpart CCC. Reports should be sent to IDEM OAQ. Also pursuant to 40 CFR 63.1166, IDEM does not have the authority for approval of alternate measurement methods or alternative monitoring requirements under this rule and those changes have been made to the Part 70 Permit. The changes to conditions D.1.2, D.1.3, D.1.10, D.1.12, D.1.20 and D.1.21 are as follows:

D.1.2 National Emission Standards for Hazardous Air Pollutants for Steel Pickling - HCl Process Facilities and Hydrochloric Acid Regeneration Plants [40 CFR 63, Subpart CCC] **[40 CFR 63.1157]**

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Pursuant to 40 CFR 63.1157(b)(4), Subpart CCC, the hydrochloric acid regeneration plant shall comply with the following requirements:

The Permittee shall not cause or allow to be discharged into the atmosphere from the affected hydrochloric acid regeneration plant:

- (a) Any gases that contain HCl in a concentration in excess of 25 ppmv
- (b) Any gases that contain chlorine (Cl<sub>2</sub>) in a concentration in excess of either 6 ppmv or an alternative source-specific maximum concentration. The source-specific maximum concentration standard shall be established according to 40 CFR Part 63.1161(c)(2).

D.1.3 NESHAP Operational and Equipment Standards [40 CFR Part 63.1159, Subpart CCC]

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**Pursuant to 40 CFR 63.1159, Subpart CCC:**

- (a) Hydrochloric acid regeneration plant. The Permittee of an affected plant must operate the affected plant at all times while in production mode in a manner that minimizes the proportion of excess air fed to the process and maximizes the process offgas temperature consistent with producing usable regenerated acid or iron oxide.
- (b) Hydrochloric acid storage vessels. The Permittee of an affected vessel shall provide and operate, except during loading and unloading of acid, a closed-vent system for each vessel. Loading and unloading shall be conducted either through enclosed lines or each point where the acid is exposed to the atmosphere shall be equipped with a local fume capture system, ventilated through an air pollution control device.

D.1.10 Testing Requirements [40 CFR Part 63.1161, Subpart CCC]

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- (a) Within ~~six (6)~~ **twelve (12)** months of ~~issuance of this permit~~ **the latest performance test**, the Permittee shall conduct a performance test for each affected process or control device to determine and demonstrate compliance with the applicable emission limitation according to the requirements of 40 CFR Part 63.7 (Subpart A, General Provisions). Pursuant to 40 CFR Part 63.1161, Subpart CCC, this ~~initial~~ performance test shall meet the following minimum requirements:
  - (1) Following approval of the site-specific test plan, the Permittee shall conduct a performance test to measure the concentration of HCl and Cl<sub>2</sub> for hydrochloric acid regeneration plants in gases exiting the process or the emission control device **to determine compliance with the applicable emission concentration standards.**
  - (2) Compliance with the applicable concentration standard shall be determined by the average of three consecutive runs or by the average of any three of four consecutive runs. Each run shall be conducted under conditions representative of normal process operations.
  - (3) Compliance is achieved if the average measured concentration of HCl and Cl<sub>2</sub> exiting the process or the emission control device is less than or equal to the applicable emission concentration standard.
- (b) Establishment of hydrochloric acid regeneration plant operating parameters.
  - (1) During the performance test for hydrochloric acid regeneration plants, the owner or operator shall establish site-specific operating parameter values for the minimum process offgas temperature and the maximum proportion of excess air fed to the process as described in 40 CFR Part 63.1162(b)(1). During the

emission test, each operating parameter must be monitored and recorded with sufficient frequency to establish a representative average value for that parameter, but no less frequently than once every 15 minutes for parameters that are monitored continuously. Amount of iron in the spent pickle liquor shall be determined for each run by sampling the liquor every 15 minutes and analyzing a composite of the samples. The owner or operator shall determine the compliant monitoring values as the averages of the values recorded during any of the runs for which results are used to establish the emission concentration 40 CFR Part 63.1161(a)(2). An owner or operator may conduct multiple performance tests to establish alternative compliant operating parameter values. Also, an owner or operator may reestablish compliant operating parameter values as part of any performance test that is conducted subsequent to the initial test or tests.

