

PART 70 OPERATING PERMIT OFFICE OF AIR QUALITY

**Praxair, Inc.
4400 Kennedy Avenue
East Chicago, IN 46312**

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

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

Operation Permit No.: T089-7989-00330	
Issued by: Janet G. McCabe, Assistant Commissioner Office of Air Quality <i>Original signed by Janet McCabe</i>	Issuance Date: April 23, 2001 Expiration Date: April 23, 2006

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

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

The Permittee owns and operates four (4) cryogenic air separation plants, identified as Plants 5, 6, 7, and 8, manufacturing industrial gases.

Responsible Official:	Michael Lutz
Source Address:	4400 Kennedy Avenue, East Chicago, IN 46312
Mailing Address:	P.O. Box 44, Tonawanda, NY 14151
SIC Code:	2813
County Location:	Lake
Source Location Status:	Nonattainment for Ozone, PM10, SO2, and NOx, Attainment for all other criteria pollutants
Source Status:	Part 70 Permit Program Major Source, under Emission Offset Rules

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

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

- (a) Two (2) natural gas fired boilers, described as follows:
 - (1) A1, constructed in 1972, with a capacity of 103 million British thermal units per hour (MM Btu/hr), using no controls, and exhausting to one (1) stack identified as S001, and
 - (2) A2, constructed in 1972, with a capacity of 103 MM Btu/hr, using no controls, and exhausting to one (1) stack identified as S002;
- (b) Three (3) natural gas regeneration heaters, described as follows:
 - (1) A4, constructed in 1971, with a capacity of 10.8 MM Btu/hr, using no controls, and exhausting to four (4) stacks identified as S004-A through D,
 - (2) A5, constructed in 1973, with a capacity of 10.8 MM Btu/hr, using no controls, and exhausting to four (4) stacks identified as S005-A through D, and
 - (3) A6, constructed in 1973, with a capacity of 10.8 MM Btu/hr, using no controls, and exhausting to four (4) stacks identified as S006-A through D;
- (c) One (1) No. 2 fuel oil fired generator, A16, constructed in July, 1996, with a capacity of 6.2 MM Btu/hr, 500 kw unit, using no controls, and exhausting to one (1) stack identified as S016.
- (d) One (1) paint spray booth, A14, constructed in 1971, a cylinder paint spray booth, utilizing air atomization, with a maximum capacity of 16.4 pounds of paint per hour, using dry filters as PM control, and exhausting to one (1) stack identified as S033.

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

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

- (a) Degreasing operations that do not exceed 145 gallons per 12 months, except if subject to 326 IAC 20-6.
- (b) Grinding and machining operations controlled with fabric filters, scrubbers, mist collectors, wet collectors and electrostatic precipitators with a design grain loading of less than or equal to 0.03 grains per actual cubic foot and a gas flow rate less than or equal to 4000 actual cubic feet per minute, including the following: deburring; buffing; polishing; abrasive blasting; pneumatic conveying; and woodworking operations. (Three (3) shotblasters, identified as A18, A19, and A20.)
- (c) Other categories with emissions below insignificant thresholds:
 - (1) Three (3) shotblasters, identified as A18, A19, and A20;
 - (2) Storage tanks emitting less than one (1) ton per year of a single HAP and less than fifteen (15) pounds per day of VOC:
 - (A) One (1) 15,000 gallon diesel tank, identified as T001;
 - (B) One (1) 10,000 gallon gasoline tank, identified as T002;
 - (C) One (1) 3,000 gallon clean lube oil tank, identified as T003
 - (D) One (1) 2,000 gallon used lube oil tank, identified as T004
 - (E) One (1) 500,000 gallon fuel oil tank, identified as T005.

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

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

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

SECTION B GENERAL CONDITIONS

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

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

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

This permit is issued for a fixed term of five (5) years from the original date, 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]

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

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

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

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

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

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

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

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

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

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

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

(b) The Permittee shall furnish to IDEM, OAQ, within a reasonable time, any information that IDEM, OAQ, may request in writing to determine whether cause exists for modifying, revoking and reissuing, or terminating this permit, or to determine compliance with this permit. The submittal by the Permittee does require the certification by the "responsible official" as defined by 326 IAC 2-7-1(34). Upon request, the Permittee shall also furnish to IDEM, OAQ, copies of records required to be kept by this permit or, for information claimed to be confidential, the Permittee may furnish such records directly to the U. S. EPA along with a claim of confidentiality. [326 IAC 2-7-5(6)(E)]

- (c) The Permittee may include a claim of confidentiality in accordance with 326 IAC 17. 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 Compliance with Permit Conditions [326 IAC 2-7-5(6)(A)] [326 IAC 2-7-5(6)(B)]

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

B.9 Certification [326 IAC 2-7-4(f)] [326 IAC 2-7-6(1)] [326 IAC 2-7-5(3)(C)]

- (a) Where specifically designated by this permit or required by an applicable requirement, any application form, report, or compliance certification submitted shall contain certification by a responsible official of truth, accuracy, and completeness. This certification shall state that, based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate, and complete.
- (b) One (1) certification shall be included, using the attached Certification Form, with each submittal requiring certification.
- (c) A responsible official is defined at 326 IAC 2-7-1(34).

B.10 Annual Compliance Certification [326 IAC 2-7-6(5)]

- (a) The Permittee shall annually submit a compliance certification report which addresses the status of the source's compliance with the terms and conditions contained in this permit, including emission limitations, standards, or work practices. The initial certification shall cover the time period from the date of final permit issuance through December 31 of the same year. All subsequent certifications shall cover the time period from January 1 to December 31 of the previous year, and shall be submitted in letter form no later than April 15 of each year 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
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.11 Preventive Maintenance Plan [326 IAC 2-7-5(1),(3) and (13)] [326 IAC 2-7-6(1) and (6)]
[326 IAC 1-6-3]

- (a) If required by specific condition(s) in Section D of this permit, the Permittee shall prepare and maintain Preventive Maintenance Plans (PMPs) within ninety (90) days after issuance of this permit, including the following information on each facility:
 - (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 and the PMP extension notification do not require the certification by the "responsible official" as defined by 326 IAC 2-7-1(34).

- (b) The Permittee shall implement the PMPs as necessary to ensure that failure to implement a PMP does not cause or contribute to a violation of any limitation on emissions or potential to emit.
- (c) A copy of the PMPs shall be submitted to IDEM, OAQ, upon request and within a reasonable time, and shall be subject to review and approval by IDEM, OAQ. IDEM, OAQ, may require the Permittee to revise its PMPs whenever lack of proper maintenance causes or contributes to any violation. The PMP does not require the certification by the "responsible official" as defined by 326 IAC 2-7-1(34).
- (d) Records of preventive maintenance shall be retained for a period of at least five (5) years. These records shall be kept at the source location for a minimum of three (3) years. The records may be stored elsewhere for the remaining two (2) years as long as they are available upon request. If the Commissioner makes a request for records to the Permittee, the Permittee shall furnish the records to the Commissioner within a reasonable time.

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

- (a) An emergency, as defined in 326 IAC 2-7-1(12), is not an affirmative defense for an action brought for noncompliance with a federal or state health-based emission limitation, except as provided in 326 IAC 2-7-16.
- (b) An emergency, as defined in 326 IAC 2-7-1(12), constitutes an affirmative defense to an action brought for noncompliance with a health-based or technology-based emission limitation if the affirmative defense of an emergency is demonstrated through properly signed, contemporaneous operating logs or other relevant evidence that describe the following:
 - (1) An emergency occurred and the Permittee can, to the extent possible, identify the causes of the emergency;
 - (2) The permitted facility was at the time being properly operated;
 - (3) During the period of an emergency, the Permittee took all reasonable steps to minimize levels of emissions that exceeded the emission standards or other requirements in this permit;
 - (4) For each emergency lasting one (1) hour or more, the Permittee notified IDEM, OAQ, and the Northwest Regional Office (NRO) 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, 219- 882-3007 (NRO) (Compliance Section)
Facsimile Number: 317-233-5967, 219-882-3012 (NRO)

- (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)(10) 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) Operations may continue during an emergency only if the following conditions are met:
 - (1) If the emergency situation causes a deviation from a technology-based limit, the Permittee may continue to operate the affected emitting facilities during the emergency provided the Permittee immediately takes all reasonable steps to correct the emergency and minimize emissions.
 - (2) If an emergency situation causes a deviation from a health-based limit, the Permittee may not continue to operate the affected emissions facilities unless:
 - (A) The Permittee immediately takes all reasonable steps to correct the emergency situation and to minimize emissions; and
 - (B) Continued operation of the facilities is necessary to prevent imminent injury to persons, severe damage to equipment, substantial loss of capital investment, or loss of product or raw materials of substantial economic value.

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

B.13 Permit Shield [326 IAC 2-7-15] [326 IAC 2-7-20] [326 IAC 2-7-12]

- (a) Pursuant to 326 IAC 2-7-15, the Permittee has been granted a permit shield. The permit shield provides that compliance with the conditions of this permit shall be deemed compliance with any applicable requirements as of the date of permit issuance, provided that either the applicable requirements are included and specifically identified in this permit or the permit contains an explicit determination or concise summary of a determination that other specifically identified requirements are not applicable. The Indiana statutes from IC 13 and rules from 326 IAC, referenced in conditions in this permit, are those applicable at the time the permit was issued. The issuance or possession of this permit shall not alone constitute a defense against an alleged violation of any law, regulation or standard, except for the requirement to obtain a Part 70 permit under 326 IAC 2-7 or for applicable requirements for which a permit shield has been granted.

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

- (b) This permit shall be used as the primary document for determining compliance with applicable requirements established by previously issued permits. All previously issued operating permits are superseded by this permit.
- (c) If, after issuance of this permit, it is determined that the permit is in nonconformance with an applicable requirement that applied to the source on the date of permit issuance, IDEM, OAQ, shall immediately take steps to reopen and revise this permit and issue a compliance order to the Permittee to ensure expeditious compliance with the applicable requirement until the permit is reissued. The permit shield shall continue in effect so long as the Permittee is in compliance with the compliance order.
- (d) No permit shield shall apply to any permit term or condition that is determined after issuance of this permit to have been based on erroneous information supplied in the permit application. Erroneous information means information that the Permittee knew to be false, or in the exercise of reasonable care should have been known to be false, at the time the information was submitted.
- (e) Nothing in 326 IAC 2-7-15 or in this permit shall alter or affect the following:
- (1) The provisions of Section 303 of the Clean Air Act (emergency orders), including the authority of the U.S. EPA under Section 303 of the Clean Air Act;
 - (2) The liability of the Permittee for any violation of applicable requirements prior to or at the time of this permit's issuance;
 - (3) The applicable requirements of the acid rain program, consistent with Section 408(a) of the Clean Air Act; and
 - (4) The ability of U.S. EPA to obtain information from the Permittee under Section 114 of the Clean Air Act.

- (f) This permit shield is not applicable to any change made under 326 IAC 2-7-20(b)(2) (Sections 502(b)(10) of the Clean Air Act changes) and 326 IAC 2-7-20(c)(2) (trading based on State Implementation Plan (SIP) provisions).
- (g) This permit shield is not applicable to modifications eligible for group processing until after IDEM, OAQ, has issued the modifications. [326 IAC 2-7-12(c)(7)]
- (h) This permit shield is not applicable to minor Part 70 permit modifications until after IDEM, OAQ, has issued the modification. [326 IAC 2-7-12(b)(7)]

B.14 Multiple Exceedances [326 IAC 2-7-5(1)(E)]

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

B.15 Deviations from Permit Requirements and Conditions [326 IAC 2-7-5(3)(C)(ii)]

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

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

using the attached Quarterly Deviation and Compliance Monitoring Report, or its equivalent. 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.

The notification by the Permittee 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 or a rule. It does not include:
 - (1) An excursion from compliance monitoring parameters as identified in Section D of this permit unless tied to an applicable rule or limit; or
 - (2) Failure to implement elements of the Preventive Maintenance Plan unless such failure has caused or contributed to a deviation.

A Permittee's failure to take the appropriate response step when an excursion of a compliance monitoring parameter has occurred is a deviation.

- (c) Emergencies shall be included in the Quarterly Deviation and Compliance Monitoring Report.

B.16 Permit Modification, Reopening, Revocation and Reissuance, or Termination
[326 IAC 2-7-5(6)(C)] [326 IAC 2-7-8(a)] [326 IAC 2-7-9]

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

B.17 Permit Renewal [326 IAC 2-7-4]

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

Request for renewal shall be submitted to:

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

- (b) Timely Submittal of Permit Renewal [326 IAC 2-7-4(a)(1)(D)]
 - (1) A timely renewal application is one that is:
 - (A) Submitted at least nine (9) months prior to the date of the expiration of this permit; and
 - (B) If the date postmarked on the envelope or certified mail receipt, or affixed by the shipper on the private shipping receipt, is on or before the date it is due. If the document is submitted by any other means, it shall be considered timely if received by IDEM, OAQ, on or before the date it is due.

- (2) If IDEM, OAQ, upon receiving a timely and complete permit application, fails to issue or deny the permit renewal prior to the expiration date of this permit, this existing permit shall not expire and all terms and conditions shall continue in effect, including any permit shield provided in 326 IAC 2-7-15, until the renewal permit has been issued or denied.
- (c) **Right to Operate After Application for Renewal** [326 IAC 2-7-3]
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.18 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 should 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)]

B.19 Permit Revision Under Economic Incentives and Other Programs [326 IAC 2-7-5(8)]
[326 IAC 2-7-12 (b)(2)]

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

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

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

- (1) The changes are not modifications under any provision of Title I of the Clean Air Act;
- (2) Any preconstruction approval required by 326 IAC 2-7-10.5 has been obtained;
- (3) The changes do not result in emissions which exceed the emissions allowable under this permit (whether expressed herein as a rate of emissions or in terms of total emissions);
- (4) The Permittee notifies the:

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

and

United States Environmental Protection Agency, Region V
Air and Radiation Division, Regulation Development Branch - Indiana (AR-18J)
77 West Jackson Boulevard
Chicago, Illinois 60604-3590

in advance of the change by written notification at least ten (10) days in advance of the proposed change. The Permittee shall attach every such notice to the Permittee's copy of this permit; and

- (5) The Permittee maintains records on-site which document, on a rolling five (5) year basis, all such changes and emissions trading that are subject to 326 IAC 2-7-20(b), (c), or (e) and makes such records available, upon reasonable request, for public review.

