INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

100 N. Senate Avenue • Indianapolis, IN 46204
(800) 451-6027 • (317) 232-8603 • Fax (317) 233-6647 • www.idem.IN.gov

Mike Braun
Governor

Clint Woods
Commissioner

To:	Interested Parties
Date:	March 19, 2026
From:	Jenny Acker, Chief Permits Branch Office of Air Quality
Source Name:	Lavender Fields Holdings LLC
Permit Level:	TV New Source Construction (Minor PSD/EO)
Permit Number:	091-49561-00195
Source Location:	402 Royal Rd Michigan City, IN 46360
Type of Action Taken:	Initial Permit

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: https://www.in.gov/apps/idem/caats/. To view the document, choose Search Option by **Permit Number**, then enter permit 49561

The final decision is also available via IDEM's Virtual File Cabinet (VFC) located at https://www.in.gov/idem/legal/public-records/virtual-file-cabinet/. Click on the Virtual File Cabinet button. Click on the "Search" dropdown menu in the upper left corner and select "OAQ Permit" from the list of options. Select "Public" in the "Security group" dropdown menu. Type the five-digit permit number 49561 in the Permit # search field, select "Final" in the "Permit Type" dropdown menu, then click the search button at the top or bottom of the webpage. The search will return the final issued permit and any applicable mailing list.

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
100 North Senate Avenue
Indianapolis, IN 46204-2251
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 4-21.5-3-7 and IC 13-15-6-1(b) or IC 13-15-6-1(a) require that you file a petition for administrative review. This petition may include a request for stay of effectiveness and must be submitted to the Indiana Office of Administrative Law Proceedings, 100 N. Senate Avenue Suite N802, Indianapolis, IN 46204.

For an **initial Title V Operating Permit**, a petition for administrative review must be submitted to the Office of Administrative Law Proceedings (OALP) within **thirty (30)** days from the receipt of this notice provided under IC 13-15-5-3, pursuant to IC 13-15-6-1(b).

For a **Title V Operating Permit renewal**, a petition for administrative review must be submitted to the Office of Administrative Law Proceedings (OALP) within **fifteen (15)** days from the receipt of this notice provided under IC 13-15-5-3, pursuant to IC 13-15-6-1(a).

The filing of a petition for administrative review is complete on the earliest of the following dates that apply to the filing:

(1) the date the document is delivered to the Indiana Office of Administrative Law Proceedings (OALP); or
(2) the date of the postmark on the envelope containing the document, if the document is mailed to OALP 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 OALP by private carrier.

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

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

Pursuant to 326 IAC 2-7-18(d), any person may petition the U.S. EPA to object to the issuance of an initial Title V operating permit, permit renewal, or permit modification within sixty (60) days of the end of the forty-five (45) day EPA review period. Such an objection must be based only on issues that were raised with reasonable specificity during the public comment period, unless the petitioner demonstrates that it was impractible to raise such issues, or if the grounds for such objection arose after the comment period.

The EPA requests that you file title V petitions electronically through the Central Data Exchange. To do so, please go to: https://cdx.epa.gov/ .

If you tried but you are unable to use the Central Data Exchange to file your petition, the EPA requests that you send your petition and associated attachments via email to: titleVpetitions@epa.gov.

If you have made every effort to electronically submit your petition but are simply unable to successfully do so, please submit a hardcopy of your petition to the following address:

US EPA
Office of Air Quality Planning and Standards
Air Quality Policy Division
Operating Permits Group Leader
109 T.W. Alexander Dr. (C-504-01)
Research Triangle Park, NC 27711

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.

Enclosures
Decision-Title V Operating 1/13/25

INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

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Mike Braun
Governor

Clint Woods
Commissioner

New Source Construction and Part 70 Operating Permit
OFFICE OF AIR QUALITY

Lavender Fields Holdings LLC
402 Royal Road
Michigan City, Indiana 46360

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

The Permittee must comply with all conditions of this permit. Noncompliance with any provisions of this permit is grounds for enforcement action; permit termination, revocation and reissuance, or modification; or denial of a permit renewal application. Noncompliance with any provision of this permit, except any provision specifically designated as not federally enforceable, constitutes a violation of the Clean Air Act. It shall not be a defense for the Permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit.

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

Operation Permit No.: T091-49561-00195 Master Agency Interest ID: 11578	
Issued by: Iryn Calilung, Section Chief Permits Branch Office of Air Quality	Issuance Date: March 19, 2026 Expiration Date: March 19, 2031

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Attachment A: 40 CFR 60, Subpart IIII, NSPS for Stationary Compression Ignition Internal Combustion Engines

Attachment B: 40 CFR 63, Subpart ZZZZ, NESHAP for Stationary Reciprocating Internal Combustion Engines

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

A.1 General Information [326 IAC 2-7-4(c)][326 IAC 2-7-5(14)][326 IAC 2-7-1(20)]

The Permittee owns and operates a stationary data center.

Source Address:	402 Royal Road, Michigan City, Indiana 46360
General Source Phone Number:	(202) 973-8815
SIC Code:	7374 (Computer Processing and Data Preparation and Processing Services)
County Location:	LaPorte
Source Location Status:	Attainment for all criteria pollutants
Source Status:	Part 70 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 2-7-4(c)(3)][326 IAC 2-7-5(14)]

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

(a) Sixty-six (66) diesel-fired critical emergency generators, identified as GEN1 through GEN66, approved in 2025 for construction, manufactured in 2024, each with an output horsepower rating of 4,043 hp (3,014.9 kW), uncontrolled, and exhausting outdoors through stacks S1 through S66.

These engines use Hydro-treated Vegetable Oil (HVO) as a secondary fuel. HVO is a renewable diesel fuel derived from vegetable oils and animal fats through a hydrotreatment process. It is designed to be a drop-in replacement for conventional diesel.

Under 40 CFR 60, Subpart IIII, GEN1 through GEN66 are considered emergency, stationary compression ignition (CI) internal combustion engines (ICE) that will commence construction after July 11, 2005, were manufactured after April 1, 2006, each with a displacement of less than 10 liters per cylinder, located at an area source of HAP emissions.

Under 40 CFR 63, Subpart ZZZZ, GEN1 through GEN66 are considered new, emergency stationary compression ignition (CI) reciprocating internal combustion engines (RICE) that commenced constructed on or after June 12, 2006, located at an area source of HAP emissions.

A.3 Insignificant Activities [326 IAC 2-7-1(19)][326 IAC 2-7-4(c)][326 IAC 2-7-5(14)]

This stationary source also includes the following insignificant activities, as defined in 326 IAC 2-7-1(19):

(a) Two (2) diesel-fired site entrance emergency generators, identified as DEAG1 and DEAG2, approved in 2025 for construction, manufactured in 2024, each with an output

horsepower rating of 595 hp (443.7 kW), uncontrolled, and exhausting outdoors through stacks S67 and S68.

These engines use Hydro-treated Vegetable Oil (HVO) as a secondary fuel. HVO is a renewable diesel fuel derived from vegetable oils and animal fats through a hydrotreatment process. It is designed to be a drop-in replacement for conventional diesel.

Under 40 CFR 60, Subpart IIII, DEAG1 and DEAG2 are considered emergency, stationary compression ignition (CI) internal combustion engines (ICE) that will commence construction after July 11, 2005, were manufactured after April 1, 2006, each with a displacement of less than 30 liters per cylinder, located at an area source of HAP emissions.

Under 40 CFR 63, Subpart ZZZZ, DEAG1 and DEAG2 are considered new, emergency stationary compression ignition (CI) reciprocating internal combustion engines (RICE) that commenced constructed on or after June 12, 2006, located at an area source of HAP emissions.

(b) Two (2) diesel-fired fire pump emergency generators, identified as DEP1 and DEP2, approved in 2025 for construction, manufactured in 2024, each with an output horsepower rating of 557 hp (415.4 kW), uncontrolled, and exhausting outdoors through stacks S69 and S70.

These engines use Hydro-treated Vegetable Oil (HVO) as a secondary fuel. HVO is a renewable diesel fuel derived from vegetable oils and animal fats through a hydrotreatment process. It is designed to be a drop-in replacement for conventional diesel.

Under 40 CFR 60, Subpart IIII, DEP1 and DEP2 are considered emergency, stationary compression ignition (CI) internal combustion engines (ICE), and certified National Fire Protection Association (NFPA) fire pump engines, that will commence construction after July 11, 2005, were manufactured after July 1, 2006, each with a displacement of less than 30 liters per cylinder, and located at an area source of HAP emissions.

Under 40 CFR 63, Subpart ZZZZ, DEP1 and DEP2 are considered new, emergency stationary compression ignition (CI) reciprocating internal combustion engines (RICE) that commenced constructed on or after June 12, 2006, located at an area source of HAP emissions.

(c) Seventy (70) belly tanks, identified as Tank1 through Tank70, storing diesel fuel or HVO fuel for the emergency generators, each with a maximum storage capacity of 5,373 gallons, uncontrolled, and exhausting outdoors.

(d) One (1) closed-loop air cooling system, using water only as a coolant that recycles through the system. This cooling system produces negligible emissions.

(e) Paved Roads.

A.4 Part 70 Permit Applicability [326 IAC 2-7-2]

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

(a) It is a major source, as defined in 326 IAC 2-7-1(20);

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

SECTION B GENERAL CONDITIONS

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

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

B.2 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 receipt of this approval 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]

This document shall also become the approval to operate pursuant to 326 IAC 2-5.1-4 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 2-7-5(2)][326 IAC 2-1.1-9.5][326 IAC 2-7-4(a)(1)(D)][IC 13-15-3-6(a)]

(a) This permit, T091-49561-00195, is issued for a fixed term of five (5) years from the issuance date of this permit, as determined in accordance with IC 4-21.5-3-5(f) and IC 13-15-5-3. Subsequent revisions, modifications, or amendments of this permit do not affect the expiration date of this permit.

(b) If IDEM, OAQ, upon receiving a timely and complete renewal permit application, fails to issue or deny the permit renewal prior to the expiration date of this permit, this existing permit shall not expire and all terms and conditions shall continue in effect, including any permit shield provided in 326 IAC 2-7-15, until the renewal permit has been issued or denied.

B.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 2-7-7] [IC 13-17-12]

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

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

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

B.8 Property Rights or Exclusive Privilege [326 IAC 2-7-5(6)(D)]

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

B.9 Duty to Provide Information [326 IAC 2-7-5(6)(E)]

(a) The Permittee shall furnish to IDEM, OAQ, within a reasonable time, any information that IDEM, OAQ may request in writing to determine whether cause exists for modifying, revoking and reissuing, or terminating this permit, or to determine compliance with this permit. Upon request, the Permittee shall also furnish to IDEM, OAQ copies of records required to be kept by this permit.

(b) For information furnished by the Permittee to IDEM, OAQ, the Permittee may include a claim of confidentiality in accordance with 326 IAC 17.1. When furnishing copies of requested records directly to U. S. EPA, the Permittee may assert a claim of confidentiality in accordance with 40 CFR 2, Subpart B.

B.10 Certification [326 IAC 2-7-4(f)][326 IAC 2-7-6(1)][326 IAC 2-7-5(3)(C)]

(a) A certification required by this permit meets the requirements of 326 IAC 2-7-6(1) if:

(1) it contains a certification by a "responsible official" as defined by 326 IAC 2-7-1(33), and

(2) the certification states that, based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate, and complete.

(b) The Permittee may use the attached Certification Form, or its equivalent with each submittal requiring certification. One (1) certification may cover multiple forms in one (1) submittal.

(c) A "responsible official" is defined at 326 IAC 2-7-1(33).

B.11 Annual Compliance Certification [326 IAC 2-7-6(5)]

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

Indiana Department of Environmental Management
Compliance and Enforcement Branch, Office of Air Quality
Indiana Government Center North
100 North Senate Avenue, Room 13W
Indianapolis, Indiana 46204-2251

and

United States Environmental Protection Agency, Region 5
Air and Radiation Division, Air Enforcement Branch - Indiana (AE-17J)
77 West Jackson Boulevard
Chicago, Illinois 60604-3590

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

(c) The annual compliance certification report shall include the following:

(1) The appropriate identification of each term or condition of this permit that is the basis of the certification;

(2) The compliance status;

(3) Whether compliance was continuous or intermittent;

(4) The methods used for determining the compliance status of the source, currently and over the reporting period consistent with 326 IAC 2-7-5(3); and

(5) Such other facts, as specified in Sections D of this permit, as IDEM, OAQ may require to determine the compliance status of the source.

The submittal by the Permittee does require a certification that meets the requirements of 326 IAC 2-7-6(1) by a "responsible official" as defined by 326 IAC 2-7-1(33).

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

(a) If required by specific condition(s) in Section D of this permit, the Permittee shall prepare and maintain Preventive Maintenance Plans (PMPs) 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
Indiana Government Center North
100 North Senate Avenue, Room 13W
Indianapolis, Indiana 46204-2251

The PMP extension notification does not require a certification that meets the requirements of 326 IAC 2-7-6(1) by a "responsible official" as defined by 326 IAC 2-7-1(33).

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 2-7-6(1) by a "responsible official" as defined by 326 IAC 2-7-1(33).

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

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

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

(b) If, after issuance of this permit, it is determined that the permit is in nonconformance with an applicable requirement that applied to the source on the date of permit issuance, IDEM, OAQ shall immediately take steps to reopen and revise this permit and issue a compliance order to the Permittee to ensure expeditious compliance with the applicable requirement until the permit is reissued. The permit shield shall continue in effect so long as the Permittee is in compliance with the compliance order.