- (2) During this performance test, the owner or operator of an existing affected plant may establish an alternative concentration standard if the owner or operator can demonstrate to the Administrator's satisfaction that the plant cannot meet a concentration limitation for  $\text{Cl}_2$  of 6 ppmv when operated within its design parameters. The alternative concentration standard shall be established through performance testing while the plant is operated at maximum design temperature and with the minimum proportion of excess air that allows production of iron oxide of acceptable quality while measuring the  $\text{Cl}_2$  concentration in the process exhaust gas. The measured concentration shall be the concentration standard for that plant.
- (c) Performance tests shall be conducted annually or according to an alternative schedule approved by IDEM, OAQ. If any performance test shows that the HCl emission limitation is being exceeded, the Permittee is in violation of the emission limit.
- (d) Pursuant to 40 CFR Part 63.1163(d), the Permittee of an affected source shall notify IDEM, OAQ in writing of his or her intention to conduct a performance test at least 60 calendar days before the performance test is scheduled to begin, to allow IDEM, OAQ to review and approve the site-specific test plan required under 40 CFR Part 63.7(c), and, if requested by IDEM, OAQ, to have an observer present during the test.
- (e) The following test methods from Appendix A of 40 CFR 60 shall be used to determine compliance under **40 CFR 63.1157(b)**; ~~condition D.1.2 and D.1.3, if required:~~
  - (1) Method 1, to determine the number and location of sampling points, with the exception that no sampling traverse point shall be within one inch of the stack or duct wall;
  - (2) Method 2, to determine gas velocity and volumetric flow rate;
  - (3) Method 3, to determine the molecular weight of the stack gas;
  - (4) Method 4, to determine the moisture content of the stack gas; and
  - (5) Method 26A, "Determination of Hydrogen Halide and Halogen Emissions from Stationary Sources B Isokinetic Method," to determine the HCl mass flows at the inlet and outlet of a control device or the concentration of HCl discharged to the atmosphere. If compliance with a collection efficiency standard is being demonstrated, inlet and outlet measurements shall be performed simultaneously. The minimum sampling time for each run shall be 60 minutes and the minimum sample volume 0.85 dry standard cubic meters (dscm) [30 dry standard cubic feet (dscf)]. The concentration of HCl shall be calculated for each run as follows:  
$$C_{\text{HCl(ppmv)}} = 0.659 C_{\text{HCl(mg/dscm)}}$$
where  $C_{\text{(ppmv)}}$  is concentration in ppmv and  $C_{\text{(mg/dscm)}}$  is concentration in milligrams per dry standard cubic meter as calculated by the procedure given in Method 26A.

- (6) The Permittee may use equivalent alternative measurement methods approved by U.S. EPA.

#### D.1.12 Monitoring Requirements [40 CFR Part 63.1162]

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- (a) The Permittee of a new, reconstructed, or existing acid regeneration plant shall:
- (1) ~~The Permittee shall~~ Install, operate and maintain systems for the measurement and recording of the scrubber makeup water flow rate and, if required, recirculation water flow rate. These flow rates must be monitored continuously and recorded at least once per shift while the scrubber is operating. Operation of the wet scrubber with excursions of scrubber makeup water flow rate and recirculation water flow rate less than the minimum values established during the performance test or tests will require initiation of corrective action as specified by the maintenance requirements in 40 CFR Part 63.1160(b)(2).
  - (2) Failure to record each of the operating parameters in 40 CFR Part 63.1162(a)(2) is a violation of the monitoring requirements of 40 CFR Part 63, Subpart CCC.
  - (3) Each monitoring device shall be certified by the manufacturer to be accurate to within 5 percent and shall be calibrated in accordance with the manufacturer's instructions but not less frequently than once per year.
  - (4) The Permittee may develop and implement alternative monitoring requirements subject to approval by ~~IDEM, OAQ~~ **the U.S. EPA.**
- (b) The Permittee shall install, operate, and maintain systems for the measurement and recording of the:
- (1) Process offgas temperature, which shall be monitored continuously and recorded at least once every shift while the facility is operating in production mode; and
  - (2) Parameters from which proportion of excess air is determined. Proportion of excess air shall be determined by a combination of total air flow rate, fuel flow rate, spent pickle liquor addition rate, and amount of iron in the spent pickle liquor, or by any other combination of parameters approved by the Administrator in accordance with 40 CFR Part 63.8(f) of subpart A of this part. Proportion of excess air shall be determined and recorded at least once every shift while the plant is operating in production mode.
  - (3) Each monitoring device must be certified by the manufacturer to be accurate to within 5 percent and must be calibrated in accordance with the manufacturer's instructions but not less frequently than once per year.
  - (4) Operation of the plant with the process offgas temperature lower than the value established during performance testing or with the proportion of excess air greater than the value established during performance testing is a violation of the operational standard specified in 40 CFR Part 63.1159(a) of this subpart.
- (c) **Pursuant to 40 CFR 63.1162,** ~~the~~ Permittee shall inspect each hydrochloric acid storage vessel semiannually to determine that the closed-vent system and either the air pollution control device or the enclosed loading and unloading line, whichever is applicable, are installed and operating when required.

#### D.1.20 Record Keeping Requirements

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- (a) To document compliance with Conditions D.1.2 and D.1.3, the Permittee shall maintain the following records pursuant to 40 CFR Part 63.1165:
- (1) The Permittee, as required by 40 CFR Part 63.10(b)(2) (Subpart A, General

Provisions), shall maintain general records for 5 years from the date of each record of:

- (A) The occurrence and duration of each startup, shutdown, or malfunction of operation;
- (B) The occurrence and duration of each malfunction of the air pollution control equipment;
- (C) All maintenance performed on the air pollution control equipment;
- (D) Actions taken during periods of startup, shutdown, and malfunction and the dates of such actions when these actions are different from the procedures specified in the startup, shutdown, and malfunction plan;
- (E) All information necessary to demonstrate conformance with the startup shutdown, and malfunction plan when all actions taken during periods of startup, shutdown, and malfunction (including corrective actions to restore malfunctioning process and air pollution control equipment to its normal or usual manner of operation) are consistent with the procedures specified in such plan. This information can be recorded in a checklist or similar form (see 40 CFR Part 63.10(b)(2)(v))
- (F) All required measurements needed to demonstrate compliance with the standard and to support data that the source is required to report, including but not limited to, performance test measurements (including initial and any subsequent performance tests) and measurements as may be necessary to determine the conditions of the initial test or subsequent tests.
- (G) All results of initial or subsequent performance tests;
- (H) If the Permittee has been granted a waiver from record keeping or reporting requirements under 40 CFR Part 63.10(f), any information demonstrating whether a source is meeting the requirements for a waiver of record keeping or reporting requirements;
- (I) If the Permittee has been granted a waiver from the initial performance test under 40 CFR Part 63.7(h), a copy of the full request and approval or disapproval;
- (J) All documentation supporting initial notifications and notifications of compliance status required by 40 CFR Part 63.9; and
- (K) Records of any applicability determination, including supporting analyses.