Such records shall consist of all information required to be submitted to IDEM, OAQ, in the notices specified in 326 IAC 2-7-20(b), (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 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.21 Source Modification Requirement [326 IAC 2-7-10.5]

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

B.22 Inspection and Entry [326 IAC 2-7-6] [IC 13-14-2-2]

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

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

B.23 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.24 Annual Fee Payment [326 IAC 2-7-19] [326 IAC 2-7-5(7)]

- (a) The Permittee shall pay annual fees to IDEM, OAQ, within thirty (30) calendar days of receipt of a billing. Pursuant 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 317-233-0425 (ask for OAQ, Technical Support and Modeling Section), to determine the appropriate permit fee.

SECTION C SOURCE OPERATION CONDITIONS

Entire Source

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

C.1 Opacity [326 IAC 5-1]

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

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

C.2 Open Burning [326 IAC 4-1] [IC 13-17-9]

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

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

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

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

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

C.5 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 unit vented to the control equipment is in operation.

C.6 Asbestos Abatement Projects [326 IAC 14-10] [326 IAC 18] [40 CFR 61, Subpart M]

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

- (A) Asbestos removal or demolition start date;
 - (B) Removal or demolition contractor; or
 - (C) Waste disposal site.
- (c) The Permittee shall ensure that the notice is postmarked or delivered according to the guidelines set forth in 326 IAC 14-10-3(2).
- (d) The notice to be submitted shall include the information enumerated in 326 IAC 14-10-3(3).

All required notifications shall be submitted to:

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

The 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 14-10-4, 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) Indiana Accredited Asbestos Inspector
The Permittee shall comply with 326 IAC 14-10-1(a) that requires the owner or operator, prior to a renovation/demolition, to use an Indiana Accredited Asbestos Inspector to thoroughly inspect the affected portion of the facility for the presence of asbestos. The requirement that the inspector be accredited is federally enforceable.

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

C.7 Performance Testing [326 IAC 3-6]

- (a) All testing shall be performed according to the provisions of 326 IAC 3-6 (Source Sampling Procedures), except as provided elsewhere in this permit, utilizing any applicable procedures and analysis methods specified in 40 CFR 51, 40 CFR 60, 40 CFR 61, 40 CFR 63, 40 CFR 75, or other procedures approved by IDEM, OAQ.

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

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

no later than thirty-five (35) days prior to the intended test date. The protocol submitted by the Permittee does not require certification by the "responsible official" as defined by 326 IAC 2-7-1(34).

- (b) The Permittee shall notify IDEM, OAQ of the actual test date at least fourteen (14) days prior to the actual test date. The notification submitted by the Permittee does not require certification by the "responsible official" as defined by 326 IAC 2-7-1(34).
- (c) Pursuant to 326 IAC 3-6-4(b), all test reports must be received by IDEM, OAQ not later than forty-five (45) days after the completion of the testing. An extension may be granted by IDEM, OAQ, if the source 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.8 Compliance Requirements [326 IAC 2-1.1-11]

The commissioner may require stack testing, monitoring, or reporting at any time to assure compliance with all applicable requirements. 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.9 Compliance Monitoring [326 IAC 2-7-5(3)] [326 IAC 2-7-6(1)]

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

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

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

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

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

C.10 Monitoring Methods [326 IAC 3] [40 CFR 60] [40 CFR 63]

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

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

C.11 Emergency Reduction Plans [326 IAC 1-5-2] [326 IAC 1-5-3]

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

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

(b) These ERPs shall be submitted for approval to:

Indiana Department of Environmental Management
Compliance Branch, Office of Air 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.12 Risk Management Plan [326 IAC 2-7-5(12)] [40 CFR 68.215]

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

(a) A compliance schedule for meeting the requirements of 40 CFR 68; or

(b) As a part of the annual compliance certification submitted under 326 IAC 2-7-6(5), a certification statement that the source is in compliance with all the requirements of 40 CFR 68, including the registration and submission of a Risk Management Plan (RMP);

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

C.13 Compliance Monitoring Plan - Failure to Take Response Steps [326 IAC 2-7-5] [326 IAC 2-7-6]

(a) The Permittee is required to implement a compliance monitoring plan to ensure that reasonable information is available to evaluate its continuous compliance with applicable requirements. The compliance monitoring plan can be either an entirely new document, consist in whole of information contained in other documents, or consist of a combination of new information and information contained in other documents. If the compliance monitoring plan incorporates by reference information contained in other documents, the Permittee shall identify as part of the compliance monitoring plan the documents in which the information is found. The elements of the compliance monitoring plan are:

- (1) This condition;
 - (2) The Compliance Determination Requirements in Section D of this permit;
 - (3) The Compliance Monitoring Requirements in Section D of this permit;
 - (4) The Record Keeping and Reporting Requirements in Section C (Monitoring Data Availability, General Record Keeping Requirements, and General Reporting Requirements) and in Section D of this permit; and
 - (5) A Compliance Response Plan (CRP) for each compliance monitoring condition of this permit. CRP's shall be submitted to IDEM, OAQ upon request and shall be subject to review and approval by IDEM, OAQ. The CRP shall be prepared within ninety (90) days after issuance of this permit by the Permittee and maintained on site, and is comprised of:
 - (A) Reasonable response steps that may be implemented in the event that compliance related information indicates that a response step is needed pursuant to the requirements of Section D of this permit; and
 - (B) A time schedule for taking reasonable response steps including a schedule for devising additional response steps for situations that may not have been predicted.
- (b) For each compliance monitoring condition of this permit, reasonable response steps shall be taken when indicated by the provisions of that compliance monitoring condition. Failure to take reasonable response steps may constitute a violation of the permit.
- (c) Upon investigation of a compliance monitoring excursion, the Permittee is excused from taking further response steps for any of the following reasons:
- (1) A false reading occurs due to the malfunction of the monitoring equipment. This shall be an excuse from taking further response steps providing that prompt action was taken to correct the monitoring equipment.
 - (2) The Permittee has determined that the compliance monitoring parameters established in the permit conditions are technically inappropriate, has previously submitted a request for an administrative amendment to the permit, and such request has not been denied.
 - (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) Records shall be kept of all instances in which the compliance related information was not met and of all response steps taken. In the event of an emergency, the provisions of 326 IAC 2-7-16 (Emergency Provisions) requiring prompt corrective action to mitigate emissions shall prevail.
- (e) All monitoring required in Section D shall be performed at all times the equipment is operating. If monitoring is required by Section D and the equipment is not operating, then the Permittee may record the fact that the equipment is not operating or perform the required monitoring.

- (f) At its discretion, IDEM may excuse the Permittee's failure to perform the monitoring and record keeping as required by Section D, if the Permittee provides adequate justification and documents that such failures do not exceed five percent (5%) of the operating time in any quarter. Temporary, unscheduled unavailability of qualified staff shall be considered a valid reason for failure to perform the monitoring or record keeping requirements in Section D.

C.14 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 documents submitted pursuant to this condition do not require the certification by the "responsible official" as defined by 326 IAC 2-7-1(34).

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

C.15 Emission Statement [326 IAC 2-7-5(3)(C)(iii)] [326 IAC 2-7-5(7)] [326 IAC 2-7-19(c)]
[326 IAC 2-6]

- (a) The Permittee shall submit an annual emission statement certified pursuant to the requirements of 326 IAC 2-6, that must be received by April 15 of each year and must comply with the minimum requirements specified in 326 IAC 2-6-4. The annual emission statement shall meet the following requirements:
- (1) Indicate estimated actual emissions of criteria pollutants from the source, in compliance with 326 IAC 2-6 (Emission Reporting);
 - (2) Indicate estimated actual emissions of other regulated pollutants (as defined by 326 IAC 2-7-1) from the source, for purposes of Part 70 fee assessment.
- (b) The annual emission statement covers the twelve (12) consecutive month time period starting December 1 and ending November 30. The annual emission statement must be submitted to:

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

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

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

C.16 General Record Keeping Requirements [326 IAC 2-7-5(3)] [326 IAC 2-7-6]

- (a) Records of all required data, reports and support information shall be retained for a period of at least five (5) years from the date of monitoring sample, measurement, report, or application. These records shall be kept at the source location for a minimum of three (3) years. 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.17 General Reporting Requirements [326 IAC 2-7-5(3)(C)] [326 IAC 2-1.1-11]

- (a) The source shall submit the attached Quarterly Deviation and Compliance Monitoring Report or its equivalent. Any deviation from permit requirements, the date(s) of each deviation, the cause of the deviation, and the response steps taken must be reported. This report shall be submitted within thirty (30) days of the end of the reporting period. The Quarterly Deviation and Compliance Monitoring Report shall include the certification by the "responsible official" as defined by 326 IAC 2-7-1(34).
- (b) The report required in (a) of this condition and reports required by conditions in Section D of this permit shall be submitted to:

Indiana Department of Environmental Management
Compliance Data Section, Office of Air Quality
100 North Senate Avenue, P. O. Box 6015
Indianapolis, Indiana 46206-6015
- (c) Unless otherwise specified in this permit, any notice, report, or other submission required by this permit shall be considered timely if the date postmarked on the envelope or certified mail receipt, or affixed by the shipper on the private shipping receipt, is on or before the date it is due. If the document is submitted by any other means, it shall be considered timely if received by IDEM, OAQ, on or before the date it is due.
- (d) Unless otherwise specified in this permit, any quarterly report required in Section D of this permit shall be submitted within thirty (30) days of the end of the reporting period. The 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.18 Compliance with 40 CFR 82 and 326 IAC 22-1

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

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

SECTION D.1 FACILITY OPERATION CONDITIONS

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

- (a) Two (2) natural gas fired boilers, described as follows:
 - (1) A1, constructed in 1972, with a capacity of 103 million British thermal units per hour (MM Btu/hr), using no controls, and exhausting to one (1) stack identified as S001, and
 - (2) A2, constructed in 1972, with a capacity of 103 MM Btu/hr, using no controls, and exhausting to one (1) stack identified as S002;
- (b) Three (3) natural gas regeneration heaters, described as follows:
 - (1) A4, constructed in 1971, with a capacity of 10.8 MM Btu/hr, using no controls, and exhausting to four (4) stacks identified as S004-A through D,
 - (2) A5, constructed in 1973, with a capacity of 10.8 MM Btu/hr, using no controls, and exhausting to four (4) stacks identified as S005-A through D, and
 - (3) A6, constructed in 1973, with a capacity of 10.8 MM Btu/hr, using no controls, and exhausting to four (4) stacks identified as S006-A through D;
- (c) One (1) No. 2 fuel oil fired generator, A16, constructed in July, 1996, with a capacity of 6.2 MM Btu/hr, 500 kw unit, using no controls, and exhausting to one (1) stack identified as S016.
(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 Emission Offset Minor Limit [326 IAC 2-3]

Pursuant to CP 089-5356-00330, issued on July 23, 1996, the hours of operation of the No. 2 fuel oil fired emergency generator, A16, shall be limited to 697 hours per year. This limit, in effect, will limit NOx emissions to less than 25 tons per 12 month consecutive period. Therefore, the contemporaneous net emission increases for this project were considered de minimus, and the requirements of 326 IAC 2-3 (Emission Offset) did not apply.

D.1.2 SO2 Minor Limit [326 IAC 7-1.1-1]

Boilers A1 and A2:

- (a) shall each burn No. 2 fuel oil with a maximum weight percent sulfur (S) of 0.096 % which will result in SO2 emissions less than 10 pounds per hour,
- (b) shall each limit No.2 fuel oil input to less than 3,668 kilogallons per year, which will result in SO2 emissions less than 25 tons per year.

Compliance with both D.1.2 (a) and (b) will render the requirements of 326 IAC 7-1.1-1 inapplicable. 326 IAC 7-1.1 is not federally enforceable.

D.1.3 Particulate Matter Limitations [326 IAC 6-1-2(b)(5)]

Pursuant to 326 IAC 6-1-2(b)(5), no fossil fuel combustion steam generators, such as A1 and A2, shall discharge or cause to be discharged any gases unless such gases are limited to a particulate matter content of no greater than 0.01 grains per dry standard cubic foot for all gaseous fuel-fired steam generators.

Compliance Determination Requirements

D.1.4 NOx and SO2 Emissions

-
- (a) Compliance with Condition D.1.1 shall be demonstrated within 30 days of the end of each month based on the total hours of operation for the most recent twelve (12) month period.
 - (b) Compliance with Condition D.1.2 (b) shall be demonstrated within 30 days of the end of each quarter based on the total fuel input for the most recent consecutive twelve (12) month period.

D.1.5 Sulfur Dioxide Emissions and Sulfur Content

Compliance with Condition D.1.2 shall be determined utilizing one of the following options:

- (a) Pursuant to 326 IAC 3-7-4, the Permittee shall demonstrate that the sulfur dioxide emissions do not exceed 0.096 pounds per million Btu heat input by:
 - (1) Providing vendor analysis of fuel oil delivered, if accompanied by a vendor certification, or;
 - (2) Analyzing the oil sample to determine the sulfur content of the oil via the procedures in 40 CFR 60, Appendix A, Method 19.
 - (A) Oil samples may be collected from the fuel tank immediately after the fuel tank is filled and before any oil is combusted; and
 - (B) If a partially empty fuel tank is refilled, a new sample and analysis would be required upon filling.
- (b) Compliance may also be determined by conducting a stack test for sulfur dioxide emissions from the boiler using 40 CFR 60, Appendix A, Method 6 in accordance with the procedures in 326 IAC 3-6.

A determination of noncompliance pursuant to any of the methods specified in (a) or (b) above shall not be refuted by evidence of compliance pursuant to the other method.

