



INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

We Protect Hoosiers and Our Environment.

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Eric J. Holcomb
Governor

Brian C. Rockensuess
Commissioner

To: Interested Parties

Date: April 26, 2022

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

Source Name: Maya Energy, LLC

Permit Level: FESOP - Renewal

Permit Number: 089-44483-00594

Source Location: 2727 West 35th Avenue Gary, IN 46408

Type of Action Taken: Permit Renewal

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 44483. This search will also provide the application received date, **draft permit** public notice starts and end date, and **final** permit issuance date.

The final decision is also available via IDEM's Virtual File Cabinet (VFC). Please go to: <https://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.

(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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Governor

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Commissioner

Federally Enforceable State Operating Permit Renewal OFFICE OF AIR QUALITY

**Maya Energy, LLC
2727 W 35th Ave.
Gary, Indiana 46408**

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

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

This permit is issued in accordance with 326 IAC 2 and 40 CFR Part 70 Appendix A and contains the conditions and provisions specified in 326 IAC 2-8 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.

Indiana statutes from IC 13 and rules from 326 IAC, quoted 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 FESOP under 326 IAC 2-8.

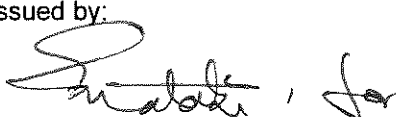
Operation Permit No.: F089-44483-00594	
Master Agency Interest ID: 115300	
Issued by:  Madhurima D. Mouluk, Ph.D., Section Chief Permits Branch Office of Air Quality	Issuance Date: April 26, 2022 Expiration Date: April 26, 2032

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Attachment A: Fugitive Dust Control Plan

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 2-8-3(b)]

The Permittee owns and operates a stationary material recovery and recycling facility for municipal solid waste and construction and demolition debris.

Source Address:	2727 W 35th Ave., Gary, Indiana 46408
General Source Phone Number:	(219) 290-6912
SIC Code:	4953 (Refuse Systems)
County Location:	Lake
Source Location Status:	Nonattainment for 8-hour ozone standard Attainment for all other criteria pollutants
Source Status:	Federally Enforceable State Operating Permit Program Minor Source, under PSD and Emission Offset Rules Minor 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 2-8-3(c)(3)]

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

- (a) Two (2) municipal solid waste lines, recovering ferrous and non-ferrous metals, paper, corrugated cardboard, and plastics from a portion of the incoming municipal solid waste (MSW) stream, identified as MSW-1 and MSW-2, approved in 2016 for construction, each with a maximum throughput of 50 tons per hour of municipal solid waste, and consisting of the following equipment:
- (1) Two (2) Truck Tippers, with particulate emissions controlled by a baghouse, identified as BH-1, and exhausting through vent BH1, with any uncaptured emissions vented to the outdoors through the general building ventilation system.
 - (2) One (1) MSW tipping floor, located inside the building with overhead doors, having a maximum storage capacity of 900 tons of MSW, with particulate emissions controlled by baghouse BH-1, and exhausting through vent BH1, with any uncaptured emissions vented to the outdoors through the general building ventilation system.
 - (3) Two (2) Infeed Conveyors, controlled by a baghouse identified as BH-1, and exhausting to vent BH1, with any uncaptured emissions vented to the outdoors through the general building ventilation system.
 - (4) Two (2) Conveyor Transfer Points, located between the infeed conveyors and the Presort Conveyors, controlled by a baghouse identified as BH-1, and exhausting through vent BH1, with any uncaptured emissions vented to the outdoors through the general building ventilation system.
 - (5) Two (2) Manual Presort Conveyors, with no controls, and vented to the outdoors through the general building ventilation system. The following items are removed from the waste stream on the Pre-sort Conveyors:

Trap and Film;

Propane Tanks and Large Metal items; and,
Old Corrugated Cardboard (OCC).

- (6) Two (2) Trommel Screens to open bags and sort material into over 9" and under 9", with particulate controlled by a baghouse, identified as BH-1, with any uncaptured emissions vented to the outdoors through the general building ventilation system.
- (7) Two (2) manual sorting conveyors to remove electronics from the waste stream, with no controls, and vented to the outdoors through the general building ventilation system.
- (8) Two (2) Glass Breakers, with particulate emissions controlled by baghouse BH-1, and exhausting through vent BH1, with any uncaptured emissions vented to the outdoors through the general building ventilation system.
- (9) One (1) Overbelt Magnet, with no controls, and vented to the outdoors through the general building ventilation system.
- (10) Two (2) 9" Minus Manual Sorting Conveyors to remove PET, HDPE, fiber, and PVC from the waste stream, with no controls, and vented to the outdoors through the general building ventilation system.
- (11) Two (2) 9" Plus Manual Sorting Conveyors to remove PET, HDPE, Fiber, and PVC from the waste stream, with no controls, and vented to the outdoors through the general building ventilation system.
- (12) Four (4) Non-FE Eddy Current Separators to remove aluminum from the waste stream, with no controls, and vented to the outdoors through the general building ventilation system.
- (13) Two (2) Non-FE Quality Control Conveyors, with no controls, and vented to the outdoors through the general building ventilation system.
- (14) Two (2) Non-FE Silo Blowers, with no controls, and vented to the outdoors through the general building ventilation system.
- (15) One (1) Non-FE Silo, with no controls, and vented to the outdoors through the general building ventilation system.
- (16) Four (4) Cirrus Optical Sorters to remove PVC from the waste stream, with no controls, and vented to the outdoors through the general building ventilation system.
- (17) Two (2) Brick and Rock QC Conveyors, with no controls, and vented to the outdoors through the general building ventilation system.
- (18) Two (2) Refuse Derived Fuel (RDF) Shredders, with particulate emissions controlled by baghouse BH-2, and exhausting through vent BH2, with any uncaptured emissions vented to the outdoors through the general building ventilation system.
- (19) One (1) Baler Feed Conveyor, with no controls, and vented to the outdoors through the general building ventilation system.
- (20) One (1) Baler, with no controls, and vented to the outdoors through the general building ventilation system.

- (21) One (1) RDF Storage Area, with particulate emissions controlled by baghouse BH-2, and exhausting through vent BH2, with any uncaptured emissions vented to the outdoors through the general building ventilation system.
 - (22) Loading of materials into trucks for off-site shipping, with no controls, and vented to the outdoors through the general building ventilation system.
- (b) One (1) construction and demolition (C&D) line, recovering ferrous and non-ferrous metals and wood from a portion of the incoming C&D waste, identified as CD-1, approved in 2016 for construction, with a maximum throughput of 50 tons per hour of certified asbestos-free construction and demolition waste, and consisting of the following equipment:
- (1) One (1) Tipping Floor located inside the building with overhead doors, having a maximum storage capacity of 600 tons of C&D waste, with particulate emissions controlled by baghouse BH-1, and exhausting through vent BH1, with any uncaptured emissions vented to the outdoors through the general building ventilation system.
 - (2) One (1) Action Finger Screen to separate material over 10" from material under 10", with particulate emissions controlled by baghouse BH-1, and exhausting through vent BH1, with any uncaptured emissions vented to the outdoors through the general building ventilation system.
 - (3) Four (4) C&D Overbelt Magnet Conveyors to remove ferrous metals from the waste stream, with no controls, and vented to the outdoors through the general building ventilation system.
 - (4) One (1) Fines Screen to separate material greater than 3" from material less than 3", with particulate emissions controlled by baghouse BH-2, and exhausting through vent BH2, with any uncaptured emissions vented to the outdoors through the general building ventilation system.
 - (5) Three (3) Manual Sorting Conveyors to remove OCC, bricks & rocks, HDPE, PET, and trap & large film from the waste stream, with no controls, and vented to the outdoors through the general building ventilation system.
 - (6) One (1) Drum Magnet to remove ferrous metals from the waste stream, with no controls, and vented to the outdoors through the general building ventilation system.
 - (7) One (1) MSS Aladdin optical sorter to remove plastics from the waste stream, with no controls, and vented to the outdoors through the general building ventilation system.
 - (8) One (1) Residue Conveyor, with no controls, and vented to the outdoors through the general building ventilation system.
 - (9) One (1) WSM wood grinder, with particulate emissions controlled by baghouse BH-2, and exhausting through vent BH2, with any uncaptured emissions vented to the outdoors through the general building ventilation system.

The Permittee will only grind clean wood in the wood grinder. Clean wood consists of uncoated, unpainted, and untreated wood scrap, sawdust, chips, millings or shavings, and natural growth wood materials. Clean wood does not include wood products that have been painted, pigment-stained, or pressure treated by compounds such as chromate copper arsenate, pentachlorophenol,

and creosote, or manufactured wood products that contain adhesives or resins (e.g., plywood, particle board, flake board, and oriented strand board).

- (10) Wood and wood residue storage areas, with no controls, and vented to the outdoors through the general building ventilation system.
- (11) Loading of materials into trucks for off-site shipping, with no controls, and vented to the outdoors through the general building ventilation system.
- (c) Paved roads and parking lots with public access.
- (d) Diesel fuel dispensing operation for filling delivery, shipping, and other company vehicles, using mobile diesel tanker trucks.

A.3 FESOP Applicability [326 IAC 2-8-2]

This stationary source, otherwise required to have a Part 70 permit as described in 326 IAC 2-7-2(a), has applied to the Indiana Department of Environmental Management (IDEM), Office of Air Quality (OAQ) to renew a Federally Enforceable State Operating Permit (FESOP).

SECTION B GENERAL CONDITIONS

B.1 Definitions [326 IAC 2-8-1]

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 Revocation of Permits [326 IAC 2-1.1-9(5)]

Pursuant to 326 IAC 2-1.1-9(5) (Revocation of Permits), the Commissioner may revoke this permit if construction is not commenced within eighteen (18) months after issuance of F089-38237-00594 or if construction is suspended for a continuous period of one (1) year or more.

B.3 Affidavit of Construction [326 IAC 2-5.1-3(h)] [326 IAC 2-5.1-4][326 IAC 2-8]

This document shall also become the approval to operate pursuant to 326 IAC 2-5.1-4 and 326 IAC 2-8 when prior to the start of operation, the following requirements are met:

- (a) The attached Affidavit of Construction shall be submitted to the Office of Air Quality (OAQ), verifying that the emission units were constructed as proposed in the application or the permit. The emission units covered in this permit may begin operating on the date the Affidavit of Construction is postmarked or hand delivered to IDEM if constructed as proposed.
- (b) If actual construction of the emission units differs from the construction proposed in the application, the source may not begin operation until the permit has been revised pursuant to 326 IAC 2 and an Operation Permit Validation Letter is issued.
- (c) The Permittee shall attach the Operation Permit Validation Letter received from the Office of Air Quality (OAQ) to this permit.

B.4 Permit Term [326 IAC 2-8-4(2)][326 IAC 2-1.1-9.5][IC 13-15-3-6(a)]

- (a) This permit, F089-44483-00594, is issued for a fixed term of ten (10) 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, until the renewal permit has been issued or denied.

B.5 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.6 Enforceability [326 IAC 2-8-6][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.7 Severability [326 IAC 2-8-4(4)]

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.8 Property Rights or Exclusive Privilege [326 IAC 2-8-4(5)(D)]

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

B.9 Duty to Provide Information [326 IAC 2-8-4(5)(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.10 Certification [326 IAC 2-8-3(d)][326 IAC 2-8-4(3)(C)(i)][326 IAC 2-8-5(1)]

- (a) A certification required by this permit meets the requirements of 326 IAC 2-8-5(a)(1) if:
 - (1) it contains a certification by an "authorized individual", as defined by 326 IAC 2-1.1-1(1), 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) An "authorized individual" is defined at 326 IAC 2-1.1-1(1).

B.11 Annual Compliance Certification [326 IAC 2-8-5(a)(1)]

- (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 April 15 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

- (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 2-8-4(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 2-8-5(a)(1) by an "authorized individual" as defined by 326 IAC 2-1.1-1(1).

B.12 Compliance Order Issuance [326 IAC 2-8-5(b)]

IDEM, OAQ may issue a compliance order to this Permittee upon discovery that this permit is in nonconformance with an applicable requirement. The order may require immediate compliance or contain a schedule for expeditious compliance with the applicable requirement.

B.13 Preventive Maintenance Plan [326 IAC 1-6-3][326 IAC 2-8-4(9)]

- (a) If required by specific condition(s) in Section D of this permit, 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 2-8-5(a)(1) by an "authorized individual" as defined by 326 IAC 2-1.1-1(1).

The Permittee shall implement the PMPs.

- (b) 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 2-8-5(a)(1) by an "authorized individual" as defined by 326 IAC 2-1.1-1(1).

- (c) 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.14 Emergency Provisions [326 IAC 2-8-12]

- (a) An emergency, as defined in 326 IAC 2-7-1(12), is not an affirmative defense for an action brought for noncompliance with a federal or state health-based emission limitation except as provided in 326 IAC 2-8-12.

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

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

Telephone Number: 1-800-451-6027 (ask for Office of Air Quality, Compliance and Enforcement Branch), or
Telephone Number: 317-233-0178 (ask for Office of Air Quality, Compliance and Enforcement Branch)
Facsimile Number: 317-233-6865
Northwest Regional Office phone: (219) 464-0233; fax: (219) 464-0553.

- (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 2-8-4(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 2-8-5(a)(1) by an "authorized individual" as defined by 326 IAC 2-1.1-1(1).

- (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 2-8-3(c)(6) 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 2-8 and any other applicable rules.
- (g) Operations may continue during an emergency only if the following conditions are met:
 - (1) If the emergency situation causes a deviation from a technology-based limit, the Permittee may continue to operate the affected emitting facilities during the emergency provided the Permittee immediately takes all reasonable steps to correct the emergency and minimize emissions.
 - (2) If an emergency situation causes a deviation from a health-based limit, the Permittee may not continue to operate the affected emissions facilities unless:
 - (A) The Permittee immediately takes all reasonable steps to correct the emergency situation and to minimize emissions; and
 - (B) Continued operation of the facilities is necessary to prevent imminent injury to persons, severe damage to equipment, substantial loss of capital investment, or loss of product or raw material of substantial economic value.

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

B.15 Prior Permits Superseded [326 IAC 2-1.1-9.5]

- (a) All terms and conditions of permits established prior to F089-44483-00594 and issued pursuant to permitting programs approved into the state implementation plan have been either:
 - (1) incorporated as originally stated,
 - (2) revised, or
 - (3) deleted.

- (b) All previous registrations and permits are superseded by this permit.

B.16 Termination of Right to Operate [326 IAC 2-8-9][326 IAC 2-8-3(h)]

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 2-8-3(h) and 326 IAC 2-8-9.

B.17 Permit Modification, Reopening, Revocation and Reissuance, or Termination [326 IAC 2-8-4(5)(C)][326 IAC 2-8-7(a)][326 IAC 2-8-8]

- (a) This permit may be modified, reopened, revoked and reissued, or terminated for cause. The filing of a request by the Permittee for a Federally Enforceable State 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 2-8-4(5)(C)] The notification by the Permittee does require a certification that meets the requirements of 326 IAC 2-8-5(a)(1) by an "authorized individual" as defined by 326 IAC 2-1.1-1(1).
- (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 2-8-8(a)]
- (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 2-8-8(b)]
- (d) The reopening and revision of this permit, under 326 IAC 2-8-8(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 2-8-8(c)]

B.18 Permit Renewal [326 IAC 2-8-3(h)]

- (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 2-8-3. 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 2-8-5(a)(1) by an "authorized individual" as defined by 326 IAC 2-1.1-1(1).

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 2-8 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 2-8-3(g), in writing by IDEM, OAQ any additional information identified as being needed to process the application.

B.19 Permit Amendment or Revision [326 IAC 2-8-10][326 IAC 2-8-11.1]

- (a) Permit amendments and revisions are governed by the requirements of 326 IAC 2-8-10 or 326 IAC 2-8-11.1 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 2-8-5(a)(1) by an "authorized individual" as defined by 326 IAC 2-1.1-1(1).
- (c) The Permittee may implement administrative amendment changes addressed in the request for an administrative amendment immediately upon submittal of the request. [326 IAC 2-8-10(b)(3)]

B.20 Operational Flexibility [326 IAC 2-8-15][326 IAC 2-8-11.1]

- (a) The Permittee may make any change or changes at the source that are described in 326 IAC 2-8-15(b) and (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 approval required by 326 IAC 2-8-11.1 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 5
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 2-8-15(b)(1) and (c). 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 2-8-15(b)(1) and (c).

- (b) Emission Trades [326 IAC 2-8-15(b)]
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 2-8-15(b).
- (c) Alternative Operating Scenarios [326 IAC 2-8-15(c)]
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 2-8-4(7). No prior notification of IDEM, OAQ or U.S. EPA is required.
- (d) Backup fuel switches specifically addressed in, and limited under, Section D of this permit shall not be considered alternative operating scenarios. Therefore, the notification requirements of part (a) of this condition do not apply.

B.21 Source Modification Requirement [326 IAC 2-8-11.1]

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

B.22 Inspection and Entry [326 IAC 2-8-5(a)(2)][IC 13-14-2-2][IC 13-17-3-2][IC 13-30-3-1]

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

- (a) Enter upon the Permittee's premises where a FESOP 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, at reasonable times, 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, at reasonable times, 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, at reasonable times, 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.23 Transfer of Ownership or Operational Control [326 IAC 2-8-10]

- (a) The Permittee must comply with the requirements of 326 IAC 2-8-10 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 2-8-5(a)(1) by an "authorized individual" as defined by 326 IAC 2-1.1-1(1).
- (c) The Permittee may implement administrative amendment changes addressed in the request for an administrative amendment immediately upon submittal of the request. [326 IAC 2-8-10(b)(3)]

B.24 Annual Fee Payment [326 IAC 2-7-19][326 IAC 2-8-4(6)][326 IAC 2-8-16][326 IAC 2-1.1-7]

- (a) The Permittee shall pay annual fees to IDEM, OAQ no later than 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) 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 317-233-8590 (ask for OAQ, Billing, Licensing, and Training Section), to determine the appropriate permit fee.

B.25 Credible Evidence [326 IAC 2-8-4(3)][326 IAC 2-8-5][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 2-8-4(1)]

C.1 Overall Source Limit [326 IAC 2-8]

The purpose of this permit is to limit this source's potential to emit to less than major source levels for the purpose of Section 502(a) of the Clean Air Act.

- (a) Pursuant to 326 IAC 2-8:
- (1) The potential to emit volatile organic compounds (VOCs) from the entire source shall be limited to less than fifty (50) tons per twelve (12) consecutive month period;
 - (2) The potential to emit nitrogen oxides (NOx) from the entire source shall be limited to less than fifty (50) tons per twelve (12) consecutive month period;
 - (3) The potential to emit any regulated pollutant, except particulate matter (PM), volatile organic compounds (VOCs), and nitrogen oxides (NOx), from the entire source shall be limited to less than one hundred (100) tons per twelve (12) consecutive month period;
 - (4) The potential to emit any individual hazardous air pollutant (HAP) from the entire source shall be limited to less than ten (10) tons per twelve (12) consecutive month period; and
 - (5) The potential to emit any combination of HAPs from the entire source shall be limited to less than twenty-five (25) tons per twelve (12) consecutive month period.
- (b) Pursuant to 326 IAC 2-2 (PSD), potential to emit particulate matter (PM) from the entire source shall be limited to less than two hundred fifty (250) tons per twelve (12) consecutive month period.
- (c) This condition shall include all emission points at this source including those that are insignificant as defined in 326 IAC 2-7-1(21). The source shall be allowed to add insignificant activities not already listed in this permit, provided the source's potential to emit does not exceed the above specified limits.
- (d) Section D of this permit contains independently enforceable provisions to satisfy this requirement.

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

C.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).

C.6 Fugitive Particulate Matter Emissions [326 IAC 6.8-10-3]

Pursuant to 326 IAC 6.8-10-3 (formerly 326 IAC 6-1-11.1) (Lake County Fugitive Particulate Matter Control Requirements), the particulate matter emissions from source wide activities shall meet the following requirements:

- (a) The average instantaneous opacity of fugitive particulate emissions from a paved road shall not exceed ten percent (10%).
- (b) The average instantaneous opacity of fugitive particulate emissions from an unpaved road shall not exceed ten percent (10%).
- (c) The opacity of fugitive particulate emissions from exposed areas shall not exceed ten percent (10%) on a six (6) minute average.
- (d) The opacity of fugitive particulate emissions from continuous transfer of material onto and out of storage piles shall not exceed ten percent (10%) on a three (3) minute average.
- (e) The opacity of fugitive particulate emissions from storage piles shall not exceed ten percent (10%) on a six (6) minute average.
- (f) There shall be a zero (0) percent frequency of visible emission observations of a material during the inplant transportation of material by truck or rail at any time.
- (g) The opacity of fugitive particulate emissions from the inplant transportation of material by front end loaders and skip hoists shall not exceed ten percent (10%).
- (h) Material processing facilities shall include the following:
 - (1) There shall be a zero (0) percent frequency of visible emission observations from a building enclosing all or part of the material processing equipment, except from a vent in the building.
 - (2) The PM10 emissions from building vents shall not exceed twenty-two thousandths (0.022) grains per dry standard cubic foot and ten percent (10%) opacity.
 - (3) The PM10 stack emissions from a material processing facility shall not exceed twenty-two thousandths (0.022) grains per dry standard cubic foot and ten percent (10%) opacity.

- (4) The opacity of fugitive particulate emissions from the material processing facilities, except a crusher at which a capture system is not used, shall not exceed ten percent (10%) opacity.
- (5) The opacity of fugitive particulate emissions from a crusher at which a capture system is not used shall not exceed fifteen percent (15%).
- (i) The opacity of particulate emissions from dust handling equipment shall not exceed ten percent (10%).
- (j) Material transfer limits shall be as follows:
 - (1) The average instantaneous opacity of fugitive particulate emissions from batch transfer shall not exceed ten percent (10%).
 - (2) Where adequate wetting of the material for fugitive particulate emissions control is prohibitive to further processing or reuse of the material, the opacity shall not exceed ten percent (10%), three (3) minute average.
 - (3) Slag and kish handling activities at integrated iron and steel plants shall comply with the following particulate emissions limits:
 - (A) The opacity of fugitive particulate emissions from transfer from pots and trucks into pits shall not exceed twenty percent (20%) on a six (6) minute average.
 - (B) The opacity of fugitive particulate emissions from transfer from pits into front end loaders and from transfer from front end loaders into trucks shall comply with the fugitive particulate emission limits in 326 IAC 6.8-10-3(9).
- (k) Any facility or operation not specified in 326 IAC 6.8-10-3 shall meet a twenty percent (20%), three (3) minute average opacity standard.

The Permittee shall achieve these limits by controlling fugitive particulate matter emissions according to the Fugitive Dust Control Plan (included as Attachment A to the operating permit).

C.7 Lake County Particulate Matter Contingency Measures [326 IAC 6.8-11]

The Permittee shall comply with the applicable provisions of 326 IAC 6.8-11 (Lake County Particulate Matter Contingency Measures).

C.8 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.

C.9 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(c).
- (d) The notice to be submitted shall include the information enumerated in 326 IAC 14-10-3(d).

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 2-8-5(a)(1) by an "authorized individual" as defined by 326 IAC 2-1.1-1(1).

- (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.

Testing Requirements [326 IAC 2-8-4(3)]

C.10 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 2-8-5(a)(1) by an "authorized individual" as defined by 326 IAC 2-1.1-1(1).

- (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 2-8-5(a)(1) by an "authorized individual" as defined by 326 IAC 2-1.1-1(1).
- (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.11 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 Requirement [326 IAC 2-8-4][326 IAC 2-8-5(a)(1)]

C.12 Compliance Monitoring [326 IAC 2-8-4(3)][326 IAC 2-8-5(a)(1)]

- (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 2-8-5(a)(1) by an "authorized individual" as defined by 326 IAC 2-1.1-1(1).

C.13 Instrument Specifications [326 IAC 2-1.1-11][326 IAC 2-8-4(3)][326 IAC 2-8-5(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 2-8-4][326 IAC 2-8-5(a)(1)]

C.14 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.15 Risk Management Plan [326 IAC 2-8-4][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.16 Response to Excursions or Exceedances [326 IAC 2-8-4][326 IAC 2-8-5]

Upon detecting an excursion where a response step is required by the D Section or an exceedance of a limitation 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.

C.17 Actions Related to Noncompliance Demonstrated by a Stack Test [326 IAC 2-8-4][326 IAC 2-8-5]

- (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 2-8-5(a)(1) by an "authorized individual" as defined by 326 IAC 2-1.1-1(1).

Record Keeping and Reporting Requirements [326 IAC 2-8-4(3)]

C.18 General Record Keeping Requirements [326 IAC 2-8-4(3)][326 IAC 2-8-5]

- (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 FESOP.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.19 General Reporting Requirements [326 IAC 2-8-4(3)(C)][326 IAC 2-1.1-11]

- (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 2-8-5(a)(1) by an "authorized individual" as defined by 326 IAC 2-1.1-1(1). A deviation is an exceedance of a permit limitation or a failure to comply with a requirement of the permit.
- (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.

Stratospheric Ozone Protection

C.20 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 EMISSIONS UNIT OPERATION CONDITIONS

Emissions Unit Description:

- (a) Two (2) municipal solid waste lines, recovering ferrous and non-ferrous metals, paper, corrugated cardboard, and plastics from a portion of the incoming municipal solid waste (MSW) stream, identified as MSW-1 and MSW-2, approved in 2016 for construction, each with a maximum throughput of 50 tons per hour of municipal solid waste, and consisting of the following equipment:
- (1) Two (2) Truck Tippers, with particulate emissions controlled by a baghouse, identified as BH-1, and exhausting through vent BH1, with any uncaptured emissions vented to the outdoors through the general building ventilation system.
 - (2) One (1) MSW tipping floor, located inside the building with overhead doors, having a maximum storage capacity of 900 tons of MSW, with particulate emissions controlled by baghouse BH-1, and exhausting through vent BH1, with any uncaptured emissions vented to the outdoors through the general building ventilation system.
 - (3) Two (2) Infeed Conveyors, controlled by a baghouse identified as BH-1, and exhausting to vent BH1, with any uncaptured emissions vented to the outdoors through the general building ventilation system.
 - (4) Two (2) Conveyor Transfer Points, located between the infeed conveyors and the Presort Conveyors, controlled by a baghouse identified as BH-1, and exhausting through vent BH1, with any uncaptured emissions vented to the outdoors through the general building ventilation system.
 - (5) Two (2) Manual Presort Conveyors, with no controls, and vented to the outdoors through the general building ventilation system. The following items are removed from the waste stream on the Pre-sort Conveyors:

Trap and Film;
Propane Tanks and Large Metal items; and,
Old Corrugated Cardboard (OCC).
 - (6) Two (2) Trommel Screens to open bags and sort material into over 9" and under 9", with particulate controlled by a baghouse, identified as BH-1, with any uncaptured emissions vented to the outdoors through the general building ventilation system.
 - (7) Two (2) manual sorting conveyors to remove electronics from the waste stream, with no controls, and vented to the outdoors through the general building ventilation system.
 - (8) Two (2) Glass Breakers, with particulate emissions controlled by baghouse BH-1, and exhausting through vent BH1, with any uncaptured emissions vented to the outdoors through the general building ventilation system.
 - (9) One (1) Overbelt Magnet, with no controls, and vented to the outdoors through the general building ventilation system.
 - (10) Two (2) 9" Minus Manual Sorting Conveyors to remove PET, HDPE, fiber, and PVC from the waste stream, with no controls, and vented to the outdoors through the general building ventilation system.

- (11) Two (2) 9" Plus Manual Sorting Conveyors to remove PET, HDPE, Fiber, and PVC from the waste stream, with no controls, and vented to the outdoors through the general building ventilation system.
 - (12) Four (4) Non-FE Eddy Current Separators to remove aluminum from the waste stream, with no controls, and vented to the outdoors through the general building ventilation system.
 - (13) Two (2) Non-FE Quality Control Conveyors, with no controls, and vented to the outdoors through the general building ventilation system.
 - (14) Two (2) Non-FE Silo Blowers, with no controls, and vented to the outdoors through the general building ventilation system.
 - (15) One (1) Non-FE Silo, with no controls, and vented to the outdoors through the general building ventilation system.
 - (16) Four (4) Cirrus Optical Sorters to remove PVC from the waste stream, with no controls, and vented to the outdoors through the general building ventilation system.
 - (17) Two (2) Brick and Rock QC Conveyors, with no controls, and vented to the outdoors through the general building ventilation system.
 - (18) Two (2) Refuse Derived Fuel (RDF) Shredders, with particulate emissions controlled by baghouse BH-2, and exhausting through vent BH2, with any uncaptured emissions vented to the outdoors through the general building ventilation system.
 - (19) One (1) Baler Feed Conveyor, with no controls, and vented to the outdoors through the general building ventilation system.
 - (20) One (1) Baler, with no controls, and vented to the outdoors through the general building ventilation system.
 - (21) One (1) RDF Storage Area, with particulate emissions controlled by baghouse BH-2, and exhausting through vent BH2, with any uncaptured emissions vented to the outdoors through the general building ventilation system.
 - (22) Loading of materials into trucks for off-site shipping, with no controls, and vented to the outdoors through the general building ventilation system.
- (b) One (1) construction and demolition (C&D) line, recovering ferrous and non-ferrous metals and wood from a portion of the incoming C&D waste, identified as CD-1, approved in 2016 for construction, with a maximum throughput of 50 tons per hour of certified asbestos-free construction and demolition waste, and consisting of the following equipment:
- (1) One (1) Tipping Floor located inside the building with overhead doors, having a maximum storage capacity of 600 tons of C&D waste, with particulate emissions controlled by baghouse BH-1, and exhausting through vent BH1, with any uncaptured emissions vented to the outdoors through the general building ventilation system.
 - (2) One (1) Action Finger Screen to separate material over 10" from material under 10", with particulate emissions controlled by baghouse BH-1, and exhausting through vent BH1, with any uncaptured emissions vented to the outdoors through the general building ventilation system.

- (3) Four (4) C&D Overbelt Magnet Conveyors to remove ferrous metals from the waste stream, with no controls, and vented to the outdoors through the general building ventilation system.
 - (4) One (1) Fines Screen to separate material greater than 3" from material less than 3", with particulate emissions controlled by baghouse BH-2, and exhausting through vent BH2, with any uncaptured emissions vented to the outdoors through the general building ventilation system.
 - (5) Three (3) Manual Sorting Conveyors to remove OCC, bricks & rocks, HDPE, PET, and trap & large film from the waste stream, with no controls, and vented to the outdoors through the general building ventilation system.
 - (6) One (1) Drum Magnet to remove ferrous metals from the waste stream, with no controls, and vented to the outdoors through the general building ventilation system.
 - (7) One (1) MSS Aladdin optical sorter to remove plastics from the waste stream, with no controls, and vented to the outdoors through the general building ventilation system.
 - (8) One (1) Residue Conveyor, with no controls, and vented to the outdoors through the general building ventilation system.
 - (9) One (1) WSM wood grinder, with particulate emissions controlled by baghouse BH-2, and exhausting through vent BH2, with any uncaptured emissions vented to the outdoors through the general building ventilation system.
- The Permittee will only grind clean wood in the wood grinder. Clean wood consists of uncoated, unpainted, and untreated wood scrap, sawdust, chips, millings or shavings, and natural growth wood materials. Clean wood does not include wood products that have been painted, pigment-stained, or pressure treated by compounds such as chromate copper arsenate, pentachlorophenol, and creosote, or manufactured wood products that contain adhesives or resins (e.g., plywood, particle board, flake board, and oriented strand board).
- (10) Wood and wood residue storage areas, with no controls, and vented to the outdoors through the general building ventilation system.
 - (11) Loading of materials into trucks for off-site shipping, with no controls, and vented to the outdoors through the general building ventilation system.

(c) Paved roads and parking lots with public access.

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

Emission Limitations and Standards [326 IAC 2-8-4(1)]

D.1.1 PM/PM10/PM2.5 Limitations [326 IAC 2-8][326 IAC 2-2]

Pursuant to 326 IAC 2-8-4 (FESOP) and in order to render the requirements of IAC 2-7 (Part 70 Permits) and 326 IAC 2-2 (Prevention of Significant Deterioration (PSD)) not applicable, PM, PM10, and PM2.5 emissions from the following emission units shall not exceed the emission limits specified in the table below:

Line	Emission Units	Control Device	PM Limit (lbs/hr)	PM10 Limit (lbs/hr)	PM2.5 Limit (lbs/hr)
MSW-1 and MSW-2	Two (2) Truck Tipplers	Baghouse BH-1	15.00	2.00	2.00
MSW-1 and MSW-2	One (1) Tipping Floor				
CD-1	One (1) Tipping Floor				
CD-1	One (1) Action Finger Screen				
MSW-1 and MSW-2	Two (2) Infeed Conveyors				
MSW-1 and MSW-2	Two (2) Conveyor Transfer Points				
MSW-1 and MSW-2	Two (2) Trommel Screens				
MSW-1 and MSW-2	Two (2) Glass Breakers				
MSW-1 and MSW-2	Two (2) RDF Shredders				
MSW-1 and MSW-2	One (1) RDF Storage Area	Baghouse BH-2	15.00	2.00	2.00
CD-1	One (1) Fines Screen				
CD-1	One (1) WSM Wood Grinder				

Compliance with these limits, combined with the potential to emit PM, PM10, and PM2.5 from all from all other emission units at this source, shall limit the source-wide total potential to emit of PM to less than 250 tons per twelve (12) consecutive month period, PM10 and PM2.5 to less than 100 tons per twelve (12) consecutive month period, each, and shall render the requirements of IAC 2-7 (Part 70 Permits) and 326 IAC 2-2 (Prevention of Significant Deterioration (PSD)) not applicable.

D.1.2 Particulate Matter (PM) [326 IAC 6.8-1-2]

Pursuant to 326 IAC 6-8.1-2(a), particulate matter (PM) emissions from the municipal solid waste lines (MSW-1 and MSW-2), construction and demolition line (CD-1), paved roads, and parking lots associated with the source shall not exceed 0.03 grain per dry standard cubic foot (dscf).

D.1.3 Asbestos Requirement [326 IAC 2-8][40 CFR 61, Subpart M]

Pursuant to 326 IAC 2-8 (FESOPs) and in order to render the requirements 40 CFR 61, Subpart M (National Emission Standard for Asbestos) not applicable, the source shall only accept certified asbestos-free construction and demolition waste as determined prior to demolition by a licensed asbestos building inspector.

A licensed asbestos building inspector is an individual who has obtained an up-to-date state certified asbestos license for building inspectors and has been trained in the appearance and characteristics of both friable and non-friable asbestos, as well as common building locations for asbestos-containing materials.

Compliance with this requirement shall render the requirements of 40 CFR 61, Subpart M (National Emission Standard for Asbestos) not applicable.

D.1.4 Wood Grinding Requirement [326 IAC 2-7] [326 IAC 2-4.1]

In order to render the provisions of 326 IAC 2-7 (Part 70) and 326 IAC 2-4.1 (Major Sources of Hazardous Air Pollutants) not applicable, the Permittee shall only grind clean wood in the WSM wood grinder.

Clean wood, consists of uncoated, unpainted, and untreated wood scrap, sawdust, chips, millings or shavings, and natural growth wood materials. Clean wood does not include wood products that have been painted, pigment-stained, or pressure treated by compounds such as chromate copper arsenate, pentachlorophenol, and creosote, or manufactured wood products that contain adhesives or resins (e.g., plywood, particle board, flake board, and oriented strand board).

Compliance with this requirement shall render the requirements of 326 IAC 2-7 (Part 70) and 326 IAC 2-4.1 (Major Sources of Hazardous Air Pollutants) not applicable.

D.1.5 Preventive Maintenance Plan [326 IAC 2-8-4(9)]

A Preventive Maintenance Plan is required for these facilities and the associated 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 2-8-4(1)]

D.1.6 Particulate Control [326 IAC 2-7-6(6)]

(a) In order to assure compliance with Conditions D.1.1 and D.1.2, baghouses BH-1 and BH-2 shall be in operation and control PM/PM/PM2.5 emissions from the following emission units at all times that the emission units are in operation:

Line	Emission Units	Control Device
MSW-1 and MSW-2	Two (2) Truck Tippers	Baghouse BH-1
MSW-1 and MSW-2	One (1) Tipping Floor	
CD-1	One (1) Tipping Floor	
CD-1	One (1) Action Finger Screen	
MSW-1 and MSW-2	Two (2) Infeed Conveyors	
MSW-1 and MSW-2	Two (2) Conveyor Transfer Points	
MSW-1 and MSW-2	Two (2) Trommel Screens	
MSW-1 and MSW-2	Two (2) Glass Breakers	
MSW-1 and MSW-2	Two (2) RDF Shredders	Baghouse BH-2
MSW-1 and MSW-2	One (1) RDF Storage Area	
CD-1	One (1) Fines Screen	
CD-1	One (1) WSM Wood Grinder	

(b) 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.

D.1.7 Testing Requirements [326 IAC 2-7-6(1)] [326 IAC 2-1.1-11]

(a) Not later than 180 days after initial startup of the two (2) MSW lines and the one (1) C&D line, in order to demonstrate compliance with Conditions D.1.1 and D.1.2, the Permittee shall perform PM, PM10, and PM2.5 testing for baghouse BH-1, utilizing methods as approved by the Commissioner. This test shall be repeated at least once every five (5) years from the date of this 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 initial startup of the two (2) MSW lines and the one (1) C&D line, in order to demonstrate compliance with Conditions D.1.1 and D.1.2, the Permittee shall perform PM, PM10, and PM2.5 testing for baghouse BH-2, utilizing methods as approved by the Commissioner. This test shall be repeated at least once every five (5) years from the date of this 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.

D.1.8 Waste Asbestos Content [326 IAC 2-7][40 CFR 61, Subpart M]

Compliance with Conditions D.1.3 shall be determined by obtaining from each construction and demolition waste supplier a waste supplier certification that certifies that all construction and demolition waste delivered to the Permittee is asbestos-free as determined by a licensed asbestos building inspector.

Compliance Monitoring Requirements [326 IAC 2-8-4][326 IAC 2-8-5(a)(1)]

D.1.9 Bag Leak Detection System (BLDS)

The Permittee shall comply with the following:

- (a) The Permittee shall install and operate a continuous bag leak detection system (BLDS) on baghouse BH-1 and baghouse BH-2.
- (b) The BLDS shall meet the following requirements:
 - (1) The bag leak detection system must be certified by the manufacturer to be capable of detecting particulate matter emissions at concentrations of 0.00044 grains per actual cubic foot or less.
 - (2) The bag leak detection system sensor must provide output of relative particulate matter loading.
 - (3) The bag leak detection system must be equipped with an alarm system that will alarm when an increase in relative particulate loading is detected over a preset level established or verified during a stack test or established according to paragraph (4). The alarm must be located such that it can be heard by the appropriate plant personnel.
 - (4) The bag leak detection system shall be installed and operated in a manner consistent with available written guidance from the U.S. Environmental Protection Agency or the manufacturer's written specifications and recommendations for installation, operation, and adjustment of the system.
 - (5) In no event shall the sensitivity be increased by more than 100 percent or decreased by more than 50 percent over a 365 day period unless such adjustment follows a complete baghouse inspection, which demonstrates the baghouse, is in good operating condition.
 - (6) Failure to take response steps shall be considered a deviation from this permit.
 - (7) Whenever a BLDS is malfunctioning or is down for maintenance or repairs for a period of twenty-four (24) hours or more during operation of the relevant municipal solid waste line (MSW-1 or MSW-2) or construction and demolition line (CD-1), the Permittee shall provide a certified opacity reader, who may be an employee of the Permittee or an independent contractor, to take visible emission readings from the relevant unit stack.
 - (A) Visible emission readings of the applicable baghouse(s) shall be performed at least once per day during normal daylight operations.
 - (B) These observations shall be taken in accordance with 40 CFR 60 Appendix A, Method 9 for at least two six (6) minute averages.
 - (C) If abnormal emissions are observed, the Permittee shall take a reasonable response. Section C.15 – Response to Excursions or Exceedances contains the Permittee's obligations with regard to the reasonable response steps required by this condition. Abnormal

emissions are not a deviation from this permit. Failure to take response steps shall be considered a deviation from this permit.

D.1.10 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).

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.1.11 Clean Wood Operator Training

In order to assure compliance with Condition D.1.4, the Permittee shall implement a training program that meets the following requirements:

- (a) The training program shall be given to any personnel responsible for inspecting and sorting wood that will be ground in the WSM wood grinder and for any personnel responsible for operating the WSM wood grinder;
- (b) The training program shall specify how to identify wood that meets the definition of clean wood as defined in Condition D.1.4 and wood that does not meet the definition of clean wood as defined in Condition D.1.4;
- (c) The training program shall be written and retained on site. The training program shall include a description of the methods to be used at the completion of initial and refresher training to demonstrate and document successful completion. The Permittee shall maintain training program records, including copies of the training program, the list of trained personnel, the initial training and refresher training completion date(s), and whether personnel successfully completed the training; and
- (d) Personnel shall be given refresher training annually.

Record Keeping and Reporting Requirements [326 IAC 2-8-4(3)]

D.1.12 Record Keeping Requirements

- (a) To document the compliance status with Conditions D.1.3 and D.1.8, the Permittee shall maintain the following records:
 - (1) The name of each construction and demolition waste supplier; and
 - (2) Waste supplier certifications required under Condition D.1.8.
- (b) To document the compliance status with Condition D.1.11(c), the Permittee shall maintain training program records, including copies of the training program, the list of trained personnel, the initial training and refresher training completion date(s), and whether personnel successfully completed the training.

- (c) To document the compliance status with Condition D.1.9, the Permittee shall maintain records of the dates and times of all bag leak detection system alarms, the cause of each alarm, and an explanation of all corrective actions taken.
- (d) Section C - General Record Keeping Requirements contains the Permittee's obligations with regard to the records required by this condition.