(2) **In addition to the general records specifically required under by 40 CFR 63.1165(a), Subpart CCC the Permittee shall maintain records for 5 years from the date of each record of:**

- (A) Scrubber makeup water flow rate and recirculation water flow rate if a wet scrubber is used;
- (B) Calibration and manufacturer certification that monitoring devices are accurate to within 5 percent;
- (C) Each maintenance inspection and repair, replacement, or other corrective action; **and**

- (D) The Permittee shall keep the written operation and maintenance plan on record after it is developed to be made available for inspection, upon request, by the U.S. EPA or IDEM, OAQ for the life of the affected source or until the source is no longer subject to these provisions. In addition, if the operation and maintenance plan is revised, the Permittee shall keep previous (i.e., superseded) versions of the plan on record to be made available for inspection by the U.S. EPA or IDEM, OAQ for a period of 5 years after each revision to the plan.
- (b) ~~General Records and maintained pursuant to the record keeping requirements of 40 CFR 63, Subpart CCC records, for the most recent 2 years of operation must be shall~~ be maintained on site for a period of 2 years. Records for the 3 previous years may be maintained off site.
- (c) To document compliance with Condition D.1.13, the Permittee shall maintain records of visible emission notations of the iron oxide storage bins baghouses stack exhaust once per shift.
- (d) To document compliance with Condition D.1.14, the Permittee shall maintain records once per shift of the total static pressure drop across the iron oxide storage bins baghouses during normal operation when venting to the atmosphere.
- (e) To document compliance with Condition D.1.17, the Permittee shall maintain records once per shift of the total static pressure drop ~~and flow rate~~ of tank farm scrubber during normal operation when venting to the atmosphere.
- (f) To document compliance with Condition D.1.15 and D.1.19, the Permittee shall maintain records of the results of the inspections required under Condition D.1.15 and D.1.19.
- (g) All records shall be maintained in accordance with Section C - General Record Keeping Requirements, of this permit.

D.1.21 Reporting Requirements [40 CFR Part 63.1164]

- (a) As required by 40 CFR Part 63.10(d)(2), the Permittee of an affected source shall report the results of any performance test as part of the notification of compliance status required in 40 CFR Part 63.1163.
- (b) The Permittee of an affected source who is required to submit progress reports under 40 CFR Part 63.6(i), shall submit such reports to the ~~U.S. EPA and~~ IDEM, OAQ by the dates specified in the written extension of compliance. The notifications shall be submitted to:
- Indiana Department of Environmental Management  
Compliance Data Section, Office of Air Quality  
100 North Senate Avenue, P.O. Box 6015  
Indianapolis, Indiana 46206-6015
- and
- ~~United States Environmental Protection Agency, Region V  
Director, Air and Radiation Division  
77 West Jackson Boulevard  
Chicago, Illinois 60604-3590~~
- (c) Pursuant to 40 CFR Part 63.6(e), the Permittee of an affected source **shall** operate and maintain each affected emission source, including associated air pollution control equipment, in a manner consistent with good air pollution control practices for minimizing emissions at least to the level required by the standard at all time, including during any

period of startup, shutdown, or malfunction. Malfunctions must be corrected as soon as practicable after their occurrence in accordance with the startup, shutdown, and malfunction plan.

- (1) **Pursuant to 40 CFR 63.6(e)(3),** ~~the~~ Permittee shall develop and implement a written startup, shutdown, and malfunction plan that describes, in detail, procedures for operating and maintaining the source during periods of startup, shutdown, or malfunction, and a program of corrective action for malfunctioning process and air pollution control equipment used to comply with the relevant standard.
  - (2) **Pursuant to 40 CFR 63.10(d)(5)(i)** ~~As required by 40 CFR Part 63.10(d)(5)(i),~~ if actions taken by a Permittee during a startup, shutdown, or malfunction of an affected source (including actions taken to correct a malfunction) are consistent with the procedures specified in the startup, shutdown, and malfunction plan, the Permittee shall state such information in a semiannual report. The report, to be certified by the Permittee or other responsible official, shall be submitted semiannually and delivered or postmarked by the 30<sup>th</sup> day following the end of each calendar half; and
  - (3) Any time an action taken by a Permittee during a startup, shutdown, or malfunction (including actions taken to correct a malfunction) is not consistent with the procedures in the startup, shutdown, and malfunction plan, the Permittee shall comply with all requirements of 40 CFR Part 63.10(d)(5)(ii).
- (d) Reports shall be submitted in accordance with Section C - General Reporting Requirements of this permit. The report submitted by the Permittee does require the certification by the "responsible official" as defined by 326 IAC 2-7-1(34).