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

D.1.6 Visible Emissions Notations

- (a) Visible emission notations of the Boilers A1 and A2 stack exhausts, identified as S001 and S002, shall be performed once per shift during normal daylight operations while combusting fuel oil. 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 Monitoring Plan - Failure to Take Response Steps, shall be considered a violation of this permit.

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

D.1.7 Record Keeping Requirements

-
- (a) To document compliance with Conditions D.1.1, the Permittee shall maintain records of the hours of operation of emergency generator, A16. These records shall be taken monthly and shall be complete and sufficient to establish compliance with the hourly operation limit established in Condition D.1.1.
- (b) The Permittee shall certify, on the form provided, that natural gas was fired in the boilers, A1 and A2, at all times during each quarter. Alternatively, the Permittee shall report the number of days during which an alternate fuel was burned during each quarter.
- (c) To document compliance with Condition D.1.2, the Permittee shall maintain records in accordance with (1) through (6) below. Records maintained for (1) through (6) shall be taken monthly and shall be complete and sufficient to establish compliance with the SO₂ emission limit established in Condition D.1.2.
- (1) Calendar dates covered in the compliance determination period;
 - (2) Actual fuel oil usage since last compliance determination period and equivalent sulfur dioxide emissions;
 - (3) A certification, signed by the owner or operator, that the records of the fuel supplier certifications represent all of the fuel combusted during the period, the natural gas fired boiler certification does not require the certification by the "responsible official" as defined by 326 IAC 2-7-1(34); and
- If the fuel supplier certification is used to demonstrate compliance the following, as a minimum, shall be maintained:
- (4) Fuel supplier certifications;
 - (5) The name of the fuel supplier; and
 - (6) A statement from the fuel supplier that certifies the sulfur content of the fuel oil.
- (d) To document compliance with Condition D.1.6, the Permittee shall maintain records of visible emission notations of the boiler stacks S001 and/or S002 exhaust while combusting fuel oil.
- (e) All records shall be maintained in accordance with Section C - General Record Keeping Requirements, of this permit.

D.1.8 Reporting Requirements

- (a) A quarterly summary of the information to document compliance with Conditions D.1.1, D.1.2, and D.1.3 shall be submitted to the address listed in Section C - General Reporting Requirements, of this permit, using the reporting forms located at the end of this permit, or their equivalent, within thirty (30) days after the end of the quarter being reported. The report submitted by the Permittee does require the certification by the "responsible official" as defined by 326 IAC 2-7-1(34).
- (b) The Permittee shall certify, on the form provided, that natural gas was fired in the boiler at all times during each quarter. Alternatively, the Permittee shall report the number of days during which an alternate fuel was burned during each quarter.

SECTION D.2 FACILITY OPERATION CONDITIONS

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

One (1) paint spray booth, A14, constructed in 1971, a cylinder paint spray booth, utilizing air atomization, with a maximum capacity of 16.4 pounds of paint per hour, using dry filters as PM control, and exhausting to stack 033.

(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.2.1 Particulate Matter (PM) [326 IAC 6-1-2]

Pursuant to 326 IAC 6-1-2 (Particulate Emissions Limitations in Nonattainment Areas), the surface coating operations shall not discharge to the atmosphere any gases which contain particulate matter in excess of 0.07 gram per dry standard cubic meter (0.03 grain per dry standard cubic meter).

D.2.2 Miscellaneous Metal Coating Operations [326 IAC 8-2-9]

Pursuant to 326 IAC 8-2-9 (Miscellaneous Metal Coating Operations), the volatile organic compound (VOC) content of coating delivered to the applicator at the spray booth, A14, shall be limited to 3.5 pounds of VOCs per gallon of coating less water, for air dried coatings.

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

D.2.3 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 device.

Compliance Determination Requirements

D.2.4 Particulate Matter (PM)

Pursuant to 326 IAC 6-1-2, and in order to comply with D.2.1, the dry filters for PM control shall be in operation and control emissions from the spray coating facility at all times when the facility is in operation.

D.2.5 Monitoring

The dry filters for particulate matter overspray control shall be properly in place and maintained to ensure integrity and particulate loading of the filters at all times when the paint booths are in operation.

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

D.2.6 Monitoring

The surface coating booths have applicable compliance monitoring conditions as specified below:

- (a) The Permittee shall implement an operator training program with the following requirements:
 - (1) All operators that perform painting operations or booth maintenance shall be trained in the proper set-up and operation of the particulate control system. All existing operators shall be trained within sixty (60) days of permit issuance. All new operators shall be trained upon hiring.

- (2) Training shall include proper filter alignment, filter inspection and maintenance, and trouble shooting practices. The training program shall be in writing and retained on site. Copies of the training program, the list of trained operators, and training records shall be maintained on site or available within one (1) hour for inspection by IDEM.
- (3) All operators shall be given refresher training annually.
- (b) Records shall be maintained of any non-routine maintenance activities performed on the particulate emission control devices which have air flow greater than four thousand cubic feet per minute (4000 cfm).
- (c) Additional inspections and preventive measures shall be performed as prescribed in the Preventive Maintenance Plan.

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

D.2.7 Record Keeping Requirements

- (a) To document compliance with Conditions D.2.2, the Permittee shall maintain records in accordance with (1) below. Records maintained for (1) shall be taken monthly and shall be complete and sufficient to establish compliance with the VOC usage limits and/or the VOC emission limits established in Conditions D.2.2.
 - (1) The amount and VOC content of each coating material and solvent used. Records shall include purchase orders, invoices, and material safety data sheets (MSDS) necessary to verify the type and amount used. Solvent usage records shall differentiate between those added to coatings and those used as cleanup solvents;
- (b) To document compliance with Condition D.2.1, the Permittee shall maintain a log of weekly overspray observations, daily and monthly inspections, and those additional inspections prescribed by the Preventive Maintenance Plan.
- (c) All records shall be maintained in accordance with Section C - General Record Keeping Requirements, of this permit.

SECTION D.3

FACILITY OPERATION CONDITIONS

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

Insignificant Activities

Degreasing operations that do not exceed 145 gallons per 12 months, except if subject to 326 IAC 20-6;

Grinding and machining operations controlled with fabric filters, scrubbers, mist collectors, wet collectors and electrostatic precipitators with a design grain loading of less than or equal to 0.03 grains per actual cubic foot and a gas flow rate less than or equal to 4000 actual cubic feet per minute, including the following: deburring; buffing; polishing; abrasive blasting; pneumatic conveying; and woodworking operations. (Three (3) shotblasters, identified as A18, A19, and A20.)

(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.3.1 Volatile Organic Compounds (VOCs) [326 IAC 8-3-5]

The cold cleaner degreasers located in Lake County, existing as of July 1, 1990, are subject to 326 IAC 8-3-5 (Cold Cleaner Degreaser Operations and Control).

- (a) Pursuant to 326 IAC 8-3-5(a) (Cold Cleaner Degreaser Operation and Control), the owner or operator of a cold cleaner degreaser facility shall ensure that the following control equipment requirements are met:
- (1) Equip the degreaser with a cover. The cover must be designed so that it can be easily operated with one (1) hand if:
 - (A) the solvent volatility is greater than two (2) kiloPascals (fifteen (15) millimeters of mercury or three-tenths (0.3) pounds per square inch) measured at thirty-eight degrees Celsius (38°C) (one hundred degrees Fahrenheit (100°F));
 - (B) the solvent is agitated; or
 - (C) the solvent is heated.
 - (2) Equip the degreaser with a facility for draining cleaned articles. If the solvent volatility is greater than four and three-tenths (4.3) kiloPascals (thirty-two (32) millimeters of mercury) or six-tenths (0.6) pounds per square inch) measured at thirty-eight degrees Celsius (38°C) (one hundred degrees Fahrenheit (100°F)), then the drainage facility must be internal such that articles are enclosed under the cover while draining. The drainage facility may be external for applications where an internal type cannot fit into the cleaning system.
 - (3) Provide a permanent, conspicuous label which lists the operating requirements outlined in subsection (b).
 - (4) The solvent spray, if used, must be a solid, fluid stream and shall be applied at a pressure which does not cause excessive splashing.

- (5) Equip the degreaser with one (1) of the following control devices if the solvent volatility is greater than four and three-tenths (4.3) kiloPascals (thirty-two (32) millimeters of mercury) or six-tenths (0.6) pounds per square inch) measured at thirty-eight degrees Celsius (38°C) (one hundred degrees Fahrenheit (100°F)), or if the solvent is heated to a temperature greater than forty-eight and nine-tenths degrees Celsius (48.9°C) (one hundred twenty degrees Fahrenheit (120°F)):
- (6)
 - (A) A freeboard that attains a freeboard ratio of seventy-five hundredths (0.75) or greater.
 - (B) A water cover when solvent is used is insoluble in, and heavier than, water.
 - (C) Other systems of demonstrated equivalent control such as a refrigerated chiller or carbon adsorption. Such systems shall be submitted to the U.S. EPA as a SIP revision.
- (b) Pursuant to 326 IAC 8-3-5(b) (Cold Cleaner Degreaser Operation and Control), the owner or operator of a cold cleaning facility shall ensure that the following operating requirements are met:
 - (1) Close the cover whenever articles are not being handled in the degreaser.
 - (2) Drain cleaned articles for at least fifteen (15) seconds or until dripping ceases.
 - (3) Store waste solvent only in covered containers and prohibit the disposal or transfer of waste solvent in any manner in which greater than twenty percent (20%) of the waste solvent by weight could evaporate.

D.3.2 PM Limitations

Pursuant to 326 IAC 6-1-2 (Particulate Emissions Limitations in Nonattainment Areas), the shotblasting operations shall not discharge to the atmosphere any gases which contain particulate matter in excess of 0.07 gram per dry standard cubic meter (0.03 grain per dry standard cubic meter).

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

**PART 70 OPERATING PERMIT
CERTIFICATION**

Source Name: Praxair, Inc.
Source Address: 4400 Kennedy Avenue, East Chicago, IN 46312
Mailing Address: 4400 Kennedy Avenue, East Chicago, IN 46312
Part 70 Permit No.: T089-7989-00330

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

Please check what document is being certified:

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

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

Signature:

Printed Name:

Title/Position:

Date:

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

**PART 70 OPERATING PERMIT
EMERGENCY OCCURRENCE REPORT**

Source Name: Praxair, Inc.
Source Address: 4400 Kennedy Avenue, East Chicago, IN 46312
Mailing Address: 4400 Kennedy Avenue, East Chicago, IN 46312
Part 70 Permit No.: T089-7989-00330

This form consists of 2 pages

Page 1 of 2

- | |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p>9 This is an emergency as defined in 326 IAC 2-7-1(12)</p> <ul style="list-style-type: none">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); andc The Permittee must submit notice in writing or by facsimile within two (2) days (Facsimile Number: 317-233-5967), and follow the other requirements of 326 IAC 2-7-16. |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

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

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

Describe the cause of the Emergency:

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

Page 2 of 2

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

Form Completed by: _____

Title / Position: _____

Date: _____

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
NATURAL GAS FIRED BOILER CERTIFICATION**

Source Name: Praxair, Inc.
Source Address: 4400 Kennedy Avenue, East Chicago, IN 46312
Mailing Address: 4400 Kennedy Avenue, East Chicago, IN 46312
Part 70 Permit No.: T089-7989-00330

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

Report period

Beginning: _____

Ending: _____

Boiler Affected

Alternate Fuel

Days burning alternate fuel

From

To

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

Signature:

Printed Name:

Title/Position:

Date:

A certification by the responsible official as defined by 326 IAC 2-7-1(34) is not required for this report.

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

Part 70 Quarterly Report

Source Name: Praxair, Inc.
Source Address: 4400 Kennedy Avenue, East Chicago, IN 46312
Mailing Address: 4400 Kennedy Avenue, East Chicago, IN 46312
Part 70 Permit No.: T089-7989-00330
Facility: Emergency Generator (A16)
Parameter: Hours of Operation (limiting NOx to less than 25 tons per year)
Limit: 697 hours per 12 consecutive month period

YEAR: _____

Month	Column 1	Column 2	Column 1 + Column 2
	This Month	Previous 11 Months	12 Month Total
Month 1			
Month 2			
Month 3			

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

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

Attach a signed certification to complete this report.

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

Part 70 Quarterly Report

Source Name: Praxair, Inc.
Source Address: 4400 Kennedy Avenue, East Chicago, IN 46312
Mailing Address: 4400 Kennedy Avenue, East Chicago, IN 46312
Part 70 Permit No.: T089-7989-00330
Facility: Boiler A1
Parameter: Fuel input (limiting SO2 to less than 25 tons per year)
Limit: 3668 kilogallons per 12 consecutive month period

YEAR: _____

Month	Column 1	Column 2	Column 1 + Column 2
	This Month	Previous 11 Months	12 Month Total
Month 1			
Month 2			
Month 3			

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

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

Attach a signed certification to complete this report.

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

Part 70 Quarterly Report

Source Name: Praxair, Inc.
Source Address: 4400 Kennedy Avenue, East Chicago, IN 46312
Mailing Address: 4400 Kennedy Avenue, East Chicago, IN 46312
Part 70 Permit No.: T089-7989-00330
Facility: Boiler A2
Parameter: Fuel input (limiting SO2 to less than 25 tons per year)
Limit: 3668 kilogallons per 12 consecutive month period

YEAR: _____

Month	Column 1	Column 2	Column 1 + Column 2
	This Month	Previous 11 Months	12 Month Total
Month 1			
Month 2			
Month 3			

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

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

Attach a signed certification to complete this report.