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

**FEDERALLY ENFORCEABLE STATE OPERATING PERMIT (FESOP)
CERTIFICATION**

Source Name: Maya Energy, LLC
Source Address: 2727 W 35th Ave., Gary, Indiana 46408
FESOP Permit No.: F089-44483-00594

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:

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**

**FEDERALLY ENFORCEABLE STATE OPERATING PERMIT (FESOP)
EMERGENCY OCCURRENCE REPORT**

Source Name: Maya Energy, LLC
Source Address: 2727 W 35th Ave., Gary, Indiana 46408
FESOP Permit No.: F089-44483-00594

This form consists of 2 pages

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<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) daytime 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 2-8-12

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
 FEDERALLY ENFORCEABLE STATE OPERATING PERMIT (FESOP)
 QUARTERLY DEVIATION AND COMPLIANCE MONITORING REPORT**

Source Name: Maya Energy, LLC
 Source Address: 2727 W 35th Ave., Gary, Indiana 46408
 FESOP Permit No.: F089-44483-00594

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

<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>	
<input type="checkbox"/> NO DEVIATIONS OCCURRED THIS REPORTING PERIOD.	
<input type="checkbox"/> THE FOLLOWING DEVIATIONS OCCURRED THIS REPORTING PERIOD	
Permit Requirement (specify permit condition #)	
Date of Deviation:	Duration of Deviation:
Number of Deviations:	
Probable Cause of Deviation:	
Response Steps Taken:	
Permit Requirement (specify permit condition #)	
Date of Deviation:	Duration of Deviation:
Number of Deviations:	
Probable Cause of Deviation:	
Response Steps Taken:	

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

Form Completed by: _____

Title / Position: _____

Date: _____

Phone: _____

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

Maya Energy, LLC
2727 W 35th Ave.
Gary, Indiana 46408

Affidavit of Construction

I, _____, being duly sworn upon my oath, depose and say:
(Name of the Authorized Representative)

1. I live in _____ County, Indiana and being of sound mind and over twenty-one (21) years of age, I am competent to give this affidavit.
2. I hold the position of _____ for _____.
(Title) (Company Name)
3. By virtue of my position with _____, I have personal
(Company Name)
knowledge of the representations contained in this affidavit and am authorized to make these representations on behalf of _____.
(Company Name)
4. I hereby certify that Maya Energy, LLC 2727 W 35th Ave., Gary, Indiana 46408, completed construction of the stationary material recovery and recycling facility for municipal solid waste and construction and demolition debris on _____ in conformity with the requirements and intent of the construction permit application received by the Office of Air Quality on August 8, 2016 and as permitted pursuant to Federally Enforceable State Operating Permit No. F089-38237-00594, Plant ID No. 089-00594 issued on April 27, 2017.
5. **Permittee, please cross out the following statement if it does not apply:** Additional (operations/facilities) were constructed/substituted as described in the attachment to this document and were not made in accordance with the construction permit.

Further Affiant said not.

I affirm under penalties of perjury that the representations contained in this affidavit are true, to the best of my information and belief.

Signature _____
Date _____

STATE OF INDIANA)
)SS

COUNTY OF _____)

Subscribed and sworn to me, a notary public in and for _____ County and State of Indiana on this _____ day of _____, 20____. My Commission expires: _____.

Signature _____
Name _____ (typed or printed)

Attachment A Fugitive Dust Control Plan

Federally Enforceable State Operating Permit (FESOP) No: F089-44483-00594

Maya Energy, LLC
2727 W 35th Ave.
Gary IN 46408

1. Description of Processes or Sources that Potentially Emit Fugitive Dust or Particulate Matter

This source consists of the following processes or sources that potentially emit fugitive dust or particulate matter (PM/PM10/PM2.5):

- Truck traffic on paved site roads (fugitive dust)
- Process building bay doors (when open) (uncaptured emissions)

2. Description of Paved Road Vehicle Traffic

Vehicular Traffic

Vehicular traffic on the site will consist of employee and guest vehicles, as well as trucks used for the delivery and shipping of municipal solid waste (MSW), construction and demolition (C&D) waste, and recovered & recycled material. Employee and guest vehicular traffic will use a separate gate and parking area from the process truck traffic.

The following table provides a summary of the potential inbound and outbound process truck traffic on the site:

Traffic Type	Maximum one-way trips per day (trip/day)	Maximum Weight of Vehicle and Load (tons/trip)	Maximum one-way distance (feet/trip)	Paved Road Silt Loading (g/m ²)
Inbound MSW Route Trucks (full)	60.0	29.0	1425	7.4
Inbound MSW Haul Trucks (full)	40.0	40.0	1880	7.4
Inbound C&D Haul Trucks (full)	32.0	40.0	1930	7.4
Inbound Recyclable Trucks (empty)	46.0	16.0	1400	7.4
Inbound RDF Trucks (empty)	36.0	16.0	1450	7.4
Inbound Landfill Trucks (empty)	23.0	16.0	1450	7.4
Outbound MSW Route Trucks (empty)	60.0	19.0	1425	7.4
Outbound MSW Haul Trucks (empty)	40.0	16.0	1880	7.4
Outbound C&D Haul Trucks (empty)	32.0	16.0	1930	7.4
Outbound Recyclable Trucks (full)	46.0	40.0	1400	7.4
Outbound RDF Trucks (full)	36.0	40.0	1450	7.4
Outbound Landfill Trucks (full)	23.0	40.0	1450	7.4

3. Fugitive Dust and Particulate Matter Control Measures

Paved Roads

The following dust control measures shall be performed such that the average instantaneous opacity of fugitive particulate emissions from a paved road shall not exceed ten percent (10%). The following control measures will be used to achieve compliance with the emission limitation:

- (a) Visitor and employee roads and parking areas will be inspected regularly, and swept and washed down on an as-needed basis.
- (b) All facility process roadways will be swept with a mechanical sweeper once per day, with the exception of periods of rain or snow.
- (c) Manual cleanup and sweeping will be performed on any spills and on areas where mechanical sweeping is not sufficient to remove dust from the roadways.
- (d) Cleaning of paved road segments and parking lots may be delayed by one day when:
 - (1) 0.1 or more inches of rain has accumulated during the 24-hour period prior to the scheduled cleaning.
 - (2) The road segment is closed or abandoned. Abandoned roads will be barricaded to prevent vehicle access.
 - (3) It is raining on the day of the scheduled cleaning.
 - (4) Roads are covered in snow or ice or temperature prohibits cleaning (freezing temperature)
- (e) Delivery and shipping trucks will be required to adhere to a posted facility speed limit of 20 miles per hour.

Delivery and Shipping Trucks

The following dust control measures shall be performed to minimize the potential for fugitive dust emissions from delivery and shipping trucks:

- (a) Waste brought to the site will be in enclosed transfer trailers or enclosed city MSW trucks.

Process Building

The following dust control measures shall be performed to minimize the potential for fugitive dust emissions from the process building.

- (a) The tipping floor and the process lines will be completely contained in an enclosed building with solid walls, curbed floors, and closable doors at all entry and exit points. All Facility Bay Doors will remain closed during the MSW tipping process and while the Facility is in operation. Bay doors will be opened to allow trucks to enter tipping floor area and be closed again as soon as truck is securely inside the facility. In order to eliminate the risk of fugitive dust escaping the facility, trucks will NOT be permitted to empty their contents onto the tipping floor while the Bay door is open. Once the tipping process is complete, all emptied trucks will have their tires washed down prior to exiting the facility. Bay doors will be opened to allow trucks to exit the tipping floor area and be closed again as soon as truck is securely outside the facility. This will further mitigate the potential for fugitive dust escaping the facility and reduce the facility's overall PTE for PM/PM10/PM2.5.
- (b) Inside the process building, dust will be collected via collection hoods from the tipping floor, the RDF storage area, and from significant emission points throughout the process, and will be routed to one of two baghouses.
- (c) All hoods will be designed per practices recommended by the American Conference of Governmental Industrial Hygienists (ACGIH®) in their publication "Industrial Ventilation: A Manual of Recommended Practice for Design". The hoods will be operated with a face velocity of 100 to 200 feet per minute.

4. Monitoring

Any required opacity, visible emission, and/or fugitive dust observations shall be performed as necessary to assure compliance with the requirements of permit Section C.2 (Opacity), permit Section C.5 (Fugitive Dust Emissions), and/or permit Section C.6 (Fugitive Dust Emissions). If it is determined that the source is not in compliance with requirements of permit Section C.2 (Opacity), permit Section C.5 (Fugitive Dust Emissions), and/or permit Section C.6 (Fugitive Dust Emissions), corrective actions shall be taken to bring the source back into compliance with the permit requirements.

5. Record Keeping and Reporting

Recordkeeping and Reporting

Records shall be kept to show compliance with each of the above listed control measures and control practices. This record shall include the date of all vacuum sweeping, wet sweeping, water flushing, spill control activities, as well dust suppressant application and the amount of suppressant applied. All records shall be kept for a minimum of three (3) years and shall be available for inspection or copying upon reasonable prior notice.

Additionally, a quarterly report shall be submitted to the department stating the following:

- (a) The dates any required control measures were not implemented.
- (b) A listing of those control measures.
- (c) The reasons that the control measures were not implemented.
- (d) Any corrective action taken.

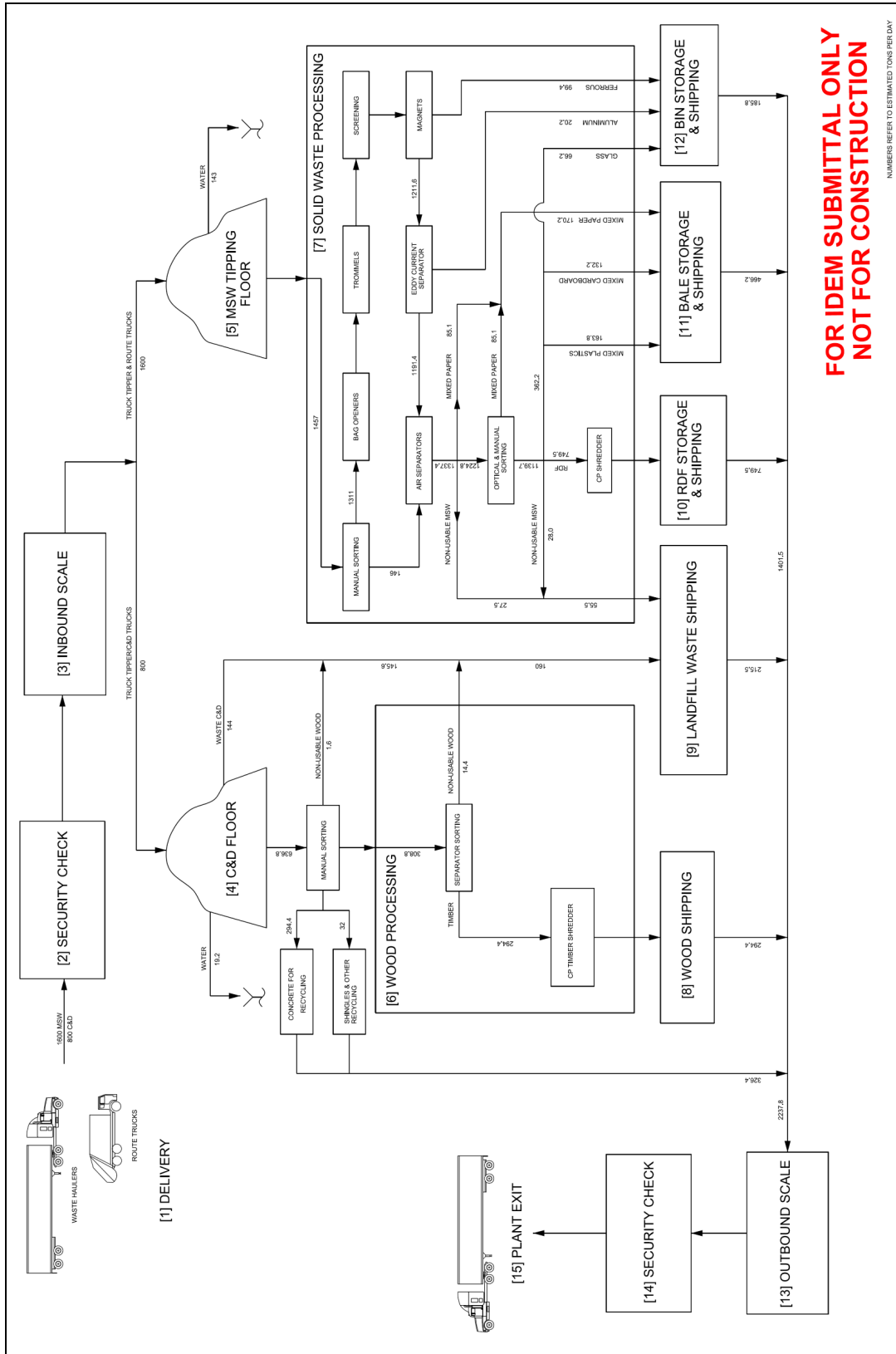
This report shall be submitted to the department thirty (30) calendar days from the end of a quarter.

6. Training Program

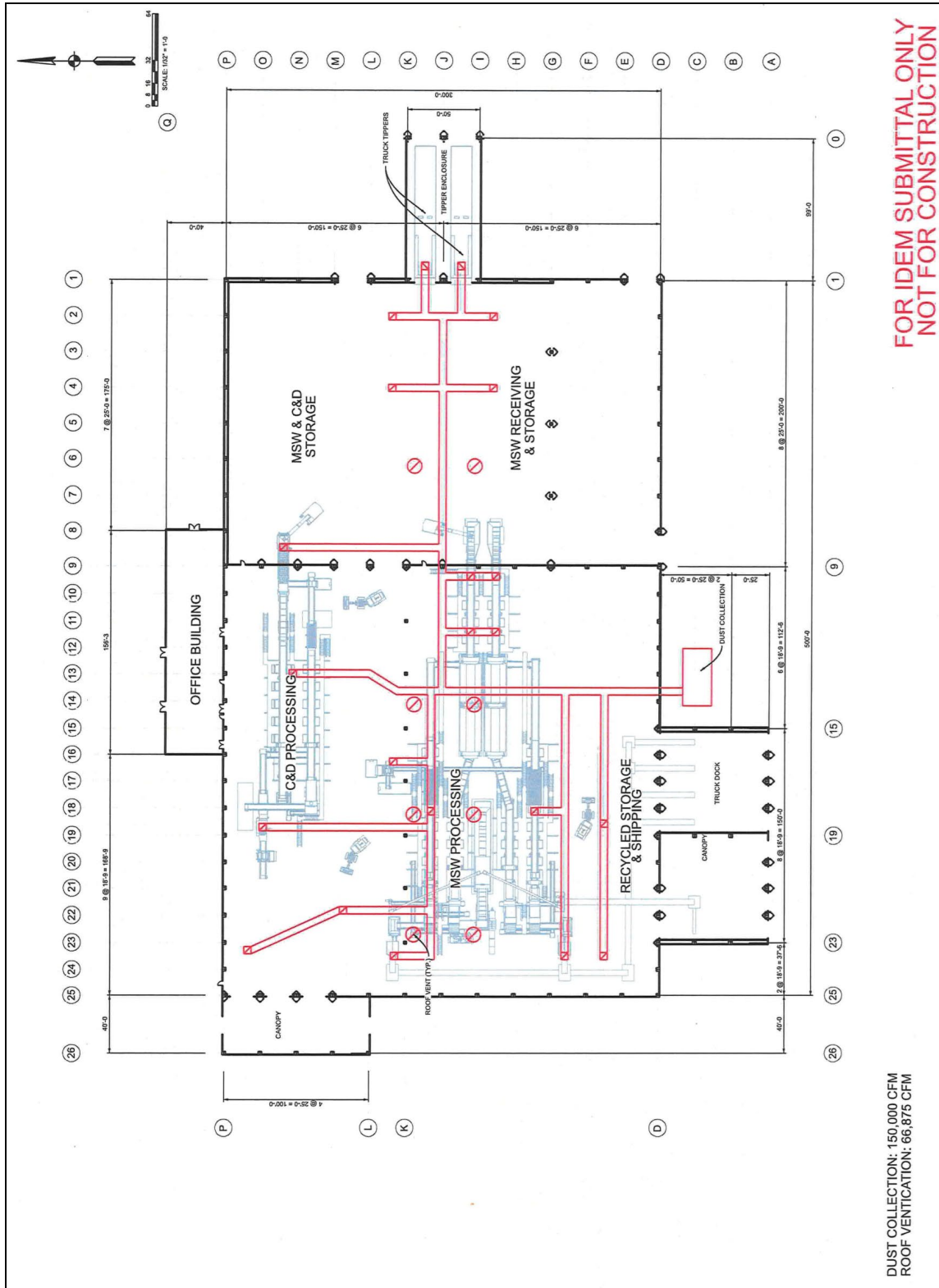
Pursuant to 326 IAC 6.8-10-4, a training program will be given to any personnel that are responsible for the daily maintenance and record keeping in accordance with all aspects of the facility FDCP.

Training program records will be maintained, including copies of the training program, the list of trained personnel, the initial training and refresher training completion date(s), and whether personnel successfully completed the training.

7. Process Flow Diagram for Facility Operations



9. Map of Process Building Baghouse Dust Collection System, General Building Vents, and Bay Doors



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

**Addendum to the Technical Support Document (ATSD) for a
Federally Enforceable State Operating Permit (FESOP) Renewal**

Source Background and Description
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Source Name:	Maya Energy, LLC
Source Location:	2727 W 35th Ave., Gary, Indiana 46408
County:	Lake (Calumet township)
SIC Code:	4953 (Refuse Systems)
Permit Renewal No.:	F089-44483-00594
Permit Reviewer:	Mehul Sura

On January 20, 2022, IDEM, Office of Air Quality (OAQ) posted a notice on IDEM's website (<https://www.in.gov/idem/public-notices/>), stating that Maya Energy, LLC (herein referred to as "Maya Energy"), had applied for a FESOP Renewal to continue to operate its existing source. The notice also stated that IDEM, OAQ proposed to issue a FESOP Renewal for this operation and provided information on how the public could review and provide comments on 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 this permit should be issued as proposed.

On January 20, 2022, IDEM, OAQ also posted a notice on IDEM's website (<https://www.in.gov/idem/public-notices/>), stating that IDEM, OAQ would hold a virtual public hearing on March 1, 2022, to discuss the draft FESOP Renewal for Maya Energy, LLC. The notice provided information on how the public could attend the virtual public hearing and how the public could review and provide comments on the proposed permit and other documentation. Finally, the notice informed interested parties that the public notice period would be extended until Monday, March 7, 2022.

On March 1, 2022, IDEM, OAQ conducted a virtual public hearing via Zoom regarding the draft FESOP Renewal.

On March 4, 2022, IDEM, OAQ had a notice posted on IDEM's website (<https://www.in.gov/idem/public-notices/>) informing interested parties that the public notice period was extended an additional 4 days and would end on Friday, March 11, 2022.

IDEM, OAQ thanks all of the commenters and attendees at the public hearing for their interest in the proposed permit renewal and their participation in the permit review process.

The Technical Support Document (TSD) is used by IDEM, OAQ for historical purposes. IDEM, OAQ does not make any changes to the original TSD, but the permit will have the updated changes. The comments and revised permit language are provided below with deleted language as ~~strikeouts~~ and new language **bolded**.

List of ATSD Appendices

This ATSD contains the following appendices:

- Appendix A: Potential to Emit Calculations
- Appendix B: Proposed Changes to Permit.
- Appendix C: Public Hearing Statements and IDEM Responses.

Public Hearing Statements and IDEM Responses

Statements made by the public hearing attendees and IDEM responses are included as Appendix C to this ATSD. The IDEM responses in Appendix C refer back to the General Statements and IDEM Responses section below.

General Statements and IDEM Responses

General Statement 1 - Issuance of the Permit Renewal

Many commenters expressed that the permit renewal should not (or cannot) be issued or the existing permit should be revoked (or should be considered revoked). Below is a summary of the comments received.

- **Construction/Operation Issues** - Maya Energy's permit should be revoked and not renewed, since it has not begun construction or operation of the source and it has not documented compliance with the construction and operating conditions in the New Source Construction and FESOP No. F089-38237-00594; the source should be required to resubmit an application for a New Source Construction and FESOP permit; the source has not submitted any Annual Compliance Certifications [326 IAC 2-8-5(a)(1)].
- **Extensions** - In December 2018, Maya was granted an extension of the original permit "provided that construction does commence prior to October 27, 2019."; Maya did not request any additional construction extensions and no additional letters of approval for an extension were issued.
- **Permit Renewal Term** - the source should not be issued a permit renewal with a 10-year permit term.
- **Changes to Source** - the original draft Significant Permit Revision (SPR) that was posted for public notice would have allowed significant equipment additions, facility expansion, or increases to the process/material throughput.

IDEM Response to General Statement 1 - Issuance of the Permit Renewal

IDEM's Air Pollution Permitting Program

IDEM's mission is to implement federal and state regulations to protect human health and the environment while allowing for environmentally sound operations of industrial, agricultural, commercial, and government activities vital to a prosperous economy.

IDEM, OAQ issues air pollution permits to facilities that emit regulated levels of pollutants to the air. Permits require sources to comply with all health-based and technology-based standards established by the U.S. Environmental Protection Agency (EPA) and the Indiana Environmental Rules Board. Permit decisions made by IDEM, OAQ are based on the ability of a source to comply with air permit requirements and applicable state and federal air quality rules and regulations.

326 IAC 2-1.1-8, IDEM is required to approve or deny an application received by the department. IDEM, may deny a permit for any of the following reasons:

- An application is deemed to be incomplete after reviewing an applicant's response to a second or subsequent request for additional information. [326 IAC 2-1.1-8(h)]
- The department may deny a permit application because it contains provisions that are not consistent with applicable rules or laws. [326 IAC 2-1.1-8(k)]

- A permit may be denied by the commissioner on the basis of adverse comment if the comment demonstrates the following: (A) The ambient air quality standards under 326 IAC 1-3 cannot be attained or maintained if a permit is issued. (B) The prevention of significant deterioration requirements under 326 IAC 2-2 will not be met. (C) The offset requirements under 326 IAC 2-3 will not be satisfied. (D) For any other reason such as, but not limited to, interference with attainment and maintenance of the standards under 326 IAC 12. [326 IAC 2-8-13(7)(C)]

The proposed permit renewal contains all health-based and technology-based standards established by the U.S. EPA and the Indiana Environmental Rules Board (ERB), which will limit the amount of emissions from the facility to the very lowest level allowed by law.

The information provided by the applicant in an air permit application indicates that that the Permittee will be able to comply with all permit requirements; therefore, IDEM will issue the permit.

This proposed permit renewal is protective of human health and the environment and will allow for environmentally sound operations that may support a prosperous economy.

IDEM, OAQ handles all air permit applications on an objective, consistent, and impartial basis. IDEM, OAQ staff are expected to comply with all applicable state ethics rules and policies. They strive to draft air permit documents and associated calculations/analyses that are thorough, accurate, and that contain all applicable state and federal requirements. All permit limitations are federally enforceable as a practical matter and protective of human health and the environment.

All of Indiana's air pollution control rules are contained in Title 326 of the Indiana Administrative Code, which is available at http://www.in.gov/legislative/iac/iac_title?iact=326 on the Internet. For information on how to get involved in Indiana's Environmental Rulemaking Process, please go to <https://www.in.gov/idem/legal/rulemaking/> on IDEM's website.

Regarding Comments Related to Construction/Operation Issues

- **Revocation of Permits [326 IAC 2-1.1-9(5)]**

Pursuant to 326 IAC 2-1.1-9(5) (Revocations), any construction permit granted by the Commissioner may be revoked if construction is not commenced within eighteen (18) months from the date of the issuance of the permit or if, during the construction, work is suspended for a continuous period of one (1) year or more. For the reasons specified under 326 IAC 2-1.1-9(5), IDEM OAQ may revoke a permit, but is not required to revoke a permit.

When a source has not commenced construction of a source within the eighteen (18) month time period, IDEM OAQ evaluates any underlying circumstances and/or information presented by a source, as well as other information, and determines whether (or not) to revoke a permit. Other information evaluated by IDEM, OAQ, may include, but is not limited to, whether the permit needs to be revised to reflect any physical or operational changes that the source has made (or is proposing to make) to the proposed emission units or the potential to emit, any changes in state or federal rule applicability for the source, any changes to county attainment status with the National Ambient Air Quality Standards (NAAQS), and/or any necessary changes to permit requirements.

If IDEM, OAQ determines that the underlying circumstances and/or information presented by a source are reasonable/satisfactory and no changes to the permit are necessary, IDEM, OAQ may exercise its discretion not to revoke a permit.

Maya Energy presented the following underlying circumstances to IDEM, OAQ as justification for its delay in commencing construction of the source:

1. On December 7, 2018, Maya Energy submitted a Review Request application requesting that IDEM, OAQ exercise its discretion to not revoke the permit, since it was waiting for the Solid Waste Processing Permit to be issued by IDEM Office of Land Quality (OLQ). On March 11, 2019, Maya Energy was issued a Solid Waste Processing Permit (SW Program IDE 45-53) by IDEM, OLQ.

In response to the application, IDEM, OAQ issued Review Request 089-40816-00594, stating that at this time IDEM, OAQ would exercise discretion and not revoke the permit.

2. Maya Energy has indicated that construction of the source has been further delayed due to the negative economic impacts of the coronavirus disease 2019 (COVID-19) pandemic in the United States from the years 2020 to 2022, including lockdown restrictions, contractor delays, supply chain interruptions, job losses, business closures, and the overall resulting economic recession.

After careful evaluation of the above underlying circumstances and information presented by Maya Energy, and other information explained above, IDEM OAQ determined that a satisfactory showing was made to justify Maya Energy's delay in commencing construction of the source and exercised its discretion not to revoke the permit. As part of the permit review process, IDEM, OAQ reviewed all applicable state and federal rules to ensure that the permit contained the most up-to-date applicable requirements.

- **Annual Compliance Certification [326 IAC 2-8-5(a)(1)]**

Pursuant to Condition B.11 - Annual Compliance Certification [326 IAC 2-8-5(a)(1)] of the original FESOP F089-38237-00594, Maya Energy was required to submit an annual compliance certification (ACC) report to IDEM, OAQ no later than April 15 of each year which addressed the status of the source's compliance with the terms and conditions contained in the permit during the previous year. A permitted source is required to submit the ACC even if it has not yet constructed and/or operated. The source should specify in the ACC report whether (or not) source constructed and/or operated the during the previous year.

Maya Energy has not submitted any ACC reports to IDEM, OAQ. IDEM is reviewing this matter and will take appropriate action.

IDEM uses a number of enforcement tools to bring sources that are out of compliance with a permit term or condition back into compliance. If it is determined that a source has violated a permit term or condition, IDEM, OAQ will take appropriate action to bring to source back into compliance with applicable permit conditions, state rules, and federal regulations. Most violations of environmental laws are resolved informally. As part of the informal resolution, a "warning letter" or "violation letter" is sent, noting the violation and measures necessary to correct it in order to ensure the responsible party corrects the documented problem. Certain violations are referred directly to formal administrative enforcement and may receive a Notice of Violation (NOV). An NOV normally results in the assessment of civil penalties and the requirement that IDEM and the respondent sign an Agreed Order (AO). The AO ensures that the respondent achieves and maintains compliance with Indiana's environmental statutes and rules. Any civil penalties assessed in an NOV by IDEM, OAQ are determined based on Indiana Code 13-30 and IDEM's Nonrule Policy Document (NPD) "Civil Penalty Policy" (ENFORCEMENT-99-0002-NPD available at https://www.in.gov/idem/files/nrpd_enf-002.pdf on IDEM's website.

Regarding Comments Related to Permit Extensions

IDEM OAQ does not grant "extensions" to a commencement of construction time period for a FESOP source, but may exercise its discretion not to revoke a permit based on underlying circumstances presented by a source and other information.

As summarized in the subsection above, Maya Energy presented underlying circumstances and information to IDEM, OAQ as justification for its delay in commencing construction of the source. After careful evaluation of the underlying circumstances and information presented by Maya Energy, and other information, IDEM OAQ determined that a satisfactory showing was made to justify Maya Energy's delay in commencing construction of the source and exercised its discretion not to revoke the permit.

Regarding Comments Related to Permit Renewal Term

FESOP permit term requirements are contained in Title 326 of the Indiana Administrative Code (IAC) 326 IAC 2-1.1-9.5 (General provisions; term of permit) and 326 IAC 2-8-4 (Permit content). Pursuant to 326 IAC 2-1.1-9.5(b)(2) and 326 IAC 2-8-4(2)(B), a FESOP renewal permit term shall not exceed ten (10) years from the date of issuance of the permit renewal. IDEM, OAQ has determined that no change to the ten (10) year permit renewal term is warranted.

Regarding Comments Related to Changes to the Source and the Draft Significant Permit Revision (SPR)

Maya Energy submitted a permit renewal application indicating that no emission units needed to be added to or removed from the permit/source. In the application, Maya Energy also provided updated anticipated (estimated) dates for construction and operation of the source. The application did not specify any additional equipment, facility expansion, or increases to the process/material throughput compared to the existing FESOP.

IDEM initially mischaracterized the application as a Significant Permit Revision (SPR). The application was assigned a permit number, SPR 089-44483-00594, and a draft SPR was posted on IDEM's Public Notice website for a 30-day public notice period on December 8, 2021. This was the result of a procedural issue on IDEM's part which was identified shortly after the public notice was posted.

The permit was reclassified as a Renewal, consistent with the application, once it was verified that no construction authorization was necessary or requested. On January 7, 2022, the 30-day public notice period for the SPR ended and the posting was removed from IDEM's Public Notice website. The draft permit renewal, FESOP 089-44483-00594, was posted on IDEM's Public Notice website for a 30-day public notice period on January 20, 2022, as well as a notification of a public hearing.

All comments received on the initial draft SPR and IDEM's responses to those comments are included in this ATSD under the subsection entitled, "Public Comments Received on the Draft FESOP SPR and IDEM Responses".

General Statement 2 - Environmental Justice and Civil Rights Concerns

Several commenters and the U.S. EPA expressed that the proposed facility location would be located in an environmental justice community and that there are environmental justice and civil rights concerns.

IDEM Response to General Statement 2 - Environmental Justice and Civil Rights Concerns

The Indiana Department of Environmental Management, Office of Air Quality (IDEM, OAQ) acknowledges that commenters and the U.S. Environmental Protection Agency (EPA) have concerns about the proposed location of the facility with respect to environmental justice and civil rights. As stated on EPA's Environmental Justice website¹, environmental justice is the fair treatment and meaningful involvement of all people regardless of race, color, national origin, or income, with respect to the development, implementation, and enforcement of environmental laws, regulations, and policies. This goal will be achieved when everyone enjoys:

The same degree of protection from environmental and health hazards, and
Equal access to the decision-making process to have a healthy environment in
which to live, learn, and work.

As stated on U.S. EPA's Title VI and Environmental Justice website², and in accordance with Title VI of the Civil Rights Act of 1964³, each Federal agency shall ensure that all programs or activities receiving Federal financial assistance that affect human health or the environment do not directly, or through contractual or other arrangements, use criteria, methods, or practices that discriminate on the basis of race, color, or national origin.

I. IDEM Obligations Under Title VI

Title VI of the Civil Rights Act of 1964, prohibits discrimination based on race, color, or national origin in state agency programs that receive federal funding. EPA issued regulations to implement Title VI, codified at 40 C.F.R. section 7.10, *et seq.* The regulations apply to all applicants for, and recipients of, EPA assistance in the operation of programs or activities receiving such assistance as of February 13, 1984.⁴ A recipient as defined by the regulations includes IDEM.⁵ The regulations state that no person shall be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving EPA assistance on the basis of race, color, national origin, or on the basis of sex in any program or activity receiving EPA assistance under the Federal Water Pollution Control Act, as amended, including the Environmental Financing Act of 1972.⁶ The regulations also include specific prohibitions:

- (a) As to any program or activity receiving EPA assistance, a recipient shall not directly or through contractual, licensing, or other arrangements on the basis of race, color, national origin or, if applicable, sex:
- (1) Deny a person any service, aid or other benefit of the program or activity;
 - (2) Provide a person any service, aid or other benefit that is different, or is provided differently from that provided to others under the program or activity;
 - (3) Restrict a person in any way in the enjoyment of any advantage or privilege enjoyed by others receiving any service, aid, or benefit provided by the program or activity;
 - (4) Subject a person to segregation in any manner or separate treatment in any way related to receiving services or benefits under the program or activity;
 - (5) Deny a person or any group of persons the opportunity to participate as members of any planning or advisory body which is an integral part of the program or activity, such as a local sanitation board or sewer authority;
 - (6) Discriminate in employment on the basis of sex in any program or activity subject to section 13, or on the basis of race, color, or national origin in any program or

1 <https://www.epa.gov/environmentaljustice>

2 <https://www.epa.gov/environmentaljustice/title-vi-and-environmental-justice>

3 42 U.S.C. § 2000d, *et seq.*

4 40 C.F.R. § 7.10, *et seq.*

5 40 C.F.R. § 7.25

6 40 C.F.R. § 7.30

activity whose purpose is to create employment; or, by means of employment discrimination, deny intended beneficiaries the benefits of EPA assistance, or subject the beneficiaries to prohibited discrimination. (7) In administering a program or activity receiving Federal financial assistance in which the recipient has previously discriminated on the basis of race, color, sex, or national origin, the recipient shall take affirmative action to provide remedies to those who have been injured by the discrimination.

(b) A recipient shall not use criteria or methods of administering its program or activity which have the effect of subjecting individuals to discrimination because of their race, color, national origin, or sex, or have the effect of defeating or substantially impairing accomplishment of the objectives of the program or activity with respect to individuals of a particular race, color, national origin, or sex.

(c) A recipient shall not choose a site or location of a facility that has the purpose or effect of excluding individuals from, denying them the benefits of, or subjecting them to discrimination under any program or activity to which this part applies on the grounds of race, color, or national origin or sex; or with the purpose or effect of defeating or substantially impairing the accomplishment of the objectives of this subpart.

(d) The specific prohibitions of discrimination enumerated above do not limit the general prohibition of § 7.30.⁷

There is no doubt that the above regulations and Title VI prohibitions apply to permitting decisions by recipients, such as IDEM.⁸

II. IDEM Actions Taken to Prevent Against Discrimination

IDEM's mission is to implement federal and state regulations to protect human health and the environment while allowing the environmentally sound operations of industrial, agricultural, commercial, and governmental activities vital to a prosperous economy.

The Indiana air permitting requirements that are applicable to this source are part of the state implementation plan (SIP) that is approved by EPA. Environmental laws are enacted by the Indiana legislature and the legislature has delegated rulemaking authority to the Indiana Environmental Rules Board (ERB)⁹. IDEM, OAQ has no authority to create any permit limits or measures that exceed what is legally required for a regulated source. Nothing in the criteria, methods, or practices of IDEM, OAQ discriminate based on race, color, or national origin. Permit decisions made by IDEM, OAQ are based on the ability of a source to comply with air permit requirements and applicable state and federal air quality rules and regulations that are in place to protect human health and the environment.

A. IDEM's Nondiscrimination Policy and Environmental Stakeholder Inclusion Program

As part of the IDEM's Nondiscrimination Policy, A-008-AW-18-P-R5, the agency adopted the concept of Environmental Stakeholder Inclusion (ESI) for the fair treatment and meaningful involvement of all people regardless of race, color, gender, national origin, geographic location, or income, with respect to the development, implementation, and enforcement of environmental laws, regulations, and policies¹⁰. An environmental

⁷ 40 C.F.R. § 7.35

⁸ 40 C.F.R. § 7.35(c); *see also* *S. Camden Citizens in Action v. N.J. Dep't of Env'tl. Prot.*, 145 F. Supp. 2d 446, 476 (D. N.J. 2001)

⁹ More information about the rulemaking process is available at <https://www.in.gov/idem/legal/rulemaking/> on IDEM's Website.

¹⁰ IDEM's Nondiscrimination Policy can be found at the following website:

stakeholder is a person with an interest or concern in environmental activities. The intent of IDEM's ESI program is to ensure that interested stakeholders are included and represented in agency actions, as outlined in the agency's Nondiscrimination Policy. Within IDEM, the environmental stakeholder inclusion coordinator works with the agency's program areas to enhance environmental stakeholder involvement in the regulatory processes administered by the agency¹¹.

B. Public Participation in Permitting Process

IDEM, OAQ encourages the public to participate in the rulemaking and permitting processes. IDEM, OAQ issues notices to the public when citizen participation is required or sought concerning agency actions. Examples include projects requiring an environmental permit, rules being considered by the ERB, and environmental studies or reports available for public comment¹².

To further IDEM, OAQ's commitment to the fair, equitable, and transparent implementation of its Title VI obligations and interactions with the public, IDEM, OAQ implemented the following recommended best practices identified in U.S. EPA's "Plan EJ 2014" (September 2011)¹³ document under section entitled "Considering Environmental Justice in Permitting":

- Public notifications outside of newspapers.
- Direct and targeted outreach to community organizations and institutions.
- Making documents physically accessible and free to communities.
- Scheduling meetings during non-working hours.
- Permit process descriptions of when, where, and how the public can get involved.

IDEM, OAQ also maintains a searchable electronic database for all air permits and permit applications. This database also includes the deadlines for public comments and the schedule of public hearings. IDEM also maintains a searchable electronic database for public access to digital copies of documents through IDEM's Virtual File Cabinet (VFC).

Below is summary of the public involvement and communication for this permitting action:

- A copy of the FESOP Renewal application and the draft FESOP Renewal were physically accessible and free to communities, as follows:
 - A copy of the FESOP Renewal application and the draft FESOP Renewal were sent to the Gary Public Library, John F Kennedy Branch, 3953 Broadway, Gary, IN 46409, and IDEM Northwest Regional Office, 330 W. US Highway 30, Suites E & F, Valparaiso, IN 46385 for public review.
 - An electronic copy of the draft permit renewal was made available for public review or download on the Internet at: <http://www.in.gov/ai/appfiles/idem-caats/>
 - An electronic copy of the permit application and draft permit renewal were also made available via IDEM's Virtual File Cabinet (VFC) for public review or download on the Internet at: <https://vfc.idem.in.gov/DocumentSearch.aspx>.
- On January 20, 2022, IDEM, OAQ posted a notice on IDEM's website (<https://www.in.gov/idem/public-notices>), stating that Maya Energy, LLC had applied

https://www.in.gov/idem/health/files/idem_policy_A-008-AW-18-P-R5.pdf

11 Additional information on the IDEM's Environmental Stakeholder Inclusion program can be found at the following website: <https://www.in.gov/idem/health/environmental-stakeholder-inclusion/>

12 Additional information about public participation in agency actions can be found in the Citizens' Guide to IDEM, which can be found on the following website: <https://www.in.gov/idem/resources/citizens-guide-to-idem/>

13 <https://nepis.epa.gov/Exe/ZyPDF.cgi/P100DFCQ.PDF?Dockey=P100DFCQ.PDF>

for a FESOP Renewal. The notice also stated that IDEM, OAQ proposed to issue a FESOP Renewal for this operation and provided information on how the public could review and provide comments on 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 this permit should be issued as proposed. The notice provided the permit writer's name and direct contact information and specified that written comments could be submitted in hardcopy by U.S. mail, private carrier, in person, or electronically by e-mail or fax.

- On January 20, 2022, IDEM, OAQ also posted a notice on IDEM's website (<https://www.in.gov/idem/public-notices>) stating that IDEM, OAQ would hold a virtual public hearing via Zoom on March 1, 2022, to discuss the draft FESOP Renewal for Maya Energy, LLC. The notice provided information on how the public could attend the virtual public hearing, provided information for citizens that needed reasonable accommodations to participate in this event, including accommodations for persons with speech or hearing difficulties, and how the public could review and provide comments on the proposed permit and other documentation. Finally, the notice informed interested parties that the public notice period would be extended until Monday, March 7, 2022.
- IDEM, OAQ sent the above notifications to all persons and entities (e.g., consultants, companies/corporations, groups, organizations, etc.) on the interested parties mailing list who had requested in writing to be on the list. The interested parties list included 30 persons or entities.
- IDEM, OAQ also sent the above notifications to the following local government officials:
 - (1) Gary Mayors Office 401 Broadway #102, Gary, IN 46402
 - (2) Gary City Health Department, 1145 W 5th Ave, Gary, IN 46402
 - (3) Lake County Commissioners 2293 N. Main St, Building A 3rd Floor, Crown Point, IN 46307
 - (4) Gary City Council 401 Broadway #209, Gary, IN 46402
 - (5) City of Gary Dept. of Environmental Affairs 401 Broadway, Suite 304, Gary, IN 46402
 - (6) Lake County Health Department, 2900 W 93rd Ave, Crown Point, IN 46307
- IDEM typically posts a weekly submission to its Twitter site (<https://twitter.com/idemnews>), Facebook site (<https://www.facebook.com/IndDEM>), Instagram site (<https://www.instagram.com/idemnews>), and LinkedIn site (<https://www.linkedin.com/company/inddem>) indicating the number of new or updated IDEM public notices that have been posted to its website in the last week and providing a link for the public to view public notices and to sign up for IDEM public notice notifications (<https://on.in.gov/publicnotices>)
- On March 1, 2022, at 5:30 p.m. Eastern Time, IDEM, OAQ began a virtual public hearing regarding the Maya Energy draft FESOP Renewal over the Internet, using the Zoom application. After several requests for additional testimony and receiving no responses, the public hearing was concluded at 6:42 p.m. Eastern Time. Due to the COVID 19 pandemic and the need to limit further spread of the virus, Indiana Governor Eric J. Holcomb had previously issued several executive orders to combat the pandemic, including allowing virtual gatherings, even if Indiana law would normally have required in person gatherings. Any person with access to a telephone or the internet was able to attend and make comments and ask questions. The

public hearing was well attended and received coverage from local television and newspapers.

- IDEM further extended the public comment period on the draft FESOP Renewal an additional 4 days. On March 4, 2022, IDEM, OAQ posted a notice on IDEM's website (<https://www.in.gov/idem/public-notices>) informing interested parties that the public notice period was extended an additional 4 days and would end on Friday, March 11, 2022.

All written comments submitted to IDEM, OAQ during the public comment period and all verbal statements received during the public hearing were reviewed and detailed responses to those comments and statements are provided in this Addendum to the Technical Support Document (ATSD) and associated appendices.

IDEM, OAQ believes that it has taken all reasonable steps to ensure that all persons, regardless of race, color, or national origin or sex, have had a full and fair opportunity to participate in this permitting decision. Additionally, IDEM, OAQ believes that it has complied with the requirements of Title VI and EPA's implementing regulations. This is evidenced by the significant public participation throughout all stages of this permitting process.