### Change 3:

A new Condition C.1 has been added to the permit, which was omitted in the draft permit. All subsequent Section C conditions have been renumbered. The new Condition C.1 is as follows:

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

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

### Change 4:

Condition C.1 (now C.2) has been changed because the general opacity limit for Porter County is 40% and not 20%.

#### **C.2 Opacity [326 IAC 5-1]**

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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~~ **forty** percent (~~20~~**40**%) in any one (1) six (6)

minute averaging period as determined in 326 IAC 5-1-4.

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

On September 29, 2004, Ken Kormoroski of Kirkpatrick and Lockhart, LLP submitted comments on the proposed Part 70 Permit on behalf of Magnetics International, Inc. The comments and IDEM responses (with language added shown in bold and language deleted shown in ~~strikeout~~) are as follows:

**Comment 1:**

The Draft Permit should only reference the applicable regulatory provisions and not seek to restate regulatory requirements within the permit.

**Response 1:**

IDEM, OAQ is required to identify all applicable requirements in the Part 70 permit that apply to each emissions unit and to identify how the owner or operator will comply with the requirements for each unit in accordance with 326 IAC 2-7-5. Subsections 1 and 3 of 326 IAC 2-7-5 specifically require that emissions limitations and standards, operational requirements, monitoring requirements, record keeping requirements, and reporting requirements are included in the Part 70 permit and that all reasonable information to evaluate continuous compliance with the applicable requirements is also included in the permit. The National Emissions Standards for Hazardous Air Pollutants (NESHAPs) are typically very detailed, complex rules. Each NESHAP may cover different types of emissions units as well as groups of emissions units. Furthermore, each NESHAP may have several options available for each emissions unit from which an owner or operator may choose to comply with the NESHAP requirements. Because of the complex nature of these requirements, in order to satisfy the permit content requirements, it is necessary to specify exactly which emissions units are subject to the NESHAP, which portion of the NESHAP requirements apply to each emissions unit, and which associated compliance option is being used.

This level of detail is particularly important because there are several stakeholders that need detail beyond a simple reference to a rule in order to use the permit or in order to benefit from the permit. IDEM, OAQ and the United States Environmental Protection Agency must be able to immediately identify the exact applicable NESHAP requirements and determine if the owner or operator is complying with the NESHAP requirements. The public has the legal authority under the Clean Air Act to know if a source is subject to a particular requirement and how the owner or operator of that source chooses to comply with that requirement. The owner or operator is granted a permit shield under 326 IAC 2-7-15 that provides that compliance with the conditions of the permit shall be deemed in compliance with any applicable requirements as of the date of permit issuance, provided that the applicable requirements are included and specifically identified in the permit. Therefore, in order to satisfy the requirements of the Part 70 rules and the needs of all of the permit stakeholders, it is necessary to incorporate the NESHAP requirements with as much detail as is needed to identify the portions of the rule that apply and how the owner or operator will comply with the requirements.

**Comment 2:**

The Draft Permit should include a provision stating that the extent any provision or condition differs from the applicable and lawfully promulgated regulatory requirement, the applicable regulatory requirement shall control in lieu of the permit requirement.

**Response 2:**

The Part 70 Permit contains the applicable limits at the time of permit issuance. When final actions to revise applicable limitations are completed, the Permittee can submit a request to IDEM to revise the permit accordingly. No changes have been made as a result of this comment.

**Comment 3:**

All reference to requirements contained within construction permits should be eliminated because such permits are no longer in effect or relevant. Such permits were issued based upon projected, not actual conditions.

**Response 3:**

The conditions established by preconstruction permits are applicable requirements (326 IAC 2-7-1(6)(8)) and are required elements of Part 70 permits. Indiana's Part 70 Operating Program approved by US EPA is a combined New Source Review (NSR) and Part 70 Operating Permit Program. Individual provisions of previously issued permits may be incorporated as originally stated, revised, or deleted as described by procedures established by law and by agreement with the U.S. EPA. IDEM may supersede previously issued permits in whole or in part under these procedures as long as the Technical Support Document identifies the previously established applicable requirements that will be revised or deleted and the basis for the revisions or deletions.

All terms and conditions of previous permits issued to Magnetics International Inc. pursuant to permitting programs approved into the state implementation plan have been either incorporated as originally stated, revised, or deleted by this permit. All previous registrations and permits are superseded by this permit. Terms and conditions of previous permits that have been revised or deleted are clearly explained in the Existing Approvals sections of the TSD.

**Comment 4:**

It is MII's contention that EPA improperly promulgated the emissions limits contained at 40 CFR 63, Subpart CCC, and as such they are not enforceable and must be corrected.

**Response 4:**

The National Emission Standards for Hazardous Air Pollutants (NESHAP) for Hydrochloric Acid Process Steel Pickling Facilities and Hydrochloric Acid Regeneration Plants was proposed on September 18, 1997 (62 FR 49051); the June 22, 1999, Federal Register publication (64 FR 33202) announced EPA's final decision on this rule. Under section 307(b)(1) of the Clean Air Act, judicial review of this final rule is available only by filing a petition for review in the U.S. Court of Appeals for the District of Columbia Circuit within 60 days from the date of publication in the Federal Register.