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

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

Source Name: Praxair, Inc.
 Source Address: 4400 Kennedy Avenue, East Chicago, IN 46312
 Mailing Address: 4400 Kennedy Avenue, East Chicago, IN 46312
 Part 70 Permit No.: T089-7989-00330

Months: _____ **to** _____ **Year:** _____

This report is an affirmation that the source has met all the requirements stated in this permit. This report shall be submitted quarterly based on a calendar year. Any deviation from the requirements, the date(s) of each deviation, the probable cause of the deviation, and the response steps taken must be reported. Deviations that are required to be reported by an applicable requirement shall be reported according to the schedule stated in the applicable requirement and do not need to be included in this report. Additional pages may be attached if necessary. If no deviations occurred, please specify in the box marked "No deviations occurred this reporting period".	
<input type="checkbox"/> NO DEVIATIONS OCCURRED THIS REPORTING PERIOD.	
<input type="checkbox"/> THE FOLLOWING DEVIATIONS OCCURRED THIS REPORTING PERIOD	
Permit Requirement (specify permit condition #)	
Date of Deviation:	Duration of Deviation:
Number of Deviations:	
Probable Cause of Deviation:	
Response Steps Taken:	
Permit Requirement (specify permit condition #)	
Date of Deviation:	Duration of Deviation:
Number of Deviations:	
Probable Cause of Deviation:	
Response Steps Taken:	

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

Form Completed By: _____

Title/Position: _____

Date: _____

Phone: _____

Attach a signed certification to complete this report.

Indiana Department of Environmental Management Office of Air Management

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

Source Background and Description

Source Name: Praxair, Inc.
Source Location: 4400 Kennedy Avenue, East Chicago, IN 46312
County: Lake
SIC Code: 2813
Operation Permit No.: T089-7989-00330
Permit Reviewer: Holly M. Stockrahm

The Office of Air Management (OAM) has reviewed a Part 70 permit application from Praxair, Inc. relating to the operation of four (4) cryogenic air separation plants, identified as Plants 5, 6, 7, and 8, manufacturing industrial gases.

Permitted Emission Units and Pollution Control Equipment

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

- (a) Two (2) natural gas fired boilers, described as follows:
 - (1) A1, with a capacity of 103 million British thermal units per hour (MM Btu/hr), using no controls, and exhausting to stack S001, and
 - (2) A2, with a capacity of 103 MM Btu/hr, using no controls, and exhausting to stack S002;
- (b) Three (3) natural gas regeneration heaters, described as follows:
 - (1) A4, with a capacity of 10.8 MM Btu/hr, using no controls, and exhausting to stacks S004-A through D,
 - (2) A5, with a capacity of 10.8 MM Btu/hr, using no controls, and exhausting to stacks S005-A through D,
 - (3) A6, with a capacity of 10.8 MM Btu/hr, using no controls, and exhausting to stacks S006-A through D;
- (c) Seven (7) No. 2 fuel oil fired generators, described as follows:
 - (1) A7, with a capacity of 6.2 MM Btu/hr, 500 kw unit, using no controls, and exhausting to stack S007-A through B,
 - (2) A8, with a capacity of 6.2 MM Btu/hr, 500 kw unit, using no controls, and exhausting to stack S008-A through B,
 - (3) A9, with a capacity of 6.2 MM Btu/hr, 500 kw unit, using no controls, and exhausting to stack S009-A through B,
 - (4) A10, with a capacity of 6.2 MM Btu/hr, 500 kw unit, using no controls, and exhausting to stack S010-A through B,
 - (5) A11, with a capacity of 6.2 MM Btu/hr, 750 kw unit, using no controls, and exhausting to stack S011,
 - (6) A12, with a capacity of 6.2 MM Btu/hr, 750 kw unit, using no controls, and exhausting to stack S012, and

- (7) A16, with a capacity of 6.2 MM Btu/hr, 500 kw unit, using no controls, and exhausting to stack S016;
- (d) One (1) paint spray booth, A14, a cylinder paint spray booth, utilizing air atomization, with a maximum capacity of 16.4 pounds of paint per hour, using dry filters as PM control, and exhausting to stack 033.

Unpermitted Emission Units and Pollution Control Equipment

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

Insignificant Activities

- (a) Natural gas-fired combustion sources with heat input equal to or less than ten (10) million Btu per hour:
 - (1) Space heaters.
- (b) Degreasing operations that do not exceed 145 gallons per 12 months, except if subject to 326 IAC 20-6.
- (e) Paved and unpaved roads and parking lots with public access.
- (f) Other emergency equipment as follows:
 - (1) Stationary fire pumps.
- (c) Other categories with emissions below insignificant thresholds:
 - (1) Two (2) shotblasters, identified as A18, A19, and A20;
 - (2) Storage tanks emitting less than one (1) ton per year of a single HAP and less than fifteen (15) pounds per day of VOC:
 - (a) One (1) 15,000 gallon diesel tank, identified as T001;
 - (b) One (1) 10,000 gallon gasoline tank, identified as T002;
 - (c) One (1) 3,000 gallon clean lube oil tank, identified as T003;
 - (d) One (1) 2,000 gallon used lube oil tank, identified as T004;
 - (e) One (1) 500,000 gallon fuel oil tank, identified as T005.

Existing Approvals

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

- (a) OP 45-11-93-0593, issued on March 24, 1990;
- (b) OP 45-11-93-0594, issued on March 24, 1990;
- (c) OP 45-11-93-0595, issued on March 29, 1990;
- (d) OP 45-11-93-0596, issued on March 29, 1990;
- (e) OP 45-11-93-0597, issued on March 29, 1990;
- (f) OP 45-11-93-0598, issued on March 29, 1990;
- (g) OP 45-11-93-0599, issued on March 29, 1990;
- (h) OP 45-11-93-0600, issued on March 29, 1990;
- (i) OP 45-11-93-0601, issued on March 29, 1990;

- (j) OP 45-11-93-0602, issued on March 29, 1990;
- (k) OP 45-11-93-0603, issued on March 28, 1990; and
- (l) CP 089-5356-00330, issued on July 23, 1996.

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

Enforcement Issue

There are no enforcement actions pending.

Recommendation

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

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

An administratively complete Part 70 permit application for the purposes of this review was received on December 12, 1996. A notice of completeness letter was mailed to the source on February 5, 1997.

Potential To Emit

Pursuant to 326 IAC 2-1.1-1(16), Potential to Emit is defined as “the maximum capacity of a stationary source to emit any air pollutant under its physical and operational design. Any physical or operational limitation on the capacity of a source to emit an air pollutant, including air pollution control equipment and restrictions on hours of operation or type or amount of material combusted, stored, or processed shall be treated as part of its design if the limitation is enforceable by the U. S. EPA.”

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	3
PM-10	3
SO ₂	1
VOC	1
CO	37
NO _x	503

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

HAP's	Potential To Emit (tons/year)
single HAP	negligible
TOTAL	less than 1 ton

- (a) The potential to emit (as defined in 326 IAC 2-1.1-1(16)) of NO_x are equal to or greater than 25 tons per year in Lake county. 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 and since there are no applicable New Source Performance Standards that were in effect on August 7, 1980, 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 1999 OAM emission data.

Pollutant	Actual Emissions (tons/year)
PM	0
PM-10	0
SO ₂	0
VOC	0
CO	4
NO _x	26
HAPs	1

Potential to Emit After Issuance

The table below summarizes the potential to emit, reflecting all limits, of the significant emission units after controls. The control equipment is considered federally enforceable only after issuance of this Part 70 operating permit.

Process/facility	Potential to Emit (tons/year)						
	PM	PM-10	SO ₂	VOC	CO	NO _x	HAPs
Emergency Generator A16						25 ¹	

Pursuant to CP 089-5356-00330, issued July 23, 1996.

County Attainment Status

The source is located in Lake County.

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

- (a) Volatile organic compounds (VOC) and oxides of nitrogen (NO_x) are precursors for the formation of ozone. Therefore, VOC and NO_x emissions are considered when evaluating the rule applicability relating to the ozone standards. Lake County has been designated as nonattainment for ozone. Therefore, VOC and NO_x emissions were reviewed pursuant to the requirements for Emission Offset, 326 IAC 2-3.
- (b) Lake County has been classified as nonattainment for PM10 and SO₂. Therefore, these emissions were reviewed pursuant to the requirements for Emission Offset, 326 IAC 2-3.
- (c) Fugitive Emissions
 Since this type of operation is not one of the 28 listed source categories under 326 IAC 2-2 and since there are no applicable New Source Performance Standards that were in effect on August 7, 1980, 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 assume 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.
 - (1) NSPS, 40 CFR 60, Subpart Db, Standards of Performance for Steam Generating Units greater than 100 MM Btu/hr, does not apply to boilers constructed or reconstructed prior to June 19, 1984. Both 103 MM Btu/hr boilers, A1 and A2, were constructed in 1972, therefore, this NSPS does not apply.
 - (2) NSPS, 40 CFR 60, Subpart Dc, Standards of Performance for Steam Generating Units between 10 and 100 MM Btu/hr, does not apply to steam generated units constructed or reconstructed prior to June 9, 1989. All of the oil fired generators were constructed prior to this date except for A16, and A16 has a MM Btu/hr capacity of 6.32. Therefore, this NSPS does not apply.
 - (3) NSPS, 40 CFR 60, Subpart Kb, Standards of Performance for Volatile Organic Liquid Storage Vessels, does not apply to the storage tanks T001, because it was constructed prior to the July 23, 1984. Subpart Kb does not apply to T002 through T004, because they have capacities below the applicable capacity of 10, 567 gallons. Subpart Kb does not apply to T005 because it is used to store liquid hydrogen.
- (b) There are no National Emission Standards for Hazardous Air Pollutants (NESHAPs)(326 IAC 14 and 40 CFR Part 63) applicable to this source.
 - (1) NESHAPs 40 CFR 63, Subpart T, National Emissions Standards for Hazardous Air Pollutants: Halogenated Solvent Cleaning, does not apply to the degreasers because they do not use halogenated solvents.

State Rule Applicability - Entire Source

326 IAC 2-3 (Emission Offset)

Pursuant to CP 089-5356-00330, issued on July 23, 1996, the hours of operation of the No. 2 diesel fuel fired emergency generator, A16, shall be limited to 697 hours per year. This limit, in effect, will limit NOx emissions to less than 25 tons per 12 month consecutive period. Therefore, the contemporaneous net emission increases for this project were considered de minimus, and the requirements of 326 IAC 2-3 (Emission Offset) did not apply.

326 IAC 2-6 (Emission Reporting)

This source is subject to 326 IAC 2-6 (Emission Reporting), because it has the potential to emit more than ten (10) tons per year of NOx. Pursuant to this rule, the owner/operator of the source must annually submit an emission statement for the source. The annual statement must be received by April 15 of each year and contain the minimum requirement as specified in 326 IAC 2-6-4. The submittal should cover the period defined in 326 IAC 2-6-2(8)(Emission Statement Operating Year).

326 IAC 5-1 (Opacity Limitations)

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

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

State Rule Applicability - Individual Facilities

326 IAC 6-1-2 (Particulate Matter Limitations for Fuel Combustion Steam Generators in Nonattainment Areas)

The two (2) boilers, constructed in 1972, in Lake County, each with a capacity of 103 MM Btu/hr, are subject to 326 IAC 326 IAC 6-1-2(b)(5).

Pursuant to 326 IAC 6-1-2(b)(5), no fossil fuel combustion steam generators, such as A1 and A2, shall discharge or cause to be discharged any gases unless such gases are limited to a particulate matter content of no greater than 0.01 grains per dry standard cubic foot for all gaseous fuel-fired steam generators.

326 IAC 6-2 (Particulate Emissions Limitations for Sources of Indirect Heating)

The two (2) boilers, constructed in 1972, in Lake County, each with a capacity of 103 MM Btu/hr, are not subject to 326 IAC 326 IAC 6-2-2, because the limitations contained in 326 IAC 6-1 prevails. Therefore, 326 IAC 6-2 does not apply.

326 IAC 6-1-2 (Particulate Emissions Limitations in Nonattainment Areas)

- (a) Pursuant to 326 IAC 6-1-2 (Particulate Emissions Limitations in Nonattainment Areas), the surface coating operations shall not discharge to the atmosphere any gases which contain particulate matter in excess of 0.07 gram per dry standard cubic meter (0.03 grain per dry standard cubic meter).

The dry filters shall be in operation at all times the spray coating operation being controlled is in operation, in order to comply with this limit.

- (b) Pursuant to 326 IAC 6-1-2 (Particulate Emissions Limitations in Nonattainment Areas), the shotblasting operations shall not discharge to the atmosphere any gases which contain particulate matter in excess of 0.07 gram per dry standard cubic meter (0.03 grain per dry standard cubic meter).

The dust collectors shall be in operation at all times the shotblasting operation being controlled is in operation, in order to comply with this limit.

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

Pursuant to 326 IAC 8-2-9 (Miscellaneous Metal Coating Operations), the volatile organic compound (VOC) content of coating delivered to the applicator at the spray booths, A14, shall be limited to 3.5 pounds of VOCs per gallon of coating less water, for air dried coatings.

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

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

326 IAC 8-3-2 (Cold Cleaner Operation)

The cold cleaner degreasers at the source located in Lake County were not existing as of July 1, 1980, and, therefore, 326 IAC 8-3-2 does not apply.

326 IAC 8-3-5 (Cold Cleaner Degreaser Operations and Control)

The cold cleaner degreasers located in Lake County, existing as of July 1, 1990, are subject to 326 IAC 8-3-5 (Cold Cleaner Degreaser Operations and Control).

