



INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

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Eric J. Holcomb
Governor

Bruno L. Pigott
Commissioner

To: Interested Parties

Date: December 3, 2018

From: Jenny Acker, Chief
Permits Branch
Office of Air Quality

Source Name: MGPI of Indiana, LLC.

Permit Level: Title V Significant Source Modification (Minor PSD)

Permit Number: 029-40029-00005

Source Location: 7 ridge Avenue, Lawrenceburg, Indiana 47025

Type of Action Taken: Modification at an existing source

Notice of Decision: Approval - Effective Immediately

Please be advised that on behalf of the Commissioner of the Department of Environmental Management, I have issued a decision regarding the matter referenced above.

The final decision is available on the IDEM website at: <http://www.in.gov/apps/idem/caats/>
To view the document, choose Search Option **by Permit Number**, then enter permit 40029.

The final decision is also available via IDEM's Virtual File Cabinet (VFC). Please go to: <http://www.IN.idem.gov> and enter VFC in the search box. You will then have the option to search for permit documents using a variety of criteria.

(continues on next page)

If you would like to request a paper copy of the permit document, please contact IDEM's Office of Records Management:

IDEM - Office of Records Management
Indiana Government Center North, Room 1207
100 North Senate Avenue
Indianapolis, IN 46204
Phone: (317) 232-8667
Fax: (317) 233-6647
Email: IDEMFILEROOM@idem.in.gov

Pursuant to IC 13-15-5-3, this permit is effective immediately, unless a petition for stay of effectiveness is filed and granted according to IC 13-15-6-3, and may be revoked or modified in accordance with the provisions of IC 13-15-7-1.

If you wish to challenge this decision, IC 4-21.5-3 and IC 13-15-6-1 require that you file a petition for administrative review. This petition may include a request for stay of effectiveness and must be submitted to the Office of Environmental Adjudication, 100 North Senate Avenue, Government Center North, Room N103, Indianapolis, IN 46204, **within eighteen (18) calendar days of the mailing of this notice**. The filing of a petition for administrative review is complete on the earliest of the following dates that apply to the filing:

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

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

- (1) the name and address of the person making the request;
- (2) the interest of the person making the request;
- (3) identification of any persons represented by the person making the request;
- (4) the reasons, with particularity, for the request;
- (5) the issues, with particularity, proposed for considerations at any hearing; and
- (6) identification of the terms and conditions which, in the judgment of the person making the request, would be appropriate in the case in question to satisfy the requirements of the law governing documents of the type issued by the Commissioner.

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



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Eric J. Holcomb
Governor

Bruno L. Pigott
Commissioner

Mr. William R. Graves
MGPI of Indiana, LLC
7 Ridge Avenue
Lawrenceburg, IN 47025

December 3, 2018

Re: 029-40029-00005
Significant Source Modification

Dear Mr. Graves:

MGPI of Indiana, LLC was issued Part 70 Operating Permit Renewal No. T029-32119-00005 on June 20, 2014 for a stationary distilled spirits production source located at 7 Ridge Avenue, Lawrenceburg, Indiana 47025. An application to modify the source was received on May 23, 2018. Pursuant to the provisions of 326 IAC 2-7-10.5, a Significant Source Modification is hereby approved as described in the attached Technical Support Document.

Pursuant to 326 IAC 2-7-10.5, the following emission units are approved for construction at the source:

- (a) One (1) Warehouse IC, identified as EU-770, constructed in 2014, and exhausting through the building's windows and other openings.
- (b) One (1) Warehouse K, identified as EU-771, constructed in 2015, and exhausting through the building's windows and other openings.
- (c) One (1) Warehouse O, identified as EU-772, constructed in 2015, and exhausting through the building's windows and other openings.
- (d) One (1) Warehouse P, identified as EU-773, constructed in 2016, and exhausting through the building's windows and other openings.
- (e) One (1) Warehouse Q, identified as EU-774, constructed in 2016, and exhausting through the building's windows and other openings.
- (f) One (1) Warehouse F, identified as EU-775, constructed in 2016, and exhausting through the building's windows and other openings.
- (g) One (1) Warehouse H, identified as EU-776, constructed in 2016, and exhausting through the building's windows and other openings.
- (h) One (1) Warehouse V, identified as EU-777, constructed in 2017, and exhausting through the building's windows and other openings.
- (i) One (1) Warehouse T, identified as EU-780, approved in 2018 for construction, and exhausting through the building's windows and other openings.

The nine (9) warehouses, identified as EU-770 through EU-777 and EU-780 have a combined storage capacity of 439,600 barrels.

The following construction conditions are applicable to the proposed modification:

General Construction Conditions

1. The data and information supplied with the application shall be considered part of this source modification approval. Prior to any proposed change in construction which may affect the potential to emit (PTE) of the proposed project, the change must be approved by the Office of Air Quality (OAQ).
2. This approval to construct does not relieve the Permittee of the responsibility to comply with the provisions of the Indiana Environmental Management Law (IC 13-11 through 13-20; 13-22 through 13-25; and 13-30), the Air Pollution Control Law (IC 13-17) and the rules promulgated thereunder, as well as other applicable local, state, and federal requirements.

Effective Date of the Permit

3. Pursuant to IC 13-15-5-3, this approval becomes effective upon its issuance.

Commenced Construction

4. Pursuant to 326 IAC 2-1.1-9 and 326 IAC 2-7-10.5(j), the Commissioner may revoke this approval if construction is not commenced within eighteen (18) months after receipt of this approval or if construction is suspended for a continuous period of one (1) year or more.
5. All requirements and conditions of this construction approval shall remain in effect unless modified in a manner consistent with procedures established pursuant to 326 IAC 2.

Approval to Construct

6. Pursuant to 326 IAC 2-7-10.5(h)(2), this Significant Source Modification authorizes the construction of the new emission unit(s), when the Significant Source Modification has been issued.

Pursuant to 326 IAC 2-7-10.5(m), the emission units constructed under this approval shall not be placed into operation prior to revision of the source's Part 70 Operating Permit to incorporate the required operation conditions.

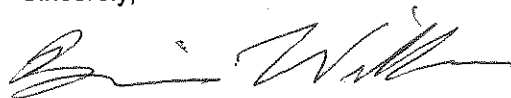
Operating conditions shall be incorporated into the Part 70 Operating Permit as an Administrative Amendment in accordance with 326 IAC 2-7-10.5(m)(1) and 326 IAC 2-7-11 (Administrative Amendment).

A copy of the permit is available on the Internet at: <http://www.in.gov/ai/appfiles/idem-caats/>. A copy of the permit is also available via IDEM's Virtual File Cabinet (VFC.) Please go to: <http://www.in.gov/idem/> and enter VFC in the search box. You will then have the option to search for permit documents using a variety of criteria. For additional information about air permits and how the public and interested parties can participate, refer to the IDEM Air Permits page on the Internet at: <http://www.in.gov/idem/airquality/2356.htm>; and the Citizens' Guide to IDEM on the Internet at: <http://www.in.gov/idem/6900.htm>.

This decision is subject to the Indiana Administrative Orders and Procedures Act - IC 4-21.5-3-5.

If you have any questions on this matter, please contact Andrew Belt of my staff, OAQ, 100 North Senate Avenue, MC 61-53 IGCN 1003, Indianapolis, Indiana, 46204-2251, or call at (800) 451-6027, and ask for Andrew Belt or extension 2-3217 or dial (317) 232-3217.

Sincerely,



Brian Williams, Section Chief
Permits Branch
Office of Air Quality

Attachments: Significant Source Modification and Technical Support Document

cc: File - Dearborn County
Dearborn County Health Department
U.S. EPA, Region 5
Compliance and Enforcement Branch
IDEM Southeast Regional Office



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Commissioner

**Significant Source Modification
to a Part 70 Source**

OFFICE OF AIR QUALITY

**MGPI of Indiana, LLC
7 Ridge Avenue
Lawrenceburg, Indiana 47025**

(herein known as the Permittee) is hereby authorized to construct 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. This permit also addresses certain new source review requirements for new and/or existing equipment and is intended to fulfill the new source review procedures pursuant to 326 IAC 2-7-10.5, applicable to those conditions.

Significant Source Modification No.: 029-40029-00005

Master Agency Interest ID.: 15684

Issued by:

Brian Williams, Section Chief
Permits Branch
Office of Air Quality

Issuance Date: December 3, 2018

TABLE OF CONTENTS

SECTION A	SOURCE SUMMARY	6
A.1	General Information [326 IAC 2-7-4(c)][326 IAC 2-7-5(14)][326 IAC 2-7-1(22)]	
A.2	Emission Units and Pollution Control Equipment Summary [326 IAC 2-7-4(c)(3)][326 IAC 2-7-5(14)]	
A.3	Specifically Regulated Insignificant Activities [326 IAC 2-7-1(21)][326 IAC 2-7-4(c)][326 IAC 2-7-5(14)]	
A.4	Insignificant Activities [326 IAC 2-7-1(21)][326 IAC 2-7-4(c)][326 IAC 2-7-5(14)]	
A.5	Part 70 Permit Applicability [326 IAC 2-7-2]	
SECTION B	GENERAL CONDITIONS	14
B.1	Definitions [326 IAC 2-7-1]	
B.2	Permit Term [326 IAC 2-7-5(2)][326 IAC 2-1.1-9.5][326 IAC 2-7-4(a)(1)(D)][IC 13-15-3-6(a)]	
B.3	Term of Conditions [326 IAC 2-1.1-9.5]	
B.4	Enforceability [326 IAC 2-7-7][IC 13-17-12]	
B.5	Severability [326 IAC 2-7-5(5)]	
B.6	Property Rights or Exclusive Privilege [326 IAC 2-7-5(6)(D)]	
B.7	Duty to Provide Information [326 IAC 2-7-5(6)(E)]	
B.8	Certification [326 IAC 2-7-4(f)][326 IAC 2-7-6(1)][326 IAC 2-7-5(3)(C)]	
B.9	Annual Compliance Certification [326 IAC 2-7-6(5)]	
B.10	Preventive Maintenance Plan [326 IAC 2-7-5(12)][326 IAC 1-6-3]	
B.11	Emergency Provisions [326 IAC 2-7-16]	
B.12	Permit Shield [326 IAC 2-7-15][326 IAC 2-7-20][326 IAC 2-7-12]	
B.13	Prior Permits Superseded [326 IAC 2-1.1-9.5][326 IAC 2-7-10.5]	
B.14	Termination of Right to Operate [326 IAC 2-7-10][326 IAC 2-7-4(a)]	
B.15	Permit Modification, Reopening, Revocation and Reissuance, or Termination [326 IAC 2-7-5(6)(C)][326 IAC 2-7-8(a)][326 IAC 2-7-9]	
B.16	Permit Renewal [326 IAC 2-7-3][326 IAC 2-7-4][326 IAC 2-7-8(e)]	
B.17	Permit Amendment or Modification [326 IAC 2-7-11][326 IAC 2-7-12]	
B.18	Permit Revision Under Economic Incentives and Other Programs [326 IAC 2-7-5(8)][326 IAC 2-7-12(b)(2)]	
B.19	Operational Flexibility [326 IAC 2-7-20][326 IAC 2-7-10.5]	
B.20	Source Modification Requirement [326 IAC 2-7-10.5]	
B.21	Inspection and Entry [326 IAC 2-7-6][IC 13-14-2-2][IC 13-30-3-1][IC 13-17-3-2]	
B.22	Transfer of Ownership or Operational Control [326 IAC 2-7-11]	
B.23	Annual Fee Payment [326 IAC 2-7-19][326 IAC 2-7-5(7)][326 IAC 2-1.1-7]	
B.24	Credible Evidence [326 IAC 2-7-5(3)][326 IAC 2-7-6][62 FR 8314][326 IAC 1-1-6]	
SECTION C	SOURCE OPERATION CONDITIONS.....	25
	Emission Limitations and Standards [326 IAC 2-7-5(1)]	25
C.1	Particulate Emission Limitations For Processes with Process Weight Rates Less Than One Hundred (100) Pounds per Hour [326 IAC 6-3-2]	
C.2	Opacity [326 IAC 5-1]	
C.3	Open Burning [326 IAC 4-1][IC 13-17-9]	
C.4	Incineration [326 IAC 4-2][326 IAC 9-1-2]	
C.5	Fugitive Dust Emissions [326 IAC 6-4]	
C.6	Stack Height [326 IAC 1-7]	
C.7	Asbestos Abatement Projects [326 IAC 14-10][326 IAC 18][40 CFR 61, Subpart M]	
	Testing Requirements [326 IAC 2-7-6(1)].....	27
C.8	Performance Testing [326 IAC 3-6]	
	Compliance Requirements [326 IAC 2-1.1-11]	27
C.9	Compliance Requirements [326 IAC 2-1.1-11]	

Compliance Monitoring Requirements [326 IAC 2-7-5(1)][326 IAC 2-7-6(1)]	27
C.10 Compliance Monitoring [326 IAC 2-7-5(3)][326 IAC 2-7-6(1)][40 CFR 64][326 IAC 3-8]	
C.11 Instrument Specifications [326 IAC 2-1.1-11][326 IAC 2-7-5(3)][326 IAC 2-7-6(1)]	
Corrective Actions and Response Steps [326 IAC 2-7-5][326 IAC 2-7-6]	28
C.12 Emergency Reduction Plans [326 IAC 1-5-2][326 IAC 1-5-3]	
C.13 Risk Management Plan [326 IAC 2-7-5(12)][40 CFR 68]	
C.14 Response to Excursions or Exceedances [40 CFR 64][326 IAC 3-8][326 IAC 2-7-5][326 IAC 2-7-6]	
C.15 Actions Related to Noncompliance Demonstrated by a Stack Test [326 IAC 2-7-5][326 IAC 2-7-6]	
Record Keeping and Reporting Requirements [326 IAC 2-7-5(3)][326 IAC 2-7-19]	31
C.16 Emission Statement [326 IAC 2-7-5(3)(C)(iii)][326 IAC 2-7-5(7)][326 IAC 2-7-19(c)][326 IAC 2-6]	
C.17 General Record Keeping Requirements [326 IAC 2-7-5(3)][326 IAC 2-7-6][326 IAC 2-2][326 IAC 2-3]	
C.18 General Reporting Requirements [326 IAC 2-7-5(3)(C)][326 IAC 2-1.1-11][326 IAC 2-2][326 IAC 2-3][40 CFR 64][326 IAC 3-8]	
Stratospheric Ozone Protection	35
C.19 Compliance with 40 CFR 82 and 326 IAC 22-1	
SECTION D.1 FACILITY OPERATION CONDITIONS	36
Emission Limitations and Standards [326 IAC 2-7-5(1)]	40
D.1.1 Volatile Organic Compounds (VOC) BACT Limits [326 IAC 8-1-6]	
D.1.2 PSD Minor Limit [326 IAC 2-2]	
D.1.3 Emission Offset Minor Limit [326 IAC 2-3]	
D.1.4 HAP Minor Limit [326 IAC 2-4.1]	
D.1.5 Particulate [326 IAC 6-3-2]	
D.1.6 PSD Minor Limit [326 IAC 2-2]	
D.1.7 Particulate Matter (PM) [326 IAC 6.5-1-2]	
D.1.8 Preventive Maintenance Plan [326 IAC 2-7-5(12)]	
Compliance Determination Requirements [326 IAC 2-7-6(1)][326 IAC 2-7-5(1)]	43
D.1.9 Particulate, VOC, CO, VOC, and HAP Control	
D.1.10 Testing Requirements [326 IAC 2-1.1-11]	
Compliance Monitoring Requirements [326 IAC 2-7-6(1)][326 IAC 2-7-5(1)][40 CFR 64]	44
D.1.11 Visible Emissions Notations [40 CFR 64]	
D.1.12 Visible Emissions Notations	
D.1.13 Scrubber Flow Rate	
D.1.14 Parametric Monitoring - Wet Scrubbers	
D.1.15 RTO Temperature	
D.1.16 Parametric Monitoring - RTO	
D.1.17 Broken or Failed Bag Detection	
D.1.18 Cyclone Failure Detection	
D.1.19 Scrubber Failure Detection	
Record Keeping Requirements [326 IAC 2-7-5(3)][326 IAC 2-7-19]	47
D.1.20 Record Keeping Requirements	
D.1.21 Reporting Requirements	
SECTION D.2 FACILITY OPERATION CONDITIONS	49
Emission Limitations and Standards [326 IAC 2-7-5(1)]	49
D.2.1 Particulate [326 IAC 6.5-3-8]	
D.2.2 Particulate [326 IAC 6-2-3]	

SECTION D.3 FACILITY OPERATION CONDITIONS	50
Emission Limitations and Standards [326 IAC 2-7-5(1)]	50
D.3.1 Particulate [326 IAC 6-2-4]	
D.3.2 Fuel Oil Limit [326 IAC 2-2][326 IAC 7-1.1-2]	
D.3.3 Sulfur Dioxide Emissions Limitations [326 IAC 7-1.1-2]	
Compliance Monitoring Requirements [326 IAC 2-7-6(1)][326 IAC 2-7-5(1)]	50
D.3.4 Visible Emissions Notations	
Record Keeping and Reporting Requirements [326 IAC 2-7-5(3)][326 IAC 2-7-19]	51
D.3.5 Record Keeping Requirements	
D.3.6 Reporting Requirements	
SECTION D.4 FACILITY OPERATION CONDITIONS	52
Emission Limitations and Standards [326 IAC 2-7-5(1)]	52
D.4.1 Particulate [326 IAC 6-3-2]	
SECTION E.1 NSPS - 40 CFR Part 60, Subpart Dc	53
New Source Performance Standards (NSPS) Requirements [326 IAC 2-7-5(1)]	53
E.1.1 General Provisions Relating to New Source Performance Standards[326 IAC 12-1][40 CFR Part 60, Subpart A]	
E.1.2 Small Industrial-Commercial-Institutional Steam Generating Units NSPS [40 CFR Part 60, Subpart Dc][326 IAC 12]	
SECTION E.2 NESHAP - 40 CFR Part 63, Subpart ZZZZ	54
National Emissions Standards for Hazardous Air Pollutants (NESHAP) Requirements [326 IAC 2-7-5(1)]	54
E.2.1 General Provisions Relating to National Emissions Standards for Hazardous Air Pollutants under 40 CFR Part 63 [326 IAC 20-1][40 CFR Part 63, Subpart A]	
E.2.2 National Emissions Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines [40 CFR Part 63, Subpart ZZZZ][326 IAC 20-82]	
SECTION E.3 NESHAP - 40 CFR Part 63, Subpart DDDDD	56
National Emission Standards for Hazardous Air Pollutants (NESHAP) Requirements [326 IAC 2-7-5(1)]	56
E.3.1 General Provision Relating to National Emission Standards for Hazardous Air Pollutants under 40 CFR Part 63 [326 IAC 20-1][40 CFR Part 63, Subpart A]	
E.3.2 National Emission Standards for Hazardous Air Pollutants (NESHAP) for Major Sources: Industrial, Commercial and Institutional Boilers and Process Heaters [326 IAC 20-95][40 CFR 63 Subpart DDDDD]	
CERTIFICATION	58
EMERGENCY OCCURRENCE REPORT	59
Part 70 Quarterly Report	61
Part 70 Quarterly Report	62
QUARTERLY DEVIATION AND COMPLIANCE MONITORING REPORT	63

Attachment A: 40 CFR 60, Subpart Dc - Standards of Performance for Small Industrial-Commercial-Institutional Steam Generating Units

Attachment B: 40 CFR Part 63, Subpart ZZZZ - National Emissions Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines

Attachment C: 40 CFR 63 Subpart DDDDD - National Emission Standards for Hazardous Air Pollutants (NESHAP) for Major Sources: Industrial, Commercial and Institutional Boilers and Process Heaters

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(14)][326 IAC 2-7-1(22)]

The Permittee owns and operates a stationary distilled spirits production source.

Source Address:	7 Ridge Avenue, Lawrenceburg, Indiana 47025
General Source Phone Number:	812-496-0013
SIC Code:	2085
County Location:	Dearborn
Source Location Status:	Nonattainment under the 8-hour ozone standard Attainment for all other criteria pollutants
Source Status:	Part 70 Operating Permit Program Major Source, under PSD and Emission Offset Rules Major Source, Section 112 of the Clean Air Act Not 1 of 28 Source Categories

A.2 Emission Units and Pollution Control Equipment Summary [326 IAC 2-7-4(c)(3)][326 IAC 2-7-5(14)]

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

- (a) One (1) grain receiving and pneumatic conveyor, identified as EU-11, installed prior to 1950, equipped with a dust collector, exhausting to Stack S-103, capacity: 28.0 tons of corn, rye, barley and/or malt per hour.
- (b) One (1) corn receiving and storage system, identified as EU-12, installed in 1997, consisting of the following equipment:
 - (1) One (1) unloading hopper, equipped with baghouse using fabric filters for particulate matter control exhausting to Stack S-111, capacity: 196 tons of corn per hour.
 - (2) One (1) conveyor and bucket elevator, equipped with baghouse using fabric filters for particulate matter control exhausting to Stack S-111, capacity: 196 tons of corn per hour.
 - (3) One (1) storage silo, equipped with baghouse using fabric filters for particulate matter control, exhausting to Stack S-111, capacity: 75,000 bushels of corn.
 - (4) One (1) grain cleaner, equipped with baghouse using fabric filters for particulate matter control, exhausting to Stack S-111, capacity: 26.6 tons of corn per hour.
 - (5) One (1) grain transport system, equipped with baghouse using fabric filters for particulate matter control, exhausting to Stack S-112, capacity: 26.6 tons of corn per hour.

- (c) Seven (7) storage bins, collectively identified as EU-13, installed prior to 1950, equipped with baghouse using fabric filters for particulate matter control, exhausting inside, five (5) with a capacity of 8,000 bushels, each and two (2) with a capacity of 4,000 bushels, each.
- (d) Six (6) hammermills and hopper, collectively identified as EU-14, installed prior to 1950, equipped with a baghouse for particulate matter control, exhausting inside through Stack S-104, capacity: 109,760 pounds of grain per hour, total.
- (e) Three (3) multi-column stills and five (5) distillation columns, collectively identified as EU-20, installed prior to 1950, consisting of the following:
 - (1) One (1) spirits still (V-2), exhausting to Stack S-210, capacity: 583 proof gallons per hour,
 - (2) One (1) spirits still (V-3), exhausting to Stack S-210, capacity: 750 proof gallons per hour,
 - (3) One (1) spirits still (V-15), exhausting to Stack S-210, capacity: 3,750 proof gallons per hour;
 - (4) One (1) distillation column, exhausting to Stack S-211, and
 - (5) Four (4) unused distillation columns, exhausting to Stack S-211.
- (f) EU-21, consisting of the following units:
 - (1) Three (3) open fermenters, installed prior to 1950, exhausting to Stack S-201, capacity: 25,300 gallons, each.
 - (2) Five (5) open fermenters, installed in 2004, exhausting to Stack S-201, capacity: 27,854 gallons, each.
 - (3) Three (3) open fermenters, installed in 2005, exhausting to Stack S-201, capacity: 27,854 gallons, each.
 - (4) Three (3) open fermenters, installed in 2006, exhausting to Stack S-201, capacity: 27,854 gallons, each.
- (g) Twenty-four (24) closed fermenters, collectively identified as EU-22, installed prior to 1950, equipped with one (1) ethanol scrubber that operates when the fermentation vent stream is routed for CO₂ recovery, exhausting to Stack S-202, capacity: 55,000 gallons, each.
- (h) Two (2) beer wells, identified as EU-23 and EU-24, installed prior to 1950, exhausting to Stacks S-203 and S-204 respectively, capacity: 38,886 and 102,098 gallons, respectively.
- (i) Three (3) beer stills, collectively identified as EU-25, installed prior to 1950, exhausting to Stack S-205, consisting of the following:
 - (1) Still #25, capacity: 4,600 gallons per hour,
 - (2) Still #26, capacity: 14,600 gallons per hour; and

- (3) Still #31, capacity: 12,000 gallons per hour.
- (j) Two (2) column & kettles, collectively identified as EU-26, installed prior to 1950, exhausting to Stack S-206, capacity: 727 proof gallons per hour, each.
- (k) Three (3) gin stills (#10, #22, and #23), collectively identified as EU-27, installed prior to 1950, exhausting to Stack S-207, capacity: 600 proof gallons per hour, each.
- (l) One (1) doubler still, identified as EU-29, installed prior to 1950, exhausting to Stack S-209, capacity: 672 proof gallons per hour.
- (m) Four (4) paddle screens, collectively identified as EU-31, installed prior to 1950, exhausting to Stack S-301, capacity: 56,000 pounds per hour, each.
- (n) Five (5) rotary dryers, one (1) cooler and one (1) transport system, collectively identified as EU-32, installed prior to 1950, consisting of the following:
 - (1) Two (2) rotary dryers, exhausting to Stacks S-305 and S-306, each equipped with a wet scrubber, capacity: 25,500 pounds of grain per hour inlet, each,
 - (2) Three (3) rotary dryers, exhausting to Stacks S-307 through S-309, each controlled by a wet scrubber, capacity: 14,500 pounds of grain per hour inlet, each; and
 - (3) One (1) cooler, with a maximum throughput of 9.56 tons of DDG per hour, with emissions uncontrolled.
 - (4) One (1) transport system, with a maximum throughput of 9.56 tons of DDG per hour, approved for modification in 2015, controlled by a cyclone, exhausting to Stack S- 310, and consisting of the following:
 - (A) One (1) hammermill.
 - (B) Four (4) screw conveyors.
 - (C) Two (2) drag conveyors.
 - (D) Three (3) product conveyors.
 - (E) One (1) K-valve.
- (o) Three (3) conveyors, collectively identified as EU-33, installed prior to 1950, exhausting to Stacks S-302 through S-304, capacity: 38,000 pounds of grain per hour, each.
- (p) One (1) DDG (Distillers Dried Grain) loadout system, installed in 1997, consisting of the following:
 - (1) Two (2) storage silos, and two (2) surge hoppers, collectively identified as EU-34, equipped with two (2) dust collectors, exhausting to Stacks S-341 through S-344, capacity: 13,100 cubic feet, total for the two (2) storage silos, each and 14,000 pounds of grain per hour, each, for the two (2) surge hoppers.
 - (2) One (1) air transport system and scale to the rail car loading area, identified as EU-35, controlled by a dust collector, exhausting to Stack S-350, capacity: 14,000 pounds of grain per hour.

- (3) One (1) air transport system and scale to the truck loading area, identified as EU-36, controlled by a dust collector, exhausting to Stack S-360, capacity: 14,000 pounds of grain per hour.
- (4) One (1) rail car loader, identified as EU-37, exhausting to Stack S-370, capacity: 14,000 pounds of grain per hour.
- (5) One (1) truck loader, identified as EU-38, exhausting to Stack S-380, capacity: 14,000 pounds of grain per hour.
- (q) One (1) DDG dryer operation, approved in 2015 for construction, identified as EU-39, with emission controlled by four (4) cyclones (CE-39a) and an 8 MMBtu/hr RTO (CE-39b), exhausting to stack S-320, and consisting of the following:
 - (1) One (1) DDG Dryer, with a maximum heat input of 45 MMBtu/hr and a maximum throughput of 9.56 tons/hr DDG.
 - (2) One (1) screw K-valve, identified as Screw #1 K-Valve.
 - (3) Three (3) enclosed feed conveyors, identified as #11 - #13.
 - (4) One (1) agitator mixer and inlet screw.
- (r) One (1) wet cake storage pad, approved in 2015 for construction, identified as EU-40, with a maximum throughput of 24.56 tons per hour wet cake, with emissions uncontrolled.
- (s) One (1) wine room, identified as EU-41, consisting of forty-three (43) organic liquid storage tanks, installed prior to 1950, exhausting to Stack S-410, capacity: 524,504 gallons of ethanol, total and a throughput of 32,000,000 proof gallons per year, total, consisting of the following:
 - (1) Thirty-five (35) organic liquid storage tanks, installed prior to 1950, capacity: 467,518 gallons of ethanol, total.
 - (2) Eight (8) organic liquid storage tanks, installed in 1988, capacity: 56,986 gallons of ethanol, total.
- (t) One (1) tank farm, identified as EU-42, consisting of nine (9) organic liquid storage tanks, installed prior to 1950, exhausting to Stack S-420, capacity: 750,000 gallons of ethanol, each.
- (u) EU-43, consisting of the following units:
 - (1) One (1) Bldg. 88, consisting of twenty-seven (27) organic liquid storage tanks, installed in 1989, exhausting to Stack S-430, capacity: 489,250 gallons of ethanol, total.
 - (2) One (1) rum handling area, installed in 1997, exhausting to the atmosphere, capacity: 3,501,429 gallons of rum.

- (v) One (1) mini tank farm, identified as EU-45, consisting of eight (8) tanks:
 - (1) Seven organic liquid storage (7) tanks, installed in 1989, exhausting to Stack S-435, capacity: 779,800 gallons of ethanol, total.
 - (2) One (1) organic liquid storage tank, installed in 1994, capacity: 3,500 gallons of ethanol.
- (w) One (1) barrel filling and emptying operation, identified as EU-61, installed prior to 1950, exhausting to Stack S-610, with a throughput capacity of 13,000,000 proof gallons and 12,775,000 proof gallons of whiskey and gin per year, respectively, and a maximum capacity of 29,700 gallons of whiskey and gin per hour.
- (x) One (1) Warehouse C, identified as EU-71, installed prior to 1950, exhausting to Vent 701, capacity: 69,306 barrels.
- (y) One (1) Warehouse E, identified as EU-72, installed prior to 1950, exhausting to Vent 702, capacity: 101,032 barrels.
- (z) One (1) Warehouse G, identified as EU-73, installed prior to 1950, exhausting to Vent 703, capacity: 84,097 barrels.
- (aa) One (1) Warehouse J & M, identified as EU-74, installed prior to 1950, exhausting to Vent 704, capacity: 100,000 barrels.
- (bb) One (1) Warehouse L, identified as EU-75, installed prior to 1950, exhausting to Vent 705, capacity: 93,438 barrels.
- (cc) One (1) Warehouse N, identified as EU-76, installed prior to 1950, exhausting to Vent 706, capacity: 93,405 barrels.
- (dd) One (1) steam boiler, identified as EU-96, installed in 1977, using natural gas and exhausting to Stack S-906, heat input capacity: 244 million British thermal units per hour.

Under 40 CFR 63, Subpart DDDDD, this facility is an affected unit.
- (ee) One (1) natural gas fired steam boiler, identified as EU-97, using #2 fuel oil as back-up, installed in 1992, exhausting to Stack S-907, heat input capacity: 47.6 million British thermal units per hour using natural gas and 45.6 million British thermal units using #2 fuel oil.

Under 40 CFR 60, Subpart Dc, this facility is considered an industrial, institutional, or commercial boiler. Under 40 CFR 63, Subpart DDDDD, this facility is an affected unit.
- (ff) One (1) loading rack system, consisting of four (4) rail car and four (4) truck loading racks, identified as EU-46, installed in 1989, exhausting to the atmosphere, capacity: 31,000,000 gallons of ethanol per year.
- (gg) One (1) Warehouse IC, identified as EU-770, constructed in 2014, and exhausting through the building's windows and other openings.
- (hh) One (1) Warehouse K, identified as EU-771, constructed in 2015, and exhausting through the building's windows and other openings.

- (ii) One (1) Warehouse O, identified as EU-772, constructed in 2015, and exhausting through the building's windows and other openings.
- (jj) One (1) Warehouse P, identified as EU-773, constructed in 2015, and exhausting through the building's windows and other openings.
- (kk) One (1) Warehouse Q, identified as EU-774, constructed in 2016, and exhausting through the building's windows and other openings.
- (ll) One (1) Warehouse F, identified as EU-775, constructed in 2016, and exhausting through the building's windows and other openings.
- (mm) One (1) Warehouse H, identified as EU-776, constructed in 2016, and exhausting through the building's windows and other openings.
- (nn) One (1) Warehouse V, identified as EU-777, constructed in 2016, and exhausting through the building's windows and other openings.
- (oo) One (1) Warehouse T, identified as EU-780, approved in 2018 for construction, and exhausting through the building's windows and other openings.

The nine (9) warehouses, identified as EU-770 through EU-777 and EU-780, have a combined storage capacity of 439,600 barrels.

A.3 Specifically Regulated Insignificant Activities [326 IAC 2-7-1(21)][326 IAC 2-7-4(c)][326 IAC 2-7-5(14)]

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

- (a) Paved and unpaved roads and parking lots with public access [326 IAC 6-4].
- (b) Emergency generators as follows: diesel generators not exceeding 1,600 horsepower.
 - (1) One (1) Diesel-fired emergency generator, with a maximum capacity of 1600 hp and installed in 1999. [326 IAC 2-2]

Under 40 CFR Part 63, Subpart ZZZZ, this generator is an affected unit.
- (c) Other emergency equipment as follows: stationary fire pumps.
 - (1) One (1) Diesel-fired emergency fire water pump with a maximum capacity of 235 horsepower and installed in 1996. [326 IAC 2-2]

Under 40 CFR Part 63, Subpart ZZZZ, this generator is an affected unit.
- (d) 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 4,000 actual cubic feet per minute, including the following: deburring; buffing; polishing; abrasive blasting; pneumatic conveying; and woodworking operations [326 IAC 6-3-2].

- (e) A gasoline and fuel transfer and dispensing operation handling less than or equal to 1,300 gallons per day, such as filling of tanks, locomotives, automobiles, having a storage capacity less than or equal to 10,500 gallons.
 - (1) One (1) gasoline tank, with a maximum capacity of 200 gallons and a monthly throughput less than 100 gallons.
- (f) Activities associated with emergencies, including natural gas reciprocating engines not exceeding 16,000 horsepower.
 - (1) One (1) Natural gas-fired emergency generator, with a maximum capacity of 0.121 MMBtu/hr and installed in 2005. [326 IAC 2-2]

Under 40 CFR Part 63, Subpart ZZZZ, this generator is an affected unit.

A.4 Insignificant Activities [326 IAC 2-7-1(21)][326 IAC 2-7-4(c)][326 IAC 2-7-5(14)]

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

- (a) A petroleum fuel, other than gasoline, dispensing facility, having a storage capacity of less than or equal to 10,500 gallons, and dispensing less than or equal to 230,000 gallons per month.
 - (1) One (1) diesel fuel tank with storage capacity of 200 gallons.
- (b) The following VOC and HAP storage containers: storage tanks with capacity less than or equal to 1,000 gallons and annual throughputs less than 12,000 gallons; vessels storing lubricating oil, hydraulic oils, machining oils, and machining fluids.
- (c) Degreasing operations that do not exceed 145 gallons per 12 months, except if subject to 326 IAC 20-6, constructed before 1970.
- (d) Cleaners and solvents characterized as follows: having a vapor pressure equal to or less than 2 kiloPascals; 15 millimeters of mercury; or 0.3 pounds per square inch measured at 38°C (100°F) or; having a vapor pressure equal to or less than 0.7 kiloPascals; 5 millimeters of mercury; or 0.1 pounds per square inch measured at 20°C (68°F); the use of which for all cleaners and solvents combined does not exceed 145 gallons per 12 months.
- (e) Closed loop heating and cooling systems.
- (f) Activities associated with the treatment of wastewater streams with an oil and grease content less than or equal to 1 percent by volume.
- (g) Any operation using aqueous solutions containing less than 1 percent by weight of VOCs excluding HAPs.
- (h) Water based adhesives that are less than or equal to 5 percent by volume of VOCs excluding HAPs.
- (i) Replacement or repair of electrostatic precipitators, bags in baghouses and filters in other air filtration equipment.
- (j) Asbestos abatement projects regulated by 326 IAC 14-10.

- (k) Equipment used to collect any material that might be released during a malfunction, process upset, or spill cleanup, including catch tanks, temporary liquid separators, tanks, and fluid handling equipment.
- (l) Blowdown for any of the following: sight glass; boiler; compressors; pumps; and cooling tower.
- (g) An emission unit or activity whose potential uncontrolled emissions meet the exemption levels specified in 326 IAC 2-1.1-3(e)(1) or the exemption levels specified in the following, whichever is lower:
 - For lead or lead compounds measured as elemental lead, the exemption level is six-tenths (0.6) ton per year or three and twenty-nine hundredths (3.29) pounds per day.
 - For carbon monoxide (CO), the exemption limit is twenty-five (25) pounds per day.
 - For sulfur dioxide, the exemption level is five (5) pounds per hour or twenty-five (25) pounds per day.
 - For VOC, the exemption limit is three (3) pounds per hour or fifteen (15) pounds per day.
 - For nitrogen oxides (NO_x), the exemption limit is five (5) pounds per hour or twenty-five (25) pounds per day.
 - For PM₁₀ or direct PM_{2.5}, the exemption level is either five (5) pounds per hour or twenty-five (25) pounds per day.

as follows:

- (1) One (1) pot still blending vessel for gin, identified as EU-47, permitted in 2017, with a nominal throughput of 890,000 gallons per year, using no controls, and exhausting to stack S-470.
- (2) One (1) gin storage tank, identified as T-25 (EU-48), permitted in 2017, with a nominal throughput of 360,000 gallons per year, using no controls, and exhausting to stack S-480.
- (3) One (1) gin storage tank, identified as T-26 (EU-49), permitted in 2017, with a nominal throughput of 820,000 gallons per year, using no controls, and exhausting to stack S-490.
- (4) Three (3) aboveground storage tanks for distilled product, identified as Tanks 52 - 54 (EU-50), permitted in 2018, with a capacity of 33,540 gallons, each, using no controls, and exhausting to stacks S-500, S-501, and S-502, respectively.
- (5) One (1) aboveground tank for bulk loadout of aged whiskey, identified as Tank 57 (EU-51), permitted in 2018, with a capacity of 59,641 gallons, using no controls, and exhausting to stack S-510.

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)][326 IAC 2-1.1-9.5][326 IAC 2-7-4(a)(1)(D)][IC 13-15-3-6(a)]

- (a) This permit, T029-32119-00005, is issued for a fixed term of five (5) years from the issuance date of this permit, as determined in accordance with IC 4-21.5-3-5(f) and IC 13-15-5-3. Subsequent revisions, modifications, or amendments of this permit do not affect the expiration date of this permit.
- (b) If IDEM, OAQ, upon receiving a timely and complete renewal 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.

B.3 Term of Conditions [326 IAC 2-1.1-9.5]

Notwithstanding the permit term of a permit to construct, a permit to operate, or a permit modification, any condition established in a permit issued pursuant to a permitting program approved in the state implementation plan shall remain in effect until:

- (a) the condition is modified in a subsequent permit action pursuant to Title I of the Clean Air Act; or
- (b) the emission unit to which the condition pertains permanently ceases operation.

B.4 Enforceability [326 IAC 2-7-7][IC 13-17-12]

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

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

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

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

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

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

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

- (a) A certification required by this permit meets the requirements of 326 IAC 2-7-6(1) if:
- (1) it contains a certification by a "responsible official" as defined by 326 IAC 2-7-1(35), and
 - (2) the certification states that, based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate, and complete.
- (b) The Permittee may use the attached Certification Form, or its equivalent with each submittal requiring certification. One (1) certification may cover multiple forms in one (1) submittal.
- (c) A "responsible official" is defined at 326 IAC 2-7-1(35).

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

- (a) The Permittee shall annually submit a compliance certification report which addresses the status of the source's compliance with the terms and conditions contained in this permit, including emission limitations, standards, or work practices. All certifications shall cover the time period from January 1 to December 31 of the previous year, and shall be submitted no later than July 1 of each year to:

Indiana Department of Environmental Management
Compliance and Enforcement Branch, Office of Air Quality
100 North Senate Avenue
MC 61-53 IGCN 1003
Indianapolis, Indiana 46204-2251

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 a certification that meets the requirements of 326 IAC 2-7-6(1) by a "responsible official" as defined by 326 IAC 2-7-1(35).

B.10 Preventive Maintenance Plan [326 IAC 2-7-5(12)][326 IAC 1-6-3]

(a) A Preventive Maintenance Plan meets the requirements of 326 IAC 1-6-3 if it includes, at a minimum:

- (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.

The Permittee shall implement the PMPs.

(b) If required by specific condition(s) in Section D of this permit where no PMP was previously required, the Permittee shall prepare and maintain Preventive Maintenance Plans (PMPs) no later than ninety (90) days after issuance of this permit or ninety (90) days after initial start-up, whichever is later, 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 and Enforcement Branch, Office of Air Quality
100 North Senate Avenue
MC 61-53 IGCN 1003
Indianapolis, Indiana 46204-2251

The PMP extension notification does not require a certification that meets the requirements of 326 IAC 2-7-6(1) by a "responsible official" as defined by 326 IAC 2-7-1(35).

The Permittee shall implement the PMPs.

(c) A copy of the PMPs shall be submitted to IDEM, OAQ upon request and within a reasonable time, and shall be subject to review and approval by IDEM, OAQ. IDEM, OAQ may require the Permittee to revise its PMPs whenever lack of proper maintenance causes or is the primary contributor to an exceedance of any limitation on emissions. The

PMPs and their submittal do not require a certification that meets the requirements of 326 IAC 2-7-6(1) by a "responsible official" as defined by 326 IAC 2-7-1(35).