Under section 307(b)(2) of the Act, the requirements established by June 22, 1999, National Emission Standards for Hazardous Air Pollutants (NESHAP) for Hydrochloric Acid Process Steel Pickling Facilities and Hydrochloric Acid Regeneration Plants (40 CFR 63, subpart CCC) final rule may not be challenged later in any civil or criminal proceeding brought by EPA to enforce these requirements. The final date to challenge this rule has passed. No change has been made as a result of this comment

**Comment 5:**

Section A.1, Page 5. Should read:

*"The Permittee owns and operates an iron oxide and hydrochloric acid production facility."*

Responsible Official: Mike Sieckmann, Vice President

## Response 5:

IDEM agrees to the changes as follows:

### 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 magnetic powder an iron oxide and hydrochloric acid production facility and hydrochloric acid regeneration and recovery plant.~~ **an iron oxide and hydrochloric acid production facility.**

Responsible Official:	<del>Burdell Chapman</del> <b>Mike Sieckmann, Vice President</b>
Source Address:	1111 North State Road 149, Burns Harbor, IN 46304
Mailing Address:	1111 North State Road 149, Burns Harbor, IN 46304
General Source Phone Number:	(219) 763-1199
SIC Code:	2819
County Location:	Porter
Source Location Status:	Nonattainment for 1-hour ozone and 8-hour ozone standard Unclassifiable for PM10 and SO2 Attainment for all other criteria pollutants
Source Status:	Part 70 Permit Program Minor Source, under PSD Major Source, Section 112 of the Clean Air Act

## Comment 6:

Section A.2, Page 5.

Subsection (a)(1) should read: Roaster A – *an iron oxide and hydrochloric acid production system with a maximum processing rate of 12 tons per hour of ferrous chloride solution.* This system consists of one (1) natural gas-fired spray roaster, identified as R-1, utilizing tangential firing and four (4) burners rated at 7.5 MMBtu/hr each, with a maximum heat input rate of 30 MMBtu/hr total; particulate emissions are controlled by one (1) venturi scrubber; and HCl emissions are controlled by one (1) absorber and two (2) scrubbers in series. This system exhausts through the stack identified as S-1.

Subsection (a)(2) should read: Roaster B - *an iron oxide and hydrochloric acid production system with a maximum processing rate of 12 tons per hour of ferrous chloride solution.* This system consists of one (1) natural gas-fired spray roaster, identified as R-2, utilizing tangential firing and four (4) burners rated at 7.5 MMBtu/hr each, with a maximum heat input rate of 30 MMBtu/hr total; particulate emissions are controlled by one (1) venturi scrubber; and HCl emissions are controlled by one (1) absorber and two (2) scrubbers in series. This system exhausts through the stack identified as S-2.

Subsection (b) should read: Two (2) iron oxide storage bins, identified as Bin A and Bin B, each with a storage capacity of 100 tons. Each is equipped with a baghouse to capture dust and exhaust through stacks 4 and 5 respectively.

Subsection (c) should read: One (1) tank farm identified as T-6, consisting of sixteen (16) storage tanks. Tanks No. 1-12 each have a capacity of 30,000 gallons and are used to store either ferrous chloride solution or hydrochloric acid. Tanks 13-16 each have a capacity of 33,000 gallons and are used to store either ferrous chloride solution or hydrochloric acid. Each of these tanks are attached to a common vent header and fume scrubber to control vapor loss and exhausts through the stack identified as S-3.

Subsection (d) should read: One (1) loading and unloading station with emissions controlled by fume scrubber exhausting through the stack identified as S-3.

Subsection (e) should read: One (1) Enrichment Facility consisting of one (1) 4 MMBtu/hr natural gas boiler exhausting through stack EP001 and one (1) processing tank with emissions controlled

by an acid fume scrubber and exhausts through stack EP002.

### Response 6:

The following changes have been made to A.2 and D.1 description box as follows:

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

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

- (a) Two (2) Process Lines, installed in 1990 consisting of:
  - (1) Roaster A-~~an iron oxide and~~ a hydrochloric acid ~~recovery~~ **production** system with a maximum processing rate of 12 tons per hour of ~~waste pickle liquor~~ **ferrous chloride solution**. This system consists of one (1) natural gas-fired spray roaster, identified as R-1, utilizing tangential firing and four (4) low-NO<sub>x</sub> burners rated at 7.5 MMBtu/hr each, with a maximum heat input rate of 30 MMBtu/hr total; particulate emissions are controlled by one (1) venturi separator; and **HCl emissions are controlled by** one (1) absorber. ~~HCl emissions are controlled by~~ **and** two (2) scrubbers in series. This system exhausts through a **the stack identified as S-1**.
  - (2) Roaster B- ~~an iron oxide and~~ a hydrochloric acid ~~recovery~~ **production** system with a maximum processing rate of 12 tons per hour of ~~waste pickle liquor~~ **ferrous chloride solution**. This system consists of one (1) natural gas-fired spray roaster, identified as R-1, utilizing tangential firing and four (4) low-NO<sub>x</sub> burners rated at 7.5 MMBtu/hr each, with a maximum heat input rate of 30 MMBtu/hr total; particulate emissions are controlled by one (1) venturi separator; and **HCl emissions are controlled by** one (1) absorber. ~~HCl emissions are controlled by~~ **and** two (2) scrubbers in series. This system exhausts through a **the stack identified as S-2**.
- (b) Two (2) iron oxide storage bins, identified as Bin A and Bin B, each with a storage capacity of ~~2100 tons~~. ~~Each bin is equipped with a baghouse to capture dust and exhaust through stacks 4 and 5 respectively, which are discharged back into the storage bins.~~
- (c) One (1) tank farm identified as T-6, consisting of sixteen (16) storage tanks. Tanks No. 1-12 each have a capacity of 30,000 gallons and are used to store either ferrous chloride waste or ~~regenerated~~ hydrochloric acid. Tanks No. 13-16 each have a capacity of 33,000 gallons and are used to store either ferrous chloride waste or ~~regenerated~~ hydrochloric acid. Each of these tanks are attached to a common vent header and fume scrubber to control vapor loss and exhausts through stack, identified as S-23.
- (d) One (1) loading and unloading station with emissions controlled by fume scrubber exhausting through stack, S-23
- (e) One (1) Enrichment Facility consisting of one (1) 4 MMBtu/hr natural gas boiler exhausting through stack EP001 and one (1) ~~treatment~~ **processing** tank with emissions controlled by an acid fume scrubber and exhausts through stack EP002.