- (a) Pursuant to 326 IAC 8-3-5(a) (Cold Cleaner Degreaser Operation and Control), the owner or operator of a cold cleaner degreaser facility shall ensure that the following control equipment requirements are met:
- (1) Equip the degreaser with a cover. The cover must be designed so that it can be easily operated with one (1) hand if:
 - (A) the solvent volatility is greater than two (2) kilopascals (fifteen (15) millimeters of mercury or three-tenths (0.3) pounds per square inch) measured at thirty-eight degrees Celsius (38°C) (one hundred degrees Fahrenheit (100°F));
 - (B) the solvent is agitated; or
 - (C) the solvent is heated.
 - (2) Equip the degreaser with a facility for draining cleaned articles. If the solvent volatility is greater than four and three-tenths (4.3) kilopascals (thirty-two (32) millimeters of mercury) or six-tenths (0.6) pounds per square inch) measured at thirty-eight degrees Celsius (38°C) (one hundred degrees Fahrenheit (100°F)), then the drainage facility must be internal such that articles are enclosed under the cover while draining. The drainage facility may be external for applications where an internal type cannot fit into the cleaning system.
 - (3) Provide a permanent, conspicuous label which lists the operating requirements outlined in subsection (b).
 - (4) The solvent spray, if used, must be a solid, fluid stream and shall be applied at a pressure which does not cause excessive splashing.
 - (5) Equip the degreaser with one (1) of the following control devices if the solvent volatility is greater than four and three-tenths (4.3) kilopascals (thirty-two (32) millimeters of mercury) or six-tenths (0.6) pounds per square inch) measured at thirty-eight degrees Celsius (38°C) (one hundred degrees Fahrenheit (100°F)), or if the solvent is heated to a temperature greater than forty-eight and nine-tenths degrees Celsius (48.9°C) (one hundred twenty degrees Fahrenheit (120°F)):
 - (A) A freeboard that attains a freeboard ratio of seventy-five hundredths (0.75) or greater.
 - (B) A water cover when solvent is used is insoluble in, and heavier than, water.
 - (C) Other systems of demonstrated equivalent control such as a refrigerated chiller or carbon adsorption. Such systems shall be submitted to the U.S. EPA as a SIP revision.
- (b) Pursuant to 326 IAC 8-3-5(b) (Cold Cleaner Degreaser Operation and Control), the owner or operator of a cold cleaning facility shall ensure that the following operating requirements are met:
- (1) Close the cover whenever articles are not being handled in the degreaser.
 - (2) Drain cleaned articles for at least fifteen (15) seconds or until dripping ceases.

- (3) Store waste solvent only in covered containers and prohibit the disposal or transfer of waste solvent in any manner in which greater than twenty percent (20%) of the waste solvent by weight could evaporate.

Testing Requirements

The PTE of from the emergency generator, A16, is maintained below 25 tons per 12 consecutive month period is achieved by limiting the hours of operation. Therefore, no testing is required.

Compliance Requirements

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

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

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

- (a) The surface coating operations have applicable compliance monitoring conditions as specified below:
 - (1) Surface coating booths using dry filters as control shall perform:
 - (A) Daily inspections shall be performed to verify the placement, integrity and particle loading of the filters. To monitor the performance of the dry filters, weekly observations shall be made of the overspray from the surface coating booth stack while one or more of the booths are in operation. The Compliance Response Plan shall be followed whenever a condition exists which should result in a response step. Failure to take response steps in accordance with Section C - Compliance Monitoring Plan - Failure to Take Response Steps, shall be considered a violation of this permit.
 - (B) Monthly inspections shall be performed of the coating emissions from the stack and the presence of overspray on the rooftops and the nearby ground. The Compliance Response Plan for this unit shall contain troubleshooting contingency and response steps for when a noticeable change in overspray emission, or evidence of overspray emission is observed.
 - (2) The Compliance Response Plan shall be followed whenever a condition exists which should result in a response step. Failure to take response steps in accordance with Section D - Compliance Monitoring Plan - Failure to Take Response Steps, shall be considered a violation of this permit
 - (3) Additional inspections and preventive measures shall be performed as prescribed in the Preventive Maintenance Plan.

These monitoring conditions are necessary because the particulate matter controls must operate properly to ensure compliance with 326 IAC 6-1-2.

Air Toxic Emissions

Indiana presently requests applicants to provide information on emissions of the 188 hazardous air pollutants (HAPs) set out in the 1990 Clean Air Act. These pollutants are either carcinogenic or otherwise considered toxic and are commonly used by industries. They are listed as air toxics on the Office of Air Management (OAM) Part 70 Application Form GSD-08.

- (a) This source will emit levels of air toxics less than those which constitute a major source according to Section 112 of the 1990 Clean Air Act.
- (b) See the TV air permit application for detailed air toxic calculations.

Conclusion

The operation of these four (4) cryogenic air separation plants, identified as Plants 5, 6, 7, and 8, which manufacture industrial gases, shall be subject to the conditions of the attached proposed **Part 70 Permit No. T089-7989-00330**.

Indiana Department of Environmental Management Office of Air Quality

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

Source Name: Praxair, Inc.
Source Location: 4400 Kennedy Avenue, East Chicago, IN 46312
County: 4400 Kennedy Avenue, East Chicago, IN 46312
SIC Code: 2813
Operation Permit No.: T089-7989-00330
Permit Reviewer: Holly M. Stockrahm

On October 28, 2000, the Office of Air Quality (OAQ) had notices published in the Gary Post Tribune, Merrillville, Indiana, and The Times, Munster, Indiana, stating that Praxair, Inc. had applied for a Part 70 Operating Permit to operate four (4) cryogenic air separation plants, identified as Plants 5, 6, 7, and 8, manufacturing industrial gases. 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.

Based on the comments received from the source on November 30, 2000, 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 revised as necessary).

Comment 1:

Praxair, Inc. requests to add an emergency fuel-oil option for Boilers A1 and A2. The request is that Boiler A1 and A2 be allowed to be fired with No. 2 fuel oil rather than natural gas under the following circumstances:

- (a) Interruption of natural gas supply from the natural gas utility, for the duration of the interruption,
- (b) Inability to restart boilers due to natural gas control irregularities on our equipment, for the duration of the irregularity,
- (c) Test firing of each boiler for 4 hours per year using fuel oil.

Praxair has no intent to use any fuel other than natural gas in these boilers. However, the awareness brought about by Y2K showed the importance of maintaining a reliable supply of oxygen and nitrogen for our pipelines to regional industries. The pipeline backup system is operated by steam from a boiler. Please consider the following points:

- (a) Although an interruption in natural gas service has not occurred in recent memory, Praxair needs to be prepared for that possibility.
- (b) An irregularity in starting a boiler because of a malfunction of our natural gas control equipment has occurred roughly once every two or three years for a few hours each time.
- (c) The test firing of each boiler using fuel oil for 4 hour per year results in an additional NO_x emission of only 0.071 tons per year (total for both boilers) using AP-42, Table 1.3-1. The NO_x emission from the use of fuel during an actual natural gas interruption or irregularity would essentially be offset by the NO_x that would have been emitted anyway during that period had the boiler been operating on natural gas.

- (d) The five-foot-long oil-firing gun to each boiler is kept removed to prevent the use of oil except during the three circumstances listed above.

To be consistent with the requested addition, Praxair, Inc. also asks that IDEM please change the description from natural gas fired boilers to natural gas/distillate oil fired boilers in Section A.2 and D.1. Please note that these boilers have always had the capacity to burn fuel oil as an alternative fuel.

In conjunction with the correction made to include fuel oil capability, please add the corresponding regulatory requirements, 326 IAC 6-1-2(b)(4) and 326 IAC 7-1.1-2(a)(3).

Response to Comment 1:

Although the use of No. 2 fuel oil instead of natural gas for Boilers A1 and A2 may not result in an increase in NOx emissions, the level of SO2 emissions would dramatically increase. The use by Praxair, Inc. of No. 2 fuel oil as a backup fuel for the boilers A1 and A2 is not permissible under 326 IAC 7-4-1.1 (Sulfur Dioxide Emissions Limitations for Lake County) unless the potential to emit (PTE) of SO2 of the facility is less than twenty-five (25) tons per year or ten (10) pounds per hour. Therefore, a federally enforceable limit on the amount of fuel consumed will allow compliance with the 25 ton per year limit. Additionally, in order that the PTE is less than 10 pounds per hour, a limit on the sulfur content of the fuel would be necessary. The calculation of the %S content required is as follows:

Heat input rate of boiler:	103 MMBtu/hr
MM:	1,000,000
Btu value of No. 2 fuel oil:	140,000 Btu/gallon
kgal:	1,000 gal

The SO2 emission factor for boilers greater than 100 MM Btu/hr, burning No 2 fuel oil, is 142 (S), where S is the % sulfur content by weight of the fuel oil.

$$103 \text{ MM Btu/hr} \times 1000000/\text{MM} \times \text{gal}/140,000 \text{ Btu} \times \text{kgal}/1000 \text{ gal} \times 142(\text{S}) \text{ lb SO}_2/\text{kgal} = 10 \text{ lb SO}_2/\text{hr}$$
$$104.47(\text{S}) \text{ lb SO}_2/\text{hr} = 10 \text{ lb SO}_2/\text{hr}$$
$$\text{S} = 10 \text{ lb SO}_2/\text{hr} / 104.47 \text{ lb SO}_2/\text{hr} = 0.096 \%$$

In order to comply with the 25 tons of SO2 per year limit, the fuel intake of the single facility must be limited. The fuel intake of either boiler must be less than 3668 kgal per year. The calculation is as follows:

$$(x) \text{ kgal/year} \times 142 (0.096) \text{ lb SO}_2/\text{hr} \times \text{ton SO}_2 / 2000 \text{ lb SO}_2 < 25 \text{ tons SO}_2/\text{yr}$$
$$0.006816(x) \text{ ton SO}_2/\text{year} < 25 \text{ ton SO}_2/\text{year}$$
$$x < 3668$$

The source shall accept a limit on fuel usage and the sulfur content of the fuel for the facilities Boiler A1 and Boiler A2, so that the PTE of each boiler is less than 10 pounds of SO2 per hour or 25 tons of SO2 per year. Therefore, the requirements of 326 IAC 7-1.1-1 do not apply. The revised PTE table from the TSD and conditions under compliance determination (D.1.4, and D.1.5), compliance monitoring (D.1.6), recordkeeping (D.1.7), and reporting (D.1.8) which have been added or modified in the permit in order to ensure compliance with the fuels limits established in Condition D.1.2 are as follows:

Limited Potential to Emit

Process/facility	Potential to Emit (tons/year)						
	PM	PM-10	SO ₂	VOC	CO	NO _x	HAPs
Boiler A1			25				
Boiler A2			25				
Emergency Generator A16						25 ¹	

Pursuant to CP 089-5356-00330, issued July 23, 1996.

D.1.2 SO2 Minor Limit [326 IAC 7-1.1-1]

Boilers A1 and A2:

- (a) shall each burn No. 2 fuel oil with a maximum weight percent sulfur (S) of 0.096 % which will result in SO2 emissions less than 10 pounds per hour,
- (b) shall each limit No.2 fuel oil input to less than 3,668 kilogallons per 12 month consecutive period rolled on a monthly basis, which will result in SO2 emissions less than 25 tons per year.

Compliance with both D.1.2 (a) and (b) will render the requirements of 326 IAC 7-1.1-1 inapplicable. 326 IAC 7-1.1 is not federally enforceable.

D.1.4 NOx and SO2 Emissions

- (a) Compliance with Condition D.1.1 shall be demonstrated within 30 days of the end of each month based on the total hours of operation for the most recent twelve (12) month period.
- (b) Compliance with Condition D.1.2 (b) shall be demonstrated within 30 days of the end of each quarter based on the total fuel input for the most recent consecutive twelve (12) month period.

D.1.5 Sulfur Dioxide Emissions and Sulfur Content

Compliance with Condition D.1.2 shall be determined utilizing one of the following options:

- (a) Pursuant to 326 IAC 3-7-4, the Permittee shall demonstrate that the sulfur dioxide emissions do not exceed 0.096 pounds per million Btu heat input by:
 - (1) Providing vendor analysis of fuel oil delivered, if accompanied by a vendor certification, or;
 - (2) Analyzing the oil sample to determine the sulfur content of the oil via the procedures in 40 CFR 60, Appendix A, Method 19.
 - (A) Oil samples may be collected from the fuel tank immediately after the fuel tank is filled and before any oil is combusted; and
 - (B) If a partially empty fuel tank is refilled, a new sample and analysis would be required upon filling.

- (b) **Compliance may also be determined by conducting a stack test for sulfur dioxide emissions from the boiler using 40 CFR 60, Appendix A, Method 6 in accordance with the procedures in 326 IAC 3-6.**

A determination of noncompliance pursuant to any of the methods specified in (a) or (b) above shall not be refuted by evidence of compliance pursuant to the other method.

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

D.1.6 Visible Emissions Notations

- (a) **Visible emission notations of the Boilers A1 and A2 stack exhausts, identified as S001 and S002, shall be performed once per shift during normal daylight operations while combusting fuel oil. 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 Monitoring Plan - Failure to Take Response Steps, shall be considered a violation of this permit.**

D.1.7 Record Keeping Requirements

- (a) **To document compliance with Conditions D.1.1, the Permittee shall maintain records of the hours of operation of emergency generator, A16. These records shall be taken monthly and shall be complete and sufficient to establish compliance with the hourly operation limit established in Condition D.1.1.**
- (b) **The Permittee shall certify, on the form provided, that natural gas was fired in the boilers, A1 and A2, at all times during each quarter. Alternatively, the Permittee shall report the number of days during which an alternate fuel was burned during each quarter.**
- (c) **To document compliance with Condition D.1.2, the Permittee shall maintain records in accordance with (1) through (6) below. Records maintained for (1) through (6) shall be taken monthly and shall be complete and sufficient to establish compliance with the SO₂ emission limit established in Condition D.1.2.**
 - (1) **Calendar dates covered in the compliance determination period;**
 - (2) **Actual fuel oil usage since last compliance determination period and equivalent sulfur dioxide emissions;**

- (3) **A certification, signed by the owner or operator, that the records of the fuel supplier certifications represent all of the fuel combusted during the period, the natural gas fired boiler certification does not require the certification by the “responsible official” as defined by 326 IAC 2-7-1(34); and**

If the fuel supplier certification is used to demonstrate compliance the following, as a minimum, shall be maintained:

- (4) **Fuel supplier certifications;**
- (5) **The name of the fuel supplier; and**
- (6) **A statement from the fuel supplier that certifies the sulfur content of the fuel oil.**
- (d) **To document compliance with Condition D.1.6, the Permittee shall maintain records of visible emission notations of the boiler stack S001 and/or S002 exhaust while combusting fuel oil.**
- (e) **All records shall be maintained in accordance with Section C - General Record Keeping Requirements, of this permit.**

D.1.8 Reporting Requirements

- (a) A quarterly summary of the information to document compliance with Conditions D.1.1, D.1.2, **and D.1.3** shall be submitted to the address listed in Section C - General Reporting Requirements, of this permit, using the reporting forms located at the end of this permit, or their equivalent, within thirty (30) days after the end of the quarter being reported. The report submitted by the Permittee does not require the certification by the “responsible official” as defined by 326 IAC 2-7-1(34).
- (b) **The Permittee shall certify, on the form provided, that natural gas was fired in the boiler at all times during each quarter. Alternatively, the Permittee shall report the number of days during which an alternate fuel was burned during each quarter.**

Comment 2:

Praxair requests that items (1) through (6) be deleted from Section A.2(c). Only item (7), which is source A16 should remain. Items (1) through (6) should be transferred to Section A.3 because they are insignificant sources. Pursuant to 326 IAC 2-7-1(21)(G)(xxii)(BB)(bb), diesel emergency generators are considered insignificant sources. The only generator with a limit is A16, so the other six should be listed as insignificant sources.