(c) No permit shield shall apply to any permit term or condition that is determined after issuance of this permit to have been based on erroneous information supplied in the permit application. Erroneous information means information that the Permittee knew to be false, or in the exercise of reasonable care should have been known to be false, at the time the information was submitted.

(d) Nothing in 326 IAC 2-7-15 or in this permit shall alter or affect the following:

(1) The provisions of Section 303 of the Clean Air Act (emergency orders), including the authority of the U.S. EPA under Section 303 of the Clean Air Act;

(2) The liability of the Permittee for any violation of applicable requirements prior to or at the time of this permit's issuance;

(3) The applicable requirements of the acid rain program, consistent with Section 408(a) of the Clean Air Act; and

(4) The ability of U.S. EPA to obtain information from the Permittee under Section 114 of the Clean Air Act.

(e) This permit shield is not applicable to any change made under 326 IAC 2-7-20(b)(2) (Sections 502(b)(10) of the Clean Air Act changes) and 326 IAC 2-7-20(c)(2) (trading based on State Implementation Plan (SIP) provisions).

(f) This permit shield is not applicable to modifications eligible for group processing until after IDEM, OAQ, has issued the modifications. [326 IAC 2-7-12(c)(7)]

(g) This permit shield is not applicable to minor Part 70 permit modifications until after IDEM, OAQ, has issued the modification. [326 IAC 2-7-12(b)(8)]

B.14 Prior Permits Superseded [326 IAC 2-1.1-9.5][326 IAC 2-7-10.5]

(a) All terms and conditions of permits established prior to T091-49561-00195 and issued pursuant to permitting programs approved into the state implementation plan have been either:

(1) incorporated as originally stated,

(2) revised under 326 IAC 2-7-10.5, or

(3) deleted under 326 IAC 2-7-10.5.

(b) Provided that all terms and conditions are accurately reflected in this combined permit, all previous registrations and permits are superseded by this combined new source review and part 70 operating permit.

B.15 Termination of Right to Operate [326 IAC 2-7-10][326 IAC 2-7-4(a)]

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

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

(a) This permit may be modified, reopened, revoked and reissued, or terminated for cause. The filing of a request by the Permittee for a Part 70 Operating Permit modification, revocation and reissuance, or termination, or of a notification of planned changes or anticipated noncompliance does not stay any condition of this permit. [326 IAC 2-7-5(6)(C)] The notification by the Permittee does require a certification that meets the requirements of 326 IAC 2-7-6(1) by a "responsible official" as defined by 326 IAC 2-7-1(33).

(b) This permit shall be reopened and revised under any of the circumstances listed in IC 13-15-7-2 or if IDEM, OAQ determines any of the following:

(1) That this permit contains a material mistake.

(2) That inaccurate statements were made in establishing the emissions standards or other terms or conditions.

(3) That this permit must be revised or revoked to assure compliance with an applicable requirement. [326 IAC 2-7-9(a)(3)]

(c) Proceedings by IDEM, OAQ to reopen and revise this permit shall follow the same procedures as apply to initial permit issuance and shall affect only those parts of this permit for which cause to reopen exists. Such reopening and revision shall be made as expeditiously as practicable. [326 IAC 2-7-9(b)]

(d) The reopening and revision of this permit, under 326 IAC 2-7-9(a), shall not be initiated before notice of such intent is provided to the Permittee by IDEM, OAQ at least thirty (30) days in advance of the date this permit is to be reopened, except that IDEM, OAQ may provide a shorter time period in the case of an emergency. [326 IAC 2-7-9(c)]

B.17 Permit Renewal [326 IAC 2-7-3][326 IAC 2-7-4][326 IAC 2-7-8(e)]

(a) The application for renewal shall be submitted using the application form or forms prescribed by IDEM, OAQ and shall include the information specified in 326 IAC 2-7-4. Such information shall be included in the application for each emission unit at this source, except those emission units included on the trivial or insignificant activities list contained in 326 IAC 2-7-1(19) and 326 IAC 2-7-1(39). The renewal application does require a certification that meets the requirements of 326 IAC 2-7-6(1) by a "responsible official" as defined by 326 IAC 2-7-1(33).

Request for renewal shall be submitted to:

Indiana Department of Environmental Management
Permit Administration and Support Section, Office of Air Quality
Indiana Government Center North
100 North Senate Avenue, Room 13W
Indianapolis, Indiana 46204-2251

(b) A timely renewal application is one that is:

(1) Submitted at least nine (9) months prior to the date of the expiration of this permit; and

(2) If the date postmarked on the envelope or certified mail receipt, or affixed by the shipper on the private shipping receipt, is on or before the date it is due. If the document is submitted by any other means, it shall be considered timely if received by IDEM, OAQ on or before the date it is due.

(c) If the Permittee submits a timely and complete application for renewal of this permit, the source's failure to have a permit is not a violation of 326 IAC 2-7 until IDEM, OAQ takes final action on the renewal application, except that this protection shall cease to apply if, subsequent to the completeness determination, the Permittee fails to submit by the deadline specified, pursuant to 326 IAC 2-7-4(a)(2)(D), in writing by IDEM, OAQ any additional information identified as being needed to process the application.

B.18 Permit Amendment or Modification [326 IAC 2-7-11][326 IAC 2-7-12]

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

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

Indiana Department of Environmental Management
Permit Administration and Support Section, Office of Air Quality
Indiana Government Center North
100 North Senate Avenue, Room 13W
Indianapolis, Indiana 46204-2251

Any such application does require a certification that meets the requirements of 326 IAC 2-7-6(1) by a "responsible official" as defined by 326 IAC 2-7-1(33).

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

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

(a) No Part 70 permit revision or notice shall be required under any approved economic incentives, marketable Part 70 permits, emissions trading, and other similar programs or processes for changes that are provided for in a Part 70 permit.

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

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

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

(1) The changes are not modifications under any provision of Title I of the Clean Air Act;

(2) Any preconstruction approval required by 326 IAC 2-7-10.5 has been obtained;

(3) The changes do not result in emissions which exceed the limitations provided in this permit (whether expressed herein as a rate of emissions or in terms of total emissions);

(4) The Permittee notifies the:

Indiana Department of Environmental Management
Permit Administration and Support Section, Office of Air Quality
Indiana Government Center North
100 North Senate Avenue, Room 13W
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 2-7-20(b)(1) and (c)(1). The Permittee shall make such records available, upon reasonable request, for public review.

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

(b) The Permittee may make Section 502(b)(10) of the Clean Air Act changes (this term is defined at 326 IAC 2-7-1(35)) without a permit revision, subject to the constraint of 326 IAC 2-7-20(a). For each such Section 502(b)(10) of the Clean Air Act change, the required written notification shall include the following:

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

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

(3) Any change in emissions; and

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

The notification which shall be submitted is not considered an application form, report or compliance certification. Therefore, the notification by the Permittee does not require a certification that meets the requirements of 326 IAC 2-7-6(1) by a "responsible official" as defined by 326 IAC 2-7-1(33).

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

(d) Alternative Operating Scenarios [326 IAC 2-7-20(d)]
The Permittee may make changes at the source within the range of alternative operating scenarios that are described in the terms and conditions of this permit in accordance with 326 IAC 2-7-5(9). No prior notification of IDEM, OAQ or U.S. EPA is required.

(e) Backup fuel switches specifically addressed in, and limited under, Section D of this permit shall not be considered alternative operating scenarios. Therefore, the notification requirements of part (a) of this condition do not apply.

B.21 Source Modification Requirement [326 IAC 2-7-10.5]

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

B.22 Inspection and Entry [326 IAC 2-7-6][IC 13-14-2-2][IC 13-30-3-1][IC 13-17-3-2]

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

(a) Enter upon the Permittee's premises where a Part 70 source is located, or emissions related activity is conducted, or where records must be kept under the conditions of this permit;

(b) As authorized by the Clean Air Act, IC 13-14-2-2, IC 13-17-3-2, and IC 13-30-3-1, have access to and copy any records that must be kept under the conditions of this permit;

(c) As authorized by the Clean Air Act, IC 13-14-2-2, IC 13-17-3-2, and IC 13-30-3-1, inspect any facilities, equipment (including monitoring and air pollution control equipment), practices, or operations regulated or required under this permit;

(d) As authorized by the Clean Air Act, IC 13-14-2-2, IC 13-17-3-2, and IC 13-30-3-1, sample or monitor substances or parameters for the purpose of assuring compliance with this permit or applicable requirements; and

(e) As authorized by the Clean Air Act, IC 13-14-2-2, IC 13-17-3-2, and IC 13-30-3-1, utilize any photographic, recording, testing, monitoring, or other equipment for the purpose of assuring compliance with this permit or applicable requirements.

B.23 Transfer of Ownership or Operational Control [326 IAC 2-7-11]

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

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

Indiana Department of Environmental Management
Permit Administration and Support Section, Office of Air Quality
Indiana Government Center North
100 North Senate Avenue, Room 13W
Indianapolis, Indiana 46204-2251

Any such application does require a certification that meets the requirements of 326 IAC 2-7-6(1) by a "responsible official" as defined by 326 IAC 2-7-1(33).

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

B.24 Annual Fee Payment [326 IAC 2-7-19] [326 IAC 2-7-5(7)][326 IAC 2-1.1-7]

(a) The Permittee shall pay annual fees to IDEM, OAQ within thirty (30) calendar days of receipt of a billing. Pursuant to 326 IAC 2-7-19(b), if the Permittee does not receive a bill from IDEM, OAQ the applicable fee is due April 1 of each year.

(b) Except as provided in 326 IAC 2-7-19(e), failure to pay may result in administrative enforcement action or revocation of this permit.

(c) The Permittee may call the following telephone numbers: 1-800-451-6027 or 317-233-8590 (ask for OAQ, Billing, Licensing, and Training Section), to determine the appropriate permit fee.

B.25 Credible Evidence [326 IAC 2-7-5(3)][326 IAC 2-7-6][62 FR 8314] [326 IAC 1-1-6]

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

SECTION C SOURCE OPERATION CONDITIONS

Entire Source

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

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

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

C.2 Opacity [326 IAC 5-1]

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

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

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

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

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

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

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

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

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

C.6 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
Indiana Government Center North
100 North Senate Avenue, Room 13W
Indianapolis, Indiana 46204-2251

The notice shall include a signed certification from the owner or operator that the information provided in this notification is correct and that only Indiana licensed workers and project supervisors will be used to implement the asbestos removal project. The notifications do not require a certification that meets the requirements of 326 IAC 2-7-6(1) by a "responsible official" as defined by 326 IAC 2-7-1(33).

(e) Procedures for Asbestos Emission Control
The Permittee shall comply with the applicable emission control procedures in 326 IAC 14-10-4 and 40 CFR 61.145(c). Per 326 IAC 14-10-1, emission control requirements are applicable for any removal or disturbance of RACM greater than three (3) linear feet on pipes or three (3) square feet on any other facility components or a total of at least 0.75 cubic feet on all facility components.

(f) Demolition and Renovation
The Permittee shall thoroughly inspect the affected facility or part of the facility where the demolition or renovation will occur for the presence of asbestos pursuant to 40 CFR 61.145(a).

(g) Indiana Licensed Asbestos Inspector
The Permittee shall comply with 326 IAC 14-10-1(a) that requires the owner or operator, prior to a renovation/demolition, to use an Indiana Licensed Asbestos Inspector to thoroughly inspect the affected portion of the facility for the presence of asbestos. The requirement to use an Indiana Licensed Asbestos inspector is not federally enforceable.

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

C.7 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
Indiana Government Center North
100 North Senate Avenue, Room 13W
Indianapolis, Indiana 46204-2251

no later than thirty-five (35) days prior to the intended test date. The protocol submitted by the Permittee does not require a certification that meets the requirements of 326 IAC 2-7-6(1) by a "responsible official" as defined by 326 IAC 2-7-1(33).

(b) The Permittee shall notify IDEM, OAQ of the actual test date at least fourteen (14) days prior to the actual test date. The notification submitted by the Permittee does not require a certification that meets the requirements of 326 IAC 2-7-6(1) by a "responsible official" as defined by 326 IAC 2-7-1(33).

(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.8 Compliance Requirements [326 IAC 2-1.1-11]

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

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

C.9 Compliance Monitoring [326 IAC 2-7-5(3)][326 IAC 2-7-6(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
Indiana Government Center North
100 North Senate Avenue, Room 13W
Indianapolis, Indiana 46204-2251

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

The notification which shall be submitted by the Permittee does require a certification that meets the requirements of 326 IAC 2-7-6(1) by a "responsible official" as defined by 326 IAC 2-7-1(33).

C.10 Instrument Specifications [326 IAC 2-1.1-11] [326 IAC 2-7-5(3)] [326 IAC 2-7-6(1)]

(a) When required by any condition of this permit, an analog instrument used to measure a parameter related to the operation of an air pollution control device shall have a scale such that the expected maximum reading for the normal range shall be no less than twenty percent (20%) of full scale. The analog instrument shall be capable of measuring values outside of the normal range.

(b) The Permittee may request that the IDEM, OAQ approve the use of an instrument that does not meet the above specifications provided the Permittee can demonstrate that an alternative instrument specification will adequately ensure compliance with permit conditions requiring the measurement of the parameters.