### Comment 7:

Section A.4, Page 6 should be deleted. MII has submitted a Part 70 Permit application voluntarily to allow operational flexibility. The application should not be deemed an admission that MII is a major source of hazardous air pollutants, nor does it constitute any waiver of MII's right to challenge any future designation of major source status. MII is in the process of making a determination of the status of the facility, pursuant to an agreement with USEPA. MII expects a

final determination will be made next year following a stack test at the facility.

Alternatively, Section A.4 should be amended to read as follows: This stationary source has chosen to accept a Part 70 permit pending an official determination of its status.

**Response 7:**

The USEPA and IDEM have determined that Magnetics International, Inc. is a major source of Hazardous Air Pollutants (HAPS) based upon the information provided by the company and results of stack testing. Therefore Magnetics International, Inc. is required to obtain a Part 70 Operating Permit. There are no changes as a result of this comment.

**Comment 8:**

Section C.2, (now C.3) Page 17. MII's permitted operations do not utilize open burning and Section C.2 should be deleted.

**Response 8:**

Under Part 70 Operating permit program, all applicable regulations must be included in the Part 70 Operating Permit. The condition is a general prohibition against improper burning that applies to all sources, whether the source has performed open burning or not. Waste material can only be burned in equipment that meets the cited requirements. There are no changes as a result of this comment.

**Comment 9:**

Section C.3, (now C.4) Page 17. MII's permitted operations do not utilize incineration and Section C.3 should be deleted.

**Response 9:**

Under Part 70 Operating permit program, all applicable regulations must be included in the Part 70 Operating Permit. This condition states, "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." The condition is a general prohibition against improper incineration that applies to all sources, whether the source has incinerators or not. Waste material can only be burned in equipment that meets the cited requirements. There are no changes as a result of this comment.

**Comment 10:**

Section C.7, (now C.8) Page 17. MII's permitted operations involve no asbestos abatement projects and Section C.7 should be deleted.

**Response 10:**

Under Part 70 Operating permit program, all applicable regulations must be included in the Part 70 Operating Permit. The condition is a general requirement that applies to all sources, whether the source has performed asbestos abatement or not. It is important to note that the NESHAP for asbestos require notification of demolition projects even when no asbestos is present. No changes have been made as a result of this comment.

**Comment 11:**

Section C.15, (now C.16) Page 21. Title 326, Sections IAC 2-7-5 and 2-7-6 do not require the preparation of a Compliance Response Plan. Section C.15 should be deleted.

### Response 11:

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

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

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

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

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

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

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

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

### Comment 12:

Section D.1, Page 25.

Subsection (a)(1) should read: Roaster A – an iron oxide and hydrochloric acid production system with a maximum processing rate of 12 tons per hour of ferrous chloride solution. This system consists of one (1) natural gas-fired spray roaster, identified as R-1, utilizing tangential firing and four (4) burners rated at 7.5 MMBtu/hr each, with a maximum heat input rate of 30 MMBtu/hr total; particulate emissions are controlled by one (1) venturi scrubber; and HCL emissions are controlled by one (1) absorber and two (2) scrubbers in series. This system exhausts through the

stack identified as S-1.

Subsection (a)(2) should read: Roaster B - an iron oxide and hydrochloric acid production system with a maximum processing rate of 12 tons per hour of ferrous chloride solution. This system consists of one (1) natural gas-fired spray roaster, identified as R-2, utilizing tangential firing and four (4) burners rated at 7.5 MMBtu/hr each, with a maximum heat input rate of 30 MMBtu/hr total; particulate emissions are controlled by one (1) venturi scrubber; and HCL emissions are controlled by one (1) absorber and two (2) scrubbers in series. This system exhausts through the stack identified as S-2.

Subsection (b) should read: Two (2) iron oxide storage bins, identified as Bin A and Bin B, each with a storage capacity of 100 tons. Each is equipped with a baghouse to capture dust and exhaust through stacks 4 and 5 respectively.

Subsection (c) should read: One (1) tank farm identified as T-6, consisting of sixteen (16) storage tanks. Tanks No. 1-12 each have a capacity of 30,000 gallons and are used to store either ferrous chloride solution or hydrochloric acid. Tanks 13-16 each have a capacity of 33,000 gallons and are used to store either ferrous chloride solution or hydrochloric acid. Each of these tanks are attached to a common vent header and fume scrubber to control vapor loss and exhausts through the stack identified as S-3.