Response to Comment 2:

In neither the TV permit application nor in the previously issued permits were the diesel generators described as emergency generators. The September 6, 1995 EPA Memorandum with Subject: Calculating Potential to Emit (PTE) for Emergency Generators defines an “emergency generator” as a generator whose sole function is to provide back-up power when electric power from the local utility is interrupted. Emissions occur only during emergency situations (i.e., where electric power from the local utility is interrupted), and for a very short time to perform maintenance checks and operator training. EPA believes that 500 hours is an appropriate default for estimating the number of hours that an emergency generator could be expected to operate under worst-case conditions.

Emergency Generator calculations based on 500 hours of operation would be insignificant. This guidance does not address (1) peaking units at electric utilities; (2) generators at industrial facilities that typically operate at low rates, but are not confined to emergency purposes; and (3) any standby generator that is used during time periods when power is available from the utility. The source agrees that the generators meet these criteria, and, therefore, IDEM agrees that Section A.2(c), items (1) through (6) should be transferred to Section A.3 because they are insignificant sources. Section A.2 has been changed as follows:

- (a) ~~Seven (7)~~ **One (1)** No. 2 fuel oil fired generators, ~~described as follows:~~
- ~~(1) A7, with a capacity of 6.2 MM Btu/hr, 50 6.2 MM Btu/hr, 750 kW unit, using no controls, and exhausting to stack S012 0 kW unit, using no controls, and exhausting to stack S007-A through B,~~
 - ~~(2) A8, with a capacity of 6.2 MM Btu/hr, 500 kW unit, using no controls, and exhausting to stack S008-A through B,~~
 - ~~(3) A9, with a capacity of 6.2 MM Btu/hr, 500 kW unit, using no controls, and exhausting to stack S009-A through B,~~
 - ~~(4) A10, with a capacity of 6.2 MM Btu/hr, 5000 kW unit, using no controls, and exhausting to stack S010-A through B,~~
 - ~~(5) A11, with a capacity of 6.2 MM Btu/hr, 750 kW unit, using no controls, and exhausting to stack S011,~~
 - ~~(6) A12, with a capacity of 6.2 MM Btu/hr, 750 kW unit, using no controls, and exhausting to stack S012, and~~
 - ~~(7) A16, with a capacity of 6.2 MM Btu/hr, 500 kW unit, using no controls, and exhausting to stack S016.~~

The TSD addendum notes that the insignificant activities list should include:

- (f) **Emergency generators as follows:**
- (1) **Diesel generators not exceeding 1600 horsepower.**
 - (A) **A7, with a capacity of 6.2 MM Btu/hr, 50 6.2 MM Btu/hr, 750 kW unit, using no controls, and exhausting to stack S012 0 kW unit, using no controls, and exhausting to stack S007-A through B,**
 - (B) **A8, with a capacity of 6.2 MM Btu/hr, 500 kW unit, using no controls, and exhausting to stack S008-A through B,**
 - (C) **A9, with a capacity of 6.2 MM Btu/hr, 500 kW unit, using no controls, and exhausting to stack S009-A through B,**
 - (D) **A10, with a capacity of 6.2 MM Btu/hr, 5000 kW unit, using no controls, and exhausting to stack S010-A through B,**
 - (E) **A11, with a capacity of 6.2 MM Btu/hr, 750 kW unit, using no controls, and exhausting to stack S011,**
 - (F) **A12, with a capacity of 6.2 MM Btu/hr, 750 kW unit, using no controls, and exhausting to stack S012.**

Comment 3:

The paint spray booth, A14, should be removed from Section 4.2 Emission Units, and added to Section A.3 Insignificant Activities. The Paint Spray Booth is dedicated to the spray painting of high pressure metal cylinders that are used to store and ship the gases krypton, xenon, and neon that the facility produces. As a dedicated function, the Paint Spray Booth's potential to emit is directly linked to the facility's capacity to produce these gases. Based on current production capacity, the facility ships about 2,000 high-pressure gas cylinders per year. The cylinders are painted with water-based paint in this booth prior to shipment. Therefore, the "potential to emit" for the Paint Spray Booth indicates that this emissions unit should have been identified as an Insignificant Activity in the application.

The total amount of paint used for painting these cylinders is about 75 gallons per year, which itself represents a conservative first approximation of the paint booth's "potential to emit." As a sensitivity analysis, Praxair has also "tested" this value to assure ourselves that we are truly providing a "maximum theoretical potential to emit" value to accurately characterize this emission unit for Title V purposes. To be conservative, we applied a factor of safety of 10 to this calculation. Based on this "worst" worst case theoretical assumption, we have supporting calculations (available at IDEM's request) which indicate that the maximum uncontrolled annual emissions from this source are 0.63 tons of particulate, and 0.6 tons of Volatile Organic Compounds (VOC). Please also note that these calculations assume the absence of particulate filters, whereas in reality we will be using the particulate filters.

The maximum, theoretical, uncontrolled potential to emit of this unit is clearly below the threshold levels specified for insignificant activities in 326 IAC 2-1.1-3(d)(1) and 326 IAC 2-7-1 Section 1.(21). More specifically, the maximum, theoretical, uncontrolled potential to emit is below the 5 tpy threshold for particulate or VOC, and below the 1 tpy threshold for HAPs. Therefore, Praxair is requesting IDEM to remove the "facility operating conditions" associated with this source listed in Section D.2 (D.2.1 through D.2.6) of the draft Title V permit. Additionally, this source should be added to Section D.3 of the permit along with other listed insignificant activities. As indicated by the calculations, this emissions unit is essentially "environmentally trivial." It does not appear necessary or appropriate to address this emission unit in the Title V permit, except to list it among insignificant activities.

Response to Comment 3:

Praxair states that the spray booth's PTE is directly linked to the facility's capacity to produce gases, therefore, they wish PTE for spray painting to be evaluated based on production of gases as a bottleneck activity. EPA allows that inherent physical limitations and operations design features which restrict the potential emissions of individual emission units can be taken into account. However, the spray painting does not have inherent physical limitation nor does it have design features which restrict the potential emissions, therefore, it is inappropriate to evaluate PTE for this unit based on production of gases. There is no change to the permit as a result of this comment.

Comment 4:

Praxair requests that the last portion of the first sentence of Condition B.13(c), beginning with "including any term or condition from auntil the permit is reissued." be deleted. Condition B.13(b) states that "all previously issued operating permits are superseded by this permit." However, Condition B.13(c) says that if this permit "is in nonconformance withany term or condition from a previously issued construction or operation permit" then IDEM is to reopen and revise the permit.

These two provisions appear to be inconsistent. The latter brings into play all terms and conditions of the previous permits listed on Pages 2 and 3 of the Technical Support Document (TSD). The only one addressed in the permit is the July 1996 permit. EPA guidance makes it clear that Title V permits are to incorporate all outstanding terms and conditions or to "cleanse" those which are outmoded or inconsistent. That is the reason for the requested deletion.

Response to Comment 4:

IDEM, OAQ, does not agree. If IDEM, OAQ, issues a TV permit, which, in error, does not include requirements that are applicable to the source, IDEM may reopen and revise the permit to include those conditions. The lack of those conditions within the TV document does not supersede the applicability of those requirements. This comment effects no change to the permit.

Comment 5:

Praxair requests that IDEM delete Condition C.5. Condition C.5 incorporates 326 IAC 6-1-11.1. This rule applies only to sources with a potential to emit of 5 tons or more of fugitive particulate matter, which means any emissions to the atmosphere other than from a stack. There is no finding in the TSD that this rule is applicable to this facility.

Response to Comment 5:

IDEM agrees to remove this Condition C.5 Fugitive Dust Emissions [326 IAC 6-1-11.1] because Praxair is stating that the source does not have the potential to emit five (5) tons or more of fugitive particulate emissions. However, it is necessary to add C.5 Fugitive Dust Emissions [326 IAC 6-4] as it applies to all source of fugitive dust. Condition D.5 has been revised as follows:

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

~~The Permittee shall be in violation of 326 IAC 6-1-11.1 (Lake County Fugitive Particulate Matter Control Requirements), if the opacity of fugitive particulate emissions exceeds ten percent (10%). Compliance with this opacity limit shall be achieved by controlling fugitive particulate matter emissions according to the plan submitted to IDEM. The plan does not require the certification by the "responsible official" as defined by 326 IAC 2-7-1(34).~~

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

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

Comment 6:

Concerning Condition D.1.2, Condition D.1.6 requires quarterly reporting of compliance with Condition D.1.2. However, Condition D.1.2 contains no compliance determination requirement. Is the fuel usage requirement in Condition D.1.5(b) sufficient?

Response to Comment 6:

IDEM views the fuel usage certification required in D.1.5(b) as sufficient to show compliance with D.1.2 Particulate Matter Limitations based on 326 IAC 6-1-2.

Comment 7:

Praxair requests that Condition D.1.3 and also the reference to a PMP in Condition D.1.5(b) be deleted. The draft Condition D.1.3 requires a PMP for "this facility and any control devices". According to Rule 1-6-3, PMP's are required only for control devices. We have no control devices.

Response to Comment 7:

Preventive Maintenance Plans are applicable to facilities emitting PM, SO₂, or VOC with existing applicable requirements even if the unit does not have controls if actual emissions exceed 25 tons per year. These boilers do not have emissions of PM, SO₂, or VOC greater than 25 tons per year, therefore, IDEM agrees to delete condition D.1.3 Preventive Maintenance Plan as follows and renumber the Section D.1 as necessary:

~~D.1.3 Preventive Maintenance Plan [326 IAC 2-7-5(13)]~~

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

Comment 8:

Praxair requests that in Condition D.2.5(a)(1), the daily and weekly inspection requirements be replaced with a requirement for Praxair to conduct and document an Operator Training Program in which each operator of this source is trained annually on the proper alignment and maintenance of filters.

Response to Comment 8:

IDEM agrees to replace the inspection requirements under Condition D.2.5 with an alternative plan as Praxair has a good history of compliance, Praxair understands that noncompliance with the added condition D.2.5 is an automatic violation, and that the training program must be part of the PMP. The alternative plan is as follows:

~~D.2.5 Monitoring~~

~~(a) Surface coating booths using dry filters as control shall perform:~~

- ~~(1) Daily inspections shall be performed to verify the placement, integrity and particle loading of the filters. To monitor the performance of the dry filters, weekly observations shall be made of the overspray from the surface coating booth stack while one or more of the booths are in operation. The Compliance Response Plan shall be followed whenever a condition exists which should result in a response step. Failure to take response steps in accordance with Section C - Compliance Monitoring Plan - Failure to Take Response Steps, shall be considered a violation of this permit.~~
- ~~(2) Monthly inspections shall be performed of the coating emissions from the stack and the presence of overspray on the rooftops and the nearby ground. The Compliance Response Plan for this unit shall contain troubleshooting contingency and response steps for when a noticeable change in overspray emission, or evidence of overspray emission is observed.~~
- ~~(3) The Compliance Response Plan shall be followed whenever a condition exists which should result in a response step. Failure to take response steps in accordance with Section D - Compliance Monitoring Plan - Failure to Take Response Steps, shall be considered a violation of this permit~~
- ~~(4) Additional inspections and preventive measures shall be performed as prescribed in the Preventive Maintenance Plan.~~

Compliance Determination Requirements

~~D.2.5 Monitoring~~

~~The dry filters for particulate matter overspray control shall be properly in place and maintained to ensure integrity and particulate loading of the filters at all times when the paint booths are in operation.~~

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

~~D.2.6 Monitoring~~

~~The surface coating booths have applicable compliance monitoring conditions as specified below:~~

- (a) **The Permittee shall implement an operator training program with the following requirements:**
- (1) **All operators that perform painting operations or booth maintenance shall be trained in the proper set-up and operation of the particulate control system. All existing operators shall be trained within sixty (60) days of permit issuance. All new operators shall be trained upon hiring.**
 - (2) **Training shall include proper filter alignment, filter inspection and maintenance, and trouble shooting practices. The training program shall be in writing and retained on site. Copies of the training program, the list of trained operators, and training records shall be maintained on site or available within one (1) hour for inspection by IDEM.**
 - (3) **All operators shall be given refresher training annually.**
- (b) **Records shall be maintained of any non-routine maintenance activities performed on the particulate emission control devices which have air flow greater than four thousand cubic feet per minute (4000 cfm).**
- (c) **Additional inspections and preventive measures shall be performed as prescribed in the Preventive Maintenance Plan.**

Comment 9:

Praxair requests that under Condition D.3.2, that a compliance determination condition be added stating "the dust collectors shall be in operation at all times the shotblasting operation being controlled is in operation." Condition D.3.2 does not contain a compliance determination method for the shotblasters. The TSD, on page 7 of 9, suggests that "dust collectors shall be in operation at all times the shotblasting operation being controlled is in operation."

Response to Comment 9:

IDEM does not require compliance determination or monitoring for insignificant activities. Therefore, there is no change to the permit as a result of this comment.