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

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

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

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

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

Indiana Department of Environmental Management
Compliance and Enforcement Branch, Office of Air Quality
Indiana Government Center North
100 North Senate Avenue, Room 13W
Indianapolis, Indiana 46204-2251

no later than 180 days from the date on which this source commences operation.

The ERP does require a certification that meets the requirements of 326 IAC 2-7-6(1) by a "responsible official" as defined by 326 IAC 2-7-1(33).

(c) If the ERP is disapproved by IDEM, OAQ, the Permittee shall have an additional thirty (30) days to resolve the differences and submit an approvable ERP.

(d) These ERPs shall state those actions that will be taken, when each episode level is declared, to reduce or eliminate emissions of the appropriate air pollutants.

(e) Said ERPs shall also identify the sources of air pollutants, the approximate amount of reduction of the pollutants, and a brief description of the manner in which the reduction will be achieved.

(f) Upon direct notification by IDEM, OAQ that a specific air pollution episode level is in effect, the Permittee shall immediately put into effect the actions stipulated in the approved ERP for the appropriate episode level. [326 IAC 1-5-3]

C.12 Risk Management Plan [326 IAC 2-7-5(11)] [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.13 Response to Excursions or Exceedances [326 IAC 2-7-5] [326 IAC 2-7-6]

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.14 Actions Related to Noncompliance Demonstrated by a Stack Test [326 IAC 2-7-5][326 IAC 2-7-6]

(a) When the results of a stack test performed in conformance with Section C - Performance Testing, of this permit exceed the level specified in any condition of this permit, the Permittee shall submit a description of its response actions to IDEM, OAQ no later than seventy-five (75) days after the date of the test.

(b) A retest to demonstrate compliance shall be performed no later than one hundred eighty (180) days after the date of the test. Should the Permittee demonstrate to IDEM, OAQ that retesting in one hundred eighty (180) days is not practicable, IDEM, OAQ may extend the retesting deadline.

(c) IDEM, OAQ reserves the authority to take any actions allowed under law in response to noncompliant stack tests.

The response action documents submitted pursuant to this condition do require a certification that meets the requirements of 326 IAC 2-7-6(1) by a "responsible official" as defined by 326 IAC 2-7-1(33).

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

C.15 Malfunctions Report [326 IAC 1-6-2]

Pursuant to 326 IAC 1-6-2 (Records; Notice of Malfunction):

(a) A record of all malfunctions, startups or shutdowns of any emission unit or emission control equipment, that results in violations of applicable air pollution control regulations or applicable emission limitations must be kept and retained for a period of three (3) years and be made available to the Indiana Department of Environmental Management (IDEM), Office of Air Quality (OAQ) or appointed representative upon request.

(b) When a malfunction of any emission unit or emission control equipment occurs that lasts more than one (1) hour, the condition shall be reported to OAQ, using the Malfunction Report Forms (2 pages). Notification must be made by telephone or other electronic means, as soon as practicable, but in no event later than four (4) daytime business hours after the beginning of the occurrence.

(c) Failure to report a malfunction of any emission unit or emission control equipment shall constitute a violation of 326 IAC 1-6, and any other applicable rules. Information on the scope and expected duration of the malfunction must be provided, including the items specified in 326 IAC 1-6-2(c)(3)(A) through (E).

(d) Malfunction is defined as any sudden, unavoidable failure of any air pollution control equipment, process, or combustion or process equipment to operate in a normal and usual manner. [326 IAC 1-2-39]

C.16 Emission Statement [326 IAC 2-7-5(3)(C)(iii)][326 IAC 2-7-5(7)][326 IAC 2-7-19(c)][326 IAC 2-6]

Pursuant to 326 IAC 2-6-3(b)(1), starting in 2004 and every three (3) years thereafter, the Permittee shall submit by July 1 an emission statement covering the previous calendar year. The emission statement shall contain, at a minimum, the information specified in 326 IAC 2-6-4(c) and shall meet the following requirements:

(1) Indicate estimated actual emissions of all pollutants listed in 326 IAC 2-6-4(a);

(2) Indicate estimated actual emissions of regulated pollutants as defined by 326 IAC 2-7-1(31) (“Regulated pollutant, which is used only for purposes of Section 19 of this rule”) from the source, for purpose of fee assessment.

The statement must be submitted to:

Indiana Department of Environmental Management
Technical Support and Modeling Section, Office of Air Quality
Indiana Government Center North
100 North Senate Avenue, Room 13W
Indianapolis, Indiana 46204-2251

The emission statement does require a certification that meets the requirements of 326 IAC 2-7-6(1) by a "responsible official" as defined by 326 IAC 2-7-1(33).

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

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

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

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

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

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

(b) Unless otherwise specified in this permit, for all record keeping requirements not already legally required, the Permittee shall be allowed up to ninety (90) days from the date of permit issuance or the date of initial start-up, whichever is later, to begin such record keeping.

C.18 General Reporting Requirements [326 IAC 2-7-5(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 C - Malfunctions Report satisfies the reporting requirements of this paragraph. Any deviation from permit requirements, the date(s) of each deviation, the cause of the deviation, and the response steps taken must be reported except that a deviation required to be reported pursuant to an applicable requirement that exists independent of this permit, shall be reported according to the schedule stated in the applicable requirement and does not need to be included in this report. This report shall be submitted not later than thirty (30) days after the end of the reporting period. The Quarterly Deviation and Compliance Monitoring Report shall include a certification that meets the requirements of 326 IAC 2-7-6(1) by a "responsible official" as defined by 326 IAC 2-7-1(33). 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
Indiana Government Center North
100 North Senate Avenue, Room 13W
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) The first report shall cover the period commencing on the date of issuance of this permit or the date of initial start-up, whichever is later, and ending on the last day of the reporting period. 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.19 Compliance with 40 CFR 82 and 326 IAC 22-1

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

SECTION D.1 EMISSIONS UNIT OPERATION CONDITIONS

Emissions Unit Description:

(a) Sixty-six (66) diesel-fired critical emergency generators, identified as GEN1 through GEN66, approved in 2025 for construction, manufactured in 2024, each with an output horsepower rating of 4,043 hp (3,014.9 kW), uncontrolled, and exhausting outdoors through stacks S1 through S66.

These engines use Hydro-treated Vegetable Oil (HVO) as a secondary fuel. HVO is a renewable diesel fuel derived from vegetable oils and animal fats through a hydrotreatment process. It is designed to be a drop-in replacement for conventional diesel.

Under 40 CFR 60, Subpart IIII, GEN1 through GEN66 are considered emergency, stationary compression ignition (CI) internal combustion engines (ICE) that will commence construction after July 11, 2005, were manufactured after April 1, 2006, each with a displacement of less than 10 liters per cylinder, located at an area source of HAP emissions.

Under 40 CFR 63, Subpart ZZZZ, GEN1 through GEN66 are considered new, emergency stationary compression ignition (CI) reciprocating internal combustion engines (RICE) that commenced constructed on or after June 12, 2006, located at an area source of HAP emissions.

(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 2-7-5(1)]

D.1.1 NOx and CO PSD Minor Limit [326 IAC 2-2]

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

(a) The total NOx emissions from the sixty-six (66) critical emergency generators (GEN1 through GEN66) shall not exceed two hundred forty-five (245) tons per twelve (12) consecutive month period, with compliance determined at the end of each month.

(b) The total CO emissions from the sixty-six (66) critical emergency generators (GEN1 through GEN66) shall not exceed two hundred forty-five (245) tons per twelve (12) consecutive month period, with compliance determined at the end of each month.

Compliance with these limits, combined with the potential to emit NOx and CO from all other emission units at this source, shall limit the source-wide total potential to emit of NOx and CO to less than two hundred fifty (250) tons per twelve (12) consecutive month period, each, and shall render the requirements of 326 IAC 2-2 (Prevention of Significant Deterioration (PSD)) not applicable.

D.1.2 Preventive Maintenance Plan [326 IAC 2-7-5(12)]

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

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

D.1.3 NOx Compliance Determination

In order to determine compliance with Condition D.1.1(a), NOx emissions from the sixty-six (66) diesel-fired emergency generators, identified as GEN1 through GEN66, when using either diesel fuel or HVO fuel, shall be calculated using the following equation:

NOx emissions in tons/month = $\sum_{n=1}^{66} \frac{(34.03\ lb/hr * HR_{>25\%\ load,i}) + (9.52\ lb/hr * HR_{\leq 25\%\ load,i})}{2000}$

Where:

i = Each individual Emergency Generator (GEN1 through GEN66)

34.03 = NOx Emission rate above 25% electric load in lb/hr

9.52 = NOx Emission rate at or below 25% electric load in lb/hr

$HR_{>25\%\ load}$ = Hours operated by GEN1 through GEN66 in hours/month, when operating above 25% electric load in hours/month.

$HR_{\leq 25\%\ load}$ = Hours operated by GEN1 through GEN66 in hours/month, when operating at or below 25% electric load in hours/month.

1 ton = 2000 pounds

D.1.4 CO Compliance Determination

In order to determine compliance with Condition D.1.1(b), CO emissions from the sixty-six (66) diesel-fired emergency generators, identified as GEN1 through GEN66, when using either diesel fuel or HVO fuel, shall be calculated using the following equation:

CO emissions (tons/month) = $\sum_{n=1}^{66} \frac{(23.26\ lb/hr * HR_{>25\%\ load,i}) + (6.51\ lb/hr * HR_{\leq 25\%\ load,i})}{2000}$

Where:

i = Each individual Emergency Generator (GEN1 through GEN66)

23.26 = CO Emission rate above 25% electric load in lb/hr

6.51 = CO Emission rate at or below 25% electric load in lb/hr

$HR_{>25\%\ load}$ = Hours operated by GEN1 through GEN66 in hours/month, when operating above 25% electric load in hours/month.

$HR_{\leq 25\%\ load}$ = Hours operated by GEN1 through GEN66 in hours/month, when operating at or below 25% electric load in hours/month.

1 ton = 2000 pounds

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

D.1.5 Record Keeping Requirement

(a) To document the compliance status with Conditions D.1.1(a), D.1.1(b), D.1.3, and D.1.4, the Permittee shall maintain records of the following, when using either diesel fuel or HVO fuel:

(1) Hours of operation**,** when operating over 25% load, by each sixty-six (66) diesel-fired emergency generators, GEN1 through GEN66, on a monthly basis and for each compliance period.

(2) Hours of operation, when operating at or below 25% load, by each sixty-six (66) diesel-fired emergency generators, GEN1 through GEN66, on a monthly basis and for each compliance period.

(3) The dates HVO was used as secondary fuel on a monthly basis and for each compliance period.

(4) Records of the manufacturer's specification of the HVO used.

(5) NOx emission calculations performed using the equation found in Condition D.1.3, on a monthly basis, and for each compliance period.

(6) CO emission calculations performed using the equation found in Condition D.1.4, on a monthly basis, and for each compliance period.

(b) Section C - General Record Keeping Requirements contains the Permittee's obligation with regard to the records required by this condition.

D.1.6 Reporting Requirements

A quarterly summary of the information to document the compliance status with Conditions D.1.1(a) and D.1.1(b) shall be submitted, using the reporting forms located at the end of this permit, or their equivalent, no later than thirty (30) days after the end of the quarter being reported. Section C - General Reporting Requirements contains the Permittee's obligation with regard to the reporting required by this condition. The report submitted by the Permittee does require a certification that meets the requirements of 326 IAC 2-7-6(1) by a "responsible official" as defined by 326 IAC 2-7-1(34).

SECTION E.1 NSPS

Emissions Unit Description:

(a) Sixty-six (66) diesel-fired critical emergency generators, identified as GEN1 through GEN66, approved in 2025 for construction, manufactured in 2024, each with an output horsepower rating of 4,043 hp (3,014.9 kW), uncontrolled, and exhausting outdoors through stacks S1 through S66.

These engines use Hydro-treated Vegetable Oil (HVO) as a secondary fuel. HVO is a renewable diesel fuel derived from vegetable oils and animal fats through a hydrotreatment process. It is designed to be a drop-in replacement for conventional diesel.

Under 40 CFR 60, Subpart IIII, GEN1 through GEN66 are considered emergency, stationary compression ignition (CI) internal combustion engines (ICE) that will commence construction after July 11, 2005, were manufactured after April 1, 2006, each with a displacement of less than 10 liters per cylinder, located at an area source of HAP emissions.

Under 40 CFR 63, Subpart ZZZZ, GEN1 through GEN66 are considered new, emergency stationary compression ignition (CI) reciprocating internal combustion engines (RICE) that commenced constructed on or after June 12, 2006, located at an area source of HAP emissions.

Insignificant Activities:

(a) Two (2) diesel-fired site entrance emergency generators, identified as DEAG1 and DEAG2, approved in 2025 for construction, manufactured in 2024, each with an output horsepower rating of 595 hp (443.7 kW), uncontrolled, and exhausting outdoors through stacks S67 and S68.

These engines use Hydro-treated Vegetable Oil (HVO) as a secondary fuel. HVO is a renewable diesel fuel derived from vegetable oils and animal fats through a hydrotreatment process. It is designed to be a drop-in replacement for conventional diesel.

Under 40 CFR 60, Subpart IIII, DEAG1 and DEAG2 are considered emergency, stationary compression ignition (CI) internal combustion engines (ICE) that will commence construction after July 11, 2005, were manufactured after April 1, 2006, each with a displacement of less than 30 liters per cylinder, located at an area source of HAP emissions.