Subsection (d) should read: One (1) loading and unloading station with emissions controlled by fume scrubber exhausting through the stack identified as S-3.

Subsection (e) should read: One (1) Enrichment Facility consisting of one (1) 4 MMBtu/hr natural gas boiler exhausting through stack EP001 and one (1) processing tank with emissions controlled by an acid fume scrubber and exhausts through stack EP002.

**Response 12:**

See Response 6.

**Comment 13:**

Section D.1.1, page 25, should read: The provisions of 40 CFR Part 63, Subpart A – General Provisions, which are incorporated as 326 IAC 20-1-1, apply to the emission units described in this section except when otherwise specified in 40 CFR Part 63, Subpart CCC, *if applicable*.

**Response 13:**

As previously stated, the USEPA and IDEM consider Magnetics International, Inc. to be a major source of HAPs as specified in 40 CFR 63, Subpart CCC. The Part 70 Permit reflects regulations as applicable at the time of permit issuance. IDEM, OAQ cannot incorporate future determinations before they are finalized. No changes have been made as a result of this comment.

**Comment 14:**

Section D.1.2, page 25, should read: *If it is determined that the facility is a major source of HAPs*, pursuant to 40 CFR 63.1157(b)(1), Subpart CCC, the iron oxide and hydrochloric acid production plant shall comply with the following requirements: ... The Permittee shall not cause or allow to be discharged into the atmosphere from an individual stack S-1 or S-2 ...

**Response 14:**

See Response 13.

**Comment 15:**

Section D.1.3, page 26.

Subsection (a) should read: Hydrochloric acid plant. *If applicable*, the Permittee of an affected plant ...

Subsection (b) should read: Hydrochloric acid storage vessels. *If applicable*, the Permittee of an affected vessel ...

**Response 15:**

See Response 13.

**Comment 16:**

Section D.1.4, page 26, should read: *If applicable*, the Permittee shall comply with the operation and maintenance requirements ...

Subsection (b) should read: Require the manufacturer's recommended maintenance *or other procedures supplied to and approved by IDEM* at the recommended intervals ...

Manufacturer's recommendations are not always practical or possible and must not be imposed.

**Response 16:**

See Response 13. In addition, condition D.1.4 is verbatim from the rule and IDEM, OAQ is not authorized to change a NESHAP requirement.

**Comment 17:**

Section D.1.5, page 27, should read be deleted as inapplicable, per our general comment on requirements imposed by inapplicable construction permits.

**Response 17:**

See Response 3.

**Comment 18:**

Section D.1.7, page 27, should be deleted.

**Response 18:**

See Response 3.

**Comment 19:**

Section D.1.8, Page 27, should be deleted. To the extent IDEM must impose the contested emission requirements of 40 CFR 63, Subpart CCC, MII requests the following change in the relevant permit language:

D.1.8 Compliance and Enforcement [326 IAC 2-7-6(3)][326 IAC 2-7-15]

- (a) Pursuant to 40 CFR Part 63.1157(b)(1), the Permittee shall not cause or allow to be discharged in the atmosphere from an individual stack S-1 or S-2, any gases that contain HCl in a concentration in excess of 25 ppmv. *MII contends that this HCl limitation was erroneously established by EPA. The IDEM has information that indicates that the Permittee may not be able to comply with this applicable*

*requirement even when implementing the level of control technology required by 40 CFR Part 63, Subpart CCC.*

- (b) Pursuant to 40 CFR Part 63.1157(b)(2), the Permittee shall not cause or allow to be discharged in the atmosphere from an individual stack S-1 or S-2, any gases that contain chlorine in a concentration in excess of 6 ppmv or an alternative source-specific maximum concentration. *MII contends that this chlorine limitation was erroneously established by EPA. The IDEM has information that indicates that the Permittee may not be able to comply with this applicable requirement even when implementing the level of control technology required by 40 CFR Part 63, Subpart CCC. As set forth in Section D.1.2(b) of this permit, the Permittee may establish an alternative source-specific maximum concentration in accordance with 40 CFR Part 63.1161(c)(2).*

**Response 19:**

See Response 13.

**Comment 20:**

Section D.1.10, page 28.

Subsection (a) should read: Within twelve (12) months of issuance of this permit ... Pursuant to 40 CFR Part 63.1161, Subpart CCC, *if applicable*, this initial performance test for Stacks S-1 and S-2 shall meet the following minimum requirements: ....

Subsection (b) should read: Establishment of hydrochloric acid plant operating parameters. (1) During the performance test for hydrochloric acid plants, the owner ...

**Response 20:**

See Response 13.

**Comment 21:**

Section D.1.12, page 30, should read: (a) The Permittee of a new, reconstructed, or existing acid plant shall: ...

**Response 21:**

See Change 2.

**Comment 22:**

Section D.1.14, page 31, should read: ... When for any one reading, the pressure drop across the baghouse is outside the normal range of 2.0 to 10.0 inches of water ...