- (d) To the extent the Permittee is required by 40 CFR Part 60/63 to have an Operation Maintenance, and Monitoring (OMM) Plan for a unit, such Plan is deemed to satisfy the PMP requirements of 326 IAC 1-6-3 for that unit.

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

- (a) An emergency, as defined in 326 IAC 2-7-1(12), is not an affirmative defense for an action brought for noncompliance with a federal or state health-based emission limitation.

- (b) An emergency, as defined in 326 IAC 2-7-1(12), constitutes an affirmative defense to an action brought for noncompliance with a technology-based emission limitation if the affirmative defense of an emergency is demonstrated through properly signed, contemporaneous operating logs or other relevant evidence that describe the following:

- (1) An emergency occurred and the Permittee can, to the extent possible, identify the causes of the emergency;
- (2) The permitted facility was at the time being properly operated;
- (3) During the period of an emergency, the Permittee took all reasonable steps to minimize levels of emissions that exceeded the emission standards or other requirements in this permit;
- (4) For each emergency lasting one (1) hour or more, the Permittee notified IDEM, OAQ or Southeast Regional Office within four (4) daytime business hours after the beginning of the emergency, or after the emergency was discovered or reasonably should have been discovered;

Telephone Number: 1-800-451-6027 (ask for Office of Air Quality, Compliance and Enforcement Branch), or
Telephone Number: 317-233-0178 (ask for Office of Air Quality, Compliance and Enforcement Branch)
Facsimile Number: 317-233-6865
Southeast Regional Office phone: (812) 358-2027; fax: (812) 358-2058.

- (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 and Enforcement Branch, Office of Air Quality
100 North Senate Avenue
MC 61-53 IGCN 1003
Indianapolis, Indiana 46204-2251

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 a certification that meets the requirements of 326 IAC 2-7-6(1) by a "responsible official" as defined by 326 IAC 2-7-1(35).

- (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) The Permittee seeking to establish the occurrence of an emergency shall make records available upon request to ensure that failure to implement a PMP did not cause or contribute to an exceedance of any limitations on emissions. However, IDEM, OAQ may require that the Preventive Maintenance Plans required under 326 IAC 2-7-4(c)(8) be revised in response to an emergency.
- (f) Failure to notify IDEM, OAQ by telephone or facsimile of an emergency lasting more than one (1) hour in accordance with (b)(4) and (5) of this condition shall constitute a violation of 326 IAC 2-7 and any other applicable rules.
- (g) If the emergency situation causes a deviation from a technology-based limit, the Permittee may continue to operate the affected emitting facilities during the emergency provided the Permittee immediately takes all reasonable steps to correct the emergency and minimize emissions.

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

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

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

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

B.13 Prior Permits Superseded [326 IAC 2-1.1-9.5][326 IAC 2-7-10.5]

- (a) All terms and conditions of permits established prior to T029-32119-00005 and issued pursuant to permitting programs approved into the state implementation plan have been either:
 - (1) incorporated as originally stated,
 - (2) revised under 326 IAC 2-7-10.5, or
 - (3) deleted under 326 IAC 2-7-10.5.
- (b) Provided that all terms and conditions are accurately reflected in this permit, all previous registrations and permits are superseded by this Part 70 operating permit.

B.14 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.15 Permit Modification, Reopening, Revocation and Reissuance, or Termination
[326 IAC 2-7-5(6)(C)][326 IAC 2-7-8(a)][326 IAC 2-7-9]

- (a) This permit may be modified, reopened, revoked and reissued, or terminated for cause. The filing of a request by the Permittee for a Part 70 Operating 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 a certification that meets the requirements of 326 IAC 2-7-6(1) by a "responsible official" as defined by 326 IAC 2-7-1(35).
- (b) This permit shall be reopened and revised under any of the circumstances listed in IC 13-15-7-2 or if IDEM, OAQ determines any of the following:
 - (1) That this permit contains a material mistake.
 - (2) That inaccurate statements were made in establishing the emissions standards or other terms or conditions.
 - (3) That this permit must be revised or revoked to assure compliance with an applicable requirement. [326 IAC 2-7-9(a)(3)]
- (c) Proceedings by IDEM, OAQ to reopen and revise this permit shall follow the same procedures as apply to initial permit issuance and shall affect only those parts of this permit for which cause to reopen exists. Such reopening and revision shall be made as expeditiously as practicable. [326 IAC 2-7-9(b)]
- (d) The reopening and revision of this permit, under 326 IAC 2-7-9(a), shall not be initiated before notice of such intent is provided to the Permittee by IDEM, OAQ at least thirty (30) days in advance of the date this permit is to be reopened, except that IDEM, OAQ may provide a shorter time period in the case of an emergency. [326 IAC 2-7-9(c)]

B.16 Permit Renewal [326 IAC 2-7-3][326 IAC 2-7-4][326 IAC 2-7-8(e)]

- (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(42). The renewal application does require a certification that meets the requirements of 326 IAC 2-7-6(1) by a "responsible official" as defined by 326 IAC 2-7-1(35).

Request for renewal shall be submitted to:

Indiana Department of Environmental Management
Permit Administration and Support Section, Office of Air Quality
100 North Senate Avenue
MC 61-53 IGCN 1003
Indianapolis, Indiana 46204-2251

- (b) A timely renewal application is one that is:
 - (1) Submitted at least nine (9) months prior to the date of the expiration of this permit; and

- (2) 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) 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, pursuant to 326 IAC 2-7-4(a)(2)(D), in writing by IDEM, OAQ any additional information identified as being needed to process the application.

B.17 Permit Amendment or Modification [326 IAC 2-7-11][326 IAC 2-7-12]

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

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

Indiana Department of Environmental Management
Permit Administration and Support Section, Office of Air Quality
100 North Senate Avenue
MC 61-53 IGCN 1003
Indianapolis, Indiana 46204-2251

Any such application does require a certification that meets the requirements of 326 IAC 2-7-6(1) by a "responsible official" as defined by 326 IAC 2-7-1(35).

- (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.18 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 or notice shall be required under any approved economic incentives, marketable Part 70 permits, emissions trading, and other similar programs or processes for changes that are provided for in a Part 70 permit.
- (b) Notwithstanding 326 IAC 2-7-12(b)(1) and 326 IAC 2-7-12(c)(1), minor Part 70 permit modification procedures may be used for Part 70 modifications involving the use of economic incentives, marketable Part 70 permits, emissions trading, and other similar approaches to the extent that such minor Part 70 permit modification procedures are explicitly provided for in the applicable State Implementation Plan (SIP) or in applicable requirements promulgated or approved by the U.S. EPA.

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

- (a) The Permittee may make any change or changes at the source that are described in 326 IAC 2-7-20(b) or (c) 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 limitations provided in 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
Permit Administration and Support Section, Office of Air Quality
100 North Senate Avenue
MC 61-53 IGCN 1003
Indianapolis, Indiana 46204-2251

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, on a rolling five (5) year basis, which document all such changes and emission trades that are subject to 326 IAC 2-7-20(b)(1) and (c)(1). The Permittee shall make such records available, upon reasonable request, for public review.

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

(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(37)) without a permit revision, subject to the constraint of 326 IAC 2-7-20(a). For each such Section 502(b)(10) of the Clean Air Act change, the required written notification shall include the following:

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

The notification which shall be submitted is not considered an application form, report or compliance certification. Therefore, the notification by the Permittee does not require a certification that meets the requirements of 326 IAC 2-7-6(1) by a "responsible official" as defined by 326 IAC 2-7-1(35).

(c) Emission Trades [326 IAC 2-7-20(c)]
The Permittee may trade emissions increases and decreases at the source, where the applicable SIP provides for such emission trades without requiring a permit revision, subject to the constraints of Section (a) of this condition and those in 326 IAC 2-7-20(c).

- (d) Alternative Operating Scenarios [326 IAC 2-7-20(d)]
The Permittee may make changes at the source within the range of alternative operating scenarios that are described in the terms and conditions of this permit in accordance with 326 IAC 2-7-5(9). No prior notification of IDEM, OAQ or U.S. EPA is required.
- (e) Backup fuel switches specifically addressed in, and limited under, Section D of this permit shall not be considered alternative operating scenarios. Therefore, the notification requirements of part (a) of this condition do not apply.

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

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

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

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

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

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

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

Indiana Department of Environmental Management
Permit Administration and Support Section, Office of Air Quality
100 North Senate Avenue
MC 61-53 IGCN 1003
Indianapolis, Indiana 46204-2251

Any such application does require a certification that meets the requirements of 326 IAC 2-7-6(1) by a "responsible official" as defined by 326 IAC 2-7-1(35).

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

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

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

B.24 Credible Evidence [326 IAC 2-7-5(3)][326 IAC 2-7-6][62 FR 8314][326 IAC 1-1-6]

For the purpose of submitting compliance certifications or establishing whether or not the Permittee has violated or is in violation of any condition of this permit, nothing in this permit shall preclude the use, including the exclusive use, of any credible evidence or information relevant to whether the Permittee would have been in compliance with the condition of this permit if the appropriate performance or compliance test or procedure had been performed.

SECTION C

SOURCE OPERATION CONDITIONS

Entire Source

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

C.1 Particulate Emission Limitations For Processes with Process Weight Rates Less Than One Hundred (100) Pounds per Hour [326 IAC 6-3-2]

Pursuant to 326 IAC 6-3-2(e)(2), particulate emissions from any process not exempt under 326 IAC 6-3-1(b) or (c) which has a maximum process weight rate less than 100 pounds per hour and the methods in 326 IAC 6-3-2(b) through (d) do not apply shall not exceed 0.551 pounds per hour.

C.2 Opacity [326 IAC 5-1]

Pursuant to 326 IAC 5-1-2 (Opacity Limitations), except as provided in 326 IAC 5-1-1 (Applicability) and 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 thirty percent (30%) in any one (1) six (6) minute averaging period as determined in 326 IAC 5-1-4.
- (b) Opacity shall not exceed sixty percent (60%) for more than a cumulative total of fifteen (15) minutes (sixty (60) readings as measured according to 40 CFR 60, Appendix A, Method 9 or fifteen (15) one (1) minute nonoverlapping integrated averages for a continuous opacity monitor) in a six (6) hour period.

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

The Permittee shall not open burn any material except as provided in 326 IAC 4-1-3, 326 IAC 4-1-4 or 326 IAC 4-1-6. The previous sentence notwithstanding, the Permittee may open burn in accordance with an open burning approval issued by the Commissioner under 326 IAC 4-1-4.1.

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

The Permittee shall not operate an incinerator except as provided in 326 IAC 4-2 or in this permit. The Permittee shall not operate a refuse incinerator or refuse burning equipment except as provided in 326 IAC 9-1-2 or in this permit.

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

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

C.6 Stack Height [326 IAC 1-7]

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

C.7 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
Compliance and Enforcement Branch, Office of Air Quality
100 North Senate Avenue
MC 61-53 IGCN 1003
Indianapolis, Indiana 46204-2251

The notice shall include a signed certification from the owner or operator that the information provided in this notification is correct and that only Indiana licensed workers and project supervisors will be used to implement the asbestos removal project. The notifications do not require a certification that meets the requirements of 326 IAC 2-7-6(1) by a "responsible official" as defined by 326 IAC 2-7-1(35).

- (e) **Procedures for Asbestos Emission Control**
The Permittee shall comply with the applicable emission control procedures in 326 IAC 14-10-4 and 40 CFR 61.145(c). Per 326 IAC 14-10-1, emission control requirements are applicable for any removal or disturbance of RACM greater than three (3) linear feet on pipes or three (3) square feet on any other facility components or a total of at least 0.75 cubic feet on all facility components.
- (f) **Demolition and Renovation**
The Permittee shall thoroughly inspect the affected facility or part of the facility where the demolition or renovation will occur for the presence of asbestos pursuant to 40 CFR 61.145(a).
- (g) **Indiana Licensed 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 Licensed Asbestos Inspector to

thoroughly inspect the affected portion of the facility for the presence of asbestos. The requirement to use an Indiana Licensed Asbestos inspector is not federally enforceable.

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

C.8 Performance Testing [326 IAC 3-6]

- (a) For performance testing required by this permit, a test protocol, except as provided elsewhere in this permit, shall be submitted to:

Indiana Department of Environmental Management
Compliance and Enforcement Branch, Office of Air Quality
100 North Senate Avenue
MC 61-53 IGCN 1003
Indianapolis, Indiana 46204-2251

no later than thirty-five (35) days prior to the intended test date. The protocol submitted by the Permittee does not require a certification that meets the requirements of 326 IAC 2-7-6(1) by a "responsible official" as defined by 326 IAC 2-7-1(35).

- (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 a certification that meets the requirements of 326 IAC 2-7-6(1) by a "responsible official" as defined by 326 IAC 2-7-1(35).
- (c) Pursuant to 326 IAC 3-6-4(b), all test reports must be received by IDEM, OAQ not later than forty-five (45) days after the completion of the testing. An extension may be granted by IDEM, OAQ if the Permittee submits to IDEM, OAQ a reasonable written explanation not later than five (5) days prior to the end of the initial forty-five (45) day period.

Compliance Requirements [326 IAC 2-1.1-11]

C.9 Compliance Requirements [326 IAC 2-1.1-11]

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

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

C.10 Compliance Monitoring [326 IAC 2-7-5(3)][326 IAC 2-7-6(1)][40 CFR 64][326 IAC 3-8]

- (a) For new units:
Unless otherwise specified in the approval for the new emission unit(s), compliance monitoring for new emission units shall be implemented on and after the date of initial start-up.
- (b) For existing units:
Unless otherwise specified in this permit, for all monitoring requirements not already legally required, the Permittee shall be allowed up to ninety (90) days from the date of permit issuance to begin such monitoring. If, due to circumstances beyond the Permittee's control, any monitoring equipment required by this permit cannot be installed and operated no later than ninety (90) days after permit issuance, 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 and Enforcement Branch, Office of Air Quality
100 North Senate Avenue
MC 61-53 IGCN 1003
Indianapolis, Indiana 46204-2251

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 a certification that meets the requirements of 326 IAC 2-7-6(1) by a "responsible official" as defined by 326 IAC 2-7-1(35).

- (c) For monitoring required by CAM, at all times, the Permittee shall maintain the monitoring, including but not limited to, maintaining necessary parts for routine repairs of the monitoring equipment.
- (d) For monitoring required by CAM, except for, as applicable, monitoring malfunctions, associated repairs, and required quality assurance or control activities (including, as applicable, calibration checks and required zero and span adjustments), the Permittee shall conduct all monitoring in continuous operation (or shall collect data at all required intervals) at all times that the pollutant-specific emissions unit is operating. Data recorded during monitoring malfunctions, associated repairs, and required quality assurance or control activities shall not be used for purposes of this part, including data averages and calculations, or fulfilling a minimum data availability requirement, if applicable. The owner or operator shall use all the data collected during all other periods in assessing the operation of the control device and associated control system. A monitoring malfunction is any sudden, infrequent, not reasonably preventable failure of the monitoring to provide valid data. Monitoring failures that are caused in part by poor maintenance or careless operation are not malfunctions.

C.11 Instrument Specifications [326 IAC 2-1.1-11][326 IAC 2-7-5(3)][326 IAC 2-7-6(1)]

- (a) When required by any condition of this permit, an analog instrument used to measure a parameter related to the operation of an air pollution control device shall have a scale such that the expected maximum reading for the normal range shall be no less than twenty percent (20%) of full scale. The analog instrument shall be capable of measuring values outside of the normal range.
- (b) The Permittee may request that the IDEM, OAQ approve the use of an instrument that does not meet the above specifications provided the Permittee can demonstrate that an alternative instrument specification will adequately ensure compliance with permit conditions requiring the measurement of the parameters.

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

C.12 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 maintain the most recently submitted written emergency reduction plans (ERPs) consistent with safe operating procedures.
- (b) Upon direct notification by IDEM, OAQ that a specific air pollution episode level is in effect, the Permittee shall immediately put into effect the actions stipulated in the approved ERP for the appropriate episode level. [326 IAC 1-5-3]

C.13 Risk Management Plan [326 IAC 2-7-5(12)][40 CFR 68]

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

C.14 Response to Excursions or Exceedances [40 CFR 64][326 IAC 3-8][326 IAC 2-7-5][326 IAC 2-7-6]

- (I) Upon detecting an excursion where a response step is required by the D Section, or an exceedance of a limitation, not subject to CAM, in this permit:
 - (a) The Permittee shall take reasonable response steps to restore operation of the emissions unit (including any control device and associated capture system) to its normal or usual manner of operation as expeditiously as practicable in accordance with good air pollution control practices for minimizing excess emissions.
 - (b) The response shall include minimizing the period of any startup, shutdown or malfunction. The response may include, but is not limited to, the following:
 - (1) initial inspection and evaluation;
 - (2) recording that operations returned or are returning to normal without operator action (such as through response by a computerized distribution control system); or
 - (3) any necessary follow-up actions to return operation to normal or usual manner of operation.
 - (c) A determination of whether the Permittee has used acceptable procedures in response to an excursion or exceedance will be based on information available, which may include, but is not limited to, the following:
 - (1) monitoring results;
 - (2) review of operation and maintenance procedures and records; and/or
 - (3) inspection of the control device, associated capture system, and the process.
 - (d) Failure to take reasonable response steps shall be considered a deviation from the permit.
 - (e) The Permittee shall record the reasonable response steps taken.
- (II)
 - (a) *CAM Response to excursions or exceedances.*
 - (1) Upon detecting an excursion or exceedance, subject to CAM, the Permittee shall restore operation of the pollutant-specific emissions unit (including the control device and associated capture system) to its normal or usual manner of operation as expeditiously as practicable in accordance with good air pollution control practices for minimizing emissions. The response shall include minimizing the period of any startup, shutdown or malfunction and taking any necessary corrective actions to restore normal operation and prevent the likely recurrence of the cause of an excursion or exceedance (other than those caused by excused startup or shutdown conditions). Such actions may include initial

inspection and evaluation, recording that operations returned to normal without operator action (such as through response by a computerized distribution control system), or any necessary follow-up actions to return operation to within the indicator range, designated condition, or below the applicable emission limitation or standard, as applicable.

- (2) Determination of whether the Permittee has used acceptable procedures in response to an excursion or exceedance will be based on information available, which may include but is not limited to, monitoring results, review of operation and maintenance procedures and records, and inspection of the control device, associated capture system, and the process.
- (b) If the Permittee identifies a failure to achieve compliance with an emission limitation, subject to CAM, or standard, subject to CAM, for which the approved monitoring did not provide an indication of an excursion or exceedance while providing valid data, or the results of compliance or performance testing document a need to modify the existing indicator ranges or designated conditions, the Permittee shall promptly notify the IDEM, OAQ and, if necessary, submit a proposed significant permit modification to this permit to address the necessary monitoring changes. Such a modification may include, but is not limited to, reestablishing indicator ranges or designated conditions, modifying the frequency of conducting monitoring and collecting data, or the monitoring of additional parameters.
 - (c) Based on the results of a determination made under paragraph (II)(a)(2) of this condition, the EPA or IDEM, OAQ may require the Permittee to develop and implement a QIP. The Permittee shall develop and implement a QIP if notified to in writing by the EPA or IDEM, OAQ.
 - (d) Elements of a QIP:
The Permittee shall maintain a written QIP, if required, and have it available for inspection. The plan shall conform to 40 CFR 64.8 b (2).
 - (e) If a QIP is required, the Permittee shall develop and implement a QIP as expeditiously as practicable and shall notify the IDEM, OAQ if the period for completing the improvements contained in the QIP exceeds 180 days from the date on which the need to implement the QIP was determined.
 - (f) Following implementation of a QIP, upon any subsequent determination pursuant to paragraph (II)(a)(2) of this condition the EPA or the IDEM, OAQ may require that the Permittee make reasonable changes to the QIP if the QIP is found to have:
 - (1) Failed to address the cause of the control device performance problems;
or
 - (2) Failed to provide adequate procedures for correcting control device performance problems as expeditiously as practicable in accordance with good air pollution control practices for minimizing emissions.
 - (g) Implementation of a QIP shall not excuse the Permittee from compliance with any existing emission limitation or standard, or any existing monitoring, testing, reporting or recordkeeping requirement that may apply under federal, state, or local law, or any other applicable requirements under the Act.

(h) *CAM recordkeeping requirements.*

- (1) The Permittee shall maintain records of monitoring data, monitor performance data, corrective actions taken, any written quality improvement plan required pursuant to paragraph (II)(a)(2) of this condition and any activities undertaken to implement a quality improvement plan, and other supporting information required to be maintained under this condition (such as data used to document the adequacy of monitoring, or records of monitoring maintenance or corrective actions). Section C - General Record Keeping Requirements of this permit contains the Permittee's obligations with regard to the records required by this condition.
- (2) Instead of paper records, the owner or operator may maintain records on alternative media, such as microfilm, computer files, magnetic tape disks, or microfiche, provided that the use of such alternative media allows for expeditious inspection and review, and does not conflict with other applicable recordkeeping requirements

C.15 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 submit a description of its response actions to IDEM, OAQ no later than seventy-five (75) days after the date of the test.
- (b) A retest to demonstrate compliance shall be performed no later than one hundred eighty (180) days after the date of the test. Should the Permittee demonstrate to IDEM, OAQ that retesting in one hundred eighty (180) days is not practicable, IDEM, OAQ may extend the retesting deadline.
- (c) IDEM, OAQ reserves the authority to take any actions allowed under law in response to noncompliant stack tests.

The response action documents submitted pursuant to this condition do require a certification that meets the requirements of 326 IAC 2-7-6(1) by a "responsible official" as defined by 326 IAC 2-7-1(35).

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

C.16 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]

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

- (1) Indicate estimated actual emissions of all pollutants listed in 326 IAC 2-6-4(a);
- (2) Indicate estimated actual emissions of regulated pollutants as defined by 326 IAC 2-7-1(33) ("Regulated pollutant, which is used only for purposes of Section 19 of this rule") from the source, for purpose of fee assessment.

The statement must be submitted to:

Indiana Department of Environmental Management
Technical Support and Modeling Section, Office of Air Quality
100 North Senate Avenue
MC 61-50 IGCN 1003
Indianapolis, Indiana 46204-2251

The emission statement does require a certification that meets the requirements of 326 IAC 2-7-6(1) by a "responsible official" as defined by 326 IAC 2-7-1(35).

C.17 General Record Keeping Requirements [326 IAC 2-7-5(3)][326 IAC 2-7-6][326 IAC 2-2][326 IAC 2-3]

(a) Records of all required monitoring data, reports and support information required by this permit shall be retained for a period of at least five (5) years from the date of monitoring sample, measurement, report, or application. Support information includes the following, where applicable:

- (AA) All calibration and maintenance records.
- (BB) All original strip chart recordings for continuous monitoring instrumentation.
- (CC) Copies of all reports required by the Part 70 permit.

Records of required monitoring information include the following, where applicable:

- (AA) The date, place, as defined in this permit, and time of sampling or measurements.
- (BB) The dates analyses were performed.
- (CC) The company or entity that performed the analyses.
- (DD) The analytical techniques or methods used.
- (EE) The results of such analyses.
- (FF) The operating conditions as existing at the time of sampling or measurement.

These records shall be physically present or electronically accessible at the source location for a minimum of three (3) years. The records may be stored elsewhere for the remaining two (2) years as long as they are available upon request. If the Commissioner makes a request for records to the Permittee, the Permittee shall furnish the records to the Commissioner within a reasonable time.

- (b) Unless otherwise specified in this permit, for all record keeping requirements not already legally required, the Permittee shall be allowed up to ninety (90) days from the date of permit issuance or the date of initial start-up, whichever is later, to begin such record keeping.
- (c) If there is a reasonable possibility (as defined in 326 IAC 2-2-8 (b)(6)(A), 326 IAC 2-2-8 (b)(6)(B), 326 IAC 2-3-2 (l)(6)(A), and/or 326 IAC 2-3-2 (l)(6)(B)) that a "project" (as defined in 326 IAC 2-2-1(oo) and/or 326 IAC 2-3-1(jj)) at an existing emissions unit, other than projects at a source with a Plantwide Applicability Limitation (PAL), which is not part of a "major modification" (as defined in 326 IAC 2-2-1(dd) and/or 326 IAC 2-3-1(y)) may

result in significant emissions increase and the Permittee elects to utilize the “projected actual emissions” (as defined in 326 IAC 2-2-1(pp) and/or 326 IAC 2-3-1(kk)), the Permittee shall comply with following:

- (1) Before beginning actual construction of the “project” (as defined in 326 IAC 2-2-1(oo) and/or 326 IAC 2-3-1(jj)) at an existing emissions unit, document and maintain the following records:
 - (A) A description of the project.
 - (B) Identification of any emissions unit whose emissions of a regulated new source review pollutant could be affected by the project.
 - (C) A description of the applicability test used to determine that the project is not a major modification for any regulated NSR pollutant, including:
 - (i) Baseline actual emissions;
 - (ii) Projected actual emissions;
 - (iii) Amount of emissions excluded under section 326 IAC 2-2-1(pp)(2)(A)(iii) and/or 326 IAC 2-3-1 (kk)(2)(A)(iii); and
 - (iv) An explanation for why the amount was excluded, and any netting calculations, if applicable.
- (d) If there is a reasonable possibility (as defined in 326 IAC 2-2-8 (b)(6)(A) and/or 326 IAC 2-3-2 (l)(6)(A)) that a “project” (as defined in 326 IAC 2-2-1(oo) and/or 326 IAC 2-3-1(jj)) at an existing emissions unit, other than projects at a source with a Plantwide Applicability Limitation (PAL), which is not part of a “major modification” (as defined in 326 IAC 2-2-1(dd) and/or 326 IAC 2-3-1(y)) may result in significant emissions increase and the Permittee elects to utilize the “projected actual emissions” (as defined in 326 IAC 2-2-1(pp) and/or 326 IAC 2-3-1(kk)), the Permittee shall comply with following:
 - (1) Monitor the emissions of any regulated NSR pollutant that could increase as a result of the project and that is emitted by any existing emissions unit identified in (1)(B) above; and
 - (2) Calculate and maintain a record of the annual emissions, in tons per year on a calendar year basis, for a period of five (5) years following resumption of regular operations after the change, or for a period of ten (10) years following resumption of regular operations after the change if the project increases the design capacity of or the potential to emit that regulated NSR pollutant at the emissions unit.

C.18 General Reporting Requirements [326 IAC 2-7-5(3)(C)][326 IAC 2-1.1-11][326 IAC 2-2][326 IAC 2-3][40 CFR 64][326 IAC 3-8]

- (a) The Permittee shall submit the attached Quarterly Deviation and Compliance Monitoring Report or its equivalent. Proper notice submittal under Section B –Emergency Provisions satisfies the reporting requirements of this paragraph. Any deviation from permit requirements, the date(s) of each deviation, the cause of the deviation, and the response steps taken must be reported except that a deviation required to be reported pursuant to an applicable requirement that exists independent of this permit, shall be reported according to the schedule stated in the applicable requirement and does not need to be included in this report. This report shall be submitted not later than thirty (30) days after

the end of the reporting period. The Quarterly Deviation and Compliance Monitoring Report shall include a certification that meets the requirements of 326 IAC 2-7-6(1) by a "responsible official" as defined by 326 IAC 2-7-1(35). A deviation is an exceedance of a permit limitation or a failure to comply with a requirement of the permit.

On and after the date by which the Permittee must use monitoring that meets the requirements of 40 CFR Part 64 and 326 IAC 3-8, the Permittee shall submit CAM reports to the IDEM, OAQ.

A report for monitoring under 40 CFR Part 64 and 326 IAC 3-8 shall include, at a minimum, the information required under paragraph (a) of this condition and the following information, as applicable:

- (1) Summary information on the number, duration and cause (including unknown cause, if applicable) of excursions or exceedances, as applicable, and the corrective actions taken;
- (2) Summary information on the number, duration and cause (including unknown cause, if applicable) for monitor downtime incidents (other than downtime associated with zero and span or other daily calibration checks, if applicable); and
- (3) A description of the actions taken to implement a QIP during the reporting period as specified in Section C-Response to Excursions or Exceedances. Upon completion of a QIP, the owner or operator shall include in the next summary report documentation that the implementation of the plan has been completed and reduced the likelihood of similar levels of excursions or exceedances occurring.

The Permittee may combine the Quarterly Deviation and Compliance Monitoring Report and a report pursuant to 40 CFR 64 and 326 IAC 3-8.

- (b) The address for report submittal is:

Indiana Department of Environmental Management
Compliance and Enforcement Branch, Office of Air Quality
100 North Senate Avenue
MC 61-53 IGCN 1003
Indianapolis, Indiana 46204-2251

- (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) Reporting periods are based on calendar years, unless otherwise specified in this permit. For the purpose of this permit "calendar year" means the twelve (12) month period from January 1 to December 31 inclusive.
- (e) If the Permittee is required to comply with the recordkeeping provisions of (d) in Section C - General Record Keeping Requirements for any "project" (as defined in 326 IAC 2-2-1 (oo) and/or 326 IAC 2-3-1 (jj)) at an existing emissions unit, and the project meets the following criteria, then the Permittee shall submit a report to IDEM, OAQ:
- (1) The annual emissions, in tons per year, from the project identified in (c)(1) in Section C- General Record Keeping Requirements exceed the baseline actual emissions, as documented and maintained under Section C- General Record

Keeping Requirements (c)(1)(C)(i), by a significant amount, as defined in 326 IAC 2-2-1 (ww) and/or 326 IAC 2-3-1 (pp), for that regulated NSR pollutant, and

- (2) The emissions differ from the preconstruction projection as documented and maintained under Section C - General Record Keeping Requirements (c)(1)(C)(ii).
- (f) The report for project at an existing emissions unit shall be submitted no later than sixty (60) days after the end of the year and contain the following:
- (1) The name, address, and telephone number of the major stationary source.
 - (2) The annual emissions calculated in accordance with (d)(1) and (2) in Section C - General Record Keeping Requirements.
 - (3) The emissions calculated under the actual-to-projected actual test stated in 326 IAC 2-2-2(d)(3) and/or 326 IAC 2-3-2(c)(3).
 - (4) Any other information that the Permittee wishes to include in this report such as an explanation as to why the emissions differ from the preconstruction projection.

Reports required in this part shall be submitted to:

Indiana Department of Environmental Management
Compliance and Enforcement Branch, Office of Air Quality
100 North Senate Avenue
MC 61-53 IGCN 1003
Indianapolis, Indiana 46204-2251

- (g) The Permittee shall make the information required to be documented and maintained in accordance with (c) in Section C- General Record Keeping Requirements available for review upon a request for inspection by IDEM, OAQ. The general public may request this information from the IDEM, OAQ under 326 IAC 17.1.

Stratospheric Ozone Protection

C.19 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 applicable standards for recycling and emissions reduction.

SECTION D.1

FACILITY OPERATION CONDITIONS

Emission Unit Description: Grain Handling, Fermentation, and Distillation

- (a) One (1) grain receiving and pneumatic conveyor, identified as EU-11, installed prior to 1950, equipped with a dust collector, exhausting to Stack S-103, capacity: 28.0 tons of corn, rye, barley and/or malt per hour.
- (b) One (1) corn receiving and storage system, identified as EU-12, installed in 1997, consisting of the following equipment:
 - (1) One (1) unloading hopper, equipped with baghouse using fabric filters for particulate matter control exhausting to Stack S-111, capacity: 196 tons of corn per hour.
 - (2) One (1) conveyor and bucket elevator, equipped with baghouse using fabric filters for particulate matter control exhausting to Stack S-111, capacity: 196 tons of corn per hour.
 - (3) One (1) storage silo, equipped with baghouse using fabric filters for particulate matter control, exhausting to Stack S-111, capacity: 75,000 bushels of corn.
 - (4) One (1) grain cleaner, equipped with baghouse using fabric filters for particulate matter control, exhausting to Stack S-111, capacity: 26.6 tons of corn per hour.
 - (5) One (1) grain transport system, equipped with baghouse using fabric filters for particulate matter control, exhausting to Stack S-112, capacity: 26.6 tons of corn per hour.
- (c) Seven (7) storage bins, collectively identified as EU-13, installed prior to 1950, equipped with baghouse using fabric filters for particulate matter control, exhausting inside, five (5) with a capacity of 8,000 bushels, each and two (2) with a capacity of 4,000 bushels, each.
- (d) Six (6) hammermills and hopper, collectively identified as EU-14, installed prior to 1950, equipped with a baghouse for particulate matter control, exhausting inside through Stack S-104, capacity: 109,760 pounds of grain per hour, total.
- (e) Three (3) multi-column stills and five (5) distillation columns, collectively identified as EU-20, installed prior to 1950, consisting of the following:
 - (1) One (1) spirits still (V-2), exhausting to Stack S-210, capacity: 583 proof gallons per hour,
 - (2) One (1) spirits still (V-3), exhausting to Stack S-210, capacity: 750 proof gallons per hour,
 - (3) One (1) spirits still (V-15), exhausting to Stack S-210, capacity: 3,750 proof gallons per hour;
 - (4) One (1) distillation column, exhausting to Stack S-211, and
 - (5) Four (4) unused distillation columns, exhausting to Stack S-211.
- (f) EU-21, consisting of the following units:

- (1) Three (3) open fermenters, installed prior to 1950, exhausting to Stack S-201, capacity: 25,300 gallons, each.
- (2) Five (5) open fermenters, installed in 2004, exhausting to Stack S-201, capacity: 27,854 gallons, each.
- (3) Three (3) open fermenters, installed in 2005, exhausting to Stack S-201, capacity: 27,854 gallons, each.
- (4) Three (3) open fermenters, installed in 2006, exhausting to Stack S-201, capacity: 27,854 gallons, each.
- (g) Twenty-four (24) closed fermenters, collectively identified as EU-22, installed prior to 1950, equipped with one (1) ethanol scrubber that operates when the fermentation vent stream is routed for CO₂ recovery, exhausting to Stack S-202, capacity: 55,000 gallons, each.
- (h) Two (2) beer wells, identified as EU-23 and EU-24, installed prior to 1950, exhausting to Stacks S-203 and S-204 respectively, capacity: 38,886 and 102,098 gallons, respectively.
- (i) Three (3) beer stills, collectively identified as EU-25, installed prior to 1950, exhausting to Stack S-205, consisting of the following:
 - (1) Still #25, capacity: 4,600 gallons per hour,
 - (2) Still #26, capacity: 14,600 gallons per hour; and
 - (3) Still #31, capacity: 12,000 gallons per hour.
- (j) Two (2) column & kettles, collectively identified as EU-26, installed prior to 1950, exhausting to Stack S-206, capacity: 727 proof gallons per hour, each.
- (k) Three (3) gin stills (#10, #22, and #23), collectively identified as EU-27, installed prior to 1950, exhausting to Stack S-207, capacity: 600 proof gallons per hour, each.
- (l) One (1) doubler still, identified as EU-29, installed prior to 1950, exhausting to Stack S-209, capacity: 672 proof gallons per hour.
- (m) Four (4) paddle screens, collectively identified as EU-31, installed prior to 1950, exhausting to Stack S-301, capacity: 56,000 pounds per hour, each.
- (n) Five (5) rotary dryers, one (1) cooler and one (1) transport system, collectively identified as EU-32, installed prior to 1950, consisting of the following:
 - (1) Two (2) rotary dryers, exhausting to Stacks S-305 and S-306, each equipped with a wet scrubber, capacity: 25,500 pounds of grain per hour inlet, each,
 - (2) Three (3) rotary dryers, exhausting to Stacks S-307 through S-309, each controlled by a wet scrubber, capacity: 14,500 pounds of grain per hour inlet, each; and
 - (3) One (1) cooler, with a maximum throughput of 9.56 tons of DDG per hour, with emissions uncontrolled.
 - (4) One (1) transport system, with a maximum throughput of 9.56 tons of DDG per hour, approved for modification in 2015, controlled by a cyclone, exhausting to Stack S- 310, and consisting of the following:

- (A) One (1) hammermill.
 - (B) Four (4) screw conveyors.
 - (C) Two (2) drag conveyors.
 - (D) Three (3) product conveyors.
 - (E) One (1) K-valve.
- (o) Three (3) conveyors, collectively identified as EU-33, installed prior to 1950, exhausting to Stacks S-302 through S-304, capacity: 38,000 pounds of grain per hour, each.
- (p) One (1) DDG (Distillers Dried Grain) loadout system, installed in 1997, consisting of the following:
- (1) Two (2) storage silos, and two (2) surge hoppers, collectively identified as EU-34, equipped with two (2) dust collectors, exhausting to Stacks S-341 through S-344, capacity: 13,100 cubic feet, total for the two (2) storage silos, each and 14,000 pounds of grain per hour, each, for the two (2) surge hoppers.
 - (2) One (1) air transport system and scale to the rail car loading area, identified as EU-35, controlled by a dust collector, exhausting to Stack S-350, capacity: 14,000 pounds of grain per hour.
 - (3) One (1) air transport system and scale to the truck loading area, identified as EU-36, controlled by a dust collector, exhausting to Stack S-360, capacity: 14,000 pounds of grain per hour.
 - (4) One (1) rail car loader, identified as EU-37, exhausting to Stack S-370, capacity: 14,000 pounds of grain per hour.
 - (5) One (1) truck loader, identified as EU-38, exhausting to Stack S-380, capacity: 14,000 pounds of grain per hour.
- (q) One (1) DDG dryer operation, approved in 2015 for construction, identified as EU-39, with emission controlled by four (4) cyclones (CE-39a) and an 8 MMBtu/hr RTO (CE-39b), exhausting to stack S-320, and consisting of the following:
- (1) One (1) DDG Dryer, with a maximum heat input of 45 MMBtu/hr and a maximum throughput of 9.56 tons/hr DDG.
 - (2) One (1) screw K-valve, identified as Screw #1 K-Valve.
 - (3) Three (3) enclosed feed conveyors, identified as #11 - #13.
 - (4) One (1) agitator mixer and inlet screw.
- (r) One (1) wet cake storage pad, approved in 2015 for construction, identified as EU-40, with a maximum throughput of 24.56 tons per hour wet cake, with emissions uncontrolled.

- (s) One (1) wine room, identified as EU-41, consisting of forty-three (43) organic liquid storage tanks, installed prior to 1950, exhausting to Stack S-410, capacity: 524,504 gallons of ethanol, total and a throughput of 32,000,000 proof gallons per year, total, consisting of the following:
 - (1) Thirty-five (35) organic liquid storage tanks, installed prior to 1950, capacity: 467,518 gallons of ethanol, total.
 - (2) Eight (8) organic liquid storage tanks, installed in 1988, capacity: 56,986 gallons of ethanol, total.
- (t) One (1) tank farm, identified as EU-42, consisting of nine (9) organic liquid storage tanks, installed prior to 1950, exhausting to Stack S-420, capacity: 750,000 gallons of ethanol, each.
- (u) EU-43, consisting of the following units:
 - (1) One (1) Bldg. 88, consisting of twenty-seven (27) organic liquid storage tanks, installed in 1989, exhausting to Stack S-430, capacity: 489,250 gallons of ethanol, total.
 - (2) One (1) rum handling area, installed in 1997, exhausting to the atmosphere, capacity: 3,501,429 gallons of rum.
- (v) One (1) mini tank farm, identified as EU-45, consisting of eight (8) tanks:
 - (1) Seven organic liquid storage (7) tanks, installed in 1989, exhausting to Stack S-435, capacity: 779,800 gallons of ethanol, total.
 - (2) One (1) organic liquid storage tank, installed in 1994, capacity: 3,500 gallons of ethanol.
- (w) One (1) barrel filling and emptying operation, identified as EU-61, installed prior to 1950, exhausting to Stack S-610, with a throughput capacity of 13,000,000 proof gallons and 12,775,000 proof gallons of whiskey and gin per year, respectively, and a maximum capacity of 29,700 gallons of whiskey and gin per hour.
- (x) One (1) Warehouse C, identified as EU-71, installed prior to 1950, exhausting to Vent 701, capacity: 69,306 barrels.
- (y) One (1) Warehouse E, identified as EU-72, installed prior to 1950, exhausting to Vent 702, capacity: 101,032 barrels.
- (z) One (1) Warehouse G, identified as EU-73, installed prior to 1950, exhausting to Vent 703, capacity: 84,097 barrels.
- (aa) One (1) Warehouse J & M, identified as EU-74, installed prior to 1950, exhausting to Vent 704, capacity: 100,000 barrels.
- (bb) One (1) Warehouse L, identified as EU-75, installed prior to 1950, exhausting to Vent 705, capacity: 93,438 barrels.
- (cc) One (1) Warehouse N, identified as EU-76, installed prior to 1950, exhausting to Vent 706, capacity: 93,405 barrels.