Under 40 CFR 63, Subpart ZZZZ, DEAG1 and DEAG2 are considered new, emergency stationary compression ignition (CI) reciprocating internal combustion engines (RICE) that commenced constructed on or after June 12, 2006, located at an area source of HAP emissions.

(b) Two (2) diesel-fired fire pump emergency generators, identified as DEP1 and DEP2, approved in 2025 for construction, manufactured in 2024, each with an output horsepower rating of 557 hp (415.4 kW), uncontrolled, and exhausting outdoors through stacks S69 and S70.

These engines use Hydro-treated Vegetable Oil (HVO) as a secondary fuel. HVO is a renewable diesel fuel derived from vegetable oils and animal fats through a hydrotreatment process. It is designed to be a drop-in replacement for conventional diesel.

Under 40 CFR 60, Subpart IIII, DEP1 and DEP2 are considered emergency, stationary compression ignition (CI) internal combustion engines (ICE), and certified National Fire Protection Association (NFPA) fire pump engines, that will commence construction after July

11, 2005, were manufactured after July 1, 2006, each with a displacement of less than 30 liters per cylinder, and located at an area source of HAP emissions.

Under 40 CFR 63, Subpart ZZZZ, DEP1 and DEP2 are considered new, emergency stationary compression ignition (CI) reciprocating internal combustion engines (RICE) that commenced constructed on or after June 12, 2006, located at an area source of HAP emissions.

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

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

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

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

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

Indiana Department of Environmental Management
Compliance and Enforcement Branch, Office of Air Quality
Indiana Government Center North
100 North Senate Avenue, Room 13W
Indianapolis, Indiana 46204-2251

E.1.2 Stationary Compression Ignition Internal Combustion Engines NSPS [326 IAC 12] [40 CFR Part 60, Subpart IIII]

The Permittee shall comply with the following provisions of 40 CFR Part 60, Subpart IIII (included as Attachment A to the operating permit), which are incorporated by reference as 326 IAC 12, when using either diesel fuel or HVO fuel, for the emission unit(s) listed above:

(a) Sixty-eight (68) diesel-fired emergency generators:

60.4200(a)(2)(i), (a)(4), and (c)	Am I subject to this subpart?
60.4205(b)	What emission standards must I meet for emergency engines if I am an owner or operator of a stationary CI internal combustion engine?
60.4206	How long must I meet the emission standards if I am an owner or operator of a stationary CI internal combustion engine?
60.4207(b)	What fuel requirements must I meet if I am an owner or operator of a stationary CI internal combustion engine subject to this subpart?
60.4208	What is the deadline for importing or installing stationary CI ICE produced in previous model years?
60.4209(a)	What are the monitoring requirements if I am an owner or operator of a stationary CI internal combustion engine?
60.4211(a), (c) and (f)	What are my compliance requirements if I am an owner or operator of a stationary CI internal combustion engine?

60.4214(b) and (d)	What are my notification, reporting, and recordkeeping requirements if I am an owner or operator of a stationary CI internal combustion engine?
60.4218	What General Provisions and confidential information provisions apply to me?
60.4219	What definitions apply to this subpart?
Tables to Subpart IIII of Part 60	
Table 5	Labeling and Recordkeeping Requirements for New Stationary Emergency Engines
Table 8	Applicability of General Provisions to Subpart IIII

(b) Two (2) diesel-fired emergency fire pumps:

60.4200(a)(2)(ii), (a)(4), and (c)	Am I subject to this subpart?
60.4205(c)	What emission standards must I meet for emergency engines if I am an owner or operator of a stationary CI internal combustion engine?
60.4206	How long must I meet the emission standards if I am an owner or operator of a stationary CI internal combustion engine?
60.4207(b)	What fuel requirements must I meet if I am an owner or operator of a stationary CI internal combustion engine subject to this subpart?
60.4208	What is the deadline for importing or installing stationary CI ICE produced in previous model years?
60.4209(a)	What are the monitoring requirements if I am an owner or operator of a stationary CI internal combustion engine?
60.4211(a), (c) and (f)	What are my compliance requirements if I am an owner or operator of a stationary CI internal combustion engine?
60.4214(b) and (d)	What are my notification, reporting, and recordkeeping requirements if I am an owner or operator of a stationary CI internal combustion engine?
60.4218(a)	What General Provisions and confidential information provisions apply to me?
60.4219	What definitions apply to this subpart?
Tables to Subpart IIII of Part 60	
Table 4	Emission Standards for Stationary Fire Pump Engines
Table 5	Labeling and Recordkeeping Requirements for New Stationary Emergency Engines
Table 8	Applicability of General Provisions to Subpart IIII

E.1.3 Preventive Maintenance Plan [326 IAC 2-7-5(12)]

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

SECTION E.2 NESHAP

Emissions Unit Description:

(a) Sixty-six (66) diesel-fired critical emergency generators, identified as GEN1 through GEN66, approved in 2025 for construction, manufactured in 2024, each with an output horsepower rating of 4,043 hp (3,014.9 kW), uncontrolled, and exhausting outdoors through stacks S1 through S66.

These engines use Hydro-treated Vegetable Oil (HVO) as a secondary fuel. HVO is a renewable diesel fuel derived from vegetable oils and animal fats through a hydrotreatment process. It is designed to be a drop-in replacement for conventional diesel.

Under 40 CFR 60, Subpart IIII, GEN1 through GEN66 are considered emergency, stationary compression ignition (CI) internal combustion engines (ICE) that will commence construction after July 11, 2005, were manufactured after April 1, 2006, each with a displacement of less than 10 liters per cylinder, located at an area source of HAP emissions.

Under 40 CFR 63, Subpart ZZZZ, GEN1 through GEN66 are considered new, emergency stationary compression ignition (CI) reciprocating internal combustion engines (RICE) that commenced constructed on or after June 12, 2006, located at an area source of HAP emissions.

Insignificant Activities:

(a) Two (2) diesel-fired site entrance emergency generators, identified as DEAG1 and DEAG2, approved in 2025 for construction, manufactured in 2024, each with an output horsepower rating of 595 hp (443.7 kW), uncontrolled, and exhausting outdoors through stacks S67 and S68.

These engines use Hydro-treated Vegetable Oil (HVO) as a secondary fuel. HVO is a renewable diesel fuel derived from vegetable oils and animal fats through a hydrotreatment process. It is designed to be a drop-in replacement for conventional diesel.

Under 40 CFR 60, Subpart IIII, DEAG1 and DEAG2 are considered emergency, stationary compression ignition (CI) internal combustion engines (ICE) that will commence construction after July 11, 2005, were manufactured after April 1, 2006, each with a displacement of less than 30 liters per cylinder, located at an area source of HAP emissions.

Under 40 CFR 63, Subpart ZZZZ, DEAG1 and DEAG2 are considered new, emergency stationary compression ignition (CI) reciprocating internal combustion engines (RICE) that commenced constructed on or after June 12, 2006, located at an area source of HAP emissions.

(b) Two (2) diesel-fired fire pump emergency generators, identified as DEP1 and DEP2, approved in 2025 for construction, manufactured in 2024, each with an output horsepower rating of 557 hp (415.4 kW), uncontrolled, and exhausting outdoors through stacks S69 and S70.

These engines use Hydro-treated Vegetable Oil (HVO) as a secondary fuel. HVO is a renewable diesel fuel derived from vegetable oils and animal fats through a hydrotreatment process. It is designed to be a drop-in replacement for conventional diesel.

Under 40 CFR 60, Subpart IIII, DEP1 and DEP2 are considered emergency, stationary compression ignition (CI) internal combustion engines (ICE), and certified National Fire Protection Association (NFPA) fire pump engines, that will commence construction after July

11, 2005, were manufactured after July 1, 2006, each with a displacement of less than 30 liters per cylinder, and located at an area source of HAP emissions.

Under 40 CFR 63, Subpart ZZZZ, DEP1 and DEP2 are considered new, emergency stationary compression ignition (CI) reciprocating internal combustion engines (RICE) that commenced constructed on or after June 12, 2006, located at an area source of HAP emissions.

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

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

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

(a) Pursuant to 40 CFR 63.1 the Permittee shall comply with the provisions of 40 CFR Part 63, Subpart A – General Provisions, which are incorporated by reference as 326 IAC 20-1, for the emission unit(s) listed above, except as otherwise specified in 40 CFR Part 63, Subpart ZZZZ.

(b) Pursuant to 40 CFR 63.10, the Permittee shall submit all required notifications and reports to:

Indiana Department of Environmental Management
Compliance and Enforcement Branch, Office of Air Quality
Indiana Government Center North
100 North Senate Avenue, Room 13W
Indianapolis, Indiana 46204-2251

E.2.2 Stationary Reciprocating Internal Combustion Engines NESHAP [40 CFR Part 63, Subpart ZZZZ] [326 IAC 20-82]

The Permittee shall comply with the following provisions of 40 CFR Part 63, Subpart ZZZZ (included as Attachment B to the operating permit), which are incorporated by reference as 326 IAC 20-82, when using either diesel fuel or HVO fuel, for the emission unit(s) listed above:

63.6580	What is the purpose of subpart ZZZZ?
63.6585(a), (c), and (d)	Am I subject to this subpart?
63.6590(a)(2)(iii) and (c)(1)	What parts of my plant does this subpart cover?
63.6595(a)(7) and (c)	When do I have to comply with this subpart?
63.6605	What are my general requirements for complying with this subpart?
63.6640(f)(1), (f)(2)(i), and (f)(4)	How do I demonstrate continuous compliance with the emission limitations, operating limitations, and other requirements?
63.6665	What parts of the General Provisions apply to me?
63.6670	Who implements and enforces this subpart?
63.6675	What definitions apply to this subpart?

E.2.3 Preventive Maintenance Plan [326 IAC 2-7-5(12)]

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

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

Source Name: Lavender Fields Holdings LLC
Source Address: 402 Royal Road, Michigan City, Indiana 46360
Part 70 Permit No.: T091-49561-00195

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:	
Email Address:	Phone:
Date:	

MALFUNCTION REPORT

INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
OFFICE OF AIR QUALITY
COMPLIANCE AND ENFORCEMENT BRANCH
FAX NUMBER: (317) 233-6865
EMAIL: AirCompl@idem.in.gov

Source Name: Lavender Fields Holdings LLC
Source Address: 402 Royal Road, Michigan City, Indiana 46360
Part 70 Permit No.: T091-49561-00195

For any malfunction lasting one (1) hour or longer, the Permittee must submit this form to the Office of Air Quality (OAQ), within four (4) daytime business hours of malfunction start.

If any of the following are not applicable, mark N/A. This form consists of two (2) pages.

Page 1 of 2

This malfunction resulted in a violation of the following Indiana Administrative Code, permit condition, and/or permit limit and meets the definition of "malfunction" as listed on reverse side (e.g., 326 IAC 5-1, Permit Condition D.1.1, 40 CFR 60.62, etc.):

Describe affected facility/equipment/operation (e.g., Coating Line #2, Boiler D, Diesel engine, No. 3 smelter, etc.):
Control equipment (e.g., Baghouse B4, Thermal oxidizer for Paint Line #1, etc.):
Description of the malfunction and cause:

When the malfunction started:	Date (MM/DD/YYYY):
	Time (HH:MM):
When the malfunction was corrected or is expected to be corrected:	Date (MM/DD/YYYY):
	Time (HH:MM):

Type of pollutant(s) emitted (e.g., PM, PM10, PM2.5, VOC, etc.):
Estimated amount of pollutant(s) emitted during malfunction (e.g., VOC at 35 lbs/hr, 5 tons of PM, etc.):
Describe the corrective actions and interim control measures taken to minimize emissions (e.g., shut coating line down, isolated failing baghouse compartment, idled furnace operations until repairs completed, etc.):

Form completed by: _____

Title/position: _____

Signature:_____

Date:_____

Phone: _____

Email: _____

326 IAC 1-6-1 Applicability of rule

Sec. 1. This rule applies to the owner or operator of any facility required to obtain a permit under 326 IAC 2-5.1, 326 IAC 2-6.1, 326 IAC 2-7, or 326 IAC 2-8.

326 IAC 1-2-39 "Malfunction" definition

Sec. 39. Any sudden, unavoidable failure of any air pollution control equipment, process, or combustion or process equipment to operate in a normal and usual manner.

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

Part 70 Quarterly Report

Source Name: Lavender Fields Holdings LLC
Source Address: 402 Royal Road, Michigan City, Indiana 46360
Part 70 Permit No.: T091-49561-00195
Facility: Sixty-six (66) diesel-fired emergency generators (GEN1 through GEN66)
Parameter: NOx Emissions
Limit: The total NOx emissions from the sixty-six (66) critical emergency generators (GEN1 through GEN66) shall not exceed two hundred forty-five (245) tons per twelve (12) consecutive month period, with compliance determined at the end of each month.

QUARTER:_____ YEAR:_____

Month	Column 1	Column 2	Column 1 + Column 2
	(NOx Emissions) (tons)	(NOx Emissions) (tons)	(NOx Emissions) (tons)
	This Month	Previous 11 Months	12 Month Total

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

Submitted by: _____

Title / Position: _____

Signature: _____

Date: _____

Phone:_____

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

Part 70 Quarterly Report

Source Name: Lavender Fields Holdings LLC
Source Address: 402 Royal Road, Michigan City, Indiana 46360
Part 70 Permit No.: T091-49561-00195
Facility: Sixty-six (66) diesel-fired emergency generators (GEN1 through GEN66)
Parameter: CO Emissions
Limit: The total CO emissions from the sixty-six (66) critical emergency generators (GEN1 through GEN66) shall not exceed two hundred forty-five (245) tons per twelve (12) consecutive month period, with compliance determined at the end of each month.