IDEM, OAQ recognizes and understand the concerns expressed through public comments and during the public hearing regarding environmental justice concerns. A review of EPA EJ Screen shows that the area within a 5-mile radius of the proposed site generally falls within the 75th percentile for the environmental and socioeconomic indexes examined the EJ Screen tool. However, IDEM, OAQ cannot resolve the historical issues that lead to the development of the area through an individual permitting decision. IDEM, OAQ believes that these concerns can be balanced with IDEM, OAQ's commitment to public involvement in the permitting process to ensure all people have an equitable opportunity to participate in the permitting decision, as well as IDEM OAQ's obligation to regulate emissions and enforce permit conditions. The proposed permit renewal contains all health-based and technology-based standards established by EPA and the ERB, which will limit the amount of emissions from the facility to the very lowest level allowed by law. Additionally, please see IDEM Response to General Statement 7 for a detailed discussion of the relevant National Ambient Air Quality Standards for this permit and area. IDEM, OAQ believes that these enforceable limits are sufficient to protect public health and the environment.

General Statement 3 - Truck Traffic, Mobile Emissions, Vehicle Noise, Roadway Impacts, and Fugitive Dust from Offsite Roads

Many commenters expressed concern regarding the additional truck traffic, mobile (diesel tailpipe) emissions, vehicle noise, roadway impacts (safety risks, roadway design, roadway reconstruction, and roadway degradation), and fugitive dust (particulate matter) emissions associated with the truck traffic.

IDEM Response to General Statement 3 - Truck Traffic, Mobile Emissions, Vehicle Noise, Roadway Impacts, and Fugitive Dust from Offsite Roads

IDEM, OAQ recognizes that construction and operation of an industrial facility can raise public concerns about potential negative impacts with respect to additional truck traffic, mobile (diesel tailpipe) emissions, vehicle noise, roadway impacts (safety risks, roadway design, and roadway degradation), and fugitive dust (particulate matter) emissions associated with the truck traffic on offsite public roads.

Truck Traffic, Vehicle Noise, Roadway Impacts

With respect to additional truck traffic, vehicle noise, and roadway impacts (safety risks, roadway design, roadway reconstruction, and roadway degradation), IDEM, OAQ does not have legal authority to deny an air permit or to include additional permit terms that are based on concerns about these potential impacts.

Mobile (Tailpipe) Emissions

Air pollution that is emitted from fuel combustion in a "mobile source" (i.e., tailpipe emissions from vehicles) are not included in the potential to emit (PTE) of a source.

For air permits, "mobile sources" are excluded from the definition of "source" under Title 326 of the Indiana Administrative Code (IAC) 326 IAC 1-2-73.

326 IAC 1-2-73 "Source" defined

An aggregation of one (1) or more stationary emissions units that are located on one (1) piece of property or on contiguous or adjacent properties are owned or operated by the same person (or by persons under common control) and belong to a single major industrial grouping. For purposes of defining a source, two (2) or more contiguous or adjacent properties shall be considered part of a single major industrial grouping if all of the pollutant emitting activities at such contiguous or adjacent properties belong to the same major group, that is, all have the same two (2) digit Standard Industrial Classification (SIC) code as described in the Standard Industrial Classification Manual, 1987. Any stationary source (or group of stationary sources) that supports another source, where both are under common control of the same person (or persons under common control) and are located on contiguous or adjacent properties, shall be considered a support facility and part of the same source regardless of the two (2) digit SIC code for that support facility. A stationary source (or group of stationary sources) is considered a support facility to a source if at least fifty percent (50%) of the output of the support facility is dedicated to the source. ***A source does not include mobile sources, nonroad engines, or nonroad vehicles. (emphasis added)***

Regarding comments about quantifying the impact of tailpipe emissions, IDEM, OAQ used the U.S. EPA Diesel Emission Quantifier (DEQ) to determine the impact of tailpipe emissions from the truck traffic traveling to and from the Maya Energy property.

The projected tailpipe emissions are:

- 0.015 tons VOC per year
- 0.418 tons NOx per year
- 0.002 tons PM2.5(direct) per year

The projected percent increase in mobile source emissions in Lake County are as follows:

- 0.002% VOC
- 0.2% NOx
- 0.00001% PM2.5 (direct)

The projected increases do not take into account existing emissions from stationary sources. If existing stationary source emissions were taken into account, the percent increase in VOC, NOx, and PM2.5 emissions in Lake County would be substantially less.

Fugitive Dust from Offsite Roads

IDEM, OAQ recognizes that air emissions, including fugitive dust (particulate matter) emissions from truck traffic on offsite public roads, are of great concern to the commenters and other local residents. However, IDEM, OAQ does not have legal authority to deny an air permit or to include additional permit terms based on fugitive dust (particulate matter) emissions from truck traffic on offsite public roads that are outside of the Maya Energy property.

Fugitive dust (particulate matter) emissions from truck traffic on onsite paved roads and parking lots on the Maya Energy property are included as part of the source-wide air pollution emissions and are regulated in the air permit and the Fugitive Dust Control Plan (FDCP). As part of the FDCP, outbound (empty) MSW and C&D trucks will have their tires washed down prior to exiting the facility.

General Statement 4 - Fugitive Dust and Particulate Matter

Many commenters expressed concern regarding the potential fugitive dust (particulate matter) emissions from truck traffic on onsite roads and uncaptured emissions from the process building.

IDEM Response to General Statement 4 - Fugitive Dust and Particulate Matter

IDEM, OAQ recognizes that potential fugitive dust (particulate matter) emissions from truck traffic on onsite roads and uncaptured emissions from the process building are of great concern to the commenters and other local residents.

The potential to emit (PTE) air pollution for the Maya Energy source was summarized in the Technical Support Document (TSD) for the draft permit and the PTE calculations were included in Appendix A of TSD. The TSD was part of the permit documents provided during the public notice period and is available at <https://permits.air.idem.in.gov/44483d.pdf> on IDEM's website.

The TSD (page 6) includes a PTE table labeled "Unrestricted Potential Emissions (ton/year)" and shows the maximum amount of each regulated air emission that the source could potentially emit if it operated 24 hours a day, 365 days a year (8,760 hours per year), without any permit limitations or pollution controls. The TSD (page 6) includes a PTE table labeled "Potential To Emit of the Entire Source After Issuance of Renewal (tons/year)" and shows limited emissions after issuance of the permit, based on all permit limitations. Please refer to the TSD for more extensive information regarding these emissions. The calculations for uncaptured particulate (PM, PM10, and PM2.5) are highly conservative as they are based on the assumption that all particulate generated inside the building will escape to atmosphere via the roof vents. Since the Fugitive Dust Control Plan (FDCP) requires facility openings to remain closed to the furthest extent possible, the actual particulate emissions can be expected to be much less than the calculated values.

The permit includes the following requirements related to fugitive dust, opacity, and particulate matter emissions:

- Permit Section C.2 (Opacity) requires the source to comply with the opacity limits under 326 IAC 5-1-2.
- Permit Section C.5 (Fugitive Dust Emissions) prohibits the Permittee from allowing 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 Indiana Administrative Code (IAC) 6-4.
- Permit Section C.6 (Fugitive Dust Emissions) requires the source to comply with the fugitive particulate matter, visible emission, and opacity limits and requirements under

- 326 IAC 6.8-10-3 and to control fugitive particulate matter emissions according to the Fugitive Dust Control Plan that is included as Attachment A to the operating permit.
- Sections D.1 through D.2 contain applicable particulate matter (PM/PM10/PM2.5) limitations and standards for various emissions units. These sections also contain any applicable control device operating requirements, monitoring requirements, testing requirements, and associated record keeping and reporting requirements to assure that all permit limitations are enforceable as a practical matter and to assure that the source can demonstrate compliance with all applicable state and federal rules on a continuous basis. For a summary of the pollution control, compliance determination, compliance monitoring, and stack testing requirements contained in the proposed permit renewal, see IDEM Response to General Statement 9 - Pollution Control, Compliance Determination/Monitoring, and Stack Testing.
 - Attachment A of the permit includes a Fugitive Dust Control Plan (FDCP). As part of the FDCP, dust control measures shall be performed, including regular inspection of roads and parking areas, sweeping and washing of roads and parking lots (as-needed), once-per-day washing of facility process roadways, manual cleanup and sweeping of any spills and on areas where mechanical sweeping is not sufficient, requiring that delivery and shipping trucks adhere to a posted speed limit of 20 miles per hour, requiring that waste delivery trucks be enclosed, keeping process building bay doors closed except when trucks are entering or exiting the building, washing outbound (empty) MSW and C&D truck tires prior to exiting the facility, and collecting dust from various areas within the process building and routing the dust to one of two baghouses. Please see the Attachment A of the permit for the entire Fugitive Dust Control Plan (FDCP).

As part of IDEM Response to U.S. EPA Comment 2, the Fugitive Dust Control Plan is revised to include addition requirements and information and to clarify existing requirements. See IDEM Response to U.S. EPA Comment 2.

If residents witness or have evidence of noncompliance with the FDCP, residents can contact the IDEM, OAQ compliance inspector or submit a complaint. For information on contacting the IDEM, OAQ compliance inspector or submitting a complaint, see IDEM Response to General Statement 5 - Possible Future Violations.

Requirements of 326 IAC 6-4 (Fugitive Dust Emissions)

The Permittee (Maya Energy) is required to comply with permit Section C.5 - Fugitive Dust Emissions [326 IAC 6-4], which specifies that the Permittee (Maya Energy) 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). The requirements of 326 IAC 6-4 specify the criteria for determining if a source is in violation of 326 IAC 6-4 and the requirements for fugitive dust measurements or observations.

The measurement for fugitive dust is specified in 326 IAC 6-4-5 (Measurement processes) available at <http://iac.iga.in.gov/iac/T03260/A00060.PDF>. The rule requires ambient air concentrations to be measured using the standard hi volume sampling and analysis techniques as specified sampling and analysis techniques as specified by 40 Code of Federal Regulations (CFR) 50. Observations by a qualified representative of the Commissioner include at a minimum training and certification in 40 CFR 60, App. A-4, Method 9 Visual Determination of the Opacity of Emissions from Stationary Sources. IDEM compliance inspectors monitor property lines as part of inspections to assure sources are meeting the requirements of the permit including the Fugitive Dust Rule, 326 IAC 6-4.

For sources to comply with fugitive dust rules, prevention measures may be required. However, under 326 IAC 6-4-6 certain activities are exempt from the fugitive dust rule. Common examples include dust from agricultural, construction, or demolition activities providing every reasonable

precaution has been taken to minimize dust; as well as dust from publicly maintained unpaved roads where a nuisance or health hazard is not being created. Best practices for preventing fugitive dust include, but are not limited to, applying water or dust suppressants, reducing speed when driving on unpaved roads and lots, and paving roadway entry and exit paths where possible.

If residents witness or have evidence of noncompliance with the permit Section C.5 - Fugitive Dust Emissions [326 IAC 6-4], residents can contact the IDEM, OAQ compliance inspector or submit a complaint. For information on contacting the IDEM, OAQ compliance inspector or submitting a complaint, see IDEM Response to General Statement 5 - Possible Future Violations.

If it is determined that a source has violated the Fugitive Dust Rule 326 IAC 6-4, IDEM, OAQ will take appropriate action to bring to source back into compliance with applicable permit conditions, state rules, and federal regulations.

The permit does not include a specific frequency for determining compliance with permit Section C.5 - Fugitive Dust Emissions [326 IAC 6-4]. However, Maya Energy is required to comply with permit Section C.5 - Fugitive Dust Emissions [326 IAC 6-4] at all times.

General Statement 5 - Possible Future Violations

Many commenters expressed the permit renewal should not be approved, since the source may not be able to deliver a safe and environmentally sound operation and may have future violations of environmental law.

IDEM Response to General Statement 5 - Possible Future Violations

Possible Future Violations

IDEM, OAQ understands that residents have concern that the source could have possible future violations of environmental law. However, court cases in Indiana support the proposition that an initial permit cannot be denied due to an allegation of possible future violations of environmental law. See *Talara Lykins - CAFO*, 2007 OEA 114, *DeGroot Dairy CFO*, 2006 OEA 1, *Kyle Hall*, 2008 OEA 100, which can be found at the following website: <https://www.in.gov/oea/2335.htm>

Maya Energy is required to comply all air permit requirements and applicable state and federal air quality rules and regulations. If it is determined that Maya Energy has violated a permit term or condition, IDEM, OAQ will take appropriate action to bring to source back into compliance with applicable permit conditions, state rules, and federal regulations.

IDEM, OAQ encourages residents to contact an IDEM, OAQ compliance inspector if they witness or have evidence of any compliance related concerns with this operation. An IDEM, OAQ compliance inspector will investigate complaints, perform any necessary observations or inspections of the source, determine if a violation of a permit term or condition has occurred, take appropriate action when a violation is observed, and initiate any necessary actions to bring to source back into compliance with applicable permit conditions and state and federal rules and regulations. The current compliance inspector for each county in Indiana can be found at the following website: <https://www.in.gov/idem/idem-regional-staff-and-inspectors/>. The current IDEM, OAQ compliance inspector for the Maya Energy source is Clifford Yukawa, who may be contacted by telephone at (219) 464-0233 or toll free (800) 451-6027 an ask for Clifford Yukawa or by e-mail at cyukawa@idem.in.gov.

If the commenter or citizens have complaints and issues with the source with respect to compliance with its air permit, complaints can be submitted to IDEM three (3) different ways:

1. Online at: <https://www.in.gov/idem/contact/file-a-complaint/>;
2. Through the Complaint Coordinator at (800) 451-6027 ext. 24464; or
3. By printing, completing, and mailing a paper-based Complaint Submission Form (Available under Agency Forms at: <https://www.in.gov/idem/forms/idem-agency-forms/>).

IDEM, OAQ and U.S. EPA inspections are unannounced. IDEM, OAQ normally inspects major sources on an annual basis. IDEM, OAQ will make more frequent inspections on a case-by-case basis based on the compliance history of the source and any public complaints received. During an inspection, the IDEM, OAQ inspector will perform a records review, and inspect the facility operations, to determine if the source is in compliance with all air permit terms and conditions. Regular inspections, regular stack testing, along with compliance monitoring, record keeping and reporting, will allow IDEM, OAQ to determine if Maya Energy is in continuous compliance with all air permit terms and conditions. If it is determined that Maya Energy has violated a permit term or condition, IDEM, OAQ will take appropriate action to bring to source back into compliance with applicable permit conditions, state rules, and federal regulations.

IDEM uses a number of enforcement tools to bring sources that are out of compliance with a permit term or condition back into compliance. If it is determined that a source has violated a permit term or condition, IDEM, OAQ will take appropriate action to bring to source back into compliance with applicable permit conditions, state rules, and federal regulations. Most violations of environmental laws are resolved informally. As part of the informal resolution, a "warning letter" or "violation letter" is sent, noting the violation and measures necessary to correct it in order to ensure the responsible party corrects the documented problem. Certain violations are referred directly to formal administrative enforcement and may receive a Notice of Violation (NOV). An NOV normally results in the assessment of civil penalties and the requirement that IDEM and the respondent sign an Agreed Order (AO). The AO ensures that the respondent achieves and maintains compliance with Indiana's environmental statutes and rules. Any civil penalties assessed in an NOV by IDEM, OAQ are determined based on Indiana Code 13-30 and IDEM's Nonrule Policy Document (NPD) "Civil Penalty Policy" (ENFORCEMENT-99-0002-NPD available at https://www.in.gov/idem/files/nrpd_enf-002.pdf on IDEM's website).

General Statement 6 - Employment, Quality of Life, Noise, Odor, Zoning, Water Pollution, Land Pollution, and Cost/Feasibility Issues

Many commenters expressed the source would have a negative impact on the following issues (with a summary of the comments provided for each issue):

- Employment - Company has not yet brought any jobs to the city of Gary; the source will not be a benefit to the community;
- Quality of Life - the source would have a negative effect on the quality of life in the local area (trees, animals/wildlife, quietness, and peace);
- Noise and Odor - the source would cause noise pollution and odor.

Many commenters expressed the permit renewal should not be approved for the following reasons:

- Zoning - the source property is located in a flood zone; the source would be too close to commercial/retail businesses, residential/civilization areas, schools and a university, wetlands, wildlife/natural areas, rivers, lakes, streams, an artesian well/natural spring near Chase Street, recreational areas (parks/trails/swimming pool), and a new casino; local citizens and businesses were not notified about the rezoning of the property.

- Water Pollution - the source may result in water pollution in local wetlands, rivers, lakes, streams, and an artesian well/natural spring near Chase Street;
- Land Pollution - the source may result in land pollution; additional pollution from this facility should not be permitted in the local area, since the area around the proposed site (Lake County or the city of Gary) already has 52 CERCLA/Superfund sites and 423 hazardous waste sites.
- Cost/Feasibility Issues - the company has never been in the garbage business before and has no track record; containing the emissions from the process and monitoring the hazards also pose financial and technical expertise questions, the project will be poorly designed and under financed; a proposed garbage to fuel plant that is currently being considered in an area of Gary would be a more favorable site this type of operation.

IDEM Response to General Statement 6 - Employment, Quality of Life, Noise, Odor, Zoning, Water Pollution, Land Pollution, and Costs/Feasibility Issues

Employment, Quality of Life, Noise, and Odor

IDEM, OAQ recognizes that construction and operation of an industrial facility can raise concerns about potential negative impacts with respect to employment, quality of life, noise, and odor. However, IDEM, OAQ does not have legal authority to deny an air permit or to include additional permit terms that are based on concerns about these potential negative impacts.

IDEM, Office of Land Quality (OLQ) issued Maya Energy a Solid Waste Permit 45-53 on March 11, 2019. As part of the Solid Waste Permit, Maya Energy must comply with the following:

- the operational requirements in 329 IAC 11-13.5-7 (Safety requirements), which specify that "vectors, dust, odors, spills, and noise must be controlled at all times such that there is no nuisance or health hazard at the facility";
- Maya Energy's Operation Plan dated April 30, 2018 (VFC document #82541893, p. 3-21 of 50), which states the follow:

Noise

All of the waste processing equipment associated the [sic] operation of the Facility (except the truck tippers) will be located within the Facility building. The specification of design of the process equipment for the Facility will stipulate that noise levels for equipment shall not exceed 80 dB at three feet from the surface of the equipment.

Odors

A primary means of controlling potential odors from the Facility is to achieve the goal of emptying the tipping floor each day. While circumstances will arise which occasionally prevent this goal from being achieved, reasonable efforts will be made to clear the tipping floor on a daily basis. Additionally, the tipping floor will be washed clean on a daily basis to further minimize the potential for odors leaving the Facility. Waste processing equipment and work areas within the Facility will be cleaned on an as needed basis and in accordance with the equipment supplier's recommendations.

The facility will be routinely inspected by IDEM, Office of Land Quality (OLQ) to assure that Maya Energy is meeting the requirements of its Solid Waste Permit including the requirements in 329 IAC 11-13.5-7.

Zoning

IDEM, OAQ also understands that residents that live in an area have concerns with the propriety of the zoning. IDEM, OAQ does not have the authority to evaluate zoning or other local level permitting requirements as part of the air permit application and review process. Zoning and other local level permitting decisions are made by local government bodies and officials.

Maya Energy, LLC, received a zoning variance approval from the city of Gary to operate a material recovery and recycling facility for municipal solid waste and construction and demolition debris at the proposed source location.

Water Pollution and Land Pollution

IDEM, OAQ understands that residents have concern that the source could result in water or land pollution. IDEM, Office of Land Quality (OLQ) issued Maya Energy a Solid Waste Permit 45-53 on March 11, 2019, which contains all applicable state and federal rules and regulations for a solid waste processing facility. In addition, Maya Energy will be required to obtain any applicable permits from IDEM's Office of Water Quality (OWQ), which will contain all applicable state and federal rules and regulations related to water pollution. This proposed air permit renewal only contains applicable state and federal rules and regulations related air pollution.

Costs/Feasibility Issues

IDEM, OAQ also understands that some residents have a general concern that the source would be economically/technologically infeasible. IDEM, OAQ does not have the authority to evaluate these types of issues as part of the air permit application and review process.

General Statement 7 - Local Air Quality, Health and Wellbeing, and Impact of Air Pollution from this Source

Many commenters expressed concern over the local air quality (e.g., serious ozone nonattainment status of Lake County), its effect on human health, and the impact of additional air pollution from this source on human health and the environment.

IDEM Response to General Statement 7 - Local Air Quality, Health and Wellbeing, and Impact of Air Pollution from this Source

IDEM, OAQ relies on the scientific expertise of U.S. EPA which has developed the National Ambient Air Quality Standards (NAAQS) to protect public health and the environment.

National Ambient Air Quality Standards (NAAQS) and County Attainment Status

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. More information about these pollutants is available at <https://www.epa.gov/criteria-air-pollutants> on U.S. EPA's website. The complete table of the NAAQS can be found at <https://www.epa.gov/criteria-air-pollutants/naaqs-table>.

The Clean Air Act requires that U.S. EPA conduct periodic review of the most current scientific information to determine if air quality standards are adequate to protect human health and general welfare. This review includes an integrated science assessment which is a comprehensive review of science judgments and risk and exposure assessments. An independent committee, the Clean Air Scientific Advisory Committee (CASAC), reviews all health

information and makes recommendations to U.S. EPA on whether current health standards are protective of public health and welfare or should be revised. After any health standard recommendations have been approved and finalized through rulemaking, IDEM is required to follow the new standards. Additional information on the CASAC can be found at the following website: <https://yosemite.epa.gov/sab/sabpeople.nsf/webcommittees/CASAC>.

IDEM conducts sampling of the ambient air at monitoring stations around Indiana. This air monitoring is conducted to measure whether the NAAQS are being met. Information about Indiana's air monitoring system and monitoring results are available at <https://www.in.gov/idem/airmonitoring/>. Information about current and expected air pollution levels are on IDEM's SmogWatch site at <https://apps.idem.in.gov/smogwatch/Today.aspx> on the internet. For additional discussion regarding ambient air monitoring, see IDEM Response to General Statement 8 - Air Monitoring.

The federal CAA requires that, no later than one year after promulgation of a new or revised NAAQS for any of the six criteria pollutants, the governor of each state must submit a list of all areas within their state indicating how each would be classified under the new or revised standard. The classification choices are:

- Attainment: If air quality in an area meets the current NAAQS it is considered to be in "attainment", unless it contributes ambient air quality in a nearby area that does not meet the current NAAQS.
- Nonattainment: If air quality in an area exceeds the current NAAQS, or contributes to ambient air quality in a nearby area that does not meet the current NAAQS, it is considered to be in "nonattainment".
- Unclassifiable: If air quality data does not exist that enables an area to be deemed "attainment" or "nonattainment", it is considered to be "unclassifiable".

326 IAC 1-2-86 defines "unclassifiable (unclassified) areas" as "[a] geographical area which cannot be classified as attainment or nonattainment on the basis of available information, *but for the purpose of establishing emission limitations in the applicable rule, an area comparable to an attainment area.*" (emphasis added)

Within one year of the governor's submittal, U.S. EPA announces a list of federally designated nonattainment areas. States may contest the designation of any areas within their borders that were not included in their own submissions. The public has the opportunity to comment on proposed plans before U.S. EPA makes a final decision.

Indiana attainment status designations are codified in the Code of Federal Regulations (CFR) at 40 CFR 81.315, which can be found at the following website: https://www.ecfr.gov/cgi-bin/text-idx?SID=eed1ca0ec6d31179af79405ddffaae05&mc=true&node=se40.18.81_1315&rgn=div8

Lake County Attainment Status

Detailed information on the attainment status for Lake County, Calumet Township, is provided below.

2008 and 2015 Ozone Standards

All of Lake and Porter counties are currently classified under the 2008 ozone standard as Serious nonattainment, and the northern portions of Lake and Porter counties are currently classified under the 2015 ozone standard as Marginal nonattainment. The nonattainment area for the 2008 ozone standard, known as the Chicago-Naperville, IL-IN-WI, nonattainment area, is comprised of Cook, DuPage, Grundy (partial county), Kane, Kendall (partial), Lake, McHenry, and Will counties, Illinois; Kenosha County (partial), Wisconsin; and Lake and Porter counties, Indiana.

It should be noted that the ozone monitors in Lake and Porter counties have not measured any three-year averages of the annual fourth highest daily maximum 8-hour average ozone concentrations or design values above the 2008 ozone standard of 75 parts per billion (ppb) since the area was designated under the standard in 2012. Lake and Porter counties were originally classified as marginal nonattainment and subsequently bumped-up in nonattainment classification based on monitoring values measured at several SE Wisconsin and NE Illinois ozone monitors. The first bump-up from marginal to moderate occurred in 2016 and the second bump-up from moderate to serious nonattainment, which occurred in 2019 as design values at the Wisconsin and Illinois' monitors exceeded the 2008 ozone standard.

In the Federal Register (FR) Notice 87 FR 12033 dated March 3, 2022, the U.S. EPA proposed to redesignate Lake and Porter counties to attainment under the 2008 standard and reclassify the counties as maintenance based on the 2019 through 2021 monitored ozone data in the nonattainment area. IDEM expects U.S. EPA to finalize the redesignation and reclassification to attainment for the entire area by mid-May 2022. At that time, the only nonattainment classification applicable for Lake County will be the marginal classification for the northern portion of the county under the 2015 ozone standard of 70 ppb. The portion of northern Lake County designated as nonattainment for this standard includes Calumet Township, Hobart Township, North Township, Ross Township, and St. John Township. For additional information, see Federal Register (FR) Notice 87 FR 12033 dated March 3, 2022, which can be found at the following website: <https://www.govinfo.gov/content/pkg/FR-2022-03-03/pdf/2022-04072.pdf>.

Lake County Attainment Status for Other Criteria Pollutants

U.S. EPA has classified Lake County as attainment or unclassifiable in Indiana for all other criteria pollutants. Therefore, ambient air pollution levels for all other criteria pollutants are not considered harmful to human health, including the health of sensitive persons, such as asthmatics, children, and the elderly.

PM₁₀ and PM_{2.5} NAAQS and Air Quality Trends

Since several commenters expressed concern regarding the potential fugitive dust and particulate matter emissions and the local air quality, IDEM, OAQ has provided a summary of the PM₁₀ and PM_{2.5} NAAQS attainment status and air quality trends in Lake County.

Detailed information on IDEM OAQ's ambient air monitoring program, see IDEM Response to General Statement 8 - Air Monitoring.

PM₁₀ and PM_{2.5} NAAQS and Lake County Attainment Status

In order for an area to be designated in "attainment", air quality must meet the 2012 annual PM_{2.5} standard, the 2006 24-hour (daily) PM_{2.5} standard, and the 1987 24-hour (daily) PM₁₀ standard. Three complete, consecutive years of monitoring data is used to make a determination about a given area. For example, an evaluation in 2021 will be based on data from 2018 to 2020.

Below is detailed information about the PM₁₀ and PM_{2.5} NAAQS:

- 2012 Annual PM_{2.5} NAAQS
For the 2012 annual PM_{2.5} standard, measured concentrations are averaged on an annual rolling basis. Air quality meets the primary annual standard (attainment) when the annual weighted arithmetic mean of the daily PM_{2.5} concentrations over the three-year period are less than or equal to 12 micrograms per cubic meter (µg/m³). The secondary annual standard is achieved when the annual weighted arithmetic mean averaged over the three-year period are less than or equal to 15 µg/m³. The data from each monitor is evaluated.

- 2006 24-hour PM_{2.5} NAAQS
For the 2006 24-hour (daily) PM_{2.5} standard, measured concentrations are averaged on a 24-hour rolling basis. Air quality meets the primary and secondary daily standards (attainment), which are set at the same level, when the three-year average of the 98th percentile of measured concentrations does not exceed 35 µg/m³. The data from each monitor is evaluated.
- 1987 24-hour PM₁₀ NAAQS
For the 1987 24-hour (daily) PM₁₀ standard, measured concentrations are averaged on a 24-hour rolling basis. Air quality meets the primary and secondary daily standards (attainment), which are set at the same level, when the standard of 150 µg/m³ is not exceeded more than once per year on average over three years. The data from each monitor is evaluated.
- Design Value
The three-year average is referred to as the design value. The annual design value is the three-year average of the weighted annual mean concentrations. The 24-hour design value is the three-year average of the 98th percentile of 24-hour concentrations.

Monitor design values are calculated at the end of the year once all of the data has been quality assured. Where two or more monitors are located within the same area, the monitor with the highest design value is used for the air quality designation.

Lake County PM₁₀ and PM_{2.5} Trends from 2000 - 2021

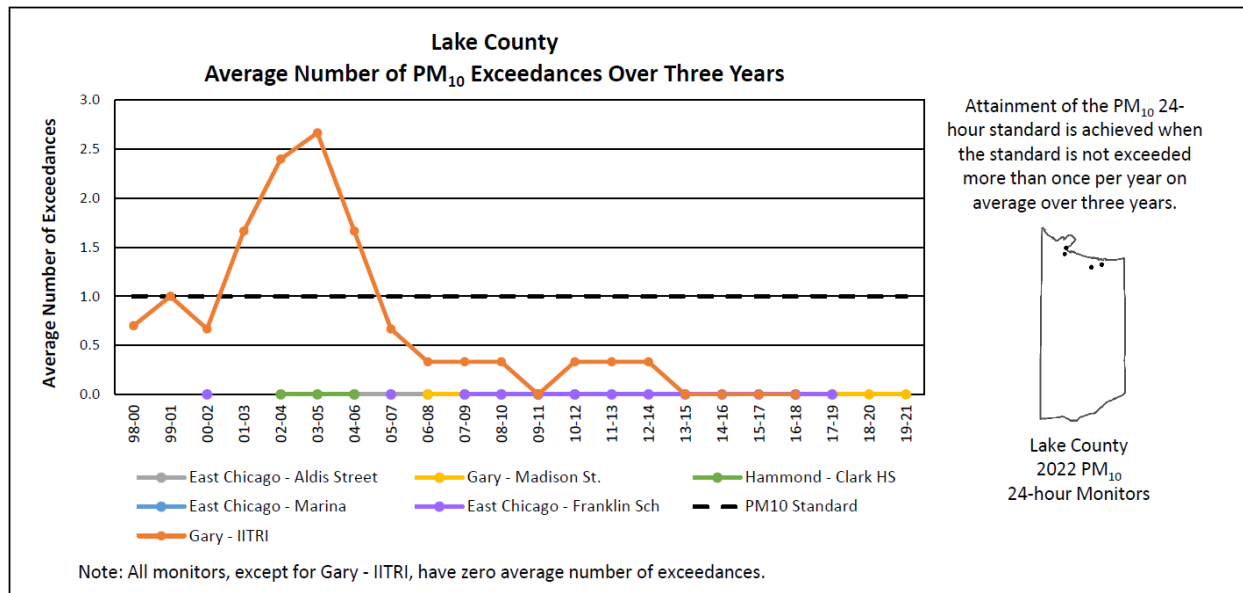
Overall, the ambient levels of PM_{2.5} and PM₁₀ in Lake County have decreased from the year 2000 to 2021 as shown Charts 1, 2, and 3 below.

- 2012 Annual PM_{2.5} NAAQS
A downward trend of the PM_{2.5} primary annual design values over the 21-year time frame is illustrated in Chart 1. From 2013 to 2021, Lake County was in attainment (air quality met the NAAQS) for the 2012 annual PM_{2.5} standard, since the PM_{2.5} primary annual design values were less than 12 µg/m³.

Note: U.S. EPA revised the annual PM_{2.5} standard on December 14, 2012. Therefore, PM_{2.5} primary annual design values are not comparable to the 2012 annual PM_{2.5} standard until the year ending 2013. Prior to 2013 the standard was compared to the 1997 annual PM_{2.5} standard of 15.0 µg/m³.

- 1987 24-hour PM₁₀ NAAQS**
 The average number of exceedances of the 1987 24-hour (daily) PM₁₀ standard over the 21-year time frame is illustrated in Chart 3. From 2007 to 2021, the cities of East Chicago, Hammond, Whiting, and Gary were in attainment (air quality meets the NAAQS) of the PM₁₀ standard, since the PM₁₀ standard of 150 µg/m³ was not exceeded more than once per year on average over three years.

Chart 3: Average Number of PM₁₀ Exceedances Over Three Years for 2000 – 2021



Based on the data provide in the charts above, overall, the ambient levels of PM_{2.5} and PM₁₀ in Lake County have decreased from 2000 to 2021.

U.S. EPA has classified Lake County or the city of Gary as attainment for the 2012 annual PM_{2.5} standard, the 2006 24-hour (daily) PM_{2.5} standard, and the 1987 24-hour (daily) PM₁₀ standard. Therefore, ambient air pollution levels of PM_{2.5} and PM₁₀ are not considered harmful to human health, including the health of sensitive persons, such as asthmatics, children, and the elderly.

Impact of Air Pollution from this Source

IDEM, OAQ recognizes that air pollution emissions from this source and its effect on human health and the environment are of great concern to the commenters and local residents.

IDEM’s mission is to implement federal and state regulations to protect human health and the environment while allowing for environmentally sound operations of industrial, agricultural, commercial, and government activities vital to a prosperous economy.

IDEM, OAQ issues air pollution permits to facilities that emit regulated levels of pollutants to the air. Permits require sources to comply with all health-based and technology-based standards established by the U.S. Environmental Protection Agency (EPA) and the Indiana Environmental Rules Board.

The proposed permit renewal contains all health-based and technology-based standards established by the U.S. EPA and the Indiana Environmental Rules Board, which will limit the amount of emissions from the facility to the very lowest level allowed by law. The permit also

contains all applicable control device operating requirements, monitoring requirements, testing requirements, and associated record keeping and reporting requirements to assure that all permit limitations are enforceable as a practical matter and to assure that the source can demonstrate compliance with all applicable state and federal rules on a continuous basis.

This proposed permit is protective of human health and the environment and will allow for environmentally sound operations that may support a prosperous economy.

General Statement 8 - Air Monitoring

Some commenters expressed concerns about issues related to air monitoring, and permit requirements for pollution control, compliance determination, compliance monitoring, and stack testing.

IDEM Response to General Statement 8 - Air Monitoring

Summary of Air Monitoring in Indiana

The Indiana Department of Environmental Management (IDEM) regulates air quality to protect public health and the environment in the State of Indiana. Air monitoring data are required by regulation and are used to determine compliance with U.S. EPA's National Ambient Air Quality Standards (NAAQS). Other important uses of the air monitoring data include, the production of a daily Air Quality Index (AQI) report, daily air quality forecast report, support of short and long-term health risk assessments, identification of a localized health concern, and tracking long-term trends in air quality. Indiana monitors the six criteria pollutants which have NAAQS identified for them; carbon monoxide (CO), lead, nitrogen dioxide (NO₂), ground-level ozone (O₃), particulate matter (PM₁₀ and PM_{2.5}), and sulfur dioxide (SO₂). Other pollutants which do not have ambient standards established for them are also monitored: toxics (volatile organic compounds, VOCs), metals, carbonyls, PM_{2.5} speciated compounds, ozone precursors, and carbon dioxide (CO₂). In addition, meteorological data are also collected to support the monitoring and aid in analysis of the data.

IDEM presents two different types of air quality data, intermittent and continuous, on IDEM's Internet website <https://www.in.gov/idem/airmonitoring/>. Monthly and annual summary reports of pollutants collected by manual methods are available as well as hourly values from continuous monitors. The Leading Environmental Analysis and Display System (LEADS) provides on-line access to Indiana's continuous air quality monitoring network. It has been available to the public since July 2007. LEADS offers access to near real-time data from 59 active and historic data from 12 discontinued continuous air monitoring sites across Indiana. This allows anyone to track pollutant and meteorological values throughout the day. In addition, past data back to 1998 are available as raw data and canned summary reports or user specified retrievals. Intermittent data from 41 sites are available on LEADS. Site information with site photographs can be found at the following website: http://idem.tx.sutron.com/cgi-bin/site_photo.pl

IDEM issues Air Quality Action Day (AQAD) advisories on days when ground level ozone pollution or fine particulate matter (PM_{2.5}) could build to unhealthy levels in the outdoor air. IDEM issues AQAD advisories based on air quality forecasts, air quality standards, and Air Quality Index (AQI) categories. Typical conditions for ozone AQADs in Indiana are high temperatures approaching 80° Fahrenheit or above, clear skies, dry atmosphere, calm to light southerly winds, very little air mixing, high NO_x values the previous night, and/or persistent high pressure over the eastern Midwest states and East Coast. Typical conditions for PM_{2.5} AQADs in Indiana are temperature inversions, light winds, clear skies, persistent high pressure, high humidity values, transport from high PM_{2.5} locations (such as wildfires), and/or warm and humid air over snow cover during the winter. When AQADs are predicted, Hoosiers can take action to protect their health and protect air quality. For additional information on AQAD advisories and

actions to take during AQAD advisories, please see the following website:

<https://www.in.gov/idem/airquality/information-about/air-quality-action-day-aqad-advisories/>

The Air Quality Index (AQI) is a health index which combines the evaluation of various air pollutants in order to provide an easily understood measure of air quality. The AQI focuses on health effects that can occur within a few hours or days after breathing polluted air. Air monitoring data are used to issue health alerts to warn the public of elevated pollution levels. The index provides a scale to which air quality is compared and indicates the associated health effects of concern. IDEM issues health alerts for high air pollutant levels based on the AQI. The AQI uses index numbers, health effect levels, and colors to communicate the health levels. The higher the AQI value, the greater the level of air pollution and the greater the chance of health impacts. For example, an AQI value of 50 represents good air quality and little potential to affect public health, while an AQI value over 300 represents hazardous air quality that could cause health effects. An AQI value of 100 generally corresponds to the National Ambient Air Quality Standard (NAAQS) for the pollutant, which is the level the United States Environmental Protection Agency (U.S. EPA) has set to protect public health. AQI values below 100 are generally regarded as satisfactory. When AQI values are above 100, air quality is considered to be unhealthy, first for certain sensitive groups of people, then for everyone as AQI values get higher. The Air Quality Index (AQI) report and additional information on the AQI can be found at the following website: http://idem.tx.sutron.com/cgi-bin/aqi_map.pl.

Extensive information about Indiana's air monitoring system and monitoring results is available at <https://www.in.gov/idem/airmonitoring/> on IDEM's website.

SmogWatch is an informational tool created by IDEM to share air quality forecasts for each day. SmogWatch provides daily information about ground-level ozone and particulate matter air quality forecasts, health information, and monitoring data for seven regions of Indiana. Near real time data are available at <http://idem.tx.sutron.com/cgi-bin/airfacts.pl>.

Ambient Air Monitoring Network Plan

In October 2006, United States Environmental Protection Agency (U.S. EPA) issued final regulations concerning state and local agency ambient air monitoring networks. These regulations in 40 Code of Federal Regulations 58, Subpart B (40 CFR 58.10), require states to submit an annual monitoring network review to U.S. EPA. This network plan is required to provide the framework for establishment and maintenance of an air quality surveillance system and to list any changes that are proposed to take place to the current network. Indiana's current Ambient Air Monitoring Network Plan is available at <https://www.in.gov/idem/airmonitoring/indianas-ambient-air-monitoring-network/> on IDEM's website.

Locations of the monitors are reviewed annually pursuant to 40 CFR 58.10 and are subject to public comment. Comments on the ambient air monitoring network can be made during the public comment period for the 2023 network plan. IDEM, OAQ will evaluate the request and act if any changes are necessary to meet the monitoring goals and monitoring projects across the state. IDEM's contact for the monitoring plan is Steve Lengerich. Mr. Lengerich may be contacted by U.S. Mail at Steve Lengerich, IDEM/OAQ/AMB, 100 North Senate Avenue, Shadeland, Indianapolis, IN 46204-2251, by FAX at 317-308-3239 or by e-mail at slengeri@idem.IN.gov.

General Statement 9 - Pollution Control, Compliance Determination/Monitoring, and Stack Testing

Some commenters expressed concerns about issues related to permit requirements for pollution control, compliance determination, compliance monitoring, and stack testing.

IDEM Response to General Statement 9 - Pollution Control, Compliance Determination/Monitoring, and Stack Testing

The proposed permit requires the following pollution control, compliance determination, compliance monitoring, and stack testing (with associated record keeping and reporting requirements):

- Permit Section C.2 (Opacity) requires the source to comply with the opacity limits under 326 IAC 5-1-2.
- Permit Section C.5 (Fugitive Dust Emissions) prohibits the Permittee from allowing 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 Indiana Administrative Code (IAC) 6-4.
- Permit Section C.6 (Fugitive Dust Emissions) requires the source to comply with the fugitive particulate matter, visible emission, and opacity limits and requirements under 326 IAC 6.8-10-3 and to control fugitive particulate matter emissions according to the Fugitive Dust Control Plan that is included as Attachment A to the operating permit.
- Permit Condition D.1.6 requires that baghouses BH-1 and BH-2 operate and control particulate matter (PM, PM10, and PM2.5) emissions for various emission units.
- Permit Condition D.1.7(a) requires that the source perform initial and 5-year repeat stack testing for particulate matter (PM, PM10, and PM2.5) emissions from the emission units controlled by baghouses BH-1.
- Permit Condition D.1.7(b) requires that the source perform initial and 5-year repeat stack testing for particulate matter (PM, PM10, and PM2.5) emissions from the emission units controlled by baghouses BH-2.
- Permit Condition D.1.8 requires that the source obtain waste supplier certifications that certify that all construction and demolition waste delivered to the Permittee is asbestos-free as determined by a licensed asbestos building inspector.
- Permit Conditions D.1.9 and D.1.12(c) require that the source operate a continuous bag leak detection system (BLDS) for baghouse BH-1 and baghouse BH-2 stack exhausts and maintain records of the dates and times of all bag leak detection system alarms, the cause of each alarm, and an explanation of all corrective actions taken.
- Permit Condition D.1.9 requires that the source comply with baghouse broken or failed bag detection requirements.
- Permit Condition D.1.9 requires that the source implement a training program for any personnel responsible for inspecting and sorting wood that will be ground in the WSM wood grinder to assure that only clean wood is processed in the WSM wood grinder.
- Attachment A of the permit includes a Fugitive Dust Control Plan (FDCP). As part of the FDCP, dust control measures shall be performed, including regular inspection of roads and parking areas, sweeping and washing of roads and parking lots (as-needed), once-per-day washing of facility process roadways, manual cleanup and sweeping of any spills and on areas where mechanical sweeping is not sufficient, requiring that delivery and shipping trucks adhere to a posted speed limit of 20 miles per hour, requiring that waste delivery trucks be enclosed, keeping process building bay doors closed except when trucks are entering or exiting the building, washing outbound (empty) MSW and C&D truck tires prior to exiting the facility, and collecting dust from various areas within the process building and routing the dust to one of two baghouses. Please see the Attachment A of the permit for the entire Fugitive Dust Control Plan (FDCP).

IDEM, OAQ has determined that the initial and 5-year repeat stack testing requirements included in the permit are sufficient to demonstrate compliance with the PM/PM10/PM2.5 limitations.