- (ff) One (1) loading rack system, consisting of four (4) rail car and four (4) truck loading racks, identified as EU-46, installed in 1989, exhausting to the atmosphere, capacity: 31,000,000 gallons of ethanol per year.
 - (gg) One (1) Warehouse IC, identified as EU-770, constructed in 2014, and exhausting through the building's windows and other openings.
 - (hh) One (1) Warehouse K, identified as EU-771, constructed in 2015, and exhausting through the building's windows and other openings.
 - (ii) One (1) Warehouse O, identified as EU-772, constructed in 2015, and exhausting through the building's windows and other openings.
 - (jj) One (1) Warehouse P, identified as EU-773, constructed in 2015, and exhausting through the building's windows and other openings.
 - (kk) One (1) Warehouse Q, identified as EU-774, constructed in 2016, and exhausting through the building's windows and other openings.
 - (ll) One (1) Warehouse F, identified as EU-775, constructed in 2016, and exhausting through the building's windows and other openings.
 - (mm) One (1) Warehouse H, identified as EU-776, constructed in 2016, and exhausting through the building's windows and other openings.
 - (nn) One (1) Warehouse V, identified as EU-777, constructed in 2016, and exhausting through the building's windows and other openings.
 - (oo) One (1) Warehouse T, identified as EU-780, approved in 2018 for construction, and exhausting through the building's windows and other openings.
- The nine (9) warehouses, identified as EU-770 through EU-777 and EU-780, have a combined storage capacity of 439,600 barrels.

(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 Volatile Organic Compounds (VOC) BACT Limits [326 IAC 8-1-6]

Pursuant to 326 IAC 8-1-6, the Permittee shall comply with the following Best Available Control Technology (BACT) requirements:

- (a) The VOC emissions from the DDG dryer (EU-39) shall be controlled by an RTO.
- (b) The RTO shall operate with an overall control efficiency, which includes capture and destruction efficiencies, of not less than 98%.
- (c) The VOC emissions from the DDG dryer (EU-39) shall not exceed 1.91 lb/hr.

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

In order to render the requirements of 326 IAC 2-2 (Prevention of Significant Deterioration (PSD)) not applicable, the Permittee shall comply with the following:

- (a) The total dryer feed rate for the Rotary Dryers (EU-32) shall not exceed 147,000 tons per twelve (12) consecutive month period with compliance determined at the end of each month.
- (b) The PM_{2.5} emissions from the Rotary Dryers (EU-32) shall not exceed 0.27 lb/ton.
- (c) The PM emissions from the Transport System (EU-32) shall not exceed 1.22 lbs/hr.
- (d) The PM₁₀ emissions from the Transport System (EU-32) shall not exceed 0.82 lbs/hr.
- (e) The PM_{2.5} emissions from the Transport System (EU-32) shall not exceed 0.40 lbs/hr.
- (f) The PM emissions from the DDG Dryer Operation (EU-39) shall not exceed 1.91 lbs/hr.
- (g) The PM₁₀ emissions from the DDG Dryer Operation (EU-39) shall not exceed 1.91 lbs/hr.
- (h) The PM_{2.5} emissions from the DDG Dryer Operation (EU-39) shall not exceed 1.91 lbs/hr.
- (i) The CO emissions from the DDG Dryer Operation (EU-39) shall not exceed 10.60 lbs/hr.

Compliance with these limits, in conjunction with the potential to emit from the rest of the modification, will ensure that the emission increase from Significant Source Modification No. 029-35496-00005 is less than twenty-five (25) tons of PM per year, fifteen (15) tons of PM₁₀ per year, one hundred (100) tons of CO per year, and therefore will render the requirements of 326 IAC 2-2 (PSD) not applicable.

Compliance with these limits will ensure the net emissions increase from Significant Source Modification No. 029-35496-00005 is less than ten (10) tons of direct PM_{2.5} per year, and therefore, will render the requirements of 326 IAC 2-2 (PSD) not applicable.

D.1.3 Emission Offset Minor Limit [326 IAC 2-3]

In order to render the requirements of 326 IAC 2-3 (Emission Offset) not applicable, the Permittee shall comply with the following:

The VOC emissions from the DDG Dryer Operation (EU-39) shall not exceed 8.90 lbs/hr.

Compliance with this limit, in conjunction with the potential to emit from the rest of the modification, will ensure that the potential to emit from this modification is less than forty (40) tons of VOC per year, and therefore will render the requirements of 326 IAC 2-3 (Emission Offset) not applicable.

D.1.4 HAP Minor Limit [326 IAC 2-4.1]

In order to render the requirements of 326 IAC 2-4.1 (Major Sources of Hazardous Air Pollutants) not applicable, the Permittee shall comply with the following:

- (a) The Acetaldehyde emissions from the DDG Dryer Operation (EU-39) shall not exceed 1.91 lbs/hr.
- (b) The Formaldehyde emissions from the DDG Dryer Operation (EU-39) shall not exceed 1.48 lbs/hr.

Compliance with these emission limits in conjunction with the potential to emit from the rest of the modification, will ensure that the potential to emit from Significant Source Modification No. 029-35496-00005 is less than ten (10) tons of single HAP per year and twenty-five (25) tons of total HAPs per year, and therefore will render the requirements of 326 IAC 2-4.1 not applicable.

D.1.5 Particulate [326 IAC 6-3-2]

Pursuant to 326 IAC 6-3-2 (Particulate Emission Limitations for Manufacturing Processes), the particulate emission rate from the following emission units and control devices shall not exceed the pounds per hour limitation when operating at the stated process weight rates calculated using the following equations:

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

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

or

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

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

Emission Unit (baghouse)	Unit Description	Process weight rate (tons per hour)	Allowable particulate emission rate (pounds per hour)
EU-11	grain receiving and Pneumatic Conveyor	28.0	38.2
EU-12	Corn receiving and storage system	446	67.6
EU-13	Grain Storage Bins	224	59.7
EU-14	Hammermills and hopper	54.9	45.4
EU-32	Rotary dryers	25.5	35.9
EU-32	cooler	9.56	18.6
EU-34	Storage silos and surge hoppers	21.0	31.5
EU-35	Air transport system and scale to rail car loading area	7.00	15.1
EU-36	Air transport system and scale to the truck loading area	7.00	15.1
EU-37	Rail Loading	7.00	15.1

D.1.6 PSD Minor Limit [326 IAC 2-2]

Pursuant to CP 029-6331-00005 issued March 14, 1997:

- (a) The PM and PM₁₀ emissions from the corn truck unloading hopper, grain receiving elevator and conveyor, corn storage silo, and grain cleaner (collectively exhausting to stack S-111), which are part of EU-12, shall be limited to 1.20 pounds per hour.
- (b) The PM and PM₁₀ emissions from the grain air transport system (exhausting to stack S-112), which is part of EU-12, shall be limited to 0.219 pounds per hour.
- (c) The PM and PM₁₀ emissions from the two (2) storage silos and the two (2) surge hoppers (exhausting to stacks S-341 through S-344), collectively identified as EU-34, shall be limited to 0.136 pounds per hour.
- (d) The PM and PM₁₀ emissions from one (1) air transport system and scale to the rail car loading area (exhausting to stack S-350), identified as EU-35, and the one (1) air transport system and scale to the truck loading area (exhausting to stack S-360), identified as EU-36, shall collectively be limited to 0.289 pounds per hour.
- (e) The PM and PM₁₀ emissions from one (1) rail car loader (exhausting to stack S-370, identified as EU-37 and the truck loader (exhausting to stack S-380), identified as EU-38, shall be limited to 1.25 pounds per hour.

Compliance with these limitations shall render the requirements of 326 IAC 2-2, PSD, not applicable.

D.1.7 Particulate Matter (PM) [326 IAC 6.5-1-2]

Pursuant to 326 IAC 6.5-1-2 (a)(Particulate Matter Limitations Except Lake County), particulate matter (PM) emissions from the Transport System (EU-32), DDG Dryer (EU-39), and the wet cake storage pad (EU-40) shall be limited to 0.03 grain per dry standard cubic foot of exhaust air.

D.1.8 Preventive Maintenance Plan [326 IAC 2-7-5(12)]

A Preventive Maintenance Plan is required for these facilities and their control devices. Section B - Preventive Maintenance Plan contains the Permittee's obligation with regard to the preventive maintenance plan required by this condition.

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

D.1.9 Particulate, VOC, CO, VOC, and HAP Control

- (a) In order to ensure compliance with Conditions D.1.1, D.1.2, D.1.3, and D.1.4 the RTO for VOC, CO, VOC and HAP control shall be in operation and control emissions from the DDG Dryer EU-39 at all times the facility is in operation.
- (b) In order to ensure compliance with Conditions D.1.2 and D.1.7, the wet scrubbers and cyclones for particulate control shall be in operation and control emissions from the Rotary Dryers and Transport System collectively identified as EU-32 and the DDG Dryer EU-39 at all times the facilities are in operation.
- (c) In order to ensure compliance with Conditions D.1.5 and D.1.6, the baghouses for particulate control shall be in operation and control emissions from EU-12 and EU-34 through EU-36, at all times that the facilities are in operation.

D.1.10 Testing Requirements [326 IAC 2-1.1-11]

- (a) Not later than 180 days after the startup of DDG Dryer EU-39, the Permittee shall perform PM, PM10, PM2.5, CO, and VOC testing of the DDG Dryer EU-39 utilizing methods approved by the commissioner at least once every 5 years from the date of the most recent valid compliance demonstration. Testing shall be conducted in accordance with the provisions of 326 IAC 3-6 (Source Sampling Procedures). Section C – Performance Testing contains the Permittee's obligation with regard to the performance testing required by this condition. PM10 and PM2.5 includes filterable and condensable PM.
- (b) Not later than 180 days after the startup of DDG Dryer EU-39, the Permittee shall perform PM, PM10, and PM2.5 testing of the Transport System EU-32 utilizing methods approved by the commissioner at least once every 5 years from the date of the most recent valid compliance demonstration. Testing shall be conducted in accordance with the provisions of 326 IAC 3-6 (Source Sampling Procedures). Section C – Performance Testing contains the Permittee's obligation with regard to the performance testing required by this condition. PM10 and PM2.5 includes filterable and condensable PM.

Compliance Monitoring Requirements [326 IAC 2-7-6(1)][326 IAC 2-7-5(1)][40 CFR 64]

D.1.11 Visible Emissions Notations [40 CFR 64]

- (a) Visible emission notations of EU-12 and EU-34 through EU-36 stack exhausts (S-111, S-112, S-341 through S-344, S-350, and S-360) shall be performed once per day during normal daylight operations. A trained employee shall record whether emissions are normal or abnormal.
- (b) For processes operated continuously, "normal" means those conditions prevailing, or expected to prevail, eighty percent (80%) of the time the process is in operation, not counting startup or shut down time.
- (c) In the case of batch or discontinuous operations, readings shall be taken during that part of the operation that would normally be expected to cause the greatest emissions.
- (d) A trained employee is an employee who has worked at the plant at least one (1) month and has been trained in the appearance and characteristics of normal visible emissions for that specific process.
- (e) If abnormal emissions are observed, the Permittee shall take a reasonable response. Section C – Response to Excursions or Exceedances contains the Permittee's obligation with regard to the response steps required by this condition. Failure to take response steps shall be considered a deviation from this permit.

Compliance with this requirement satisfies, in part, the requirements of 40 CFR 64 for EU-12.

D.1.12 Visible Emissions Notations

- (a) Visible emission notations of the Transport System cyclone stack exhausts (S-310) and the cyclones (CE-39a) stack exhausts (S-320) shall be performed once per day during normal daylight operations. A trained employee shall record whether emissions are normal or abnormal.
- (b) For processes operated continuously, "normal" means those conditions prevailing, or expected to prevail, eighty percent (80%) of the time the process is in operation, not counting startup or shut down time.

- (c) In the case of batch or discontinuous operations, readings shall be taken during that part of the operation that would normally be expected to cause the greatest emissions.
- (d) A trained employee is an employee who has worked at the plant at least one (1) month and has been trained in the appearance and characteristics of normal visible emissions for that specific process.
- (e) If abnormal emissions are observed, the Permittee shall take a reasonable response. Section C – Response to Excursions and Exceedances contains the Permittee's obligation with regard to the reasonable response steps required by this condition. Failure to take response steps shall be considered a deviation from this permit.

D.1.13 Scrubber Flow Rate

- (a) The Permittee shall monitor and record the flow rate of the scrubbers controlling the Rotary Dryers (EU-32) at least once per day when the associated processes are in operation. The Permittee shall maintain the flow rate at or above the minimum specified in the table below.

Parameter	Scrubber #1 S-305	Scrubber #2 S-306	Scrubber #3 S-307	Scrubber #4 S-308	Scrubber #5 S-309
Minimum flow rate measured at nozzles (gal/min)	4.0	4.0	3.0	3.0	3.0
Minimum flow rate measured at trays (gal/min)	10.0	10.0	7.0	7.0	7.0

- (b) When for any one reading, the flow rate is below the above mentioned minimum, the Permittee shall take a reasonable response. Section C - Response to Excursions or Exceedances contains the Permittee's obligation with regard to the response steps required by this condition. A reading that is below the above mentioned minimum flow rate is not a deviation from this permit. Failure to take response steps shall be considered a deviation from this permit.

D.1.14 Parametric Monitoring - Wet Scrubbers

The Permittee shall monitor and record the pressure drop across the scrubbers controlling the Rotary Dryers (EU-32) at least once per day when the associated processes are in operation. When for any one reading, the pressure drop across a scrubber is outside the normal range, the Permittee shall take a reasonable response. The normal range for this unit is a pressure drop between 0.5 and 6.5 inches of water unless a different upper-bound or lower-bound value for this range is determined during the latest stack test. Section C - Response to Excursions or Exceedances contains the Permittee's obligation with regard to the response steps required by this condition. A pressure drop reading that is outside the above mentioned range(s) is not a deviation from this permit. Failure to take response steps shall be considered a deviation from this permit.

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

D.1.15 RTO Temperature

- (a) A continuous monitoring system shall be calibrated, maintained, and operated on the RTO (CE-39b) for measuring operating temperature. For the purpose of this condition, continuous means no less often than once per fifteen (15) minutes. The output of this system shall be recorded as 3-hour average. From the date of startup until the stack test results are available, the Permittee shall operate the thermal oxidizer at or above the 3-hour average temperature of 1,400°F.
- (b) The Permittee shall determine the 3-hour average temperature from the latest valid stack test that demonstrates compliance with limits in Conditions D.1.1, D.1.2, D.1.3, and D.1.4.
- (c) On and after the date the stack test results are available, the Permittee shall operate the thermal oxidizer at or above the 3-hour average temperature as observed during the latest compliant stack test.
- (d) If the 3-hour average temperature falls below the above mentioned 3-hour average temperature, the Permittee shall take a reasonable response. Section C - Response to Excursions or Exceedances contains the Permittee's obligation with regard to the response steps required by this condition. A 3-hour average temperature reading below the above mentioned 3-hour average temperature is not a deviation from this permit. Failure to take response steps shall be considered a deviation from this permit.

D.1.16 Parametric Monitoring - RTO

- (a) The Permittee shall determine the appropriate duct pressure or fan amperage from the latest valid stack test that demonstrates compliance with limits in Conditions D.1.1, D.1.2, D.1.3, and D.1.4.
- (b) The duct pressure or fan amperage shall be observed at least once per day when the thermal oxidizer is in operation. On and after the date the stack test results are available, the duct pressure or fan amperage shall be maintained within the normal range as established in latest compliant stack test.
- (c) When, for any one reading, the duct pressure or fan amperage is outside the above mentioned range, the Permittee shall take a reasonable response. Section C - Response to Excursions and Exceedances contains the Permittee's obligation with regard to the reasonable response steps required by this condition. A reading that is outside the above mentioned range is not a deviation from this permit. Failure to take response steps shall be considered a deviation from this permit.
- (d) The instruments used for determining the pressure drop shall comply with Section C – Instrument Specifications, of this permit, shall be subject to approval by IDEM, OAQ, and shall be calibrated or replaced at least once every six (6) months.

D.1.17 Broken or Failed Bag Detection

- (a) For a single compartment baghouse controlling emissions from a process operated continuously, a failed unit and the associated process shall be shut down immediately until the failed unit has been repaired or replaced. Operations may continue only if the event qualifies as an emergency and the Permittee satisfies the requirements of the emergency provisions of this permit (Section B - Emergency Provisions).
- (b) For a single compartment baghouse controlling emissions from a batch process, the feed to the process shall be shut down immediately until the failed unit has been repaired or replaced. The emissions unit shall be shut down no later than the completion of the processing of the material in the line. Operations may continue only if the event qualifies

as an emergency and the Permittee satisfies the requirements of the emergency provisions of this permit (Section B - Emergency Provisions).

- (c) In the event that bag failure is observed in a multi-compartment baghouse, if operations will continue for ten (10) days or more after the failure is observed before the failed units will be repaired or replaced, the Permittee shall promptly notify the IDEM, OAQ of the expected date the failed units will be repaired or replaced. The notification shall also include the status of the applicable compliance monitoring parameters with respect to normal, and the results of any response actions taken up to the time of notification.

Bag failure can be indicated by a significant drop in the baghouse's pressure reading with abnormal visible emissions, by an opacity violation, or by other means such as gas temperature, flow rate, air infiltration, leaks, dust traces or triboflows.

D.1.18 Cyclone Failure Detection

In the event that a cyclone malfunction has been observed:

Failed units and the associated process will be shut down immediately until the failed units have been repaired or replaced. The emissions unit shall be shut down no later than the completion of the processing of the material in the emission unit. Operations may continue only if the event qualifies as an emergency and the Permittee satisfies the requirements of the emergency provisions of this permit (Section B - Emergency Provisions).

D.1.19 Scrubber Failure Detection

In the event that a scrubber malfunction has been observed:

- (a) For a scrubber controlling emissions from a process operated continuously, a failed unit and the associated process will be shut down immediately until the failed unit has been repaired or replaced. Operations may continue only if the event qualifies as an emergency and the Permittee satisfies the requirements of the emergency provisions of this permit (Section B - Emergency Provisions).
- (b) For a scrubber controlling emissions from a batch process, the feed to the process shall be shut down immediately until the failed unit has been repaired or replaced. The emissions unit shall be shut down no later than the completion of the processing of the material in the line. Operations may continue only if the event qualifies as an emergency and the Permittee satisfies the requirements of the emergency provisions of this permit (Section B - Emergency Provisions).

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

D.1.20 Record Keeping Requirements

- (a) To Document the compliance status with Condition D.1.2(a), the Permittee shall maintain a monthly record of the total dryer feed rate for the Rotary Dryers (EU-32).
- (b) To document the compliance status with Conditions D.1.11 and D.1.12, the Permittee shall maintain a daily record of visible emission notations of the baghouse and cyclone stack exhausts. The Permittee shall include in its daily record when a visible emission notation is not taken and the reason for the lack of visible emission notation (e.g., the process did not operate that day).
- (c) To document the compliance status with Conditions D.1.13 and D.1.14, the Permittee shall maintain daily records of the Flow Rate and Pressure Drop for the scrubber. The Permittee shall include in its daily record when the readings are not taken and the reason for the lack of the readings (e.g., the process did not operate that day).

- (d) To document the compliance status with Condition D.1.15, the Permittee shall maintain continuous temperature records for the RTO (CE-39b) and the 3-hour average temperature used to demonstrate compliance during the most recent compliant stack test.
- (e) To document the compliance status with Condition D.1.16, the Permittee shall maintain daily records of the duct pressure or fan amperage for the RTO (CE-39b). The Permittee shall include in its daily record when the readings are not taken and the reason for the lack of the readings (e.g. the process did not operate that day).
- (f) Section C - General Record Keeping Requirements contains the Permittee's obligation with regard to the records required by this condition.

D.1.21 Reporting Requirements

A quarterly summary of the information to document the compliance status with D.1.2(a) shall be submitted not later than thirty (30) days after the end of the quarter being reported. Section C - General Reporting contains the Permittee's obligation with regard to the reporting required by this condition. The report submitted by the Permittee does require a certification that meets the requirements of 326 IAC 2-7-6(1) by a "responsible official," as defined by 326 IAC 2-7-1 (35).

SECTION D.2 FACILITY OPERATION CONDITIONS

Emission Unit Description: Steam Boiler, identified as EU-96

(dd) One (1) steam boiler, identified as EU-96, installed in 1977, using natural gas and exhausting to Stack S-906, heat input capacity: 244 million British thermal units per hour. Under 40 CFR 63, Subpart DDDDD, this facility is an affected unit.

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 [326 IAC 6.5-3-8]

The steam boiler, identified as EU-96 (identified as Boiler 6), shall burn natural gas only.

Pursuant to 326 IAC 6.5-1-1(b), particulate limitations shall not be established for combustion units that burn only natural gas. Therefore, the limitations established in 326 IAC 6.5-3-8 for Boiler 6 shall not apply.

D.2.2 Particulate [326 IAC 6-2-3]

Pursuant to 326 IAC 6-2-3 (Particulate Emission Limitations for Sources of Indirect Heating), the PM emissions from the following units shall be limited to Pt pounds per MMBtu heat input, as follows:

EMISSION UNIT	UNIT ID	PT (LB/MMBTU)
Boiler	EU-96	0.80

SECTION D.3 FACILITY OPERATION CONDITIONS

Emission Unit Description: Steam Boiler EU-97

(ee) One (1) natural gas fired steam boiler, identified as EU-97, using #2 fuel oil as back-up, installed in 1992, exhausting to Stack S-907, heat input capacity: 47.6 million British thermal units per hour using natural gas and 45.6 million British thermal units using #2 fuel oil. Under 40 CFR 60, Subpart Dc, this facility is considered an industrial, institutional, or commercial boiler.

Under 40 CFR 60, Subpart Dc, this facility is considered an industrial, institutional, or commercial boiler. Under 40 CFR 63, Subpart DDDDD, this facility is an affected unit.

(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 Particulate [326 IAC 6-2-4]

Pursuant to 326 IAC 6-2-4 (Particulate Emission Limitations for Sources of Indirect Heating), the PM emissions from the following units shall be limited to Pt pounds per MMBtu heat input, as follows:

EMISSION UNIT	UNIT ID	PT (LB/MMBTU)
Boiler	EU-97	0.25

D.3.2 Fuel Oil Limit [326 IAC 2-2][326 IAC 7-1.1-2]

(a) Pursuant to CP 029-2159-00005, issued on February 10, 1992, the steam boiler, identified as EU-97, shall be limited to 1,848,000 gallons of No. 2 fuel oil per twelve (12) consecutive month period, with compliance determined at the end of each month, and no fuel shall be combusted than contains greater than 0.3% sulfur.

(b) The SO₂ emissions from the steam boiler, identified as EU-97, when combusting No. 2 fuel oil, shall not exceed 0.043 pounds of SO₂ per gallon of No. 2 fuel oil.

Compliance with these limitations shall limit the SO₂ emissions from the steam boiler, identified as EU-97, to 39.4 tons per year, and render the requirements of 326 IAC 2-2, PSD, not applicable. This will also satisfy the requirements of 326 IAC 7-1.1-2, Sulfur Dioxide Emissions Limitations.

D.3.3 Sulfur Dioxide Emissions Limitations [326 IAC 7-1.1-2]

Pursuant to 326 IAC 7-1.1-2(a)(3), the sulfur dioxide emissions from the steam boiler, identified as EU-97, shall not exceed five-tenths (0.5) pounds per MMBtu.

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

D.3.4 Visible Emissions Notations

(a) Visible emission notations of the steam boiler, identified as EU-97, stack exhaust (S-907) shall be performed once per day during normal daylight operations when burning No.2 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) If abnormal emissions are observed, the Permittee shall take a reasonable response. Section C - Response to Excursions or Exceedances contains the Permittee's obligation with regard to the response step required by this condition. Failure to take response step shall be considered a deviation from this permit.

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

D.3.5 Record Keeping Requirements

- (a) To document the compliance status with Condition D.3.4, the Permittee shall maintain a daily record of visible emission notations of the steam boiler, identified as EU-97, stack exhaust. The Permittee shall include in its daily record when a visible emission notation is not taken and the reason for the lack of visible emission notation (e.g., the boiler did not operate that day).
- (b) To document the compliance status with Conditions D.3.1 and D.3.2, the Permittee shall record and maintain records of the amounts of each fuel combusted during each day for the one (1) boiler, identified as EU-97.
- (c) Section C - General Record Keeping Requirements contains the Permittee's obligation with regard to the records required by this condition.

D.3.6 Reporting Requirements

A quarterly summary of the information to document the compliance status with Condition D.3.2 shall be submitted not later than thirty (30) days after the end of the quarter being reported. Section C - General Reporting Requirements contains the Permittee's obligation with regard to the reports required by this condition. The report submitted by the Permittee does require a certification that meets the requirements of 326 IAC 2-7-6(1) by a "responsible official" as defined by 326 IAC 2-7-1(35).

SECTION D.4

FACILITY OPERATION CONDITIONS

Emission Unit Description: Insignificant Activities

- (d) 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 4,000 actual cubic feet per minute, including the following: deburring; buffing; polishing; abrasive blasting; pneumatic conveying; and woodworking operations [326 IAC 6-3-2].

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

Pursuant to 326 IAC 6-3-2(e), the particulate emissions from the 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 4,000 actual cubic feet per minute, including the following: deburring; buffing; polishing; abrasive blasting; pneumatic conveying; and woodworking operations shall be limited by the following equation:

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

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

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

SECTION E.1

NSPS - 40 CFR Part 60, Subpart Dc

Emissions Unit Description:

(ee) One (1) natural gas fired steam boiler, identified as EU-97, using #2 fuel oil as back-up, installed in 1992, exhausting to Stack S-907, heat input capacity: 47.6 million British thermal units per hour using natural gas and 45.6 million British thermal units using #2 fuel oil.

Under 40 CFR 60, Subpart Dc, this facility is considered an industrial, institutional, or commercial boiler. Under 40 CFR 63, Subpart DDDDD, this facility is an affected unit.

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

New Source Performance Standards (NSPS) Requirements [326 IAC 2-7-5(1)]

E.1.1 General Provisions Relating to New Source Performance Standards[326 IAC 12-1][40 CFR Part 60, Subpart A]

(a) Pursuant to 40 CFR 60.1, the Permittee shall comply with the provisions of 40 CFR Part 60, Subpart A – General Provisions, which are incorporated by reference as 326 IAC 12-1 for the emission units(s) listed above, except as otherwise specified in 40 CFR Part 60, Subpart Dc.

(b) Pursuant to 40 CFR 60.4, the Permittee shall submit all required notifications and reports to:

Indiana Department of Environmental Management
Compliance and Enforcement Branch, Office of Air Quality
100 North Senate Avenue
MC 61-53 IGCN 1003
Indianapolis, Indiana 46204-2251

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

E.1.2 Small Industrial-Commercial-Institutional Steam Generating Units NSPS [40 CFR Part 60, Subpart Dc][326 IAC 12]

Pursuant to 40 CFR Part 60, Subpart Dc, the Permittee shall comply with the provisions of 40 CFR Part 60, Subpart Dc, which are incorporated by reference as 326 IAC 12 (included as Attachment A of this permit) for the emission unit(s) listed above as specified as follows:

- (1) 40 CFR 60.40c(a) through (d)
- (2) 40 CFR 60.41c
- (3) 40 CFR 60.42c(d) through (j)
- (4) 40 CFR 60.43c(c) and (d)
- (5) 40 CFR 60.44c(a) through (c), (e), (g) through (j)
- (6) 40 CFR 60.45c(a), and (c)
- (7) 40 CFR 60.46c(d) through (f)
- (8) 40 CFR 60.47c(a), (b), (c) and (d)
- (9) 40 CFR 60.48c(a) through (d), (e)(1) through (7), and (11), (f)(1), and (g) through (j)

SECTION E.2 NESHAP - 40 CFR Part 63, Subpart ZZZZ

Emissions Unit Description: Reciprocating Internal Combustion Engine (RICE)

- (b) Emergency generators as follows: diesel generators not exceeding 1,600 horsepower.
 - (1) One (1) Diesel-fired emergency generator, with a maximum capacity of 1600 hp and installed in 1999. [326 IAC 2-2]

Under 40 CFR Part 63, Subpart ZZZZ, this generator is an affected unit.
- (c) Other emergency equipment as follows: stationary fire pumps.
 - (1) One (1) Diesel-fired emergency fire water pump with a maximum capacity of 235 horsepower and installed in 1996. [326 IAC 2-2]

Under 40 CFR Part 63, Subpart ZZZZ, this generator is an affected unit.
- (f) Activities associated with emergencies, including natural gas reciprocating engines not exceeding 16,000 horsepower.
 - (1) One (1) Natural gas-fired emergency generator, with a maximum capacity of 0.121 MMBtu/hr and installed in 2005. [326 IAC 2-2]

Under 40 CFR Part 63, Subpart ZZZZ, this generator is an affected unit.

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

National Emissions Standards for Hazardous Air Pollutants (NESHAP) Requirements [326 IAC 2-7-5(1)]

E.2.1 General Provisions Relating to National Emissions Standards for Hazardous Air Pollutants under 40 CFR Part 63 [326 IAC 20-1][40 CFR Part 63, Subpart A]

- (a) Pursuant to 40 CFR 63.6580, the Permittee shall comply with the provisions of 40 CFR Part 63, Subpart A – General Provisions, which are incorporated by reference as 326 IAC 20-1, for the emission unit(s) listed above as specified in 40 CFR Part 63, Subpart ZZZZ in accordance with the schedule in 40 CFR 63, Subpart ZZZZ.
- (b) Pursuant to 40 CFR 63.10, the Permittee shall submit all required notifications and reports to:

Indiana Department of Environmental Management
Compliance and Enforcement Branch, Office of Air Quality
100 North Senate Avenue
MC 61-53 IGCN 1003
Indianapolis, Indiana 46204-2251

E.2.2 National Emissions Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines [40 CFR Part 63, Subpart ZZZZ][326 IAC 20-82]

Pursuant to 40 CFR Part 63, Subpart ZZZZ, the Permittee shall comply with the following provisions of 40 CFR Part 63, Subpart ZZZZ (included as Attachment B to this permit) which are incorporated by reference as 326 IAC 20-82, for the emission unit(s) listed above, as specified as follows:

- (1) 40 CFR 63.6580
- (2) 40 CFR 63.6585(a),(b)
- (3) 40 CFR 63.6590(a)(1)(i),(ii),(b)(3)
- (4) 40 CFR 63.6595
- (5) 40 CFR 63.6600(c)
- (6) 40 CFR 63.6602
- (7) 40 CFR 63.6604(b)
- (8) 40 CFR 63.6605
- (9) 40 CFR 63.6625(e)(2),(f),(h),(i),(j)
- (10) 40 CFR 63.6640
- (11) 40 CFR 63.6645(a)(5)
- (12) 40 CFR 63.6650(h)
- (13) 40 CFR 63.6655 except (c)
- (14) 40 CFR 63.6670
- (15) 40 CFR 63.6675
- (16) Table 2c
- (17) Table 6
- (18) Table 8 except per 63.6645(a)(5) the following do not apply: 63.7(b) and (c), 63.8(e), (f)(4) and (f)(6), 63.9(b) through (e), and (g) and (h)

SECTION E.3 NESHAP - 40 CFR Part 63, Subpart DDDDD

Emissions Unit Description:

(dd) One (1) steam boiler, identified as EU-96, installed in 1977, using natural gas and exhausting to Stack S-906, heat input capacity: 244 million British thermal units per hour.

Under 40 CFR 63, Subpart DDDDD, this facility is an affected unit.

(ee) One (1) natural gas fired steam boiler, identified as EU-97, using #2 fuel oil as back-up, installed in 1992, exhausting to Stack S-907, heat input capacity: 47.6 million British thermal units per hour using natural gas and 45.6 million British thermal units using #2 fuel oil.

Under 40 CFR 60, Subpart Dc, this facility is considered an industrial, institutional, or commercial boiler. Under 40 CFR 63, Subpart DDDDD, this facility is an affected unit.

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

**National Emission Standards for Hazardous Air Pollutants (NESHAP) Requirements
[326 IAC 2-7-5(1)]**

E.3.1 General Provision Relating to National Emission Standards for Hazardous Air Pollutants under 40 CFR Part 63 [326 IAC 20-1][40 CFR Part 63, Subpart A]

Pursuant to 40 CFR 63.7565, the Permittee shall comply with the provisions of 40 CFR Part 63 Subpart A – General Provisions, which are incorporated by reference as 326 IAC 20-1 for the emission unit(s) listed above, as specified in 40 CFR Part 63, Subpart DDDDD, in accordance with the schedule in 40 CFR Part 63, Subpart DDDDD.

E.3.2 National Emission Standards for Hazardous Air Pollutants (NESHAP) for Major Sources: Industrial, Commercial and Institutional Boilers and Process Heaters [326 IAC 20-95][40 CFR 63 Subpart DDDDD]

Pursuant to 40 CFR 63 Subpart DDDDD, the Permittee shall comply with the provisions of 40 CFR Part 63, Subpart DDDDD, which are incorporated by reference at 326 IAC 20-95 (included as Attachment C of this permit) for the emission unit(s) listed above, as specified as follows:

- (1) 63.7480
- (2) 63.7485
- (3) 63.7490 (a)(1), (d)
- (4) 63.7495 (b), (d)
- (5) 63.7499 (l), (m)
- (6) 63.7500 (a)(1)
- (7) 63.7505 (a), (h)
- (8) 63.7540 (a)(10), (c)(13)
- (9) 63.7545
- (10) 63.7550
- (11) 63.7555
- (12) 63.7560
- (13) 63.7565
- (14) 63.7570
- (15) 63.7575
- (16) Table 2
- (17) Table 3
- (18) Table 9

(19) Table 10

**INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
OFFICE OF AIR QUALITY
COMPLIANCE AND ENFORCEMENT BRANCH
PART 70 OPERATING PERMIT
CERTIFICATION**

Source Name: MGPI of Indiana
Source Address: 7 Ridge Avenue, Lawrenceburg, Indiana 47025
Part 70 Permit No.: T029-32119-00005

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

Please check what document is being certified:

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

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

Signature:

Printed Name:

Title/Position:

Phone:

Date:

**INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
OFFICE OF AIR QUALITY
COMPLIANCE AND ENFORCEMENT BRANCH
100 North Senate Avenue
MC 61-53 IGCN 1003
Indianapolis, Indiana 46204-2251
Phone: (317) 233-0178
Fax: (317) 233-6865**

**PART 70 OPERATING PERMIT
EMERGENCY OCCURRENCE REPORT**

Source Name: MGPI of Indiana
Source Address: 7 Ridge Avenue, Lawrenceburg, Indiana 47025
Part 70 Permit No.: T029-32119-00005

This form consists of 2 pages

Page 1 of 2

<input type="checkbox"/> This is an emergency as defined in 326 IAC 2-7-1(12) <ul style="list-style-type: none">• The Permittee must notify the Office of Air Quality (OAQ), within four (4) business hours (1-800-451-6027 or 317-233-0178, ask for Compliance Section); and• The Permittee must submit notice in writing or by facsimile within two (2) working days (Facsimile Number: 317-233-6865), 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
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: _____

**INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
OFFICE OF AIR QUALITY
COMPLIANCE AND ENFORCEMENT BRANCH**

Part 70 Quarterly Report

Source Name: MGPI of Indiana
Source Address: 7 Ridge Avenue, Lawrenceburg, Indiana 47025
Part 70 Permit No.: T029-32119-00005
Facility: Five (5) Rotary Dryers (EU-32)
Parameter: total dryer feed rate
Limit: shall not exceed 147,000 tons per twelve (12) consecutive month period with compliance determined at the end of each month.

QUARTER :

YEAR:

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

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

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

INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT OFFICE OF AIR QUALITY COMPLIANCE AND ENFORCEMENT BRANCH

Part 70 Quarterly Report

Source Name: MGPI of Indiana
Source Address: 7 Ridge Avenue, Lawrenceburg, Indiana 47025
Part 70 Permit No.: T029-32119-00005
Facility: One (1) steam boiler, identified as EU-97
Parameter: #2 Fuel Oil Burned
Limit: 1,848,000 gallons per twelve (12) consecutive month period, equivalent to SO₂ emissions of 39.4 tons per year, with compliance determined at the end of each month.

YEAR: _____

Month	#2 Fuel Oil (gallons)	#2 Fuel Oil (gallons)	# 2 Fuel Oil (gallons)
	This Month	Previous 11 Months	12 Month Total

No deviation occurred in this quarter.

Deviation/s occurred in this quarter.
Deviation has been reported on:

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

**INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
OFFICE OF AIR QUALITY
COMPLIANCE AND ENFORCEMENT BRANCH
PART 70 OPERATING PERMIT
QUARTERLY DEVIATION AND COMPLIANCE MONITORING REPORT**

Source Name: MGPI of Indiana
Source Address: 7 Ridge Avenue, Lawrenceburg, Indiana 47025
Part 70 Permit No.: T029-32119-00005

Months: _____ to _____ Year: _____

Page 1 of 2

<p>This report shall be submitted quarterly based on a calendar year. Proper notice submittal under Section B –Emergency Provisions satisfies the reporting requirements of paragraph (a) of Section C- General Reporting. Any deviation from the requirements of this permit, the date(s) of each deviation, the probable cause of the deviation, and the response steps taken must be reported. A deviation required to be reported pursuant to an applicable requirement that exists independent of the permit, shall be reported according to the schedule stated in the applicable requirement and does not need to be included in this report. Additional pages may be attached if necessary. If no deviations occurred, please specify in the box marked "No deviations occurred this reporting period".</p>	
<p><input type="checkbox"/> NO DEVIATIONS OCCURRED THIS REPORTING PERIOD.</p>	
<p><input type="checkbox"/> THE FOLLOWING DEVIATIONS OCCURRED THIS REPORTING PERIOD</p>	
<p>Permit Requirement (specify permit condition #)</p>	
<p>Date of Deviation:</p>	<p>Duration of Deviation:</p>
<p>Number of Deviations:</p>	
<p>Probable Cause of Deviation:</p>	
<p>Response Steps Taken:</p>	
<p>Permit Requirement (specify permit condition #)</p>	
<p>Date of Deviation:</p>	<p>Duration of Deviation:</p>
<p>Number of Deviations:</p>	
<p>Probable Cause of Deviation:</p>	
<p>Response Steps Taken:</p>	

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: _____

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

Addendum to the Technical Support Document (ATSD) for a
Significant Source Modification

Source Background and Description

Source Name:	MGPI of Indiana, LLC
Source Location:	7 Ridge Avenue, Lawrenceburg, Indiana 47025
County:	Dearborn (Lawrenceburg Township)
SIC Code:	2085 (Distilled and Blended Liquors)
Operation Permit No.:	T029-32119-00005
Operation Permit Issuance Date:	June 20, 2014
Significant Source Modification No.:	029-40029-00005
Permit Reviewer:	Andrew Belt

On August 14, 2018 and on October 2, 2018, the Office of Air Quality (OAQ) had a notice published in Journal Press, Lawrenceburg, Indiana, stating that MGPI of Indiana, LLC had applied for a significant source modification to add existing and new distilled spirits aging warehouses. The notice also stated that IDEM, OAQ proposed to issue a significant source modification 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.

Comments and Responses - Mayor Alan K. Weiss

On August 31, 2018, Mayor Alan K. Weiss of Greendale submitted comments to IDEM, OAQ on the draft significant source modification.

Comment 1:

I am requesting that a Public Hearing be held regarding the permit request, SSM 029-40029-00005, from MGPI of Indiana, LLC. I am requesting the public hearing due to resident concerns regarding the increased emission releases from the plant, the increase of the black mold (*Baudoinia compniacensis*) on properties and its possible health effects to the residents of Greendale.

Response to Comment 1:

A conference call was held on September 14, 2018 with Mayor Weiss and representatives of IDEM, OAQ to discuss the public hearing request.

IDEM, OAQ certainly understands the concern that residents have expressed who live near the plant with respect to the black fungus, *B. compniacensis*, also known as whiskey fungus, growing on their homes and personal property. IDEM, OAQ is aware that *B. compniacensis* or "whiskey fungus", is commonly observed on the exteriors of buildings and other outdoor surfaces around distilleries. However, as discussed in the Response to Comment 4, the whiskey fungus is not known to cause any disease in plants or animals.

All of the previous air permits issued to MGPI require it to comply with all health-based and technology-based standards established by both the U.S. EPA and the Indiana Environmental Rules Board. MGPI's draft permit contains all the federal and state requirements that apply to MGPI. Because MGPI can comply with all federal and state requirements regarding air pollution

contained in the draft permit, IDEM is required by law to issue the air permit.

IDEM will not be holding a public hearing at this time, and no changes to the permit were made as a result of this comment. However, IDEM did agree to public notice the permit again for an additional 30 days to allow the public to provide additional comments.

Comments and Responses - Anthony M. Smart
--

On November 1, 2018, Anthony M. Smart of Greendale submitted comments to IDEM, OAQ on the draft significant source modification. The following are summarizations of the submitted comments, and the actual comments are included as Attachment A to this ATSD.

Comment 1:

The warehouses (EU-770 through EU-777 and EU-780) are a mixture of rehabilitated older warehouses and newly constructed warehouses. The older brick warehouses are multi-story rackhouses with numerous windows, which serve several purposes including fire protection, ventilation, and temperature control. The multi-story rackhouse design contrasts greatly with the three newly constructed pre-fabricated warehouses and proposed pre-fabricated warehouse (EU-780), which are of the single-story palletized design. The draft SSM makes no reference to the difference in warehouse design. Pre-fabricated warehouse designs offer temperature control and ventilation and advanced technological exhaust systems to expel ethanol vapor from the warehouses. The City of Greendale also noted that five of the older but recently utilized warehouses appear to have the windows bricked up, which would seem to indicate a ventilation system has been installed in these warehouses, too.