**Response 22:**

Condition D.1.14 has been changed as follows:

D.1.14 Baghouse Parametric Monitoring [326 IAC 2-7-6(1)][326 IAC 2-7-5(1)]

The Permittee shall record the total static pressure drop across the baghouses used in conjunction with the iron oxide storage bins, at least once per shift when the iron oxide storage bins are in operation when venting to the atmosphere. When for any one reading, the pressure drop across the baghouse is outside the normal range of ~~3.0 and 8.0~~ **2.0 to 10.0** inches of water or a range established during the latest stack test, the Permittee shall take reasonable response steps in accordance with Section C- Compliance Response Plan - Preparation, Implementation, Records,

and Reports. A pressure reading that is outside the above-mentioned range is not a deviation from this permit. Failure to take response steps in accordance with Section C - Compliance Response Plan - Preparation, Implementation, Records, and Reports, shall be considered a violation of this permit.

The instrument used for determining the pressure shall comply with Section C - Pressure Gauge and Other Instrument Specifications, of this permit, shall be subject to approval by IDEM, OAQ, and shall be calibrated at least once every six (6) months.

**Comment 23:**

Section D.1.16(b), page 32, should read: For single compartment baghouses, if failure is indicated by a significant drop in the baghouse's pressure readings with abnormal visible emissions or the failure is indicated by an opacity violation, or if bag failure is determined by other means, such as gas temperatures, flow rates, air infiltration, leaks, dust traces or triboflows, then units suspected of failure shall be promptly inspected. If failure is confirmed upon such inspection, failed units and the associated process shall be shut down promptly, and remain shut down until the failed units have been repaired or replaced....

**Response 23:**

Monitoring of the static pressure drop and internal inspections of the baghouses can alert the operator to relative changes (such as dust cake resistance) over a period of time. An abnormal pressure drop can indicate a pending or current malfunction of the control device, which could cause an exceedance of a particulate matter limitation or an exceedance of an opacity limit. The emission units have emission limitations and opacity limitations. The calculations show that the baghouses in each case are necessary to meet those limitations. All shifts should be in tune with the work practices necessary to ensure continual compliance with permit requirements.

Broken or failed bags; torn or otherwise failed bags can have a dramatic effect on baghouse performance and few sources have reliable information that demonstrates that compliance can be achieved when compartments are "on line" with torn bags. The condition was previously revised to clarify that the emergency provisions of the Title V rule and the corresponding condition in this permit may take precedence if applicable. A response is required in the event that a bag failure has been observed. No changes were made as a result of this comment.

**Comment 24:**

Section D.1.17, page 32, should read... A pressure drop or flow rate reading that is outside the above mentioned range is not a deviation from this permit. Failure to take response steps in accordance with Section C – Compliance Response Plan – Preparation, Implementation, Records and Reports may be considered a violation of this permit.

Also, ranges provided for the pressure drop across the scrubber and the flow rate for the scrubber should be deleted.

**Response 24:**

The flow rate requirement has been removed from condition D.1.17 because it is unnecessary. The phrase "a range established during the latest stack test" is included to provide more flexibility to the source. The source may use a different pressure drop range if they demonstrate compliance through stack testing. The pressure drop range must be in the permit to prevent the range from being so wide as to make pressure drop monitoring useless. The Compliance Response Plan may indicate that no response action is necessary under certain circumstances. Changes to Condition D.1.17 are as follows:

**D.1.17 Scrubber Parametric Monitoring [326 IAC 2-7-6(1)][326 IAC 2-7-5(1)]**

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The Permittee shall record the total static pressure drop ~~and flow rate~~ of the scrubber used in

conjunction with the Tank Farm ~~Scrubbers~~, at least once per shift when the storage tanks is in operation. When for any one reading, the pressure drop across the scrubber is outside the normal range of 15 to 30 inches of water or a range established during the latest stack test ~~and the flow rate of the scrubber is below the minimum of 0.5 to 2.5 gallons per minute, or a minimum rate established during the latest stack test~~, the Permittee shall take reasonable response steps in accordance with Section C- Compliance Response Plan - Preparation, Implementation, Records, and Reports. A pressure drop ~~or flow rate~~ reading that is outside the above mentioned range is not a deviation from this permit. Failure to take response steps in accordance with Section C - Compliance Response Plan – Preparation, Implementation, Records and Reports shall be considered a violation of this permit.

The instrument used for determining the pressure drop ~~or flow rate~~ shall comply with Section C - Pressure Gauge and other Instrument Specifications, of this permit, shall be subject to approval by IDEM, OAQ, and shall be calibrated at least once every six (6) months.

**Comment 25:**

Section D.1.20, page 32, should read: (a) To document compliance with Conditions D.1.2 and D.1.3, the Permittee shall maintain the following records pursuant to 40 CFR Part 63.1165, if applicable: ...

**Response 25:**

See Response 13.

**Comment 26:**

Please note that the terms used to refer to MII operations are important and terms such as “waste” and “regeneration” have been removed to ensure that misunderstandings and application of inappropriate requirements do not occur.

**Response 26:**

The phrase “regeneration” is used by USEPA as part of 40 CFR 63, Subpart CCC. Although MII prefers hydrochloric acid production, the actuality is that MII produces regenerated hydrochloric acid and iron oxide, through a collection of equipment and processes configured to reconstitute fresh hydrochloric acid pickling solution from spent pickle liquor (ferrous chloride) using a thermal treatment process. Therefore, IDEM OAQ doesn't agree that “regeneration of spent liquor” is no longer carried on at this plant.