If IDEM, OAQ determines that additional stack testing was necessary to assure compliance with an applicable requirement, then IDEM, OAQ could require the additional stack testing at any time by issuing an order under 326 IAC 2-1.1-11. The required timeframe for conducting the additional stack testing would be determined by IDEM, OAQ at that time. As stated by Section C.9 (Compliance Requirements), the commissioner (i.e., IDEM) 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.

The IDEM, OAQ Compliance and Enforcement Branch may choose to observe any stack test and will review all stack test protocols and results. Regular inspections, regular stack testing, along with compliance monitoring, record keeping and reporting, will allow IDEM, OAQ to determine if Maya Energy is in continuous compliance with all air permit terms and conditions.

The public can view any documents related to this source, including IDEM inspection reports, any violations, stack test reports, any Quarterly Deviation and Compliance Monitoring Reports, Annual Compliance Certification (ACC) Reports, and any other reports submitted by Maya Energy on IDEM's Virtual File Cabinet (VFC) (<https://vfc.idem.in.gov/DocumentSearch.aspx>).

For additional information and guidance on stack testing, please see the following website and guidance documents:

- IDEM, OAQ Stack Tests: <https://www.in.gov/idem/aircompliance/stack-tests/>
- IDEM, OAQ Stack Test Guide: https://www.in.gov/idem/aircompliance/files/stack_test_guide.pdf
- Clean Air Act National Stack Test Guidance (April 27, 2009): https://www.epa.gov/sites/production/files/2013-09/documents/stacktesting_1.pdf

General Statement 10 - Public Hearing

Many commenters requested that IDEM, OAQ conduct a public hearing regarding the draft FESOP Renewal for Maya Energy, LLC.

IDEM Response to General Statement 10 - Public Hearing

On January 20, 2022, IDEM, OAQ posted a notice on IDEM's website (<https://www.in.gov/idem/public-notices/>), stating that Maya Energy, LLC, had applied for a FESOP Renewal to continue to operate its existing source. The notice also stated that IDEM, OAQ proposed to issue a FESOP Renewal for this operation and provided information on how the public could review and provide comments on 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 this permit should be issued as proposed.

On January 20, 2022, IDEM, OAQ also posted a notice on IDEM's website (<https://www.in.gov/idem/public-notices/>), stating that IDEM, OAQ would hold a virtual public hearing via Zoom on March 1, 2022, to discuss the draft FESOP Renewal for Maya Energy, LLC. The notice provided information on how the public could attend the virtual public hearing, provided information for citizens that needed reasonable accommodations to participate in this event, including accommodations for persons with speech or hearing difficulties, and how the public could review and provide comments on the proposed permit and other documentation. Finally, the notice informed interested parties that the public notice period would be extended until Monday, March 7, 2022

On March 1, 2022, from 5:30 p.m. to 6:42 p.m., Eastern Time, IDEM, OAQ conducted a virtual public hearing regarding the Maya Energy draft FESOP Renewal over the Internet, using the Zoom application. Due to the COVID 19 pandemic and the need to limit further spread of the virus, Indiana Governor Eric J. Holcomb had previously issued several executive orders to combat the pandemic, including allowing virtual gatherings, even if Indiana law would normally have required in person gatherings.

Any person with access to a telephone or the Internet was able to attend and make comments and ask questions. The public hearing was well attended and received coverage from local television and newspapers.

On March 4, 2022, IDEM, OAQ posted a notice on IDEM's website (<https://www.in.gov/idem/public-notices/>) informing interested parties that the public notice period was extended an additional 4 days and would end on Friday, March 11, 2022.

U.S. EPA Comments on Draft FESOP Renewal and IDEM Responses

On March 11, 2022, U.S. EPA, submitted the following comments to IDEM, OAQ on the draft FESOP Renewal.

U.S. EPA Comment 1:

Dear Ms. Acker:

This letter is in regard to Indiana Department of Environmental Management's (IDEM's) Federally Enforceable State Operating Permit (FESOP) renewal for Maya Energy, LLC – permit number 089-44483-00594. The permit would allow Maya Energy, LLC to operate its material recovery and recycling facility at 2727 W. 35th Ave., Gary, Indiana 46408 in Lake County. The U.S. Environmental Protection Agency reviewed the draft permit and associated permit files.

EPA is committed to advancing environmental justice and incorporating equity considerations into all aspects of our work. This commitment includes improving our assessment and consideration of the impacts of permits on communities already overburdened by pollution. EPA welcomes IDEM's partnership in this important effort.

EPA has determined that the proposed location of the facility raises potential environmental justice concerns. Data from EPA's environmental justice screening tool, EJScreen, illustrate the severity of pollution and health impacts facing the community living in proximity to the Maya Energy, LLC site.¹ The neighborhoods around the proposed facility have some of the highest levels in the state for many environmental justice indexes reported by EJScreen. EJScreen is a useful first step in understanding communities that may have environmental justice concerns.

The values for 10 of the 12 environmental justice indexes for the tracts of the Black Oak and Glen Park neighborhoods around which the facility is sited exceed the 80th percentile in the state.² This includes indexes for particulate matter of less than 2.5 microns in diameter, ozone, diesel particulate matter, air toxics cancer risk, air toxics respiratory hazard, traffic proximity, lead paint, and Superfund site proximity. The population living in the area around the proposed facility is significantly comprised of people of color, those with low income, those with less than a high school education, and a high unemployment rate.² Furthermore, the facility is sited across the street from the Steel City Academy K-12 school.

EPA acknowledges the work IDEM has already undertaken on this permitting action, including providing enhanced opportunities for public participation by holding a virtual public hearing on March 1, 2022 in consideration of the significant public interest, and by extending the public comment period to March 11, 2022. We also acknowledge IDEM's standard practice of making application materials and other permit records readily available online, which can improve accessibility and transparency to the public.

Our permit comments are included in the attachment to this letter. In consideration of environmental justice and equity concerns, we also provide the following recommendations:

- On April 27, 2017, IDEM issued the new source construction and initial FESOP authorization for the source. Based on information in the renewal application, our understanding is that the facility has still not commenced construction nearly five years after initial permit issuance. We recommend that IDEM review the construction permit record, including emissions related information, air pollution control equipment, and limitations on source operation to confirm that the construction permit requirements are still protective.
- We recommend that IDEM conduct an environmental justice analysis of appropriate scope to inform the permitting decision. The analysis should include an EJScreen analysis, input from the affected community to identify their concerns, an evaluation of existing environmental data, an assessment of cumulative impacts, and an evaluation of existing demographic and public health data about the community. The analysis should evaluate the potential effects that the permitting action will have on the community, and the degree to which these effects will be disproportionately high and adverse. The analysis should further discuss mitigations the permit requires to address any identified effects.
- We recommend that IDEM consider opportunities to address disproportionately high and adverse effects that extend beyond the scope of the air permitting decision that utilize a whole-of-government approach by working with the company and local officials to reduce impacts on the surrounding neighborhood. In addition to an evaluation of other permitting and zoning requirements at the local level, EPA would recommend an assessment of the impacts from truck traffic to and from the facility on the surrounding community and potential quality of life issues such as noise and odor concerns. Given the proximity of the nearby Steel City Academy K-12 school, EPA believes that such an assessment could be important to ensuring that the project does not pose risks to sensitive populations and we are willing to provide assistance where that would be helpful.
- We recommend that, if the proposed project is permitted, data regularly generated by Maya Energy, LLC to comply with the permit be made publicly available on an easily accessible website. The transparency of such data will promote public engagement and help build trust among all stakeholders.

Finally, because of the environmental conditions already facing this community, and the potential for additional disproportionate and adverse impacts based on race, national origin, or other protected class, the siting of this facility may raise civil rights concerns. It is important, therefore, that IDEM assess its obligations under civil rights laws and policies.

Thank you again for the opportunity to work with you on this draft permit. EPA remains committed to working together with IDEM to address our shared environmental priorities, advance equity, and reduce potential environmental and health impacts on communities such as this one.

Sincerely,
John Mooney
Director
Air and Radiation Division

Footnotes:

1 EJScreen is a mapping and screening tool that provides EPA with a nationally consistent dataset and approach for combining and comparing environmental and demographic indicators.

2 Data from an EJScreen standard report (Version 2.0) for tract IDs: 18089041200 and 18089012400.

IDEM Response to U.S. EPA Comment 1:

Please see the following IDEM responses at the beginning of the ATSD under the General Statements and IDEM Responses section:

- IDEM Response to General Statement 1 - Issuance of the Permit Renewal
- IDEM Response to General Statement 2 - Environmental Justice and Civil Rights Concerns
- IDEM Response to General Statement 3 - Truck Traffic, Mobile Emissions, Vehicle Noise, Roadway Impacts, and Fugitive Dust from Offsite Roads
- IDEM Response to General Statement 4 - Fugitive Dust and Particulate Matter
- IDEM Response to General Statement 6 - Employment, Quality of Life, Noise, Odor, Zoning, Water Pollution, Land Pollution, and Costs/Feasibility Issues
- IDEM Response to General Statement 7 - Local Air Quality, Health and Wellbeing, and Impact of Air Pollution from this Source
- IDEM Response to General Statement 9 - Pollution Control, Compliance Determination/Monitoring, and Stack Testing

No changes to the draft permit were made as a result of this comment.

U.S. EPA Comment 2:

1) Condition C.6 indicates the Permittee shall comply with the fugitive particulate matter emission limits listed in condition C.6(a)-(k) by controlling emissions according to the Fugitive Dust Control Plan (FDCP) included as Attachment A to the permit. We also note the accuracy of potential to emit (PTE) calculations regarding the proportion of uncaptured particulate emissions from the building may rely in part on the effectiveness of practices for monitoring and mitigating emissions from the building enclosure (e.g., the estimated hood capture efficiency on page 3 of Appendix A of the Technical Support Document (TSD)). As such, we request that IDEM review the permit and FDCP to ensure they contain requirements sufficient to achieve compliance.

- a. The FDCP states all doors to the process building will be kept closed except when being used. We request that IDEM revise the requirement to avoid ambiguity in the term “when being used”, consistent with the design basis and assumptions made in the TSD regarding the capture efficiency of particulate emissions and compliance with the limits in condition C.6.

For example, in the case of the tipping floors, does “when being used” mean only when a vehicle is passing through an access door, or periods during which any truck is present on the tipping floor?

- b. Condition C.6(f) requires zero percent frequency of visible emissions observations of a material during the inplant transportation of material by truck or rail at any time. The FDCP does not contain any measures related to the potential for fugitive emissions from open-bodied trucks used for inplant transportation of MSW, C&D waste, and recovered & recycled material. Examples of measures may include adhering to posted facility speed limits, or a requirement for open-bodied trucks to engage tarps during inplant transportation. We request that IDEM review the FDCP and add appropriate control, monitoring, and response measures, as needed.
- c. Condition C.6(h)(1) specifies zero visible emission observations from the building enclosing the material processing equipment (except for vents). Other portions of condition C.6(h) specify grain loading and opacity limits for the building vents and activity in the building. The FDCP does not include any measures to periodically monitor for fugitive emissions from the material processing building, or what corrective actions should be taken if fugitive emissions are observed. We request that IDEM review the FDCP and add appropriate monitoring and response measures, as needed.

- d. As best practices to support effective FDCP implementation, we recommend that the FDCP include: 1) a facility layout showing the locations of potential sources of fugitive dust at the facility; and 2) a provision for training personnel responsible for implementing the FDCP.

IDEM Response to U.S. EPA Comment 2:

IDEM, OAQ has revisited the information provided by Maya Energy and the requirements of 326 IAC 6.8-10 (Lake County Fugitive Particulate Matter). The Fugitive Dust Control Plan (FDCP) (included as Attachment A of the permit) is revised to include addition requirements and information and to clarify existing requirements. The FDCP is revised as follows with deleted language as strikeout text and new language bold text:

Permit Attachment A: Fugitive Dust Control Plan

1. Description of Processes or Sources that Potentially Emit Fugitive Dust or Particulate Matter

This source consists of the following processes or sources that potentially emit fugitive dust or particulate matter (PM/PM10/PM2.5):

- **Truck traffic on paved site roads (fugitive dust)**
- **Process building bay doors (when open) (uncaptured emissions)**

2. Description of Paved Road Vehicle Traffic

Vehicular Traffic

Vehicular traffic on the site will consist of employee and guest vehicles, as well as trucks used for the delivery and shipping of municipal solid waste (MSW), construction and demolition (C&D) waste, and recovered & recycled material. Employee and guest vehicular traffic will use a separate gate and parking area from the process truck traffic.

The following table provides a summary of the potential inbound and outbound process truck traffic on the site:

Traffic Type	Maximum one-way trips per day (trip/day)	Maximum Weight of Vehicle and Load (tons/trip)	Maximum one-way distance (feet/trip)	Paved Road Silt Loading (g/m²)
Inbound MSW Route Trucks (full)	60.0	29.0	1425	7.4
Inbound MSW Haul Trucks (full)	40.0	40.0	1880	7.4
Inbound C&D Haul Trucks (full)	32.0	40.0	1930	7.4
Inbound Recyclable Trucks (empty)	46.0	16.0	1400	7.4
Inbound RDF Trucks (empty)	36.0	16.0	1450	7.4
Inbound Landfill Trucks (empty)	23.0	16.0	1450	7.4
Outbound MSW Route Trucks (empty)	60.0	19.0	1425	7.4
Outbound MSW Haul Trucks (empty)	40.0	16.0	1880	7.4
Outbound C&D Haul Trucks (empty)	32.0	16.0	1930	7.4
Outbound Recyclable Trucks (full)	46.0	40.0	1400	7.4
Outbound RDF Trucks (full)	36.0	40.0	1450	7.4
Outbound Landfill Trucks (full)	23.0	40.0	1450	7.4

3. Fugitive Dust and Particulate Matter Control Measures

Paved Roads

The following dust control measures shall be performed such that the average instantaneous opacity of fugitive particulate emissions from a paved road shall not exceed ten percent (10%). The following control measures will be used to achieve compliance with the emission limitation:

- (a) Visitor and employee roads and parking areas will be inspected regularly, and swept and washed down on an as-needed basis.
- (b) All facility process roadways will be swept with a mechanical sweeper once per day, with the exception of periods of rain or snow.
- (c) Manual cleanup and sweeping will be performed on any spills and on areas where mechanical sweeping is not sufficient to remove dust from the roadways.
- (d) Cleaning of paved road segments and parking lots may be delayed by one day when:
 - (1) 0.1 or more inches of rain has accumulated during the 24-hour period prior to the scheduled cleaning.
 - (2) The road segment is closed or abandoned. Abandoned roads will be barricaded to prevent vehicle access.
 - (3) It is raining on the day of the scheduled cleaning.
 - (4) Roads are covered in snow or ice or temperature prohibits cleaning (freezing temperature)
- (e) **Delivery and shipping trucks will be required to adhere to a posted facility speed limit of 20 miles per hour.**

Delivery and Shipping Trucks

The following dust control measures shall be performed to minimize the potential for fugitive dust emissions from delivery and shipping trucks:

- (a) **Waste brought to the site will be in enclosed transfer trailers or enclosed city MSW trucks.**

Process Building

The following dust control measures shall be performed to minimize the potential for fugitive dust emissions from the process building.

- (a) ~~All doors to the process building will be kept closed except when being used.~~ **The tipping floor and the process lines will be completely contained in an enclosed building with solid walls, curbed floors, and closable doors at all entry and exit points. All Facility Bay Doors will remain closed during the MSW tipping process and while the Facility is in operation. Bay doors will be opened to allow trucks to enter tipping floor area and be closed again as soon as truck is securely inside the facility. In order to eliminate the risk of fugitive dust escaping the facility, trucks will NOT be permitted to empty their contents onto the tipping floor while the Bay door is open. Once the tipping process is complete, all emptied trucks will have their tires washed down prior to exiting the facility. Bay doors will be opened to allow trucks to exit the tipping floor area and be closed again as soon as truck is**

securely outside the facility. This will further mitigate the potential for fugitive dust escaping the facility and reduce the facility's overall PTE for PM/PM10/PM2.5.

- (b) Inside the process building, dust will be collected **via collection hoods** from the tipping floor, the RDF storage area, and from significant emission points throughout the process, and will be routed to one of two baghouses.
- (c) **All hoods will be designed per practices recommended by the American Conference of Governmental Industrial Hygienists (ACGIH®) in their publication "Industrial Ventilation: A Manual of Recommended Practice for Design". The hoods will be operated with a face velocity of 100 to 200 feet per minute.**

4. Monitoring

Any required opacity, visible emission, and/or fugitive dust observations shall be performed as necessary to assure compliance with the requirements of permit Section C.2 (Opacity), permit Section C.5 (Fugitive Dust Emissions), and/or permit Section C.6 (Fugitive Dust Emissions). If it is determined that the source is not in compliance with requirements of permit Section C.2 (Opacity), permit Section C.5 (Fugitive Dust Emissions), and/or permit Section C.6 (Fugitive Dust Emissions), corrective actions shall be taken to bring the source back into compliance with the permit requirements.

5. Record Keeping and Reporting

Recordkeeping and Reporting

Records shall be kept to show compliance with each of the above listed control measures and control practices. This record shall include the date of all vacuum sweeping, wet sweeping, water flushing, spill control activities, as well dust suppressant application and the amount of suppressant applied. All records shall be kept for a minimum of three (3) years and shall be available for inspection or copying upon reasonable prior notice.

Additionally, a quarterly report shall be submitted to the department stating the following:

- (a) The dates any required control measures were not implemented.
- (b) A listing of those control measures.
- (c) The reasons that the control measures were not implemented.
- (d) Any corrective action taken.

This report shall be submitted to the department thirty (30) calendar days from the end of a quarter.

6. Training Program

Pursuant to 326 IAC 6.8-10-4, a training program will be given to any personnel that are responsible for the daily maintenance and record keeping in accordance with all aspects of the facility FDCP.

Training program records will be maintained, including copies of the training program, the list of trained personnel, the initial training and refresher training completion date(s), and whether personnel successfully completed the training.

7. Process Flow Diagram for Facility Operations

A diagram has been added to the Fugitive Dust Control Plan (permit Attachment A) but is not shown here in the ATSD. See permit Attachment A for this diagram.

8. Map of Truck Traffic Routes and Process Building Bay Doors

A map has been added to the Fugitive Dust Control Plan (permit Attachment A) but is not shown here in the ATSD. See permit Attachment A for this map.

9. Map of Process Building Baghouse Dust Collection System, General Building Vents, and Bay Doors

A map has been added to the Fugitive Dust Control Plan (permit Attachment A) but is not shown here in the ATSD. See permit Attachment A for this map.

U.S. EPA Comment 3:

- 2) Form GSD-10 of application materials received by IDEM on February 21, 2017 lists various insignificant activities. These include an emergency diesel generator (Form GSD-10 page 9) and a diesel storage tank of unspecified size (page 11). However, these activities do not appear in the TSD or permit, and the TSD applicability review section indicates that the source's diesel dispensing operations do not use any petroleum liquid storage vessels. We also note the application does not appear to include combustion-related activities such as comfort air heaters or industrial/production process heaters.

Additional information regarding such emission units, if present, may be necessary to establish effective synthetic minor PTE limits and to determine the applicability of various requirements, depending on the emission units' fuel types, capacities or other parameters. We request that IDEM confirm whether these types of emission units will be present and make appropriate changes to the permit, if needed.

IDEM Response to U.S. EPA Comment 3:

During the permit review process for the original New Source Construction (NSC) and Federally Enforceable State Operating Permit (FESOP) F089-38237-00594, issued on April 27, 2017, Maya Energy provided updated information and clarified that the source would not include any natural gas combustion units, a stationary diesel storage tank, or a stationary emergency diesel generator. Email correspondence and additional information related to the original NSC FESOP are available via IDEM's Virtual File Cabinet (VFC) on the Internet at: <https://vfc.idem.in.gov/DocumentSearch.aspx>.

On March 21, 2022, IDEM, OAQ confirmed with Maya Energy that the source will not include any natural gas combustion units, a stationary diesel storage tank, or a stationary emergency diesel generator.

Maya Energy has indicated that any buildings that require heating will be heated via electric heaters. The original permit and draft permit renewal contain an emission unit description for a diesel fuel dispensing operation for filling delivery, shipping, and other company vehicles, using mobile diesel tanker trucks. Maya Energy has indicated that the diesel fuel dispensing operation will utilize a fueling service contractor that will come to the site on a regular basis to directly fill up the equipment, but the source will not contain a stationary diesel storage tank. Finally, Maya Energy has indicated that the source will have a standing call for a portable backup generator to be brought to the site when there is a power outage of more than 8 hours.

U.S. EPA Comment 4:

- 3) 326 IAC 2-8-4(2) specifies that each FESOP permit renewal shall have a permit term not to exceed ten years from the date of issuance. We recommend that IDEM consider exercising its discretion to revise permit condition B.2(a) to a permit term of 5 years in consideration of the source's construction status. Unlike typical sources receiving FESOP renewals, this source has not yet been constructed, operated, or established a record of its ability to comply with permit conditions.

IDEM Response to U.S. EPA Comment 4:

FESOP permit term requirements are contained in Title 326 of the Indiana Administrative Code (IAC) 326 IAC 2-1.1-9.5 (General provisions; term of permit) and 326 IAC 2-8-4 (Permit content). Pursuant to 326 IAC 2-1.1-9.5(b)(2) and 326 IAC 2-8-4(2)(B), a FESOP renewal permit term shall not exceed ten (10) years from the date of issuance of the permit renewal. IDEM, OAQ has determined that no change to the ten (10) year permit renewal term is warranted.

The IDEM, OAQ inspector will perform regular inspections of the source. IDEM, OAQ will make more frequent inspections on a case-by-case basis based on the compliance history of the source and any public complaints received. During an inspection, the IDEM, OAQ inspector will perform a records review, and inspect the facility operations, to determine if the source is in compliance with all air permit terms and conditions. Regular inspections, regular stack testing, along with compliance monitoring, record keeping and reporting, will allow IDEM, OAQ to determine if Maya Energy is in continuous compliance with all air permit terms and conditions. If it is determined that Maya Energy has violated a permit term or condition, IDEM, OAQ will take appropriate action to bring to source back into compliance with applicable permit conditions, state rules, and federal regulations.

IDEM, OAQ will continue to monitor and/or request updates on the construction status of the source, evaluate any underlying circumstances and/or information presented by a source, and continually determine whether (or not) to revoke the permit pursuant to the requirements of 326 IAC 2-1.1-9(5) (Revocations).

Public Comments Received on Draft FESOP Renewal and IDEM Responses

The following public comments were submitted to IDEM, OAQ on the draft FESOP Renewal:

Comment 1:

On February 7, 2022, Carolyn McCrady submitted the following comments:

The Maya project contemplates major increased truck traffic in the area between Grant and Chase Streets on 35th Avenue. This means, in terms of air quality, there will be increased dust and noise in that area which is, as you know, densely populated to the east, the north and the south. I am hoping IDEM will examine the impact this truck traffic associated with Maya will have. We need to know what the estimated net increase in tail pipe emissions is and what the actual tail pipe emission estimate is.

Although the traffic is not part of the plant's proposed operation, and not specifically under your purview, it is directly tied to the process and therefore has relevancy.

But that aside, I am concerned about the air quality in the 54-acre sorting facility they are proposing. Because the representatives of Maya have never been in this business before, and have no track record, I am very concerned that they may not be able to deliver a safe and environmentally sound operation. Containing the emissions from the process and monitoring the hazards also pose financial and technical expertise questions that need to be answered with 100% certainty.

Also, in terms of the viability of the project, the fact that hundreds of trucks will roll down 35th avenue Monday through Saturday, is very concerning especially because 35th avenue is unstable and only 2 cars can pass through at a time, one going east and the other going west. I would think the city of Gary or Maya would have to reconstruct the roadway in order to avoid a collapse or major accident. This would be a significant financial undertaking. Additionally, as you know, there is a school located across from the proposed project. The logistical problems boggle the mind. I realize the issue of the road is the city's concern, but I wanted to add my thoughts since once this project gets started, and the transportation of tons of MSW are not worked out, the community could suffer once again from the injustice of a poorly designed and under financed project.

And finally, I believe that Gary has been designated a non-attainment area. How can Maya prove it will not add to the toxic environment we all live in now? Words are just that. Without documentation we have no proof. Promises and hypotheticals, or statements about how it works elsewhere ring hollow.

Response to Comment 1:

Please see the following IDEM responses at the beginning of the ATSD under the General Statements and IDEM Responses section:

- IDEM Response to General Statement 1 - Issuance of the Permit Renewal
- IDEM Response to General Statement 3 - Truck Traffic, Mobile Emissions, Vehicle Noise, Roadway Impacts, and Fugitive Dust from Offsite Roads
- IDEM Response to General Statement 5 - Possible Future Violations
- IDEM Response to General Statement 6 - Employment, Quality of Life, Noise, Odor, Zoning, Water Pollution, Land Pollution, and Costs/Feasibility Issues
- IDEM Response to General Statement 7 - Local Air Quality, Health and Wellbeing, and Impact of Air Pollution from this Source
- IDEM Response to General Statement 8 - Air Monitoring
- IDEM Response to General Statement 9 - Pollution Control, Compliance Determination/Monitoring, and Stack Testing

No changes to the draft permit were made as a result of this comment.

Comment 2:

On February 21, 2022, State Senator Eddie Melton submitted the following comments:

Eddie Melton
Indiana State Senate
Senate District 3

I am writing to voice my strong opposition to the permit renewal request of Maya Energy, LLC. This business was granted an operating permit in 2018, and its proposed recycling plant is located in Gary, Indiana. Maya Energy is currently pursuing a renewal of its Federally Enforceable State Operating Permit (F089-44483-00594) through IDEM's Office of Air Quality.

Many constituents have contacted my office to voice their concerns about Maya's planned operation. These concerns were present when an FESOP was first approved in 2018. While Maya initially received some local support from organizations seeking to bring jobs to Gary, those employment opportunities never materialized. Since that time, local support for the project has largely been withdrawn following an outpouring of concern from citizens about the pollution this industry would bring to our community. In the four years since Maya received its permit, the company has not begun construction on its proposed facility.

Pollution is a serious and legitimate concern for my constituents, who live near the center of heavy industry in our state—several federally recognized Superfund Sites are located in the area just surrounding the proposed Maya Energy plant. As you may know, this permit renewal request is currently in the public comment period, and IDEM is holding a public hearing on Tuesday, March 1. At this time, I would ask that you please deny this renewal application.

Response to Comment 2:

Please see the following IDEM responses at the beginning of the ATSD under the General Statements and IDEM Responses section:

- IDEM Response to General Statement 1 - Issuance of the Permit Renewal
- IDEM Response to General Statement 2 - Environmental Justice and Civil Rights Concerns
- IDEM Response to General Statement 6 - Employment, Quality of Life, Noise, Odor, Zoning, Water Pollution, Land Pollution, and Costs/Feasibility Issues
- IDEM Response to General Statement 7 - Local Air Quality, Health and Wellbeing, and Impact of Air Pollution from this Source

No changes to the draft permit were made as a result of this comment.

Comment 3:

On March 3, 2022, Judson Wilson submitted the following comments:

In regards to permit number F089-44483-00594, I want the permit to be denied for this project. I live to the south of this proposed project. The truck traffic to this area would greatly be a negative to the air quality in this area. There is a nature park nearby.

Response to Comment 3:

Please see the following IDEM responses at the beginning of the ATSD under the General Statements and IDEM Responses section:

- IDEM Response to General Statement 1 - Issuance of the Permit Renewal
- IDEM Response to General Statement 3 - Truck Traffic, Mobile Emissions, Vehicle Noise, Roadway Impacts, and Fugitive Dust from Offsite Roads
- IDEM Response to General Statement 4 - Fugitive Dust and Particulate Matter
- IDEM Response to General Statement 6 - Employment, Quality of Life, Noise, Odor, Zoning, Water Pollution, Land Pollution, and Costs/Feasibility Issues
- IDEM Response to General Statement 7 - Local Air Quality, Health and Wellbeing, and Impact of Air Pollution from this Source

No changes to the draft permit were made as a result of this comment.

Comment 4:

On March 5, 2022, Natee Wafford submitted the following comments:

I am writing to oppose the recycling center in Gary. Please put out an executive order to stop this project from moving forward. We the people of Gary deserve a healthy chance.

Response to Comment 4:

Please see the following IDEM responses at the beginning of the ATSD under the General Statements and IDEM Responses section:

- IDEM Response to General Statement 1 - Issuance of the Permit Renewal
- IDEM Response to General Statement 7 - Local Air Quality, Health and Wellbeing, and Impact of Air Pollution from this Source

No changes to the draft permit were made as a result of this comment.

Comment 5:

On March 4, 2022, Dorreen Carey submitted the following comments:

Mr. Sura - Please find attached a written copy of my testimony at the March 1, 2022, Public Hearing regarding the preliminary findings on the proposed renewal of the Maya Energy LLC New Source Construction and FESOP. Also attached is the referenced December 14, 2018, letter from the IDEM to Maya Energy LLC outlining construction permit conditions.

Testimony by Dorreen Carey, Gary, Resident, Gary, Indiana March 1, 2022, IDEM Virtual Hearing on the Maya Energy LLC Permit Renewal

Thank you to the IDEM for holding this public hearing and providing the opportunity to comment.

1. The existing IDEM New Source Construction and FESOP permit No. F089- 38237-00594 for Maya Energy LLC should have been revoked in Fall of 2019 due to Maya Energy, LLC's failure to meet the permit construction conditions pursuant to 326 IAC 2-1.1-9. Maya Energy LLC should be required to submit a new permit application.

The original New Source Construction and FESOP permit for Maya Energy LLC was issued on April 27, 2017. In December of 2018, the IDEM responded in writing to a request from Maya Energy LLC, for an extension of the 18-month construction requirements of their New Source Construction and FESOP permit. The IDEM responded that the Office of Air Quality "will exercise its discretion at this time and will not revoke New Source Construction and FESOP No. F089-38237-00594, provided that construction does commence prior to October 27, 2019". (IDEM Virtual File Cabinet entry #82663478 for the Maya Energy Permit New Source Construction and FESOP No. F089-38237-00594).

There are no additional requests for construction extensions from Maya Energy, LLC in the IDEM Virtual File Cabinet and no letters of approval for an extension from the IDEM.

Maya Energy, LLC did not commence construction prior to October 27, 2019, as required by the IDEM, therefore New Source Construction and FESOP permit No. F089-38237-00594 must be considered revoked. It should be noted that Maya Energy, LLC has not commenced any aspect of facility construction or operation as of 2022.

Why did the IDEM not follow the New Source Construction and FESOP permit Conditions and revoke the Maya Energy LLC permit?

2. Maya Energy LLC has not met the operating permit conditions of New Source Construction and FESOP permit No. F089-38237-00594 and therefore cannot be issued a FESOP Operating Permit Renewal. The company should be required to re-submit a New Source Construction and FESOP permit application.

The IDEM draft renewal FESOP operating permit notice clearly states that “...this proposed renewal would allow Maya Energy, LLC to continue to operate its existing source.”

The IDEM has issued a draft operating permit renewal as if Maya Energy LLC is an operating source. Since no construction or operations have commenced at the Maya Energy LLC site, an operating permit renewal cannot be issued. In addition, the term of the IDEM draft operating permit renewal is for 10 years. This is a term extension beyond the original permit term of 5 years and should be based on Maya Energy LLC's documented compliance with the existing construction and operating permit. There is no record in the IDEM Virtual File Cabinet of Maya Energy LLC submitting the required Annual Compliance Certification [326 IAC 2-8-5(a)(1) reporting on the status of the source operation. Since the Maya Energy, LLC has never operated, it cannot document compliance with the original permit construction and operating conditions and should not be issued an operating permit renewal.

New Source Construction and FESOP permit No. F089-38237-00594 cannot be renewed due to Maya Energy LLC failure to meet construction and operating permit conditions and should therefore be revoked. Maya Energy LLC would then be correctly required to re-apply for a New Source Construction and FESOP permit.

Why did the IDEM issue an operating permit renewal for a facility that was neither constructed nor operating?

(Attached: PDF copy of the IDEM letter of December 14, 2018, to Maya Energy LLC regarding construction and operating conditions of New Source Construction and FESOP No. F089-38237-00594).

Response to Comment 5:

Please see the following IDEM responses at the beginning of the ATSD under the General Statements and IDEM Responses section:

- IDEM Response to General Statement 1 - Issuance of the Permit Renewal

No changes to the draft permit were made as a result of this comment.

Comment 6:

On March 4, 2022, Julie Peller, PhD (Professor of Chemistry, Valparaiso University) submitted the following comments:

Letter to IDEM on Maya Energy request for permit renewal

I am in full agreement with the people rallying against the Maya Energy permit renewal for the same reasons that were expressed in the public meeting and beyond. I perform research on plastic waste, mostly the waste that has been and is formed and classified as microplastics and nanoplastics. All facilities that process plastic waste, whether sorting or other manipulations, are creating micro and nanoplastics, which the scientific community consider an emerging contaminant. While this emerging contaminant is not currently regulated, it poses another type of exposure to the Environmental Justice communities near the proposed plant. Several people expressed their frustration that cumulative risk exposures are not considered for the siting of new industrial facilities. I agree with this concern for our neighbors who are already taking on too much of the industrial emissions burden. The state agency should implement procedures to protect these communities from further, cumulative exposures. The statement on the IDEM website suggests that this is a consideration: “IDEM issues air, water, and solid and hazardous waste permits that restrict discharges to environmentally safe levels.” The approval of this plant would mean increases in the combustion-related emissions, road dust, and vehicular noise from the required truck transportation of the waste. The waste processing will also lead to higher levels of particulate matter, which is increasingly determined to be hazardous to human health.

Response to Comment 6:

Please see the following IDEM responses at the beginning of the ATSD under the General Statements and IDEM Responses section:

- IDEM Response to General Statement 1 - Issuance of the Permit Renewal
- IDEM Response to General Statement 2 - Environmental Justice and Civil Rights Concerns
- IDEM Response to General Statement 3 - Truck Traffic, Mobile Emissions, Vehicle Noise, Roadway Impacts, and Fugitive Dust from Offsite Roads
- IDEM Response to General Statement 4 - Fugitive Dust and Particulate Matter
- IDEM Response to General Statement 7 - Local Air Quality, Health and Wellbeing, and Impact of Air Pollution from this Source
- IDEM Response to General Statement 9 - Pollution Control, Compliance Determination/Monitoring, and Stack Testing

No changes to the draft permit were made as a result of this comment.

Comment 7:

On March 3, 2022, James Brannon submitted the following comments:

SIR; the proposed site is less than two miles for LAKE ETTA COUNTY PARK, which has fishing and other family activities, this site is also less than two miles from the new casino. As an 80 year old Gary resident, I remember another landfill 10 blocks away, that turned into a big Federal cleanup site... We don't need this site!!!

Response to Comment 7:

Please see the following IDEM responses at the beginning of the ATSD under the General Statements and IDEM Responses section:

- IDEM Response to General Statement 1 - Issuance of the Permit Renewal
- IDEM Response to General Statement 6 - Employment, Quality of Life, Noise, Odor, Zoning, Water Pollution, Land Pollution, and Costs/Feasibility Issues
- IDEM Response to General Statement 7 - Local Air Quality, Health and Wellbeing, and Impact of Air Pollution from this Source

No changes to the draft permit were made as a result of this comment.

Comment 8:

On March 7, 2022, Kelley Davies submitted the following comments:

Hello,

I am Kelley Davies and live in St Joseph County, IN. I heard about this Municipal Waste Facility proposed along the Little Calumet and have to strongly oppose. It will pollute the area and not beneficial in any way for the community and communities up/down along the River, including the ecosystem! Noise pollution will be bad too.

Please oppose the facility.

At very least, do not renew their air permit. They must reapply. Five years is too long, permits are not an open book. Have commonsense and decency in this critical process that could adversely affect the community.

Thank you,
Kelley Davies

Response to Comment 8:

Please see the following IDEM responses at the beginning of the ATSD under the General Statements and IDEM Responses section:

- IDEM Response to General Statement 1 - Issuance of the Permit Renewal
- IDEM Response to General Statement 6 - Employment, Quality of Life, Noise, Odor, Zoning, Water Pollution, Land Pollution, and Costs/Feasibility Issues
- IDEM Response to General Statement 7 - Local Air Quality, Health and Wellbeing, and Impact of Air Pollution from this Source

No changes to the draft permit were made as a result of this comment.

Comment 9:

On March 8, 2022, Mark Zeh (Senior Chemical Engineer, Galli Engineering) on behalf of Maya Energy submitted the following comments:

During the Maya Energy Air Permit renewal public hearing conducted by IDEM, many negative comments and allegations were stated. Maya Energy would like the opportunity for IDEM OAQ to take into consideration the below listed rebuttal commentary.

- Gary's Mayor, Jerome Prince, and several other participants made a number of inaccurate allegations and statements regarding the Maya Energy MRF.
- The Mayor stated that Maya would accept and process Hazardous waste. This a complete falsehood. Maya Energy's lawfully issued FESOP and SW permits strictly state that Maya will only process MSW and C&D and is strictly prohibited from accepting any hazardous material.
- It was stated that Gary, IN is in a serious non-attainment pollution area. This assertion is completely false - the latest EPA current nonattainment counties for all criteria pollutants as of February 2022 listed Lake County and 20 cities, Gary included, as NOT in a Serious non-attainment area, but rather in a marginal non-attainment area.
- Statement was made that the Maya MRF would increase truck traffic in the area and subsequent emissions. As a permit requirement, Maya has already completed the required traffic study during the permit application process which was already approved. It is inconsistent, that the Mayor and his council, would condemn the Maya project and approve the operation of a land-based Casino on Burr St, which will usher in a greater number of cars and trucks along with their emissions each day.
- While condemning the Maya MRF facility, the Mayor previously approved the construction of another Waste to Fuel facility in December 2021. This facility located on Gary's lakefront area will process over 3000 tons/day of OUT of State material as well as bring in over 100 trucks per day to the area couple with their emissions. There is obviously a lack of consistency in the Mayor's decisions as they relate to material sustainability projects.

- The Steel City Academy chartered school was permitted during which time that Maya Energy lawfully held a SW and FESOP Air permits. The Academy emphasizes that Maya Energy will be a detriment to their students. Meanwhile, the Academy already has other neighbors that also could pose a detrimental environment for their students. A Composting site, a Trucking facility and notably the City of Gary Police Training area where live ammunition is discharged. Moreover, it is incredulous as to how the City of Gary permitted a school for children to operate in an M3 Heavy Industrially zoned as well as being located within a flood plain. There are currently several other bldgs./site (former school bldgs.) that are currently unoccupied, that are not within a flood plain, that would be available to the Steel City Academy.
- Under the permit conditions, Maya Energy had the requirement to begin construction by 4/26/2022. Maya Energy attempted on two separate occasions to perform culvert construction on the property only to be stopped by the City of Gary for no logical or documented reason or at the very least inconsistent with prior practices. Appears that the City of Gary, under the newly elected Mayor Prince's jurisdiction, was trying any means possible to impede Maya from beginning construction. Maya Energy was never provided a reason as to why City of Gary halted construction attempts on those occasions.
- The Times, local news reporting agency in Gary, IN, posted an article on 3/2/2022 regarding Maya's public hearing from 3/1/2022 entitled 'IDEM hosts Gary hearing'. This article advised that the Mayor of Gary as well as several community residents are not in favor of the Maya's MRF facility and that Maya's FESOP air permit renewal should be denied. The article, further, advises that Maya's facility will have a negative impact on local surrounding environment. Mentioned in the article is a natural artesian well, located on Chase St, has given This article advised that the Mayor of Gary as well as several community residents are not in favor of the Maya's MRF facility and that Maya's FESOP air permit renewal should be denied. The article, further, advises that Maya's facility will have a negative impact on local surrounding environment. Mentioned in the article is a natural artesian well, located on Chase St, has given neighbors fresh drinking water for generations. Sadly, this artesian well area has been subjected to illegal dumping for decades. It is unclear why the City of Gary has not yet initiated steps to protect this area from continued illegal dumping.

Response to Comment 9:

Please see the following IDEM responses at the beginning of the ATSD under the General Statements and IDEM Responses section:

- IDEM Response to General Statement 1 - Issuance of the Permit Renewal
- IDEM Response to General Statement 3 - Truck Traffic, Mobile Emissions, Vehicle Noise, Roadway Impacts, and Fugitive Dust from Offsite Roads
- IDEM Response to General Statement 6 - Employment, Quality of Life, Noise, Odor, Zoning, Water Pollution, Land Pollution, and Costs/Feasibility Issues
- IDEM Response to General Statement 7 - Local Air Quality, Health and Wellbeing, and Impact of Air Pollution from this Source

No changes to the draft permit were made as a result of this comment.

Comment 10:

On March 9, 2022, Jerome A. Prince (Mayor of City of Gary) submitted the following comments:

- The U.S Environmental Protection Agency (USEPA) through the Clean Air Act has established measurable level for pollutants in the National Ambient Air Quality Standards (NAAQS) for outdoor air quality. The various pollutant sources that exceed those established levels are not

only considered harmful to public health and the environment, but determines whether communities are in attainment or nonattainment status.

- **Gary is a Serious Nonattainment Area for air pollutants.** A Nonattainment Area does not meet the national primary or secondary ambient air quality standards. Serious Nonattainment areas have higher levels of pollutants in the air and must meet the primary health standard for those pollutants within a specified period of time. As such, Gary is an active member of various Clean Air Programs in the northwest Indiana region. In 2021, Gary completed its climate action plan that was unanimously approved by City Council. We're now in the process of establishing benchmarks to reduce our carbon footprint and planning for a more sustainable community.
- Air Quality Permits are issued when a facility's operations will produce regulated air pollutants. The limits are measured by an average concentration over time. EPA has set Air Quality Standards for six major pollutants to include ozone and particulate matter.
- The Maya municipal solid waste facility has not been constructed but has applied for an air permit to emit pollutants above its current permitted levels.
- Maya will import and process about 2000 tons of waste per day
- The existing permit was developed to regulate the amount of air pollutants Maya could release.
- The current permit changes some requirements of the original permit that allows for an increase in Particulate Matter.
- We don't support this operation in our community. Some of the causes of concern with the permitting and possible construction of the facility are:
 - Maya will greatly increase truck traffic through the city upward of waste per day
 - With this permit, Maya will be allowed to add hazardous air pollutants and particulate matter to the air.
 - The Gary community, which already has a high rate of respiratory illnesses will be impacted by decreased air quality, safety risks from increased truck traffic, increased diesel emissions and dust, nuisance odors and noise.