Comment 10:

For all of the changes requested in this transmittal, Praxair requests that corresponding changes be made to the Technical Support Document for the Part 70 Permit and its addendum.

Response to Comment 10:

The Technical Support Document (TSD) addendum is part of the TSD for the Part 70 Permit, and records the changes and revisions required as a result of comments. The original TSD is not changed or amended, all changes are addressed in the TSD addendum.

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. In addition, all references to the Office of Air Management (OAM) have been changed to the Office of Air Quality (OAQ) as of January 1, 2001.

Front Page

1. The expiration has been added to the signature box. The Administration and Development Section will be responsible for typing in the issuance date and the expiration date. The expiration is exactly 5 years after the issuance date. For example, if the permit was issued December 13, 1996, the expiration date would be December 13, 2001.

Operation Permit No.: T089-7989-00330	
Issued by: Janet G. McCabe, Assistant Commissioner Office of Air Quality	Issuance Date: Expiration Date:

Section A

1. A.1 (General Information) add the following rule cite which is the definition of a major source in 326 IAC 2-7. Also the responsible official section can be a name or a title. We are no longer going to include the phone number of the contact person, because it is cumbersome to do an administrative amendment every time they change the number.

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 four (4) cryogenic air separation plants, identified as Plants 5, 6, 7, and 8, manufacturing industrial gases.

Responsible Official:	Michael Lutz
Source Address:	4400 Kennedy Avenue, East Chicago, IN 46312
Mailing Address:	P.O. Box 44, Tonawanda, NY 14151
Phone Number:	219-391-5200 (James J. Dunlap, Plant Manager)
SIC Code:	2813
County Location:	Lake
Source Location Status:	Nonattainment for Ozone, PM10, SO2, and NOx Attainment for all other criteria pollutants
Source Status:	Part 70 Permit Program Major Source, under Emission Offset Rules

2. Section A.2 descriptions have been revised for clarity as follows:

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

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

- (a) Two (2) natural gas fired boilers, described as follows:
 - (1) A1, **constructed in 1972**, with a capacity of 103 million British thermal units per hour (MM Btu/hr), using no controls, and exhausting to **one (1) stack identified as S001**, and
 - (2) A2, **constructed in 1972**, with a capacity of 103 MM Btu/hr, using no controls, and exhausting to **one (1) stack identified as S002**;

- (b) Three (3) natural gas regeneration heaters, **constructed in 1972**, described as follows:
 - (1) A4, **constructed in 1971**, with a capacity of 10.8 MM Btu/hr, using no controls, and exhausting to **four (4) stacks identified as S004-A through D**,
 - (2) A5, **constructed in 1973**, with a capacity of 10.8 MM Btu/hr, using no controls, and exhausting to **four (4) stacks identified as S005-A through D**, and
 - (3) A6, **constructed in 1973**, with a capacity of 10.8 MM Btu/hr, using no controls, and exhausting to **four (4) stacks identified as S006-A through D**;
- (c) One (1) No. 2 fuel oil fired generator, A16, **constructed in July, 1996**, with a capacity of 6.2 MM Btu/hr, 500 kw unit, using no controls, and exhausting to **one (1) stack identified as S016**.
- (d) One (1) paint spray booth, A14, **constructed in 1971**, a cylinder paint spray booth, utilizing air atomization, with a maximum capacity of 16.4 pounds of paint per hour, using dry filters as PM control, and exhausting to **one (1) stack identified as S033**.

Section B

- 1. B.7 (Duty to Supplement and Provide Information) The condition has been reworded to match the language in the rule.

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

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

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

The submittal by the Permittee does require the certification by the “responsible official” as defined by 326 IAC 2-7-1(34).
- (b) The Permittee shall furnish to IDEM, OAQ, within a reasonable time, any information that IDEM, OAQ, may request in writing to determine whether cause exists for modifying, revoking and reissuing, or terminating this permit, or to determine compliance with this permit. The submittal by the Permittee does require the certification by the “responsible official” as defined by 326 IAC 2-7-1(34). **Upon request, the Permittee shall also furnish to IDEM, OAQ, copies of records required to be kept by this permit or, for information claimed to be confidential, the Permittee may furnish such records directly to the U. S. EPA along with a claim of confidentiality. [326 IAC 2-7-5(6)(E)]**
- (c) ~~Upon request, the Permittee shall also furnish to IDEM, OAM, copies of records required to be kept by this permit.~~ The Permittee may include a claim of confidentiality in accordance with 326 IAC 17. ~~If requested by IDEM, OAM, or the U.S. EPA, to~~ **When furnishing** copies of requested records directly to U. S. EPA, ~~then the Permittee must furnish record directly to the U. S. EPA.~~ The Permittee may assert a claim of confidentiality in accordance with 40 CFR 2, Subpart B.

2. B.8 (Compliance with Permit Conditions) (c) has been added to clarify that an emergency does constitute a defense in an enforcement action if the Permittee complies with the emergency procedures.

B.8 Compliance with Permit Conditions [326 IAC 2-7-5(6)(A)] [326 IAC 2-7-5(6)(B)]

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

3. B.9 (Certification) (b) has been modified to clarify when a certification is needed.

B.9 Certification [326 IAC 2-7-4(f)] [326 IAC 2-7-6(1)] [326 IAC 2-7-5(3)(C)]

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

4. B.10 (Annual Compliance Certification) paragraph (a) has been revised to clarify that the initial certification is from the date of issuance until Dec. 31. Paragraph (c) has been revised so that it matches the language in the rule.

B.10 Annual Compliance Certification [326 IAC 2-7-6(5)]

- (a) The Permittee shall annually submit a compliance certification report which addresses the status of the source's compliance with the terms and conditions contained in this permit, including emission limitations, standards, or work practices. **The initial certification shall cover the time period from the date of final permit issuance through December 31 of the same year. All subsequent** ~~The~~ **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 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
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).

5. B.11 (Preventive Maintenance Plan) the record keeping requirements have been added to this condition.

B.11 Preventive Maintenance Plan [326 IAC 2-7-5(1),(3) and (13)] [326 IAC 2-7-6(1) and (6)]
[326 IAC 1-6-3]

-
- (a) If required by specific condition(s) in Section D of this permit, the Permittee shall prepare and maintain Preventive Maintenance Plans (PMPs) within ninety (90) days after issuance of this permit, including the following information on each facility:
 - (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 ~~it's~~ **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 and the PMP extension notification do not require the certification by the “responsible official” as defined by 326 IAC 2-7-1(34).

- (b) The Permittee shall implement the PMPs as necessary to ensure that failure to implement a PMP does not cause or contribute to a violation of any limitation on emissions or potential to emit.

- (c) A copy of the PMPs shall be submitted to IDEM, OAQ, upon request and within a reasonable time, and shall be subject to review and approval by IDEM, OAQ. IDEM, OAQ, may require the Permittee to revise its PMPs whenever lack of proper maintenance causes or contributes to any violation. The PMP does not require the certification by the "responsible official" as defined by 326 IAC 2-7-1(34).
- (d) **Records of preventive maintenance shall be retained for a period of at least five (5) years. These records shall be kept at the source location for a minimum of three (3) years. The records may be stored elsewhere for the remaining two (2) years as long as they are available upon request. If the Commissioner makes a request for records to the Permittee, the Permittee shall furnish the records to the Commissioner within a reasonable time.**

6. B.12 (Emergency Provisions) a reference to the Emergency Occurrence Report Form has been added to B.13(b)(5). The emergency form is for emergencies only, and is no longer an emergency and deviation form. All deviations will now be reported on the Quarterly Deviation and Compliance Monitoring Report. Paragraph (d) part of the first sentence has been deleted. Since it is a TV source, then we also know the malfunction rule has been superceded by the emergency rule. Paragraph (f) "compliance" has been changed to "accordance".

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

- (a) An emergency, as defined in 326 IAC 2-7-1(12), is not an affirmative defense for an action brought for noncompliance with a federal or state health-based emission limitation, except as provided in 326 IAC 2-7-16.
- (b) An emergency, as defined in 326 IAC 2-7-1(12), constitutes an affirmative defense to an action brought for noncompliance with a health-based or technology-based emission limitation if the affirmative defense of an emergency is demonstrated through properly signed, contemporaneous operating logs or other relevant evidence that describe the following:
 - (1) An emergency occurred and the Permittee can, to the extent possible, identify the causes of the emergency;
 - (2) The permitted facility was at the time being properly operated;
 - (3) During the period of an emergency, the Permittee took all reasonable steps to minimize levels of emissions that exceeded the emission standards or other requirements in this permit;
 - (4) For each emergency lasting one (1) hour or more, the Permittee notified IDEM, OAQ, within four (4) daytime business hours after the beginning of the emergency, or after the emergency was discovered or reasonably should have been discovered;

Telephone Number: 1-800-451-6027 (ask for Office of Air Quality, Compliance Section), or
Telephone Number: 317-233-5674 (ask for Compliance Section)
Facsimile Number: 317-233-5967
- (5) For each emergency lasting one (1) hour or more, the Permittee submitted **the attached Emergency Occurrence Report Form or its equivalent notice**, either ~~in writing by mail~~ or facsimile, ~~of the emergency 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) ~~for sources subject to this rule after the effective date of this rule.~~ This permit condition is in addition to any emergency or upset provision contained in any applicable requirement.
- (e) IDEM, OAQ, may require that the Preventive Maintenance Plans required under 326 IAC 2-7-4-(c)(10) 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 ~~compliance~~ **accordance** with (b)(4) and (5) of this condition shall constitute a violation of 326 IAC 2-7 and any other applicable rules.
- (g) Operations may continue during an emergency only if the following conditions are met:
 - (1) If the emergency situation causes a deviation from a technology-based limit, the Permittee may continue to operate the affected emitting facilities during the emergency provided the Permittee immediately takes all reasonable steps to correct the emergency and minimize emissions.
 - (2) If an emergency situation causes a deviation from a health-based limit, the Permittee may not continue to operate the affected emissions facilities unless:
 - (A) The Permittee immediately takes all reasonable steps to correct the emergency situation and to minimize emissions; and
 - (B) Continued operation of the facilities is necessary to prevent imminent injury to persons, severe damage to equipment, substantial loss of capital investment, or loss of product or raw materials of substantial economic value.

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

7. B.15 (Deviations from Permit Requirements and Conditions) we are no longer requiring sources to report deviations in 10 days. Now they will report deviations quarterly on the Quarterly Deviation and Compliance Monitoring Report. References to the emergency report have been removed since deviations will not be reported on that form anymore. There is no longer a 5% exception for reporting deviations, since we relaxed the 10 day notification to a quarterly report.

B.15 Deviations from Permit Requirements and Conditions [326 IAC 2-7-5(3)(C)(ii)]

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

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

~~within ten (10) calendar days from the date of the discovery of the deviation using the attached Quarterly Deviation and Compliance Monitoring Report, or its equivalent. except for the failure to perform the monitoring or record the information required by the compliance monitoring provisions of Section D unless such failure exceeds 5% of the required data in any calendar quarter. 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.~~

The notification by the Permittee 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 or a rule. It does not include:
- (1) An excursion from compliance monitoring parameters as identified in Section D of this permit unless tied to an applicable rule or limit; or
 - (2) ~~An emergency as defined in 326 IAC 2-7-1(12); or~~
 - (3) Failure to implement elements of the Preventive Maintenance Plan unless such failure has caused or contributed to a deviation.

A Permittee's failure to take the appropriate response step when an excursion of a compliance monitoring parameter has occurred is a deviation.

- (c) Emergencies shall be included in the Quarterly Deviation and Compliance Monitoring Report.

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

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

8. B.16 (Permit Modification, Reopening, Revocation and Reissuance, or Termination) the “and” has been changed to “or” since the reopening could be done by either the local or the state agency.

B.16 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]

- (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)]

9. B.18 (Permit Amendment or Modification) 326 IAC 2-7-4(f) requires all applications to be certified by the responsible official, therefore this condition has been revised to clarify that. EPA has also requested this change.

B.18 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 should be certified by the "responsible official" as defined by 326 IAC 2-7-1(34) ~~only if a certification is required by the terms of the applicable rule.~~

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

10. B.20 (Operational Flexibility) (b) has been reorganized a bit. Paragraph (b)(1) was taken out so the condition would be consistent with the language in the rule.

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

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

~~(1) The permit shield, described in 326 IAC 2-7-15, shall not apply to any change made under 326 IAC 2-7-20(b).~~

~~(2) For each such Section 502(b)(10) of the Clean Air Act change, the required written notification shall include the following:~~

~~(A)(1) A brief description of the change within the source;~~

~~(B)(2) The date on which the change will occur;~~

~~(C)(3) Any change in emissions; and~~

~~(D)(4) Any permit term or condition that is no longer applicable as a result of the change.~~

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

11. B.21 (Source Modification Requirement) 326 IAC 2 has been added to make the condition more complete. The language "applicable provisions" has been removed because it is unnecessary.
12. B.22 (Inspection and Entry) "At reasonable times" has been deleted because neither the rule nor the statute limit us. We could ask for those things at any time.

B.22 Inspection and Entry [326 IAC 2-7-6(2)] [IC 13-14-2-2]

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

- (a) Enter upon the Permittee's premises where a Part 70 source is located, or emissions related activity is conducted, or where records must be kept under the conditions of this permit;
 - (b) Have access to and copy, ~~at reasonable times~~, any records that must be kept under the conditions of this permit;
 - (c) Inspect, ~~at reasonable times~~, any facilities, equipment (including monitoring and air pollution control equipment), practices, or operations regulated or required under this permit;
 - (d) Sample or monitor, ~~at reasonable times~~, substances or parameters for the purpose of assuring compliance with this permit or applicable requirements; and
 - (e) Utilize any photographic, recording, testing, monitoring, or other equipment for the purpose of assuring compliance with this permit or applicable requirements.
~~[326 IAC 2-7-6(6)]~~
13. B.23 (Transfer of Ownership or Operational Control) 326 IAC 2-7-4(f) requires all applications to be certified by the responsible official, therefore this condition has been revised to clarify that EPA has also requested this change.