The draft SSM states that the emissions from the warehouses are fugitive and proposes to amend MGPI's operating permit to allow warehouses (EU-770 through EU-777 and EU-780) to "exhaust through the building's windows and other openings." MGPI appears to rely on a ventilation system for its newly constructed warehouse facilities. There are exhaust vents and louvres covered with *B. compniacensis*, a sign that the ethanol is being emitted through the exhaust vents. There is further evidence to support the newly constructed warehouses rely on a ventilation system as shown in a submitted diagram, which appears to show an exhaust system to remove VOCs from the warehouse. The exhaust vents in question are only 80 feet from residential property.

Response to Comment 1:

All of MGPI's whiskey aging warehouses, including the newly constructed locations, utilize natural ventilation and rely exclusively on natural draft conditions for the whiskey aging process. None of the warehouses rely on or use a ventilation system or exhaust system for the aging process, nor do they incorporate any type of central heating ventilation and air condition (HVAC) system or temperature control. Natural ambient atmospheric conditions, including seasonal and diurnal variation, are essential to the whiskey aging process. By allowing the whiskey to age with natural ambient conditions, the barrel environment is key to the quality of bourbon and whiskey with the characteristic color, aroma, and taste that MGPI's customers expect. MGPI's newly constructed warehouses do not have any stacks or chimneys. The warehouses have doors for personnel entry/exit and overhead doors for forklift entry/exit. Natural draft conditions are maintained by louvres that are located at various points along the walls of the warehouses and ridge caps at the apex of each of the warehouse roofs. While some of the louvres are equipped with fans, these fans are not used either as a ventilation or exhaust system for the whiskey aging process. Rather, the fans are used only sporadically and are for the purpose of ensuring safe working conditions during the infrequent event that employees need to enter the warehouse.

No changes were made as a result of this comment.

Comment 2:

The draft SSM concludes the emissions from the warehouses are "fugitive." The Indiana Administrative Code defines fugitive emissions as follows: "Those emissions that could not reasonably pass through a stack, chimney, vent, or other functionally equivalent opening" (See 326 IAC 2-2-1(w)). The newer warehouses pass ethanol vapors through vents, which would not be considered as fugitive emissions.

There have been recent advancements with VOC capture systems. The use of water-based titanium dioxide and UV treatment systems appear to have had success in reducing VOC emissions.

Response to Comment 2:

A control device used to capture VOC emissions would affect product quality. Whiskey aging relies on natural ventilation and does not use fans to force air in or out of the warehouse. Therefore, the collection of the VOC emissions would negatively affect product quality. In a 2004 decision before the Indiana Office of Environmental Adjudication (OEA) the Environmental Law Judge (ELJ) agreed with a federal district court judge who noted that "The court cannot imagine any emission in a gaseous state which could not pass through such an opening" [stack, chimney, vent, or functionally equivalent opening] and that for emissions to not be considered fugitive one must prove "that there was a reasonable system to collect and discharge, not just whether or not gases can physically pass through a hole." See *Objection To The Issuance Of Part 70 Operating Permit No. T-137-6928-00011 for Joseph E. Seagram & Sons, Inc.* (2004 OEA 58) [<http://www.in.gov/oea/decisions/2004oea58.htm>] The ELJ held that Seagrams "had shown by a preponderance of the evidence that the collection of ethanol emissions would negatively affect product quality, that emissions are not collected at other similar facilities and U.S. EPA has not identified any reasonably available control technology (RACT) for ethanol emissions from alcohol beverage aging warehouses." *Id.* Furthermore, to date the RBLC (RACT BACT LAER Clearinghouse) does not have any entries for whiskey warehouse VOC control. This being the case, IDEM, OAQ must conclude that the VOC emissions from MGPI cannot be reasonably collected as they pass through the openings in the buildings and must be considered as fugitive emissions.

No changes were made as a result of this comment.

Comment 3:

On December 1, 2016, MGPI received a Notice of Violation and Finding of Violation, EPA-5-17-IN-03, for not receiving a permit for the warehouses that are the subject of the draft SSM. In Paragraph 47 of the MGPI EPA violation, the EPA concluded that "The VOCs released during the alcohol aging process are not fugitive, as they can reasonably pass through a stack, chimney, vent, or other functionally equivalent opening." The EPA's determination that ethanol vapors, and volatile organic chemicals more generally, are not fugitive emissions is absent from MGPI's application or the draft SSM. This conflict is incredibly significant and must be addressed by IDEM, particularly if MGPI is purposefully exhausting ethanol vapors out of the warehouses.

Response to Comment 3:

The U.S. EPA initiated a case in 2016 against MGPI based on their belief that the warehouses added at the Lawrenceburg facility should have obtained construction and operation approval under the federal Nonattainment New Source Review and Emission Offset (NNSR) permit

program. However, after working with the company and evaluating the facts of the case, U.S. EPA made the decision not to pursue the case.

No changes were made as a result of this comment.

Comment 4:

Excess ethanol emissions can result in an increase of ground-level ozone, which contributes to a variety of respiratory health problems, as well as an increased growth of *B. compniacensis* or "whiskey fungus". Whiskey fungus has become an increasingly large problem in the City of Greendale as homes, parks and park equipment, cars, traffic lights, buildings, and plant life have become covered in the invasive fungus. These issues will worsen over time, unless the warehouses are required to implement emission control devices.

Response to Comment 4:

The majority of emissions from these changes at the distillery will be volatile organic compounds (VOCs), principally ethanol, and occur primarily during the aging/warehousing stage. Ethanol and water vapor emissions result from the breathing phenomenon of the oak barrels during the aging process. The rate of extraction of wood constituents, transfer, and reaction depend upon ambient conditions, such as temperature and humidity, and the concentrations of the various whiskey constituents. The rate of diffusion will depend upon the differences in concentrations of constituents in the wood, liquid, and air blanketing the barrel (see U.S. EPA AP-42, chapter 9, section 12, available at <https://www3.epa.gov/ttnchie1/ap42/ch09/final/c9s12-3.pdf>).

The rates of reaction will increase or decrease with the concentration of constituents. The equilibrium concentrations of the various whiskey components depend upon the humidity and air flow around the barrel. Distillers ensure that barrel construction is of high quality to minimize leakage, thus reducing ethanol emissions.

The federal Clean Air Act requires the U.S. EPA to set National Ambient Air Quality Standards (NAAQS) for six criteria pollutants. These standards are set at levels that protect human health, including the health of sensitive persons, such as asthmatics, children and the elderly. The NAAQS are often referred to as the federal health standards for outdoor air. These criteria pollutants are ground-level ozone, particulate matter, carbon monoxide, lead, sulfur dioxide and nitrogen dioxide. Dearborn County is in attainment for all of the National Ambient Air Quality Standards.

Volatile organic compounds (VOC), such as ethanol, and nitrogen oxides (NOx) are regulated under the Clean Air Act (CAA) for the purposes of attaining and maintaining the National Ambient Air Quality Standards (NAAQS) for ozone. In Dearborn County, Lawrenceburg Township was designated as in attainment, effective March 17, 2017, for the 2008 8-hour ozone standard. The remainder of Dearborn County was unclassifiable or in attainment, effective July 20, 2012, for the 2008 8-hour ozone standard.

More information about these criteria pollutants, including health effects, is available at <https://www.epa.gov/criteria-air-pollutants> on U.S. EPA's website. The NAAQS table can be found at <https://www.epa.gov/criteria-air-pollutants/naqs-table> on the same website. IDEM samples the ambient air at monitoring stations around Indiana to measure whether the NAAQS are being met. Information about the air monitoring system and monitoring results is found at <https://www.in.gov/idem/airquality/2346.htm> on IDEM's website. Information about current and expected air pollution levels throughout Indiana is located on IDEM's SmogWatch site at www.smogwatch.IN.gov on the Internet.

Chronic exposure to airborne ethanol at concentrations of 2200 ug/m³ can cause non-cancer health effects. This is an extremely high concentration rate that is more than 30 times higher than any reading for ethanol emissions at any ambient air monitor. Even so, chronic exposure to airborne ethanol at 2200 ug/m³ does not mean health effects are likely but does indicate the potential for adverse health effects. There are no acute health effect levels for airborne ethanol. U.S. EPA does not list ethanol as a hazardous air pollutant. Hazardous air pollutants, also known as toxic air pollutants or air toxics, are those pollutants that are known or suspected to cause cancer or other serious health effects, such as reproductive effects or birth defects, or adverse environmental effects.

B. compniacensis or "whiskey fungus", is commonly observed on the exteriors of buildings and other outdoor surfaces around distilleries, however, the fungus is not always associated with alcohol distilling and aging and can form from emissions produced by commercial [bakeries](#). Additionally, the ethanol vapors necessary for formation of the fungus can occur in natural fermentative processes, such as seasonal fruit drops, bogs, natural composts, etc. This fungus is not known to cause any disease in plants or animals. In fact, a Department of Energy project concerning different species of fungi found that the *B. compniacensis* fungus is a good candidate for laboratory gene splicing due to its "manifest lack of animal or plant pathogenicity" (see <https://genome.jgi.doe.gov/Bauco1/Bauco1.home.html> on the Department of Energy's website). This statement cites to the article [Diverse lifestyles and strategies of plant pathogenesis encoded in the genomes of eighteen Dothideomycetes fungi.](#), found in PLoS Pathog. 2012;8(12):e1003037. doi: 10.1371/journal.ppat.1003037, Epub 2012 Dec 6; with the full article available at <https://www.ncbi.nlm.nih.gov/pubmed/23236275> on the National Institute of Health's website.

Please contact the Indiana Department of Health's Mike Mettler for additional information to respond to health concerns regarding *B. compniacensis*. Mr. Mettler's email address is mmettler@isdh.IN.gov and his direct telephone number is 317-233-7183.

No changes were made as a result of this comment.

IDEM Contact

- (a) If you have any questions regarding this permit, please contact Andrew Belt, Indiana Department Environmental Management, Office of Air Quality, Permits Branch, 100 North Senate Avenue, MC 61-53 IGCN 1003, Indianapolis, Indiana 46204-2251, or by telephone at (317) 232-3217 or (800) 451-6027, and ask for Andrew Belt or (317) 232-3217.
- (b) A copy of the findings is available on the Internet at: <http://www.in.gov/ai/appfiles/idem-caats/>
- (c) For additional information about air permits and how the public and interested parties can participate, refer to the IDEM Air Permits page on the Internet at: <http://www.in.gov/idem/airquality/2356.htm>; and the Citizens' Guide to IDEM on the Internet at: <http://www.in.gov/idem/6900.htm>.

EWBANK & KRAMER

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November 1, 2018

*Licensed in Indiana and Ohio

Mr. Andrew Belt
IDEM, Office of Air Quality
100 North Senate Avenue
MC 61-53 IGCN 1003
Indianapolis, Indiana 46204-2251

Re: Permit Number SSM 029-40029-00005

Dear Mr. Belt:

Please accept this letter as the City of Greendale's public comment regarding the Draft Air Permit (the "Draft Permit") for MGPI of Indiana, LLC (hereinafter "MGPI") and MGPI's application (the "Application") for the Draft Permit. MGPI is located in Greendale, Indiana and operates a whiskey distillery. The warehouses subject to the proposed modifications in the Draft Permit, EU 770-777 and EU-780, are a mixture of rehabilitated older warehouses and newly constructed warehouses. The older warehouses are multi-story rackhouses. (See Exhibit A attached hereto for a photograph of a multi-story MGPI warehouse) One of the features of the multi-story rackhouse design is the number of windows on each floor. The windows, which were necessary long before hvac systems and advanced ventilation systems were available, served several purposes including fire protection, ventilation, and temperature control.

The multi-story rackhouse design contrasts greatly with the three newly constructed warehouses and proposed warehouse EU-780, which are of the metal single story palletized design. (See Exhibit B attached hereto for a photograph of a recently constructed MGPI single story warehouse) The Draft Permit makes no reference to the difference in warehouse design. The new warehouses have some drawbacks compared to the classic multi-story rackhouse design which include less natural ventilation and increased fire hazard, which is why modern whiskey warehouse design uses exhaust fans and ventilations systems. Many new warehouses are pre-fabricated as noted in MGPI's Application and in the Draft Permit. Pre-fabricated warehouse designs offer temperature control and ventilation, and advanced technological exhaust systems to

expel ethanol vapor from the warehouses.¹ The City also noted that 5 of the older style but recently utilized warehouses appear to have the windows bricked over. That would seem to cause for a ventilation system to be installed in these warehouses too.

The Draft Permit states that the emissions from the warehouses are fugitive and proposes to amend MGPI's air permit to allow the new warehouses EU-770-EU 777 and EU-780 to "exhaust[] through the building's windows and other openings." Further the Draft permit states:

"The Office of Air Quality (OAQ) has reviewed an application, submitted by MGPI of Indiana, LLC on May 23, 2018, relating to the addition of existing and new distilled spirits aging warehouses. VOC emissions (predominantly ethanol) result from the whiskey aging process. Whiskey aging relies on natural ventilation and does not use fans to force air in or out of the warehouse, which would otherwise affect product quality. Therefore, the collection of the VOC emissions would negatively affect product quality. As a result, the VOC emissions cannot be reasonably collected as they pass through the openings in the buildings and are considered as fugitive emissions. In August 2004, the Indiana Office of Environmental Adjudication concluded that the emissions from the openings should be considered fugitive for determining major source status."

The issue is that MGPI appears to be relying on a ventilation system for its newly constructed warehouse facilities, **not** natural ventilation. A newly constructed MGPI warehouse is depicted in Exhibit B and there are no "windows" for natural ventilation as one would expect from reading MGPI's Application or the Draft Permit. There are, however, exhaust vents and louvre's, that are covered in boudoinia compniacensis, a sign that the ethanol is being emitted through the exhaust vents. There is further evidence to support the newly constructed warehouses rely on a ventilation system including a diagram submitted as a requirement for the building permit which appears to show an exhaust system to remove VOCs from the warehouse (attached as Exhibit C). The exhaust systems or ventilation systems are at the exact location of the louvers/vents identifiable on the outside of the buildings in a photograph provided by MGPI (attached as Exhibit D²), and the sound of fans circulating air at the location of the exhaust vents. Most concerning, the exhaust vents in question are only ~80 feet from residential property.

If VOCs are being exhausted out of the warehouses, then the Draft Permit and Application are inaccurate and MGPI is not relying on natural ventilation for the aging process

¹ See article from engineering firm promoting whiskey aging warehouses in the following manner: "The design includes a sophisticated heating and ventilating system to provide controlled multiple temperature variations to aid the aging of the bourbon whiskey." <https://www.luckett-farley.com/Case-Studies/Detail/39/Woodford-Reserve-Distillery-Barrel-Warehouse>

² Photograph 2 of Exhibit D appears to show ventilation system at various locations on wall.

Permit concludes that the emissions from the warehouses are “fugitive.” The Indiana Administrative Code defines fugitive emissions as follows: “those emissions that could not reasonably pass through a stack, chimney, vent, or other functionally equivalent opening.” See 326 IAC 2-2-1(w), See also 40 CFR § 51.165(a)(1)(ix). Ethanol vapors are not fugitive--they can easily be directed to pass through stacks, chimneys, vents, and other functionally equivalent openings. In fact, the newer warehouse **pass ethanol vapors through vents**. Which means under the actual definition in the Indiana Administrative Code the ethanol vapors are not fugitive.

The City of Greendale is not the first entity to make this observation regarding MGPI’s warehouses. On December 21, 2016 MGPI received a Notice of Violation and Finding of Violation, EPA-5-17-IN-03, for not receiving a permit for the warehouses that are the subject of the Draft Permit. (See Exhibit E attached hereto for the MGPI EPA Violation) In Paragraph 47 of the MGPI EPA violation, the EPA concluded that “The VOCs released during the alcohol aging process are not fugitive, as the can reasonably pass through a stack, chimney, vent, or other functionally equivalent opening.” The EPA’s determination that ethanol vapors, and Volatile Organic Chemicals more generally, are not fugitive emissions is absent from MGPI’s Application or the Draft Permit. This conflict is incredibly significant and must be addressed by IDEM, particularly if MGPI is purposefully exhausting ethanol vapors out of the warehouses.

In the Draft Permit IDEM states that “In August 2004, the Indiana Office of Environmental Adjudication concluded that the emissions from the openings should be considered fugitive for determining major source status.” It appears this refers to In re: Objection to the Issuance of Part 70 Operating Permit No. T-137-6928-00011 for Joseph E. Seagram & Sons, Inc., Ripley County, Indiana 2004 OEA 58 (Cause No. 03-A-J-3003, August 2004). (See Exhibit F attached hereto for a complete copy of aforementioned case) In that case, IDEM argued that the ethanol emissions were not fugitive despite the whiskey warehouses relying solely on natural ventilation with passive opening along the bottom of the warehouse walls for ventilation. The Conclusions of Law in that case greatly cut against the argument of MGPI and IDEM that the emissions at MGPI’s newly constructed warehouses are fugitive, because the vapors are being exhausted, and the EPA Region 5 determined they are not fugitive. IDEM must require that applicants distinguish between studies and cases that made findings based on different warehouse designs. For instance, in its Application, MGPI relies on USEPA 1978 study, that is largely inapplicable in a discussion of its new warehouses.

As IDEM is aware, the determination of whether MGPI is required under Federal and State regulations to capture VOCs that escape its warehouses is an important one to the City of Greendale. The EPA found in the report mentioned above that MGPI’s violations “have caused or can cause excess emissions of VOCs, which are precursors to ozone. Breathing ozone

contributes to a variety of health problems including chest pain, coughing, throat irritation, and congestion. Ground-level ozone can reduce lung function and inflame tissue. Repeated exposure may permanently scar lung tissue.” (Id. at 10) Further, the proposed modifications to the Draft Permit for the new 9 proposed warehouses will increase the VOCs over 80% at this location. The increase in ethanol has had a visible and physical effect in the rise in *baudouinia compniacensis*, also known as “whiskey fungus.”

Whiskey fungus has become an increasingly large problem in the City of Greendale as homes, parks and park equipment, cars, traffic lights, buildings, and plant life have become covered in the invasive fungus. It is our understanding the issue is only going to increase unless the ethanol is controlled. It is reasonable that warehouses that are already being exhausted be required to implement emission control devices.

It is our understanding that there have been recent advancements with VOC capture systems. The use of water-based Titanium Dioxide and UV treatment systems appear to have had success in reducing VOC emissions.

The City of Greendale respectfully submits these public comments for IDEM’s consideration. It is our position that IDEM should reconsider whether the emissions from the warehouses in the Draft Permit are fugitive. Further, we request that IDEM investigate whether VOCs are being ventilated using an exhaust system. If so, we request that IDEM modify the Draft Permit to consider the emissions non-fugitive and require MGPI to comply with all applicable Federal and State law, including capturing the emissions.

Very truly yours,

EWBANK & KRAMER



Anthony M. Smart

AMS:ba

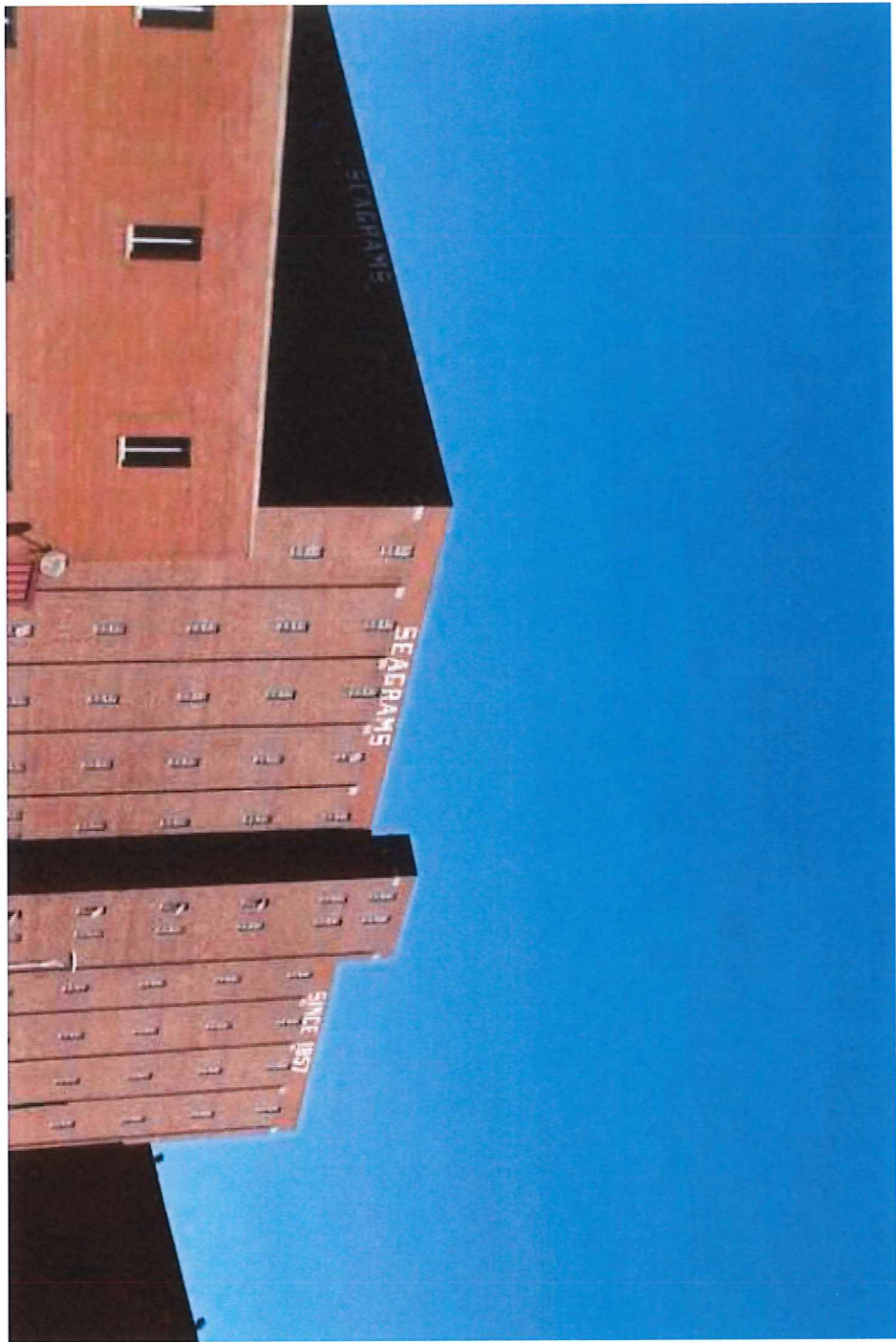


EXHIBIT A

Pre-fab #1 completed

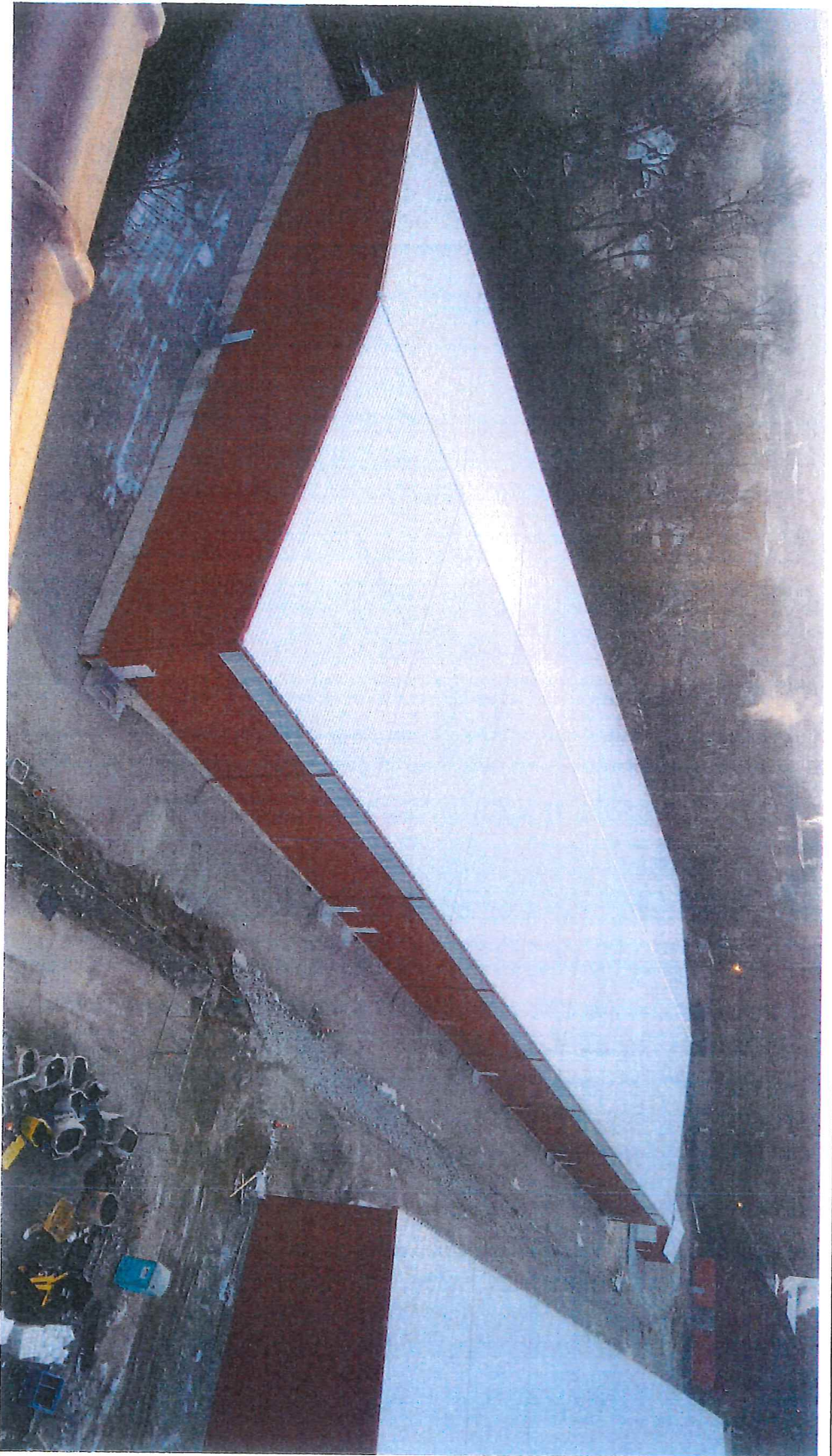


EXHIBIT B



HVAC PLAN - PH2
 SCALE 1/8" = 1'-0"

GENERAL NOTES

1. GENERAL CONTRACTOR SHALL VERIFY ALL CONDITIONS OF EXISTING STRUCTURE AND UTILITIES PRIOR TO COMMENCEMENT OF WORK.
2. ALL WORK SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE BUILDING CODES AND SPECIFICATIONS.
3. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL AUTHORITIES.
4. ALL MATERIALS AND WORKMANSHIP SHALL BE SUBJECT TO INSPECTION AND APPROVAL BY THE ARCHITECT AND LOCAL AUTHORITIES.
5. THE CONTRACTOR SHALL MAINTAIN ACCESS TO ALL ADJACENT PROPERTIES AND UTILITIES AT ALL TIMES.
6. ALL UTILITIES SHALL BE PROTECTED AND MARKED PRIOR TO ANY EXCAVATION WORK.
7. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION AND REPAIR OF ALL EXISTING UTILITIES AND STRUCTURES.
8. ALL WORK SHALL BE COMPLETED WITHIN THE SPECIFIED TIME FRAME.
9. THE CONTRACTOR SHALL MAINTAIN A NEAT AND SAFE WORKING ENVIRONMENT AT ALL TIMES.
10. ALL MATERIALS SHALL BE STORED PROPERLY AND PROTECTED FROM THE ELEMENTS.

EXHAUST FAN SCHEDULE

FAN NO.	TYPE	SIZE	HP	CFM	WIND SPEED	WIND DIRECTION
1	EXHAUST	36"	1/2	1000	10	W
2	EXHAUST	36"	1/2	1000	10	E
3	EXHAUST	36"	1/2	1000	10	N
4	EXHAUST	36"	1/2	1000	10	S

ELECTRIC UNIT HEATER SCHEDULE

UNIT NO.	TYPE	WATTAGE	VOLTS	PHASE	LOCATION
1	HEATER	1500	240	3	OFFICE
2	HEATER	1500	240	3	OFFICE
3	HEATER	1500	240	3	OFFICE
4	HEATER	1500	240	3	OFFICE

VENTILATION AIR SCHEDULE

UNIT NO.	TYPE	CFM	WIND SPEED	WIND DIRECTION	LOCATION
1	VENTILATION	1000	10	W	OFFICE
2	VENTILATION	1000	10	E	OFFICE
3	VENTILATION	1000	10	N	OFFICE
4	VENTILATION	1000	10	S	OFFICE

HE

MAXWELL CONSTRUCTION CO.
 ENGINEERING, INC.
 1111 N. 10TH ST.
 SUITE 100
 DENVER, CO 80202
 (303) 733-1111



MAXWELL CONSTRUCTION CO.
 1111 N. 10TH ST.
 SUITE 100
 DENVER, CO 80202
 (303) 733-1111

NO.	DESCRIPTION	DATE
1	ISSUED FOR PERMIT	10/15/2020
2	ISSUED FOR CONSTRUCTION	10/15/2020
3	ISSUED FOR OCCUPANCY	10/15/2020

1. CONTRACTOR SHALL VERIFY ALL CONDITIONS OF EXISTING STRUCTURE AND UTILITIES PRIOR TO COMMENCEMENT OF WORK.

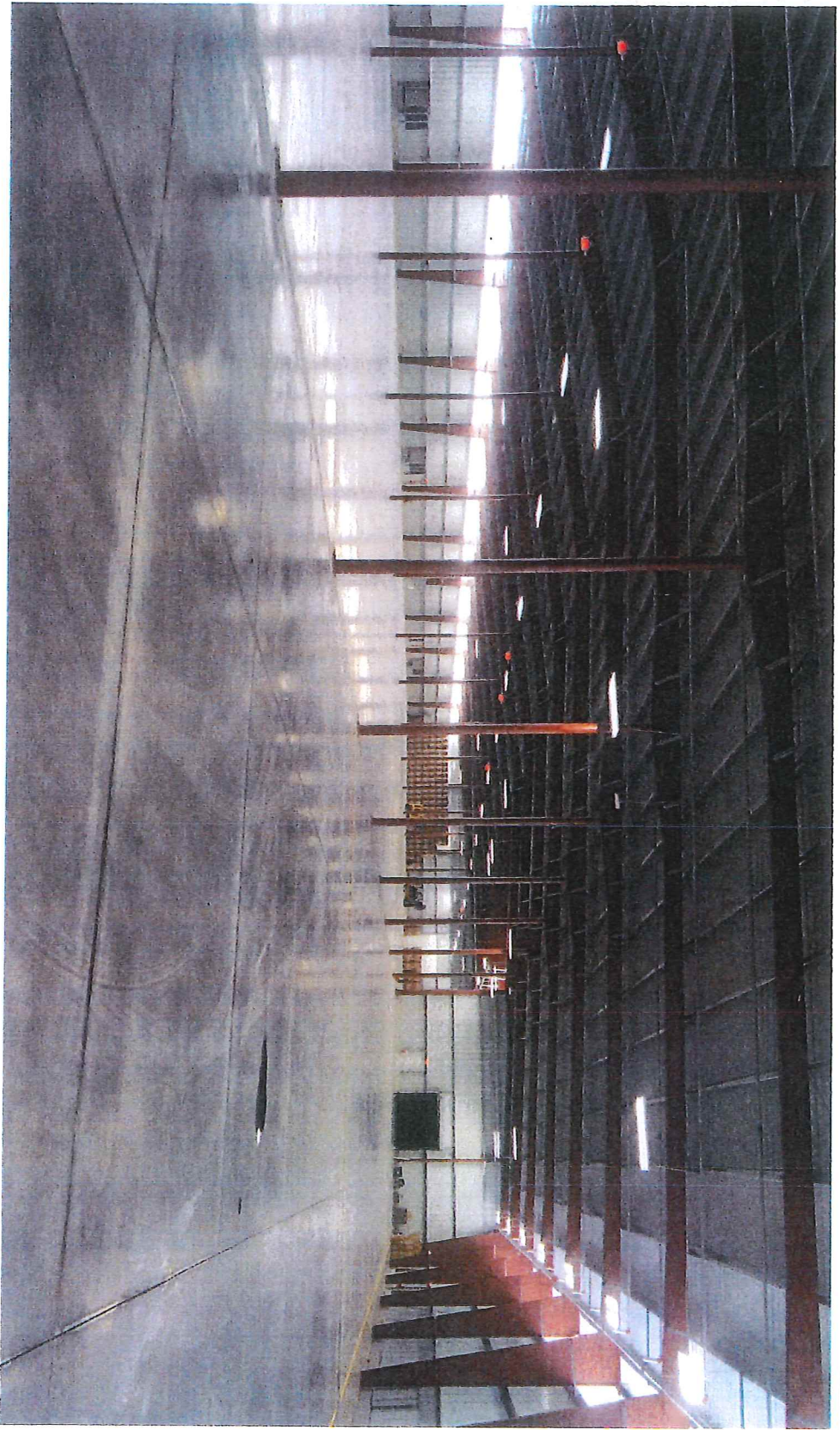
"CRAY 3" WAREHOUSE BUILDING
 FOR MGP INGREDIENTS
 MAXWELL CONSTRUCTION CO.
 MGP INGREDIENTS

M-1.1
 10/15/2020
 PLAN



EXHIBIT D

Pre-fab #2 interior





UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5
77 WEST JACKSON BOULEVARD
CHICAGO, IL 60604-3590

DEC 21 2016

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

REPLY TO THE ATTENTION OF:

Randy Graves
Environmental, Health and Safety Manager
MGPI of Indiana, LLC
7 Ridge Avenue
Lawrenceburg, Indiana 47025

Re: Notice and Finding of Violation
MGPI of Indiana, LLC
Dearborn, Indiana

Dear Mr. Graves:

The U.S. Environmental Protection Agency is issuing the enclosed Notice of Violation and Finding of Violation (NOV/FOV) to MGPI of Indiana, LLC (MGPI) under Section 113(a)(1) and (a)(3) of the Clean Air Act (CAA or Act), 42 U.S.C. § 7413(a)(1) and (a)(3). EPA has determined that you have violated and are continuing to violate the Act's Non-Attainment New Source Review requirements under Part D of the Act, 42 U.S.C. §§ 7501 *et seq.* and the Indiana State Implementation Plan (SIP) at your Lawrenceburg, Indiana facility.

Section 113(a) of the Act gives us several enforcement options. These options include issuing an administrative compliance order, issuing an administrative penalty order and bringing a judicial civil or criminal action.

We are offering MGPI an opportunity to confer with us about the violations alleged in the NOV/FOV. The conference will give you an opportunity to present information on the specific findings of violation, any efforts you have taken to comply and the steps you will take to prevent future violations. In addition, in order to make the conference more productive, we encourage you to submit to us information responsive to the NOV/FOV prior to the conference date.

Please plan for your facility's technical and management personnel to attend the conference to discuss compliance measures and commitments. You may have an attorney represent you at this conference. EPA is also including a Small Business Resources Information Sheet for your reference.

EXHIBIT E

The EPA contact in this matter is Marie St. Peter, Environmental Engineer. You may call her at (312) 886-4746 to request a conference. You should make the request within 10 calendar days following receipt of this letter. We should hold any conference within 30 calendar days following receipt of this letter.

Sincerely,



Edward Nam
Director
Air and Radiation Division

cc: Phil Perry, Chief
Compliance and Air Enforcement, IDEM

Chief Environmental Compliance Officer
MGP Ingredients, Inc.
Atchison, Kansas

enclosures: Notice of Violation and Finding of Violation EPA-5-17-IN-03
Small Business Resources Information Sheet

**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5**

IN THE MATTER OF:)	
)	
MGPI of Indiana)	NOTICE OF VIOLATION AND
Lawrenceburg, Indiana)	FINDING OF VIOLATION
)	EPA-5-17-IN-03
Proceedings Pursuant to)	
Section 113(a)(1) and (a)(3) of the)	
Clean Air Act, 42 U.S.C.)	
§ 7413(a)(1) and (a)(3))	

NOTICE AND FINDING OF VIOLATION

The U.S. Environmental Protection Agency (EPA) is issuing this Notice of Violation under Section 113(a)(1) and (a)(3) of the Clean Air Act (CAA or the Act), 42 U.S.C. § 7413(a)(1) and (a)(3). EPA finds that MGPI of Indiana (MGPI or you) has violated and continues to violate the Non-Attainment New Source Review requirements of the Act and the Indiana State Implementation Plan (SIP) at its Lawrenceburg, Indiana Distillery (Lawrenceburg Distillery or Facility) as follows:

Statutory and Regulatory Background

Non-Attainment New Source Review

1. The Non-Attainment New Source Review (NNSR) provisions of Part D of Title I of the Act require preconstruction review and permitting for modifications of stationary sources. *See* 42 U.S.C. § 7502 and the supporting regulations at 40 C.F.R. Part 51, Appendix S. Pursuant to these regulations, if a major stationary source located in a non-attainment area is planning to make a major modification, then that source must obtain an NNSR permit before beginning actual construction. To obtain this permit, the source must, among other things, undergo a technology review and apply the Lowest Achievable Emission Reduction (LAER); obtain offset credits; perform a source impact analysis; perform an air quality analysis and modeling; submit appropriate information; and conduct additional analyses as required.
2. On February 16, 1982, EPA approved Indiana's NNSR SIP rules, which were incorporated into Section 19 of the Indiana Air Pollution Code (APC 19). *47 Fed. Reg.* 6621 (February 16, 1982). APC 19 governed the preconstruction review of modifications of facilities in nonattainment areas that occurred prior to December 6, 1994, when subsequent regulations went into effect. The definitions applicable to the APC 19 NNSR provisions were codified at 325 Indiana Administrative Code (IAC) 1-1. *46 Fed. Reg.* 54941 (November 5, 1981), and became effective on December 6, 1981.
3. On February 25, 1994, Indiana submitted revisions to its SIP to satisfy the new NNSR requirements of the 1990 CAA Amendments. On October 7, 1994, EPA approved

Sections 2-1 and 2-3 of Chapter 326 of the Indiana Administrative Code (326 IAC 2-1, 2-3) as SIP revisions replacing APC 19. 59 *Fed. Reg.* 51108 (effective December 6, 1994). 40 C.F.R. § 52.800(c)(94). Included in the NNSR SIP revisions were changes to the definitions previously codified at 325 IAC 1-1; the definitions now applicable to NNSR in Indiana appear at 326 IAC 2-3-1. All citations to the NNSR regulations herein refer to the provisions of the Indiana SIP as applicable at the time of the project.

4. 326 IAC 2-3-2(a) provides that NNSR regulations “appl[y] to new major stationary sources or major modifications constructed in an area designated, as of the date of submittal of a complete application, as nonattainment in 326 IAC 1-4, for a pollutant for which the stationary source or modification is major.”
5. 326 IAC 2-3-3(a)(7) provides that construction of a major modification shall only begin after the applicant “obtain[s] the necessary preconstruction approvals . . . [and meets all the permit requirements] specified in 326 IAC 2-5.1 or 326 IAC 2-7, as applicable.”
6. The Indiana SIP and NNSR regulations define “major modification” as “any physical change in, or change in the method of operation of, a major stationary source that would result in a significant emissions increase and a significant net emissions increase of a regulated NSR pollutant from the major stationary source.” 326 IAC 2-3-1(y). *See also* 40 C.F.R. § 51.165(a)(1)(v)(A)(1) and (A)(2).
7. The Indiana SIP and NNSR regulations define “regulated NSR pollutant” as, among other things, “any pollutant that is a constituent or precursor of a general pollutant.” 326 IAC 2-3-1(mm)(3). *See also* 40 C.F.R. § 51.165(a)(1)(xxxvii)(C).
8. The Indiana SIP and NNSR regulations further define that for the purposes of NNSR, that “regulated NSR pollutant” includes “nitrogen oxides or any VOC.” 326 IAC 2-3-1(mm). 40 C.F.R. § 51.165(a)(1)(xxxvii)(C)(I).
9. The Indiana SIP and NNSR regulations define “major stationary source” as, any stationary source of air pollutants that emits or has the potential to emit one hundred (100) tons per year of any regulated NSR pollutant. 326 IAC 2-3-1(z)(1). 40 C.F.R. § 51.165(a)(1)(iv)(A)(I).
10. The Indiana SIP and NNSR regulations define “significant,” in relation to ozone, “in reference to a net emissions increase . . . a rate of emissions that would equal or exceed . . . the following [rate]: . . . ozone . . . 40 tons per year of volatile organic compounds (VOC) or oxides of nitrogen.” 326 IAC 2-3-1(pp). 40 C.F.R. § 51.165(a)(1)(x)(A).
11. The Indiana SIP and NNSR regulations define “significant emissions increase” for VOCs as “an increase in emissions that is significant as defined [in the applicable subsection] for that pollutant.” 326 IAC 2-3-1(qq). 40 C.F.R. § 51.165(a)(1)(xxvii).
12. The Indiana SIP and NNSR regulations define “fugitive emissions” as “those emissions that could not reasonably pass through a stack, chimney, vent, or other functionally equivalent opening.” 326 IAC 2-3-1(u). 40 C.F.R. § 51.165(a)(1)(ix).