QUARTER:_____ YEAR:_____

Month	Column 1	Column 2	Column 1 + Column 2
	(CO Emissions) (tons)	(CO Emissions) (tons)	(CO Emissions) (tons)
	This Month	Previous 11 Months	12 Month Total

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

Submitted by: _____

Title / Position: _____

Signature: _____

Date: _____

Phone:_____

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

Source Name: Lavender Fields Holdings LLC
Source Address: 402 Royal Road, Michigan City, Indiana 46360
Part 70 Permit No.: T091-49561-00195

Months: _____ to _____ Year: _____

This report shall be submitted quarterly based on a calendar year. Proper notice submittal under Section C - Malfunctions Report 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".

□ NO DEVIATIONS OCCURRED THIS REPORTING PERIOD.

□ 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
Indiana Government Center North
100 North Senate Avenue, Room 13W
Indianapolis, Indiana 46204-2251

Lavender Fields Holdings LLC
402 Royal Road
Michigan City, Indiana 46360

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 Lavender Fields Holdings LLC, 402 Royal Road, Michigan City, Indiana 46360, completed construction of the data center on _____ in conformity with the requirements and intent of the construction permit application received by the Office of Air Quality on September 5, 2025 and as permitted pursuant to New Source Construction Permit and Part 70 Operating Permit No. T091-49561-00195, Plant ID No. 091-00195 issued on _____.

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)

If the source location has been given an Enhanced 911 service address that is different than the source location address specified in the current permit, please provide the Enhanced 911 service address in the space below and please submit a permit application to modify the permit to specify the Enhanced 911 service address.

_____	_____	_____	_____
(Location Address*)*	*(City)*	*(State)*	*(ZIP Code)*

Attachment A

Part 70 Operating Permit No: T091-49561-00195

[Downloaded from the eCFR on September 5, 2024]

Electronic Code of Federal Regulations

Title 40: Protection of Environment

PART 60—STANDARDS OF PERFORMANCE FOR NEW STATIONARY SOURCES

Subpart IIII—Standards of Performance for Stationary Compression Ignition Internal Combustion Engines

Source: 71 FR 39172, July 11, 2006, unless otherwise noted.

What This Subpart Covers

§ 60.4200 Am I subject to this subpart?

(a) The provisions of this subpart are applicable to manufacturers, owners, and operators of stationary compression ignition (CI) internal combustion engines (ICE) and other persons as specified in paragraphs (a)(1) through (4) of this section. For the purposes of this subpart, the date that construction commences is the date the engine is ordered by the owner or operator.

(1) Manufacturers of stationary CI ICE with a displacement of less than 30 liters per cylinder where the model year is:

(i) 2007 or later, for engines that are not fire pump engines;

(ii) The model year listed in Table 3 to this subpart or later model year, for fire pump engines.

(2) Owners and operators of stationary CI ICE that commence construction after July 11, 2005, where the stationary CI ICE are:

(i) Manufactured after April 1, 2006, and are not fire pump engines, or

(ii) Manufactured as a certified National Fire Protection Association (NFPA) fire pump engine after July 1, 2006.

(3) Owners and operators of any stationary CI ICE that are modified or reconstructed after July 11, 2005 and any person that modifies or reconstructs any stationary CI ICE after July 11, 2005.

(4) The provisions of § 60.4208 of this subpart are applicable to all owners and operators of stationary CI ICE that commence construction after July 11, 2005.

(b) The provisions of this subpart are not applicable to stationary CI ICE being tested at a stationary CI ICE test cell/stand.

(c) If you are an owner or operator of an area source subject to this subpart, you are exempt from the obligation to obtain a permit under 40 CFR part 70 or 40 CFR part 71, provided you are not required to obtain a permit under 40 CFR 70.3(a) or 40 CFR 71.3(a) for a reason other than your status as an area source under this subpart. Notwithstanding the previous sentence, you must continue to comply with the provisions of this subpart applicable to area sources.

(d) Stationary CI ICE may be eligible for exemption from the requirements of this subpart as described in 40 CFR part 1068, subpart C, except that owners and operators, as well as manufacturers, may be eligible to request an exemption for national security.

(e) Owners and operators of facilities with CI ICE that are acting as temporary replacement units and that are located at a stationary source for less than 1 year and that have been properly certified as meeting the standards that would be applicable to such engine under the appropriate nonroad engine provisions, are not required to meet any other provisions under this subpart with regard to such engines.

[71 FR 39172, July 11, 2006, as amended at 76 FR 37967, June 28, 2011; 86 FR 34357, June 29, 2021]

Emission Standards for Manufacturers

§ 60.4201 What emission standards must I meet for non-emergency engines if I am a stationary CI internal combustion engine manufacturer?

(a) Stationary CI internal combustion engine manufacturers must certify their 2007 model year and later non-emergency stationary CI ICE with a maximum engine power less than or equal to 2,237 kilowatt (KW) (3,000 horsepower (HP)) and a displacement of less than 10 liters per cylinder to the certification emission standards for new nonroad CI engines in 40 CFR 1039.101, 1039.102, 1039.104, 1039.105, 1039.107, and 1039.115 and 40 CFR part 1039, appendix I, as applicable, for all pollutants, for the same model year and maximum engine power.

(b) Stationary CI internal combustion engine manufacturers must certify their 2007 through 2010 model year non-emergency stationary CI ICE with a maximum engine power greater than 2,237 KW (3,000 HP) and a displacement of less than 10 liters per cylinder to the emission standards in table 1 to this subpart, for all pollutants, for the same maximum engine power.

(c) Stationary CI internal combustion engine manufacturers must certify their 2011 model year and later non-emergency stationary CI ICE with a maximum engine power greater than 2,237 KW (3,000 HP) and a displacement of less than 10 liters per cylinder to the certification emission standards for new nonroad CI engines in 40 CFR 1039.101, 40 CFR 1039.102, 40 CFR 1039.104, 40 CFR 1039.105, 40 CFR 1039.107, and 40 CFR 1039.115, as applicable, for all pollutants, for the same maximum engine power.

(d) Stationary CI internal combustion engine manufacturers must certify the following non-emergency stationary CI ICE to the appropriate Tier 2 emission standards for new marine CI engines as described in 40 CFR part 1042, appendix I, for all pollutants, for the same displacement and rated power:

(1) Their 2007 model year through 2012 non-emergency stationary CI ICE with a displacement of greater than or equal to 10 liters per cylinder and less than 30 liters per cylinder;

(2) Their 2013 model year non-emergency stationary CI ICE with a maximum engine power greater than or equal to 3,700 KW (4,958 HP) and a displacement of greater than or equal to 10 liters per cylinder and less than 15 liters per cylinder; and

(3) Their 2013 model year non-emergency stationary CI ICE with a displacement of greater than or equal to 15 liters per cylinder and less than 30 liters per cylinder.

(e) Stationary CI internal combustion engine manufacturers must certify the following non-emergency stationary CI ICE to the certification emission standards and other requirements for new marine CI engines in 40 CFR 1042.101, 40 CFR 1042.107, 40 CFR 1042.110, 40 CFR 1042.115, 40 CFR 1042.120, and 40 CFR 1042.145, as applicable, for all pollutants, for the same displacement and maximum engine power:

(1) Their 2013 model year non-emergency stationary CI ICE with a maximum engine power less than 3,700 KW (4,958 HP) and a displacement of greater than or equal to 10 liters per cylinder and less than 15 liters per cylinder; and

(2) Their 2014 model year and later non-emergency stationary CI ICE with a displacement of greater than or equal to 10 liters per cylinder and less than 30 liters per cylinder.

(f) Notwithstanding the requirements in paragraphs (a) through (c) of this section, stationary non-emergency CI ICE identified in paragraphs (a) and (c) of this section may be certified to the provisions of 40 CFR part 1042 for commercial engines that are applicable for the engine's model year, displacement, power density, and maximum engine power if the engines will be used solely in either or both of the following locations:

(1) Remote areas of Alaska; and

(2) Marine offshore installations.

(g) Notwithstanding the requirements in paragraphs (a) through (f) of this section, stationary CI internal combustion engine manufacturers are not required to certify reconstructed engines; however manufacturers may elect to do so. The reconstructed engine must be certified to the emission standards specified in paragraphs (a) through (e) of this section that are applicable to the model year, maximum engine power, and displacement of the reconstructed stationary CI ICE.

(h) Stationary CI ICE certified to the standards in 40 CFR part 1039 and equipped with auxiliary emission control devices (AECDs) as specified in 40 CFR 1039.665 must meet the Tier 1 certification emission standards for new nonroad CI engines in 40 CFR part 1039, appendix I, while the AECD is activated during a qualified emergency situation. A qualified emergency situation is defined in 40 CFR 1039.665. When the qualified emergency situation has ended and the AECD is deactivated, the engine must resume meeting the otherwise applicable emission standard specified in this section.

[71 FR 39172, July 11, 2006, as amended at 76 FR 37967, June 28, 2011; 81 FR 44219, July 7, 2016; 86 FR 34357, June 29, 2021]

§ 60.4202 What emission standards must I meet for emergency engines if I am a stationary CI internal combustion engine manufacturer?

(a) Stationary CI internal combustion engine manufacturers must certify their 2007 model year and later emergency stationary CI ICE with a maximum engine power less than or equal to 2,237 KW (3,000 HP) and a displacement of less than 10 liters per cylinder that are not fire pump engines to the emission standards specified in paragraphs (a)(1) through (2) of this section.

(1) For engines with a maximum engine power less than 37 KW (50 HP):

(i) The Tier 2 emission standards for new nonroad CI engines for the appropriate rated power as described in 40 CFR part 1039, appendix I, for all pollutants and the smoke standards as specified in 40 CFR 1039.105 for model year 2007 engines; and

(ii) The certification emission standards for new nonroad CI engines in 40 CFR 1039.104, 40 CFR 1039.105, 40 CFR 1039.107, 40 CFR 1039.115, and table 2 to this subpart, for 2008 model year and later engines.

(2) For engines with a rated power greater than or equal to 37 KW (50 HP), the Tier 2 or Tier 3 emission standards for new nonroad CI engines for the same rated power as described in 40 CFR part 1039, appendix I, for all pollutants and the smoke standards as specified in 40 CFR 1039.105 beginning in model year 2007.

(b) Stationary CI internal combustion engine manufacturers must certify their 2007 model year and later emergency stationary CI ICE with a maximum engine power greater than 2,237 KW (3,000 HP) and a displacement of less than 10 liters per cylinder that are not fire pump engines to the emission standards specified in paragraphs (b)(1) through (2) of this section.

(1) For 2007 through 2010 model years, the emission standards in table 1 to this subpart, for all pollutants, for the same maximum engine power.

(2) For 2011 model year and later, the Tier 2 emission standards as described in 40 CFR part 1039, appendix I, for all pollutants and the smoke standards as specified in 40 CFR 1039.105.

(c) [Reserved]

(d) Beginning with the model years in table 3 to this subpart, stationary CI internal combustion engine manufacturers must certify their fire pump stationary CI ICE to the emission standards in table 4 to this subpart, for all pollutants, for the same model year and NFPA nameplate power.

(e) Stationary CI internal combustion engine manufacturers must certify the following emergency stationary CI ICE that are not fire pump engines to the appropriate Tier 2 emission standards for new marine CI engines as described in 40 CFR part 1042, appendix I, for all pollutants, for the same displacement and rated power:

(1) Their 2007 model year through 2012 emergency stationary CI ICE with a displacement of greater than or equal to 10 liters per cylinder and less than 30 liters per cylinder;

(2) Their 2013 model year and later emergency stationary CI ICE with a maximum engine power greater than or equal to 3,700 KW (4,958 HP) and a displacement of greater than or equal to 10 liters per cylinder and less than 15 liters per cylinder;

(3) Their 2013 model year emergency stationary CI ICE with a displacement of greater than or equal to 15 liters per cylinder and less than 30 liters per cylinder; and

(4) Their 2014 model year and later emergency stationary CI ICE with a maximum engine power greater than or equal to 2,000 KW (2,682 HP) and a displacement of greater than or equal to 15 liters per cylinder and less than 30 liters per cylinder.

(f) Stationary CI internal combustion engine manufacturers must certify the following emergency stationary CI ICE to the certification emission standards and other requirements applicable to Tier 3 new marine CI engines in 40 CFR 1042.101, 40 CFR 1042.107, 40 CFR 1042.115, 40 CFR 1042.120, and 40 CFR 1042.145, for all pollutants, for the same displacement and maximum engine power:

(1) Their 2013 model year and later emergency stationary CI ICE with a maximum engine power less than 3,700 KW (4,958 HP) and a displacement of greater than or equal to 10 liters per cylinder and less than 15 liters per cylinder; and

(2) Their 2014 model year and later emergency stationary CI ICE with a maximum engine power less than 2,000 KW (2,682 HP) and a displacement of greater than or equal to 15 liters per cylinder and less than 30 liters per cylinder.