Response to Comment 10:

Please see the following IDEM responses at the beginning of the ATSD under the General Statements and IDEM Responses section:

- IDEM Response to General Statement 1 - Issuance of the Permit Renewal
- IDEM Response to General Statement 3 - Truck Traffic, Mobile Emissions, Vehicle Noise, Roadway Impacts, and Fugitive Dust from Offsite Roads
- IDEM Response to General Statement 4 - Fugitive Dust and Particulate Matter
- IDEM Response to General Statement 6 - Employment, Quality of Life, Noise, Odor, Zoning, Water Pollution, Land Pollution, and Costs/Feasibility Issues
- IDEM Response to General Statement 7 - Local Air Quality, Health and Wellbeing, and Impact of Air Pollution from this Source

No changes to the draft permit were made as a result of this comment.

Comment 11:

On March 10, 2022, Seymour Moskowitz submitted the following comments:

I write in opposition to Maya Energy LLC's (hereinafter Maya) request for a "Renewal" of its April 27, 2017, New Source Construction and FESOP Permit Number F089-38237-00594. Many reasons in opposition to this administrative action were already articulated in the Zoom open hearing held on March 1, 2022. Numerous written statements in opposition have also been filed in this matter. What has not been raised heretofore is that such an IDEM "renewal" would be "arbitrary, capricious... or not in

accordance in law" as required by the Indiana Administrative Orders and Procedures Act, See IC section 4-21.5-5-14(d)(1) (2017).

It is axiomatic that all Indiana state government administrative actions must comply with this legal standard. See *Indiana-Kentucky Elec. Corp. v/s Comm'r, Ind. Dep't of Env'tl. Mgmt.*, 820 N.E. 2nd 771, 776 (Ind. Ct. App. 2005). Administrative actions in Indiana will only be upheld if the decision is supported by "evidence that a reasonable mind might accept as adequate." A "renewal" of the 2017 permit to Maya clearly does not meet this standard for several reasons. The original permit, issued 4/28/2017, was never complied with, either substantively (by beginning construction/operation) or procedurally (by filing annual compliance reports as required by IDEM 326 IAC 2-8-5 (a) (1) [statutorily based upon IC 13-14-8; 13-17-3-4; and 13-17-3-11]) at any point subsequent to the grant of the original permit. As a result, Maya's permit(s) were either "constructively*" revoked or lapsed. There can be no "renewal" of such a permit. Moreover, in December 2018 IDEM granted Maya an extension of the original permit "*provided that construction does commence prior to October 27, 2019.*" (emphasis added) No construction was started then, or to this day. Moreover, Maya's permit to operate was never complied with. The IDEM Virtual File Cabinet reveals no Annual Compliance Certification, 326 IAC 2-8-5(a)(1). Any "renewal" of Maya's permit(s) would thus constitute an unlawful administrative action.

This conclusion is further bolstered by the fact that Maya Energy LLC's registration with the Indiana Secretary of State's office was dissolved at some point because, at a minimum, Maya did not file legally required compliance reports. As a result, Maya was thus forced to file a new Registration on August 19, 2021 (See business ID 202108191516420, at <https://inbiz.in.gov>).

For all the above reasons any "renewal" of Maya's permit(s) would be contrary to Indiana Administrative law and the request must be denied.

Response to Comment 11:

Please see the following IDEM responses at the beginning of the ATSD under the General Statements and IDEM Responses section:

- IDEM Response to General Statement 1 - Issuance of the Permit Renewal

IDEM, OAQ does not agree that its decision not to revoke the permit is arbitrary, capricious, or not in accordance in law. Secondly, IDEM, OAQ does not agree that the permit was constructively revoked or lapsed. Finally, IDEM, OAQ does not agree that a renewal of the permit would constitute an unlawful administrative action or would be contrary to Indiana Administrative law.

Upon review of the Maya Energy, LLC registration with the Indiana Office of the Secretary of State (SOS), IDEM, OAQ found no evidence to support the commenter's claim that the registration was dissolved "because Maya did not file legally required compliance reports." It appears that the original registered agent resigned on June 24, 2020. Pursuant to Indiana Code (IC) IC 23-0.5-6-1, the SOS administratively dissolved the business on December 9, 2020, for failure to notify the SOS of a change to the registered agent. On July 21, 2021, Maya Energy LLC submitted an application to SOS to reinstate the business with updated registered agent information. Pursuant to Indiana Code (IC) IC 23-0.5-6-3(c), the SOS canceled the administrative dissolution of the business and filed a certificate of reinstatement of the business on July 21, 2021. Pursuant to Indiana Code (IC) IC 23-0.5-6-3(d), the reinstatement relates back to and takes effect as of the effective date of the administrative dissolution.

No changes to the draft permit were made as a result of this comment.

Public Comments Received on the Draft FESOP SPR and IDEM Responses

The following public comments were submitted to IDEM, OAQ on the draft FESOP SPR:

Comment 12:

On January 5, 2022, Ashley Williams submitted the following comments:

Dear Mr. Sura,

I request that IDEM hold a Public Meeting to answer general questions regarding the draft FESOP construction air permit for Maya Energy LLC (089-44483-00594) public noticed on December 7, 2021. I request that this meeting be made available via Zoom and offered during a weekday evening to accommodate working people and families. If an extension of the comment period is needed to hold a public meeting, I request that an extension be granted.

This issue is of great concern to our organization due to its environmental justice footprint. According to a recent analysis by ProPublica, Gary, Indiana is home to communities already overburdened by pollution issues, and residents have an excessive lifetime risk for cancer from industrial emissions. Therefore, the likelihood of a substantial cumulative impact posed by these operations must also be considered when reviewing this request.

Thank you for your time and consideration!

Response to Comment 12:

Please see the following IDEM responses at the beginning of the ATSD under the General Statements and IDEM Responses section:

- IDEM Response to General Statement 1 - Issuance of the Permit Renewal
- IDEM Response to General Statement 2 - Environmental Justice and Civil Rights Concerns
- IDEM Response to General Statement 7 - Local Air Quality, Health and Wellbeing, and Impact of Air Pollution from this Source
- IDEM Response to General Statement 10 - Public Hearing

No changes to the draft permit were made as a result of this comment.

Comment 13:

On December 27, 2021, Stephan Truchan Jr. submitted the following comments:

I am requesting that the Maya Energy, LLC Permit #089-44483-00594 be denied. This farce has gone on long enough! The illegal actions of Maya, The Little Calumet River Basin Commission and The City of Gary need to stop. This land is a flood zone as my 2019 photo represents.

I am an adjoining land owner and operator of Gary Bridge and Iron Co. Inc., which has been in business for 80 years. I was not notified by the City of Gary or Maya Energy of a BZA Rezone or a Gary City Council ordinance or a Board of Works subdivision approval because Maya & Gary falsified the address of the project. This land was transferred to the Little Calumet River Basin Commission from the DNR for flood control. I objected to this project previously. The public was granted a public hearing several years ago but Maya did not permit the public or the IDEM officials to enter the building that was reserved for the meeting. The Steel City Academy hosted the IDEM officials that evening and a hundred or so public was present. The Steel City Academy is directly north of the Maya site. It is in a building that was constructed by Gary Bridge & Iron Co in the 1960's as a school for the Lake County Association for the Retarded. It was operated by LCAR until the Steel City Academy moved in. The Steel City Academy received an "A"

grade for education when all the other Gary schools received an "F". All of the other surrounding uses are commercial of retail in nature.

Maya Energy is not now or has never been in the garbage business. There is also a very large garbage to fuel proposal currently being considered in an area of Gary that is more favorable to that type of use.

We do not need Maya Energy.

The City of Gary, The Little Cal, The state of Indiana and IDEM may have to defend many more condemnation suits if the action is approved. I am also requesting a public hearing on the entire project.

Response to Comment 13:

Please see the following IDEM responses at the beginning of the ATSD under the General Statements and IDEM Responses section:

- IDEM Response to General Statement 1 - Issuance of the Permit Renewal
- IDEM Response to General Statement 6 - Employment, Quality of Life, Noise, Odor, Zoning, Water Pollution, Land Pollution, and Costs/Feasibility Issues
- IDEM Response to General Statement 10 - Public Hearing

No changes to the draft permit were made as a result of this comment.

Comment 14:

On January 5, 2022, Lin Kaatz Chary submitted the following comments:

I am writing to request that the IDEM hold a Public Meeting (via zoom) regarding the draft FESOP construction air permit for Maya Energy LLC (089 44483 00594) that was public noticed on December 7, 2021. I and many other members of the Gary community want the opportunity to ask questions and get answers about this new draft construction permit and its implications.

Many residents' concerns regarding new and additional potential air emissions from the proposed expanded facility as well as the efficacy of proposed controls will be best be answered in a live public forum. The new draft permit from Maya Energy in September 2021 requested significant equipment additions to the original permit issued in 2017 requiring substantive permit revisions before the original operation has ever even gone online.

Yet the changes listed in the draft permit include the addition of sorting lines, a Refuse Derived Fuel (RDF) shredder and associated equipment with a total estimated through-put of 100 tons per 24 hr of operation. These changes represent a quantitative increase in the proposed tons of MSW to be processed by the new equipment while the property location of the proposed facility remains undeveloped with no buildings or equipment on site. Given that Maya Energy failed to construct the facility permitted in 2017 and has yet to begin operations, in what ways does the current permit revision differ from the original permit and why has the revised permit become necessary?

Does the new revised draft permit signify an expansion of Maya Energy's original proposal and scope of operations which were the basis on which their original permit was approved in 2017? If so, and given that it has been very nearly 5 years at which time the original permit is up for renewal anyway, the timing of the new revised draft permit, significantly changing the basis on which Maya applied for and received its original permit, is clearly a fortuitous convergence relieving Maya of having to go through its 5-year permit renewal process which will now be covered by the revision proposal.

Some of the additional initial questions that have been raised in the request for the public meeting include:

- As there has been no operation at the facility to date, what are the projected air quality impacts from the increased truck traffic and related diesel emissions?
- Does the RDF shredded material have a local buyer?
- How long can RDF and sorted materials be stored on the property?
- What is the source of the PTE SO₂, CO, and HAPs?
- What energy sources will be utilized by the facility?
- What energy source will be used to heat the buildings?
- Does any of the new equipment have a related source of combustion to dry the carbon-based materials recovered from the RDF process?

Should an extension of the comment period be required in order to hold a public meeting, I am also requesting that an extension be granted. This will assure that a public meeting will be held and that residents and other interested parties will have ample opportunity to ask questions and better understand the environmental and related social-economic impacts of this proposed facility on their health and community.

Thank you for your time and attention, and I look forward to hearing from you soon.

Response to Comment 14:

Please see the following IDEM responses at the beginning of the ATSD under the General Statements and IDEM Responses section:

- IDEM Response to General Statement 1 - Issuance of the Permit Renewal
- IDEM Response to General Statement 3 - Truck Traffic, Mobile Emissions, Vehicle Noise, Roadway Impacts, and Fugitive Dust from Offsite Roads
- IDEM Response to General Statement 7 - Local Air Quality, Health and Wellbeing, and Impact of Air Pollution from this Source
- IDEM Response to General Statement 10 - Public Hearing

IDEM responses to each of the specific questions are provided below.

- Air pollution that is emitted from fuel combustion in a "mobile source" (i.e., tailpipe emissions from vehicles) are not included in the potential to emit (PTE) of a source. Projected tailpipe emissions from vehicles are included as part of the IDEM Response to General Statement 3 - Truck Traffic, Mobile Emissions, Vehicle Noise, Roadway Impacts, and Fugitive Dust from Offsite Roads.
- IDEM, OAQ is not aware whether the RDF shredded material has a local buyer. However, as part of the response to public comments on the Maya Energy Solid Waste Permit 45-53, issued on March 11, 2019, IDEM, Office of Land Quality (OLQ) stated that Maya Energy, LLC, identified Carmeuse as a potential downstream user for its refuse-derived fuel (RDF) product.
- Maya Energy's Solid Waste Permit 45-53, issued on March 11, 2019, allows for storage of recovered materials and processed wastes, including refuse-derived fuel (RDF). Pursuant to the definition of "storage" under 329 IAC 11-2-44.3, storage of the wastes over six (6) months can be considered waste disposal. Since Maya Energy is permitted as a solid waste processing facility and not a waste disposal facility, Maya Energy could not store RDF and sorted materials for more than six (6) months.
- Since the source will not have any stationary fuel combustion equipment, the source does not have the potential to emit (PTE) of SO₂, NO_x, and CO. Any SO₂, NO_x, and CO that is emitted from fuel combustion in a "mobile source" (i.e., tailpipe emissions from vehicles) are not included in the PTE of a source. Since the source will be processing municipal solid waste (MSW) and construction and demolition debris, there could potentially be volatile organic compounds (VOC) and volatile hazardous air pollutants (HAPs) contained in the

waste/debris. In Appendix A to the Technical Support Document (TSD), the PTE VOC was calculated to be 7.20 tons per year, the PTE of Total HAP was calculated to be 6.38 tons per year, and the PTE of the Highest Single HAP (Toluene) was calculated to be 2.17 tons per year.

- The facility will use electricity for its energy/power source. The source will not contain any stationary fuel combustion units for power generation.
- The facility will use electricity (if necessary) to heat the buildings. The source will not contain any stationary fuel combustion units to heat the buildings.
- The source will not contain any stationary fuel combustion units to dry materials in the process.

No changes to the draft permit were made as a result of this comment.

Comment 15:

On January 4, 2022, Julie Peller submitted the following comments:

I am requesting that the IDEM hold a public meeting (via zoom) to answer public questions regarding the draft FESOP construction air permit for Maya Energy LLC (089 44483 00594) public notice on December 7, 2021.

I am alarmed by the project itself, but now according to the revised permit language, there will be a significant increase in the proposed tons of MSW to be processed in the city of Gary on Chase Street. This is highly unfair to an environmental justice community.

When the Maya facility was first opposed for numerous reasons several years ago, local residents believed the project was being reconsidered or perhaps even rejected due to environmental consideration and tremendous public objections. At that point Maya had not moved forward with any plans to create the 54-acre concrete pad sorting center.

But now they are coming back with plans for more MSW to be processed, which means more truck traffic, more escaping garbage and more pollution from diesel operated vehicles in and out of Grant and Chase Streets.

We still don't know how they will contain emissions from the MSW sorting process and it appears to be a potentially disastrous combination of new sources of pollution to the city.

If Gary has been designated a non-attainment area, how is it possible that Maya can contemplate violation of this designation?

Residents and other concerned citizens need and request a public meeting where these and other questions can be answered.

Thank you for your prompt reply.

Response to Comment 15:

Please see the following IDEM responses at the beginning of the ATSD under the General Statements and IDEM Responses section:

- IDEM Response to General Statement 1 - Issuance of the Permit Renewal
- IDEM Response to General Statement 2 - Environmental Justice and Civil Rights Concerns
- IDEM Response to General Statement 3 - Truck Traffic, Mobile Emissions, Vehicle Noise, Roadway Impacts, and Fugitive Dust from Offsite Roads

- IDEM Response to General Statement 7 - Local Air Quality, Health and Wellbeing, and Impact of Air Pollution from this Source
- IDEM Response to General Statement 10 - Public Hearing

No changes to the draft permit were made as a result of this comment.

Comment 16:

On January 2, 2022, Robin Rich submitted the following comments:

I am requesting that the IDEM hold a Public Meeting (via zoom) to answer public questions regarding the draft FESOP construction air permit for Maya Energy LLC (08944483 00594) public noticed on December 7, 2021.

Many of us in the Gary community have serious questions and concerns about the changes in this permit and what it means for our environment.

Please do whatever is needed, including an extension, to make sure there is a hearing for the public to address these questions.

Response to Comment 16:

Please see the following IDEM responses at the beginning of the ATSD under the General Statements and IDEM Responses section:

- IDEM Response to General Statement 1 - Issuance of the Permit Renewal
- IDEM Response to General Statement 7 - Local Air Quality, Health and Wellbeing, and Impact of Air Pollution from this Source
- IDEM Response to General Statement 10 - Public Hearing

No changes to the draft permit were made as a result of this comment.

Comment 17:

On January 2, 2022, Seymour Moskowitz submitted the following comments:

I write to inform you of my concerns re the draft FESOP request for a construction air permit for Maya Energy in Lake County Indiana referenced above. The requested equipment changes to the 2017 permit will work a substantial change in what was previously envisioned e.g., a great deal more of MSW to be processed by new equipment, increased truck traffic, the fact that new and other material will be stored on the property, to name just a few of the issues to be resolved. This certainly warrants a zoom public hearing, or at least a public meeting, to allow current residents to be heard on the numerous issues raised by Maya's rather startling request. The fact that Maya has done nothing to start the project for many years, and the need to allow individuals and organizations to research the issues and to be heard, makes it appropriate to extend the comment period on this matter as well for at least an additional 30 days.

Please let me know what the decision will be with respect to a public hearing, a public meeting, and to extend the period for comment on this matter.

Response to Comment 17:

Please see the following IDEM responses at the beginning of the ATSD under the General Statements and IDEM Responses section:

- IDEM Response to General Statement 1 - Issuance of the Permit Renewal
- IDEM Response to General Statement 3 - Truck Traffic, Mobile Emissions, Vehicle Noise, Roadway Impacts, and Fugitive Dust from Offsite Roads
- IDEM Response to General Statement 10 - Public Hearing

No changes to the draft permit were made as a result of this comment.

Comment 18:

On December 30, 2021, Carolyn McCrady submitted the following comments:

I am requesting that the IDEM hold a public meeting (via zoom) to answer public questions regarding the draft FESOP construction air permit for Maya Energy LLC (089 44483 00594) public noticed on December 7, 2021.

I am alarmed by the project itself but now according to the revised permit language, there will be a significant increase in the proposed tons of MSW to be processed in the city of Gary on 35th Avenue.

When we first opposed the Maya facility for numerous reasons several years ago, we believed the project was being rethought or perhaps even rejected due to environmental consideration and tremendous public objections. We believed this because at that point Maya had not moved forward with any plans to create the 54-acre concrete pad sorting center.

But now they are coming back even harder with more MSW to be processed which means more truck traffic and more pollution from diesel operated vehicles in and out of Grant and Chase Streets on 35th. Grant Street is contiguous with the very densely populated residential neighborhood of Glen Park and also home to Indiana University Northwest.

Additionally, the Maya facility sits directly across from a charter school, the Steel City Academy.

We still don't know how they will contain emissions from the MSW sorting process and so it appears a potential disastrous combination of new sources of pollution in our city.

I believe that Gary has been designated a non-attainment area. How is it possible that Maya can contemplate violation of this designation?

We need a public meeting where these and other questions can be answered.

Response to Comment 18:

Please see the following IDEM responses at the beginning of the ATSD under the General Statements and IDEM Responses section:

- IDEM Response to General Statement 1 - Issuance of the Permit Renewal
- IDEM Response to General Statement 3 - Truck Traffic, Mobile Emissions, Vehicle Noise, Roadway Impacts, and Fugitive Dust from Offsite Roads
- IDEM Response to General Statement 4 - Fugitive Dust and Particulate Matter
- IDEM Response to General Statement 5 - Possible Future Violations
- IDEM Response to General Statement 6 - Employment, Quality of Life, Noise, Odor, Zoning, Water Pollution, Land Pollution, and Costs/Feasibility Issues

- IDEM Response to General Statement 7 - Local Air Quality, Health and Wellbeing, and Impact of Air Pollution from this Source
- IDEM Response to General Statement 10 - Public Hearing

No changes to the draft permit were made as a result of this comment.

Comment 19:

On December 27, 2021, Kimmie Gordon submitted the following comments:

I am requesting in writing that IDEM hold a public (virtual) meeting to address questions and concerns regarding a draft construction air permit revision for Maya Energy, LLC on which the public was notified December 7, 2021.

The equipment additions associated with this permit submitted by Maya Energy in September of 2021 have raised concerns from Gary residents regarding an increase in the proposed tons of municipal solid waste to be processed at this facility -- a facility that has yet to be constructed at the proposed Gary site.

I would also request that there be an extension of the comment period should it be necessary for the Gary residents to publicly address our concerns, and better understand the environmental footprint of this proposed facility to be located in the City of Gary.

Response to Comment 19:

Please see the following IDEM responses at the beginning of the ATSD under the General Statements and IDEM Responses section:

- IDEM Response to General Statement 1 - Issuance of the Permit Renewal
- IDEM Response to General Statement 7 - Local Air Quality, Health and Wellbeing, and Impact of Air Pollution from this Source
- IDEM Response to General Statement 10 - Public Hearing

No changes to the draft permit were made as a result of this comment.

Comment 20:

On December 23, 2021, Jennifer Rudderham submitted the following comments:

As a resident of Gary, I am requesting that the IDEM hold a Public Meeting (via zoom) to answer public questions regarding the draft FESOP construction air permit for Maya Energy LLC (089 44483 00594) public notice on December 7, 2021.

The original permit was approved four years ago, with no development occurring within that time frame. The community had concerns about the proposed project then, and we would like answers about the scope and nature of the project at this time, which the permit revision request suggests has changed significantly.

Furthermore, I beseech IDEM to make public meetings mandatory for companies seeking permits in Environmental Justice communities--or as the USEPA defines us "overburdened communities"--like Gary, Indiana.

Response to Comment 20:

Please see the following IDEM responses at the beginning of the ATSD under the General Statements and IDEM Responses section:

- IDEM Response to General Statement 1 - Issuance of the Permit Renewal
- IDEM Response to General Statement 7 - Local Air Quality, Health and Wellbeing, and Impact of Air Pollution from this Source
- IDEM Response to General Statement 10 - Public Hearing

No changes to the draft permit were made as a result of this comment.

Comment 21:

On December 23, 2021, Susan Thomas submitted the following comments:

I'm contacting you to request a public comment meeting regarding the FESOP No. 089-44483-00594, and the significant permit revisions requested by Maya Energy in Gary. There are many public concerns and questions about this permit that need to be addressed. This operation was granted the original permit in 2017 for a facility that was neither opened or operated. What does this indicate for Maya's plans to proceed now? There are questions about air quality, truck traffic and environmental justice that the community deserves to have answered. If The Region is to be impacted by more industry, all communities involved must know more.

Response to Comment 21:

Please see the following IDEM responses at the beginning of the ATSD under the General Statements and IDEM Responses section:

- IDEM Response to General Statement 1 - Issuance of the Permit Renewal
- IDEM Response to General Statement 2 - Environmental Justice and Civil Rights Concerns
- IDEM Response to General Statement 3 - Truck Traffic, Mobile Emissions, Vehicle Noise, Roadway Impacts, and Fugitive Dust from Offsite Roads
- IDEM Response to General Statement 7 - Local Air Quality, Health and Wellbeing, and Impact of Air Pollution from this Source
- IDEM Response to General Statement 10 - Public Hearing

No changes to the draft permit were made as a result of this comment.

Comment 22:

On December 22, 2021, Dorreen Carey submitted the following comments:

I am requesting that the IDEM hold a Public Meeting (via zoom) to answer public questions regarding the draft FESOP construction air permit for Maya Energy LLC (089 44483 00594) public noticed on December 7, 2021.

There are many resident concerns regarding the potential air emissions and efficacy of proposed controls that would best be answered in a public forum. This draft represents requested equipment additions from Maya Energy in September 2021 to the original permit issued in 2017 that require a significant permit revision. The changes listed in the draft permit include the addition of sorting lines, a Refuse Derived Fuel (RDF) shredder and associated equipment with a total estimated through-put of 100 tons per 24 hr of operation. These changes appear to represent a substantial increase in the proposed tons of MSW to be processed by the new equipment. The property location of the proposed facility is currently

undeveloped with no buildings or equipment on site. Since Maya Energy failed to construct the facility permitted in 2017 how does this 2021 permit revision differ from the original permit?

The following are a few of the initial questions that have been raised:

- As there has been no operation at the facility to date, what is the new potential truck traffic and related diesel emissions?
- Does the RDF shredded material have a local buyer?
- How long can RDF and sorted materials be stored on the property?
- What is the source of the PTE SO₂, CO, and HAPs?
- What energy sources will be utilized by the facility?
- What energy source will be used to heat the buildings?
- Does any of the new equipment have a related source of combustion to dry the carbon-based materials recovered from the RDF process?

If an extension of the comment period is needed to hold a public meeting, I am also requesting that an extension be granted in order for residents and other interested parties to ask questions and better understand the environmental impact of this proposed facility. Thank you for your attention and response.

Thank you for your attention and response.

Response to Comment 22:

Please see the following IDEM responses at the beginning of the ATSD under the General Statements and IDEM Responses section:

- IDEM Response to General Statement 1 - Issuance of the Permit Renewal
- IDEM Response to General Statement 3 - Truck Traffic, Mobile Emissions, Vehicle Noise, Roadway Impacts, and Fugitive Dust from Offsite Roads
- IDEM Response to General Statement 7 - Local Air Quality, Health and Wellbeing, and Impact of Air Pollution from this Source
- IDEM Response to General Statement 10 - Public Hearing

IDEM responses to each of the specific questions are provided below.

- Air pollution that is emitted from fuel combustion in a "mobile source" (i.e., tailpipe emissions from vehicles) are not included in the potential to emit (PTE) of a source. Projected tailpipe emissions from vehicles are included as part of the IDEM Response to General Statement 3 - Truck Traffic, Mobile Emissions, Vehicle Noise, Roadway Impacts, and Fugitive Dust from Offsite Roads.
- IDEM, OAQ is not aware whether the RDF shredded material has a local buyer. However, as part of the response to public comments on the Maya Energy Solid Waste Permit 45-53, issued on March 11, 2019, IDEM, Office of Land Quality (OLQ) stated that Maya Energy, LLC, identified Carmeuse as a potential downstream user for its refuse-derived fuel (RDF) product.
- Maya Energy's Solid Waste Permit 45-53, issued on March 11, 2019, allows for storage of recovered materials and processed wastes, including refuse-derived fuel (RDF). Pursuant to the definition of "storage" under 329 IAC 11-2-44.3, storage of the wastes over six (6) months can be considered waste disposal. Since Maya Energy is permitted as a solid waste processing facility and not a waste disposal facility, Maya Energy could not store RDF and sorted materials for more than six (6) months.
- Since the source will not have any stationary fuel combustion equipment, the source does not have the potential to emit (PTE) of SO₂, NO_x, and CO. Any SO₂, NO_x, and CO that is emitted from fuel combustion in a "mobile source" (i.e., tailpipe emissions from vehicles) are

not included in the PTE of a source. Since the source will be processing municipal solid waste (MSW) and construction and demolition debris, there could potentially be volatile organic compounds (VOC) and volatile hazardous air pollutants (HAPs) contained in the waste/debris. In Appendix A to the Technical Support Document (TSD), the PTE VOC was calculated to be 7.20 tons per year, the PTE of Total HAP was calculated to be 6.38 tons per year, and the PTE of the Highest Single HAP (Toluene) was calculated to be 2.17 tons per year.

- The facility will use electricity for its energy/power source. The source will not contain any stationary fuel combustion units for power generation.
- The facility will use electricity (if necessary) to heat the buildings. The source will not contain any stationary fuel combustion units to heat the buildings.
- The source will not contain any stationary fuel combustion units to dry materials in the process.

No changes to the draft permit were made as a result of this comment.

Comment 23:

On December 20, 2021, Judson Wilson submitted the following comments:

I am a resident of the quite neighborhood just to the south of the proposed building site. I am very much opposed to this project. In between my neighborhood and this building site is a fairly big wetland. Don't know what environmentally this project would do to this area. There is much wildlife in this area. The roads by and around this site. Can be feeble have seen sink holes on 35th AV which is the entry road that this facility would use. With a heavy truck volume don't know how much these roads could stand. There is also a school to the north of 35th with small children. This school was very opposed to this project. Most I know in this area were not informed of this proposed development. There was mail sent to one of my neighbors and he informed me. I'm in the same neighborhood and none of my immediate neighbors got news or a letter about this. As said, I am opposed to this development most I know are also. Hopefully will not go through. Thank you for a platform to express this.

Response to Comment 23:

Please see the following IDEM responses at the beginning of the ATSD under the General Statements and IDEM Responses section:

- IDEM Response to General Statement 1 - Issuance of the Permit Renewal
- IDEM Response to General Statement 3 - Truck Traffic, Mobile Emissions, Vehicle Noise, Roadway Impacts, and Fugitive Dust from Offsite Roads
- IDEM Response to General Statement 6 - Employment, Quality of Life, Noise, Odor, Zoning, Water Pollution, Land Pollution, and Costs/Feasibility Issues
- IDEM Response to General Statement 7 - Local Air Quality, Health and Wellbeing, and Impact of Air Pollution from this Source

No changes to the draft permit were made as a result of this comment.

Comment 24:

On December 27, 2021, David Sandrick submitted the following comments:

I am against this project. I live right behind this property. We are residential area. The reason I moved here 25 years ago because of the trees, animals, quietness and peace. This is a great neighborhood without noise. Please don't let this come to our community. There is a school right across from the property. I appreciate all you can do for me. I also have my adult children live in same area.

Response to Comment 24:

Please see the following IDEM responses at the beginning of the ATSD under the General Statements and IDEM Responses section:

- IDEM Response to General Statement 1 - Issuance of the Permit Renewal
- IDEM Response to General Statement 6 - Employment, Quality of Life, Noise, Odor, Zoning, Water Pollution, Land Pollution, and Costs/Feasibility Issues
- IDEM Response to General Statement 7 - Local Air Quality, Health and Wellbeing, and Impact of Air Pollution from this Source

No changes to the draft permit were made as a result of this comment.

IDEM Contact

- (a) If you have any questions regarding this permit, please contact Mehul Sura, 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) 233-6868 or toll free at 1-800-451-6027, and ask for Mehul Sura or (317) 233-6868.
- (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: <https://www.in.gov/idem/airpermit/public-participation/>; and the Citizens' Guide to IDEM on the Internet at: <https://www.in.gov/idem/resources/citizens-guide-to-idem/>.

**ATSD Appendix A: Emission Calculations
Summary of Potential Emissions**

Company Name: Maya Energy, LLC
Source Address: 2727 W 35th Ave., Gary, IN 46408
FESOP Renewal No.: F089-44483-00594
Reviewer: Mehul Sura

Unlimited/Uncontrolled Potential to Emit (tons per year)										
Emission Unit	PM	PM ₁₀	PM _{2.5}	SO ₂	NO _x	VOC	CO	Total HAPs	Highest Single HAP	
Baghouses (BH-1 and BH-2)	657.49	657.49	657.49	-	-	7.20	-	6.38	2.17	Toluene
General Building Ventilation (Uncaptured Emissions)	109.19	72.12	38.51	-	-		-			
Diesel Fueling Operation	-	-	-	-	-	negl.	-	negl.	negl.	negl.
Total PTE of Entire Source (Non-Fugitive)	766.68	729.61	696.01	-	-	7.20	-	6.38	2.17	Toluene
Paved Roads (Fugitive)	46.13	46.13	46.13	-	-	-	-	-	-	-

Controlled Potential to Emit (tons per year)										
Emission Unit	PM	PM ₁₀	PM _{2.5}	SO ₂	NO _x	VOC	CO	Total HAPs	Highest Single HAP	
Baghouses (BH-1 and BH-2)	17.23	17.23	17.23	-	-	7.20	-	6.38	2.17	Toluene
General Building Ventilation (Uncaptured Emissions)	109.19	72.12	38.51	-	-		-			
Diesel Fueling Operation	-	-	-	-	-	negl.	-	negl.	negl.	negl.
Total PTE of Entire Source (Non-Fugitive)	126.42	89.34	55.74	-	-	7.20	-	6.38	2.17	Toluene
Paved Roads (Fugitive)*	23.07	23.07	23.07	-	-	-	-	-	-	-

*Controlled PTE of paved roads is after fugitive dust control measures outlined in fugitive dust control plan.

Potential to Emit After Issuance (tons per year)										
Emission Unit	PM	PM ₁₀	PM _{2.5}	SO ₂	NO _x	VOC	CO	Total HAPs	Highest Single HAP	
Baghouses (BH-1 and BH-2)	131.40	17.52	17.52	-	-	7.20	-	6.38	2.17	Toluene
General Building Ventilation (Uncaptured Emissions)	109.19	72.12	38.51	-	-		-			
Diesel Fueling Operation	-	-	-	-	-	negl.	-	negl.	negl.	negl.
Total PTE of Entire Source (Non-Fugitive)	240.59	89.64	56.03	-	-	7.20	-	6.38	2.17	Toluene
Paved Roads (Fugitive)*	23.07	23.07	23.07	-	-	-	-	-	-	-

*Controlled PTE of paved roads is after fugitive dust control measures outlined in fugitive dust control plan.

negl. = negligible emissions

**ATSD Appendix A: Emission Calculations
Solid Waste Handling Facility Baghouses (BH-1 and BH-2)
Captured Emissions
PM, PM10, PM2.5**

Company Name: Maya Energy, LLC
Source Address: 2727 W 35th Ave., Gary, IN 46408
FESOP Renewal No.: F089-44483-00594
Reviewer: Mehul Sura

Captured/Controlled Emissions (Exhausting to the outdoors through Baghouses BH-1 and BH-2)

Control Device	Baghouse ID	Baghouse Particulate Outlet Loading (mg/m3)	Baghouse Outlet Grain Loading (gr/dscf)	Flow Rate (scfm)	Control Efficiency	Captured/Uncontrolled PTE of PM/PM10/PM2.5		Captured/Controlled PTE of PM/PM10/PM2.5		Captured/Limited PTE of PM		Captured/Limited PTE of PM10/PM2.5	
						(lbs/hr)	(tons/yr)	(lbs/hr)	(tons/yr)	(lbs/hr)	(tons/yr)	(lbs/hr)	(tons/yr)
Baghouse 1	BH-1	7.00	0.003059	75,000	97.38%	75.06	328.75	1.97	8.61	15.00	65.70	2.00	8.76
Baghouse 2	BH-2	7.00	0.003059	75,000	97.38%	75.06	328.75	1.97	8.61	15.00	65.70	2.00	8.76
						150.11	657.49	3.93	17.23	30.00	131.40	4.00	17.52

Methodology

For each baghouse, outlet grain loading (mg/m3), flow rate (SCFM), and control efficiency (%) provided by the source.
 Outlet grain loading (gr/dscf) = Baghouse Particulate Outlet Loading (mg/m3) * (1 g / 1000 mg) * (1 lb / 453.5924 grams) * (7000 grains / lb) * (1 m3 / 3.28084^3 ft3)
 Captured/Uncontrolled PTE of PM/PM10/PM2.5 (lbs/hr) = Flow Rate (scfm) * Baghouse Outlet Grain Loading (gr/scfm) * 60 (min/hr) * 1/7000 (lb/gr) * 1/(1-Control Efficiency (%))
 Captured/Uncontrolled PTE of PM/PM10/PM2.5 (tons/yr) = PTE of PM/PM10/PM2.5 (Before Controls) (lbs/hr) * 8760 (hr/yr) * 1/2000 (ton/lbs)
 Captured/Uncontrolled PTE of PM/PM10/PM2.5 (lbs/hr) = Flow Rate (scfm) * Baghouse Outlet Grain Loading (gr/scfm) * 60 (min/hr) * 1/7000 (lb/gr)
 Captured/Uncontrolled PTE of PM/PM10/PM2.5 (tons/yr) = PTE of PM/PM10/PM2.5 (After Controls) (lbs/hr) * 8760 (hr/yr) * 1/2000 (ton/lbs)
 Captured/Limited PTE of PM/PM10/PM2.5 (tons/year) = PM/PM10/PM2.5 Limit (lbs/hr) * Hours of Operation Limit (hours/yr) * 1/2000 (ton/lbs)

326 IAC 6.8 Particulate Matter Limitations for Lake County

Baghouse ID	326 IAC 6.8-1-2 Limit (grains/dscf)	Flow Rate (scfm)	Uncontrolled PTE of PM (lbs/hr)	Potential Grain Loading Before Control (grain/dscf)	Control Efficiency	Potential Grain Loading After Control (grain/dscf)
BH-1 (Captured)	0.03	75,000	75.06	0.117	97.38%	0.003
BH-2 (Captured)	0.03	75,000	75.06	0.117	97.38%	0.003
Roof Vents (Uncaptured)	0.03	66,875	24.93	0.043	0.0%	0.043

Methodology

326 IAC 6.8-1-2 Allowable PM (lbs/hr) = (0.03 gr/dscf) * Flow Rate (scfm) * (60 min/hr) * (1 lb/7000 gr)
 Potential Grain Loading Before Control (grain/dscf) = Captured/Uncontrolled PM PTE (lbs/hr) * (1 / flow rate in scfm) * (1 hr / 60 min) * (7000 grains/lb)
 Potential Grain Loading After Control (grain/dscf) = Captured/Controlled PM PTE (lbs/hr) * (1 / flow rate in scfm) * (1 hr / 60 min) * (7000 grains/lb)

**ATSD Appendix A: Emission Calculations
General Building Ventilation
Uncaptured Emissions
PM, PM10, PM2.5**

Company Name: Maya Energy, LLC
Source Address: 2727 W 35th Ave., Gary, IN 46408
FESOP Renewal No.: F089-44483-00594
Reviewer: Mehul Sura

	PM	PM10	PM2.5
Particle Size Distribution (Cumulative % Equal to or Less Than Stated Size)	100%	81%	35%

AP-42 Appendix B.2 Generalized Particle Size Distributions Table B.2.2 Category 3 (material handling and processing of aggregate and unprocessed ore). The Particle Size Distribution (Cumulative % Equal to or Less Than Stated Size) for PM10 and PM2.5 represent the maximum (worst case) values from Table B.2.2 Category 3.

Uncaptured Emissions from Hoods (Exhausting to the outdoors through the general building ventilation)

Control Device	Baghouse ID	Baghouse Particulate Outlet Loading (mg/m3)	Control Efficiency	Baghouse Particulate Inlet Loading	Baghouse Particulate Inlet Loading	Flow Rate (scfm)	Captured/Uncontrolled PTE of Particulate (lbs/hr)	Capture Efficiency	Uncaptured/Uncontrolled PTE of Particulate		Uncaptured PTE of PM		Uncaptured PTE of PM10		Uncaptured PTE of PM2.5	
				mg/m3	lb/ft3				lbs/hr	lbs/hr	lbs/hr	ton/year	lbs/hr	ton/year	lbs/hr	ton/year
Baghouse 1	BH-1	7.00	97.38%	267.18	1.67E-05	75,000	75.06	90.0%	83.40	8.34	36.53	6.76	29.59	2.92	12.78	
Baghouse 2	BH-2	7.00	97.38%	267.18	1.67E-05	75,000	75.06	90.0%	83.40	8.34	36.53	6.76	29.59	2.92	12.78	
Total							150.11		166.79	16.68	73.05	13.51	59.17	5.84	25.57	

Methodology

The hood capture efficiency is estimated 98% per the engineering company design basis (information provided by the source), but 90% capture efficiency has been used to ensure calculations are conservative.
 Baghouse Particulate Inlet Loading and Flow Rate (scfm) provided by the source.
 Baghouse Particulate Inlet Loading (lb/ft3) = Baghouse Particulate Inlet Loading (mg/m3) * (1 g / 1000 mg) * (1 lb / 453.5924 grams) * (1 m3 / 3.28084^3 ft3)
 Baghouse Particulate Inlet Loading (lbs/hr) = Baghouse Particulate Inlet Loading (lb/ft3) * Flow Rate (scfm) * 60 mins/hr
 Uncaptured PTE of Particulate (lbs/hr) = Baghouse Particulate Inlet Loading to Control (lbs/hr) / 98% Capture Efficiency
 Uncaptured PTE of PM (lbs/hr) = Uncaptured/Uncontrolled PTE of Particulate (lbs/hr) - Captured/Uncontrolled PTE of Particulate (lbs/hr) * (100% PM)
 Uncaptured PTE of PM10 (lbs/hr) = Uncaptured/Uncontrolled PTE of Particulate (lbs/hr) - Captured/Uncontrolled PTE of Particulate (lbs/hr) * (81% PM10)
 Uncaptured PTE of PM2.5 (lbs/hr) = Uncaptured/Uncontrolled PTE of Particulate (lbs/hr) - Captured/Uncontrolled PTE of Particulate (lbs/hr) * (35% PM2.5)
 Uncaptured PTE of PM (tons/yr) = Uncaptured PTE of PM (lbs/hr) * (8760 hrs/yr) / (2000 lbs/ton)
 Uncaptured PTE of PM10 (tons/yr) = Uncaptured PTE of PM10 (lbs/hr) * (8760 hrs/yr) / (2000 lbs/ton)
 Uncaptured PTE of PM2.5 (tons/yr) = Uncaptured PTE of PM2.5 (lbs/hr) * (8760 hrs/yr) / (2000 lbs/ton)

Uncaptured Emissions from Uncontrolled Emission Units (Exhausting to the outdoors through the roof vents)

Emission Point	Number of Units	Combined Maximum Throughput (tons/hr)	Emission Factor* (lbs/ton)		Potential to Emit (tpy)		
			PM	PM10/PM2.5	PM	PM10	PM2.5
Two (2) MSW Lines							
Manual Presort Conveyors	2	100	0.003	0.001	1.31	0.48	0.48
Manual Sorting Conveyors	2	100	0.003	0.001	1.31	0.48	0.48
Overbelt Magnet	1	100	0.003	0.001	1.31	0.48	0.48
9" Manual Sorting Conveyors	4	100	0.003	0.001	1.31	0.48	0.48
Non-FE Eddy Current Separators	4	100	0.003	0.001	1.31	0.48	0.48
Non-FE Quality Control Conveyors	2	100	0.003	0.001	1.31	0.48	0.48
Non-FE Silo Blowers	2	100	0.003	0.001	1.31	0.48	0.48
Non-FE Silo	1	100	0.003	0.001	1.31	0.48	0.48
Cirrus Optical Sorters	4	100	0.003	0.001	1.31	0.48	0.48
Brick and Rock QC Conveyors	2	100	0.003	0.001	1.31	0.48	0.48
Baler Feed Conveyor	1	100	0.003	0.001	1.31	0.48	0.48
Baler	1	100	0.003	0.001	1.31	0.48	0.48
Loading of materials into trucks for off-site shipping	1	100	0.025	0.009	10.95	3.81	3.81
One (1) C&D Line							
C&D Overbelt Magnet Conveyors	4	50	0.003	0.001	0.66	0.24	0.24
Manual Sorting Conveyors	3	50	0.003	0.001	0.66	0.24	0.24
Drum Magnet	1	50	0.003	0.001	0.66	0.24	0.24
MSS Aladdin optical sorter	1	50	0.003	0.001	0.66	0.24	0.24
Residue Conveyor	1	50	0.003	0.001	0.66	0.24	0.24
Wood and wood residue storage areas	1	50	0.003	0.001	0.66	0.24	0.24
Loading of materials into trucks for off-site shipping	1	50	0.025	0.009	5.48	1.91	1.91
Total:					36.14	12.94	12.94

Methodology

*There are no AP42 PM/PM10/PM2.5 emission factors for handling of municipal solid waste or construction and demolition debris. Therefore, as a conservative estimate, PM/PM10/PM2.5 emissions from the handling of municipal solid waste or construction and demolition debris are estimated using AP42, Chapter 11, Table 11.19.2-2 emission factors for crushed stone processing operations (for handling of municipal solid waste or construction and demolition debris and conveyor transfer points) and crushed stone screening (for loading of materials into trucks).
 Potential to Emit (tpy) = Combined Maximum Throughput (tons/hr) * Emission Factor (lbs/ton) * 8760 (hrs/yr) / 2000 (lbs/ton)

Total General Building Ventilation Emissions (Uncaptured Emissions)

	Potential to Emit (lbs/hr)			Potential to Emit (tons/year)		
	PM	PM10	PM2.5	PM	PM10	PM2.5
Uncaptured emissions from hoods	16.68	13.51	5.84	73.05	59.17	25.57
Uncontrolled emission units	8.25	2.96	2.96	36.14	12.94	12.94
Total:	24.93	16.47	8.79	109.19	72.12	38.51

ATSD Appendix A: Emission Calculations
Municipal Solid Waste Handling
Volatile Organic Compound (VOC) and Hazardous Air Pollutants (HAPs)

Company Name: Maya Energy, LLC
Source Address: 2727 W 35th Ave., Gary, IN 46408
FESOP Renewal No.: F089-44483-00594
Reviewer: Mehul Sura

VOC and HAP emissions from handling municipal solid waste (MSW) handling were estimated using EPA's LandGEM (version 3.02) based on the maximum amount of MSW that could handled at the material recovery and recycling facility for a year.