13. 326 IAC 2-3-3(a)(2) provides that “prior to the issuance of a construction permit to a source subject to this rule, the applicant shall . . . apply emission limitation devices or techniques to the proposed construction or modification such that the LAER for the applicable pollutant will be achieved.” 40 C.F.R. § 51.165(a)(2)(i).
14. The Indiana SIP and NNSR regulations define “LAER” as “for any source, the more stringent rate of emissions based on the most stringent emissions limitation of the following:
 - I. Contained in the implementation plan of any state for the class or category of stationary source unless the owner or operator of the proposed stationary source demonstrates that the limitations are not achievable.
 - II. Achieved in practice by the class or category of stationary source. This limitation, when applied to a modification, means the LAER for the new or modified emissions unit within the stationary source. In no event shall the application of the LAER allow a proposed new or modified stationary source to emit any pollutant in excess of the amount allowable under applicable new source standards of performance.” 326 IAC 2-3-1(x); *See also* 40 C.F.R. § 51.165(a)(1)(xiii).

Title V

15. Section 502(a) of the Act, 42 U.S.C. § 7661a(a), provides that no person may operate a major source without a Title V permit after the effective date of any permit program approved or promulgated under Title V of the Act. EPA first promulgated regulations governing state operating permit programs on July 21, 1992. *See* 57 Fed. Reg. 32295; 40 C.F.R. Part 70. EPA promulgated regulations governing the federal operating permit program on July 1, 1996. *See* 61 Fed. Reg. 34228; 40 C.F.R. Part 70.
16. On December 4, 2001, EPA granted full approval of Indiana’s Title V Clean Air Act Permit Program, effective November 30, 2001. *See* 66 Fed. Reg. 62969.
17. On March 16, 2015, EPA approved Indiana’s Title V construction permit rule, replacing Indiana’s previous construction permit rules codified at 326 IAC 2-1 with 326 IAC 2-7-10.5. *See* 80 Fed. Reg. 13493.
18. Section 503 of the Act, 42 U.S.C. § 7661b, sets forth the requirement to submit a timely, accurate, and complete application for a permit, including information required to be submitted with the application.
19. Section 504(a) of the Act, 42 U.S.C. § 7661c(a), requires that each Title V permit include enforceable emission limitations and standards, a schedule of compliance, and other conditions necessary to assure compliance with applicable requirements, including those contained in a state SIP. 42 U.S.C. § 7661c(a).
20. 40 C.F.R. § 70.1(b) provides that: “All sources subject to these regulations shall have a permit to operate that assures compliance by the source with all applicable requirements.” *See* 326 IAC 2-7-2.

21. 40 C.F.R. § 70.2 defines “applicable requirement” to include, “(1) Any standard or other requirement provided for in the applicable implementation plan approved or promulgated by EPA through rulemaking under title I of the Act that implements the relevant requirements of the Act, including revisions to that plan promulgated in part 52 of this chapter...” *See* 326 IAC 2-7-1(6).
22. 40 C.F.R. § 70.7(b) provides that no source subject to 40 C.F.R. Part 70 requirements may operate without a permit as specified in the Act. *See also* IAC 2-7-2.
23. 40 C.F.R. § 70.5(a) and (c) require timely and complete permit applications for Title V permits with required information that must be submitted and 40 C.F.R. § 70.6 specifies required permit content. *See also* 326 IAC 2-7-2.
24. 40 C.F.R. § 70.5(b) provides that: “Any applicant who fails to submit any relevant facts or who has submitted incorrect information in a permit application shall, upon becoming aware of such failure or incorrect submittal, promptly submit such supplementary facts or corrected information. In addition, an applicant shall provide additional information as necessary to address any requirements that become applicable to the source after the date it filed for a complete application but prior to release of a draft permit.” *See also* 326 IAC 2-7-2.
25. 326 IAC 2-7-10.5(a) requires that an owner or operator of a source with a Title V permit (Title V source) proposing to construct a new emissions unit must submit a request for a modification approval in accordance with 326 IAC 2-7-10.5.
26. 326 IAC 2-7-10.5(g) requires the owner or operator of a Title V source planning to complete a modification that, among other things, increases potential VOC emissions by 25 tons per year or more must have their approval request processed according to 327 IAC 2-7-10.5(h).
27. 327 IAC 2-7-10.5(h)(2) prohibits the construction of any applicable modification until the administrator has issued a modification approval, except as provided in 326 IAC 2-13.
28. 327 IAC 2-7-10.5(h)(4) provides that a modification approval may only be issued if, among other things, the conditions of the modification approval provide for compliance with all applicable requirements, which includes but is not limited to, the NNSR regulations.

Factual Background

29. MGPI is a wholly owned subsidiary of MGP Ingredients, Inc. a Kansas corporation with a place of business in Lawrenceburg, Indiana.
30. MGPI is a “person” as that term is defined in Section 302(e) of the Act, 42 U.S.C. § 7602(e).

31. MGPI is the owner and operator of a distillery located at 7 Ridge Avenue, Lawrenceburg, Indiana (Lawrenceburg Distillery or the Facility).
32. The Lawrenceburg Distillery is located in Dearborn County, Indiana. Dearborn County is located in an area which has been classified as nonattainment for the 2008 Ozone National Ambient Air Quality Standards (NAAQS) from July 20, 2012 to the present. 77 Fed. Reg. 30087.
33. The Lawrenceburg Distillery operates under Title V operating permit no. 029-32119-00005, which the Indiana Department of Environmental Management (IDEM) issued to MGPI on June 6, 2014.
34. The Lawrenceburg Distillery is a "major stationary source," as defined at 326 IAC 2-3-1(z)(1) and 40 C.F.R. § 51.165(a)(1)(xiii), because it has a potential to emit more than 100 tons per year of VOCs.
35. The Lawrenceburg Distillery produces barrel-aged alcohol which requires the aging of alcohol in barrels stored in aging warehouses, herein referred to in its entirety as the alcohol aging process.
36. The alcohol aging process results in VOC emissions.
37. MGPI does not control emissions resulting from the alcohol aging process.
38. On May 17, 2016, EPA conducted a CAA inspection (the inspection) at the Facility.
39. During the inspection, MGPI personnel informed EPA that MGPI had constructed several new aging warehouses in 2015 (2015 aging warehouses) at the Lawrenceburg Distillery to increase the capacity of its alcohol aging process.
40. During the inspection, EPA noticed that additional aging warehouses (2016 aging warehouses) were being constructed.
41. On September 6, 2016, IDEM received an air permit application (2016 permit application) from MGPI proposing the construction of ten new aging warehouses (new aging warehouses) to increase the capacity of its alcohol aging process by 503,600 barrels.
42. MGPI's 2016 permit application is for a significant source modification to operating permit 029-32119-00005 and does not propose, among other things, the implementation of LAER, emissions offsets, or the performance of an air quality analysis and modeling, as required by the NNSR regulations and 326 IAC 2-3.
43. MGPI's 2016 permit application includes the following table, which describes the installation dates of the proposed new aging warehouses, their capacities, and their vent IDs:

Unit ID	Description	Installation Date	Maximum Capacity (barrels)	Stack/Vent ID
EU-770	Warehouse IC	2015	7,600	707
EU-771	Warehouse K	2015	14,000	706
EU-772	Warehouse O	2015	47,000	709
EU-773	Warehouse P	2016	65,000	710
EU-774	Warehouse Q	2016	46,000	711
EU-775	Warehouse F	2016	60,000	712
EU-776	Warehouse H	2017	60,000	713
EU-777	Warehouse V	2017	60,000	714
EU-778	Warehouse 3XProfab	2018	108,000	715
EU-779	Warehouse 1XProfab	2019	36,000	716

44. MGPI's 2016 permit application states that the 2015 aging warehouses and 2016 aging warehouses began operating in 2015 and 2016, respectively.
45. MGPI's 2016 permit application states that the construction of all ten new aging warehouses is one project.
46. MGPI's 2016 permit application states that the increase in potential total emissions from the new aging warehouses is 1737.42 tons of VOCs.
47. The VOCs released during the alcohol aging process are not fugitive, as they can reasonably pass through a stack, chimney, vent, or other functionally equivalent opening.
48. MGPI did not apply for an NNSR permit prior to beginning construction of the new aging warehouses, and has still not applied for an NNSR permit.
49. MGPI's 2016 permit application states that the construction of the 2015 and 2016 whiskey warehouses resulted in the following potential emissions:

Unit ID	Description	Installation Date	Maximum Capacity (barrels)	VOC Emission Factor (lbs /barrel/year)	VOC Emissions (tons/year)
EU-770	Warehouse IC	2015	7,600	6.9	26.22
EU-771	Warehouse K	2015	14,000	6.9	48.3
EU-772	Warehouse O	2015	47,000	6.9	162.15
EU-773	Warehouse P	2016	65,000	6.9	224.25
EU-774	Warehouse Q	2016	46,000	6.9	158.7
EU-775	Warehouse F	2016	60,000	6.9	207

50. MGPI did not submit to IDEM a request for approval of its modification prior to commencing construction of the new aging warehouses, as required pursuant to 326 IAC 2-7-10.5(h)(2).

Violations

51. The construction of the new aging warehouses referred to in paragraphs 39-48, above, constitutes a “major modification” under the NNSR regulations and 326 IAC 2-3 of the Indiana SIP, because the emissions resulting from the new aging warehouses are not fugitive and will result in a significant emissions increase and a significant net emissions increase.
52. For the modification referred to in Paragraphs 39-48, above, MGPI failed to obtain a NNSR permit as required by the NNSR regulations and 326 IAC 2-3 of the Indiana SIP.
53. MGPI is in violation of NNSR requirements, Part D of the Act, 42 U.S.C. § 7502, and 326 IAC 2-3 of the Indiana SIP for construction of a major modification to an existing major source at its Lawrenceburg Distillery without applying for or obtaining an NNSR permit, and for operating the modified facilities without installing appropriate emission control equipment in accordance with a LAER analysis.
54. For the construction referred to in Paragraphs 49-50, above, MGPI is in violation of 326 IAC 2-7-10.5(h)(2) for failing to obtain approval of its modification prior to commencing construction.

Environmental Impact of Violations

55. These violations have caused or can cause excess emissions of VOCs, which are precursors to ozone. Breathing ozone contributes to a variety of health problems including chest pain, coughing, throat irritation, and congestion. Ground-level ozone can reduce lung function and inflame lung tissue. Repeated exposure may permanently scar lung tissue.

18/21/16

Date



Edward Nam
Director
Air and Radiation Division

U.S. EPA Small Business Resources Information Sheet

The United States Environmental Protection Agency provides an array of resources, including workshops, training sessions, hotlines, websites and guides, to help small businesses understand and comply with federal and state environmental laws. In addition to helping small businesses understand their environmental obligations and improve compliance, these resources will also help such businesses find cost-effective ways to comply through pollution prevention techniques and innovative technologies.

EPA's Small Business Websites

Small Business Environmental Homepage - www.smallbiz-enviroweb.org

Small Business Gateway - www.epa.gov/smallbusiness

EPA's Small Business Ombudsman - www.epa.gov/sbo or 1-800-368-5888

EPA's Compliance Assistance Homepage

[www.epa.gov/compliance/assistance/
business.html](http://www.epa.gov/compliance/assistance/business.html)

This page is a gateway to industry and statute-specific environmental resources, from extensive web-based information to hotlines and compliance assistance specialists.

EPA's Compliance Assistance Centers

www.assistancecenters.net

EPA's Compliance Assistance Centers provide information targeted to industries with many small businesses. They were developed in partnership with industry, universities and other federal and state agencies.

Agriculture

www.epa.gov/agriculture/

Automotive Recycling

www.ecarcenter.org

Automotive Service and Repair

www.ccar-greenlink.org or 1-888-GRN-LINK

Chemical Manufacturing

www.chemalliance.org

Construction

www.cicacenter.org or 1-734-995-4911

Education

www.campuserc.org

Food Processing

www.fpeac.org

Healthcare

www.hercenter.org

Local Government

www.lgean.org

Metal Finishing

www.nmfrc.org

Paints and Coatings

www.paintcenter.org

Printed Wiring Board Manufacturing

www.pwbrc.org

Printing

www.pneac.org

Ports

www.portcompliance.org

U.S. Border Compliance and Import/Export Issues

www.bordercenter.org

Hotlines, Helplines and Clearinghouses

www.epa.gov/epahome/hotline.htm

EPA sponsors many free hotlines and clearinghouses that provide convenient assistance regarding environmental requirements. Some examples are:

Antimicrobial Information Hotline

info-antimicrobial@epa.gov or
1-703-308-6411

Clean Air Technology Center (CATC) Info-line

www.epa.gov/ttn/catc or 1-919-541-0800

Emergency Planning and Community Right-To-Know Act

[www.epa.gov/superfund/resources/
infocenter/epcra.htm](http://www.epa.gov/superfund/resources/infocenter/epcra.htm) or 1-800-424-9346

EPA Imported Vehicles and Engines Public Helpline

www.epa.gov/otaq/imports or
734-214-4100

National Pesticide Information Center

www.npic.orst.edu/ or 1-800-858-7378

National Response Center Hotline -

to report oil and hazardous substance spills
www.nrc.uscg.mil or 1-800-424-8802

Pollution Prevention Information Clearinghouse (PPIC)

www.epa.gov/opptintr/ppic or
1-202-566-0799

Safe Drinking Water Hotline

[www.epa.gov/safewater/hotline/index.
html](http://www.epa.gov/safewater/hotline/index.html) or 1-800-426-4791

Stratospheric Ozone Protection Hotline

www.epa.gov/ozone or 1-800-296-1996

Toxic Substances Control Act (TSCA) Hotline

tsca-hotline@epa.gov or 1-202-554-1404

Wetlands Information Helpline

www.epa.gov/owow/wetlands/wetline.html or 1-800-832-7828

State and Tribal Web-Based Resources

State Resource Locators

www.envcap.org/statetools

The Locators provide state-specific contacts, regulations and resources covering the major environmental laws.

State Small Business Environmental Assistance Programs (SBEAPs)

www.smallbiz-enviroweb.org

State SBEAPs help small businesses and assistance providers understand environmental requirements and sustainable business practices through workshops, trainings and site visits. The website is a central point for sharing resources between EPA and states.

EPA's Tribal Compliance Assistance Center

www.epa.gov/tribalcompliance/index.html

The Center provides material to Tribes on environmental stewardship and regulations that might apply to tribal government operations.

EPA's Tribal Portal

www.epa.gov/tribalportal/

The Portal helps users locate tribal-related information within EPA and other federal agencies.

EPA Compliance Incentives

EPA provides incentives for environmental compliance. By participating in compliance assistance programs or voluntarily disclosing and promptly correcting violations before an enforcement action has been initiated, businesses may be eligible for penalty waivers or reductions. EPA has two such policies that may apply to small businesses:

EPA's Small Business Compliance Policy

www.epa.gov/compliance/incentives/smallbusiness/index.html

This Policy offers small businesses special incentives to come into compliance voluntarily.

EPA's Audit Policy

www.epa.gov/compliance/incentives/auditing/auditpolicy.html

The Policy provides incentives to all businesses that voluntarily discover, promptly disclose and expeditiously correct their noncompliance.

Commenting on Federal Enforcement Actions and Compliance Activities

The Small Business Regulatory Enforcement Fairness Act (SBREFA) established a SBREFA Ombudsman and 10 Regional Fairness Boards to receive comments from small businesses about federal agency enforcement actions. If you believe that you fall within the Small Business Administration's definition of a small business (based on your North American Industry Classification System designation, number of employees or annual receipts, as defined at 13 C.F.R. 121.201; in most cases, this means a business with 500 or fewer employees), and wish to comment on federal enforcement and compliance activities, call the SBREFA Ombudsman's toll-free number at 1-888-REG-FAIR (1-888-734-3247), or go to their website at www.sba.gov/ombudsman.

Every small business that is the subject of an enforcement or compliance action is entitled to comment on the Agency's actions without fear of retaliation. EPA employees are prohibited from using enforcement or any other means of retaliation against any member of the regulated community in response to comments made under SBREFA.

Your Duty to Comply

If you receive compliance assistance or submit a comment to the SBREFA Ombudsman or Regional Fairness Boards, you still have the duty to comply with the law, including providing timely responses to EPA information requests, administrative or civil complaints, other enforcement actions or communications. The assistance information and comment processes do not give you any new rights or defenses in any enforcement action. These processes also do not affect EPA's obligation to protect public health or the environment under any of the environmental statutes it enforces, including the right to take emergency remedial or emergency response actions when appropriate. Those decisions will be based on the facts in each situation. The SBREFA Ombudsman and Fairness Boards do not participate in resolving EPA's enforcement actions. Also, remember that to preserve your rights, you need to comply with all rules governing the enforcement process.

EPA is disseminating this information to you without making a determination that your business or organization is a small business as defined by Section 222 of the Small Business Regulatory Enforcement Fairness Act or related provisions.

CERTIFICATE OF MAILING

I, Kathy Jones, certify that I sent a Notice of Violation, No. EPA-5-17-IN-03, by

Certified Mail, Return Receipt Requested, to:

Randy Graves, EHS Manager
MGPI of Indiana, LLC
7 Ridge Avenue
Lawrenceburg, Indiana 47025

7014 2870 0001 9578 8926

Steve Glaser, Vice President of Production and Engineering
MGP Ingredients, Inc.
P.O. Box 130
Atchison, Kansas 66002

7014 2870 0001 9578 8933

I also certify that I sent copies of the Notice of Violation by e-mail to:

Phil Perry, Chief
Air Compliance Branch
Indiana Department of Environmental Management
pperry@idem.in.gov

On the 22 day of December 2016.



Kathy Jones
Program Technician
AECAB, PAS

CERTIFIED MAIL RECEIPT NUMBER: _____

**In re: Objection to the Issuance of Part 70 Operating Permit No. T-137-6928-00011
for Joseph E. Seagram & Sons, Inc., Ripley County, Indiana
2004 OEA 58 (03-A-J-3003)**

TOPICS:

summary judgment
Part 70
air permits
major sources
deference to agency
whiskey warehouses
fugitive emissions
statutory construction
functionally equivalent openings,
reasonably collected

PRESIDING JUDGE:

Gibbs

PARTY REPRESENTATIVES:

Permittee: Anthony C. Sullivan, Esq., Bryan G. Tabler, Esq., Barnes & Thornburg
IDEM: April Schultheis, Esq.

ORDER ISSUED:

August 4, 2004

INDEX CATEGORY:

Air

FURTHER CASE ACTIVITY:

[none]

**In re: Objection to the Issuance of Part 70 Operating Permit No. T-137-6928-00011
for Joseph E. Seagram & Sons, Inc., Ripley County, Indiana
2004 OEA 58 (03-A-J-3003)**

STATE OF INDIANA)	BEFORE THE INDIANA OFFICE OF
)	ENVIRONMENTAL ADJUDICATION
COUNTY OF MARION)	

IN THE MATTER OF:)	
)	
OBJECTION TO THE ISSUANCE OF)	
PART 70 OPERATING PERMIT)	
NO. T-137-6928-00011 FOR)	CAUSE NO. 03-A-J-3003
JOSEPH E. SEAGRAM & SONS, INC.)	
RIPLEY COUNTY, IN)	

**FINDINGS OF FACT, CONCLUSIONS OF LAW
AND FINAL ORDER**

This matter having come before the Court on the Motion for Summary Judgment filed by the Indiana Department of Environmental Management (the "IDEM") and on the Cross Motion for Summary Judgment filed by Joseph E. Seagram & Sons, Inc. (the "Petitioner"), which pleadings are a part of the Court's record; and the Environmental Law Judge ("ELJ") having read and considered the petitions, motions, record of proceedings, evidence, and the briefs, responses and replies of the parties, now finds that judgment may be made upon the record; and the ELJ, by a preponderance of the evidence and being duly advised, now makes the following findings of fact and conclusions of law and enters the following Order:

FINDINGS OF FACT

1. Findings of fact that may be construed as conclusions of law and conclusions of law that may be construed as findings of fact are so deemed.
2. The IDEM issued Part 70 Operating Permit No. T-137-6928-00011 to the Petitioner on December 23, 2002 for the facility located on Highway 350 West, Milan, Indiana (the "Facility").
3. The Petitioner filed its Petition for Review on January 22, 2004. This Petition is timely filed.
4. IDEM filed its Motion for Summary Judgment on February 26, 2004. The Petitioner filed Seagram's Response to IDEM's Motion for Summary Judgment and Seagram's Cross-Motion for Summary Judgment on April 19, 2004.
5. Pursuant to Stipulations of Fact filed by IDEM on February 26, 2004, the only issue before this Court is whether this Facility is a major source under the regulations in 40 CFR Part 70 and therefore, requires an Part 70 operating permit.

**In re: Objection to the Issuance of Part 70 Operating Permit No. T-137-6928-00011
for Joseph E. Seagram & Sons, Inc., Ripley County, Indiana
2004 OEA 58 (03-A-J-3003)**

6. It is undisputed by the parties that:
 - a. The Facility consists of 10 whiskey warehouses used to store whiskey in barrels for aging.
 - b. Ventilation in the warehouse is provided by 17 inch by 48 inch screen-covered openings along the bottom of the warehouse walls.
 - c. The Facility relies on natural ventilation and does not use fans to force air in or out of the warehouse.
 - d. The Facility emits over 100 tons per year (tpy) ethanol emissions. Ethanol is a regulated volatile organic compound (VOC).

7. In addition, this Court finds:
 - a. The warehouses are not heated or cooled. Temperature and humidity inside the warehouses follow the outside environment.
 - b. Throughout the course of the year, the wind direction and speed change considerably, resulting in constantly changing ventilation rate and conditions. Air may enter, or ethanol emissions and air may exit, the same opening, depending on which way the wind is blowing at any given time.
 - c. The barrel environment is critical in whiskey aging. Ambient atmospheric conditions, such as seasonal variation in temperature and humidity, have a great effect on the aging process. The equilibrium concentrations of the various whiskey components depend heavily on the airflow around the barrel. Each distiller depends upon these variables to produce its distinctive brand with its own taste, color, and aroma. United States Environmental Protection Agency (US EPA) Emission Factor Documentation for AP-42, Section 9.12.3 Distilled Spirits, Final Report (March 1997). Affidavit of William M. Burch, Exhibit A to Seagram's Response to IDEM's Motion for Summary Judgment and Seagram's Cross-Motion for Summary Judgment.
 - d. The only full scale test reported in the literature in which whiskey warehouse emissions were collected for air pollution control purposes was an experiment with carbon adsorption described in EPA's 1978 *Cost and Engineering Study Control of Volatile Organic Emissions for Whiskey Warehousing* (*supra* at n. 3). The report concluded:

The cost problems discussed above and the failure of the full-scale test show that control of emissions from whiskey warehousing has not been demonstrated at this time.

EPA *Cost and Engineering Study* at p. 1-4; *see also id.* at p. 4-14. In both the 1978 *Cost and Engineering Study* and again in its consideration of pollution control technology for New Source Performance Standards for storage vessels, EPA concluded that available emission control technology "could contaminate beverage alcohol resulting in a produce with little or no market value." 52 Fed.Reg. 11420, 11424 (Apr. 8, 1987).

**In re: Objection to the Issuance of Part 70 Operating Permit No. T-137-6928-00011
for Joseph E. Seagram & Sons, Inc., Ripley County, Indiana
2004 OEA 58 (03-A-J-3003)**

- e. No whiskey aging facility in the United States controls ethanol emissions. Affidavit of William M. Burch, Exhibit A to Seagram's Response to IDEM's Motion for Summary Judgment and Seagram's Cross-Motion for Summary Judgment.
 - f. As of October 23, 2000, the U.S. EPA had not identified any reasonably available control technology (RACT) for ethanol emissions from alcohol beverage aging warehouses. U.S. EPA letter to Senator Robert C. Smith, Chairman of the Senate Committee on Environment and Public Works, page 1 (October 23, 2000), Exhibit J to Seagram's Response to IDEM's Motion for Summary Judgment and Seagram's Cross-Motion for Summary Judgment.
 - f. Collecting and controlling emissions from whiskey aging facilities is generally considered incompatible with maintaining product quality. Affidavit of William M. Burch, Exhibit A to Seagram's Response to IDEM's Motion for Summary Judgment and Seagram's Cross-Motion for Summary Judgment.
8. The VOC emissions from the Facility are fugitive emissions.

CONCLUSIONS OF LAW

1. The Office of Environmental Adjudication ("OEA") has jurisdiction over the decisions of the Commissioner of the IDEM and the parties to the controversy pursuant to IC 4-21.5-7-3.
2. A facility is a major source under the Clean Air Act if it emits more than 100 tpy VOCs, *excluding fugitive emissions*. 326 IAC 2-7-1(22)(B). The critical issue in determining whether this Facility is a major source is whether the VOC emissions are "fugitive emissions" as defined by 40 CFR § 70.2 and 326 IAC 2-7-1(18). "Fugitive emissions" are defined as "emissions which could not reasonably pass through a stack, chimney, vent, or other functionally equivalent opening." The initial question is how should this definition be construed? Neither the IDEM nor the Petitioner have cited to any binding precedent regarding the statutory construction of this regulation.
3. The same rules that govern construction of statutes also govern construction of rules. As the court stated in *Miller Brewing Co. v. Bartholomew County Beverage Cos., Inc.*, 674 N.E.2d 193 (Ind. Ct. App. 1996):

Our inquiry into the meaning of Rule 28's prohibition ... begins with a recognition that rules which apply to the construction of statutes also apply to the construction of administrative rules and regulations. *Indiana Dep't of Natural Resources v. Peabody Coal Co.* (1995) Ind. App., 654 N.E.2d 289. Of course, properly adopted administrative rules and regulations have the force and effect of law. *Dep't of Fin. Inst. v. Johnson Chev. Co.* (1950) 228 Ind. 397, 92 N.E.2d 714.

**In re: Objection to the Issuance of Part 70 Operating Permit No. T-137-6928-00011
for Joseph E. Seagram & Sons, Inc., Ripley County, Indiana
2004 OEA 58 (03-A-J-3003)**

4. The rules of statutory construction state, "If a statute is subject to interpretation, our main objectives are to determine, effect, and implement the intent of the legislature in such a manner so as to prevent absurdity and hardship and to favor public convenience." *State v. Evans*, 790 N.E.2d 558, 560 (Ind. App., 2003).
5. The appellate courts in Indiana consistently hold that an agency's interpretation of a statute is entitled to deference. The Court in *Shaffer v. State*, 795 N.E.2d 1072, 1076 (Ind.Ct.App. 2003) stated, "When a statute is subject to different interpretations, the interpretation of the statute by the administrative agency charged with the duty of enforcing the statute is entitled to great weight, unless that interpretation is inconsistent with the statute itself."
6. U.S EPA's interpretation of its own regulations is entitled to controlling weight. The Supreme Court has articulated the following principle of judicial deference to a consistent, longstanding interpretation of an agency's own rules by its highest officials:

We must give substantial deference to an agency's interpretation of its own regulations. *Martin v. Occupational Safety and Health Review Comm'n*, 499 U.S. 144, 150-151, 111 S.Ct. 1171, 1175-1176, 113 L.Ed.2d 117 (1991); *Lyng v. Payne*, 476 U.S. 926, 939, 106 S.Ct. 2333, 2341, 90 L.Ed.2d 921 (1986); *Udall v. Tallman*, 380 U.S. 1, 16, 85 S.Ct. 792, 801, 13 L.Ed.2d 616(1965). Our task is not to decide which among several competing interpretations best serves the regulatory purpose. Rather, the agency's interpretation must be given "controlling weight unless it is plainly erroneous or inconsistent with the regulation." *Ibid.* (quoting *Bowles v. Seminole Rock & Sand Co.*, 325 U.S. 410, 414, 65 S.Ct. 1215, 1217, 89 L.Ed. 1700 (1945)). In other words, we must defer to the Secretary's interpretation unless an "alternative reading is compelled by the regulation's plain language or by other indications of the Secretary's intent at the time of regulation's promulgation." *Gardebring v. Jenkins*, 485 U.S. 415, 430, 108 S.Ct. 1306, 1314, 99 L.Ed.2d 515 (1988). This broad deference is all the more warranted when, as here, the regulation concerns "a complex and highly technical regulatory program," in which the identification and classification of relevant "criteria necessarily require significant expertise and entail the exercise of judgment grounded in policy concerns." *Pauley v. BethEnergy Mines, Inc.*, 501 U.S. 680, 697, 111 S.Ct. 2524, 2534, 115 L.Ed.2d 604 (1991).

7. This Court does not have any difficulty agreeing with IDEM's contention that the openings in the warehouses are "functionally equivalent openings". The first rule is that when a statute or regulation is clear and unambiguous on its face, the court does not need to "apply any rules of construction other than to require that words and phrases be taken in their plain, ordinary and usual sense." *St. Vincent Hosp. & Health Care Ctr., Inc. v. Steele*, 766 N.E.2d 699, 703-704 (Ind. 2002). The regulation states that fugitive emissions are those that cannot "reasonably pass through a stack, chimney, vent, or other

**In re: Objection to the Issuance of Part 70 Operating Permit No. T-137-6928-00011
for Joseph E. Seagram & Sons, Inc., Ripley County, Indiana
2004 OEA 58 (03-A-J-3003)**

functionally equivalent opening.” The warehouse openings are clearly not stacks or chimneys, but they are functionally equivalent to vents. Merriam-Webster Dictionary defines “vent” as “an opening for the escape of a gas or liquid or for the relief of pressure.” *Merriam-Webster On-line Dictionary*, www.m-w.com/cgi-bin/dictionary. Giving the words of the regulation their plain and ordinary meaning, these openings are the functional equivalent of vents. However, the analysis does end at this point. The word “reasonably” must be construed.

8. IDEM urges this Court to construe the word “reasonably” broadly and argues that the mere fact that the emissions pass through the opening is enough to determine that the emissions are not fugitive. However, if this were true, then the word “reasonably” has no meaning. Statutes and rules must be read as a whole. “We ‘presume that the legislature did not enact a useless provision’.” *State v. Evans*, 790 N.E.2d 558, 560 (Ind. App., 2003) (citing *Moons v. Keith*, 758 N.E.2d 960, 965 (Ind. Ct. App. 2001)).
9. This Court concludes that whether the emissions can be reasonably *collected* is essential to the determination of whether the emissions are fugitive. This Court finds and concludes that the IDEM’s interpretation is inconsistent with the regulation and with U.S. EPA’s national policy for the following reasons.
10. The preamble to the U.S. EPA’s original 1980 promulgation of the definition for “fugitive emissions” states:

EPA has considered comments with respect to the proposed definition of “fugitive emissions,” and has determined that one change is appropriate. Instead of defining fugitive emissions as “those emissions which *do not* pass through a stack, chimney, vent, or other functionally equivalent opening,” EPA believes that the term should apply to “those emissions which *could not reasonably pass* through a stack, chimney, vent, or other functionally equivalent opening.” This change will ensure that sources will not discharge as fugitive emissions those emissions which would ordinarily be collected and discharged through stacks or other functionally equivalent openings, and will eliminate disincentives for the construction of ductwork and stacks for the collection of emissions. Emissions which could reasonably pass through a stack, chimney, vent, or other functionally equivalent opening will be treated the same as all other point emissions for threshold calculation purposes.

45 Fed.Reg. 52692-93 (Aug. 7, 1980). This reinforces the idea that the collection of emissions is an important variable in the definition of “fugitive emissions”.

11. The Memorandum, dated February 10, 1999, from Thomas C. Curran to Judith Katz (the “Curran Memo”), submitted as Attachment B to IDEM’s Motion for Summary Judgment and as Exhibit G to the Petitioner’s Motion for Summary Judgment sets out the factors to be considered in determining whether emissions are fugitive. The Curran Memo

**In re: Objection to the Issuance of Part 70 Operating Permit No. T-137-6928-00011
for Joseph E. Seagram & Sons, Inc., Ripley County, Indiana
2004 OEA 58 (03-A-J-3003)**

indicates that the U.S. EPA's national policy is that each Region must perform a factual case-by-case analysis to determine whether the emissions are fugitive. Implicit in this analysis is an inquiry into whether the emissions can be *reasonably collected*.

12. The Curran Memo states what factors should be analyzed to determine if emissions can be "reasonably collected". At a facility where emissions are not actually collected, this inquiry should include an analysis of (1) the reasonableness of collection, including, but not limited to, cost considerations; (2) whether similar facilities "are subject to national standards and State implementation plan (SIP) requirements (e.g., reasonably achievable control technology, best available control technology, or lowest achievable emission rate) requiring collection, and (3) whether similar sources actually collect emissions.
13. The regulation specifically states that emissions that can "reasonably pass through a stack, chimney, vent, or other functionally equivalent opening" are not fugitive. This Court agrees with the District Court's statement in *United States v. Nucor Corp.*, 17 F.Supp.2d 1249 (M.D. Ala. 1998), "The court cannot imagine any emission in a gaseous state which could not pass through such an opening." If one examines the documents submitted and cited by the parties, it is clear that the U.S. EPA contemplates that whether the emissions can be reasonably *collected* is the main consideration in the analysis. The Court finds the Court's statement in *Nucor*, "If all the plaintiff had to prove is that gasses in a gaseous state can pass through a hole, the plaintiff should perhaps prevail." to be particularly applicable here.
14. While not binding, this Court finds that the United States District Court's opinion in *Nucor* to be very persuasive. The District Court states, "The court initially notes that it cannot accept plaintiff's explicit and implicit argument that all emissions which can pass through a stack, vent, etc. are, ergo, non-fugitive emissions. The court cannot imagine any emission in a gaseous state which could not pass through such an opening. The regulation must contemplate some means of collection, direction and discharge, just as the preamble to the EPA regulation provides." At 1250.
15. The District Court also states "The issue was whether the emissions were fugitive. This required that the plaintiff prove that there was a reasonable system to collect and discharge, not just whether or not gasses can physically pass through a hole." *Id.* At 1250. In accordance with U.S. EPA's interpretation as stated in the Curran Memo and with the *Nucor* case, whether the emissions can be reasonably collected is the question that must be answered.
16. The only question now remaining is a factual one, that is, whether the emissions from this Facility can be reasonably collected as they pass through the openings in the warehouses. The Curran Memo provides the analysis that IDEM or Region V should have performed in determining that these emissions were non-fugitive.
17. This Court must apply a *de novo* standard of review to this proceeding when determining the facts at issue. *Indiana Dept. of Natural Resources v. United Refuse Co., Inc.*, 615

**In re: Objection to the Issuance of Part 70 Operating Permit No. T-137-6928-00011
for Joseph E. Seagram & Sons, Inc., Ripley County, Indiana
2004 OEA 58 (03-A-J-3003)**

N.E.2d 100 (Ind. 1993). Findings of fact must be based exclusively on the evidence presented to the ELJ, and deference to the agency's initial factual determination is not allowed. *Id.*; I.C. 4-21.5-3-27(d). "*De novo* review" means that:

all are to be determined anew, based solely upon the evidence adduced at that hearing and independent of any previous findings.

Grisell v. Consol. City of Indianapolis, 425 N.E.2d 247 (Ind.Ct.App. 1981).

18. The OEA may enter summary judgment for a party if it finds that "the pleadings, depositions, answers to interrogatories, and admissions on file, together with the affidavits and testimony, if any, show that a genuine issue as to any material fact does not exist and that the moving party is entitled to judgment as a matter of law." IC 4-21.5-3-23. The moving party bears the burden of establishing that summary judgment is appropriate. All facts and inferences must be construed in favor of the non-movant. *Gibson v. Evansville Vanderburgh Building Commission, et al.*, 725 N.E.2d 949 (Ind.Ct.App. 2000).
19. The IDEM argues that the openings in the warehouses are functionally equivalent openings and the fact that the emissions pass through these openings means that these emissions are fugitive. This argument is based on the United States Environmental Protection Agency (U.S. EPA), Region V's letter dated April 16, 1996 to Paul Dubenetzky from Cheryl Newton (the "Region V Letter").
20. It is not clear from the Region V Letter what analysis Region V undertook to determine whether these emissions were fugitive. The letter states "Region V has carefully reviewed the facts of this case and relevant regulation and guidance and confirms that our position on this issue is correct." Neither IDEM nor Region V has presented the supporting evidence for this conclusion. Attempts to obtain the supporting documentation by the Petitioner's attorney were unsuccessful. Exhibit H, Seagram's Response to IDEM's Motion for Summary Judgment and Seagram's Cross-Motion for Summary Judgment.
21. The Petitioner has presented extensive evidence regarding the whiskey aging process and the effect the collection of ethanol emissions would have on this process. The Petitioner has shown by a preponderance of the evidence that the collection of the ethanol emissions would negatively affect product quality. The Petitioner has also presented sufficient evidence to prove that such emissions are not collected at other similar facilities and that U.S. EPA has not identified any reasonably available control technology (RACT) for ethanol emissions from alcohol beverage aging warehouses.
22. Based on the evidentiary matter before it, this Court concludes that there is no genuine issue to any material fact. The Petitioner has met its burden of proof by a preponderance of the evidence in this matter. The emissions from the Facility are fugitive emissions,

**In re: Objection to the Issuance of Part 70 Operating Permit No. T-137-6928-00011
for Joseph E. Seagram & Sons, Inc., Ripley County, Indiana
2004 OEA 58 (03-A-J-3003)**

therefore the Facility is not a major source under 40 CFR § 70.2 or 326 IAC 2-7-1(22) and it is not required to obtain a permit under 40 CFR Part 70 or 326 IAC 2-7.

ORDER

AND THE COURT, being duly advised, hereby **ORDERS, JUDGES AND DECREES** that the Petitioner's Cross Motion for Summary Judgment is **GRANTED** and IDEM's Motion for Summary Judgment is **DENIED**. The Commissioner is ordered to rescind the Part 70 Operating Permit No. T-137-6928-00011 for the facility located on Highway 350 West, Milan, Indiana.

You are further notified that pursuant to provisions of IC 4-21.5-7-5, the Office of Environmental Adjudication serves as the ultimate authority in administrative review of decisions of the Commissioner of the Indiana Department of Environmental Management. This is an order subject to further review consistent with applicable provisions of IC 4-21.5 and other applicable rules and statutes.

IT IS SO ORDERED THIS 4th day of August, 2004.

Catherine Gibbs
Environmental Law Judge

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

**Technical Support Document (TSD) for a Part 70 Significant Source
Modification and Administrative Amendment**

Source Description and Location

Source Name:	MGPI of Indiana, LLC
Source Location:	7 Ridge Avenue, Lawrenceburg, Indiana 47025
County:	Dearborn (Lawrenceburg Township)
SIC Code:	2085 (Distilled and Blended Liquors)
Operation Permit No.:	T029-32119-00005
Operation Permit Issuance Date:	June 20, 2014
Significant Source Modification No.:	029-40029-00005
Administrative Amendment No.:	029-40042-00005
Permit Reviewer:	Andrew Belt

Source Definition

Proximo Distillers Indiana, LLC owns a bottling plant (source ID # 029-00043) that was previously part of the same permit as the MGPI of Indiana, LLC distillery (source ID #029-00005). Some of the MGPI plant's production is bottled at the Proximo plant. IDEM, OAQ previously examined whether these two plants are part of the same major source in Part 70 Operating Permit Renewal No. T029-32119-00005, issued on June 20, 2014.

IDEM, OAQ found that the MGPI plant and the Proximo plant did not meet all three parts of the major source definition and therefore the two plants were not part of the same major source. This conclusion was initially determined in Part 70 Operating Permit Renewal No. T029-32119-00005, issued on June 20, 2014.

Existing Approvals

The source was issued Part 70 Operating Permit Renewal No. 029-32119-00005 on June 20, 2014. The source has since received the following approvals:

- (a) Significant Source Modification No.: 029-35496-00005, issued on May 11, 2015;
- (b) Significant Permit Modification No.: 029-35505-00005, issued on May 27, 2015;
- (c) Administrative Amendment No.: 029-39165-00005, issued on December 22, 2017; and
- (d) Administrative Amendment No.: 029-39210-00005, issued on January 17, 2018.

County Attainment Status

The source is located in Dearborn County.

Pollutant	Designation
SO ₂	Cannot be classified.
CO	Unclassifiable or attainment effective November 15, 1990.
O ₃	Attainment effective March 17, 2017, for the 2008 8-hour ozone standard for Lawrenceburg Township. Unclassifiable or attainment effective July 20, 2012, for the 2008 8-hour ozone standard for the remainder of the county. ¹

Pollutant	Designation
PM _{2.5}	Attainment effective December 23, 2011, for the annual PM _{2.5} standard for Lawrenceburg Township. Unclassifiable or attainment effective April 5, 2005, for the annual PM _{2.5} standard for the remainder of the county.
PM _{2.5}	Unclassifiable or attainment effective December 13, 2009, for the 24-hour PM _{2.5} standard.
PM ₁₀	Unclassifiable effective November 15, 1990.
NO ₂	Cannot be classified or better than national standards.
Pb	Unclassifiable or attainment effective December 31, 2011.
¹ Unclassifiable or attainment effective October 18, 2000, for the 1-hour ozone standard which was revoked effective June 15, 2005.	