(g) Notwithstanding the requirements in paragraphs (a) through (d) of this section, stationary emergency CI ICE identified in paragraphs (a) and (c) of this section may be certified to the provisions of 40 CFR part 1042 for commercial engines that are applicable for the engine's model year, displacement, power density, and maximum engine power if the engines will be used solely in either or both of the locations identified in paragraphs (g)(1) and (2) of this section. Engines that would be subject to the Tier 4 standards in 40 CFR part 1042 that are used solely in either or both of the locations identified in paragraphs (g)(1) and (2) of this section may instead continue to be certified to the previous tier of standards in 40 CFR part 1042. The previous tier is Tier 3 in most cases; however, the previous tier is Tier 2 if there are no Tier 3 standards specified for engines of a certain size or power rating.

(1) Remote areas of Alaska; and

(2) Marine offshore installations.

(h) Notwithstanding the requirements in paragraphs (a) through (f) of this section, stationary CI internal combustion engine manufacturers are not required to certify reconstructed engines; however manufacturers may elect to do so. The reconstructed engine must be certified to the emission standards specified in paragraphs (a) through (f) of this

section that are applicable to the model year, maximum engine power and displacement of the reconstructed emergency stationary CI ICE.

[71 FR 39172, July 11, 2006, as amended at 76 FR 37968, June 28, 2011; 81 FR 44219, July 7, 2016; 86 FR 34358, June 29, 2021; 88 FR 4471, Jan. 24, 2023]

§ 60.4203 How long must my engines meet the emission standards if I am a manufacturer of stationary CI internal combustion engines?

Engines manufactured by stationary CI internal combustion engine manufacturers must meet the emission standards as required in §§ 60.4201 and 60.4202 during the certified emissions life of the engines.

[76 FR 37968, June 28, 2011]

Emission Standards for Owners and Operators

§ 60.4204 What emission standards must I meet for non-emergency engines if I am an owner or operator of a stationary CI internal combustion engine?

(a) Owners and operators of pre-2007 model year non-emergency stationary CI ICE with a displacement of less than 10 liters per cylinder must comply with the emission standards in table 1 to this subpart. Owners and operators of pre-2007 model year non-emergency stationary CI ICE with a displacement of greater than or equal to 10 liters per cylinder and less than 30 liters per cylinder must comply with the Tier 1 emission standards in 40 CFR part 1042, appendix I.

(b) Owners and operators of 2007 model year and later non-emergency stationary CI ICE with a displacement of less than 30 liters per cylinder must comply with the emission standards for new CI engines in § 60.4201 for their 2007 model year and later stationary CI ICE, as applicable.

(c) Owners and operators of non-emergency stationary CI engines with a displacement of greater than or equal to 30 liters per cylinder must meet the following requirements:

(1) For engines installed prior to January 1, 2012, limit the emissions of NO_X in the stationary CI internal combustion engine exhaust to the following:

(i) 17.0 grams per kilowatt-hour (g/KW-hr) (12.7 grams per horsepower-hr (g/HP-hr)) when maximum engine speed is less than 130 revolutions per minute (rpm);

(ii) $45 \cdot n^{-0.2}$ g/KW-hr ($34 \cdot n^{-0.2}$ g/HP-hr) when maximum engine speed is 130 or more but less than 2,000 rpm, where n is maximum engine speed; and

(iii) 9.8 g/KW-hr (7.3 g/HP-hr) when maximum engine speed is 2,000 rpm or more.

(2) For engines installed on or after January 1, 2012 and before January 1, 2016, limit the emissions of NO_X in the stationary CI internal combustion engine exhaust to the following:

(i) 14.4 g/KW-hr (10.7 g/HP-hr) when maximum engine speed is less than 130 rpm;

(ii) $44 \cdot n^{-0.23}$ g/KW-hr ($33 \cdot n^{-0.23}$ g/HP-hr) when maximum engine speed is greater than or equal to 130 but less than 2,000 rpm and where n is maximum engine speed; and

(iii) 7.7 g/KW-hr (5.7 g/HP-hr) when maximum engine speed is greater than or equal to 2,000 rpm.

(3) For engines installed on or after January 1, 2016, limit the emissions of NO_X in the stationary CI internal combustion engine exhaust to the following:

(i) 3.4 g/KW-hr (2.5 g/HP-hr) when maximum engine speed is less than 130 rpm;

(ii) $9.0 \cdot n^{-0.20}$ g/KW-hr ($6.7 \cdot n^{-0.20}$ g/HP-hr) where n (maximum engine speed) is 130 or more but less than 2,000 rpm; and

(iii) 2.0 g/KW-hr (1.5 g/HP-hr) where maximum engine speed is greater than or equal to 2,000 rpm.

(4) Reduce particulate matter (PM) emissions by 60 percent or more, or limit the emissions of PM in the stationary CI internal combustion engine exhaust to 0.15 g/KW-hr (0.11 g/HP-hr).

(d) Owners and operators of non-emergency stationary CI ICE with a displacement of less than 30 liters per cylinder who conduct performance tests in-use must meet the not-to-exceed (NTE) standards as indicated in § 60.4212.

(e) Owners and operators of any modified or reconstructed non-emergency stationary CI ICE subject to this subpart must meet the emission standards applicable to the model year, maximum engine power, and displacement of the modified or reconstructed non-emergency stationary CI ICE that are specified in paragraphs (a) through (d) of this section.

(f) Owners and operators of stationary CI ICE certified to the standards in 40 CFR part 1039 and equipped with AECDs as specified in 40 CFR 1039.665 must meet the Tier 1 certification emission standards for new nonroad CI engines in 40 CFR part 1039, appendix I, while the AECD is activated during a qualified emergency situation. A qualified emergency situation is defined in 40 CFR 1039.665. When the qualified emergency situation has ended and the AECD is deactivated, the engine must resume meeting the otherwise applicable emission standard specified in this section.

[71 FR 39172, July 11, 2006, as amended at 76 FR 37968, June 28, 2011; 81 FR 44219, July 7, 2016; 86 FR 34358, June 29, 2021]

§ 60.4205 What emission standards must I meet for emergency engines if I am an owner or operator of a stationary CI internal combustion engine?

(a) Owners and operators of pre-2007 model year emergency stationary CI ICE with a displacement of less than 10 liters per cylinder that are not fire pump engines must comply with the emission standards in Table 1 to this subpart. Owners and operators of pre-2007 model year emergency stationary CI ICE with a displacement of greater than or equal to 10 liters per cylinder and less than 30 liters per cylinder that are not fire pump engines must comply with the Tier 1 emission standards in 40 CFR part 1042, appendix I.

(b) Owners and operators of 2007 model year and later emergency stationary CI ICE with a displacement of less than 30 liters per cylinder that are not fire pump engines must comply with the emission standards for new nonroad CI engines in § 60.4202, for all pollutants, for the same model year and maximum engine power for their 2007 model year and later emergency stationary CI ICE.

(c) Owners and operators of fire pump engines with a displacement of less than 30 liters per cylinder must comply with the emission standards in table 4 to this subpart, for all pollutants.

(d) Owners and operators of emergency stationary CI engines with a displacement of greater than or equal to 30 liters per cylinder must meet the requirements in this section.

(1) For engines installed prior to January 1, 2012, limit the emissions of NO_X in the stationary CI internal combustion engine exhaust to the following:

(i) 17.0 g/KW-hr (12.7 g/HP-hr) when maximum engine speed is less than 130 rpm;

(ii) $45 \cdot n^{-0.2}$ g/KW-hr ($34 \cdot n^{-0.2}$ g/HP-hr) when maximum engine speed is 130 or more but less than 2,000 rpm, where n is maximum engine speed; and

(iii) 9.8 g/kW-hr (7.3 g/HP-hr) when maximum engine speed is 2,000 rpm or more.

(2) For engines installed on or after January 1, 2012, limit the emissions of NO_X in the stationary CI internal combustion engine exhaust to the following:

(i) 14.4 g/KW-hr (10.7 g/HP-hr) when maximum engine speed is less than 130 rpm;

(ii) $44 \cdot n^{-0.23}$ g/KW-hr ($33 \cdot n^{-0.23}$ g/HP-hr) when maximum engine speed is greater than or equal to 130 but less than 2,000 rpm and where n is maximum engine speed; and

(iii) 7.7 g/KW-hr (5.7 g/HP-hr) when maximum engine speed is greater than or equal to 2,000 rpm.

(3) Limit the emissions of PM in the stationary CI internal combustion engine exhaust to 0.40 g/KW-hr (0.30 g/HP-hr).

(e) Owners and operators of emergency stationary CI ICE with a displacement of less than 30 liters per cylinder who conduct performance tests in-use must meet the NTE standards as indicated in § 60.4212.

(f) Owners and operators of any modified or reconstructed emergency stationary CI ICE subject to this subpart must meet the emission standards applicable to the model year, maximum engine power, and displacement of the modified or reconstructed CI ICE that are specified in paragraphs (a) through (e) of this section.

[71 FR 39172, July 11, 2006, as amended at 76 FR 37969, June 28, 2011; 86 FR 34358, June 29, 2021]

§ 60.4206 How long must I meet the emission standards if I am an owner or operator of a stationary CI internal combustion engine?

Owners and operators of stationary CI ICE must operate and maintain stationary CI ICE that achieve the emission standards as required in §§ 60.4204 and 60.4205 over the entire life of the engine.

[76 FR 37969, June 28, 2011]

Fuel Requirements for Owners and Operators

§ 60.4207 What fuel requirements must I meet if I am an owner or operator of a stationary CI internal combustion engine subject to this subpart?

(a) [Reserved]

(b) Beginning October 1, 2010, owners and operators of stationary CI ICE subject to this subpart with a displacement of less than 30 liters per cylinder that use diesel fuel must use diesel fuel that meets the requirements of 40 CFR 1090.305 for nonroad diesel fuel, except that any existing diesel fuel purchased (or otherwise obtained) prior to October 1, 2010, may be used until depleted.

(c) [Reserved]

(d) Beginning June 1, 2012, owners and operators of stationary CI ICE subject to this subpart with a displacement of greater than or equal to 30 liters per cylinder must use diesel fuel that meets a maximum per-gallon sulfur content of 1,000 parts per million (ppm).

(e) Stationary CI ICE that have a national security exemption under § 60.4200(d) are also exempt from the fuel requirements in this section.

[71 FR 39172, July 11, 2006, as amended at 76 FR 37969, June 28, 2011; 78 FR 6695, Jan. 30, 2013; 85 FR 78463, Dec. 4, 2020]

Other Requirements for Owners and Operators

§ 60.4208 What is the deadline for importing or installing stationary CI ICE produced in previous model years?

(a) After December 31, 2008, owners and operators may not install stationary CI ICE (excluding fire pump engines) that do not meet the applicable requirements for 2007 model year engines.

(b) After December 31, 2009, owners and operators may not install stationary CI ICE with a maximum engine power of less than 19 KW (25 HP) (excluding fire pump engines) that do not meet the applicable requirements for 2008 model year engines.

(c) After December 31, 2014, owners and operators may not install non-emergency stationary CI ICE with a maximum engine power of greater than or equal to 19 KW (25 HP) and less than 56 KW (75 HP) that do not meet the applicable requirements for 2013 model year non-emergency engines.

(d) After December 31, 2013, owners and operators may not install non-emergency stationary CI ICE with a maximum engine power of greater than or equal to 56 KW (75 HP) and less than 130 KW (175 HP) that do not meet the applicable requirements for 2012 model year non-emergency engines.

(e) After December 31, 2012, owners and operators may not install non-emergency stationary CI ICE with a maximum engine power of greater than or equal to 130 KW (175 HP), including those above 560 KW (750 HP), that do not meet the applicable requirements for 2011 model year non-emergency engines.

(f) After December 31, 2016, owners and operators may not install non-emergency stationary CI ICE with a maximum engine power of greater than or equal to 560 KW (750 HP) that do not meet the applicable requirements for 2015 model year non-emergency engines.

(g) After December 31, 2018, owners and operators may not install non-emergency stationary CI ICE with a maximum engine power greater than or equal to 600 KW (804 HP) and less than 2,000 KW (2,680 HP) and a displacement of greater than or equal to 10 liters per cylinder and less than 30 liters per cylinder that do not meet the applicable requirements for 2017 model year non-emergency engines.

(h) In addition to the requirements specified in §§ 60.4201, 60.4202, 60.4204, and 60.4205, it is prohibited to import stationary CI ICE with a displacement of less than 30 liters per cylinder that do not meet the applicable requirements specified in paragraphs (a) through (g) of this section after the dates specified in paragraphs (a) through (g) of this section.

(i) The requirements of this section do not apply to owners or operators of stationary CI ICE that have been modified, reconstructed, and do not apply to engines that were removed from one existing location and reinstalled at a new location.

[71 FR 39172, July 11, 2006, as amended at 76 FR 37969, June 28, 2011]

§ 60.4209 What are the monitoring requirements if I am an owner or operator of a stationary CI internal combustion engine?

If you are an owner or operator, you must meet the monitoring requirements of this section. In addition, you must also meet the monitoring requirements specified in § 60.4211.

(a) If you are an owner or operator of an emergency stationary CI internal combustion engine that does not meet the standards applicable to non-emergency engines, you must install a non-resettable hour meter prior to startup of the engine.

(b) If you are an owner or operator of a stationary CI internal combustion engine equipped with a diesel particulate filter to comply with the emission standards in § 60.4204, the diesel particulate filter must be installed with a

backpressure monitor that notifies the owner or operator when the high backpressure limit of the engine is approached.

[71 FR 39172, July 11, 2006, as amended at 76 FR 37969, June 28, 2011]

Compliance Requirements

§ 60.4210 What are my compliance requirements if I am a stationary CI internal combustion engine manufacturer?