VOC Emissions for Municipal Solid Waste Handling

Process	Maximum Throughput of MSW (tons/hr)	Maximum Throughput of MSW (Mg/yr)	Potential Methane Generation Capacity, L ₀ (m ³ /Mg)	NMOC Concentration (ppmv as hexane)*	VOC Emissions* (tons/yr)
Municipal Solid Waste Line 1 (MSW-1)	50	397,347	100	235	7.20
Municipal Solid Waste Line 2 (MSW-2)	50	397,347			
Total	100	794,694			

HAP Emissions from Municipal Solid Waste Handling

Pollutant*	PTE of HAPs (tons/yr)*
1,1,1-Trichloroethane (methyl chloroform)	0.039
1,1,2,2-Tetrachloroethane	0.112
1,1-Dichloroethane (ethylidene dichloride)	0.144
1,1-Dichloroethene (vinylidene chloride)	0.012
1,2-Dichloroethane (ethylene dichloride)	0.025
1,2-Dichloropropane (propylene dichloride)	0.012
Acrylonitrile	0.202
Benzene	0.090
Carbon disulfide	0.027
Carbon tetrachloride	3.72E-04
Carbonyl sulfide	0.018
Chlorobenzene	0.017
Chloroethane (ethyl chloride)	0.051
Chloroform	0.002
Dichlorobenzene	0.019
Dichloromethane (methylene chloride)	0.719
Ethylbenzene	0.295
Ethylene dibromide	1.14E-04
Hexane	0.344
Mercury (total)	3.52E-05
Methyl ethyl ketone	0.309
Methyl isobutyl ketone	0.115
Perchloroethylene (tetrachloroethylene)	0.371
Toluene	2.172
Trichloroethylene (trichloroethene)	0.222
Vinyl chloride	0.276
Xylenes	0.770
Total HAPs:	6.36

Methodology

NMOC = Non-Methane Organic Compounds

*VOC and HAP emissions from handling municipal solid waste (MSW) handling were estimated using EPA's LandGEM (version 3.02) based on the maximum amount of MSW that could handled at the material recovery and recycling facility for a year. VOC is expressed as NMOC (as hexane). Based on AP-42 Section 2.4, Municipal Solid Waste Landfills, Table 2.4-2, dated 11/1998, the LandGEM model was run assuming a total NMOC value of 235 ppmv as hexane (39% of 595 ppmv), since the MSW was assumed to have very little organic commercial/industrial wastes. Additionally, based on AP-42 Section 2.4, most of the NMOC emissions generated in landfill gas results from the volatilization of organic compounds contained in the landfilled waste.

**ATSD Appendix A: Emission Calculations
Solid Waste Handling Facility
Mercury Emissions**

Company Name: Maya Energy, LLC
Source Address: 2727 W 35th Ave., Gary, IN 46408
FESOP Renewal No.: F089-44483-00594
Reviewer: Mehul Sura

Mercury emissions from MSW handling operation

	Processing Rate ton/hr	Pounds of Hg per ton of MSW received* (lb/ton)	Estimated Release rate to Air** %	Pounds of Hg emitted into the air per ton of MSW* (lbs/ton)	Hg Emission Rate (lb/hr)	Hg Emission Rate (ton/yr)
Potential to Emit	100	4.41E-04	11%	4.85E-05	4.85E-03	2.12E-02

*The mercury content of MSW was estimated in the Covanta Indianapolis, Inc., Significant Source Modification No. 097-35573-00123, issued September 23, 2015. Since Maya Energy LLC facility will process similar types of MSW materials as the Covanta Indianapolis, Inc., facility, the mercury content of MSW for the Maya Energy LLC facility is assumed equal to the mercury content of MSW for the Covanta Indianapolis, Inc., facility.

**The USEPA estimates that about 11 percent of the mercury in a compact fluorescent lamp is released into air or water when it is sent to a landfill, assuming the light bulb is broken. IDEM, OAQ has assumed all fluorescent bulbs (linear and CFL) are broken during processing.

METHODOLOGY

Pounds of Hg emitted into the air per ton of MSW (lbs/ton) = Pounds of Hg per ton of MSW received (lbs/ton) * Estimated release rate to air (%)

Hg Emission Rate (lb/hr) = Processing Rate (ton/hr) * Pounds of Hg emitted into the air per ton of MSW (lbs/ton)

Hg Emission Rate (ton/yr) = Hg Emission Rate (lb/hr) * 8760 (hr/yr) * 1/2000 (ton/lbs)

**ATSD Appendix A: Emission Calculations
Solid Waste Handling Facility
PM, PM10, PM2.5
Fugitive Emissions**

Company Name: Maya Energy, LLC
Source Address: 2727 W 35th Ave., Gary, IN 46408
FESOP Renewal No.: F089-44483-00594
Reviewer: Mehul Sura

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)
Inbound									
MSW Route Trucks (full)	60.0	1.0	60.0	29.0	1740.0	1425	0.270	16.2	5910.5
MSW Haul Trucks (full)	40.0	1.0	40.0	40.0	1600.0	1880	0.356	14.2	5198.5
C&D Haul Trucks (full)	32.0	1.0	32.0	40.0	1280.0	1930	0.366	11.7	4269.4
Recyclable Trucks (empty)	46.0	1.0	46.0	16.0	736.0	1400	0.265	12.2	4451.9
RDF Trucks (empty)	36.0	1.0	36.0	16.0	576.0	1450	0.275	9.9	3608.5
Landfill Trucks (empty)	23.0	1.0	23.0	16.0	368.0	1450	0.275	6.3	2305.4
Outbound									
MSW Route Trucks (empty)	60.0	1.0	60.0	19.0	1140.0	1425	0.270	16.2	5910.5
MSW Haul Trucks (empty)	40.0	1.0	40.0	16.0	640.0	1880	0.356	14.2	5198.5
C&D Haul Trucks (empty)	32.0	1.0	32.0	16.0	512.0	1930	0.366	11.7	4269.4
Recyclable Trucks (full)	46.0	1.0	46.0	40.0	1840.0	1400	0.265	12.2	4451.9
RDF Trucks (full)	36.0	1.0	36.0	40.0	1440.0	1450	0.275	9.9	3608.5
Landfill Trucks (full)	23.0	1.0	23.0	40.0	920.0	1450	0.275	6.3	2305.4
Totals			474.0		12792.0			141.1	51488.5

Average Vehicle Weight Per Trip = 27.0 tons/trip
Average Miles Per Trip = 0.30 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 =	27.0	27.0	27.0	tons = average vehicle weight (provided by source)
sL =	7.4	7.4	7.4	g/m ² = silt loading value for paved roads at municipal solid waste landfills - 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 = 125 days of rain greater than or equal to 0.01 inches (see Fig. 13.2.1-2)
N = 365 days per year

	PM	PM10	PM2.5	
Unmitigated Emission Factor, Ef =	1.960	0.392	0.0962	lb/mile
Mitigated Emission Factor, Eext =	1.792	0.358	0.0880	lb/mile
Dust Control Efficiency =	50%	50%	50%	(pursuant to control measures outlined in fugitive dust control plan)

Process	Unmitigated PTE of PM (tons/yr)	Unmitigated PTE of PM10 (tons/yr)	Unmitigated PTE of PM2.5 (tons/yr)	Mitigated PTE of PM (tons/yr)	Mitigated PTE of PM10 (tons/yr)	Mitigated PTE of PM2.5 (tons/yr)	Controlled PTE of PM (tons/yr)	Controlled PTE of PM10 (tons/yr)	Controlled PTE of PM2.5 (tons/yr)
Inbound									
MSW Route Trucks (full)	5.79	1.16	0.28	5.30	1.06	0.26	2.65	0.53	0.13
MSW Haul Trucks (full)	5.09	1.02	0.25	4.66	0.93	0.23	2.33	0.47	0.11
C&D Haul Trucks (full)	4.18	0.84	0.21	3.83	0.77	0.19	1.91	0.38	0.09
Recyclable Trucks (empty)	4.36	0.87	0.21	3.99	0.80	0.20	1.99	0.40	0.10
RDF Trucks (empty)	3.54	0.71	0.17	3.23	0.65	0.16	1.62	0.32	0.08
Landfill Trucks (empty)	2.26	0.45	0.11	2.07	0.41	0.10	1.03	0.21	0.05
Outbound									
MSW Route Trucks (empty)	5.79	1.16	0.28	5.30	1.06	0.26	2.65	0.53	0.13
MSW Haul Trucks (empty)	5.09	1.02	0.25	4.66	0.93	0.23	2.33	0.47	0.11
C&D Haul Trucks (empty)	4.18	0.84	0.21	3.83	0.77	0.19	1.91	0.38	0.09
Recyclable Trucks (full)	4.36	0.87	0.21	3.99	0.80	0.20	1.99	0.40	0.10
RDF Trucks (full)	3.54	0.71	0.17	3.23	0.65	0.16	1.62	0.32	0.08
Landfill Trucks (full)	2.26	0.45	0.11	2.07	0.41	0.10	1.03	0.21	0.05
Totals	50.45	10.09	2.48	46.13	9.23	2.26	23.07	4.61	1.13

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 (tons/yr) = [Maximum one-way miles (miles/yr)] * [Mitigated Emission Factor (lb/mile)] * (ton/2000 lbs)
Controlled PTE (tons/yr) = [Mitigated PTE (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

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

Appendix B - Proposed Changes to Permit

**Addendum to the Technical Support Document (ATSD) for a
Federally Enforceable State Operating Permit (FESOP) Renewal**

Source Background and Description
--

Source Name:	Maya Energy, LLC
Source Location:	2727 W 35th Ave., Gary, Indiana 46408
County:	Lake (Calumet township)
SIC Code:	4953 (Refuse Systems)
Permit Renewal No.:	F089-44483-00594
Permit Reviewer:	Mehul Sura

Proposed Changes to Permit

The following changes listed below are made to the permit. Deleted language appears as ~~strikethrough~~ text and new language appears as **bold** text:

- (a) The permit is revised to include the following new conditions and form, which were initially included in the New Source Construction and FESOP No. F089-38237-00594 and were inadvertently omitted from the draft FESOP Renewal:
 - (1) Section B.2 (Revocation of Permits), Section B.3 (Affidavit of Construction), and the Affidavit of Construction form;
 - (2) Section C.7 (Lake County Particulate Matter Contingency Measures);
 - (3) Section C.8 (Stack Height)All remaining conditions in Sections B and C are renumbered accordingly.
- (b) Section B.11 (Preventive Maintenance Plan) (now Section B.13) is revised to provide clarification. All remaining conditions in Sections B are renumbered accordingly.
- (c) The Fugitive Dust Control Plan (included as Attachment A to the operating permit) is revised to include addition requirements and information and to clarify existing requirements.

The permit is revised as follows, with deleted language as ~~strikethrough~~ text and new language as **bold** text:

SECTION B GENERAL CONDITIONS

B.2 Revocation of Permits [326 IAC 2-1.1-9(5)]

Pursuant to 326 IAC 2-1.1-9(5) (Revocation of Permits), the Commissioner may revoke this permit if construction is not commenced within eighteen (18) months after issuance of F089-38237-00594 or if construction is suspended for a continuous period of one (1) year or more.

B.3 Affidavit of Construction [326 IAC 2-5.1-3(h)] [326 IAC 2-5.1-4][326 IAC 2-8]

This document shall also become the approval to operate pursuant to 326 IAC 2-5.1-4 and 326 IAC 2-8 when prior to the start of operation, the following requirements are met:

- (a) The attached Affidavit of Construction shall be submitted to the Office of Air Quality (OAQ), verifying that the emission units were constructed as proposed in the application or the permit. The emission units covered in this permit may begin operating on the date the Affidavit of Construction is postmarked or hand delivered to IDEM if constructed as proposed.
- (b) If actual construction of the emission units differs from the construction proposed in the application, the source may not begin operation until the permit has been revised pursuant to 326 IAC 2 and an Operation Permit Validation Letter is issued.
- (c) The Permittee shall attach the Operation Permit Validation Letter received from the Office of Air Quality (OAQ) to this permit.

B.42 Permit Term [326 IAC 2-8-4(2)][326 IAC 2-1.1-9.5][IC 13-15-3-6(a)]

B.53 Term of Conditions [326 IAC 2-1.1-9.5]

B.64 Enforceability [326 IAC 2-8-6][IC 13-17-12]

B.75 Severability [326 IAC 2-8-4(4)]

B.86 Property Rights or Exclusive Privilege [326 IAC 2-8-4(5)(D)]

B.97 Duty to Provide Information [326 IAC 2-8-4(5)(E)]

B.108 Certification [326 IAC 2-8-3(d)][326 IAC 2-8-4(3)(C)(i)][326 IAC 2-8-5(1)]

B.119 Annual Compliance Certification [326 IAC 2-8-5(a)(1)]

B.120 Compliance Order Issuance [326 IAC 2-8-5(b)]

B.134 Preventive Maintenance Plan [326 IAC 1-6-3][326 IAC 2-8-4(9)]

~~(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.~~

- (ba) 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:

- (eb) 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 2-8-5(a)(1) by an "authorized individual" as defined by 326 IAC 2-1.1-1(1).
- (ec) 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.142~~ Emergency Provisions [326 IAC 2-8-12]

~~B.153~~ Prior Permits Superseded [326 IAC 2-1.1-9.5]

~~B.164~~ Termination of Right to Operate [326 IAC 2-8-9][326 IAC 2-8-3(h)]

~~B.175~~ Permit Modification, Reopening, Revocation and Reissuance, or Termination
[326 IAC 2-8-4(5)(C)][326 IAC 2-8-7(a)][326 IAC 2-8-8]

~~B.186~~ Permit Renewal [326 IAC 2-8-3(h)]

~~B.197~~ Permit Amendment or Revision [326 IAC 2-8-10][326 IAC 2-8-11.1]

~~B.2048~~ Operational Flexibility [326 IAC 2-8-15][326 IAC 2-8-11.1]

~~B.219~~ Source Modification Requirement [326 IAC 2-8-11.1]

~~B.229~~ Inspection and Entry [326 IAC 2-8-5(a)(2)][IC 13-14-2-2][IC 13-17-3-2][IC 13-30-3-1]

~~B.234~~ Transfer of Ownership or Operational Control [326 IAC 2-8-10]

~~B.242~~ Annual Fee Payment [326 IAC 2-7-19][326 IAC 2-8-4(6)][326 IAC 2-8-16][326 IAC 2-1.1-7]

~~B.253~~ Credible Evidence [326 IAC 2-8-4(3)][326 IAC 2-8-5][62 FR 8314][326 IAC 1-1-6]

SECTION C SOURCE OPERATION CONDITIONS

~~C.6~~ Fugitive Particulate Matter Emissions [326 IAC 6.8-10-3]

The Permittee shall achieve these limits by controlling fugitive particulate matter emissions according to the ~~attached~~-Fugitive Dust Control Plan (**included as Attachment A to the operating permit**).

~~C.7~~ Lake County Particulate Matter Contingency Measures [326 IAC 6.8-11]

The Permittee shall comply with the applicable provisions of 326 IAC 6.8-11 (Lake County Particulate Matter Contingency Measures).

~~C.8~~ 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.

~~C.97~~ Asbestos Abatement Projects [326 IAC 14-10][326 IAC 18][40 CFR 61, Subpart M]

Testing Requirements [326 IAC 2-8-4(3)]

~~C.108~~ Performance Testing [326 IAC 3-6]

Compliance Requirements [326 IAC 2-1.1-11]

~~C.119~~ Compliance Requirements [326 IAC 2-1.1-11]

Compliance Monitoring Requirement [326 IAC 2-8-4][326 IAC 2-8-5(a)(1)]

~~C.129~~ Compliance Monitoring [326 IAC 2-8-4(3)][326 IAC 2-8-5(a)(1)]

~~C.134~~ Instrument Specifications [326 IAC 2-1.1-11][326 IAC 2-8-4(3)][326 IAC 2-8-5(1)]

Corrective Actions and Response Steps [326 IAC 2-8-4][326 IAC 2-8-5(a)(1)]

~~C.142~~ Emergency Reduction Plans [326 IAC 1-5-2][326 IAC 1-5-3]

~~C.153~~ Risk Management Plan [326 IAC 2-8-4][40 CFR 68]

~~C.164~~ Response to Excursions or Exceedances [326 IAC 2-8-4][326 IAC 2-8-5]

~~C.175~~ Actions Related to Noncompliance Demonstrated by a Stack Test [326 IAC 2-8-4][326 IAC 2-8-5]

Record Keeping and Reporting Requirements [326 IAC 2-8-4(3)]

~~C.186~~ General Record Keeping Requirements [326 IAC 2-8-4(3)][326 IAC 2-8-5]

~~C.197~~ General Reporting Requirements [326 IAC 2-8-4(3)(C)][326 IAC 2-1.1-11]

Stratospheric Ozone Protection

~~C.2048~~ Compliance with 40 CFR 82 and 326 IAC 22-1

Affidavit of Construction Form:

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

Maya Energy, LLC
2727 W 35th Ave.
Gary, Indiana 46408

Affidavit of Construction

I, _____, being duly sworn upon my oath, depose and say:
(Name of the Authorized Representative)

1. I live in _____ County, Indiana and being of sound mind and over twenty-one (21) years of age, I am competent to give this affidavit.
2. I hold the position of _____ for _____.
(Title) (Company Name)
3. By virtue of my position with _____, I have personal
(Company Name)
knowledge of the representations contained in this affidavit and am authorized to make these
representations on behalf of _____.
(Company Name)
4. I hereby certify that Maya Energy, LLC 2727 W 35th Ave., Gary, Indiana 46408, completed construction of the stationary material recovery and recycling facility for municipal solid waste and construction and demolition debris on _____ in conformity with the requirements and intent of the construction permit application received by the Office of Air Quality on August 8, 2016 and as permitted pursuant to Federally Enforceable State Operating Permit No. F089-38237-00594, Plant ID No. 089-00594 issued on April 27, 2017.
5. Permittee, please cross out the following statement if it does not apply: Additional (operations/facilities) were constructed/substituted as described in the attachment to this document and were not made in accordance with the construction permit.

Further Affiant said not.

I affirm under penalties of perjury that the representations contained in this affidavit are true, to the best of my information and belief.

Signature _____
 Date _____

STATE OF INDIANA)
)SS

COUNTY OF _____)

Subscribed and sworn to me, a notary public in and for _____ County and State of Indiana on this _____ day of _____, 20____. My Commission expires: _____.

Signature _____
 Name _____ (typed or printed)

Permit Attachment A: Fugitive Dust Control Plan

1. Description of Processes or Sources that Potentially Emit Fugitive Dust or Particulate Matter

This source consists of the following processes or sources that potentially emit fugitive dust or particulate matter (PM/PM10/PM2.5):

- Truck traffic on paved site roads (fugitive dust)
- Process building bay doors (when open) (uncaptured emissions)

2. Description of Paved Road Vehicle Traffic

Vehicular Traffic

Vehicular traffic on the site will consist of employee and guest vehicles, as well as trucks used for the delivery and shipping of municipal solid waste (MSW), construction and demolition (C&D) waste, and recovered & recycled material. Employee and guest vehicular traffic will use a separate gate and parking area from the process truck traffic.

The following table provides a summary of the potential inbound and outbound process truck traffic on the site:

Traffic Type	Maximum one-way trips per day (trip/day)	Maximum Weight of Vehicle and Load (tons/trip)	Maximum one-way distance (feet/trip)	Paved Road Silt Loading (g/m ²)
Inbound MSW Route Trucks (full)	60.0	29.0	1425	7.4
Inbound MSW Haul Trucks (full)	40.0	40.0	1880	7.4
Inbound C&D Haul Trucks (full)	32.0	40.0	1930	7.4
Inbound Recyclable Trucks (empty)	46.0	16.0	1400	7.4
Inbound RDF Trucks (empty)	36.0	16.0	1450	7.4
Inbound Landfill Trucks (empty)	23.0	16.0	1450	7.4
Outbound MSW Route Trucks (empty)	60.0	19.0	1425	7.4
Outbound MSW Haul Trucks (empty)	40.0	16.0	1880	7.4
Outbound C&D Haul Trucks (empty)	32.0	16.0	1930	7.4

Traffic Type	Maximum one-way trips per day (trip/day)	Maximum Weight of Vehicle and Load (tons/trip)	Maximum one-way distance (feet/trip)	Paved Road Silt Loading (g/m ²)
Outbound Recyclable Trucks (full)	46.0	40.0	1400	7.4
Outbound RDF Trucks (full)	36.0	40.0	1450	7.4
Outbound Landfill Trucks (full)	23.0	40.0	1450	7.4

3. Fugitive Dust and Particulate Matter Control Measures

Paved Roads

The following dust control measures shall be performed such that the average instantaneous opacity of fugitive particulate emissions from a paved road shall not exceed ten percent (10%). The following control measures will be used to achieve compliance with the emission limitation:

- (a) Visitor and employee roads and parking areas will be inspected regularly, and swept and washed down on an as-needed basis.
- (b) All facility process roadways will be swept with a mechanical sweeper once per day, with the exception of periods of rain or snow.
- (c) Manual cleanup and sweeping will be performed on any spills and on areas where mechanical sweeping is not sufficient to remove dust from the roadways.
- (d) Cleaning of paved road segments and parking lots may be delayed by one day when:
 - (1) 0.1 or more inches of rain has accumulated during the 24-hour period prior to the scheduled cleaning.
 - (2) The road segment is closed or abandoned. Abandoned roads will be barricaded to prevent vehicle access.
 - (3) It is raining on the day of the scheduled cleaning.
 - (4) Roads are covered in snow or ice or temperature prohibits cleaning (freezing temperature)
- (e) **Delivery and shipping trucks will be required to adhere to a posted facility speed limit of 20 miles per hour.**

Delivery and Shipping Trucks

The following dust control measures shall be performed to minimize the potential for fugitive dust emissions from delivery and shipping trucks:

- (a) **Waste brought to the site will be in enclosed transfer trailers or enclosed city MSW trucks.**

Process Building

The following dust control measures shall be performed to minimize the potential for fugitive dust emissions from the process building.

- (a) **All doors to the process building will be kept closed except when being used. The tipping floor and the process lines will be completely contained in an enclosed building**

with solid walls, curbed floors, and closable doors at all entry and exit points. All Facility Bay Doors will remain closed during the MSW tipping process and while the Facility is in operation. Bay doors will be opened to allow trucks to enter tipping floor area and be closed again as soon as truck is securely inside the facility. In order to eliminate the risk of fugitive dust escaping the facility, trucks will NOT be permitted to empty their contents onto the tipping floor while the Bay door is open. Once the tipping process is complete, all emptied trucks will have their tires washed down prior to exiting the facility. Bay doors will be opened to allow trucks to exit the tipping floor area and be closed again as soon as truck is securely outside the facility. This will further mitigate the potential for fugitive dust escaping the facility and reduce the facility's overall PTE for PM/PM10/PM2.5.

- (b) Inside the process building, dust will be collected **via collection hoods** from the tipping floor, the RDF storage area, and from significant emission points throughout the process, and will be routed to one of two baghouses.
- (c) **All hoods will be designed per practices recommended by the American Conference of Governmental Industrial Hygienists (ACGIH®) in their publication "Industrial Ventilation: A Manual of Recommended Practice for Design". The hoods will be operated with a face velocity of 100 to 200 feet per minute.**

4. Monitoring

Any required opacity, visible emission, and/or fugitive dust observations shall be performed as necessary to assure compliance with the requirements of permit Section C.2 (Opacity), permit Section C.5 (Fugitive Dust Emissions), and/or permit Section C.6 (Fugitive Dust Emissions). If it is determined that the source is not in compliance with requirements of permit Section C.2 (Opacity), permit Section C.5 (Fugitive Dust Emissions), and/or permit Section C.6 (Fugitive Dust Emissions), corrective actions shall be taken to bring the source back into compliance with the permit requirements.

5. Record Keeping and Reporting

Recordkeeping and Reporting

Records shall be kept to show compliance with each of the above listed control measures and control practices. This record shall include the date of all vacuum sweeping, wet sweeping, water flushing, spill control activities, as well dust suppressant application and the amount of suppressant applied. All records shall be kept for a minimum of three (3) years and shall be available for inspection or copying upon reasonable prior notice.

Additionally, a quarterly report shall be submitted to the department stating the following:

- (a) The dates any required control measures were not implemented.
- (b) A listing of those control measures.
- (c) The reasons that the control measures were not implemented.
- (d) Any corrective action taken.

This report shall be submitted to the department thirty (30) calendar days from the end of a quarter.

6. Training Program

Pursuant to 326 IAC 6.8-10-4, a training program will be given to any personnel that are responsible for the daily maintenance and record keeping in accordance with all aspects of the facility FDCP.

Training program records will be maintained, including copies of the training program, the list of trained personnel, the initial training and refresher training completion date(s), and whether personnel successfully completed the training.

7. Process Flow Diagram for Facility Operations

A diagram has been added to the Fugitive Dust Control Plan (permit Attachment A) but is not shown here in the ATSD. See permit Attachment A for this diagram.

8. Map of Truck Traffic Routes and Process Building Bay Doors

A map has been added to the Fugitive Dust Control Plan (permit Attachment A) but is not shown here in the ATSD. See permit Attachment A for this map.

9. Map of Process Building Baghouse Dust Collection System, General Building Vents, and Bay Doors

A map has been added to the Fugitive Dust Control Plan (permit Attachment A) but is not shown here in the ATSD. See permit Attachment A for this map.

IDEM Contact

- | | |
|-----|--|
| (a) | If you have any questions regarding this permit, please contact Mehul Sura, 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) 233-6868 or toll free at 1-800-451-6027, and ask for Mehul Sura or (317) 233-6868. |
| (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: https://www.in.gov/idem/airpermit/public-participation/ ; and the Citizens' Guide to IDEM on the Internet at: https://www.in.gov/idem/resources/citizens-guide-to-idem/ . |

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

Appendix C - Public Hearing Statements and IDEM Responses

**Addendum to the Technical Support Document (ATSD) for a
Federally Enforceable State Operating Permit (FESOP) Renewal**

Source Background and Description
--

Source Name:	Maya Energy, LLC
Source Location:	2727 W 35th Ave., Gary, Indiana 46408
County:	Lake (Calumet township)
SIC Code:	4953 (Refuse Systems)
Permit Renewal No.:	F089-44483-00594
Permit Reviewer:	Mehul Sura

On March 1, 2022, IDEM, Office of Air Quality (OAQ) conducted a virtual public hearing via Zoom regarding the draft FESOP Renewal for Maya Energy, LLC (herein referred to as "Maya Energy").

On March 4, 2022, IDEM, OAQ posted a notice on IDEM's website (<https://www.in.gov/idem/public-notices/>) informing interested parties that the public notice period was extended an additional 4 days and would end on Friday, March 11, 2022.

IDEM, OAQ thanks all of the commenters and attendees at the public hearing for their interest in the proposed permit renewal and their participation in the permit review process.

This appendix contains the statements/comments made by the public hearing attendees and IDEM's responses. Since many statements/comments were similar and general in nature, IDEM has provided one (1) response for each type of general statement/comment at the beginning of the ATSD under General Statements and IDEM Responses section. Several of IDEM responses in this appendix refer back to the General Statements and IDEM Responses section of the ATSD.

Mayor Jerome Prince Statements and IDEM Responses
--

Mayor Jerome Prince Statements

Good afternoon. Thank you all. Thank you, Commissioners, for the opportunity to present today. This is Mayor Jerome Prince from the City of Gary, and I'd like to offer some testimony. Some of, or maybe much of, what I state will be repeated and perhaps expounded on by some of our community residents and members that are here this afternoon, so I'll try to make my comments as brief and succinct as possible.

As you are aware, and probably most of the folks that are on the line, and that is that Gary is a serious noncontainment [sic] area for air pollutants, which simply means that we don't meet the national primary or secondary ambient standards for air quality.

I'd also like to note that we are an active member of various clean air programs throughout the Northwest Indiana region, and in 2021 we completed our Climate Action Plan, which was unanimously approved by City Council. We're presently in the process of establishing additional benchmarks to reduce our carbon footprint, and obviously planning for a more sustainable community.

The permitting question was obviously developed to regulate the amount of air pollutants that Maya could release, and we believe, and believe that it's stated inside the enhanced -- or the request for an enhanced

permit, that the current permit that's being applied for would change some of those requirements, and that -- for that matter, we're certainly here to testify.

In short, we don't support this operation in the community or an enhanced permit, and some of the causes of concern with permitting this and the possible construction of the facility will be that obviously there will be an increased amount of truck traffic through the city, and certainly along with that is additional waste coming into the city.

We understand also that they will be allowed to add hazardous air pollutants and particulate matter to the air, and at this particular time and for the foreseeable future, Gary community is largely opposed to this. We believe, and rightfully so, that we already have a high rate of respiratory illnesses, which will be impacted if this permit's allowed to advance.

And we also believe that it will drastically decrease our air quality, not to mention, or -- as I did -- or not to reiterate the safety risks from the increased truck traffic or diesel emissions from dust and other nuisances that would be experienced by this type of activity.

And so, I appreciate the opportunity to share with you today, and I hope that our comments are viewed in a respectful manner.

Thank you very much.

IDEM Response to Mayor Jerome Prince Statements

Please see the following IDEM responses at the beginning of the ATSD under the General Statements and IDEM Responses section:

- IDEM Response to General Statement 1 - Issuance of the Permit Renewal
- IDEM Response to General Statement 3 - Truck Traffic, Mobile Emissions, Vehicle Noise, Roadway Impacts, and Fugitive Dust from Offsite Roads
- IDEM Response to General Statement 4 - Fugitive Dust and Particulate Matter
- IDEM Response to General Statement 6 - Employment, Quality of Life, Noise, Odor, Zoning, Water Pollution, Land Pollution, and Costs/Feasibility Issues
- IDEM Response to General Statement 7 - Local Air Quality, Health and Wellbeing, and Impact of Air Pollution from this Source

No changes to the draft permit were made as a result of this comment.

Carolyn McCrady Statements and IDEM Responses

Carolyn McCrady Statements

Thank you for this opportunity for all of us to be able to say what we need to say about this project.

This is my testimony. The Maya project contemplates major increased truck traffic in the area between Grant and Chase Streets on 35th Avenue. This means, in terms of air quality, there will be increased dust and noise in that area, which is, as you know, densely populated to the east, the north and the south.

I'm hoping IDEM will examine the impact this truck traffic associated with Maya will have. We need to know what the estimated net increase in tailpipe emissions is and what the actual tailpipe emission estimate is. Although the traffic is not part of the plan's proposed operation, and not specifically under your purview, it is directly tied to the process, and therefore, has relevancy.

But that aside, I'm concerned about the air quality and the 54-acre sorting facility they are proposing. Because the representatives of Maya have never been in this business before and have no track record, I

am very concerned that they may not be able to deliver a safe and environmentally sound operation. Containing the emissions from the process and monitoring the hazards also pose financial and technical expertise questions that need to be answered with one-hundred percent certainty beforehand.

Also, in terms of the viability of the project, the fact that hundreds of trucks will roll down 35th Avenue Monday through Saturday is very concerning, especially because 35th Avenue is unstable and only two cars can pass through at a time, one going east and the other going west. I would think the City of Gary or Maya would have to reconstruct the roadway in order to avoid collapse or major accidents. This would be a significant financial undertaking. Additionally, as you know, there is a school located across from the proposed project. The logistical problems boggle the mind.

I realize that the issue of the road is the City's concern, but I wanted to add my thoughts, since once this project gets started, if it does, and the transportation of tons of MSW are not worked out, the community could suffer once again from the injustice of a poorly designed and underfinanced project.

And finally, I want to reiterate what Mayor Prince said. I believe Gary has been designated as a nonattainment area. How can Maya prove it will not add to the toxic environment we all live in now? Words are just that. Without documentation, we have no proof. Promises and hypotheticals or statements about how it works elsewhere ring hollow.

Thank you very much.

IDEM Response to Carolyn McCrady Statements

Please see the following IDEM responses at the beginning of the ATSD under the General Statements and IDEM Responses section:

- IDEM Response to General Statement 1 - Issuance of the Permit Renewal
- IDEM Response to General Statement 3 - Truck Traffic, Mobile Emissions, Vehicle Noise, Roadway Impacts, and Fugitive Dust from Offsite Roads
- IDEM Response to General Statement 5 - Possible Future Violations
- IDEM Response to General Statement 6 - Employment, Quality of Life, Noise, Odor, Zoning, Water Pollution, Land Pollution, and Costs/Feasibility Issues
- IDEM Response to General Statement 7 - Local Air Quality, Health and Wellbeing, and Impact of Air Pollution from this Source
- IDEM Response to General Statement 8 - Air Monitoring
- IDEM Response to General Statement 9 - Pollution Control, Compliance Determination/Monitoring, and Stack Testing

No changes to the draft permit were made as a result of this comment.

Dorreen Carey Statements and IDEM Responses
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Dorreen Carey Statements

Thank you to the IDEM for holding this public hearing and providing the opportunity to comment.

The existing IDEM new source construction and FESOP Permit No. F089-38237-00594 for Maya Energy, LLC, should have been revoked in the fall of 2019, 2019, due to Maya Energy, LLC's failure to meet the permit construction conditions pursuant to 326 IAC 2-1.1-9. Maya Energy, LLC should be required to submit a new permit application.

The original new source construction and FESOP permit for Maya Energy, LLC was issued on April 27th, 2'17. In December of 2'18, the IDEM responded in writing to a request from Maya Energy for an extension of the 18-month construction requirements of their new source construction and FESOP permit.

The IDEM responded that the Office of Air Quality -- and this is a quote -- will exercise its discretion at this time and will not revoke the new source construction and FESOP number, the one I already said, provided that construction does commence prior to October 27, 2019. And that's from the IDEM Virtual File Cabinet in the Maya Energy permits section.

There are no additional requests for construction extensions from Maya Energy, LLC in the IDEM Virtual File Cabinet, and no letters of approval for an extension from the IDEM. Maya Energy, LLC did not commence construction prior to October 27th, 2019 as required by the IDEM. Therefore, new source construction and FESOP Permit No. F089-38237-00594 must be considered revoked.

It should be noticed -- noted that Maya Energy, LLC has not commenced any aspect of facility construction or operation as of 2022. Why did the IDEM not follow the new source construction and FESOP permit conditions and revoke the Maya Energy, LLC permit?

Second, Maya Energy, LLC has not met the operating permit conditions in new source construction and FESOP Permit No. F08-38237-00594, [sic] and therefore, cannot be issued a FESOP operating permit renewal. The company should be required to resubmit a new source construction and FESOP permit application.

The IDEM draft renewal FESOP operating permit notice clearly states that, quote, this proposed renewal would allow Maya Energy, LLC to continue to operate its existing source. The IDEM has issued a draft operating permit that renews if Maya L -- Maya Energy, LLC is an operating source. Since no construction or operations have commenced at the Maya Energy, LLC site, an operating permit renewal cannot be issued.

In addition, the term of the IDEM draft operating permit renewal is for 10 years. This is a term extension beyond the original permit terms of five years and should be based on Maya Energy, LLC's documented compliance with the existing construction and operating permit.

There is no record in the IDEM Virtual File Cabinet of Maya Energy, LLC submitting the required annual compliance certification under 326 IAC 2-8-5(a)1) reporting on the status of the source operation. Since the Maya Energy, LLC has never operated, it cannot document compliance with the original permit construction and operating conditions and should not be issued an operating permit renewal.

New source construction and FESOP Permit F089-38237-00594 cannot be renewed due to Maya Energy, LLC failure to meet construction and operating permit conditions, and should therefore be revoked. Maya Energy, LLC would then be correctly required to reapply for a new source construction and FESOP permit. Why did the IDEM issue an operating permit renewal for a facility that was neither constructed nor operating?

That is my comment and questions. Thank you for this opportunity.

IDEM Response to Dorreen Carey Statements

Please see the following IDEM responses at the beginning of the ATSD under the General Statements and IDEM Responses section:

- IDEM Response to General Statement 1 - Issuance of the Permit Renewal

No changes to the draft permit were made as a result of this comment.

Anita Westhues Statements and IDEM Responses

Anita Westhues Statements

Thank you again for this opportunity to provide testimony on this proposal. My name's Anita Westhues, and I'm an artist and a folklorist, and I've been researching the Artesian well that's located about a mile from the proposed site of the Maya Energy plant. The well's in the 3500 block of Chase Street.

For those who aren't familiar with this, an Artesian well is the natural spring -- of the need for a pump, and for the past three years I've been conducting an oral history project about the use of the spring. The project's archived at IU South Bend in special collections, and a Web site on the history of the spring will be launched in just a few months.

This small spring had a large role to play in the communities that surrounded it, and it's still in use today. The Little Calumet River Basin Development Commission manages the property surrounding the spring, and as you all probably know, they've been remediating the area near the Little Calumet to be used as a natural resource, adding walking paths, promoting natural plantings there.

They've allocated funds for a spring park project, which will be constructed starting in April 2022. The park will make the spring site safer to access, it will add landscaping using native plantings, and provide lighting at the site.

Now, I've heard someone else use this phrase already, but I wrote it myself. It boggles the mind that a recycling facility with such a poor track record would be located next to one of the area's newest parks. I just don't understand why that should be allowed to happen.

I -- all of the speakers who have talked before talked about very important aspects, but immediately in that neighborhood there's a resource that we need to protect. The spring is important for many reasons. The State of Indiana, which contains hundreds of these type of springs that were in the public comments, today there's only -- I've only been able to document 26 that are officially still public, which means they are regularly tested by an agency such as the local health department.

So, the Chase Street spring is significant because it's still flowing, it's still used for public drinking water, and I urge you to protect its waters as well as the natural space that's surrounding it.

Thank you so much for taking this into consideration.

IDEM Response to Anita Westhues Statements

Please see the following IDEM responses at the beginning of the ATSD under the General Statements and IDEM Responses section:

- IDEM Response to General Statement 1 - Issuance of the Permit Renewal
- IDEM Response to General Statement 6 - Employment, Quality of Life, Noise, Odor, Zoning, Water Pollution, Land Pollution, and Costs/Feasibility Issues

No changes to the draft permit were made as a result of this comment.

Susan Thomas Statements and IDEM Responses

Susan Thomas Statements

Good evening. Thank you very much for allowing this public comment session. I'm Susan Thomas. I'm the Director of Legislation and Policy for Just Transition Northwest Indiana. We're an environmental justice organization here in the region.

And I'm going to cite for you a report from the Hoosier Environmental Council, issued in 2 -- 2019, and it's titled, "Assessment of Environmental Justice Needs in Northern Lake County Communities." And some of the facts cited in this report, in Gary alone, there are 52 CERCLA/Superfund sites, 52.

Additionally, there are 423 hazardous waste sites. The region's residents are the poorest in the state. They're also the youngest and the most vulnerable, with developing lungs, brains, nervous systems, circular systems. They are most impacted. Thirteen percent go to college. Eighteen percent have not completed high school.

As you know, the community is largely black and brown. The numerical statistics rank among the worst in Indiana. The projects like Maya and the Fulcrum BioEnergy garbage-to-jet-fuel factory trying to come into Gary's lakeshore, or even being entertained, is not a mystery. If these industries are allowed in Gary, the message continues to be, "You are black, you are brown, you are poor, you are a sacrifice zone."

How much more can one community bear? We have reached the tipping point already. Indiana is number one in the nation for toxic emissions, according to the EPA. I'm asking that you deny this permit and allow Gary to catch its breath without these burdens, and go into the future and thrive.

Thank you.

IDEM Response to Susan Thomas Statements

Please see the following IDEM responses at the beginning of the ATSD under the General Statements and IDEM Responses section:

- IDEM Response to General Statement 1 - Issuance of the Permit Renewal
- IDEM Response to General Statement 2 - Environmental Justice and Civil Rights Concerns
- IDEM Response to General Statement 7 - Local Air Quality, Health and Wellbeing, and Impact of Air Pollution from this Source

No changes to the draft permit were made as a result of this comment.

Carolyn Marsh Statements and IDEM Responses

Carolyn Marsh Statements

I live in Whiting, Indiana, and I'm a long-time environmentalist.

And I cannot agree more with what Dorreen Carey said. I think she said it perfectly. She has the documentation, the numbers of the permit, and I would agree with her that this permit, air permit, should be denied and actually revoked.

I was at one of the Little Calumet River Basin Commission meetings where this permit, Maya, was brought up. They never attended and spoke themselves, but it was under discussion because they were leasing land from the Little Calumet River Basin Development Commission.

And my position is that I don't understand how we can be restoring the area with a new park and the river banks, and at the same time, destroying the area with these recycling -- with this recycling facility. It doesn't make sense to me. It should be -- never -- it should not be approved. I agree with the Mayor of Gary that it should not be approved.