- (a) **Ozone Standards**
 Volatile organic compounds (VOC) and Nitrogen Oxides (NO_x) are regulated under the Clean Air Act (CAA) for the purposes of attaining and maintaining the National Ambient Air Quality Standards (NAAQS) for ozone. Therefore, VOC and NO_x emissions are considered when evaluating the rule applicability relating to ozone. Dearborn County has been designated as attainment or unclassifiable for ozone. Therefore, VOC and NO_x emissions were reviewed pursuant to the requirements for Prevention of Significant Deterioration (PSD), 326 IAC 2-2.
- (b) **PM_{2.5}**
 Dearborn County has been classified as attainment for PM_{2.5}. Therefore, direct PM_{2.5}, SO₂, and NO_x emissions were reviewed pursuant to the requirements for Prevention of Significant Deterioration (PSD), 326 IAC 2-2.
- (e) **Other Criteria Pollutants**
 Dearborn County has been classified as attainment or unclassifiable in Indiana for all the other criteria pollutants. Therefore, these emissions were reviewed pursuant to the requirements for Prevention of Significant Deterioration (PSD), 326 IAC 2-2.

Fugitive Emissions

Since this type of operation is not one (1) of the twenty-eight (28) listed source categories under 326 IAC 2-2-1(ff)(1), 326 IAC 2-3-2(g), or 326 IAC 2-7-1(22)(B), and there is no applicable New Source Performance Standard or National Emission Standard for Hazardous Air Pollutants that was in effect on August 7, 1980, fugitive emissions are not counted toward the determination of PSD, Emission Offset, and Part 70 Permit applicability.

Greenhouse Gas (GHG) Emissions

On June 23, 2014, in the case of *Utility Air Regulatory Group v. EPA*, cause no. 12-1146, (available at http://www.supremecourt.gov/opinions/13pdf/12-1146_4g18.pdf) the United States Supreme Court ruled that the U.S. EPA does not have the authority to treat greenhouse gases (GHGs) as an air pollutant for the purpose of determining operating permit applicability or PSD Major source status. On July 24, 2014, the U.S. EPA issued a memorandum to the Regional Administrators outlining next steps in permitting decisions in light of the Supreme Court's decision. U.S. EPA's guidance states that U.S. EPA will no longer require PSD or Title V permits for sources "previously classified as 'Major' based solely on greenhouse gas emissions."

The Indiana Environmental Rules Board adopted the GHG regulations required by U.S. EPA at 326 IAC 2-2-1(zz), pursuant to Ind. Code § 13-14-9-8(h) (Section 8 rulemaking). A rule, or part of a rule, adopted under Section 8 is automatically invalidated when the corresponding federal rule, or part of the rule, is invalidated. Due to the United States Supreme Court Ruling, IDEM, OAQ cannot consider GHG emissions to determine operating permit applicability or PSD applicability to a source or modification.

Source Status - Existing Source

The table below summarizes the potential to emit of the entire source, prior to the proposed modification, after consideration of all enforceable limits established in the effective permits:

Process / Emission Unit	Source-Wide Emissions Before Modification (ton/year)								
	PM	PM ₁₀	PM _{2.5}	SO ₂	NO _x	VOC	CO	Single HAP ¹	Combined HAPs
Total for Source	353.74	332.03	91.69	60.99	358.13	3,500	147.46	66.48	97.11
PSD Major Source Thresholds	250	250	250	250	250	250	250	--	--

¹Single highest source-wide HAP is acetalyde.

- (a) This existing source is a major stationary source, under PSD (326 IAC 2-2), because PSD regulated pollutants, PM, PM₁₀, NO_x, and VOC are emitted at a rate of 250 tons per year or more, and it is not one of the twenty-eight (28) listed source categories, as specified in 326 IAC 2-2-1(ff)(1).
- (b) This existing source is a major source of HAPs, as defined in 40 CFR 63.2, because HAP emissions are equal to or greater than ten (10) tons per year for a single HAP and equal to or greater than twenty-five (25) tons per year for a combination of HAPs. Therefore, this source is a major source under Section 112 of the Clean Air Act (CAA).
- (c) These emissions are based on the TSD of Administrative Amendment No.: 029-39210-00005, issued on January 17, 2018.

Description of Proposed Modification

The Office of Air Quality (OAQ) has reviewed an application, submitted by MGPI of Indiana, LLC on May 23, 2018, relating to the addition of existing and new distilled spirits aging warehouses. VOC emissions (predominantly ethanol) result from the whiskey aging process. Whiskey aging relies on natural ventilation and does not use fans to force air in or out of the warehouse, which would otherwise affect product quality. Therefore, the collection of the VOC emissions would negatively affect product quality. As a result, the VOC emissions cannot be reasonably collected as they pass through the openings in the buildings and are considered as fugitive emissions. In August 2004, the Indiana Office of Environmental Adjudication concluded that the emissions from the openings should be considered fugitive for determining major source status.

The following is a list of the unpermitted emission units:

- (a) One (1) Warehouse IC, identified as EU-770, constructed in 2014, and exhausting through the building's windows and other openings.
- (b) One (1) Warehouse K, identified as EU-771, constructed in 2015, and exhausting through the building's windows and other openings.
- (c) One (1) Warehouse O, identified as EU-772, constructed in 2015, and exhausting through the building's windows and other openings.
- (d) One (1) Warehouse P, identified as EU-773, constructed in 2015, and exhausting through the building's windows and other openings.
- (e) One (1) Warehouse Q, identified as EU-774, constructed in 2016, and exhausting through the building's windows and other openings.
- (f) One (1) Warehouse F, identified as EU-775, constructed in 2016, and exhausting through the building's windows and other openings.

- (g) One (1) Warehouse H, identified as EU-776, constructed in 2016, and exhausting through the building's windows and other openings.
- (h) One (1) Warehouse V, identified as EU-777, constructed in 2016, and exhausting through the building's windows and other openings.

The following is a list of the new proposed emission units:

- (i) One (1) Warehouse T, identified as EU-780, approved in 2018 for construction, and exhausting through the building's windows and other openings.

The nine (9) warehouses, identified as EU-770 through EU-777 and EU-780, have a combined storage capacity of 439,600 barrels.

Background of Projects - Aggregation

The MGPI of Indiana, LLC (MGPI) submitted the following permit applications to IDEM in 2015, 2017, and 2018. When a major source for Prevention of Significant Deterioration (PSD) and/or Emission Offset (EO) submits an application for a source modification, IDEM, OAQ reviews the permitting history of the source to determine if earlier projects should be aggregated with the current project.

SSM 029-40029-00005

- Incorporating eight (8) unpermitted whiskey storage warehouses into the permit
- Installation of one (1) new whiskey storage warehouse

AA 029-39210-00005 (January 2018)

- Installation of three (3) distilled product storage tanks
- Installation of one (1) aged whiskey bulk loadout tank

AA 029-39165-00005 (December 2017)

- Installation of a pot still blending vessel for gin
- Installation of two (2) gin storage tanks

SSM 029-35496-00005 and SPM 029-35505-00005 (May 2015)

- Installation of a new DDG dryer and wet cake storage pad
- Modifications to the existing cooler and transport system

Increased warehouse capacity does not affect the fermentation and distillation capacity of the source.

Conclusion

The DDG dryer project was undertaken to improve reliability. Existing dryers required increased maintenance time and expense because of the age of the equipment. In addition, the source had a fire in one of the existing dryers. The dryer replacement project had no effect on upstream utilization or capacity because the project had no effect on fermentation or distillation capacity. The dryer replacement project had no effect on downstream utilization or capacity because there was no change in the production rate of DDGS.

The construction of the pot still blending vessel for gin (EU-47) and the two gin storage tanks (T-25 and T-26, EU-48 and EU-49, respectively) are independent of whiskey aging operations at the source. These units are involved in the production of gin and do not consume product from the whiskey warehouses or contribute products to be stored in the warehouses.

The three distilled product storage tanks (EU-50) are intended for holding distilled products pending completion of quality control checks. Following the quality assurance testing, product will be transferred to existing downstream processing activities. The storage tanks will not contribute to increased utilization of upstream (e.g., fermentation and distillation) or downstream (e.g., aging and packaging) activities. The aged whiskey bulk loadout tank (EU-51) will provide flexibility to produce blended whiskey ahead of anticipated orders and hold excess volume until it can be shipped off site. The installation of Tank 57 will eliminate the need to plan for alternate tankage in the event of short lead time changes in customer orders. The bulk loadout tank will not contribute to increased utilization of upstream (e.g., fermentation, distillation, and aging) or downstream (e.g., packaging) activities.

The warehouse construction is a result of a change in the mix of products made at the facility, with a shift to more production of products that require aging and less production of products that do not require aging. The existing and new warehouses will not contribute to increased utilization of upstream (e.g., fermentation and distillation) or downstream (e.g., packaging) activities.

Enforcement Issues

IDEM is aware that there is a pending enforcement action for the existing eight (8) warehouses, identified as EU-770 through EU-777, which have been constructed and operated prior to receipt of the proper permit. IDEM is reviewing this matter and will take the appropriate action.

Emission Calculations

See Appendix A of this Technical Support Document for detailed emission calculations.

Permit Level Determination – Part 70 Modification to an Existing Source

Pursuant to 326 IAC 2-1.1-1(12), Potential to Emit is defined as “the maximum capacity of a stationary source or emission unit 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, IDEM, or the appropriate local air pollution control agency.”

The following table is used to determine the appropriate permit level under 326 IAC 2-7-10.5 and 326 IAC 2-7-11. This table reflects the PTE before controls. Control equipment is not considered federally enforceable until it has been required in a federally enforceable permit. If the control equipment has been determined to be integral, the table reflects the PTE after consideration of the integral control device.

PTE Before Controls of the Unpermitted Emission Units (ton/year)									
Process / Emission Unit	PM	PM₁₀	PM_{2.5}	SO₂	NO_x	VOC	CO	Single HAP	Combined HAPs
Warehouse IC (EU-770)	-	-	-	-	-	1,240.62	-	-	-
Warehouse K (EU-771)	-	-	-	-	-		-	-	-
Warehouse O (EU-772)	-	-	-	-	-		-	-	-
Warehouse P (EU-773)	-	-	-	-	-		-	-	-
Warehouse Q (EU-774)	-	-	-	-	-		-	-	-
Warehouse F (EU-775)	-	-	-	-	-		-	-	-
Warehouse H (EU-776)	-	-	-	-	-		-	-	-
Warehouse V (EU-777)	-	-	-	-	-		-	-	-
Total:	0.00	0.00	0.00	0.00	0.00	1,240.62	0.00	0.00	0.00

PTE Before Controls of the Proposed Emission Units (ton/year)									
Process / Emission Unit	PM	PM₁₀	PM_{2.5}	SO₂	NO_x	VOC	CO	Single HAP	Combined HAPs
Warehouse T (EU-780)	-	-	-	-	-	276.00	-	-	-
Paved Roads	2.76	0.55	0.14	-	-	-	-	-	-
Unpaved Roads	5.60	1.49	0.15	-	-	-	-	-	-
Total:	8.35	2.04	0.28	0.00	0.00	276.00	0.00	0.00	0.00

Appendix A of this TSD reflects the unrestricted potential emissions of the modification.

- (a) Approval to Construct
 Pursuant to 326 IAC 2-7-10.5(g)(4), a Significant Source Modification is required because this modification has the potential to emit VOC at greater than or equal to twenty-five (25) tons per year.
- (b) Pursuant to 326 IAC 2-7-11(a)(7), this change to the permit is considered an administrative amendment because the permit is amended to change the descriptive information where the revision will not trigger a new applicable requirement or violate a permit term.

Permit Level Determination – PSD or Emission Offset.

Pursuant to 326 IAC 2-2-1(ff)(6) and 326 IAC 2-3-2(g), a modification shall not be considered a major modification if it only consists of fugitive emissions and the source does not belong to any of the categories listed in 326 IAC 2-2-1(ff)(1) or any other stationary source category that, as of August 7, 1980, is being regulated under Section 111 or 112 of the CAA (See Fugitive Emissions Section above for more discussion).

The potential emissions from the nine (9) warehouses and the paved and unpaved roads are all fugitive. Therefore, the addition of the eight (8) warehouses in 2014 through 2017, when Lawrenceburg Township of Dearborn County was nonattainment for the 8-hour ozone standard, were not subject to review under 326 IAC 2-3-3 (Emission Offset) despite the fact that this source was an existing major source under 326 IAC 2-3 (Emission Offset). Lawrenceburg Township of Dearborn County is now attainment for the 8-hour ozone standard and this source is an existing major source under 326 IAC 2-2 (PSD). However, the addition of the one (1) new warehouse in 2018 is not subject to review under 326 IAC 2-2-3 (PSD) based on the findings presented above.

The table below summarizes the after issuance source-wide potential to emit, reflecting all limits, of the emission units. Any control equipment is considered federally enforceable only after issuance of the Part 70 source and permit modification, and only to the extent that the effect of the control equipment is made practically enforceable in the permit.

Process / Emission Unit	Source-Wide Emissions after Issuance (ton/year)						
	PM	PM ₁₀	PM _{2.5} ¹	SO ₂	NO _x	VOC	CO
Pneumatic conveyor, EU-11	189.22	189.22	16.08	-	-	-	-
Corn receiving & storage, EU-12 (stack S-111)	5.26	5.26	19.15	-	-	-	-
Corn receiving & storage, EU-12 (stack S-112)	0.96	0.96	1.73	-	-	-	-
Storage bins, EU-13	20.33	20.33	1.73	-	-	-	-
Hammermills, EU-14	90.10	90.10	7.66	-	-	-	-
Fermenters, EU-21	-	-	-	-	-	7.81	-
DDGS storage, EU-34	0.60	0.60	2.53	-	-	-	-
DDGS loadout, EU-35/EU-36	1.27	1.27	2.31	-	-	-	-
DDGS loader, EU-37/EU-38	5.48	5.48	0.05	-	-	-	-
Fermenters, EU-22	-	-	-	-	-	57.79	-
Beerwells, EU-23 & EU-24	-	-	-	-	-	12.51	-
Distillation, EU-20 & EU-25 - EU-29	-	-	-	-	-	0.09	-
Paddle screens, EU-31 and conveyors, EU-33	-	-	-	-	-	440.00	-
Dryers, EU-32	19.85	19.85	19.85	-	-	893.43	-
Cooler and transport system, EU-32	7.91	5.01	2.01	-	-	9.16	-
DDG Dryer, EU-39	8.38	8.38	8.38	18.84	27.86	8.38	46.43
Wet Pad, EU-40	-	-	-	-	-	See Note ²	-
Wine room, EU-41	-	-	-	-	-	19.52	-
Tank farm, EU-42	-	-	-	-	-	19.01	-
Building 88, EU-43	-	-	-	-	-	4.69	-
Mini-tank farm, EU-45	-	-	-	-	-	3.59	-

Process / Emission Unit	Source-Wide Emissions after Issuance (ton/year)						
	PM	PM ₁₀	PM _{2.5} ¹	SO ₂	NO _x	VOC	CO
Barrel and emptying operation, EU-61	-	-	-	-	-	12.01	-
Steam boiler, EU-96	1.99	7.96	7.96	0.63	293.37	5.76	88.01
Steam boiler, EU-97 (worst case fuel)	1.98	2.65	1.96	39.77	25.38	0.56	10.42
Loading rack, EU-46	-	-	-	-	-	6.69	-
Emergency Generator-Diesel	0.28	0.16	0.16	1.62	9.60	0.28	2.20
Emergency Generator-Natural gas	negl.	negl.	negl.	negl.	0.10	negl.	0.01
FW Pump-Diesel	0.13	0.13	0.13	0.12	1.82	0.15	0.39
Pot still/blending unit, EU-47	0.02	0.02	0.02	-	-	0.16	-
Storage tank T-25, EU-48	-	-	-	-	-	0.04	-
Storage tank T-26, EU-49	-	-	-	-	-	0.07	-
Storage tank T-52, EU-50	-	-	-	-	-	0.67	-
Storage tank T-53, EU-50	-	-	-	-	-	0.67	-
Storage tank T-54, EU-50	-	-	-	-	-	0.67	-
Storage tank T-57, EU-51	-	-	-	-	-	0.81	-
Total for Source	353.74	357.35	91.69	60.99	358.13	1,504.50	147.46
Paved Roads	2.76	0.55	0.14	-	-	-	-
Unpaved Roads	5.60	1.49	0.15	-	-	-	-
Leak Fugitives (EU-81)	-	-	-	-	-	128.23	-
Warehouses (EU-71 through EU-76)	-	-	-	-	-	1867.41	-
Warehouses (EU-770 through EU-777 and EU-780)	-	-	-	-	-	1516.62	-
PSD Major Source Thresholds	250	250	250	250	250	250	250
¹ PM _{2.5} listed is direct PM _{2.5} . ² This plant is capable of producing both DDGS and MDGS. The emissions from the DDGS production is the worst case scenario. Therefore, the PTE of the wet cake storage is not included in the PTE for the entire source.							

- (a) This existing major PSD stationary source will continue to be major under 326 IAC 2-2 because the pollutants PM, PM₁₀, NO_x, and VOC, each have emissions equal to or greater than the PSD major source threshold. Therefore, pursuant to 326 IAC 2-2, the PSD requirements apply.

Federal Rule Applicability Determination

Due to the modification at this source, federal rule applicability has been reviewed as follows:

New Source Performance Standards (NSPS):

- (a) The requirements of the New Source Performance Standard for Volatile Organic Liquid Storage Vessels (including Petroleum Liquid Storage Vessels) for Which Construction, Reconstruction, or Modification Commenced After July 23, 1984, 40 CFR 60, Subpart Kb and 326 IAC 12, are not included in the permit for the nine (9) warehouses, identified as EU-770 through EU-777 and EU-780, because this subpart does not apply to vessels used to store beverage alcohol.
- (b) There are no New Source Performance Standards (40 CFR Part 60) and 326 IAC 12 included in the permit for this proposed modification.

National Emission Standards for Hazardous Air Pollutants (NESHAP):

- (a) The requirements of the National Emission Standards for Hazardous Air Pollutants (NESHAPs): Organic Liquids Distribution (Non-Gasoline), 40 CFR 63, Subpart EEEE and 326 IAC 20-83, are not included in the permit for the nine (9) warehouses, identified as EU-770 through EU-777 and EU-780, since the source does not store or transfer liquids or liquid mixtures that contain 5 percent by weight or greater of the organic HAP listed in Table 1 to this subpart.
- (b) There are no National Emission Standards for Hazardous Air Pollutants under 40 CFR 63, 326 IAC 14 and 326 IAC 20 included for this proposed modification.

Compliance Assurance Monitoring (CAM):

- (a) Pursuant to 40 CFR 64.2, Compliance Assurance Monitoring (CAM) is applicable to each existing pollutant-specific emission unit that meets the following criteria:
 - (1) has a potential to emit before controls equal to or greater than the major source threshold for the regulated pollutant involved;
 - (2) is subject to an emission limitation or standard for that pollutant (or a surrogate thereof); and
 - (3) uses a control device, as defined in 40 CFR 64.1, to comply with that emission limitation or standard.
- (b) Pursuant to 40 CFR 64.2(b)(1)(i), emission limitations or standards proposed after November 15, 1990 pursuant to a NSPS or NESHAP under Section 111 or 112 of the Clean Air Act are exempt from the requirements of CAM. Therefore, an evaluation was not conducted for any emission limitations or standards proposed after November 15, 1990 pursuant to a NSPS or NESHAP under Section 111 or 112 of the Clean Air Act.
- (c) Pursuant to 40 CFR 64.2(b)(1)(iii), Acid Rain requirements pursuant to Sections 404, 405, 406, 407(a), 407(b), or 410 of the Clean Air Act are exempt emission limitations or standards. Therefore, CAM was not evaluated for emission limitations or standards for SO₂ and NO_x under the Acid Rain Program.
- (d) Pursuant to 40 CFR 64.3(d), if a continuous emission monitoring system (CEMS) is required pursuant to other federal or state authority, the owner or operator shall use the CEMS to satisfy the requirements of CAM according to the criteria contained in 40 CFR 64.3(d).

Based on this evaluation, the requirements of 40 CFR Part 64, CAM, are not applicable to any of the existing or new units as part of this modification.

State Rule Applicability Determination

Due to the modification at this source, state rule applicability has been reviewed as follows:

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

PSD and Emission Offset applicability is discussed under the Permit Level Determination – PSD and Emission Offset section.

326 IAC 2-4.1 (Major Sources of Hazardous Air Pollutants (HAP))

The operation of the nine (9) warehouses, identified as EU-770 through EU-777 and EU-780, will emit less than ten (10) tons per year for a single HAP and less than twenty-five (25) tons per year for a combination of HAPs. Therefore, 326 IAC 2-4.1 does not apply.

326 IAC 2-6 (Emission Reporting)

Since this source is located in Lawrenceburg Township, Dearborn County, and has a potential to emit NOx and VOC greater than or equal to twenty-five (25) tons per year, an emission statement covering the previous calendar year must be submitted by July 1 of each year. The emission statement shall contain, at a minimum, the information specified in 326 IAC 2-6-4.

326 IAC 2-7-6(5) (Annual Compliance Certification)

The U.S. EPA Federal Register 79 FR 54978 notice does not exempt Title V Permittees from the requirements of 40 CFR 70.6(c)(5)(iv) or 326 IAC 2-7-6(5)(D), but the submittal of the Title V annual compliance certification to IDEM satisfies the requirement to submit the Title V annual compliance certifications to EPA. IDEM does not intend to revise any permits since the requirements of 40 CFR 70.6(c)(5)(iv) or 326 IAC 2-7-6(5)(D) still apply, but Permittees can note on their Title V annual compliance certifications that submission to IDEM has satisfied reporting to EPA per Federal Register 79 FR 54978. This only applies to Title V Permittees and Title V compliance certifications.

326 IAC 6-4 (Fugitive Dust Emissions Limitations)

Pursuant to 326 IAC 6-4 (Fugitive Dust Emissions Limitations), the source 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.

326 IAC 12 (New Source Performance Standards)

See Federal Rule Applicability Section of this TSD.

326 IAC 20 (Hazardous Air Pollutants)

See Federal Rule Applicability Section of this TSD.

Warehouses

326 IAC 8-1-6 (New Facilities; General Reduction Requirements)

The nine (9) warehouses, identified as EU-770 through EU-777 and EU-780, are not subject to the requirements of 326 IAC 8-1-6, because only fugitive VOC emissions are emitted during the whiskey aging process.

326 IAC 8-5-6 (Fuel Grade Ethanol Production at Dry Mills)

The nine (9) warehouses, identified as EU-770 through EU-777 and EU-780, are not subject to the requirements of 326 IAC 8-1-6, because this operation is not a fuel grade ethanol production plant that uses fermentation, distillation, and dehydration to produce ethanol and dried distillers grain and solubles.

Compliance Determination and Monitoring Requirements

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

the permit. The Compliance Determination Requirements in Section D of the permit are those conditions that are found directly within state and federal rules and the violation of which serves as grounds for enforcement action.

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

There are no new or modified compliance requirements included with this modification.

Proposed Changes

The following changes listed below are due to the proposed modification. Deleted language appears as ~~strike through~~ text and new language appears as **bold** text:

(1) IDEM, OAQ has added emission units as a part of this modification in Condition A.2 and Section D.1.

...
A.2 Emission Units and Pollution Control Equipment Summary [326 IAC 2-7-4(c)(3)][326 IAC 2-7-5(14)]

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

- ...
- (gg) **One (1) Warehouse IC, identified as EU-770, constructed in 2014, and exhausting through the building's windows and other openings.**
 - (hh) **One (1) Warehouse K, identified as EU-771, constructed in 2015, and exhausting through the building's windows and other openings.**
 - (ii) **One (1) Warehouse O, identified as EU-772, constructed in 2015, and exhausting through the building's windows and other openings.**
 - (jj) **One (1) Warehouse P, identified as EU-773, constructed in 2015, and exhausting through the building's windows and other openings.**
 - (kk) **One (1) Warehouse Q, identified as EU-774, constructed in 2016, and exhausting through the building's windows and other openings.**
 - (ll) **One (1) Warehouse F, identified as EU-775, constructed in 2016, and exhausting through the building's windows and other openings.**
 - (mm) **One (1) Warehouse H, identified as EU-776, constructed in 2016, and exhausting through the building's windows and other openings.**
 - (nn) **One (1) Warehouse V, identified as EU-777, constructed in 2016, and exhausting through the building's windows and other openings.**
 - (oo) **One (1) Warehouse T, identified as EU-780, approved in 2018 for construction, and exhausting through the building's windows and other openings.**

The nine (9) warehouses, identified as EU-770 through EU-777 and EU-780 have a combined storage capacity of 439,600 barrels.

...
SECTION D.1

FACILITY OPERATION CONDITIONS

Emission Unit Description: Grain Handling, Fermentation, and Distillation

- ...
- (gg) One (1) Warehouse IC, identified as EU-770, constructed in 2014, and exhausting through the building's windows and other openings.**
 - (hh) One (1) Warehouse K, identified as EU-771, constructed in 2015, and exhausting through the building's windows and other openings.**
 - (ii) One (1) Warehouse O, identified as EU-772, constructed in 2015, and exhausting through the building's windows and other openings.**
 - (jj) One (1) Warehouse P, identified as EU-773, constructed in 2015, and exhausting through the building's windows and other openings.**
 - (kk) One (1) Warehouse Q, identified as EU-774, constructed in 2016, and exhausting through the building's windows and other openings.**
 - (ll) One (1) Warehouse F, identified as EU-775, constructed in 2016, and exhausting through the building's windows and other openings.**
 - (mm) One (1) Warehouse H, identified as EU-776, constructed in 2016, and exhausting through the building's windows and other openings.**
 - (nn) One (1) Warehouse V, identified as EU-777, constructed in 2016, and exhausting through the building's windows and other openings.**
 - (oo) One (1) Warehouse T, identified as EU-780, approved in 2018 for construction, and exhausting through the building's windows and other openings.**
- The nine (9) warehouses, identified as EU-770 through EU-777 and EU-780 have a combined storage capacity of 439,600 barrels.**
- ...

Conclusion and Recommendation

Unless otherwise stated, information used in this review was derived from the application and additional information submitted by the applicant. An application for the purposes of this review was received on May 23, 2018.

The construction of this proposed modification shall be subject to the conditions of the attached proposed Part 70 Significant Source Modification No. 029-40029-00005.

The staff recommends to the Commissioner that the Part 70 Significant Source Modification be approved.

IDEM Contact

- (a) Questions regarding this proposed permit can be directed to Andrew Belt at the Indiana Department Environmental Management, Office of Air Quality, Permits Branch, 100 North Senate Avenue, MC 61-53 IGCN 1003, Indianapolis, Indiana 46204-2251 or by telephone at (317) 232-3217 or toll free at 1-800-451-6027, extension 2-3217.
- (b) A copy of the findings is available on the Internet at: <http://www.in.gov/ai/appfiles/idem-caats/>
- (c) For additional information about air permits and how the public and interested parties can participate, refer to the IDEM Air Permits page on the Internet at: <http://www.in.gov/idem/airquality/2356.htm>; and the Citizens' Guide to IDEM on the Internet at: <http://www.in.gov/idem/6900.htm>.

**Appendix A: Emissions Calculations
PTE Summary**

Company Name: MGPI of Indiana, LLC
Source Address: 7 Ridge Avenue, Lawrenceburg, Indiana 47025
Significant Source Modification No.: 029-40029-00005
Administrative Amendment No.: 029-40042-00005
Reviewer: Andrew Belt

Emission Units	Uncontrolled Potential to Emit (tons/yr)							Total HAPs
	PM	PM10	PM2.5	SO2	NOx	VOC	CO	
One (1) pneumatic conveyor, identified as EU-11	189.22	189.22	16.08	-	-	-	-	-
One (1) corn receiving and storage system, identified as EU-12 (Stack S-111)	225.26	225.26	19.15	-	-	-	-	-
One (1) grain transport system, identified as EU-12 (Stack S-112)	20.33	20.33	1.73	-	-	-	-	-
Seven (7) storage bins, collectively identified as EU-13	20.33	20.33	1.73	-	-	-	-	-
Six (6) hammermills, collectively identified as EU-14	90.10	90.10	7.66	-	-	-	-	-
EU-21, which consists of fourteen (14) open fermenters	-	-	-	-	-	7.81	-	0.04
DDGS Storage (EU-34)	29.76	29.76	2.53	-	-	-	-	-
DDGS Rail/Truck Loadout (EU-35/EU-36)	27.18	27.18	2.31	-	-	-	-	-
DDGS Rail/Truck Loader (EU-37/EU-38)	0.27	0.27	0.05	-	-	-	-	-
Twenty-four (24) closed fermenters, collectively identified as EU-22	-	-	-	-	-	57.79	-	0.26
Two (2) beer wells, identified as EU-23 and EU-24	-	-	-	-	-	12.51	-	-
Distillation (EU-20 and EU-25 through EU-29)	-	-	-	-	-	0.09	-	3.43E-03
Four (4) paddle screens, identified as EU-31 and three (3) conveyors, identified as EU-33	-	-	-	-	-	440.00	-	2.00
Five (5) rotary dryers, collectively identified as EU-32	201.04	201.04	201.04	-	-	893.43	-	69.90
One (1) cooler, and one (1) transport system, collectively identified as EU-32	61.22	46.01	8.12	-	-	9.16	-	1.28
One (1) DDG Dryer, identified as EU-39	418.77	418.77	418.77	18.84	27.86	418.77	464.28	39.36
Wet Pad, identified as EU-40	-	-	-	-	-	See Note	-	See Note
One (1) wine room, identified as EU-41	-	-	-	-	-	19.52	-	-
One (1) tank farm, identified as EU-42	-	-	-	-	-	19.01	-	-
EU-43, which consists of Building 88	-	-	-	-	-	4.69	-	-
One (1) mini-tank farm, identified as EU-45	-	-	-	-	-	3.59	-	-
One (1) barrel and emptying operation, identified as EU-61	-	-	-	-	-	12.01	-	-
One (1) steam boiler, identified as EU-96	1.99	7.96	7.96	0.63	293.37	5.76	88.01	1.98
One (1) steam boiler, identified as EU-97 (worst case fuel)	2.85	3.28	2.21	60.77	28.53	1.12	17.17	0.39
One (1) loading rack, identified as EU-46	-	-	-	-	-	6.69	-	0.05
Subtotal Significant Emission Unit	1288.34	1279.53	689.34	80.25	349.76	1,912	569.46	115.2
<i>Insignificant Activities</i>								
Emergency Generator-Diesel	0.28	0.16	0.16	1.62	9.60	0.28	2.20	4.41E-03
Emergency Generator-Natural gas	1.16E-03	1.46E-03	1.46E-03	1.78E-05	0.10	3.63E-03	0.01	2.38E-03
FW Pump-Diesel	0.13	0.13	0.13	0.12	1.82	0.15	0.39	1.59E-03
Pot Still/Blending process, EU-47	0.02	0.02	0.02	-	-	0.16	-	-
Storage tank T-25, EU-48	-	-	-	-	-	0.04	-	-
Storage tank T-26, EU-49	-	-	-	-	-	0.07	-	-
Storage tank T-52, EU-50	-	-	-	-	-	0.67	-	-
Storage tank T-53, EU-50	-	-	-	-	-	0.67	-	-
Storage tank T-54, EU-50	-	-	-	-	-	0.67	-	-
Storage tank T-57, EU-51	-	-	-	-	-	0.81	-	-
Subtotal Insignificant Activities	0.43	0.31	0.31	1.74	11.52	3.51	2.60	8.38E-03
Total	1288.77	1279.84	689.65	81.99	361.28	1915.45	572.07	115.25
<i>Fugitive Emissions</i>								
Paved Roads	2.76	0.55	0.14	-	-	-	-	-
Unpaved Roads	5.60	1.49	0.15	-	-	-	-	-
Leak Fugitives (EU-81)	-	-	-	-	-	128.23	-	-
Warehouses (EU-71 through EU-76)	-	-	-	-	-	1867.41	-	-
Warehouses (EU-770 through EU-777 and EU-780)	-	-	-	-	-	1516.62	-	-

Notes:

This plant is capable of producing both DDGS and MDGS. The emissions from the DDGS production is the worst case scenario. Therefore, the PTE of the wet cake storage is not included in the PTE for the entire source.

**Appendix A: Emissions Calculations
PTE Summary**

Company Name: MGPI of Indiana, LLC
Source Address: 7 Ridge Avenue, Lawrenceburg, Indiana 47025
Significant Source Modification No.: 029-40029-00005
Administrative Amendment No.: 029-40042-00005
Reviewer: Andrew Belt

Emission Units	Potential to Emit After Control (tons/yr)							Total HAPs
	PM	PM10	PM2.5	SO2	NOx	VOC	CO	
One (1) pneumatic conveyor, identified as EU-11	1.89	1.89	0.32	-	-	-	-	-
One (1) corn receiving and storage system, identified as EU-12 (Stack S-111)	2.25	2.25	0.38	-	-	-	-	-
One (1) grain transport system, identified as EU-12 (Stack S-112)	0.20	0.20	0.03	-	-	-	-	-
Seven (7) storage bins, collectively identified as EU-13	0.20	0.20	0.03	-	-	-	-	-
Six (6) hammermills, collectively identified as EU-14	0.90	0.90	0.15	-	-	-	-	-
EU-21, which consists of fourteen (14) open fermenters	-	-	-	-	-	7.81	-	0.04
DDGS Storage (EU-34)	0.30	0.30	0.05	-	-	-	-	-
DDGS Rail/Truck Loadout (EU-35/EU-36)	0.27	0.27	0.05	-	-	-	-	-
DDGS Rail/Truck Loader(EU-37/EU-38)	0.27	0.27	0.05	-	-	-	-	-
Twenty-four (24) closed fermenters, collectively identified as EU-22	-	-	-	-	-	57.79	-	0.26
Two (2) beer wells, identified as EU-23 and EU-24	-	-	-	-	-	12.51	-	-
Distillation (EU-20 and EU-25 through EU-29)	-	-	-	-	-	0.09	-	3.43E-03
Four (4) paddle screens, identified as EU-31 and three (3) conveyors, identified as EU-33	-	-	-	-	-	440.00	-	2.00
Five (5) rotary dryers, collectively identified as EU-32	30.16	30.16	30.16	-	-	893.43	-	69.90
One (1) cooler, and one (1) transport system, collectively identified as EU-32	5.74	3.80	1.81	-	-	9.16	-	1.28
One (1) DDG Dryer, identified as EU-39	8.38	8.38	8.38	18.84	27.86	8.38	46.43	1.18
Wet Pad, identified as EU-40	-	-	-	-	-	See Note	-	-
One (1) wine room, identified as EU-41	-	-	-	-	-	19.52	-	-
One (1) tank farm, identified as EU-42	-	-	-	-	-	19.01	-	-
EU-43, which consists of Building 88	-	-	-	-	-	4.69	-	-
One (1) mini-tank farm, identified as EU-45	-	-	-	-	-	3.59	-	-
One (1) barrel and emptying operation, identified as EU-61	-	-	-	-	-	12.01	-	-
One (1) steam boiler, identified as EU-96	1.99	7.96	7.96	0.63	293.37	5.76	88.01	1.98
One (1) steam boiler, identified as EU-97 (worst case fuel)	2.85	3.28	2.21	60.77	28.53	1.12	17.17	0.39
One (1) loading rack, identified as EU-46	-	-	-	-	-	6.69	-	0.05
Subtotal Significant Emission Unit	55.41	59.87	51.58	80.25	349.76	1,502	151.61	77.07
<i>Insignificant Activities</i>								
Emergency Generator-Diesel	0.28	0.16	0.16	1.62	9.60	0.28	2.20	4.41E-03
Emergency Generator-Natural gas	1.16E-03	1.46E-03	1.46E-03	1.78E-05	0.10	3.63E-03	0.01	2.38E-03
FW Pump-Diesel	0.13	0.13	0.13	0.12	1.82	0.15	0.39	1.59E-03
Pot Still/Blending process, EU-47	0.02	0.02	0.02	-	-	0.16	-	-
Storage tank T-25, EU-48	-	-	-	-	-	0.04	-	-
Storage tank T-26, EU-49	-	-	-	-	-	0.07	-	-
Storage tank T-52, EU-50	-	-	-	-	-	0.67	-	-
Storage tank T-53, EU-50	-	-	-	-	-	0.67	-	-
Storage tank T-54, EU-50	-	-	-	-	-	0.67	-	-
Storage tank T-57, EU-51	-	-	-	-	-	0.81	-	-
Subtotal Insignificant Activities	0.43	0.31	0.31	1.74	11.52	3.51	2.60	8.38E-03
Total	55.84	60.17	51.89	81.99	361.28	1,505.06	154.21	77.08
<i>Fugitive Emissions</i>								
Paved Roads	2.76	0.55	0.14	-	-	-	-	-
Unpaved Roads	5.60	1.49	0.15	-	-	-	-	-
Leak Fugitives (EU-81)	-	-	-	-	-	128.23	-	-
Warehouses (EU-71 through EU-76)	-	-	-	-	-	1867.41	-	-
Warehouses (EU-770 through EU-777 and EU-780)	-	-	-	-	-	1516.62	-	-

Notes:

This plant is capable of producing both DDGS and MDGS. The emissions from the DDGS production is the worst case scenario. Therefore, the PTE of the wet cake storage is not included in the PTE for the entire source.

**Appendix A: Emissions Calculations
PTE Summary**

Company Name: MGPI of Indiana, LLC
Source Address: 7 Ridge Avenue, Lawrenceburg, Indiana 47025
Significant Source Modification No.: 029-40029-00005
Administrative Amendment No.: 029-40042-00005
Reviewer: Andrew Belt

Emission Units	Potential to Emit After Issuance (tons/yr)							Total HAPs
	PM	PM10	PM2.5	SO2	NOx	VOC	CO	
One (1) pneumatic conveyor, identified as EU-11	189.22	189.22	16.08	-	-	-	-	-
One (1) corn receiving and storage system, identified as EU-12 (Stack S-111)	5.26	5.26	19.15	-	-	-	-	-
One (1) grain transport system, identified as EU-12 (Stack S-112)	0.96	0.96	1.73	-	-	-	-	-
Seven (7) storage bins, collectively identified as EU-13	20.33	20.33	1.73	-	-	-	-	-
Six (6) hammermills, collectively identified as EU-14	90.10	90.10	7.66	-	-	-	-	-
EU-21, which consists of fourteen (14) open fermenters	-	-	-	-	-	7.81	-	0.04
DDGS Storage (EU-34)	0.60	0.60	2.53	-	-	-	-	-
DDGS Rail/Truck Loadout (EU-35/EU-36)	1.27	1.27	2.31	-	-	-	-	-
DDGS Rail/Truck Loader(EU-37/EU-38)	5.48	5.48	0.05	-	-	-	-	-
Twenty-four (24) closed fermenters, collectively identified as EU-22	-	-	-	-	-	57.79	-	0.26
Two (2) beer wells, identified as EU-23 and EU-24	-	-	-	-	-	12.51	-	-
Distillation (EU-20 and EU-25 through EU-29)	-	-	-	-	-	0.09	-	3.43E-03
Four (4) paddle screens, identified as EU-31 and three (3) conveyors, identified as EU-33	-	-	-	-	-	440.00	-	2.00
Five (5) rotary dryers, collectively identified as EU-32	19.85	19.85	19.85	-	-	893.43	-	69.90
One (1) cooler, and one (1) transport system, collectively identified as EU-32	7.91	5.01	2.01	-	-	9.16	-	1.28
One (1) DDG Dryer, identified as EU-39	8.38	8.38	8.38	18.84	27.86	8.38	46.43	20.30
Wet Pad, identified as EU-40	-	-	-	-	-	See Note	-	-
One (1) wine room, identified as EU-41	-	-	-	-	-	19.52	-	-
One (1) tank farm, identified as EU-42	-	-	-	-	-	19.01	-	-
EU-43, which consists of Building 88	-	-	-	-	-	4.69	-	-
One (1) mini-tank farm, identified as EU-45	-	-	-	-	-	3.59	-	-
One (1) barrel and emptying operation, identified as EU-61	-	-	-	-	-	12.01	-	-
One (1) steam boiler, identified as EU-96	1.99	7.96	7.96	0.63	293.4	5.76	88.0	1.98
One (1) steam boiler, identified as EU-97 (worst case fuel)	1.98	2.65	1.96	39.77	25.38	0.56	10.42	0.40
One (1) loading rack, identified as EU-46	-	-	-	-	-	6.69	-	0.05
Subtotal Significant Emission Unit	353.31	357.04	91.39	59.25	346.61	1,501	144.86	96.20
<i>Insignificant Activities</i>								
Emergency Generator-Diesel	0.28	0.16	0.16	1.62	9.60	0.28	2.20	4.41E-03
Emergency Generator-Natural gas	1.16E-03	1.46E-03	1.46E-03	1.78E-05	0.10	3.63E-03	0.01	2.38E-03
FW Pump-Diesel	0.13	0.13	0.13	0.12	1.82	0.15	0.39	1.59E-03
Pot Still/Blending process, EU-47	0.02	0.02	0.02	-	-	0.16	-	-
Storage tank T-25, EU-48	-	-	-	-	-	0.04	-	-
Storage tank T-26, EU-49	-	-	-	-	-	0.07	-	-
Storage tank T-52, EU-50	-	-	-	-	-	0.67	-	-
Storage tank T-53, EU-50	-	-	-	-	-	0.67	-	-
Storage tank T-54, EU-50	-	-	-	-	-	0.67	-	-
Storage tank T-57, EU-51	-	-	-	-	-	0.81	-	-
Subtotal Insignificant Activities	0.43	0.31	0.31	1.74	11.5	3.51	2.60	8.38E-03
Total	353.74	357.35	91.69	60.99	358.13	1,504.50	147.46	96.21
<i>Fugitive Emissions</i>								
Paved Roads	2.76	0.55	0.14	-	-	-	-	-
Unpaved Roads	5.60	1.49	0.15	-	-	-	-	-
Leak Fugitives (EU-81)	-	-	-	-	-	128.23	-	-
Warehouses (EU-71 through EU-76)	-	-	-	-	-	1867.41	-	-
Warehouses (EU-770 through EU-777 and EU-780)	-	-	-	-	-	1516.62	-	-

Notes:

This plant is capable of producing both DDGS and MDGS. The emissions from the DDGS production is the worst case scenario. Therefore, the PTE of the wet cake storage is not included in the PTE for the entire source.