(a) Stationary CI internal combustion engine manufacturers must certify their stationary CI ICE with a displacement of less than 10 liters per cylinder to the emission standards specified in §§ 60.4201(a) through (c) and 60.4202(a), (b), and (d) using the certification procedures required in 40 CFR part 1039, subpart C, and must test their engines as specified in 40 CFR part 1039. For the purposes of this subpart, engines certified to the standards in Table 1 to this subpart shall be subject to the same certification procedures required for engines certified to the Tier 1 standards in 40 CFR part 1039, appendix I. For the purposes of this subpart, engines certified to the standards in Table 4 to this subpart shall be subject to the same certification procedures required for engines certified to the Tier 1 standards in 40 CFR part 1039, appendix I, except that engines with NFPA nameplate power of less than 37 KW (50 HP) certified to model year 2011 or later standards shall be subject to the same requirements as engines certified to the standards in 40 CFR part 1039.

(b) Stationary CI internal combustion engine manufacturers must certify their stationary CI ICE with a displacement of greater than or equal to 10 liters per cylinder and less than 30 liters per cylinder to the emission standards specified in §§ 60.4201(d) and (e) and 60.4202(e) and (f) using the certification procedures required in 40 CFR part 1042, subpart C, and must test their engines as specified in 40 CFR part 1042.

(c) Stationary CI internal combustion engine manufacturers must meet the requirements of 40 CFR 1039.120, 1039.125, 1039.130, and 1039.135 and 40 CFR part 1068 for engines that are certified to the emission standards in 40 CFR part 1039. Stationary CI internal combustion engine manufacturers must meet the corresponding provisions of 40 CFR part 1042 for engines that would be covered by that part if they were nonroad (including marine) engines. Labels on such engines must refer to stationary engines, rather than or in addition to nonroad or marine engines, as appropriate. Stationary CI internal combustion engine manufacturers must label their engines according to paragraphs (c)(1) through (3) of this section.

(1) Stationary CI internal combustion engines manufactured from January 1, 2006 to March 31, 2006 (January 1, 2006 to June 30, 2006 for fire pump engines), other than those that are part of certified engine families under the nonroad CI engine regulations, must be labeled according to 40 CFR 1039.20.

(2) Stationary CI internal combustion engines manufactured from April 1, 2006 to December 31, 2006 (or, for fire pump engines, July 1, 2006 to December 31 of the year preceding the year listed in table 3 to this subpart) must be labeled according to paragraphs (c)(2)(i) through (iii) of this section:

(i) Stationary CI internal combustion engines that are part of certified engine families under the nonroad regulations must meet the labeling requirements for nonroad CI engines, but do not have to meet the labeling requirements in 40 CFR 1039.20.

(ii) Stationary CI internal combustion engines that meet Tier 1 requirements (or requirements for fire pumps) under this subpart, but do not meet the requirements applicable to nonroad CI engines must be labeled according to 40 CFR 1039.20. The engine manufacturer may add language to the label clarifying that the engine meets Tier 1 requirements (or requirements for fire pumps) of this subpart.

(iii) Stationary CI internal combustion engines manufactured after April 1, 2006 that do not meet Tier 1 requirements of this subpart, or fire pumps engines manufactured after July 1, 2006 that do not meet the requirements for fire pumps under this subpart, may not be used in the U.S. If any such engines are manufactured in the U.S. after April 1, 2006 (July 1, 2006 for fire pump engines), they must be exported or must be brought into compliance with the appropriate standards prior to initial operation. The export provisions of 40 CFR 1068.230 would apply to engines for export and the manufacturers must label such engines according to 40 CFR 1068.230.

(3) Stationary CI internal combustion engines manufactured after January 1, 2007 (for fire pump engines, after January 1 of the year listed in table 3 to this subpart, as applicable) must be labeled according to paragraphs (c)(3)(i) through (iii) of this section.

(i) Stationary CI internal combustion engines that meet the requirements of this subpart and the corresponding requirements for nonroad (including marine) engines of the same model year and HP must be labeled according to the provisions in 40 CFR part 1039 or 1042, as appropriate.

(ii) Stationary CI internal combustion engines that meet the requirements of this subpart, but are not certified to the standards applicable to nonroad (including marine) engines of the same model year and HP must be labeled according to the provisions in 40 CFR part 1039 or 1042, as appropriate, but the words “stationary” must be included instead of “nonroad” or “marine” on the label. In addition, such engines must be labeled according to 40 CFR 1039.20.

(iii) Stationary CI internal combustion engines that do not meet the requirements of this subpart must be labeled according to 40 CFR 1068.230 and must be exported under the provisions of 40 CFR 1068.230.

(d) An engine manufacturer certifying an engine family or families to standards under this subpart that are identical to standards applicable under 40 CFR part 1039 or 1042 for that model year may certify any such family that contains both nonroad (including marine) and stationary engines as a single engine family and/or may include any such family containing stationary engines in the averaging, banking, and trading provisions applicable for such engines under those parts.

(e) Manufacturers of engine families discussed in paragraph (d) of this section may meet the labeling requirements referred to in paragraph (c) of this section for stationary CI ICE by either adding a separate label containing the information required in paragraph (c) of this section or by adding the words “and stationary” after the word “nonroad” or “marine,” as appropriate, to the label.

(f) Starting with the model years shown in table 5 to this subpart, stationary CI internal combustion engine manufacturers must add a permanent label stating that the engine is for stationary emergency use only to each new emergency stationary CI internal combustion engine greater than or equal to 19 KW (25 HP) that meets all the emission standards for emergency engines in § 60.4202 but does not meet all the emission standards for non-emergency engines in § 60.4201. The label must be added according to the labeling requirements specified in 40 CFR 1039.135(b). Engine manufacturers must specify in the owner's manual that operation of emergency engines is limited to emergency operations and required maintenance and testing.

(g) Manufacturers of fire pump engines may use the test cycle in table 6 to this subpart for testing fire pump engines and may test at the NFPA certified nameplate HP, provided that the engine is labeled as “Fire Pump Applications Only”.

(h) Engine manufacturers, including importers, may introduce into commerce uncertified engines or engines certified to earlier standards that were manufactured before the new or changed standards took effect until inventories are depleted, as long as such engines are part of normal inventory. For example, if the engine manufacturers' normal industry practice is to keep on hand a one-month supply of engines based on its projected sales, and a new tier of standards starts to apply for the 2009 model year, the engine manufacturer may manufacture engines based on the normal inventory requirements late in the 2008 model year, and sell those engines for installation. The engine manufacturer may not circumvent the provisions of § 60.4201 or § 60.4202 by stockpiling engines that are built before new or changed standards take effect. Stockpiling of such engines beyond normal industry practice is a violation of this subpart.

(i) The replacement engine provisions of 40 CFR 1068.240 are applicable to stationary CI engines replacing existing equipment that is less than 15 years old.

(j) Stationary CI ICE manufacturers may equip their stationary CI internal combustion engines certified to the emission standards in 40 CFR part 1039 with AECDs for qualified emergency situations according to the requirements of 40 CFR 1039.665. Manufacturers of stationary CI ICE equipped with AECDs as allowed by 40 CFR 1039.665 must meet all the requirements in 40 CFR 1039.665 that apply to manufacturers. Manufacturers must document that the engine complies with the Tier 1 standard in 40 CFR part 1039, appendix I, when the AECD is activated. Manufacturers must provide any relevant testing, engineering analysis, or other information in

sufficient detail to support such statement when applying for certification (including amending an existing certificate) of an engine equipped with an AECD as allowed by 40 CFR 1039.665.

(k) Manufacturers of any size may certify their emergency stationary CI internal combustion engines under this section using assigned deterioration factors established by EPA, consistent with 40 CFR 1039.240 and 1042.240.

[71 FR 39172, July 11, 2006, as amended at 76 FR 37969, June 28, 2011; 81 FR 44219, July 7, 2016; 86 FR 34358, June 29, 2021]

§ 60.4211 What are my compliance requirements if I am an owner or operator of a stationary CI internal combustion engine?

(a) If you are an owner or operator and must comply with the emission standards specified in this subpart, you must do all of the following, except as permitted under paragraph (g) of this section:

(1) Operate and maintain the stationary CI internal combustion engine and control device according to the manufacturer's emission-related written instructions;

(2) Change only those emission-related settings that are permitted by the manufacturer; and

(3) Meet the requirements of 40 CFR part 1068, as they apply to you.

(b) If you are an owner or operator of a pre-2007 model year stationary CI internal combustion engine and must comply with the emission standards specified in § 60.4204(a) or § 60.4205(a), or if you are an owner or operator of a CI fire pump engine that is manufactured prior to the model years in table 3 to this subpart and must comply with the emission standards specified in § 60.4205(c), you must demonstrate compliance according to one of the methods specified in paragraphs (b)(1) through (5) of this section.

(1) Purchasing an engine certified to emission standards for the same model year and maximum engine power as described in 40 CFR parts 1039 and 1042, as applicable. The engine must be installed and configured according to the manufacturer's specifications.

(2) Keeping records of performance test results for each pollutant for a test conducted on a similar engine. The test must have been conducted using the same methods specified in this subpart and these methods must have been followed correctly.

(3) Keeping records of engine manufacturer data indicating compliance with the standards.

(4) Keeping records of control device vendor data indicating compliance with the standards.

(5) Conducting an initial performance test to demonstrate compliance with the emission standards according to the requirements specified in § 60.4212, as applicable.

(c) If you are an owner or operator of a 2007 model year and later stationary CI internal combustion engine and must comply with the emission standards specified in § 60.4204(b) or § 60.4205(b), or if you are an owner or operator of a CI fire pump engine that is manufactured during or after the model year that applies to your fire pump engine power rating in table 3 to this subpart and must comply with the emission standards specified in § 60.4205(c), you must comply by purchasing an engine certified to the emission standards in § 60.4204(b), or § 60.4205(b) or (c), as applicable, for the same model year and maximum (or in the case of fire pumps, NFPA nameplate) engine power. The engine must be installed and configured according to the manufacturer's emission-related specifications, except as permitted in paragraph (g) of this section.

(d) If you are an owner or operator and must comply with the emission standards specified in § 60.4204(c) or § 60.4205(d), you must demonstrate compliance according to the requirements specified in paragraphs (d)(1) through (3) of this section.

(1) Conducting an initial performance test to demonstrate initial compliance with the emission standards as specified in § 60.4213.

(2) Establishing operating parameters to be monitored continuously to ensure the stationary internal combustion engine continues to meet the emission standards. The owner or operator must petition the Administrator for approval of operating parameters to be monitored continuously. The petition must include the information described in paragraphs (d)(2)(i) through (v) of this section.

(i) Identification of the specific parameters you propose to monitor continuously;

(ii) A discussion of the relationship between these parameters and NO_X and PM emissions, identifying how the emissions of these pollutants change with changes in these parameters, and how limitations on these parameters will serve to limit NO_X and PM emissions;

(iii) A discussion of how you will establish the upper and/or lower values for these parameters which will establish the limits on these parameters in the operating limitations;

(iv) A discussion identifying the methods and the instruments you will use to monitor these parameters, as well as the relative accuracy and precision of these methods and instruments; and

(v) A discussion identifying the frequency and methods for recalibrating the instruments you will use for monitoring these parameters.

(3) For non-emergency engines with a displacement of greater than or equal to 30 liters per cylinder, conducting annual performance tests to demonstrate continuous compliance with the emission standards as specified in § 60.4213.

(e) If you are an owner or operator of a modified or reconstructed stationary CI internal combustion engine and must comply with the emission standards specified in § 60.4204(e) or § 60.4205(f), you must demonstrate compliance according to one of the methods specified in paragraphs (e)(1) or (2) of this section.

(1) Purchasing, or otherwise owning or operating, an engine certified to the emission standards in § 60.4204(e) or § 60.4205(f), as applicable.

(2) Conducting a performance test to demonstrate initial compliance with the emission standards according to the requirements specified in § 60.4212 or § 60.4213, as appropriate. The test must be conducted within 60 days after the engine commences operation after the modification or reconstruction.

(f) If you own or operate an emergency stationary ICE, you must operate the emergency stationary ICE according to the requirements in paragraphs (f)(1) through (3) of this section. In order for the engine to be considered an emergency stationary ICE under this subpart, any operation other than emergency operation, maintenance and testing, and operation in non-emergency situations for 50 hours per year, as described in paragraphs (f)(1) through (3), is prohibited. If you do not operate the engine according to the requirements in paragraphs (f)(1) through (3), the engine will not be considered an emergency engine under this subpart and must meet all requirements for non-emergency engines.

(1) There is no time limit on the use of emergency stationary ICE in emergency situations.

(2) You may operate your emergency stationary ICE for the purpose specified in paragraph (f)(2)(i) of this section for a maximum of 100 hours per calendar year. Any operation for non-emergency situations as allowed by paragraph (f)(3) of this section counts as part of the 100 hours per calendar year allowed by this paragraph (f)(2).

(i) Emergency stationary ICE may be operated for maintenance checks and readiness testing, provided that the tests are recommended by federal, state or local government, the manufacturer, the vendor, the regional transmission organization or equivalent balancing authority and transmission operator, or the insurance company associated with the engine. The owner or operator may petition the Administrator for approval of additional hours to be used for maintenance checks and readiness testing, but a petition is not required if the

owner or operator maintains records indicating that federal, state, or local standards require maintenance and testing of emergency ICE beyond 100 hours per calendar year.