B.23 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 not 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)]

14. B.24 (Annual Fee Payment) add the following rule cite to paragraph (a).

B.24 Annual Fee Payment [326 IAC 2-7-19] [326 IAC 2-7-5(7)]

- (a) The Permittee shall pay annual fees to IDEM, OAQ, within thirty (30) calendar days of receipt of a billing. **Pursuant 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 317-233-0425 (ask for OAQ, Technical Support and Modeling Section), to determine the appropriate permit fee.

Section C

1. Condition C.1 has been deleted. 326 IAC 6-3-2 Particulate Matter Limitations for Process Operations does not apply to the operations at sources in Lake County. Section C conditions have been renumbered accordingly.

2. C.6 (Operation of Equipment) the following revisions were made to clarify the condition.

C.5 Operation of Equipment [326 IAC 2-7-6(6)]

Except as otherwise provided **by statute, 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.

3. C.7 (Asbestos Abatement Projects) the rule cite in the title was changed to make it more generalized.

C.6 Asbestos Abatement Projects [326 IAC 14-10] [326 IAC 18] [~~40 CFR 61.140~~] **[40 CFR 61, Subpart M]**

4. C.8 (Performance Testing) "within" has been changed to "not later than".

C.7 Performance Testing [326 IAC 3-6]

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

5. C.10 (Compliance Monitoring) there are times when compliance monitoring is required by a MACT that the source does not have to comply with yet. Therefore, language has been added to clarify that the permit will specify when CM doesn't have to start in 90 days. The same idea applies to new units, if the MACT doesn't apply yet, we would not expect the source to start compliance monitoring.

C.9 Compliance Monitoring [326 IAC 2-7-5(3)] [326 IAC 2-7-6(1)]

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

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

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

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

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

6. C.11 (Monitoring Methods) the following rule cites have been added.

C.10 Monitoring Methods [326 IAC 3] [40 CFR 60] [40 CFR 63]

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

7. C.13 (Risk Management Plan) if a source is subject to 40 CFR 68, they should have already submitted a Risk Management Plan.

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

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

- (a) A compliance schedule for meeting the requirements of 40 CFR 68 ~~by the date provided in 40 CFR 68.10(a)~~; or
- (b) As a part of the annual compliance certification submitted under 326 IAC 2-7-6(5), a certification statement that the source is in compliance with all the requirements of 40 CFR 68, including the registration and submission of a Risk Management Plan (RMP).

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

8. C.18 (Compliance Monitoring Plan - Failure to Take Response Steps), little grammatical changes were made upon a few reviewers request. (a) "of" was added. (c) ";or" has been replaced with a period. (f) "(5%)" has been added to be consistent with the rest of the permit. Also, changes were made to (a)(5) and (f) due to frequently asked questions.

C.18 Compliance Monitoring Plan - Failure to Take Response Steps [326 IAC 2-7-5] [326 IAC 2-7-6]

- (a) The Permittee is required to implement a compliance monitoring plan to ensure that reasonable information is available to evaluate its continuous compliance with applicable requirements. The compliance monitoring plan can be either an entirely new document, consist in whole of information contained in other documents, or consist of a combination of new information and information contained in other documents. If the compliance monitoring plan incorporates by reference information contained in other documents, the Permittee shall identify as part of the compliance monitoring plan the documents in which the information is found. The elements of the compliance monitoring plan are:
- (1) This condition;
 - (2) The Compliance Determination Requirements in Section D of this permit;
 - (3) The Compliance Monitoring Requirements in Section D of this permit;
 - (4) The Record Keeping and Reporting Requirements in Section C (Monitoring Data Availability, General Record Keeping Requirements, and General Reporting Requirements) and in Section D of this permit; and
 - (5) A Compliance Response Plan (CRP) for each compliance monitoring condition of this permit. CRP's shall be submitted to IDEM, OAQ upon request and shall be subject to review and approval by IDEM, OAQ. The CRP shall be prepared within ninety (90) days after issuance of this permit by the Permittee and maintained on site, and is comprised of:
 - (A) Reasonable response steps that may be implemented in the event that compliance related information indicates that a response step is needed pursuant to the requirements of Section D of this permit; and
 - (B) A time schedule for taking reasonable response steps including a schedule for devising additional response steps for situations that may not have been predicted.
- (b) For each compliance monitoring condition of this permit, reasonable response steps shall be taken when indicated by the provisions of that compliance monitoring condition. Failure to take reasonable response steps ~~shall~~ **may** constitute a violation of the permit.
- (c) Upon investigation of a compliance monitoring excursion, the Permittee is excused from taking further response steps for any of the following reasons:
- (1) A false reading occurs due to the malfunction of the monitoring equipment. This shall be an excuse from taking further response steps providing that prompt action was taken to correct the monitoring equipment.
 - (2) The Permittee has determined that the compliance monitoring parameters established in the permit conditions are technically inappropriate, has previously submitted a request for an administrative amendment to the permit, and such request has not been denied.~~;~~~~or~~
 - (3) An automatic measurement was taken when the process was not operating.~~;~~~~or~~
 - (4) The process has already returned or is returning to operating within "normal" parameters and no response steps are required.

- (d) Records shall be kept of all instances in which the compliance related information was not met and of all response steps taken. In the event of an emergency, the provisions of 326 IAC 2-7-16 (Emergency Provisions) requiring prompt corrective action to mitigate emissions shall prevail.
 - (e) All monitoring required in Section D shall be performed at all times the equipment is operating. If monitoring is required by Section D and the equipment is not operating, then the Permittee may record the fact that the equipment is not operating or perform the required monitoring.
 - (f) ~~If for reasons beyond its control, the Permittee fails to perform the monitoring and record keeping as required by Section D, then the reasons for this must be recorded.~~
 - (1) ~~At its discretion, IDEM may excuse the Permittee's failure to perform the monitoring and record keeping as required by Section D, if the Permittee provides such failure providing adequate justification is documented and documents that such failures do not exceed five percent (5%) of the operating time in any quarter.~~
 - (2) Temporary, unscheduled unavailability of qualified staff shall be considered a valid reason for failure to perform the monitoring or record keeping requirements in Section D.
9. C.15 (Actions Related to Noncompliance Demonstrated by a Stack Test) "corrective actions" has been changed to "response actions" to be consistent with the rest of the permit.
- C.14 Actions Related to Noncompliance Demonstrated by a Stack Test [326 IAC 2-7-5]
[326 IAC 2-7-6]
-
- (a) When the results of a stack test performed in conformance with Section C - Performance Testing, of this permit exceed the level specified in any condition of this permit, the Permittee shall take appropriate ~~corrective~~ **response** actions. The Permittee shall submit a description of these ~~corrective~~ **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 ~~corrective~~ **response** actions are being implemented.
10. C.16 (Emission Statement) "estimated" was added to (a)(1) and (a)(2) because that is how 326 IAC 2-6 describes emissions.
- C.15 Emission Statement [326 IAC 2-7-5(3)(C)(iii)] [326 IAC 2-7-5(7)] [326 IAC 2-7-19(c)]
[326 IAC 2-6]
-
- (a) The Permittee shall submit an annual emission statement certified pursuant to the requirements of 326 IAC 2-6, that must be received by April 15 of each year and must comply with the minimum requirements specified in 326 IAC 2-6-4. The annual emission statement shall meet the following requirements:
 - (1) Indicate **estimated** actual emissions of criteria pollutants from the source, in compliance with 326 IAC 2-6 (Emission Reporting);
 - (2) Indicate **estimated** actual emissions of other regulated pollutants (as defined by 326 IAC 2-7-1) from the source, for purposes of Part 70 fee assessment.

11. C.17 (General Record Keeping Requirements) "monitoring" was removed so that the condition will seem more generalized to all record keeping, "reports" was added to clarify that the source must keep copies of those as well. (b) and (c) have been removed because they were unnecessary. If we wanted records of those things, we would specify it in D or elsewhere in the permit.

C.16 General Record Keeping Requirements [326 IAC 2-7-5(3)] [326 IAC 2-7-6]

(a) Records of all required ~~monitoring~~ data, **reports** and support information shall be retained for a period of at least five (5) years from the date of monitoring sample, measurement, report, or application. These records shall be kept at the source location for a minimum of three (3) years. 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) Records of required monitoring information shall include, where applicable:~~

~~(1) The date, place, and time of sampling or measurements;~~

~~(2) The dates analyses were performed;~~

~~(3) The company or entity performing the analyses;~~

~~(4) The analytic techniques or methods used;~~

~~(5) The results of such analyses; and~~

~~(6) The operating conditions existing at the time of sampling or measurement.~~

~~(c) Support information shall include, where applicable:~~

~~(1) Copies of all reports required by this permit;~~

~~2. All original strip chart recordings for continuous monitoring instrumentation;~~

~~(3) All calibration and maintenance records;~~

~~(4) Records of preventive maintenance.~~

~~(d)~~**(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.

12. C.18 (General Reporting Requirements) the Semi-Annual Compliance Monitoring Report is now the Quarterly Deviation and Compliance Monitoring Report. References to the emergency report has been removed, all the information is in B.13. In (d) we have clarified that the report does need to be certified by the responsible official, this change is also reflected in all the D sections and the reporting forms. EPA has also requested this change.

C.17 General Reporting Requirements [326 IAC 2-7-5(3)(C)] [326 IAC 2-1.1-11]

(a) ~~To affirm that the source has met all the compliance monitoring requirements stated in this permit~~ The source shall submit ~~a~~ **the attached Quarterly Deviation and Compliance Monitoring Report or its equivalent**. Any deviation from ~~the permit~~

requirements, ~~and~~, the date(s) of each deviation, **the cause of the deviation, and the response steps taken** must be reported. **This report shall be submitted within thirty (30) days of the end of the reporting period.** The **Quarterly Deviation and Compliance Monitoring Report** shall include the certification by the “responsible official” as defined by 326 IAC 2-7-1(34).

- (b) The report required in (a) of this condition and reports required by conditions in Section D of this permit shall be submitted to:

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

- (c) Unless otherwise specified in this permit, any notice, report, or other submission required by this permit shall be considered timely if the date postmarked on the envelope or certified mail receipt, or affixed by the shipper on the private shipping receipt, is on or before the date it is due. If the document is submitted by any other means, it shall be considered timely if received by IDEM, OAQ, on or before the date it is due.
- (d) Unless otherwise specified in this permit, any quarterly report required in Section D of this permit shall be submitted within thirty (30) days of the end of the reporting period. The report ~~does not~~ require the certification by the “responsible official” as defined by 326 IAC 2-7-1(34).

~~(e) All instances of deviations as described in Section B- Deviations from Permit Requirements- Conditions must be clearly identified in such reports. The Emergency/Deviation Occurrence Report does not require the certification by the “responsible official” as defined by 326 IAC 2-7-1(34).~~

~~(f) Any corrective actions or response steps taken as a result of each deviation must be clearly identified in such reports.~~

- ~~(g)~~(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 year

Section D

1. Condition D.1.1 has been revised as follows:

D.1.1 Emission Offset Minor Limit [326 IAC 2-3]

Pursuant to CP 089-5356-00330, issued on July 23, 1996, the hours of operation of the No. 2 ~~diesel fuel~~ **fuel oil** fired emergency generator, A16, shall be limited to 697 hours per year. This limit, in effect, will limit NOx emissions to less than 25 tons per 12 month consecutive period. Therefore, the contemporaneous net emission increases for this project were considered de minimus, and the requirements of 326 IAC 2-3 (Emission Offset) did not apply.

2. D.1.5 (Reporting Requirements) this report should be certified by the responsible official. Part 70 requires all reports to be certified. EPA has also requested this change.

D.1.5 Reporting Requirements

A quarterly summary of the information to document compliance with Condition D.1.1 and D.1.2 shall be submitted to the address listed in Section C - General Reporting Requirements, of this permit, using the reporting forms located at the end of this permit, or their equivalent, within thirty (30) days after the end of the quarter being reported. The report submitted by the Permittee does not require the certification by the "responsible official" as defined by 326 IAC 2-7-1(34).

3. D.2.4 (Particulate Matter (PM)) language has been added to clarify which condition the baghouse is needed to show compliance.

D.2.4 Particulate Matter (PM)

Pursuant to 326 IAC 6-1-2, **and in order to comply with D.2.1**, the dry filters for PM control shall be in operation and control emissions from the spray coating facility at all times when the facility is in operation.

4. D.3 Facility Box description should be revised as follows:
Grinding and machining operations controlled with fabric filters, scrubbers, mist collectors, wet collectors and electrostatic precipitators with a design grain loading of less than or equal to 0.03 grains per actual cubic foot and a gas flow rate less than or equal to 4000 actual cubic feet per minute, including the following: deburring; buffing; polishing; abrasive blasting; pneumatic conveying; and woodworking operations. (Two (2) Three (3) shotblasters, identified as A18, A19, and A20.)

Forms

1. Emergency/Deviation Occurrence Report Form is now called the Emergency Occurrence Report. All references to deviations have been removed. These forms should be sent to the Compliance Branch, not the Compliance Data Section. We have negotiated with EPA on the reporting of emergencies. They agree to allow the 2 day notification to come in without the responsible official certification as long as the emergencies are included in the Quarterly Deviation and Compliance Monitoring Report. That report is certified by the responsible official, therefore will comply with the Part 70 requirement to have all reports certified.
2. The monthly and quarterly reports will now need to be certified by the responsible official, therefore the last line in each of these reports have been changed from "~~A certification is not required for this report.~~" to "**Attach a signed certification to complete this report**".
3. Two (2) report forms for boilers A1 and A2 have been added for reporting the fuel input.
4. The Quarterly or Semi-Annual Compliance Monitoring Report, is now called the Quarterly Deviation and Compliance Monitoring Report. The form now requires the source to not only report that there were deviations, but to also include the probable cause and the response steps taken. We are no longer requiring sources to report deviations in ten days, therefore every source will need submit this report quarterly. For sources with an applicable requirement which gives an alternate schedule for reporting deviations, those deviations will not need to be reported quarterly, but instead should be reported according to the schedule in the applicable requirement.