Appendix A: Emissions Calculations
Summary of HAP Emissions

Company Name: MGPI of Indiana, LLC
Source Address: 7 Ridge Avenue, Lawrenceburg, Indiana 47025
Significant Source Modification No.: 029-40029-00005
Administrative Amendment No.: 029-40042-00005
Reviewer: Andrew Belt

Significant Emission Units	Benzene ton/yr	Dichlorobenzene ton/yr	Formaldehyde ton/yr	Hexane ton/yr	Toluene ton/yr	Lead ton/yr	Cadmium ton/yr	Chromium ton/yr	Manganese ton/yr	Nickel ton/yr	Acetaldehyde ton/yr	Propionaldehyde ton/yr	Methanol ton/yr	Acrolein ton/yr	PAH ton/yr	1,3-Butadiene ton/yr	Xylene ton/yr	Total HAP ton/yr
One (1) pneumatic conveyor, identified as EU-11	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0.00
One (1) corn receiving and storage system, identified as EU-12	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0.00
Seven (7) storage bins, collectively identified as EU-13	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0.00
Six (6) hammermills, collectively identified as EU-14	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0.00
EU-21, which consists of fourteen (14) open fermenters	-	-	1.04E-03	-	-	-	-	-	-	-	3.14E-02	2.09E-03	1.04E-03	-	-	-	-	0.04
Silos, surge hopper, and transport system; EU-34 through EU-36	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0.00
Twenty-four (24) closed fermenters, collectively identified as EU-22	-	-	7.69E-03	-	-	-	-	-	-	-	0.23	1.54E-02	7.69E-03	-	-	-	-	0.26
Two (2) beer wells, identified as EU-23 and EU-24	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0
Distillation (EU-20 and EU-25 through EU-29)	-	-	2.04E-04	-	-	-	-	-	-	-	2.81E-03	2.04E-04	2.04E-04	-	-	-	-	3.43E-03
Four (4) paddle screens, identified as EU-31 and three (3) conveyors, identified as EU-33	-	-	5.84E-02	-	-	-	-	-	-	-	1.77	0.12	5.84E-02	-	-	-	-	2.00
Five (5) rotary dryers, collectively identified as EU-32	-	-	0.32	-	-	-	-	-	-	-	55.24	-	11.05	3.28	-	-	-	69.90
One (1) cooler, and one (1) transport system, collectively identified as EU-32	-	-	0.43	-	-	-	-	-	-	-	0.69	-	0.15	1.37E-02	-	-	-	1.28
One (1) DDG Dryer, identified as EU-39	4.78E-04	2.73E-04	12.98	0.41	7.74E-04	1.14E-04	2.50E-04	3.19E-04	8.65E-05	4.78E-04	20.94	-	4.61	0.42	-	-	-	39.36
Wet Pad, identified as EU-40	See Note																	-
One (1) rail car loader and one (1) truck loader, identified as EU-37 and EU-38	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0.00
One (1) wine room, identified as EU-41	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0.00
One (1) tank farm, identified as EU-42	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0.00
EU-43, which consists of Building 88	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0.00
One (1) mini-tank farm, identified as EU-45	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0.00
One (1) barrel and emptying operation, identified as EU-61	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0.00
One (1) steam boiler, identified as EU-96	2.20E-03	1.26E-03	7.86E-02	1.89	3.56E-03	5.24E-04	1.15E-03	1.47E-03	3.98E-04	2.20E-03	-	-	-	-	-	-	-	1.98
One (1) steam boiler, identified as EU-97 (worst case fuel)	4.29E-04	2.45E-04	1.53E-02	0.37	6.95E-04	1.80E-03	5.99E-04	5.99E-04	1.20E-03	5.99E-04	-	-	-	-	-	-	-	0.39
One (1) loading rack, identified as EU-46	-	-	6.69E-03	-	-	-	-	-	-	-	6.69E-03	-	3.34E-02	-	-	-	-	0.05
Subtotal Significant Emission Unit	3.11E-03	1.78E-03	13.90	2.66	5.03E-03	2.44E-03	2.00E-03	2.38E-03	1.68E-03	3.28E-03	78.9	0.14	15.91	3.71	0	0	0	115.25
Emergency Generator-Diesel	2.17E-03	-	2.21E-04	-	7.87E-04	-	-	-	-	-	7.06E-05	-	-	2.21E-05	5.94E-04	-	5.40E-04	4.41E-03
Emergency Generator-Natural gas	5.87E-05	-	1.67E-03	1.35E-05	2.91E-05	-	-	-	-	-	2.35E-04	-	7.50E-05	2.35E-04	4.05E-06	2.48E-05	-	2.35E-03
FW Pump-Diesel	3.84E-04	-	4.85E-04	-	1.68E-04	-	-	-	-	-	3.15E-04	-	-	3.80E-05	6.91E-05	1.61E-05	1.17E-04	1.59E-03
Pot Still/Blending process, EU-47	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0.00
Storage tank T-25, EU-48	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0.00
Storage tank T-26, EU-49	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0.00
Storage tank T-52, EU-50	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0.00
Storage tank T-53, EU-50	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0.00
Storage tank T-54, EU-50	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0.00
Storage tank T-57, EU-51	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0.00
Subtotal Insignificant Activities	2.62E-03	0	2.38E-03	1.35E-05	9.84E-04	0	0	0	0	0	6.21E-04	0	7.50E-05	2.95E-04	6.67E-04	2.48E-05	6.58E-04	8.33E-03
Fugitive Emissions	-	-	0.13	-	-	-	-	-	-	-	0.13	-	0.64	-	-	-	-	0.90
Total	5.72E-03	1.78E-03	14.03	2.66	6.02E-03	2.44E-03	2.00E-03	2.38E-03	1.68E-03	3.28E-03	79.0	0.14	16.55	3.71	6.67E-04	2.48E-05	6.58E-04	116.16

Note: This plant is capable to produce both DDGS and MDGS. The emissions from the DDGS production is the worst case scenario. Therefore, the PTE of the wet cake storage is not included in the PTE for the entire source.

**TSD Appendix A: Emissions Calculations
Modification Summary**

Company Name: MGPI of Indiana, LLC
Source Address: 7 Ridge Avenue, Lawrenceburg, Indiana 47025
Significant Source Modification No.: 029-40029-00005
Administrative Amendment No.: 029-40042-00005
Reviewer: Andrew Belt

Process Description	Uncontrolled Potential to Emit (PTE)								
	Criteria Pollutants							Hazardous Air Pollutants	
	PM (tons/yr)	PM10 (tons/yr)	PM2.5 (tons/yr)	SO2 (tons/yr)	NOx (tons/yr)	VOC (tons/yr)	CO (tons/yr)	Total HAPs (tons/yr)	Highest Single HAP (tons/yr)
Warehouse IC (EU-770)	-	-	-	-	-	1240.62	-	-	-
Warehouse K (EU-771)	-	-	-	-	-		-	-	-
Warehouse O (EU-772)	-	-	-	-	-		-	-	-
Warehouse P (EU-773)	-	-	-	-	-		-	-	-
Warehouse Q (EU-774)	-	-	-	-	-		-	-	-
Warehouse F (EU-775)	-	-	-	-	-		-	-	-
Warehouse H (EU-776)	-	-	-	-	-		-	-	-
Warehouse V (EU-777)	-	-	-	-	-		-	-	-
Warehouse T (EU-780)	-	-	-	-	-	276.00	-	-	-
Paved Roads	2.76	0.55	0.14	-	-	-	-	-	-
Unpaved Roads	5.60	1.49	0.15	-	-	-	-	-	-
Total:	8.35	2.04	0.28	0.00	0.00	1516.62	0.00	0.00	0.00
Significant Levels	25	15	10	40	40	40	100	NA	NA

All emissions from this modification are fugitive.

**Appendix A: Emissions Calculations
Storage Tanks 52-54 and 57**

Company Name: MGPI of Indiana, LLC

Source Address: 7 Ridge Avenue, Lawrenceburg, Indiana 47025

Significant Source Modification No.: 029-40029-00005

Administrative Amendment No.: 029-40042-00005

Reviewer: Andrew Belt

Emissions Unit	ID	Capacity (gallons)	Emission Factor ¹ (lb/1,000 gal)	VOC Working Losses ²		VOC Breathing Losses ²		Total VOC Potential to Emit	
				(lb/hr)	(lb/yr)	(lb/hr)	(lb/yr)	(lb/hr)	(tons/yr)
EU-50	T-52	33540	0.78	0.13	1134.02	0.02	199.16	0.15	0.67
	T-53	33540	0.78	0.13	1134.02	0.02	199.16	0.15	0.67
	T-54	33540	0.78	0.13	1134.02	0.02	199.16	0.15	0.67
EU-51	T-57	59641	1.15	0.14	1253.42	0.04	366.37	0.18	0.81
Total									2.81

Notes:

- Derivation of emission factors claimed as confidential business information*
- VOC working and breathing losses determined by the source using U.S. EPA TANKS software program and data claimed as confidential business information,*

Methodology

VOC Losses (lb/yr) = VOC Losses (lb/hr) x 8,760 (hr/yr)

Total VOC PTE (lb/hr) = VOC Working Losses (lb/hr) + VOC Breathing Losses (lb/hr)

Total VOC PTE (tons/yr) = Total VOC PTE (lb/hr) x 8.760 (hr/yr) / 2,000 (lb/ton)

**Appendix A: Emissions Calculations
Grain Handling**

Company Name: MGPI of Indiana, LLC
Source Address: 7 Ridge Avenue, Lawrenceburg, Indiana 47025
Significant Source Modification No.: 029-40029-00005
Administrative Amendment No.: 029-40042-00005
Reviewer: Andrew Belt

Stack ID	Process Description	Control Device	Outlet Grain Loading (gr/dscf)	Maximum Air Flow Rate (scfm)	PTE of PM/PM10 after Control* (lb/hr)	PTE of PM/PM10 after Control (ton/yr)	PTE of PM2.5 after Control** (lb/hr)	PTE of PM2.5 after Control (ton/yr)	PM/PM10 Control Efficiency	PM2.5 Control Efficiency	PTE of PM/PM10 before Control (ton/yr)	PTE of PM2.5 before Control (ton/yr)	Limited PTE PM (lb/hr)	Limited PTE PM10 (lb/hr)	Limited PTE PM2.5 (lb/hr)	Limited PTE PM (ton/yr)	Limited PTE PM10 (ton/yr)
S-103	Grain Receiving and pneumatic conveyor EU-11	Baghouse	0.004	12,600	0.43	1.89	0.07	0.32	99%	98%	189.2	16.1					
S-111	Corn Receiving and storage system EU-12	Baghouse	0.004	15,000	0.51	2.25	0.09	0.38	99%	98%	225.3	19.1	1.20	1.20	1.20	5.26	5.26
S-112	Grain Transport system EU-12	Baghouse	0.004	1,354	0.05	0.20	0.01	0.03	99%	98%	20.3	1.73	0.219	0.219	0.219	0.96	0.96
inside	Storage: (7) Grain Storage Silos (EU-13)	Baghouse	0.004	1,354	0.05	0.20	0.01	0.03	99%	98%	20.3	1.73					
S-104	(6) Hammermills and hopper (EU-14)	Baghouse	0.004	6,000	0.21	0.90	0.03	0.15	99%	98%	90.1	7.66					
DDGS Storage (EU-34)																	
S-341	Storage silo	Baghouse	0.004	905	0.03	0.14	0.01	0.02	99%	98%	13.6	1.16	0.136	0.136	0.136	0.60	0.60
S-342	Storage silo	Baghouse	0.004	905	0.03	0.14	0.01	0.02	99%	98%	13.6	1.16					
S-343	Surge Hopper	Baghouse	0.004	86	0.00	0.01	0.00	0.00	99%	98%	1.3	0.11					
S-344	Surge Hopper	Baghouse	0.004	86	0.00	0.01	0.00	0.00	99%	98%	1.3	0.11					
S-350	DDGS Rail Loadout (EU-35)	Baghouse	0.004	905	0.03	0.14	0.01	0.02	99%	98%	13.6	1.16	0.289	0.289	0.289	1.27	1.27
S-360	DDGS Truck Loadout (EU-36)	Baghouse	0.004	905	0.03	0.14	0.01	0.02	99%	98%	13.6	1.16					
S-370	DDGS Rail Car Loader (EU-37)	None	0.004	905	0.03	0.14	0.01	0.02	0%	0%	0.14	0.02	1.25	1.25	1.25	5.48	5.48
S-380	DDGS Truck Loader (EU-38)	None	0.004	905	0.03	0.14	0.01	0.02	0%	0%	0.14	0.02					
Total					1.4	6.3	0.2	1.1	10.9	10.8	602.5	51.2	3.1	3.1	3.1	13.6	13.6

*Assume all PM emissions equal PM10 emissions.

** Assume controlled PM2.5 emissions equal 17% PM/PM10 emissions (AP-42 Table 9.9.1-1 Reference 40).

Methodology:

outlet grain loading (gr/dscf) provided by source with maximum air flow rate (scfm)

PTE of PM/PM10 after Control (lb/hr) = Outlet Grain Loading (gr/dscf) x Max. Air Flow Rate (scfm) x (60 min/hr) x (1 lb/7000 gr)

PTE of PM/PM10 after Control (ton/yr) = Outlet Grain Loading (gr/dscf) x Max. Air Flow Rate (scfm) x (60 min/hr) x (1 lb/7000 gr) x (8760 hr/yr) x (1 ton/2000 lb)

PTE before Control (ton/yr) = PTE after Control (ton/yr) / (1-Control Efficiency)

PM2.5 Control Efficiency is assumed to be less than the PM/PM10 Control Efficiency.

Appendix A: Emissions Calculations
VOC Emissions from Distillation and Beer Wells

Company Name: MGPI of Indiana, LLC
Source Address: 7 Ridge Avenue, Lawrenceburg, Indiana 47025
Significant Source Modification No.: 029-40029-00005
Administrative Amendment No.: 029-40042-00005
Reviewer: Andrew Belt

EU-20, 25-29 Distillation

Potential to Emit (PTE) of VOC:

Maximum Usage (gal/hr)	VOC Emission Factor (lb/1000 gal)	VOC Emission rate (lb/hr)	VOC Emission rate (ton/yr)
31,221	0.000679	0.02	0.1

Methodology:

Emission factor is based on facility information and furnished by source.

Emission Rate (lb/hr) = Usage (gal/hr)/1,000 x EF (lb/1,000 gal)

Emission Rate (ton/yr) = Emission Rate (lb/hr) x 8,760 hr/yr / 2,000 lb/ton

EU-20, EU25- EU-29 Distillation Operations

VOC (lb/hr) = 0.02

Uncontrolled PTE	Distillation	
	lb HAPs/lb VOC	ton/yr
Acetaldehyde	3.03E-02	2.81E-03
Propionaldehyde	2.20E-03	2.04E-04
Methanol	2.20E-03	2.04E-04
Formaldehyde	2.20E-03	2.04E-04
Total Uncontrolled HAP		3.43E-03

Methodology:

lb HAPs/lb VOC emission factors are from uncontrolled distillation in Permit No. T133-31145-00003

HAP (ton/yr) = E.F. (lb HAPs/lb VOC) x VOC (lb/hr) x 8760 (hrs/yr) x 1/2000 (ton/lb)

EU-23 and EU-24 Beer Wells #3 and #1

Maximum Usage 1,050 1,000 bu/hr

Pollutant	(lb/1,000 bu)	(lb/yr)	(ton/yr)
VOC	2.72	2.86	12.5

Methodology:

Emission factor is based on facility information and furnished by source.

Emission rate (lb/hr) = Maximum usage (1,000 bu/hr) x EF (lb / 1,000 bu)

Emission Rate (lb/hr) = Emission Rate (ton/yr) x 2,000 lb/ton / 8,760 hr/yr

EU-21 Open Fermentation

Potential to Emit (PTE) of VOC from Open Fermentation:

Maximum Usage 1,095,000 bu/yr

Pollutant	Emission Factor (lb/1,000 bu)	VOC Emission rate (lb/yr)	VOC Emission rate (ton/yr)	VOC Emission rate (lb/hr)
Ethanol	14.2	15,549	7.77	1.78
Ethyl Acetate	0.046	50	0.03	0.006
Isoamyl Alcohol	0.013	14	0.007	0.002
Isobutyl Alcohol	0.004	4	0.002	0.0005
Total VOC	14.3		7.81	1.78

Methodology:

Emission Factors taken from AP-42, Table 9.12.3-1

Emission Rate (ton/yr) = Usage (bu/yr)/1,000 x Emission Factor (lb/1,000 bu) / 2,000 lb/ton

Emission Rate (lb/hr) = Emission Rate (ton/yr) x 2,000 lb/ton / 8,760 hr/yr

Appendix A: Emissions Calculations
VOC Emissions from Distillation and Beer Wells

Company Name: MGPI of Indiana, LLC
Source Address: 7 Ridge Avenue, Lawrenceburg, Indiana 47025
Significant Source Modification No.: 029-40029-00005
Administrative Amendment No.: 029-40042-00005
Reviewer: Andrew Belt

Potential to Emit (PTE) of HAP from Open Fermentation:

VOC (lb/hr) = 1.78

Uncontrolled PTE	Open Fermentation	
	lb HAPs/lb VOC	ton/yr
Acetaldehyde	4.02E-03	3.14E-02
Propionaldehyde	2.67E-04	2.09E-03
Methanol	1.33E-04	1.04E-03
Formaldehyde	1.33E-04	1.04E-03
Total Uncontrolled HAP		0.04

Methodology:

lb HAPs/lb VOC emission factors are from uncontrolled distillation in Permit No. T133-31145-00003
HAP (ton/yr) = E.F. (lb HAPs/lb VOC) x VOC (lb/hr) x 8760 (hrs/yr) x 1/2000 (ton/lb)

EU-22 Closed Fermentation

Potential to Emit (PTE) of VOC Closed Fermentation:

Maximum Usage 8,103,000 bu/yr

Pollutant	(lb/1,000 bu)	(lb/yr)	(ton/yr)	(lb/hr)
Ethanol	14.2	115,063	57.53	13.14
Ethyl Acetate	0.046	373	0.19	0.04
Isoamyl Alcohol	0.013	105	0.05	0.01
Isobutyl Alcohol	0.004	32	0.02	0.004
Uncontrolled VOC	14.263		57.8	13.2

Methodology:

Emission Factors taken from AP-42, Table 9.12.3-1
Emission Rate (ton/yr) = Usage (bu/yr)/1,000 x Emission Factor (lb/1,000 bu) / 2,000 lb/ton
Emission Rate (lb/hr) = Emission Rate (ton/yr) x 2,000 lb/ton / 8,760 hr/yr

Potential to Emit (PTE) of HAP from Closed Fermentation:

VOC (lb/hr) = 13.19

Uncontrolled PTE	Closed Fermentation	
	lb HAPs/lb VOC	ton/yr
Acetaldehyde	4.02E-03	2.32E-01
Propionaldehyde	2.67E-04	1.54E-02
Methanol	1.33E-04	7.69E-03
Formaldehyde	1.33E-04	7.69E-03
Total Uncontrolled HAP		0.26

Methodology:

lb HAPs/lb VOC emission factors are from uncontrolled distillation in Permit No. T133-31145-00003
HAP (ton/yr) = E.F. (lb HAPs/lb VOC) x VOC (lb/hr) x 8760 (hrs/yr) x 1/2000 (ton/lb)

**Appendix A: Emissions Calculations
Summary of Emissions**

Company Name: MGPI of Indiana, LLC
Source Address: 7 Ridge Avenue, Lawrenceburg, Indiana 47025
Significant Source Modification No.: 029-40029-00005
Administrative Amendment No.: 029-40042-00005
Reviewer: Andrew Belt

EU-31 and EU-33 Paddle Screens/ Conveyors

Source	Max Usage (gal/hr)	VOC Emission Factor* (lb/1,000 gal)	VOC Emission rate (lb/hr)	VOC Emission rate (ton/yr)
Spirits System	20,859	3.4	70.92	311
Whisky System	4,319	6.8	29.37	129
Total:			100	440

Methodology:

Emission Rate = Maximum Usage (gal/hr)/1,000 x VOC Emission factor (lb/1,000 gal)
 * Spirits System analysis of stillage based on 0.05% alcohol concentration.
 *Whisky System analysis of stillage based on 0.1% alcohol concentration.

VOC (lb/hr) = 100.29

Uncontrolled PTE	Stillage	
	lb HAPs/lb VOC	ton/yr
Acetaldehyde	4.02E-03	1.77
Propionaldehyde	2.67E-04	1.17E-01
Methanol	1.33E-04	5.84E-02
Formaldehyde	1.33E-04	5.84E-02
Total Uncontrolled HAP		2.00

Methodology:

lb HAPs/lb VOC emission factors are from uncontrolled distillation in Permit No. T133-31145-00003 and derived from the mash scrubber emissions
 HAP (ton/yr) = E.F. (lb HAPs/lb VOC) x VOC (lb/hr) x 8760 (hrs/yr) x 1/2000 (ton/lb)

Appendix A: Emissions Calculations
Five (5) rotary dryers

Company Name: MGPI of Indiana, LLC
Source Address: 7 Ridge Avenue, Lawrenceburg, Indiana 47025
Significant Source Modification No.: 029-40029-00005
Administrative Amendment No.: 029-40042-00005
Reviewer: Andrew Belt

EU-32 Rotary Dryers

Maximum Usage: 25.5 ton/hr Limited Usage: 147,000 ton/yr

	Controlled Emission Factor (lb/ton)	Controlled Emissions (lb/hr)	Controlled Emissions (ton/yr)	Uncontrolled Emissions (lb/hr)	Uncontrolled Emissions (ton/yr)	Limited Emissions (ton/yr)
PM	0.27	6.885	30.2	45.90	201.0	19.85
PM10	0.27	6.885	30.2	45.90	201.0	19.85
PM2.5	0.27	6.885	30.2	45.90	201.0	19.85

Methodology:

Controlled emission Factor from AP-42, Table 9.9.7-1

Controlled Emissions (ton/yr) = Usage (ton/yr) x EF (lb/ton) x 8,760 hr/yr / 2,000 lb/ton

Uncontrolled emissions estimated based on an 85% control efficiency for controlled emissions.

PM2.5 emissions conservatively assumed to be equal to PM10 emissions.

VOC Emissions from the Dryers

Dryer Feed Rate (ton/hr)	Water Content (% by wt)	VOC Content of Water (lb VOC/lb water)	Potential VOC from Dryers (lb/hr)	Potential VOCs from Dryers (ton/yr)
25.5	66.66%	0.006	204.0	893.4

Methodology

Potential VOC Emissions from Dryers (lb/hr) = Dryer Feed Rate (25.5 ton/hr) x Water Content of Feed (% by wt) x (lb VOC/lb water) x (2000 lb/1 ton)

Potential VOC Emissions from Dryers (ton/yr) = Potential VOC Emissions from Dryers (lb/hr) x (8760 hr/yr) x (1 ton/2000 lb)

HAP Emissions from the Dryers

HAP	HAP % (by wt of VOC)	Potential HAP from Dryers (lb/hr)	Potential HAP from Dryers (ton/yr)
Acetaldehyde	6.18%	12.61	55.24
Acrolein	0.37%	0.75	3.28
Methanol	1.24%	2.52	11.05
Formaldehyde	0.04%	0.07	0.32
Total			69.9

Note: HAP emission rates based on performance tests at similar facilities.

Methodology

Potential HAP Emissions from Dryers (lb/hr) = Potential VOC emissions from dryer (lb/hr) x HAP % by wt of VOC

Potential HAP Emissions from Dryers (ton/yr) = Potential HAP Emissions from Dryers (lb/hr) x (8760 hr/yr) x (1 ton/2000 lb)

**Appendix A: Emissions Calculations
DDG Cooler and Transport System Emission Estimates**

Company Name: MGPI of Indiana, LLC
Source Address: 7 Ridge Avenue, Lawrenceburg, Indiana 47025
Significant Source Modification No.: 029-40029-00005
Administrative Amendment No.: 029-40042-00005
Reviewer: Andrew Belt

Emission Unit	Emission Point	Description	Uncontrolled PM Emission Factor	Uncontrolled PM ₁₀ Emission Factor	Uncontrolled PM _{2.5} Emission Factor	DDG throughput		Uncontrolled PM Emission Rate		Uncontrolled PM ₁₀ Emission Rate		Uncontrolled PM _{2.5} Emission Rate		Controlled PM Emission Rate		Controlled PM ₁₀ Emission Rate		Controlled PM _{2.5} Emission Rate		
			(lb/ton)	(lb/ton)	(lb/ton)	(ton/hr)	(ton/yr)	(lb/hr)	(ton/yr)	(lb/hr)	(ton/yr)	(lb/hr)	(ton/yr)	(lb/hr)	(ton/yr)	(lb/hr)	(ton/yr)	(lb/hr)	(ton/yr)	(lb/hr)
EU-32	4 Screw Conveyors, 2 Drag Conveyors, 3 Product Conveyors, 1 K-Valve	Grain Conveying	0.061	0.034	0.0058	9.56	83,754	0.58	2.55	0.33	1.42	0.06	0.24	0.09	0.38	0.05	0.21	0.01	0.04	
	Drum Cooler	Grain Conveying	0.061	0.034	0.0058			0.58	2.55	0.33	1.42	0.06	0.24	0.58	2.55	0.33	1.42	0.06	0.24	
Totals									1.17	5.11	0.65	2.85	0.11	0.49	0.67	2.94	0.37	1.64	0.06	0.28

Emission Unit	Emission Point	Description	Controlled PM Emission Factor	Controlled PM ₁₀ Emission Factor	Controlled PM _{2.5} Emission Factor	DDG throughput		Controlled PM Emission Rate		Controlled PM ₁₀ Emission Rate		Controlled PM _{2.5} Emission Rate		Uncontrolled PM Emission Rate		Uncontrolled PM ₁₀ Emission Rate		Uncontrolled PM _{2.5} Emission Rate		
			(lb/ton)	(lb/ton)	(lb/ton)	(ton/hr)	(ton/yr)	(lb/hr)	(ton/yr)	(lb/hr)	(ton/yr)	(lb/hr)	(ton/yr)	(lb/hr)	(ton/yr)	(lb/hr)	(ton/yr)	(lb/hr)	(ton/yr)	(lb/hr)
EU-32	Hammer Mill	Hammer Milling ^(a)	0.067	0.052	0.036	9.56	83,754	0.64	2.81	0.49	2.16	0.35	1.53	12.81	56.12	9.86	43.17	1.74	7.64	
Totals									0.64	2.81	0.49	2.16	0.35	1.53	12.81	56.12	9.86	43.17	1.74	7.64

Emission Unit	Emission Point	Description	Limited PM Emission Rate		Limited PM ₁₀ Emission Rate		Limited PM _{2.5} Emission Rate	
			(lb/hr)	(ton/yr)	(lb/hr)	(ton/yr)	(lb/hr)	(ton/yr)
EU-32	4 Screw Conveyors, 2 Drag Conveyors, 3 Product Conveyors, 1 K-Valve	Grain Conveying	0.58	2.55	0.33	1.42	0.06	0.24
		Drum Cooler	0.58	2.55	0.33	1.42	0.06	0.24
EU-32	Hammer Mill	Hammer Milling ^(b)	0.64	2.81	0.49	2.16	0.35	1.53
Totals			1.81	7.91	1.14	5.01	0.46	2.01

Methodology:

- (a) Factors taken from AP-42, Fifth Edition, Volume 1, Section 9.9.1 (Grain Elevators and Processes).
Controlled milling factor is taken from AP-42, Table 9.9.1-1, which accounts for cyclone controls in place on DDG cooling system. Uncontrolled emissions for hammermill is calculated assuming that the cyclone achieves 80% PM_{2.5} control and 85% PM_{PM10} control.
- (b) As recommended by AP-42 Appendix B.2, Table B.2.2 for Category 7 - "Grain Processing" on Page 17, the particle size distribution for PM₁₀ is 61% of Total PM and for PM_{2.5} is 23% of Total PM for uncontrolled emissions. Additionally, AP-42 Appendix B.2, Table B.2.3 "Typical Collection Efficiencies of Various Particulate Control Devices" states that for high efficiency centrifugal collectors, the collection efficiency is 80% for PM_{2.5} and 95% for PM₁₀. The size distribution of controlled PM emissions is calculated as presented below.

PM Size Range	Uncontrolled wt%	Collection Efficiency	Controlled Wt	Controlled wt%
PM _{2.5}	23%	80%	0.046	54%
PM _{2.5} to PM ₁₀	38%	95%	0.019	22%
PM ₁₀ and higher	39%	95%	0.0195	23%
	1		0.0845	

Overall control: 91.6%

(c) Methodology:

- Uncontrolled PTE (lb/hr) = [Uncontrolled Emission Factor (lb/ton DDG) x Production Rate (ton/hr)]
- Uncontrolled PTE (ton/yr) = [Uncontrolled Emission Factor (lb/ton DDG) x Production Rate (ton/yr) / 2,000 lb/ton]
- Controlled PTE Hammermill (lb/hr) = [Controlled Emission Factor (lb/ton DDG) x Production Rate (ton/hr)]
- Controlled PTE Hammermill (ton/yr) = [Controlled Emission Factor (lb/ton DDG) x Production Rate (ton/yr) / 2,000 lb/ton]
- Uncontrolled PTE PM_{2.5} Hammermill (lb/hr) = Controlled PTE Hammermill (lb/hr) / (1 - 80%)
- Uncontrolled PTE PM_{PM10} Hammermill (lb/hr) = Controlled PTE Hammermill (lb/hr) / (1 - 95%)
- Uncontrolled PTE PM_{2.5} Hammermill (ton/yr) = Controlled PTE Hammermill (ton/yr) / (1 - 80%)
- Uncontrolled PTE PM_{PM10} Hammermill (ton/yr) = Controlled PTE Hammermill (ton/yr) / (1 - 95%)

**Appendix A: Emissions Calculations
DDG Cooler and Transport System Emission Estimates**

Company Name: MGPI of Indiana, LLC
Source Address: 7 Ridge Avenue, Lawrenceburg, Indiana 47025
Significant Source Modification No.: 029-40029-00005
Administrative Amendment No.: 029-40042-00005
Reviewer: Andrew Belt

Emission Unit	Emission Point	Description	Uncontrolled Emission Factors ^(a)		0.219 lb/ton DDG		0.016 lbs/ton DDG		0.00033 lbs/ton DDG		0.010 lbs/ton DDG		0.0036 lbs/ton DDG		Total HAP Emissions	
			DDG throughput		VOC		Acetaldehyde		Acrolein		Formaldehyde		Methanol			
			(ton/hr)	(ton/yr)	(lb/hr)	(ton/yr)	(lb/hr)	(ton/yr)	(lb/hr)	(ton/yr)	(lb/hr)	(ton/yr)	(lb/hr)	(ton/yr)	(lb/hr)	(ton/yr)
EU-32	Drum Cooler	Cooling Drum Apparatus	10	83,754	2.09	9.16	0.16	0.69	0.0031	0.014	0.10	0.43	0.034	0.15	0.292	1.28
	Existing Screw Conveyor	Grain Conveying														
	New 3 Screw Conveyors, 2 Drag Conveyors, 3 Product Conveyors, 1 K-Valve	Grain Conveying														
	Existing Hammer Mill and Cyclone	Hammer Milling														

Methodology:

(a) VOC emission factor for DDG cooling taken from a similar operation permitted in Indiana under Permit #T169-31191-00068 (POET Biorefining - North Manchester). HAP emission factors are derived as a percentage of the VOC emission factor presented, assuming that individual HAPs are emitted in the same proportion from cooling as from the drying emissions provided in PTE calculations for DDG Dryer EU-39.

(b) Methodology :

Emission rate (lb/hr) = DDG Throughput (ton/hr) X DDG Cooling Emission factor (lb/ton)
 Emission rate (ton/yr) = DDG Throughput (ton/yr) X DDG Cooling Emission factor (lb/ton) x ton/2,000 lb

Dryer emissions

	tpy from Drying	% of VOC
VOC	8.38	-
Acetaldehyde	0.63	7.50%
Acrolein	0.01	0.15%
Formaldehyde	0.39	4.65%
Methanol	0.14	1.65%

Other DDG Cooler Emission Factors

POET Biorefining - N Manchester
 5.685 lb VOC/hr From June 2004 testing at POET-Biorefining Jewell (IA)
 26 ton DDG/hr
 0.218653846 lb VOC / ton DDG

**Appendix B: Emissions Calculations
DDG Dryer (EU-39)**

Company Name: MGPI of Indiana, LLC
Source Address: 7 Ridge Avenue, Lawrenceburg, Indiana 47025
Significant Source Modification No.: 029-40029-00005
Administrative Amendment No.: 029-40042-00005
Reviewer: Andrew Belt

Combustion Source	Hourly MMBtu/hr	Annual MMBtu/yr	Heat Content (Btu/scf)	Fuel Usage (MMcf/yr)
Direct-fired Dryer Heat Input Capacity ^(a)	45	394,200	1,020	386.47
RTO Heat Input Capacity ^(a)	8	70,080	1,020	68.71
Total Heat Input Capacity	53	464,280		455.18

Production Capacity	ton/hr	ton/yr
Short-term Distiller's Dry Grain (DDG) Production ^(b)	9.6	83,754

Control Efficiency For Criteria Emissions (% Removal) ^(c)	Pollutant	Control Efficiency
	HAPs	97%
	VOC	98%
	CO	90%
	PM/PM ₁₀ /PM _{2.5}	98%

Emissions From DDG Drying (EU-39)	Pollutant	NOx		CO		SO ₂		VOC		PM		PM ₁₀		PM _{2.5}	
	Uncontrolled Emission Factor	0.12		2.0		0.45		10.0		10.0		10.0		10.0	
	Units	lbs/hr	tpy	lbs/hr	tpy	lbs/hr	tpy	lbs/hr	tpy	lbs/hr	tpy	lbs/hr	tpy	lbs/hr	tpy
Uncontrolled PTE		6.36	27.86	106.00	464.28	4.30	18.84	95.61	418.77	95.61	418.77	95.61	418.77	95.61	418.77
Controlled PTE		-	-	10.60	46.43	-	-	1.91	8.38	1.91	8.38	1.91	8.38	1.91	8.38
Limited PTE		6.36	27.86	10.60	46.43	4.30	18.84	1.91	8.38	1.91	8.38	1.91	8.38	1.91	8.38

HAP Emissions From DDG Drying (EU-39)	Pollutant	Acetaldehyde		Formaldehyde		Acrolein		Methanol		Total HAP (from Natural Gas Combustion)		Total HAP Emissions ^(e)	
	Uncontrolled Emission Factor	0.5		0.31		0.01		0.11		See Below			
	Units	lbs/hr	tpy	lbs/hr	tpy	lbs/hr	tpy	lbs/hr	tpy	lbs/hr	tpy	lbs/hr	tpy
Uncontrolled PTE		4.78	20.94	2.96	12.98	0.10	0.42	1.05	4.61	0.09	0.41	8.99	39.36
Controlled PTE		0.14	0.63	0.09	0.39	0.00	0.01	0.03	0.14	2.82E-03	0.01	0.27	1.18
Limited PTE		1.91	8.38	1.48	6.49	0.10	0.42	1.05	4.61	0.09	0.41	8.99	20.30

Combustion HAPs - Organics						
Emission Factor in lb/MMcf	Benzene 2.1E-03	Dichlorobenzene 1.2E-03	Formaldehyde Included Above	Hexane 1.8E+00	Toluene 3.4E-03	Total - Organics
Potential Emission in tons/yr	4.779E-04	2.731E-04		4.097E-01	7.738E-04	4.112E-01

Combustion HAPs - Metals						
Emission Factor in lb/MMcf	Lead 5.0E-04	Cadmium 1.1E-03	Chromium 1.4E-03	Manganese 3.8E-04	Nickel 2.1E-03	Total - Metals
Potential Emission in tons/yr	1.138E-04	2.503E-04	3.186E-04	8.648E-05	4.779E-04	1.247E-03

**Appendix B: Emissions Calculations
DDG Dryer (EU-39)**

Company Name: MGPI of Indiana, LLC
Source Address: 7 Ridge Avenue, Lawrenceburg, Indiana 47025
Significant Source Modification No.: 029-40029-00005
Administrative Amendment No.: 029-40042-00005
Reviewer: Andrew Belt

Notes: Design heat inputs of direct fired dryer and of thermal oxidizer provided by the manufacturer (ICM, Inc.).

(a) Maximum short-term distiller's dry grain (DDG) production rate taken from facility information. Capacity of proposed system will be equivalent to combined capacity of the existing steam-tube dryers (portion of existing EU-32). Material balance is as follows:

	(lb/hr)	%solids
Dryer feed	35,508	35.5%
Water / Evaporation	21,508	0%
DDG Production	14,000	90%

Annual operations assume that the proposed dryer will operate at capacity continuously throughout the year.

Dryer uncontrolled emission factors and cyclone/thermal oxidizer control efficiencies provided by the manufacturer (ICM, Inc.). Assume PM/PM₁₀ emissions are equivalent. Under the Part 70 Permit Program particulate

(c) Dryer uncontrolled emission factors and thermal oxidizer control efficiencies provided by the manufacturer (ICM, Inc.). Emission factors for specific HAPs include both process emissions from the DDG drying operations and natural gas combustion emissions occurring within the direct-fired dryer. Emission factors include emissions from the screws, conveyors and agitator mixer leading to the dryer.