And it's also near a pool. I don't understand how the State of Indiana can approve an air permit for this recycling, Maya Recycling, when they have no history. The last thing Gary needs is another recycling plant, and near a school. That, to me, is just inconceivable that they would approve it.

So, there is like a contradictory position here: Let's restore the lake -- the river, the Little Calumet River and have new parks and natural areas, but at the same time, we're going to add a lot of junk there and a recycling plant, which, in fact, wants to renew its permit to increase air pollution. So, I'm opposed to this increase, and I think what Dorreen said is what should be taken very seriously, and I hope other speakers address and support our position.

Thank you.

IDEM Response to Carolyn Marsh Statements

Please see the following IDEM responses at the beginning of the ATSD under the General Statements and IDEM Responses section:

- IDEM Response to General Statement 1 - Issuance of the Permit Renewal
- IDEM Response to General Statement 6 - Employment, Quality of Life, Noise, Odor, Zoning, Water Pollution, Land Pollution, and Costs/Feasibility Issues

No changes to the draft permit were made as a result of this comment.

Marie Siroky Statements and IDEM Responses

Marie Siroky Statements

Hi. My name is Reverend Marie Siroky. I am an ordained minister, United Church of Christ, and member of the Indiana Kentucky Conference. Our creation, Justice Ministries, also stands opposed to this project, for a number of reasons.

I want to thank the speaker who brought up the point about the extension on the construction. Maya -- when this was originally approved by the City Council, included in that was a two-year zoning that they did have to commence in two years. I do remember the former mayor, Karen Freeman Wilson, sending them a notice at one point, reminding them that they had to commence construction, which they had not.

In the Virtual File Cabinet, there is a letter from Mr. Ventura himself, who says -- this is dated in September -- that construction has not commenced on the project. So, for that alone, I do think that the project should be denied.

Additionally, some points of concern in the new documentation is that while it's the same company, it is really a new company. There was some that it was dissolved, Mr. Ventura's -- as was reported in the newspaper, that this was a clerical error. Having had a nonprofit myself, when you dissolve a company, there are many steps you have to go through to dissolve it.

So, for whatever reason, the initial Maya Energy, LLC was dissolved. A new one has only been filed with the SEC and with the Secretary of State for less than a year. It is the same company, it is the same name, it is still Mr. Ventura, it has a new address, it has a new financial fiscal agent to it. I think that alone, while that might be legal, is really alarming. It's not the same company, but it is the same name.

My other concerns are that the company in charge of the underground storage -- I don't have that name, it's in the Virtual File Cabinet -- they themselves questioned IDEM as to why there had to be public comment on it. They thought that this application was the exact same as it was in 2017, which it is definitely not. That raises an additional concern if the person that you are contracted with does not realize the changes that are coming in, and that came in recently.

I am very concerned that a new environmental study was not done. It's been four years, over four years, since this was -- things have definitely changed. I think that would need to be indicated, but it's very

concerning that the permit has been allowed to continue, that there are timelines involved, that IDEM is aware that they have not met the timeline, that they have not met the requirements for a permit, and yet it is -- here we are again discussing this.

I appreciate everyone's comments. Again, while we do need more businesses in our city, we definitely do not need to keep raping our environment with industries that have no proven track record and do not need to be within our city limits at a time -- close to a school and close to other ventures.

Thank you.

IDEM Response to Marie Siroky Statements

Please see the following IDEM responses at the beginning of the ATSD under the General Statements and IDEM Responses section:

- IDEM Response to General Statement 1 - Issuance of the Permit Renewal
- IDEM Response to General Statement 6 - Employment, Quality of Life, Noise, Odor, Zoning, Water Pollution, Land Pollution, and Costs/Feasibility Issues

Upon review of the Maya Energy, LLC registration with the Indiana Office of the Secretary of State (SOS), it appears that the original registered agent resigned on June 24, 2020. Pursuant to Indiana Code (IC) IC 23-0.5-6-1, the SOS administratively dissolved the business on December 9, 2020, for failure to notify the SOS of a change to the registered agent. On July 21, 2021, Maya Energy LLC submitted an application to SOS to reinstate the business with updated registered agent information. Pursuant to Indiana Code (IC) IC 23-0.5-6-3(c), the SOS canceled the administrative dissolution of the business and filed a certificate of reinstatement of the business on July 21, 2021. Pursuant to Indiana Code (IC) IC 23-0.5-6-3(d), the reinstatement relates back to and takes effect as of the effective date of the administrative dissolution.

No changes to the draft permit were made as a result of this comment.

Jennifer Rudderham Statements and IDEM Responses

Jennifer Rudderham Statements

Thank you so much for your patience in trying to get me on so I could voice my comments.

At this time, I can only amplify many of the things that have already been said, from our Mayor to Rev. Siroky to Dorreen Carey to Carolyn McCrady. I do think this permit should not have been issued as a renewal. I think there is too many factors involved in what has happened in the last five years on Maya's end that they haven't shown what they're about, what they're doing. They haven't upheld sort of their end of the initial bargain.

I think the concerns that existed five years ago about this being located near a school and the effects of the increased truck diesel emissions on students is still an incredibly relevant one, and since that time, that school has expanded to increase -- to include even younger children. I think at that time it was maybe only middle school, high school, and now it goes all of the way down to kindergarten. So, we have very young children at that school at Steel City.

It is not clear in this renewal permit what -- you know, how many trucks, how long would they be idling, what sort of efficiency do these trucks have? And my largest concern is one that I think was touched on earlier, which is how, for a community like Gary, do we begin to address an environmental justice? How do we look at the cumulative impacts of pollution on our people?

So, while perhaps in Maya's renewal permit these numbers are not significant as a one-off, standalone company, when added into the existing pollution, it's concerning. When we add in hundreds of trucks to the existing diesel truckload that passes through our city, it's concerning.

Many of the businesses that have come to Gary in the last five years prior to -- in the five years since Maya got their original permit, we have seen an increase in trucking facilities and diesel traffic. So, that rate of tailpipe emissions has only increased in the five years, and then now to add even more would be concerning.

And just prior to this meeting, I was doing a quick search, and I found this site with some research by the American Geophysical Union just conducted last October, that showed that lower income neighborhoods and communities of color, which is what we are talking about here with Gary and the location where Maya's proposing to build their facility, they experience an average of 28 percent more NO2 pollution than higher income and majority white neighborhoods, and the primary reason is that its proximity to trucking routes.

So, I know that IDEM doesn't always monitor trucking or that doesn't have to be included in the permit, but because of Gary's unique situation as an EJ community, as a noncontainment [sic] area, I think in this instance that IDEM absolutely needs to measure tailpipe emissions and the impact, the cumulative impact, of air pollution on the city as a whole in considering Maya's permit.

Thank you very much for your time.

IDEM Response to Jennifer Rudderham Statements

Please see the following IDEM responses at the beginning of the ATSD under the General Statements and IDEM Responses section:

- IDEM Response to General Statement 1 - Issuance of the Permit Renewal
- IDEM Response to General Statement 2 - Environmental Justice and Civil Rights Concerns
- IDEM Response to General Statement 3 - Truck Traffic, Mobile Emissions, Vehicle Noise, Roadway Impacts, and Fugitive Dust from Offsite Roads
- IDEM Response to General Statement 6 - Employment, Quality of Life, Noise, Odor, Zoning, Water Pollution, Land Pollution, and Costs/Feasibility Issues
- IDEM Response to General Statement 7 - Local Air Quality, Health and Wellbeing, and Impact of Air Pollution from this Source

No changes to the draft permit were made as a result of this comment.

Judson Wilson Statements and IDEM Responses

Judson Wilson Statements

My name is Judson Wilson. I live in the little neighborhood just to the south of this site. It's kind of a beautiful natural little area here, which is very uncommon in Gary.

The lady commented earlier about the natural spring we have on Chase Street. The roads there are a mess. They're already crumbling in on 35th. At times it virtually kind of crumbles in a little bit, and no exaggeration to that, either. It's a small, small road, two-lane road, so I don't know how it would deal with all of that truck traffic.

The pollution part about it, I really don't know. I can't comment on it, except for the vehicles, but it's just -- and then they're going to build that park there. I'm just opposed to it. Our little neighborhood is right here. It's a small community, maybe 60 homes, just to the -- like I said, just to the south of the site.

And right behind that site, there is wetlands there. There's like a wetland area. I walk in those woods often. All kind of wildlife in there and stuff like that, and it is wetlands. So, if that is a concern with there being wetlands, it's definitely there. And I'm just opposed to it, and many of my neighbors are.

And that's it.

IDEM Response to Judson Wilson Statements

Please see the following IDEM responses at the beginning of the ATSD under the General Statements and IDEM Responses section:

- IDEM Response to General Statement 1 - Issuance of the Permit Renewal
- IDEM Response to General Statement 3 - Truck Traffic, Mobile Emissions, Vehicle Noise, Roadway Impacts, and Fugitive Dust from Offsite Roads
- IDEM Response to General Statement 6 - Employment, Quality of Life, Noise, Odor, Zoning, Water Pollution, Land Pollution, and Costs/Feasibility Issues

No changes to the draft permit were made as a result of this comment.

Katie Kirley Statements and IDEM Responses

Katie Kirley Statements

Good evening, everyone. My name is Katie Kirley. I am the proud founder and principal of Steel City Academy, the school located less than 90 feet across the street from the proposed Maya site.

I want to thank fellow community members who have, you know, alerted me, as well as the communications I've received from IDEM, to be given the opportunity to not only speak for myself, but represent our school community of Steel City Academy and the over 450 students and families of Gary that we have served.

I think I'll begin with I find it interesting to note that this is a meeting held to renew a permit, and what I read is to renew a permit for Maya to continue to operate its existing source, which is just not factual. There is -- as I drive down 35th every day, they have not operated.

There is not a facility built, and, you know, although they got this permit in 2017 and have done nothing to operate in this community or uphold what they have proposed, Steel City has been open every day. We have continued to uphold our vision, our mission, what we have set out to do, of educating the children of Gary. And despite a pandemic since March 2020, our school has been open every day for children.

We have fed children, we have provided children a safe place, we have continued to operate, we have continued to educate despite immense challenge. So, I find it ironic that Maya is proposing a renewal for an existing source, for a facility and an operation that doesn't exist, while we are here doing the work every single day.

There has been incredible points of data that should bring this item into question, the validity of this project and what they are proposing they have done, and I think that is no more evident than the fact they have done nothing they have said they would do, and on behalf of our school community, we would appreciate if we could stop this farce, stop this question, stop this proposal just now, and it could be over, as we continue to educate children.

I think, you know, our community mobilized and drove down to Indianapolis to show you the devastation that it would cause on our community, and still we continue to do our work and continue to uphold our mission, despite Maya doing nothing of the sort.

So, let's end this. We have -- IDEM, you have the power to do so. I promise and commit that we will continue to do our work. You know, our community made everyone well aware of our concerns as it related to our students' experience, their health, and the greater community disdain and dissent against this project. That remains true to this day, and IDEM, I just plead and urge you, let's stop this. You have the power to do so, and we would greatly appreciate, on behalf of our whole community, you doing such.

Thank you so much for the time, and I appreciate you all.

IDEM Response to Katie Kirley Statements

Please see the following IDEM responses at the beginning of the ATSD under the General Statements and IDEM Responses section:

- IDEM Response to General Statement 1 - Issuance of the Permit Renewal
- IDEM Response to General Statement 6 - Employment, Quality of Life, Noise, Odor, Zoning, Water Pollution, Land Pollution, and Costs/Feasibility Issues
- IDEM Response to General Statement 7 - Local Air Quality, Health and Wellbeing, and Impact of Air Pollution from this Source

No changes to the draft permit were made as a result of this comment.

Dena Holland Neal Statements and IDEM Responses
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Dena Holland Neal Statements

My name is Dena Holland Neal, and I would be considered a very concerned citizen. I'm very -- you know, it really gets to me when we get companies that want to come into my community that would not take their businesses to communities that were not of color.

And I'll say that, because we end up getting bombarded with people that say, "Oh, we have jobs for your people, we have jobs," and then when we get into what it's all about, it's going to be harmful, it's going to be harmful to our health. And we -- you know, we end up in this situation way too often for me.

And so, we end up in battles all of the time, just trying to continue to live in a healthy community. And this is another one of those times, and it gets to be disheartening when we see this going on in our community over and over again. We are -- I mean we deserve to live in a community that's not going to be dumped on, and that's what happening to us now, and that is what will happen if this project is allowed to go through.

And so, I want to speak out against it, adamantly against it, and I hope that in the future we don't end up in these same types of places, where we're just asking to live in a community -- I mean we suffered enough under U.S. Steel and what happened to Gary because they weren't regulated at the -- for many years. And so, we're still trying to rebound from that. We don't need these types of projects, and that's what I'd like to say.

Thank you.

IDEM Response to Dena Holland Neal Statements

Please see the following IDEM responses at the beginning of the ATSD under the General Statements and IDEM Responses section:

- IDEM Response to General Statement 1 - Issuance of the Permit Renewal
- IDEM Response to General Statement 2 - Environmental Justice and Civil Rights Concerns

- IDEM Response to General Statement 7 - Local Air Quality, Health and Wellbeing, and Impact of Air Pollution from this Source

No changes to the draft permit were made as a result of this comment.

Lin Kaatz Chary Statements and IDEM Responses

Lin Kaatz Chary Statements

Thank you very much for the opportunity to make a comment this evening. I've been following this permit application and this effort of Maya to locate where it is since it applied for its original permit.

And I have to say that I think many other people have spoken very eloquently, and I want to speak to this general concept of the permit itself, which I feel that the permit is really -- it's very problematic, because the permit really doesn't deal with the issues at hand.

The permit is very constricted by the regulations, and when I spoke to Jen -- to Jenny several weeks ago, she told me very honestly, and I appreciate the limitations, that they can't really deal with environmental justice, because environmental justice is a policy, and they're bound by regulation.

And so -- but that's not really adequate for the people in the community, because there are all of these factors that need to come into play that can't be covered by the permit. I've looked at the permit, and the thing that really strikes me is that the permit occurs in a bubble. It's as if nothing else exists around the permit, like all you have is what's going to go on at Maya.

You don't take into account everything else that's going on around Maya, the fact that there's the Borman Freeway, the fact that there are streets and homes and other locations, that there's fugitive dust, that the trucks will be coming down a road, that there will be emissions from the tailpipes. All that the permit looks at is the tiny little bubble of what will go on at Maya.

It makes me think of like a movie where there's a green screen behind the actors, and the actors act in this little studio, and then, you know, it's as if there's nothing else going on around them. And I really object to the fact that IDEM is so constricted by this and that they're not able to take care of, to look at all of these other factors.

To me, it makes the permits really -- I can't think of the word right now, I'm blanking out on my word, but it makes them not really relevant to the issues at hand. They're just -- we come here, we make our comments, you -- you respond to our comments, but ultimately they can't have any real effect on the permit, because all you can look at are the regulatory limitations, that you have to meet the letter of the law in the permit.

You can't really look at the impact on the school across the street. You can't look at the impact on the neighbors three blocks away, or a half a mile away. You don't look at the cumulative impact or the additive impact. You don't look at the synergistic impacts of the chemicals that the people are exposed to, because there's no mechanism existing within the permit to allow you to do that. That makes these permits really meaningless in many ways as instruments of protection for the communities and for the city itself.

And I'm not criticizing you as individuals, because I recognize the limitations of your role, but I am stating this for the record, that I think these permits are very -- are very inadequate mechanisms to provide any protection for the communities around them and for the citizens of Gary. And I think you've heard from many citizens who are telling you that, in no uncertain terms.

And you can take these comments back, but I know that the answers will be, when you send us answers to these comments, you will tell us that you are bound by the regulations to do what you have to do, and

that you can't answer what the cumulative effects are. You can't answer what the additive effects are or the synergistic effects are. Can you take into account what the effects are from the emissions from the Borman, from the streets that are nearby?

So, I don't want to keep repeating myself, and I don't have the ability to challenge your findings in the draft permit itself, because I'm sure that they all adhere to the letter of the law. But I think that it's immoral that Maya is able to also, as the last speaker said, have a continuance of a permit where they haven't even built one stick yet. We have nothing to judge them on. We have to take their word that they're going to be in compliance.

Thank you.

IDEM Response to Lin Kaatz Chary Statements

Please see the following IDEM responses at the beginning of the ATSD under the General Statements and IDEM Responses section:

- IDEM Response to General Statement 1 - Issuance of the Permit Renewal
- IDEM Response to General Statement 2 - Environmental Justice and Civil Rights Concerns
- IDEM Response to General Statement 3 - Truck Traffic, Mobile Emissions, Vehicle Noise, Roadway Impacts, and Fugitive Dust from Offsite Roads
- IDEM Response to General Statement 4 - Fugitive Dust and Particulate Matter
- IDEM Response to General Statement 6 - Employment, Quality of Life, Noise, Odor, Zoning, Water Pollution, Land Pollution, and Costs/Feasibility Issues
- IDEM Response to General Statement 7 - Local Air Quality, Health and Wellbeing, and Impact of Air Pollution from this Source
- IDEM Response to General Statement 9 - Pollution Control, Compliance Determination/Monitoring, and Stack Testing

No changes to the draft permit were made as a result of this comment.

Liz McClinton Statements and IDEM Responses

Liz McClinton Statements

My name is Liz McClinton. Like I said, I have been a resident for 41 years, my whole life.

The problem is it feel like we're always getting trucking and dumping sites and where people want to dump their garbage. I have an issue, because a lot of our health issues -- I have noticed that a lot of people around here have bad -- very bad health issues, and it's also because the industry and everything that's going on, but can't we do more to these people dumping their garbage and trucking over here? Aren't we more valued than just that?

And that's all -- that's all that I have right now, but it really concerns me that only thing we can think of as making money in Gary is either making trucking or people bringing their garbage into Gary. Have we learned anything from like the '80's when the garbage trucks ruined everything, or the sandy project? Can't we do more than just that for our community? Aren't we more valued than just that?

That's all I have to say.

IDEM Response to Liz McClinton Statements

Please see the following IDEM responses at the beginning of the ATSD under the General Statements and IDEM Responses section:

- IDEM Response to General Statement 1 - Issuance of the Permit Renewal
- IDEM Response to General Statement 2 - Environmental Justice and Civil Rights Concerns
- IDEM Response to General Statement 3 - Truck Traffic, Mobile Emissions, Vehicle Noise, Roadway Impacts, and Fugitive Dust from Offsite Roads
- IDEM Response to General Statement 7 - Local Air Quality, Health and Wellbeing, and Impact of Air Pollution from this Source

No changes to the draft permit were made as a result of this comment.

Fred Gumbinner Statements and IDEM Responses

Fred Gumbinner Statements

I filled out a form. I specifically checked the box not to speak. It was to be put on the list to get the information, so if you look at --

IDEM Response to Fred Gumbinner Statements

As requested, Fred Gumbinner was added as an affected party to the interested parties mailing list for Maya Energy, LLC (Source ID 089-00594) and will be notified about any future air permitting actions for the Maya Energy source.

No changes to the draft permit were made as a result of this comment.

IDEM Contact

- (a) If you have any questions regarding this permit, please contact Mehul Sura, 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) 233-6868 or toll free at 1-800-451-6027, and ask for Mehul Sura or (317) 233-6868.
- (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: <https://www.in.gov/idem/airpermit/public-participation/>; and the Citizens' Guide to IDEM on the Internet at: <https://www.in.gov/idem/resources/citizens-guide-to-idem/>.

Indiana Department of Environmental Management
Office of Air Quality

Technical Support Document (TSD) for a
Federally Enforceable State Operating Permit (FESOP) Renewal

Source Description and Location

Source Name:	Maya Energy, LLC
Source Location:	2727 W 35th Ave., Gary, Indiana 46408
County:	Lake (Calumet township)
SIC Code:	4953 (Refuse Systems)
Permit Renewal No.:	F089-44483-00594
Permit Reviewer:	Mehul Sura

On September 3, 2021, Maya Energy, LLC submitted an application to the Office of Air Quality (OAQ) requesting to renew its operating permit. OAQ has reviewed the operating permit renewal application from Maya Energy, LLC relating to the operation of a stationary material recovery and recycling facility for municipal solid waste and construction and demolition debris. Maya Energy, LLC was issued its FESOP (F089-38237-00594) on April 27, 2017.

Existing Approvals

The source was issued FESOP No. F089-38237-00594 on April 27, 2017. The source has since received the following approvals:

- (a) Review Request No. 089-40816-00594, issued on December 14, 2018; and
- (b) Administrative Amendment No. 089-42405-00594, issued on February 26, 2020

All terms and conditions of previous permits issued pursuant to permitting programs approved into the State Implementation Plan have been either incorporated as originally stated, revised, or deleted by this permit. All previous registrations and permits are superseded by this permit.

Emission Units and Pollution Control Equipment

The source consists of the following permitted emission units:

- (a) Two (2) municipal solid waste lines, recovering ferrous and non-ferrous metals, paper, corrugated cardboard, and plastics from a portion of the incoming municipal solid waste (MSW) stream, identified as MSW-1 and MSW-2, approved in 2016 for construction, each with a maximum throughput of 50 tons per hour of municipal solid waste, and consisting of the following equipment:
 - (1) Two (2) Truck Tippers, with particulate emissions controlled by a baghouse, identified as BH-1, and exhausting through vent BH1, with any uncaptured emissions vented to the outdoors through the general building ventilation system.
 - (2) One (1) MSW tipping floor, located inside the building with overhead doors, having a maximum storage capacity of 900 tons of MSW, with particulate emissions controlled by baghouse BH-1, and exhausting through vent BH1, with any uncaptured emissions vented to the outdoors through the general building ventilation system.

- (3) Two (2) Infeed Conveyors, controlled by a baghouse identified as BH-1, and exhausting to vent BH1, with any uncaptured emissions vented to the outdoors through the general building ventilation system.
- (4) Two (2) Conveyor Transfer Points, located between the infeed conveyors and the Presort Conveyors, controlled by a baghouse identified as BH-1, and exhausting through vent BH1, with any uncaptured emissions vented to the outdoors through the general building ventilation system.
- (5) Two (2) Manual Presort Conveyors, with no controls, and vented to the outdoors through the general building ventilation system. The following items are removed from the waste stream on the Pre-sort Conveyors:

Trap and Film;
Propane Tanks and Large Metal items; and,
Old Corrugated Cardboard (OCC).
- (6) Two (2) Trommel Screens to open bags and sort material into over 9" and under 9", with particulate controlled by a baghouse, identified as BH-1, with any uncaptured emissions vented to the outdoors through the general building ventilation system.
- (7) Two (2) manual sorting conveyors to remove electronics from the waste stream, with no controls, and vented to the outdoors through the general building ventilation system.
- (8) Two (2) Glass Breakers, with particulate emissions controlled by baghouse BH-1, and exhausting through vent BH1, with any uncaptured emissions vented to the outdoors through the general building ventilation system.
- (9) One (1) Overbelt Magnet, with no controls, and vented to the outdoors through the general building ventilation system.
- (10) Two (2) 9" Minus Manual Sorting Conveyors to remove PET, HDPE, fiber, and PVC from the waste stream, with no controls, and vented to the outdoors through the general building ventilation system.
- (11) Two (2) 9" Plus Manual Sorting Conveyors to remove PET, HDPE, Fiber, and PVC from the waste stream, with no controls, and vented to the outdoors through the general building ventilation system.
- (12) Four (4) Non-FE Eddy Current Separators to remove aluminum from the waste stream, with no controls, and vented to the outdoors through the general building ventilation system.
- (13) Two (2) Non-FE Quality Control Conveyors, with no controls, and vented to the outdoors through the general building ventilation system.
- (14) Two (2) Non-FE Silo Blowers, with no controls, and vented to the outdoors through the general building ventilation system.
- (15) One (1) Non-FE Silo, with no controls, and vented to the outdoors through the general building ventilation system.
- (16) Four (4) Cirrus Optical Sorters to remove PVC from the waste stream, with no controls, and vented to the outdoors through the general building ventilation system.

- (17) Two (2) Brick and Rock QC Conveyors, with no controls, and vented to the outdoors through the general building ventilation system.
 - (18) Two (2) Refuse Derived Fuel (RDF) Shredders, with particulate emissions controlled by baghouse BH-2, and exhausting through vent BH2, with any uncaptured emissions vented to the outdoors through the general building ventilation system.
 - (19) One (1) Baler Feed Conveyor, with no controls, and vented to the outdoors through the general building ventilation system.
 - (20) One (1) Baler, with no controls, and vented to the outdoors through the general building ventilation system.
 - (21) One (1) RDF Storage Area, with particulate emissions controlled by baghouse BH-2, and exhausting through vent BH2, with any uncaptured emissions vented to the outdoors through the general building ventilation system.
 - (22) Loading of materials into trucks for off-site shipping, with no controls, and vented to the outdoors through the general building ventilation system.
- (b) One (1) construction and demolition (C&D) line, recovering ferrous and non-ferrous metals and wood from a portion of the incoming C&D waste, identified as CD-1, approved in 2016 for construction, with a maximum throughput of 50 tons per hour of certified asbestos-free construction and demolition waste, and consisting of the following equipment:
- (1) One (1) Tipping Floor located inside the building with overhead doors, having a maximum storage capacity of 600 tons of C&D waste, with particulate emissions controlled by baghouse BH-1, and exhausting through vent BH1, with any uncaptured emissions vented to the outdoors through the general building ventilation system.
 - (2) One (1) Action Finger Screen to separate material over 10" from material under 10", with particulate emissions controlled by baghouse BH-1, and exhausting through vent BH1, with any uncaptured emissions vented to the outdoors through the general building ventilation system.
 - (3) Four (4) C&D Overbelt Magnet Conveyors to remove ferrous metals from the waste stream, with no controls, and vented to the outdoors through the general building ventilation system.
 - (4) One (1) Fines Screen to separate material greater than 3" from material less than 3", with particulate emissions controlled by baghouse BH-2, and exhausting through vent BH2, with any uncaptured emissions vented to the outdoors through the general building ventilation system.
 - (5) Three (3) Manual Sorting Conveyors to remove OCC, bricks & rocks, HDPE, PET, and trap & large film from the waste stream, with no controls, and vented to the outdoors through the general building ventilation system.
 - (6) One (1) Drum Magnet to remove ferrous metals from the waste stream, with no controls, and vented to the outdoors through the general building ventilation system.
 - (7) One (1) MSS Aladdin optical sorter to remove plastics from the waste stream, with no controls, and vented to the outdoors through the general building ventilation system.

- (8) One (1) Residue Conveyor, with no controls, and vented to the outdoors through the general building ventilation system.
- (9) One (1) WSM wood grinder, with particulate emissions controlled by baghouse BH-2, and exhausting through vent BH2, with any uncaptured emissions vented to the outdoors through the general building ventilation system.

The Permittee will only grind clean wood in the wood grinder. Clean wood consists of uncoated, unpainted, and untreated wood scrap, sawdust, chips, millings or shavings, and natural growth wood materials. Clean wood does not include wood products that have been painted, pigment-stained, or pressure treated by compounds such as chromate copper arsenate, pentachlorophenol, and creosote, or manufactured wood products that contain adhesives or resins (e.g., plywood, particle board, flake board, and oriented strand board).

- (10) Wood and wood residue storage areas, with no controls, and vented to the outdoors through the general building ventilation system.
- (11) Loading of materials into trucks for off-site shipping, with no controls, and vented to the outdoors through the general building ventilation system.
- (c) Paved roads and parking lots with public access.
- (d) Diesel fuel dispensing operation for filling delivery, shipping, and other company vehicles, using mobile diesel tanker trucks.

Enforcement Issue

In accordance with 326 IAC 2-8-3(h), a timely renewal application is one that is submitted at least nine (9) months prior to the expiration date of the source's existing operating permit. This source's existing permit expires on April 27, 2022. The source's permit renewal application was not received by IDEM until July 27, 2021. IDEM is reviewing this matter and will take appropriate action.

Emission Calculations

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

There are no stationary fuel combustion emission unit at this source.

County Attainment Status

The source is located in Lake County, Calumet township.

Pollutant	Designation
SO ₂	Better than national standards.
CO	Attainment effective February 18, 2000, for the part of the city of East Chicago bounded by Columbus Drive on the north; the Indiana Harbor Canal on the west; 148 th Street, if extended, on the south; and Euclid Avenue on the east. Unclassifiable or attainment effective November 15, 1990, for the remainder of East Chicago and Lake County.
O ₃	Serious nonattainment effective September 23, 2019, for the 2008 8-hour ozone standard.
O ₃	Marginal nonattainment effective August 3, 2018, for the 2015 8-hour ozone standard for Calumet Township, Hobart Township, North Township, Ross Township, and St. John Township. Unclassifiable or attainment effective August 3, 2018, for the 2015 8-hour ozone standard for the remainder of the county.
PM _{2.5}	Unclassifiable or attainment effective April 15, 2015, for the 2012 annual PM _{2.5} standard.

Pollutant	Designation
PM _{2.5}	Unclassifiable or attainment effective December 13, 2009, for the 2006 24-hour PM _{2.5} standard.
PM ₁₀	Attainment effective March 11, 2003, for the cities of East Chicago, Hammond, Whiting, and Gary. Unclassifiable effective November 15, 1990, for the remainder of Lake County.
NO ₂	Unclassifiable or attainment effective January 29, 2012, for the 2010 NO ₂ standard.
Pb	Unclassifiable or attainment effective December 31, 2011, for the 2008 lead standard.

- (a) **Ozone Standards**
 U.S. EPA, in the Federal Register Notice 84 FR 44238 dated August 23, 2019, designated Lake County as serious nonattainment for the 2008 8-hour ozone standard effective September 23, 2019. 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. Therefore, VOC and NO_x emissions were evaluated pursuant to the requirements of Emission Offset, 326 IAC 2-3.
- (b) **PM_{2.5}**
 Lake 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.
- (c) **Other Criteria Pollutants**
 Lake 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.

The fugitive emissions of hazardous air pollutants (HAP) are counted toward the determination of Part 70 Permit applicability and source status under Section 112 of the Clean Air Act (CAA).

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.

Unrestricted Potential Emissions

This table reflects the unrestricted potential emissions of the source.

	Unrestricted Potential Emissions (ton/year)								
	PM ¹	PM ₁₀ ¹	PM _{2.5} ^{1, 2}	SO ₂	NO _x	VOC	CO	Total HAPs	Single HAP ³
Total PTE of Entire Source Excluding Fugitive Emissions*	766.68	729.61	696.01	-	-	7.20	-	6.38	2.17 Toluene
Title V Major Source Thresholds	NA	100	100	100	50	50	100	25	10
PSD Major Source Thresholds	250	250	250	250	250	250	250	--	--
Emission Offset Major Source Thresholds	---	NA	NA	NA	50	50	NA	--	--
¹ Under the Part 70 Permit program (40 CFR 70), PM ₁₀ and PM _{2.5} , not particulate matter (PM), are each considered as a "regulated air pollutant." ² PM _{2.5} listed is direct PM _{2.5} . ³ Single highest source-wide HAP *Fugitive HAP emissions are always included in the source-wide emissions.									

Appendix A of this TSD reflects the detailed unrestricted potential emissions of the source.

- (a) The potential to emit (as defined in 326 IAC 2-7-1(30)) of PM₁₀ and PM_{2.5}, each is equal to or greater than 100 tons per year. However, the Permittee has agreed to limit the source's PM₁₀ and PM_{2.5} emissions to less than Title V major source thresholds. Therefore, the source will be issued a FESOP Renewal.
- (b) The potential to emit SO₂ and CO is each less than one hundred (100) tons per year. The potential to emit NO_x and VOC is each less than fifty (50) tons per year.
- (c) The potential to emit (as defined in 326 IAC 2-7-1(30)) of any single HAP is less than ten (10) tons per year and the potential to emit (as defined in 326 IAC 2-7-1(30)) of a combination of HAPs is less than twenty-five (25) tons per year. Therefore, this source is an area source under Section 112 of the Clean Air Act (CAA) and not subject to the provisions of 326 IAC 2-7.

Actual Emissions

No previous emission data has been received from the source.

Potential to Emit After Issuance

The table below summarizes the potential to emit, reflecting all limits, of the emission units. Any new control equipment is considered federally enforceable only after issuance of this FESOP renewal, and only to the extent that the effect of the control equipment is made practically enforceable in the permit.

	Potential To Emit of the Entire Source After Issuance of Renewal (tons/year)									
	PM ¹	PM ₁₀ ¹	PM _{2.5} ^{1, 2}	SO ₂	NO _x	VOC	CO	Total HAPs	Single HAP ³	
Total PTE of Entire Source Excluding Fugitive Emissions*	240.59	89.64	56.03	-	-	7.20	-	6.38	0.02	Toluene
Title V Major Source Thresholds	NA	100	100	100	100	100	100	25	10	
PSD Major Source Thresholds	250	250	250	250	--	--	250	NA	NA	
Emission Offset Major Source Thresholds	---	NA	NA	NA	50	50	NA	NA	NA	
¹ Under the Part 70 Permit program (40 CFR 70), PM ₁₀ and PM _{2.5} , not particulate matter (PM), are each considered as a "regulated air pollutant." ² PM _{2.5} listed is direct PM _{2.5} . ³ Single highest source-wide HAP. *Fugitive HAP emissions are always included in the source-wide emissions.										

Appendix A of this TSD reflects the detailed potential to emit of the entire source after issuance.

The source opted to take limit(s) in order to render the requirements of 326 IAC 2-2 (Prevention of Significant Deterioration (PSD)) not applicable to this source. See Technical Support Document (TSD) State Rule Applicability - Entire Source section, 326 IAC 2-8 (FESOP) and 326 IAC 2-2 (PSD) for more information regarding the limit(s).

- (a) This existing source is not a major stationary source, under PSD (326 IAC 2-2), because no PSD regulated pollutant is emitted at a rate of two hundred fifty (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 not a major stationary source under Emission Offset (326 IAC 2-3) because NO_x and VOC, each a nonattainment regulated pollutant, is not emitted at a rate of 50 tons per year or more.
- (c) This source is not a major source of HAP, as defined in 40 CFR 63.2, because HAP emissions are less than ten (10) tons per year for any single HAP and less than twenty-five (25) tons per year of a combination of HAPs. Therefore, this source is an area source under Section 112 of the Clean Air Act (CAA).

Federal Rule Applicability

Federal rule applicability for this source has been reviewed as follows:

New Source Performance Standards (NSPS)

- (a) 40 CFR 60, Subpart Cc (Municipal Solid Waste Landfills)
 The requirements of the New Source Performance Standard for Emission Guidelines and Compliance Times for Municipal Solid Waste Landfills, 40 CFR 60, Subpart Cc (326 IAC 12), are not included in the permit for the municipal solid waste (MSW) material recovery and recycling facility, since it is not a MSW landfill, as defined by 40 CFR 60.31c.

The source intakes municipal solid waste (MSW) and construction and demolition (C&D) waste, recovers material of value, and sends remaining waste to a landfill.

- (b) 40 CFR 60, Subpart K - NSPS for Storage Vessels for Petroleum Liquids for Which Construction, Reconstruction, or Modification Commenced After June 11, 1973, and Prior to May 19, 1978
The requirements of the New Source Performance Standard for Storage Vessels for Petroleum Liquids for Which Construction, Reconstruction, or Modification Commenced After June 11, 1973, and Prior to May 19, 1978, 40 CFR 60, Subpart K (326 IAC 12), are not included for this permit, since the diesel dispensing operation does not utilize any petroleum liquid storage vessel. The source will contract a third party for filling delivery, shipping, and other company vehicles, using mobile diesel tanker trucks.
- (c) 40 CFR 60, Subpart Ka - NSPS for Storage Vessels For Petroleum Liquids for Which Construction, Reconstruction, or Modification Commenced After May 18, 1978, and Prior to July 23, 1984
The requirements of the New Source Performance Standard for Storage Vessels For Petroleum Liquids for Which Construction, Reconstruction, or Modification Commenced After May 18, 1978, and Prior to July 23, 1984, 40 CFR 60, Subpart Ka (326 IAC 12), are not included for this permit, since the diesel dispensing operation does not utilize any petroleum liquid storage vessel. The source will contract a third party for filling delivery, shipping, and other company vehicles, using mobile diesel tanker trucks.
- (d) 40 CFR 60, Subpart Kb - NSPS for Volatile Organic Liquid Storage Vessels (Including Petroleum Liquid Storage Vessels) for Which Construction, Reconstruction, or Modification Commenced After July 23, 1984
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 (326 IAC 12), are not included for this permit, since the diesel dispensing operation does not utilize any petroleum liquid storage vessel. The source will contract a third party for filling delivery, shipping, and other company vehicles, using mobile diesel tanker trucks.
- (e) 40 CFR 60, Subpart WWW (Municipal Solid Waste Landfills)
The requirements of the New Source Performance Standards for Municipal Solid Waste Landfills (40 CFR 60 Subpart WWW), are not included in the permit for the municipal solid waste (MSW) material recovery and recycling facility, since it is not a landfill, as defined by 40 CFR 60.751.
- The source intakes municipal solid waste (MSW) and construction and demolition (C&D) waste, recovers material of value, and sends remaining waste to a landfill.
- (f) There are no New Source Performance Standards (NSPS) (326 IAC 12 and 40 CFR Part 60) included in the permit.

National Emission Standards for Hazardous Air Pollutants (NESHAP)

- (g) 40 CFR 61, Subpart M - NESHAP for National Emission Standard for Asbestos
Pursuant to 326 IAC 2-8 (FESOPs) and in order to render the requirements 40 CFR 61, Subpart M (National Emission Standard for Asbestos) not applicable, the source shall only accept certified asbestos-free construction and demolition waste as determined prior to demolition by a licensed asbestos building inspector.

A licensed asbestos building inspector is an individual who has obtained an up-to-date state certified asbestos license for building inspectors and has been trained in the appearance and characteristics of both friable and non-friable asbestos, as well as common building locations for asbestos-containing materials.

Compliance with this requirement shall render the requirements of 40 CFR 61, Subpart M (National Emission Standard for Asbestos) not applicable.

- (h) 40 CFR 63, Subpart AAAA (Municipal Solid Waste Landfills)
The requirements of the National Emission Standards for Hazardous Air Pollutants for Municipal Solid Waste Landfills 40 CFR 63, Subpart AAAA, which is incorporated by reference as 326 IAC 20-67, are not included in this permit, since the municipal solid waste (MSW) material recovery and recycling facility does not meet the definition of a MSW landfill, as defined by 40 CFR 63.1990.

The source intakes municipal solid waste (MSW) and construction and demolition (C&D) waste, recovers material of value, and sends remaining waste to a landfill.

- (i) 40 CFR 63, Subpart BBBB - NESHAP for Gasoline Distribution Bulk Terminals, Bulk Plants, and Pipeline Facilities
The requirements of the National Emission Standard for Hazardous Air Pollutants (NESHAP) for Gasoline Distribution Bulk Terminals, Bulk Plants, and Pipeline Facilities, 40 CFR 63, Subpart BBBB (63.11080 through 63.11100), are not included in this permit, since the source is not considered a bulk gasoline terminal, a pipeline breakout station, a pipeline pumping station, or a bulk gasoline plant as defined in 40 CFR 63.11081.

- (j) 40 CFR 63, Subpart CCCCC - NESHAP for Gasoline Dispensing Facilities
The source is not subject to the National Emission Standard for Hazardous Air Pollutants (NESHAP) for Source Category: Gasoline Dispensing Facilities, 40 CFR 63, Subpart CCCCC (63.11110 through 63.11132), because the diesel fuel dispensing operation at this site is not considered a gasoline dispensing facility (GDF), as defined in 40 CFR 63.11132.

- (k) There are no National Emission Standards for Hazardous Air Pollutants (NESHAPs) (326 IAC 14, 326 IAC 20 and 40 CFR Part 63) included in the permit.

Compliance Assurance Monitoring (CAM)

- (l) Pursuant to 40 CFR 64.2, Compliance Assurance Monitoring (CAM) is not included in the permit, because the potential to emit of the source is limited to less than the Title V major source thresholds and the source is not required to obtain a Part 70 or Part 71 permit.

State Rule Applicability - Entire Source

State rule applicability for this source has been reviewed as follows:

326 IAC 2-2 (PSD) and 326 IAC 2-8-4 (FESOP)

PSD applicability is discussed under the Potential to Emit After Issuance section of this document.

PSD Minor Source and FESOP Limits

Pursuant to 326 IAC 2-8-4 (FESOP), and in order to render the requirements of 326 IAC 2-7 (Part 70 Permits), 326 IAC 2-2 (Prevention of Significant Deterioration (PSD)) not applicable, the Permittee shall comply with the following:

Line	Emission Units	Control Device	PM Limit (lbs/hr)	PM10 Limit (lbs/hr)	PM2.5 Limit (lbs/hr)
MSW-1 and MSW-2	Two (2) Truck Tipplers	Baghouse BH-1	15.00	2.00	2.00
MSW-1 and MSW-2	One (1) Tipping Floor				
CD-1	One (1) Tipping Floor				
CD-1	One (1) Action Finger Screen				
MSW-1 and MSW-2	Two (2) Infeed Conveyors				
MSW-1 and MSW-2	Two (2) Conveyor Transfer Points				
MSW-1 and MSW-2	Two (2) Trommel Screens				
MSW-1 and MSW-2	Two (2) Glass Breakers				
MSW-1 and MSW-2	Two (2) RDF Shredders	Baghouse BH-2	15.00	2.00	2.00
MSW-1 and MSW-2	One (1) RDF Storage Area				
CD-1	One (1) Fines Screen				
CD-1	One (1) WSM Wood Grinder				

Compliance with these limits, combined with the potential to emit PM from all other emission units at this source, shall limit the source-wide total potential to emit of PM to less than 250 tons per twelve (12) consecutive month period and shall render the requirements of 326 IAC 2-2 (Prevention of Significant Deterioration (PSD)) not applicable.

Compliance with these limits, shall limit the potential to emit of PM10 and PM2.5, each to less than 100 tons per twelve (12) consecutive month period, each, and shall render the requirements of 326 IAC 2-2 (Prevention of Significant Deterioration (PSD)) and 326 IAC 2-7 (Part 70) not applicable.

In order to render the provisions of 326 IAC 2-7 (Part 70) and 326 IAC 2-4.1 (Major Sources of Hazardous Air Pollutants) not applicable, the Permittee shall only grind clean wood in the WSM wood grinder.

Clean wood, consists of uncoated, unpainted, and untreated wood scrap, sawdust, chips, millings or shavings, and natural growth wood materials. Clean wood does not include wood products that have been painted, pigment-stained, or pressure treated by compounds such as chromate copper arsenate, pentachlorophenol, and creosote, or manufactured wood products that contain adhesives or resins (e.g., plywood, particle board, flake board, and oriented strand board).

Compliance with this requirement shall render the requirements of 326 IAC 2-7 (Part 70) and 326 IAC 2-4.1 (Major Sources of Hazardous Air Pollutants) not applicable.

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

The provisions of 326 IAC 2-4.1 apply to any owner or operator who constructs or reconstructs a major source of hazardous air pollutants (HAP), as defined in 40 CFR 63.41, after July 27, 1997, unless the major source has been specifically regulated under or exempted from regulation under a NESHAP that was issued pursuant to Section 112(d), 112(h), or 112(j) of the Clean Air Act (CAA) and incorporated under 40 CFR 63. On and after June 29, 1998, 326 IAC 2-4.1 is intended to implement the requirements of Section 112(g)(2)(B) of the Clean Air Act (CAA).

The operation of this source 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)

Pursuant to 326 IAC 2-6-1, this source is not subject to this rule, because it is not required to have an operating permit under 326 IAC 2-7 (Part 70), it is located in Lake County, it has actual emissions of NOx and VOC of less than twenty-five (25) tons per year, and it does not emit lead into the ambient air at levels equal to or greater than 5 tons per year. Therefore, 326 IAC 2-6 does not apply.

326 IAC 5-1 (Opacity Limitations)

This source is subject to the opacity limitations specified in 326 IAC 5-1-2(2).

326 IAC 6-4 (Fugitive Dust Emissions Limitations)

The source is subject to the requirements of 326 IAC 6-4, because the paved road emissions have the potential to emit fugitive particulate emissions. 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 6-5 (Fugitive Particulate Matter Emission Limitations)

The construction date of this source is after December 13, 1985 and has potential fugitive particulate emissions of twenty-five (25) tons per year or more. Pursuant to 326 IAC 6-5 (Fugitive Particulate Matter Emission Limitations), fugitive particulate matter emissions shall be controlled according to the Fugitive Dust Control Plan that is included as Attachment A to the permit.

326 IAC 6.8 (Particulate Matter Limitations for Lake County)

This source (located in Lake County) is not one of the sources specifically listed in 326 IAC 6.8-4, 326 IAC 6.8-5, or 326 IAC 6.8-8 through 326 IAC 6.8-11. The source-wide PTE of PM is 10 tons per year or more. Therefore, this source is subject to the requirements of 326 IAC 6.8-1-2 because the source-wide actual emissions of PM can be 10 tons per year or more.

326 IAC 6.8 (Lake County: Fugitive Particulate Matter)

This source (located in Lake County) is not one of the sources specifically listed in 326 IAC 6.8-10-1(2)(A) through (V). The source-wide unlimited PTE of fugitive PM and/or PM10 is 5 tons per year or more. Therefore, this source is subject to the requirements of 326 IAC 6.8-10.

- (a) Pursuant to 326 IAC 6.8-10-3, the particulate matter emissions from source wide activities shall meet the following requirements:
- (1) The average instantaneous opacity of fugitive particulate emissions from a paved road shall not exceed ten percent (10%).
 - (2) The average instantaneous opacity of fugitive particulate emissions from an unpaved road shall not exceed ten percent (10%).
 - (3) The opacity of fugitive particulate emissions from exposed areas shall not exceed ten percent (10%) on a six (6) minute average.
 - (4) The opacity of fugitive particulate emissions from continuous transfer of material onto and out of storage piles shall not exceed ten percent (10%) on a three (3) minute average.
 - (5) The opacity of fugitive particulate emissions from storage piles shall not exceed ten percent (10%) on a six (6) minute average.
 - (6) There shall be a zero (0) percent frequency of visible emission observations of a material during the inplant transportation of material by truck or rail at any time.
 - (7) The opacity of fugitive particulate emissions from the inplant transportation of material by front end loaders and skip hoists shall not exceed ten percent (10%).
 - (8) Material processing facilities shall include the following:
 - (A) There shall be a zero (0) percent frequency of visible emission observations from a building enclosing all or part of the material processing equipment, except from a vent in the building.
 - (B) The PM10 emissions from building vents shall not exceed twenty-two thousandths (0.022) grains per dry standard cubic foot and ten percent (10%) opacity.

- (C) The PM10 stack emissions from a material processing facility shall not exceed twenty-two thousandths (0.022) grains per dry standard cubic foot and ten percent (10%) opacity.
 - (D) The opacity of fugitive particulate emissions from the material processing facilities, except a crusher at which a capture system is not used, shall not exceed ten percent (10%) opacity.
 - (E) The opacity of fugitive particulate emissions from a crusher at which a capture system is not used shall not exceed fifteen percent (15%).
- (9) The opacity of particulate emissions from dust handling equipment shall not exceed ten percent (10%).
- (10) Material transfer limits shall be as follows:
- (A) The average instantaneous opacity of fugitive particulate emissions from batch transfer shall not exceed ten percent (10%).
 - (B) Where adequate wetting of the material for fugitive particulate emissions control is prohibitive to further processing or reuse of the material, the opacity shall not exceed ten percent (10%), three (3) minute average.
 - (C) Slag and kish handling activities at integrated iron and steel plants shall comply with the following particulate emissions limits:
 - (i) The opacity of fugitive particulate emissions from transfer from pots and trucks into pits shall not exceed twenty percent (20%) on a six (6) minute average.
 - (ii) The opacity of fugitive particulate emissions from transfer from pits into front end loaders and from transfer from front end loaders into trucks shall comply with the fugitive particulate emission limits in 326 IAC 6.8-10-3(9).
- (11) Any facility or operation not specified in 326 IAC 6.8-10-3 shall meet a twenty percent (20%), three (3) minute average opacity standard.

The Permittee shall achieve these limits by controlling fugitive particulate matter emissions according to the Fugitive Dust Control Plan, which is included as Attachment A to the permit.

326 IAC 8-1-6 (VOC Rules: General Reduction Requirements for New Facilities)

All emission units at this source have unlimited VOC potential emissions less than twenty-five (25) tons per year. Therefore, the requirements of 326 IAC 8-1-6 do not apply.

326 IAC 8-4-3 (Petroleum Liquid Storage Facility)

The diesel dispensing operation is not subject to the requirements of 326 IAC 8-4-3, since it does not utilize any onsite petroleum storage vessels. Therefore, 326 IAC 8-4-3 does not apply.

326 IAC 8-8.1 (Municipal Solid Waste Landfills)

Pursuant to 326 IAC 8-8.1-1, this source is not subject to 326 IAC 8-8.1, since this source does meet the definition of a municipal solid waste landfill, as defined in 40 CFR 60.751. The source intakes municipal solid waste (MSW) and construction and demolition (C&D) waste, recovers material of value, and sends remaining waste to a landfill.

326 IAC 8-9 (Volatile Organic Liquid Vessels)

The diesel dispensing operation is not subject to the requirements of 326 IAC 8-9, since the source is not located in Clark, Floyd, Lake or Porter Counties. Therefore, 326 IAC 8-9 does not apply.

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.

Compliance Determination and Monitoring Requirements

Permits issued under 326 IAC 2-8 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 2-8-4. 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.

(b) The testing requirements applicable to this source are as follows:

Emission Units	Control Device	Timeframe for Testing	Pollutant	Frequency
Two (2) Truck Tippers	Baghouse BH-1	No later than 180 days after startup	PM/PM10/PM2.5	Every 5 Years
One (1) Tipping Floor				
One (1) Tipping Floor				
One (1) Action Finger Screen				
Two (2) Infeed Conveyors				
Two (2) Conveyor Transfer Points				
Two (2) Trommel Screens				
Two (2) Glass Breakers	Baghouse BH-2	No later than 180 days after startup	PM/PM10/PM2.5	Every 5 Years
Two (2) RDF Shredders				
One (1) RDF Storage Area				
One (1) Fines Screen				
One (1) WSM Wood Grinder				

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

Emission Units	Control Device	Operating Parameters	Frequency
Two (2) Truck Tippers	Baghouse BH-1	Bag Leak Detection System (BLDS)	Continuous
One (1) Tipping Floor			
One (1) Tipping Floor			
One (1) Action Finger Screen			
Two (2) Infeed Conveyors			
Two (2) Conveyor Transfer Points			
Two (2) Trommel Screens			
Two (2) Glass Breakers			
Two (2) RDF Shredders	Baghouse BH-2		
One (1) RDF Storage Area			
One (1) Fines Screen			
One (1) WSM Wood Grinder			

These conditions are necessary because the baghouses BH-1 and BH-2 controlling the emission units listed in the table above must operate properly to assure compliance with 326 IAC 6.8 (Particulate Matter Limitations For Lake County) and the limits that render the requirements of 326 IAC 2-2 (PSD) and 326 IAC 2-7 (Part 70) not applicable.

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 April 27, 2017.

The operation of this stationary material recovery and recycling facility for municipal solid waste and construction and demolition debris shall be subject to the conditions of the attached proposed FESOP Renewal No. F089-44483-00594.

The staff recommends to the Commissioner that the FESOP Renewal be approved.

IDEM Contact

- (a) If you have any questions regarding this permit, please contact Mehul Sura, 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) 233-6868 or toll free at 1-800-451-6027, and ask for Mehul Sura or (317) 233-6868.
- (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: <https://www.in.gov/idem/airpermit/public-participation/>; and the Citizens' Guide to IDEM on the Internet at: <https://www.in.gov/idem/resources/citizens-guide-to-idem/>.

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

Company Name: Maya Energy, LLC
Source Address: 2727 W 35th Ave., Gary, IN 46408
FESOP Renewal No.: F089-44483-00594
Reviewer: Mehul Sura

Unlimited/Uncontrolled Potential to Emit (tons per year)										
Emission Unit	PM	PM ₁₀	PM _{2.5}	SO ₂	NO _x	VOC	CO	Total HAPs	Highest Single HAP	
Baghouses (BH-1 and BH-2)	657.49	657.49	657.49	-	-	7.20	-	6.38	2.17	Toluene
General Building Ventilation (Uncaptured Emissions)	109.19	72.12	38.51	-	-		-			
Diesel Fueling Operation	-	-	-	-	-	negl.	-	negl.	negl.	negl.
Total PTE of Entire Source (Non-Fugitive)	766.68	729.61	696.01	-	-	7.20	-	6.38	2.17	Toluene
Paved Roads (Fugitive)	46.13	46.13	46.13	-	-	-	-	-	-	-

Controlled Potential to Emit (tons per year)										
Emission Unit	PM	PM ₁₀	PM _{2.5}	SO ₂	NO _x	VOC	CO	Total HAPs	Highest Single HAP	
Baghouses (BH-1 and BH-2)	17.23	17.23	17.23	-	-	7.20	-	6.38	2.17	Toluene
General Building Ventilation (Uncaptured Emissions)	109.19	72.12	38.51	-	-		-			
Diesel Fueling Operation	-	-	-	-	-	negl.	-	negl.	negl.	negl.
Total PTE of Entire Source (Non-Fugitive)	126.42	89.34	55.74	-	-	7.20	-	6.38	2.17	Toluene
Paved Roads (Fugitive)*	23.07	23.07	23.07	-	-	-	-	-	-	-

*Controlled PTE of paved roads is after fugitive dust control measures outlined in fugitive dust control plan.

Potential to Emit After Issuance (tons per year)										
Emission Unit	PM	PM ₁₀	PM _{2.5}	SO ₂	NO _x	VOC	CO	Total HAPs	Highest Single HAP	
Baghouses (BH-1 and BH-2)	131.40	17.52	17.52	-	-	7.20	-	6.38	0.02	Toluene
General Building Ventilation (Uncaptured Emissions)	109.19	72.12	38.51	-	-		-			
Diesel Fueling Operation	-	-	-	-	-	negl.	-	negl.	negl.	negl.
Total PTE of Entire Source (Non-Fugitive)	240.59	89.64	56.03	-	-	7.20	-	6.38	0.02	Toluene
Paved Roads (Fugitive)*	23.07	23.07	23.07	-	-	-	-	-	-	-

*Controlled PTE of paved roads is after fugitive dust control measures outlined in fugitive dust control plan.

negl. = negligible emissions

**Appendix A: Emission Calculations
Solid Waste Handling Facility Baghouses (BH-1 and BH-2)
Captured Emissions
PM, PM10, PM2.5**

Company Name: Maya Energy, LLC
Source Address: 2727 W 35th Ave., Gary, IN 46408
FESOP Renewal No.: F089-44483-00594
Reviewer: Mehul Sura

Captured/Controlled Emissions (Exhausting to the outdoors through Baghouses BH-1 and BH-2)

Control Device	Baghouse ID	Baghouse Particulate Outlet Loading (mg/m3)	Baghouse Outlet Grain Loading (gr/dscf)	Flow Rate (scfm)	Control Efficiency	Captured/Uncontrolled PTE of PM/PM10/PM2.5		Captured/Controlled PTE of PM/PM10/PM2.5		Captured/Limited PTE of PM		Captured/Limited PTE of PM10/PM2.5	
						(lbs/hr)	(tons/yr)	(lbs/hr)	(tons/yr)	(lbs/hr)	(tons/yr)	(lbs/hr)	(tons/yr)
Baghouse 1	BH-1	7.00	0.003059	75,000	97.38%	75.06	328.75	1.97	8.61	15.00	65.70	2.00	8.76
Baghouse 2	BH-2	7.00	0.003059	75,000	97.38%	75.06	328.75	1.97	8.61	15.00	65.70	2.00	8.76
						150.11	657.49	3.93	17.23	30.00	131.40	4.00	17.52

Methodology

For each baghouse, outlet grain loading (mg/m3), flow rate (SCFM), and control efficiency (%) provided by the source.
 Outlet grain loading (gr/dscf) = Baghouse Particulate Outlet Loading (mg/m3) * (1 g / 1000 mg) * (1 lb / 453.5924 grams) * (7000 grains / lb) * (1 m3 / 3.28084^3 ft3)
 Captured/Uncontrolled PTE of PM/PM10/PM2.5 (lbs/hr) = Flow Rate (scfm) * Baghouse Outlet Grain Loading (gr/scfm) * 60 (min/hr) * 1/7000 (lb/gr) * 1/(1-Control Efficiency (%))
 Captured/Uncontrolled PTE of PM/PM10/PM2.5 (tons/yr) = PTE of PM/PM10/PM2.5 (Before Controls) (lbs/hr) * 8760 (hr/yr) * 1/2000 (ton/lbs)
 Captured/Uncontrolled PTE of PM/PM10/PM2.5 (lbs/hr) = Flow Rate (scfm) * Baghouse Outlet Grain Loading (gr/scfm) * 60 (min/hr) * 1/7000 (lb/gr)
 Captured/Uncontrolled PTE of PM/PM10/PM2.5 (tons/yr) = PTE of PM/PM10/PM2.5 (After Controls) (lbs/hr) * 8760 (hr/yr) * 1/2000 (ton/lbs)
 Captured/Limited PTE of PM/PM10/PM2.5 (tons/year) = PM/PM10/PM2.5 Limit (lbs/hr) * Hours of Operation Limit (hours/yr) * 1/2000 (ton/lbs)

326 IAC 6.8 Particulate Matter Limitations for Lake County

Baghouse ID	326 IAC 6.8-1-2 Limit (grains/dscf)	Flow Rate (scfm)	Uncontrolled PTE of PM (lbs/hr)	Potential Grain Loading Before Control (grain/dscf)	Control Efficiency	Potential Grain Loading After Control (grain/dscf)
BH-1 (Captured)	0.03	75,000	75.06	0.117	97.38%	0.003
BH-2 (Captured)	0.03	75,000	75.06	0.117	97.38%	0.003
Roof Vents (Uncaptured)	0.03	66,875	24.93	0.043	0.0%	0.043

Methodology

326 IAC 6.8-1-2 Allowable PM (lbs/hr) = (0.03 gr/dscf) * Flow Rate (scfm) * (60 min/hr) * (1 lb/7000 gr)
 Potential Grain Loading Before Control (grain/dscf) = Captured/Uncontrolled PM PTE (lbs/hr) * (1 / flow rate in scfm) * (1 hr / 60 min) * (7000 grains/lb)
 Potential Grain Loading After Control (grain/dscf) = Captured/Controlled PM PTE (lbs/hr) * (1 / flow rate in scfm) * (1 hr / 60 min) * (7000 grains/lb)

**Appendix A: Emission Calculations
General Building Ventilation
Uncaptured Emissions
PM, PM10, PM2.5**

Company Name: Maya Energy, LLC
Source Address: 2727 W 35th Ave., Gary, IN 46408
FESOP Renewal No.: F089-44483-00594
Reviewer: Mehul Sura

	PM	PM10	PM2.5
Particle Size Distribution (Cumulative % Equal to or Less Than Stated Size)	100%	81%	35%

AP-42 Appendix B.2 Generalized Particle Size Distributions Table B.2.2 Category 3 (material handling and processing of aggregate and unprocessed ore). The Particle Size Distribution (Cumulative % Equal to or Less Than Stated Size) for PM10 and PM2.5 represent the maximum (worst case) values from Table B.2.2 Category 3.

Uncaptured Emissions from Hoods (Exhausting to the outdoors through the general building ventilation)

Control Device	Baghouse ID	Baghouse Particulate Outlet Loading (mg/m3)	Control Efficiency	Baghouse Particulate Inlet Loading	Baghouse Particulate Inlet Loading	Flow Rate (scfm)	Captured/Uncontrolled PTE of Particulate	Capture Efficiency	Uncaptured/Uncontrolled PTE of Particulate		Uncaptured PTE of PM		Uncaptured PTE of PM10		Uncaptured PTE of PM2.5		
				mg/m3	lb/ft3				lbs/hr	lbs/hr	ton/year	lbs/hr	ton/year	lbs/hr	ton/year		
Baghouse 1	BH-1	7.00	97.38%	267.18	1.67E-05	75,000	75.06	90.0%	83.40	8.34	36.53	6.76	29.59	2.92	12.78		
Baghouse 2	BH-2	7.00	97.38%	267.18	1.67E-05	75,000	75.06	90.0%	83.40	8.34	36.53	6.76	29.59	2.92	12.78		
Total									150.11		166.79	16.68	73.05	13.51	59.17	5.84	25.57

Methodology

The hood capture efficiency is estimated 98% per the engineering company design basis (information provided by the source), but 90% capture efficiency has been used to ensure calculations are conservative.
 Baghouse Particulate Inlet Loading and Flow Rate (scfm) provided by the source.
 Baghouse Particulate Inlet Loading (lb/ft3) = Baghouse Particulate Inlet Loading (mg/m3) * (1 g / 1000 mg) * (1 lb / 453.5924 grams) * (1 m3 / 3.28084^3 ft3)
 Baghouse Particulate Inlet Loading (lbs/hr) = Baghouse Particulate Inlet Loading (lb/ft3) * Flow Rate (scfm) * 60 mins/hr
 Uncaptured PTE of Particulate (lbs/hr) = Baghouse Particulate Inlet Loading to Control (lbs/hr) / 98% Capture Efficiency
 Uncaptured PTE of PM (lbs/hr) = Uncaptured/Uncontrolled PTE of Particulate (lbs/hr) - Captured/Uncontrolled PTE of Particulate (lbs/hr) * (100% PM)
 Uncaptured PTE of PM10 (lbs/hr) = Uncaptured/Uncontrolled PTE of Particulate (lbs/hr) - Captured/Uncontrolled PTE of Particulate (lbs/hr) * (81% PM10)
 Uncaptured PTE of PM2.5 (lbs/hr) = Uncaptured/Uncontrolled PTE of Particulate (lbs/hr) - Captured/Uncontrolled PTE of Particulate (lbs/hr) * (35% PM2.5)
 Uncaptured PTE of PM (tons/yr) = Uncaptured PTE of PM (lbs/hr) * (8760 hrs/yr) / (2000 lbs/ton)
 Uncaptured PTE of PM10 (tons/yr) = Uncaptured PTE of PM10 (lbs/hr) * (8760 hrs/yr) / (2000 lbs/ton)
 Uncaptured PTE of PM2.5 (tons/yr) = Uncaptured PTE of PM2.5 (lbs/hr) * (8760 hrs/yr) / (2000 lbs/ton)

Uncaptured Emissions from Uncontrolled Emission Units (Exhausting to the outdoors through the roof vents)

Emission Point	Number of Units	Combined Maximum Throughput (tons/hr)	Emission Factor* (lbs/ton)		Potential to Emit (tpy)		
			PM	PM10/PM2.5	PM	PM10	PM2.5
Two (2) MSW Lines							
Manual Presort Conveyors	2	100	0.003	0.001	1.31	0.48	0.48
Manual Sorting Conveyors	2	100	0.003	0.001	1.31	0.48	0.48
Overbelt Magnet	1	100	0.003	0.001	1.31	0.48	0.48
9" Manual Sorting Conveyors	4	100	0.003	0.001	1.31	0.48	0.48
Non-FE Eddy Current Separators	4	100	0.003	0.001	1.31	0.48	0.48
Non-FE Quality Control Conveyors	2	100	0.003	0.001	1.31	0.48	0.48
Non-FE Silo Blowers	2	100	0.003	0.001	1.31	0.48	0.48
Non-FE Silo	1	100	0.003	0.001	1.31	0.48	0.48
Cirrus Optical Sorters	4	100	0.003	0.001	1.31	0.48	0.48
Brick and Rock QC Conveyors	2	100	0.003	0.001	1.31	0.48	0.48
Baler Feed Conveyor	1	100	0.003	0.001	1.31	0.48	0.48
Baler	1	100	0.003	0.001	1.31	0.48	0.48
Loading of materials into trucks for off-site shipping	1	100	0.025	0.009	10.95	3.81	3.81
One (1) C&D Line							
C&D Overbelt Magnet Conveyors	4	50	0.003	0.001	0.66	0.24	0.24
Manual Sorting Conveyors	3	50	0.003	0.001	0.66	0.24	0.24
Drum Magnet	1	50	0.003	0.001	0.66	0.24	0.24
MSS Aladdin optical sorter	1	50	0.003	0.001	0.66	0.24	0.24
Residue Conveyor	1	50	0.003	0.001	0.66	0.24	0.24
Wood and wood residue storage areas	1	50	0.003	0.001	0.66	0.24	0.24
Loading of materials into trucks for off-site shipping	1	50	0.025	0.009	5.48	1.91	1.91
Total:					36.14	12.94	12.94

Methodology

*There are no AP42 PM/PM10/PM2.5 emission factors for handling of municipal solid waste or construction and demolition debris. Therefore, as a conservative estimate, PM/PM10/PM2.5 emissions from the handling of municipal solid waste or construction and demolition debris are estimated using AP42, Chapter 11, Table 11.19.2-2 emission factors for crushed stone processing operations (for handling of municipal solid waste or construction and demolition debris and conveyor transfer points) and crushed stone screening (for loading of materials into trucks).
 Potential to Emit (tpy) = Combined Maximum Throughput (tons/hr) * Emission Factor (lbs/ton) * 8760 (hrs/yr) / 2000 (lbs/ton)

Total General Building Ventilation Emissions (Uncaptured Emissions)

	Potential to Emit (lbs/hr)			Potential to Emit (tons/year)		
	PM	PM10	PM2.5	PM	PM10	PM2.5
Uncaptured emissions from hoods	16.68	13.51	5.84	73.05	59.17	25.57
Uncontrolled emission units	8.25	2.96	2.96	36.14	12.94	12.94
Total:	24.93	16.47	8.79	109.19	72.12	38.51

Appendix A: Emission Calculations
Municipal Solid Waste Handling
Volatile Organic Compound (VOC) and Hazardous Air Pollutants (HAPs)

Company Name: Maya Energy, LLC
Source Address: 2727 W 35th Ave., Gary, IN 46408
FESOP Renewal No.: F089-44483-00594
Reviewer: Mehul Sura

VOC and HAP emissions from handling municipal solid waste (MSW) handling were estimated using EPA's LandGEM (version 3.02) based on the maximum amount of MSW that could handled at the material recovery and recycling facility for a year.

VOC Emissions for Municipal Solid Waste Handling

Process	Maximum Throughput of MSW (tons/hr)	Maximum Throughput of MSW (Mg/yr)	Potential Methane Generation Capacity, L ₀ (m ³ /Mg)	NMOC Concentration (ppmv as hexane)*	VOC Emissions* (tons/yr)
Municipal Solid Waste Line 1 (MSW-1)	50	397,347	100	235	7.20
Municipal Solid Waste Line 2 (MSW-2)	50	397,347			
Total	100	794,694			

HAP Emissions from Municipal Solid Waste Handling

Pollutant*	PTE of HAPs (tons/yr)*
1,1,1-Trichloroethane (methyl chloroform)	0.039
1,1,2,2-Tetrachloroethane	0.112
1,1-Dichloroethane (ethylidene dichloride)	0.144
1,1-Dichloroethene (vinylidene chloride)	0.012
1,2-Dichloroethane (ethylene dichloride)	0.025
1,2-Dichloropropane (propylene dichloride)	0.012
Acrylonitrile	0.202
Benzene	0.090
Carbon disulfide	0.027
Carbon tetrachloride	3.72E-04
Carbonyl sulfide	0.018
Chlorobenzene	0.017
Chloroethane (ethyl chloride)	0.051
Chloroform	0.002
Dichlorobenzene	0.019
Dichloromethane (methylene chloride)	0.719
Ethylbenzene	0.295
Ethylene dibromide	1.14E-04
Hexane	0.344
Mercury (total)	3.52E-05
Methyl ethyl ketone	0.309
Methyl isobutyl ketone	0.115
Perchloroethylene (tetrachloroethylene)	0.371
Toluene	2.172
Trichloroethylene (trichloroethene)	0.222
Vinyl chloride	0.276
Xylenes	0.770
Total HAPs:	6.36

Methodology

NMOC = Non-Methane Organic Compounds

*VOC and HAP emissions from handling municipal solid waste (MSW) handling were estimated using EPA's LandGEM (version 3.02) based on the maximum amount of MSW that could handled at the material recovery and recycling facility for a year. VOC is expressed as NMOC (as hexane). Based on AP-42 Section 2.4, Municipal Solid Waste Landfills, Table 2.4-2, dated 11/1998, the LandGEM model was run assuming a total NMOC value of 235 ppmv as hexane (39% of 595 ppmv), since the MSW was assumed to have very little organic commercial/industrial wastes. Additionally, based on AP-42 Section 2.4, most of the NMOC emissions generated in landfill gas results from the volatilization of organic compounds contained in the landfilled waste.

**Appendix A: Emission Calculations
Solid Waste Handling Facility
Mercury Emissions**

Company Name: Maya Energy, LLC
Source Address: 2727 W 35th Ave., Gary, IN 46408
FESOP Renewal No.: F089-44483-00594
Reviewer: Mehul Sura

Mercury emissions from MSW handling operation

	Processing Rate ton/hr	Pounds of Hg per ton of MSW received* (lb/ton)	Estimated Release rate to Air** %	Pounds of Hg emitted into the air per ton of MSW* (lbs/ton)	Hg Emission Rate (lb/hr)	Hg Emission Rate (ton/yr)
Potential to Emit	100	4.41E-04	11%	4.85E-05	4.85E-03	2.12E-02

*The mercury content of MSW was estimated in the Covanta Indianapolis, Inc., Significant Source Modification No. 097-35573-00123, issued September 23, 2015. Since Maya Energy LLC facility will process similar types of MSW materials as the Covanta Indianapolis, Inc., facility, the mercury content of MSW for the Maya Energy LLC facility is assumed equal to the mercury content of MSW for the Covanta Indianapolis, Inc., facility.

**The USEPA estimates that about 11 percent of the mercury in a compact fluorescent lamp is released into air or water when it is sent to a landfill, assuming the light bulb is broken. IDEM, OAQ has assumed all fluorescent bulbs (linear and CFL) are broken during processing.

METHODOLOGY

Pounds of Hg emitted into the air per ton of MSW (lbs/ton) = Pounds of Hg per ton of MSW received (lbs/ton) * Estimated release rate to air (%)

Hg Emission Rate (lb/hr) = Processing Rate (ton/hr) * Pounds of Hg emitted into the air per ton of MSW (lbs/ton)

Hg Emission Rate (ton/yr) = Hg Emission Rate (lb/hr) * 8760 (hr/yr) * 1/2000 (ton/lbs)

**Appendix A: Emission Calculations
Solid Waste Handling Facility
PM, PM10, PM2.5
Fugitive Emissions**

Company Name: Maya Energy, LLC
Source Address: 2727 W 35th Ave., Gary, IN 46408
FESOP Renewal No.: F089-44483-00594
Reviewer: Mehul Sura

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)
Inbound									
MSW Route Trucks (full)	60.0	1.0	60.0	29.0	1740.0	1425	0.270	16.2	5910.5
MSW Haul Trucks (full)	40.0	1.0	40.0	40.0	1600.0	1880	0.356	14.2	5198.5
C&D Haul Trucks (full)	32.0	1.0	32.0	40.0	1280.0	1930	0.366	11.7	4269.4
Recyclable Trucks (empty)	46.0	1.0	46.0	16.0	736.0	1400	0.265	12.2	4451.9
RDF Trucks (empty)	36.0	1.0	36.0	16.0	576.0	1450	0.275	9.9	3608.5
Landfill Trucks (empty)	23.0	1.0	23.0	16.0	368.0	1450	0.275	6.3	2305.4
Outbound									
MSW Route Trucks (empty)	60.0	1.0	60.0	19.0	1140.0	1425	0.270	16.2	5910.5
MSW Haul Trucks (empty)	40.0	1.0	40.0	16.0	640.0	1880	0.356	14.2	5198.5
C&D Haul Trucks (empty)	32.0	1.0	32.0	16.0	512.0	1930	0.366	11.7	4269.4
Recyclable Trucks (fall)	46.0	1.0	46.0	40.0	1840.0	1400	0.265	12.2	4451.9
RDF Trucks (fall)	36.0	1.0	36.0	40.0	1440.0	1450	0.275	9.9	3608.5
Landfill Trucks (fall)	23.0	1.0	23.0	40.0	920.0	1450	0.275	6.3	2305.4
Totals			474.0		12792.0			141.1	51488.5

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 =	27.0	27.0	27.0	tons = average vehicle weight (provided by source)
sL =	7.4	7.4	7.4	g/m ² = silt loading value for paved roads at municipal solid waste landfills - 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 = $E_f * [1 - (p/4N)]$
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 =	1.960	0.392	0.0962	lb/mile
Mitigated Emission Factor, Eext =	1.792	0.358	0.0880	lb/mile
Dust Control Efficiency =	50%	50%	50%	(pursuant to control measures outlined in fugitive dust control plan)

Process	Unmitigated PTE of PM (tons/yr)	Unmitigated PTE of PM10 (tons/yr)	Unmitigated PTE of PM2.5 (tons/yr)	Mitigated PTE of PM (tons/yr)	Mitigated PTE of PM10 (tons/yr)	Mitigated PTE of PM2.5 (tons/yr)	Controlled PTE of PM (tons/yr)	Controlled PTE of PM10 (tons/yr)	Controlled PTE of PM2.5 (tons/yr)
Inbound									
MSW Route Trucks (full)	5.79	1.16	0.28	5.30	1.06	0.26	2.65	0.53	0.13
MSW Haul Trucks (full)	5.09	1.02	0.25	4.66	0.93	0.23	2.33	0.47	0.11
C&D Haul Trucks (full)	4.18	0.84	0.21	3.83	0.77	0.19	1.91	0.38	0.09
Recyclable Trucks (empty)	4.36	0.87	0.21	3.99	0.80	0.20	1.99	0.40	0.10
RDF Trucks (empty)	3.54	0.71	0.17	3.23	0.65	0.16	1.62	0.32	0.08
Landfill Trucks (empty)	2.26	0.45	0.11	2.07	0.41	0.10	1.03	0.21	0.05
Outbound									
MSW Route Trucks (empty)	5.79	1.16	0.28	5.30	1.06	0.26	2.65	0.53	0.13
MSW Haul Trucks (empty)	5.09	1.02	0.25	4.66	0.93	0.23	2.33	0.47	0.11
C&D Haul Trucks (empty)	4.18	0.84	0.21	3.83	0.77	0.19	1.91	0.38	0.09
Recyclable Trucks (fall)	4.36	0.87	0.21	3.99	0.80	0.20	1.99	0.40	0.10
RDF Trucks (fall)	3.54	0.71	0.17	3.23	0.65	0.16	1.62	0.32	0.08
Landfill Trucks (fall)	2.26	0.45	0.11	2.07	0.41	0.10	1.03	0.21	0.05
Totals	50.45	10.09	2.48	46.13	9.23	2.26	23.07	4.61	1.13

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 (tons/yr) = [Maximum one-way miles (miles/yr)] * [Mitigated Emission Factor (lb/mile)] * (ton/2000 lbs)
Controlled PTE (tons/yr) = [Mitigated PTE (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



INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

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Eric J. Holcomb
Governor

Brian C. Rockensuess
Commissioner

SENT VIA U.S. MAIL: CONFIRMED DELIVERY AND SIGNATURE REQUESTED

TO: James Ventura
Maya Energy, LLC
4935 Grasselli Avenue
East Chicago, IN 46312

DATE: April 26, 2022

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

SUBJECT: Final Decision
FESOP - Renewal
089-44483-00594

This notice is to inform you that a final decision has been issued for the air permit application referenced above.

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. In addition, the Notice of Decision has been sent to the OAQ Permits Branch Interested Parties List and, if applicable, the Consultant/Agent and/or Responsible Official/Authorized Individual.

The final decision and supporting materials are available electronically; the original signature page is enclosed for your convenience. The final decision and supporting materials available electronically at:

IDEM's online searchable database: <http://www.in.gov/apps/idem/caats/> . Choose Search Option **by Permit Number**, then enter permit 44483

and

IDEM's Virtual File Cabinet (VFC): <https://www.in.gov/idem>. Enter VFC in the search box, then search for permit documents using a variety of criteria, such as Program area, date range, permit #, Agency Interest Number, or Source ID.

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, or have difficulty accessing the documents online, 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 8/20/20-acces via website



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Eric J. Holcomb
Governor

Brian C. Rockensuess
Commissioner

April 26, 2022

TO: Gary Public Library – John F. Kennedy Branch

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

Subject: **Important Information for Display Regarding a Final Determination**


Applicant Name: Maya Energy, LLC
Permit Number: 089-44483-00594

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	KBOURQUE 4/26/2022 Page 1 of 3 Mava Energy LLC 089-44483-00594 (final)		AFFIX STAMP HERE IF USED AS CERTIFICATE OF MAILING	
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	

Line	Article Number	Name, Address, Street and Post Office Address	Postage	Handing Charges	Act. Value (If Registered)	Insured Value	Due Send if COD	R.R. Fee	S.D. Fee	S.H. Fee	Rest. Del. Fee	Remarks
1		James Ventura Maya Energy LLC 4935 Grasselli Avenue East Chicago IN 46312 (Source CAATS) Sent Via UPS Campus Ship										
2		Judson Wilson 3837 Ellsworth Pl Gary IN 46408 (Affected Party)										
3		Dorreen Carey 7304 Indian Boundary Gary IN 46403 (Affected Party)										
4		Susan Thomas 215 S Broadway Beverly Shores IN 46301 (Affected Party)										
5		Jennifer Rudderham 7905 Hemlock Ave Gary IN 46403 (Affected Party)										
6		Carolyn McCrady 8241 Locust Ave Gary IN 46403 (Affected Party)										
7		Kimmie Gordon Brown Faces Green Spaces 5607 E 3rd Pl Gary IN 46403 (Affected Party)										
8		Seymour Moskowitz 1753 Lawndale Dr Valparaiso IN 46383 (Affected Party)										
9		Anita Westhues 216 W Madison St South Bend IN 46601 (Affected Party)										
10		Katie Kirley 727 N Montgomery Ave Gary IN 46403 (Affected Party)										
11		Lin Kaatz Chary 7726 Locust Ave Gary IN 46403 (Affected Party)										
12		Fred Gumbinner 4826 Piney Branch Rd Fairfax VA 22030 (Affected Party)										
13		Gary Mayors Office 401 Broadway #102 Gary IN 46402 (Local Official)										
14		Gary City Health Department 1145 W 5th Ave Gary IN 46402 (Health Department)										
15		Craig Hogarth 7901 W Morris St Indianapolis IN 46231 (Affected Party)										

Total number of pieces Listed by Sender	Total number of Pieces Received at Post Office	Postmaster, Per (Name of Receiving employee)	The full declaration of value is required on all domestic and international registered mail. The maximum indemnity payable for the reconstruction of nonnegotiable documents under Express Mail document reconstructing insurance is \$50,000 per piece subject to a limit of \$50, 000 per occurrence. The maximum indemnity payable on Express mil merchandise insurance is \$500. The maximum indemnity payable is \$25,000 for registered mail, sent with optional postal insurance. See Domestic Mail Manual R900, S913, and S921 for limitations of coverage on inured and COD mail. See International Mail Manual for limitations o coverage on international mail. Special handling charges apply only to Standard Mail (A) and Standard Mail (B) parcels.
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Mail Code 61-53

IDEM Staff	KBOURQUE 4/26/2022 Page 2 of 3 Mava Energy LLC 089-44483-00594 (final)		AFFIX STAMP HERE IF USED AS CERTIFICATE OF MAILING	
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	

Line	Article Number	Name, Address, Street and Post Office Address	Postage	Handing Charges	Act. Value (If Registered)	Insured Value	Due Send if COD	R.R. Fee	S.D. Fee	S.H. Fee	Rest. Del. Fee	Remarks
1		Lake County Commissioners 2293 N Main St, Bldg A, 3rd Floor Crown Point IN 46307 (Local Official)										
2		Anthony Copeland 2006 E 140th St East Chicago IN 46312 (Affected Party)										
3		Barbara G Perez 506 Lilac St East Chicago IN 46312 (Affected Party)										
4		Mr. Robert Garcia 3733 Parrish Ave East Chicago IN 46312 (Affected Party)										
5		Ms. Karen Kroczek 8212 Madison Ave Munster IN 46321-1627 (Affected Party)										
6		Joseph Hero 11723 S Oakridge Dr St. John IN 46373 (Affected Party)										
7		Gary City Council 401 Broadway #209 Gary IN 46402 (Local Official)										
8		City of Gary Dept. of Environmental Affairs 401 Broadway, Ste 304 Gary IN 46402 (Local Official)										
9		Mr. Larry Davis 268 S 600 W Hebron IN 46341 (Affected Party)										
10		Berkheimer Properties LLC 6000 Southport Rd Portage IN 46368 (Affected Party)										
11		Little Calumet River Basin Development Commission 900 Ridge Rd, Ste H Munster IN 46321 (Affected Party)										
12		Lake County Property Development Corporation 2293 Main St Crown Point IN 46307 (Affected Party)										
13		Global Leadership Academy Inc 2650 35th Ave Gary IN 46408 (Affected Party)										
14		Charles Delano Rose 8223 Monroe Ave Munster IN 46321 (Affected Party)										
15		Gary Public Transportation Corporation 100 4th Ave Gary IN 46402 (Affected Party)										

Total number of pieces Listed by Sender	Total number of Pieces Received at Post Office	Postmaster, Per (Name of Receiving employee)	The full declaration of value is required on all domestic and international registered mail. The maximum indemnity payable for the reconstruction of nonnegotiable documents under Express Mail document reconstructing insurance is \$50,000 per piece subject to a limit of \$50, 000 per occurrence. The maximum indemnity payable on Express mil merchandise insurance is \$500. The maximum indemnity payable is \$25,000 for registered mail, sent with optional postal insurance. See Domestic Mail Manual R900, S913, and S921 for limitations of coverage on inured and COD mail. See International Mail Manual for limitations o coverage on international mail. Special handling charges apply only to Standard Mail (A) and Standard Mail (B) parcels.
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IDEM Staff	KBOURQUE 4/26/2022 Page 3 of 3 Mava Energy LLC 089-44483-00594 (final)		AFFIX STAMP HERE IF USED AS CERTIFICATE OF MAILING	
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Line	Article Number	Name, Address, Street and Post Office Address	Postage	Handling Charges	Act. Value (If Registered)	Insured Value	Due Send if COD	R.R. Fee	S.D. Fee	S.H. Fee	Rest. Del. Fee
											Remarks
1		Stephan Truchan Jr. Gary Bridge Iron Co. 3700 Roosevelt Ave Gary IN 46408-2034 (Affected Party)									
2		Cardinal Service Inc. PO Box 59 Middlebury IN 46540 (Affected Party)									
3		Norfolk Southern Railroad 9229 Delegates Row, Ste 560 Indianapolis IN 46240 (Affected Party)									
4		David Sandrick 3725 Taney Pl Gary IN 46408 (Affected Party)									
5		Mark & Catherine Tegtman 910 Jackson Pl Dyer IN 46311 (Affected Party)									
6		Gary Public Library - John F Kennedy Branch 3953 Broadway Gary IN 46409 (Library)									
7		Carolyn Marsh 1804 Oliver St Whiting IN 46394 (Affected Party)									
8		Chicago Tower Leasing Corp. 711 Devon Ave, Ste 204 Park Ridge IL 60068 (Affected Party)									
9		Lake County Trust Co. Trust # 120043 9800 Connecticut Dr Crown Point IN 46307 (Affected Party)									
10		New Life Youth Development Corporation 30 E 6th Ave Gary IN 46402 (Affected Party)									
11		Occupant 1245 Hemlock Ct Munster IN 46321 (Affected Party)									
12		Jeff Mayes News-Dispatch 422 Franklin St Michigan City IN 46360 (Affected Party)									
13		Marie Siroky 573 N Warren St Gary IN 46403 (Affected Party)									
14		Lake County Health Department 2900 W 93rd Ave Crown Point IN 46307 (Health Department)									
15											

Total number of pieces Listed by Sender	Total number of Pieces Received at Post Office	Postmaster, Per (Name of Receiving employee)	The full declaration of value is required on all domestic and international registered mail. The maximum indemnity payable for the reconstruction of nonnegotiable documents under Express Mail document reconstructing insurance is \$50,000 per piece subject to a limit of \$50, 000 per occurrence. The maximum indemnity payable on Express mil merchandise insurance is \$500. The maximum indemnity payable is \$25,000 for registered mail, sent with optional postal insurance. See Domestic Mail Manual R900, S913, and S921 for limitations of coverage on inured and COD mail. See International Mail Manual for limitations o coverage on international mail. Special handling charges apply only to Standard Mail (A) and Standard Mail (B) parcels.
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