Methodology:

(d) Nox and CO:

Uncontrolled PTE (lb/hr) = [Uncontrolled Emission Factor (lb/MMBtu) x Design Firing Rate (MMBtu/hr)]

Uncontrolled PTE (ton/yr) = [Uncontrolled Emission Factor (lb/MMBtu) x Design Firing Rate (MMBtu/yr) / 2,000 lb/ton]

SO₂:

Uncontrolled PTE (lb/hr) = [Uncontrolled Emission Factor (lb/ton DDG) x Production Rate (ton/hr)]

Uncontrolled PTE (ton/yr) = [Uncontrolled Emission Factor (lb/ton DDG) x Production Rate (ton/yr) / 2,000 lb/ton]

VOC, PM/PM₁₀/PM_{2.5}:

Uncontrolled PTE (lb/hr) = [Uncontrolled Emission Factor (lb/ton DDG) x Production Rate (ton/hr)]

Uncontrolled PTE (ton/yr) = [Uncontrolled Emission Factor (lb/ton DDG) x Production Rate (ton/yr) / 2,000 lb/ton]

Controlled PTE (lb/hr) = [Uncontrolled Emission Rate (lb/hr) x (1 - Control Efficiency)]

Controlled PTE (ton/yr) = [Uncontrolled Emission Rate (ton/yr) x (1-Control Efficiency)]

HAPs (lb/ton emission factor):

Uncontrolled PTE (lb/hr) = [Uncontrolled Emission Factor (lb/ton DDG) x Production Rate (ton/hr)]

Uncontrolled PTE (ton/yr) = [Uncontrolled Emission Factor (lb/ton DDG) x Production Rate (ton/yr) / 2,000 lb/ton]

Controlled PTE (lb/hr) = [Uncontrolled Emission Rate (lb/hr) x (1 - Control Efficiency)]

Controlled PTE (ton/yr) = [Uncontrolled Emission Rate (ton/yr) x (1-Control Efficiency)]

HAPs (lb/MMcf emission factor):

Emission Factors are from AP 42, Chapter 1.4, Tables 1.4-1, 1.4-2, 1.4-3, SCC #1-02-006-02, 1-01-006-02, 1-03-006-02, and 1-03-006-03

Emission (tons/yr) = Throughput (MMCF/yr) x Emission Factor (lb/MMCF)/2,000 lb/ton

**Appendix A: Emissions Calculations
Wet Pad (EU-40)**

Company Name: MGPI of Indiana, LLC
Source Address: 7 Ridge Avenue, Lawrenceburg, Indiana 47025
Significant Source Modification No.: 029-40029-00005
Administrative Amendment No.: 029-40042-00005
Reviewer: Andrew Belt

Emission Unit	Emission Point ^(a)	Uncontrolled Emission Factors ^(b)		0.0083 lb/ton wet cake		0.0001 lb/ton wet cake		0.00002 lb/ton wet cake		0.0002 lb/ton wet cake		0.00004 lb/ton wet cake		Total HAP Emissions	
		Dryer Feed ^(c)		VOC ^(d)		Acetaldehyde ^(d)		Acrolein ^(d)		Formaldehyde ^(d)		Methanol ^(d)		(lb/hr)	(ton/yr)
		(ton/hr)	(ton/yr)	(lb/hr)	(ton/yr)	(lb/hr)	(ton/yr)	(lb/hr)	(ton/yr)	(lb/hr)	(ton/yr)	(lb/hr)	(ton/yr)		
EU-40	Wet Cake Production, Storage, and Loadout	24.56	215,154	0.20	0.89	0.002	0.0108	0.0005	0.0022	0.005	0.022	0.001	0.0043	0.009	0.0387

Notes:

- (a) VOC and HAP emissions can result during periods of dryer start-up and shutdown, when the dryer throughput may be diverted to a wet pad so that wet feed is not sent to dry storage.
- (b) Emission factor for wet cake taken from a similar operation permitted in Indiana under Permit #T095-30443-00127 (POET Biorefining - Alexandria).
- (c) Hourly dryer feed is maximum as taken from the material balance provided by ICM dated 1/30/2015.
- (d) Methodology and Sample Calculations:
Emission rate (lb/hr) = Dryer Feed (ton/hr) X Wet Cake Emission factor (lb/ton)
Emission rate (ton/yr) = Dryer Feed (ton/yr) X Wet Cake Emission factor (lb/ton) x ton/2,000 lb

**Appendix A: Emissions Calculations
Summary of Emissions**

Company Name: MGPI of Indiana, LLC
Source Address: 7 Ridge Avenue, Lawrenceburg, Indiana 47025
Significant Source Modification No.: 029-40029-00005
Administrative Amendment No.: 029-40042-00005
Reviewer: Andrew Belt

EU-41 through EU-43, EU-45, EU-61 Tanks

Source	Maximum Usage (PG/yr)	VOC		
		Emission Factor (lb/1000 gal)	Emissions (lb/hr)	Emissions (ton/yr)
EU-41 (Wine Room)	32,000,000	1.22	4.46	19.5
EU-42 (Tank Farm)	30,000,000	1.27	4.34	19.0
EU-43 (Bldg 88)	14,000,000	0.67	1.07	4.69
EU-45 (Mini Tank Farm)	10,000,000	0.718	0.82	3.59
EU-61 (Whiskey System)	13,000,000	0.95	1.41	6.18
EU-61 (Gin System)	12,775,000	0.913	1.33	5.83
Total			13.43	58.8

Methodology:

From Permit No. 24407: Emission Factors based on source estimates. No AP-42 or FIRE emission factors are available
Emissions (ton/yr) = Maximum usage (pg/yr)/1,000 x EF (lb/1,000 gal) / 2,000 lb/ton
Emissions (lb/hr) = Emissions (ton/yr) x 2,000 lb/ton / 8,760 hr/yr

EU-71 through EU-76, EU-770 through EU-777, and EU-780 Warehouse Fugitive Emissions

Source	Emission Factor (lb/barrel/yr)	# Barrels	VOC	
			Emissions (lb/yr)	Emissions (ton/yr)
Warehouse C (EU-71)	6.9	69,306	478,211	239.11
Warehouse E (EU-72)	6.9	101,032	697,121	348.56
Warehouse G (EU-73)	6.9	84,097	580,269	290.13
Warehouse J & M (EU-74)	6.9	100,000	690,000	345.00
Warehouse L (EU-75)	6.9	93,438	644,722	322.36
Warehouse N (EU-76)	6.9	93,405	644,495	322.25
Warehouse IC (EU-770)	6.9	359,600	2,481,240	1,240.62
Warehouse K (EU-771)				
Warehouse O (EU-772)				
Warehouse P (EU-773)				
Warehouse Q (EU-774)				
Warehouse F (EU-775)				
Warehouse H (EU-776)				
Warehouse V (EU-777)				
Warehouse T (EU-780)	6.9	80,000	552,000	276.00

Methodology:

Emission factor taken from AP-42 Table 9.12.3-1
Emissions (ton/yr) = # barrels x EF (lb/barrel/yr) / 2,000 lb/ton

**Appendix A: Emissions Calculations
Rail Car and Truck Loading Emissions.**

Company Name: MGPI of Indiana, LLC
Source Address: 7 Ridge Avenue, Lawrenceburg, Indiana 47025
Significant Source Modification No.: 029-40029-00005
Administrative Amendment No.: 029-40042-00005
Reviewer: Andrew Belt

EU-46 Rail Car and Truck Loading Emissions

Emission Point	Loading Properties ^(a)				Throughput ^(b)
	Loading Temperature (F)	Loading Temperature (R)	Vapor Pressure (psi)	Vapor Molecular Weight (lb/lb-mol)	Annual (1,000 gal/yr)
Rail Car and Truck Loading	62	521.67	0.689	46	29,450

Emission Point	Saturation Factor ^(c)	Loading Loss ^(d) (lb/10 ³ gal)	Uncontrolled Emissions ^(e)
			Annual (ton/yr)
Rail Car and Truck Loading	0.6	0.454	6.69
Total			6.69

Methodology:

(a) Vapor pressure and molecular weight taken from the material property information for ethanol.

Antoine's Coefficients for ethanol: $\log P = A - [B/(T+C)]$; P in bar, T in K

A = 5.37229
 B = 1670.409
 C = -40.191
 T = 289.667 K
 P = 0.047 bar
 P = 0.689 psi

(b) Maximum annual production of: 31,000,000 gal/yr
 Product proof: 190 proof
 Product Ethanol concentration: 95%
 Maximum annual Ethanol throughput: 29,450,000 gal/yr

(c) Saturation factor for submerged, dedicated loading taken from Section 5.2 of AP-42, Fifth Edition, Volume 1.

(d) Loading loss estimate calculated according to the methodology in Section 5.2 of AP-42, Fifth Edition, Volume 1.

Sample Calculation, average loading loss:

$$L_L \text{ (lb/10}^3 \text{ gal)} = 12.46 \text{ SMP} / T ; \quad S = \text{Saturation Factor (-)}$$

M = Vapor Molecular Weight (lb/lb-mol)

P = Vapor Pressure (psi)

T = Loading Temperature (R)

$$L_L = \frac{(12.46) (0.6) (46 \text{ lb/lb-mol}) (0.689 \text{ psi})}{521.67 \text{ R}} = 0.454 \text{ lb} / 10^3 \text{ gal}$$

(e) Emissions estimated by applying the loading loss to the applicable loading throughput.

sample calculation, annual emissions:

$$\frac{0.454 \text{ lb}}{1000 \text{ gal}} \times \frac{29,450 \times 1,000 \text{ gal}}{\text{yr}} \times \frac{\text{ton}}{2,000 \text{ lb}} = 6.69 \text{ ton/yr}$$

HAP	Product	HAP Fraction	Uncontrolled PTE HAP (ton/yr)
Acetaldehyde ¹	ethanol	1.00E-03	6.69E-03
Methanol ²	ethanol	5.00E-03	3.34E-02
Formaldehyde ¹	ethanol	1.00E-03	6.69E-03
Total			4.68E-02

1. Acetaldehyde and Formaldehyde are estimated to be at trace levels in ethanol. It will conservatively assume that these trace levels do not exceed 1000 ppm in the ethanol product.
 2. Methanol concentration is based on maximum weight percent of 0.5% as per ASTM D 4806

Note: HAP emission rates based on performance tests at similar facilities.

**Appendix A: Emissions Calculations
Equipment Leak Fugitive Emissions**

Company Name: MGPI of Indiana, LLC

Source Address: 7 Ridge Avenue, Lawrenceburg, Indiana 47025

Significant Source Modification No.: 029-40029-00005

Administrative Amendment No.: 029-40042-00005

Reviewer: Andrew Belt

EU-81 Equipment Leak Fugitive Emissions

Component	Count	Emission Factor (lb/hr/component)	% VOC	VOC Emissions (lb/hr)	VOC Emissions (ton/yr)
Pumps	124	0.0439	60%	3.27	14.31
Valves	4,481	0.0089	60%	23.93	104.81
Flanges	6,940	0.0005	60%	2.08	9.12
Total				29.28	128.23

Methodology:

Component counts based on facility estimates. Counts exclude components within former bottling operation that are no longer owned or operated by MGPI of Indiana, LLC.

Average SOCM emission factor, taken from "Protocol for Equipment Leak Emission Estimates", EPA-453/R-95-017, November 1995

Emissions (lb/hr) = # components x EF (lb/hr/component) x % VOC

Emissions (ton/yr) = Emissions (lb/hr) x 8,760 hr/yr / 2,000 lb/ton

Total Fugitive VOCs (ton/yr)

128.23

HAP	HAP Fraction	Fugitive HAP Emissions (tons/yr)
Acetaldehyde ¹	1.00E-03	1.28E-01
Methanol ²	5.00E-03	6.41E-01
Formaldehyde ¹	1.00E-03	1.28E-01
Total		0.90

Notes: 1. Acetaldehyde and Formaldehyde are estimated to be at trace levels in ethanol. It is conservatively assumed that these trace levels do not exceed 1000 ppm in the ethanol product.

2. Methanol concentration is based on maximum weight percent of 0.5% as per ASTM D 4806

Fugitive HAP Emissions (tons/yr) = VOC (tons/yr) x HAP Fraction

**Appendix A: Emission Calculations
Natural Gas Combustion Only
Utility Boiler**

Company Name: MGPI of Indiana, LLC
Source Address: 7 Ridge Avenue, Lawrenceburg, Indiana 47025
Significant Source Modification No.: 029-40029-00005
Administrative Amendment No.: 029-40042-00005
Reviewer: Andrew Belt

Heat Input Capacity MMBtu/hr	Potential Throughput MMCF/yr
244.0	2095.5

Emission Factor in lb/MMCF	Pollutant						
	PM*	PM10*	direct PM2.5*	SO2	NOx	VOC	CO
	1.9	7.6	7.6	0.6	280.0	5.5	84.0
					**see below		
Potential Emission in tons/yr	1.99	7.96	7.96	0.63	293.4	5.76	88.0

*PM emission factor is filterable PM only. PM10 emission factor is condensable and filterable PM10 combined.

PM2.5 emission factor is condensable and filterable PM2.5 combined.

**Emission Factors for NOx: Uncontrolled = 280 (pre-NSPS) or 190 (post-NSPS), Low NOx Burner = 140, Flue gas recirculation = 100 (See Table 1.4-1)

Methodology

All emission factors are based on normal firing.

MMBtu = 1,020,000 Btu

MMCF = 1,000,000 Cubic Feet of Gas

Potential Throughput (MMCF) = Heat Input Capacity (MMBtu/hr) x 8,760 hrs/yr x 1 MMCF/1,020 MMBtu

Emission Factors from AP 42, Chapter 1.4, Tables 1.4-1, 1.4-2, and 1.4-3, SCC #1-01-006-01, 1-01-006-04

(AP-42 Supplement D 3/98)

Emission (tons/yr) = Throughput (MMCF/yr) x Emission Factor (lb/MMCF)/2,000 lb/ton

Emission Factor in lb/MMcf	HAPs - Organics				
	Benzene	Dichlorobenzene	Formaldehyde	Hexane	Toluene
	2.1E-03	1.2E-03	7.5E-02	1.8E+00	3.4E-03
Potential Emission in tons/yr	2.20E-03	1.26E-03	7.86E-02	1.89E+00	3.56E-03

Emission Factor in lb/MMcf	HAPs - Metals					Total HAPs
	Lead	Cadmium	Chromium	Manganese	Nickel	
	5.0E-04	1.1E-03	1.4E-03	3.8E-04	2.1E-03	
Potential Emission in tons/yr	5.24E-04	1.15E-03	1.47E-03	3.98E-04	2.20E-03	1.98

The five highest organic and metal HAPs emission factors are provided above.

Additional HAPs emission factors are available in AP-42, Chapter 1.4.

**Appendix A: Emission Calculations
Natural Gas Combustion Only
Utility Boiler**

Company Name: MGPI of Indiana, LLC
Source Address: 7 Ridge Avenue, Lawrenceburg, Indiana 47025
Significant Source Modification No.: 029-40029-00005
Administrative Amendment No.: 029-40042-00005
Reviewer: Andrew Belt

Heat Input Capacity MMBtu/hr	HHV MMBtu MMcf	Potential Throughput MMCF/yr
47.6	1020	408.8

Unrecognized Fuel Oil usage Heat Input Capacity MMBtu/yr	HHV MMBtu MMcf	Potential Throughput MMCF/yr
140736.0	1020	138.0

Emission Factor in lb/MMCF	Pollutant						
	PM*	PM10*	direct PM2.5*	SO2	NOx	VOC	CO
	1.9	7.6	7.6	0.6	100 **see below	5.5	84
Potential Emission in tons/yr	0.39	1.55	1.55	0.12	20.4	1.12	17.2
Potential Emissions from Unrecognized Fuel Oil consumption	0.13	0.52	0.52	0.04	6.90	0.38	5.80

*PM emission factor is filterable PM only. PM10 emission factor is filterable and condensable PM10 combined.
 PM2.5 emission factor is filterable and condensable PM2.5 combined.
 **Emission Factors for NOx: Uncontrolled = 100, Low NOx Burner = 50, Low NOx Burners/Flue gas recirculation = 32

Methodology

All emission factors are based on normal firing.
 MMBtu = 1,000,000 Btu
 MMCF = 1,000,000 Cubic Feet of Gas
 Emission Factors are from AP 42, Chapter 1.4, Tables 1.4-1, 1.4-2, 1.4-3, SCC #1-02-006-02, 1-01-006-02, 1-03-006-02, and 1-03-006-03
 Potential Throughput (MMCF) = Heat Input Capacity (MMBtu/hr) x 8,760 hrs/yr x 1 MMCF/1,020 MMBtu
 Emission (tons/yr) = Throughput (MMCF/yr) x Emission Factor (lb/MMCF)/2,000 lb/ton

HAPS Calculations

Emission Factor in lb/MMcf	HAPs - Organics					
	Benzene	Dichlorobenzene	Formaldehyde	Hexane	Toluene	Total - Organics
	2.1E-03	1.2E-03	7.5E-02	1.8E+00	3.4E-03	
Potential Emission in tons/yr	4.292E-04	2.453E-04	1.533E-02	3.679E-01	6.950E-04	3.846E-01

Emission Factor in lb/MMcf	HAPs - Metals					
	Lead	Cadmium	Chromium	Manganese	Nickel	Total - Metals
	5.0E-04	1.1E-03	1.4E-03	3.8E-04	2.1E-03	
Potential Emission in tons/yr	1.022E-04	2.248E-04	2.862E-04	7.767E-05	4.292E-04	1.120E-03

Total HAPs	3.857E-01
Worst HAP	3.679E-01

Methodology is the same as above.

The five highest organic and metal HAPs emission factors are provided above.
 Additional HAPs emission factors are available in AP-42, Chapter 1.4.

Appendix A: Emissions Calculations
Commercial/Institutional/Residential Combustors (< 100 MMBtu/hr)
#1 and #2 Fuel Oil

Company Name: MGPI of Indiana, LLC
Source Address: 7 Ridge Avenue, Lawrenceburg, Indiana 47025
Significant Source Modification No.: 029-40029-00005
Administrative Amendment No.: 029-40042-00005
Reviewer: Andrew Belt

Heat Input Capacity MMBtu/hr	Potential Throughput kgals/year	Limited Throughput kgals/yr	S = Weight % Sulfur 0.3
45.6	2853.3	1848	
Unrecognized Fuel Oil usage (kgals/year)	Unrecognized Heat Input Capacity MMBtu/yr		
1005.3	140736.0		

	Pollutant						
	PM*	PM10	direct PM2.5	SO2 (142.0S)	NOx	VOC	CO
Emission Factor in lb/kgal	2.0	2.3	1.55	42.6	20.0	0.20	5.0
Limited Emission Factor in lb/kgal				43.00			
Potential Emission in tons/yr	2.85	3.28	2.21	60.8	28.5	0.29	7.1
Limited Emissions from fuel oil in tons/yr	1.85	2.13	1.43	39.7	18.5	0.185	4.62

Methodology

1 gallon of No. 2 Fuel Oil has a heating value of 140,000 Btu
 Potential Throughput (kgals/year) = Heat Input Capacity (MMBtu/hr) x 8,760 hrs/yr x 1kgal per 1000 gallon x 1 gal per 0.140 MM Btu
 Emission Factors are from AP 42, Tables 1.3-1, 1.3-2, 1.3-3 and 1.3-6 (SCC 1-02-005-01/02/03) Supplement E 9/98 (see erata file)
 *PM emission factor is filterable PM only. Condensable PM emission factor is 1.3 lb/kgal.
 Emission (tons/yr) = Throughput (kgals/ yr) x Emission Factor (lb/kgal)/2,000 lb/ton

	HAPs - Metals				
	Arsenic	Beryllium	Cadmium	Chromium	Lead
Emission Factor in lb/MMBtu	4.0E-06	3.0E-06	3.0E-06	3.0E-06	9.0E-06
Potential Emission in tons/yr	7.99E-04	5.99E-04	5.99E-04	5.99E-04	1.80E-03

	HAPs - Metals (continued)				Total
	Mercury	Manganese	Nickel	Selenium	
Emission Factor in lb/MMBtu	3.0E-06	6.0E-06	3.0E-06	1.5E-05	
Potential Emission in tons/yr	5.99E-04	1.20E-03	5.99E-04	3.00E-03	9.8E-03

Methodology

No data was available in AP-42 for organic HAPs.
 Potential Emissions (tons/year) = Throughput (MMBtu/hr)*Emission Factor (lb/MMBtu)*8,760 hrs/yr / 2,000 lb/ton

Appendix A: Emission Calculations
Large Reciprocating Internal Combustion Engines - Diesel Fuel
Emergency Generator

Company Name: MGPI of Indiana, LLC
Source Address: 7 Ridge Avenue, Lawrenceburg, Indiana 47025
Significant Source Modification No.: 029-40029-00005
Administrative Amendment No.: 029-40042-00005
Reviewer: Andrew Belt

Emissions calculated based on output rating (hp)

Output Horsepower Rating (hp)	1600.0
Maximum Hours Operated per Year	500
Potential Throughput (hp-hr/yr)	800,000
Sulfur Content (S) of Fuel (% by weight)	0.500

	Pollutant						
	PM*	PM10*	direct PM2.5*	SO2	NOx	VOC	CO
Emission Factor in lb/hp-hr	7.00E-04	4.01E-04	4.01E-04	4.05E-03 (.00809S)	2.40E-02 **see below	7.05E-04	5.50E-03
Potential Emission in tons/yr	0.28	0.16	0.16	1.62	9.60	0.28	2.20

*PM10 emission factor in lb/hp-hr was calculated using the emission factor in lb/MMBtu and a brake specific fuel consumption of 7,000 Btu / hp-hr (AP-42 Table 3.3-1).

**NOx emission factor: uncontrolled = 0.024 lb/hp-hr, controlled by ignition timing retard = 0.013 lb/hp-hr

Hazardous Air Pollutants (HAPs)

	Pollutant						
	Benzene	Toluene	Xylene	Formaldehyde	Acetaldehyde	Acrolein	Total PAH HAPs***
Emission Factor in lb/hp-hr****	5.43E-06	1.97E-06	1.35E-06	5.52E-07	1.76E-07	5.52E-08	1.48E-06
Potential Emission in tons/yr	2.17E-03	7.87E-04	5.40E-04	2.21E-04	7.06E-05	2.21E-05	5.94E-04

***PAH = Polyaromatic Hydrocarbon (PAHs are considered HAPs, since they are considered Polycyclic Organic Matter)

****Emission factors in lb/hp-hr were calculated using emission factors in lb/MMBtu and a brake specific fuel consumption of 7,000 Btu / hp-hr (AP-42 Table 3.3-1).

Potential Emission of Total HAPs (tons/yr)	4.41E-03
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**Appendix A: Emission Calculations
Reciprocating Internal Combustion Engines - Natural Gas
2-Stroke Lean-Burn (2SLB) Engines
Emergency Generator**

Company Name: MGPI of Indiana, LLC
Source Address: 7 Ridge Avenue, Lawrenceburg, Indiana 47025
Significant Source Modification No.: 029-40029-00005
Administrative Amendment No.: 029-40042-00005
Reviewer: Andrew Belt

Maximum Heat Input Capacity (MMBtu/hr)	0.121
Maximum Hours Operated per Year (hr/yr)	500
Potential Fuel Usage (MMBtu/yr)	60.5
High Heat Value (MMBtu/MMscf)	1020
Potential Fuel Usage (MMcf/yr)	0.06

Criteria Pollutants	Pollutant						
	PM*	PM10*	PM2.5*	SO2	NOx	VOC	CO
Emission Factor (lb/MMBtu)	3.84E-02	4.83E-02	4.83E-02	5.88E-04	3.17E+00	1.20E-01	3.86E-01
Potential Emissions (tons/yr)	0.001	0.001	0.001	1.78E-05	0.10	0.004	0.01

*PM emission factor is for filterable PM-10. PM10 emission factor is filterable PM10 + condensable PM.

PM2.5 emission factor is filterable PM2.5 + condensable PM.

Hazardous Air Pollutants (HAPs)

Pollutant	Emission Factor (lb/MMBtu)	Potential Emissions (tons/yr)
Acetaldehyde	7.76E-03	2.35E-04
Acrolein	7.78E-03	2.35E-04
Benzene	1.94E-03	5.87E-05
1,3-Butadiene	8.20E-04	2.48E-05
Ethylbenzene	1.08E-04	3.27E-06
Formaldehyde	5.52E-02	1.67E-03
Methanol	2.48E-03	7.50E-05
Methylene Chloride	1.47E-04	4.45E-06
Hexane	4.45E-04	1.35E-05
Toluene	9.63E-04	2.91E-05
2,2,4-Trimethylpentane	8.46E-04	2.56E-05
Total PAH**	1.34E-04	4.05E-06
Total		2.38E-03

**PAH = Polyaromatic Hydrocarbon (PAHs are considered HAPs, since they are considered Polycyclic Organic Matter)

Methodology

Emission Factors are from AP-42 (Supplement F, July 2000), Table 3.2-1

Potential Fuel Usage (MMBtu/yr) = [Maximum Heat Input Capacity (MMBtu/hr)] * [Maximum Hours Operating per Year (hr/yr)]

Potential Emissions (tons/yr) = [Potential Fuel Usage (MMBtu/yr)] * [Emission Factor (lb/MMBtu)] / [2000 lb/ton]

Appendix A: Emission Calculations
Reciprocating Internal Combustion Engines - Diesel Fuel
Output Rating (<=600 HP)
Maximum Input Rate (<=4.2 MMBtu/hr)
Emergency Fire Water Pump

Company Name: MGPI of Indiana, LLC
Source Address: 7 Ridge Avenue, Lawrenceburg, Indiana 47025
Significant Source Modification No.: 029-40029-00005
Administrative Amendment No.: 029-40042-00005
Reviewer: Andrew Belt

Emissions calculated based on output rating (hp)

Output Horsepower Rating (hp)	235.0
Maximum Hours Operated per Year	500
Potential Throughput (hp-hr/yr)	117,500
Sulfur Content (S) of Fuel (% by weight)	0.500

	Pollutant						
	PM*	PM10*	direct PM2.5*	SO2	NOx	VOC	CO
Emission Factor in lb/hp-hr	2.20E-03	2.20E-03	2.20E-03	2.05E-03	3.10E-02	2.51E-03	6.68E-03
Potential Emission in tons/yr	0.13	0.13	0.13	0.12	1.82	0.15	0.39

*PM10 emission factor in lb/hp-hr was calculated using the emission factor in lb/MMBtu and a brake specific fuel consumption of 7,000 Btu / hp-hr (AP-42 Table 3.3-1).

**NOx emission factor: uncontrolled = 0.024 lb/hp-hr, controlled by ignition timing retard = 0.013 lb/hp-hr

Hazardous Air Pollutants (HAPs)

	Pollutant							Total PAH HAPs***
	Benzene	Toluene	Xylene	1,3-Butadiene	Formaldehyde	Acetaldehyde	Acrolein	
Emission Factor in lb/hp-hr****	6.53E-06	2.86E-06	2.00E-06	2.74E-07	8.26E-06	5.37E-06	6.48E-07	1.18E-06
Potential Emission in tons/yr	3.84E-04	1.68E-04	1.17E-04	1.61E-05	4.85E-04	3.15E-04	3.80E-05	6.91E-05

***PAH = Polyaromatic Hydrocarbon (PAHs are considered HAPs, since they are considered Polycyclic Organic Matter)

****Emission factors in lb/hp-hr were calculated using emission factors in lb/MMBtu and a brake specific fuel consumption of 7,000 Btu / hp-hr (AP-42 Table 3.3-1).

Potential Emission of Total HAPs (tons/yr)	1.59E-03
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Appendix A: Emissions Calculations
Pot Still Emissions

Company Name: MGPI of Indiana, LLC

Source Address: 7 Ridge Avenue, Lawrenceburg, Indiana 47025

Significant Source Modification No.: 029-40029-00005

Administrative Amendment No.: 029-40042-00005

Reviewer: Andrew Belt

Emissions Unit	Description	Emission Factor (lb/1,000 gal)		Potential to Emit (tons/yr)	
		PM ^{1,2}	VOC ²	PM ¹	VOC
EU-47	Pot Still/Blending	0.04	0.36	0.02	0.16
EU-48	Storage Tank T-25	-	0.22	-	0.04
EU-49	Storage Tank T-26	-	0.17	-	0.07
Total				0.02	0.27

Notes:

1. PM = PM₁₀ = PM_{2.5}

2. Derivation of emission factors and potential to emit claimed as confidential business information

**Appendix A: Emission Calculations
Fugitive Dust Emissions - Paved Roads**

Company Name: MGPI of Indiana, LLC
Source Address: 7 Ridge Avenue, Lawrenceburg, Indiana 47025
Significant Source Modification No.: 029-40029-00005
Administrative Amendment No.: 029-40042-00005
Reviewer: Andrew Belt

Paved Roads at Industrial Site

The following calculations determine the amount of emissions created by paved roads, based on 8,760 hours of use and AP-42, Ch 13.2.1 (1/2011).

Vehicle Information (provided by source)

Type	Maximum number of vehicles per day	Number of one-way trips per day per vehicle	Maximum trips per day (trip/day)	Maximum Weight Loaded (tons/trip)	Total Weight driven per day (ton/day)	Maximum one-way distance (feet/trip)	Maximum one-way distance (mi/trip)	Maximum one-way miles (miles/day)	Maximum one-way miles (miles/yr)
Barrel Truck (Warehouses (EU-770 to EU-777))	-	-	2.8	25.0	69.9	1320	0.250	0.7	255.0
Barrel Truck (Warehouse (EU-780))	-	-	1.2	25.0	29.1	5280	1.000	1.2	425.0
Barrel Truck (Loadout Storage Tank)	-	-	2.8	25.0	69.9	5280	1.000	2.8	1020.0
Barrel Truck (Facility Storage)	-	-	1.4	25.0	35.6	5280	1.000	1.4	520.0
Tanker Truck (Facility Storage)	-	-	2.3	40.0	91.0	528	0.100	0.2	83.0
Totals			10.5	40.0	295.4			6.3	2303.0

Average Vehicle Weight Per Trip = tons/trip
 Average Miles Per Trip = miles/trip

Unmitigated Emission Factor, Ef = $[k * (sL)^{0.91} * (W)^{1.02}]$ (Equation 1 from AP-42 13.2.1)

	PM	PM10	PM2.5	
where k =	0.011	0.0022	0.00054	lb/VMT = particle size multiplier (AP-42 Table 13.2.1-1)
W =	28.3	28.3	28.3	tons = average vehicle weight (provided by source)
sL =	9.7	9.7	9.7	g/m ² = silt loading value for paved roads at iron and steel production facilities - Table 13.2.1-3

Taking natural mitigation due to precipitation into consideration, Mitigated Emission Factor, Eext = $E * [1 - (p/4N)]$ (Equation 2 from AP-42 13.2.1)

Mitigated Emission Factor, Eext = $Ef * [1 - (p/4N)]$
 where p = days of rain greater than or equal to 0.01 inches (see Fig. 13.2.1-2)
 N = days per year

	PM	PM10	PM2.5	
Unmitigated Emission Factor, Ef =	2.628	0.526	0.1290	lb/mile
Mitigated Emission Factor, Eext =	2.394	0.479	0.1175	lb/mile
Dust Control Efficiency =	0%	0%	0%	(pursuant to control measures outlined in fugitive dust control plan)

Process	Mitigated PTE of PM (Before Control) (tons/yr)	Mitigated PTE of PM10 (Before Control) (tons/yr)	Mitigated PTE of PM2.5 (Before Control) (tons/yr)	Mitigated PTE of PM (After Control) (tons/yr)	Mitigated PTE of PM10 (After Control) (tons/yr)	Mitigated PTE of PM2.5 (After Control) (tons/yr)
Barrel Truck (Warehouses (EU-770 to EU-777))	0.31	0.06	0.01	0.31	0.06	0.01
Barrel Truck (Warehouse (EU-780))	0.51	0.10	0.02	0.51	0.10	0.02
Barrel Truck (Loadout Storage Tank)	1.22	0.24	0.06	1.22	0.24	0.06
Barrel Truck (Facility Storage)	0.62	0.12	0.03	0.62	0.12	0.03
Tanker Truck (Facility Storage)	0.10	0.02	0.00	0.10	0.02	0.00
Totals	2.76	0.55	0.14	2.76	0.55	0.14

Methodology

Total Weight driven per day (ton/day) = [Maximum Weight Loaded (tons/trip)] * [Maximum trips per day (trip/day)]
 Maximum one-way distance (mi/trip) = [Maximum one-way distance (feet/trip)] / [5280 ft/mile]
 Maximum one-way miles (miles/day) = [Maximum trips per year (trip/day)] * [Maximum one-way distance (mi/trip)]
 Average Vehicle Weight Per Trip (ton/trip) = SUM[Total Weight driven per day (ton/day)] / SUM[Maximum trips per day (trip/day)]
 Average Miles Per Trip (miles/trip) = SUM[Maximum one-way miles (miles/day)] / SUM[Maximum trips per year (trip/day)]
 Unmitigated PTE (tons/yr) = [Maximum one-way miles (miles/yr)] * [Unmitigated Emission Factor (lb/mile)] * (ton/2000 lbs)
 Mitigated PTE (Before Control) (tons/yr) = [Maximum one-way miles (miles/yr)] * [Mitigated Emission Factor (lb/mile)] * (ton/2000 lbs)
 Mitigated PTE (After Control) (tons/yr) = [Mitigated PTE (Before Control) (tons/yr)] * [1 - Dust Control Efficiency]

Abbreviations

PM = Particulate Matter
 PM10 = Particulate Matter (<10 um)
 PM2.5 = Particle Matter (<2.5 um)
 PTE = Potential to Emit

**Appendix A: Emission Calculations
Fugitive Dust Emissions - Unpaved Roads**

Company Name: MGPI of Indiana, LLC
Source Address: 7 Ridge Avenue, Lawrenceburg, Indiana 47025
Significant Source Modification No.: 029-40029-00005
Administrative Amendment No.: 029-40042-00005
Reviewer: Andrew Belt

Unpaved Roads at Industrial Site

The following calculations determine the amount of emissions created by unpaved roads, based on 8,760 hours of use and AP-42, Ch 13.2.2 (11/2006).

Vehicle Information (provided by source)

Type	Maximum number of vehicles	Number of one-way trips per day per vehicle	Maximum trips per day (trip/day)	Maximum Weight Loaded (tons/trip)	Total Weight driven per day (ton/day)	Maximum one-way distance (feet/trip)	Maximum one-way distance (mi/trip)	Maximum one-way miles (miles/day)	Maximum one-way miles (miles/yr)
Barrel Truck (Warehouses (EU-770 to EU-780))	-	-	2.8	25.0	69.9	1320	0.250	0.7	255.0
Barrel Truck (Warehouse (EU-780))	-	-	1.2	25.0	29.1	5280	1.000	1.2	425.0
Barrel Truck (Loadout Storage Tank)	-	-	2.8	25.0	69.9	5280	1.000	2.8	1020.0
Barrel Truck (Facility Storage)	-	-	1.4	25.0	35.6	5280	1.000	1.4	520.0
Totals			8.2	25.0	204.5			6.1	2220.0

Average Vehicle Weight Per Trip = tons/trip
 Average Miles Per Trip = miles/trip

Unmitigated Emission Factor, Ef = $k \cdot [(s/12)^a] \cdot [(W/3)^b]$ (Equation 1a from AP-42 13.2.2)

	PM	PM10	PM2.5	
where k =	4.9	1.5	0.15	lb/mi = particle size multiplier (AP-42 Table 13.2.2-2 for Industrial Roads)
s =	6.0	6.0	6.0	% = mean % silt content of unpaved roads (AP-42 Table 13.2.2-1 Iron and Steel Production)
a =	0.7	0.9	0.9	= constant (AP-42 Table 13.2.2-2 for Industrial Roads)
W =	25.0	25.0	25.0	tons = average vehicle weight (provided by source)
b =	0.45	0.45	0.45	= constant (AP-42 Table 13.2.2-2 for Industrial Roads)

Taking natural mitigation due to precipitation into consideration, Mitigated Emission Factor, Eext = $E \cdot [(365 - P)/365]$ (Equation 2 from AP-42 13.2.2)

Mitigated Emission Factor, Eext = $E \cdot [(365 - P)/365]$
 where P = days of rain greater than or equal to 0.01 inches (see Fig. 13.2.2-1)

	PM	PM10	PM2.5	
Unmitigated Emission Factor, Ef =	7.83	2.09	0.21	lb/mile
Mitigated Emission Factor, Eext =	5.04	1.34	0.13	lb/mile
Dust Control Efficiency =	0%	0%	0%	(pursuant to control measures outlined in fugitive dust control plan)

Process	Unmitigated	Unmitigated	Unmitigated	Mitigated	Mitigated	Mitigated
	PTE of PM (Before Control) (tons/yr)	PTE of PM10 (Before Control) (tons/yr)	PTE of PM2.5 (Before Control) (tons/yr)	PTE of PM (After Control) (tons/yr)	PTE of PM10 (After Control) (tons/yr)	PTE of PM2.5 (After Control) (tons/yr)
Barrel Truck (Warehouses (EU-770 to EU-780))	0.64	0.17	0.02	0.64	0.17	0.02
Barrel Truck (Warehouse (EU-780))	1.07	0.29	0.03	1.07	0.29	0.03
Barrel Truck (Loadout Storage Tank)	2.57	0.69	0.07	2.57	0.69	0.07
Barrel Truck (Facility Storage)	1.31	0.35	0.03	1.31	0.35	0.03
Totals	5.60	1.49	0.15	5.60	1.49	0.15

Methodology

Total Weight driven per day (ton/day) = [Maximum Weight Loaded (tons/trip)] * [Maximum trips per day (trip/day)]
 Maximum one-way distance (mi/trip) = [Maximum one-way distance (feet/trip)] / [5280 ft/mile]
 Maximum one-way miles (miles/day) = [Maximum trips per year (trip/day)] * [Maximum one-way distance (mi/trip)]
 Average Vehicle Weight Per Trip (ton/trip) = SUM[Total Weight driven per day (ton/day)] / SUM[Maximum trips per day (trip/day)]
 Average Miles Per Trip (miles/trip) = SUM[Maximum one-way miles (miles/day)] / SUM[Maximum trips per year (trip/day)]
 Mitigated PTE (Before Control) (tons/yr) = (Maximum one-way miles (miles/yr)) * (Mitigated Emission Factor (lb/mile)) * (ton/2000 lbs)
 Mitigated PTE (After Control) (tons/yr) = (Mitigated PTE (Before Control) (tons/yr)) * (1 - Dust Control Efficiency)

Abbreviations

PM = Particulate Matter
 PM10 = Particulate Matter (<10 um)
 PM2.5 = Particulate Matter (<2.5 um)
 PTE = Potential to Emit



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Eric J. Holcomb
Governor

Bruno L. Pigott
Commissioner

SENT VIA U.S. MAIL: CONFIRMED DELIVERY AND SIGNATURE REQUESTED

TO: William Graves
MGPI of Indiana, LLC.
7 Ridge Avenue
Lawrenceburg, Indiana 47025

DATE: December 3, 2018

FROM: Jenny Acker, Branch Chief
Permits Branch
Office of Air Quality

SUBJECT: Final Decision
Title V Significant Source Modification (Minor PSD)
029-40029-00005

Enclosed is the final decision and supporting materials for the air permit application referenced above. Please note that this packet contains the original, signed, permit documents.

The final decision is being sent to you because our records indicate that you are the contact person for this application. However, if you are not the appropriate person within your company to receive this document, please forward it to the correct person.

A copy of the final decision and supporting materials has also been sent via standard mail to:
Mike Templin, Plant Manger
Mike Wiczorek, Ramboll Environ
Anthony Smart, Ewbank & Kramer
OAQ Permits Branch Interested Parties List

If you have technical questions regarding the enclosed documents, please contact the Office of Air Quality, Permits Branch at (317) 233-0178, or toll-free at 1-800-451-6027 (ext. 3-0178), and ask to speak to the permit reviewer who prepared the permit. If you think you have received this document in error, please contact Joanne Smiddie-Brush of my staff at 1-800-451-6027 (ext 3-0185), or via e-mail at jbrush@idem.IN.gov.

Final Applicant Cover Letter 1/9/2017



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Eric J. Holcomb
Governor

Bruno L. Pigott
Commissioner

December 3, 2018

TO: Lawrenceburg Public Library

From: Jenny Acker, Branch Chief
Permits Branch
Office of Air Quality

Subject: **Important Information for Display Regarding a Final Determination**


Applicant Name: MGPI of Indiana, LLC.
Permit Number: 029-40029-00005

You previously received information to make available to the public during the public comment period of a draft permit. Enclosed is a copy of the final decision and supporting materials for the same project. Please place the enclosed information along with the information you previously received. To ensure that your patrons have ample opportunity to review the enclosed permit, **we ask that you retain this document for at least 60 days.**

The applicant is responsible for placing a copy of the application in your library. If the permit application is not on file, or if you have any questions concerning this public review process, please contact Joanne Smiddie-Brush, OAQ Permits Administration Section at 1-800-451-6027, extension 3-0185.

Enclosures
Final Library 1/9/2017

Mail Code 61-53

IDEM Staff	JJACKSON 12/3/2018 MGPI of Indiana 029-40029-00005 (final)		Type of Mail: CERTIFICATE OF MAILING ONLY	AFFIX STAMP HERE IF USED AS CERTIFICATE OF MAILING
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2		Mike Templin Plant Manager MGPI of Indiana 7 Ridge Ave Lawrenceburg IN 47025 (RO CAATS)									
3		Michael & Monica Ramsey 9931 Old SR 56 Aurora IN 47001 (Affected Party)									
4		Dearborn County Commissioner 215 B West High Street Lawrenceburg IN 47025 (Local Official)									
5		Lawrenceburg City Council and Mayors Office 212 Walnut St. Lawrenceburg IN 47025 (Local Official)									
6		Dearborn County Health Department 215-b W. Hight St, County Admin Building Lawrenceburg IN 47025-1910 (Health Department)									
7		Mr. John Teaney P.O. Box 494 10837 Aurora IN 47001 (Affected Party)									
8		Ken & Jackie Greive 4685 E. Laughery Creek Road Aurora IN 47001 (Affected Party)									
9		Marlin M. Guss, Jr. 10400 Millstone Dr, P.O. Box 272 Aurora IN 47001 (Affected Party)									
10		Mrs. Shirley Greive 4412 E. Laughery Aurora IN 47001 (Affected Party)									
11		Sam & Nancy Valone 3826 E. Laughery Creek Rd Aurora IN 47001 (Affected Party)									
12		Mrs. Melanie Bushorn 4172 E. Laughery Creek Rd Aurora IN 47001 (Affected Party)									
13		Greendale City Council and Mayors Office 500 Ridge Ave Greendale IN 47025 (Local Official)									
14		Lawrenceburg Public Library 150 Mary Street Lawrenceburg IN 47025 (Library)									
15		Mr. Mike Wieczorek Ramboll Environ 333 W Wacker Dr, Ste 2700 Chicago IL 60606 (Consultant)									

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Name and address of Sender	▶	Indiana Department of Environmental Management Office of Air Quality – Permits Branch 100 N. Senate Indianapolis, IN 46204	Type of Mail: CERTIFICATE OF MAILING ONLY	

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											Remarks
1		Alan Greendale Mayors Office 500 Ridge Ave Greendale IN 47025 (Local Official)									
2		Anthony Smart Ewbank & Kramer 114 West High St Lawrenceburg IN 47025 (Attorney)									
3		Chandra Mattingly Rising Sun Recorder and Ohio County News 235 Main St Rising Sun IN 47040 (Affected Party)									
4											
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