(ii)-(iii) [Reserved]

(3) Emergency stationary ICE may be operated for up to 50 hours per calendar year in non-emergency situations. The 50 hours of operation in non-emergency situations are counted as part of the 100 hours per calendar year for maintenance and testing provided in paragraph (f)(2) of this section. Except as provided in paragraph (f)(3)(i) of this section, the 50 hours per calendar year for non-emergency situations cannot be used for peak shaving or non-emergency demand response, or to generate income for a facility to an electric grid or otherwise supply power as part of a financial arrangement with another entity.

(i) The 50 hours per year for non-emergency situations can be used to supply power as part of a financial arrangement with another entity if all of the following conditions are met:

(A) The engine is dispatched by the local balancing authority or local transmission and distribution system operator;

(B) The dispatch is intended to mitigate local transmission and/or distribution limitations so as to avert potential voltage collapse or line overloads that could lead to the interruption of power supply in a local area or region.

(C) The dispatch follows reliability, emergency operation or similar protocols that follow specific NERC, regional, state, public utility commission or local standards or guidelines.

(D) The power is provided only to the facility itself or to support the local transmission and distribution system.

(E) The owner or operator identifies and records the entity that dispatches the engine and the specific NERC, regional, state, public utility commission or local standards or guidelines that are being followed for dispatching the engine. The local balancing authority or local transmission and distribution system operator may keep these records on behalf of the engine owner or operator.

(ii) [Reserved]

(g) If you do not install, configure, operate, and maintain your engine and control device according to the manufacturer's emission-related written instructions, or you change emission-related settings in a way that is not permitted by the manufacturer, you must demonstrate compliance as follows:

(1) If you are an owner or operator of a stationary CI internal combustion engine with maximum engine power less than 100 HP, you must keep a maintenance plan and records of conducted maintenance to demonstrate compliance and must, to the extent practicable, maintain and operate the engine in a manner consistent with good air pollution control practice for minimizing emissions. In addition, if you do not install and configure the engine and control device according to the manufacturer's emission-related written instructions, or you change the emission-related settings in a way that is not permitted by the manufacturer, you must conduct an initial performance test to demonstrate compliance with the applicable emission standards within 1 year of such action.

(2) If you are an owner or operator of a stationary CI internal combustion engine greater than or equal to 100 HP and less than or equal to 500 HP, you must keep a maintenance plan and records of conducted maintenance and must, to the extent practicable, maintain and operate the engine in a manner consistent with good air pollution control practice for minimizing emissions. In addition, you must conduct an initial performance test to demonstrate compliance with the applicable emission standards within 1 year of startup, or within 1 year after an engine and control device is no longer installed, configured, operated, and maintained in accordance with the manufacturer's emission-related written instructions, or within 1 year after you change emission-related settings in a way that is not permitted by the manufacturer.

(3) If you are an owner or operator of a stationary CI internal combustion engine greater than 500 HP, you must keep a maintenance plan and records of conducted maintenance and must, to the extent practicable, maintain

and operate the engine in a manner consistent with good air pollution control practice for minimizing emissions. In addition, you must conduct an initial performance test to demonstrate compliance with the applicable emission standards within 1 year of startup, or within 1 year after an engine and control device is no longer installed, configured, operated, and maintained in accordance with the manufacturer's emission-related written instructions, or within 1 year after you change emission-related settings in a way that is not permitted by the manufacturer. You must conduct subsequent performance testing every 8,760 hours of engine operation or 3 years, whichever comes first, thereafter to demonstrate compliance with the applicable emission standards.

(h) The requirements for operators and prohibited acts specified in 40 CFR 1039.665 apply to owners or operators of stationary CI ICE equipped with AECDs for qualified emergency situations as allowed by 40 CFR 1039.665.

[71 FR 39172, July 11, 2006, as amended at 76 FR 37970, June 28, 2011; 78 FR 6695, Jan. 30, 2013; 81 FR 44219, July 7, 2016; 86 FR 34359, June 29, 2021; 87 FR 48605, Aug. 10, 2022]

Testing Requirements for Owners and Operators

§ 60.4212 What test methods and other procedures must I use if I am an owner or operator of a stationary CI internal combustion engine with a displacement of less than 30 liters per cylinder?

Owners and operators of stationary CI ICE with a displacement of less than 30 liters per cylinder who conduct performance tests pursuant to this subpart must do so according to paragraphs (a) through (e) of this section.

(a) The performance test must be conducted according to the in-use testing procedures in 40 CFR part 1039, subpart F, for stationary CI ICE with a displacement of less than 10 liters per cylinder, and according to 40 CFR part 1042, subpart F, for stationary CI ICE with a displacement of greater than or equal to 10 liters per cylinder and less than 30 liters per cylinder. Alternatively, stationary CI ICE that are complying with Tier 2 or Tier 3 emission standards as described in 40 CFR part 1039, appendix I, or with Tier 2 emission standards as described in 40 CFR part 1042, appendix I, may follow the testing procedures specified in § 60.4213, as appropriate.

(b) Exhaust emissions from stationary CI ICE that are complying with the emission standards for new CI engines in 40 CFR part 1039 must not exceed the not-to-exceed (NTE) standards for the same model year and maximum engine power as required in 40 CFR 1039.101(e) and 40 CFR 1039.102(g)(1), except as specified in 40 CFR 1039.104(d). This requirement starts when NTE requirements take effect for nonroad diesel engines under 40 CFR part 1039.

(c) Exhaust emissions from stationary CI ICE subject to Tier 2 or Tier 3 emission standards as described in 40 CFR part 1039, appendix I, or Tier 2 emission standards as described in 40 CFR part 1042, appendix I, must not exceed the NTE numerical requirements, rounded to the same number of decimal places as the applicable standard, determined from the following equation:

$$\text{NTE requirement for each pollutant} = (1.25) \times (\text{STD}) \quad \text{(Eq. 1)}$$

Where:

STD = The standard specified for that pollutant in 40 CFR part 1039 or 1042, as applicable.

(d) Exhaust emissions from stationary CI ICE that are complying with the emission standards for pre-2007 model year engines in § 60.4204(a), § 60.4205(a), or § 60.4205(c) must not exceed the NTE numerical requirements, rounded to the same number of decimal places as the applicable standard in § 60.4204(a), § 60.4205(a), or § 60.4205(c), determined from the equation in paragraph (c) of this section.

Where:

STD = The standard specified for that pollutant in § 60.4204(a), § 60.4205(a), or § 60.4205(c).

Alternatively, stationary CI ICE that are complying with the emission standards for pre-2007 model year engines in § 60.4204(a), § 60.4205(a), or § 60.4205(c) may follow the testing procedures specified in § 60.4213, as appropriate.

(e) Exhaust emissions from stationary CI ICE that are complying with the emission standards for new CI engines in 40 CFR part 1042 must not exceed the NTE standards for the same model year and maximum engine power as required in 40 CFR 1042.101(c).

[71 FR 39172, July 11, 2006, as amended at 76 FR 37971, June 28, 2011; 86 FR 34359, June 29, 2021]

§ 60.4213 What test methods and other procedures must I use if I am an owner or operator of a stationary CI internal combustion engine with a displacement of greater than or equal to 30 liters per cylinder?

Owners and operators of stationary CI ICE with a displacement of greater than or equal to 30 liters per cylinder must conduct performance tests according to paragraphs (a) through (f) of this section.

(a) Each performance test must be conducted according to the requirements in § 60.8 and under the specific conditions that this subpart specifies in table 7. The test must be conducted within 10 percent of 100 percent peak (or the highest achievable) load.

(b) You may not conduct performance tests during periods of startup, shutdown, or malfunction, as specified in § 60.8(c).

(c) You must conduct three separate test runs for each performance test required in this section, as specified in § 60.8(f). Each test run must last at least 1 hour.

(d) To determine compliance with the percent reduction requirement, you must follow the requirements as specified in paragraphs (d)(1) through (3) of this section.

(1) You must use Equation 2 of this section to determine compliance with the percent reduction requirement:

$$\frac{C_i - C_o}{C_i} \times 100 = R \qquad \text{(Eq. 2)}$$

Where:

C_i = concentration of NO_X or PM at the control device inlet,

C_o = concentration of NO_X or PM at the control device outlet, and

R = percent reduction of NO_X or PM emissions.

(2) You must normalize the NO_X or PM concentrations at the inlet and outlet of the control device to a dry basis and to 15 percent oxygen (O_2) using Equation 3 of this section, or an equivalent percent carbon dioxide (CO_2) using the procedures described in paragraph (d)(3) of this section.

$$C_{adj} = C_d \frac{5.9}{20.9 - \%\ O_2} \qquad \text{(Eq. 3)}$$

Where:

C_{adj} = Calculated NO_X or PM concentration adjusted to 15 percent O_2.

C_d = Measured concentration of NO_X or PM, uncorrected.

5.9 = 20.9 percent O_2−15 percent O_2, the defined O_2 correction value, percent.

$\%O_2$ = Measured O_2 concentration, dry basis, percent.

(3) If pollutant concentrations are to be corrected to 15 percent O_2 and CO_2 concentration is measured in lieu of O_2 concentration measurement, a CO_2 correction factor is needed. Calculate the CO_2 correction factor as described in paragraphs (d)(3)(i) through (iii) of this section.

(i) Calculate the fuel-specific F_o value for the fuel burned during the test using values obtained from Method 19, Section 5.2, and the following equation:

$$F_o = \frac{0.209_{F_d}}{F_c} \qquad \text{(Eq. 4)}$$

Where:

F_o = Fuel factor based on the ratio of O_2 volume to the ultimate CO_2 volume produced by the fuel at zero percent excess air.

0.209 = Fraction of air that is O_2, percent/100.

F_d = Ratio of the volume of dry effluent gas to the gross calorific value of the fuel from Method 19, dsm^3/J ($dscf/10^6$ Btu).

F_c = Ratio of the volume of CO_2 produced to the gross calorific value of the fuel from Method 19, dsm^3/J ($dscf/10^6$ Btu).

(ii) Calculate the CO_2 correction factor for correcting measurement data to 15 percent O_2, as follows:

$$X_{CO_2} = \frac{5.9}{F_o} \qquad \text{(Eq. 5)}$$

Where:

X_{CO2} = CO_2 correction factor, percent.

5.9 = 20.9 percent O_2−15 percent O_2, the defined O_2 correction value, percent.

(iii) Calculate the NO_X and PM gas concentrations adjusted to 15 percent O_2 using CO_2 as follows:

$$C_{adj} = C_d \frac{X_{CO_2}}{\%CO_2} \qquad \text{(Eq. 6)}$$

Where:

C_{adj} = Calculated NO_X or PM concentration adjusted to 15 percent O_2.

C_d = Measured concentration of NO_X or PM, uncorrected.

$\%CO_2$ = Measured CO_2 concentration, dry basis, percent.

(e) To determine compliance with the NO_X mass per unit output emission limitation, convert the concentration of NO_X in the engine exhaust using Equation 7 of this section:

$$ER = \frac{C_d \times 1.912 \times 10^{-3} \times Q \times T}{\text{KW-hour}} \qquad \text{(Eq. 7)}$$

Where:

ER = Emission rate in grams per KW-hour.

C_d = Measured NO_X concentration in ppm.

1.912×10^{-3} = Conversion constant for ppm NO_X to grams per standard cubic meter at 25 degrees Celsius.

Q = Stack gas volumetric flow rate, in standard cubic meter per hour.

T = Time of test run, in hours.

KW-hour = Brake work of the engine, in KW-hour.

(f) To determine compliance with the PM mass per unit output emission limitation, convert the concentration of PM in the engine exhaust using Equation 8 of this section:

$$ER = \frac{C_{adj} \times Q \times T}{\text{KW-hour}} \qquad \text{(Eq. 8)}$$

Where:

ER = Emission rate in grams per KW-hour.

C_{adj} = Calculated PM concentration in grams per standard cubic meter.

Q = Stack gas volumetric flow rate, in standard cubic meter per hour.

T = Time of test run, in hours.

KW-hour = Energy output of the engine, in KW.

[71 FR 39172, July 11, 2006, as amended at 76 FR 37971, June 28, 2011]

Notification, Reports, and Records for Owners and Operators

§ 60.4214 What are my notification, reporting, and recordkeeping requirements if I am an owner or operator of a stationary CI internal combustion engine?

Owners and operators of non-emergency stationary CI ICE that are greater than 2,237 KW (3,000 HP), or have a displacement of greater than or equal to 10 liters per cylinder, or are pre-2007 model year engines that are greater than 130 KW (175 HP) and not certified, must meet the requirements of paragraphs (a)(1) and (2) of this section.

(1) Submit an initial notification as required in § 60.7(a)(1). The notification must include the information in paragraphs (a)(1)(i) through (v) of this section. Beginning on February 26, 2025, submit the notification electronically according to paragraph (g) of this section.

(i) Name and address of the owner or operator;

(ii) The address of the affected source;

(iii) Engine information including make, model, engine family, serial number, model year, maximum engine power, and engine displacement;

(iv) Emission control equipment; and

(v) Fuel used.

(2) Keep records of the information in paragraphs (a)(2)(i) through (iv) of this section.

(i) All notifications submitted to comply with this subpart and all documentation supporting any notification.

(ii) Maintenance conducted on the engine.

(iii) If the stationary CI internal combustion is a certified engine, documentation from the manufacturer that the engine is certified to meet the emission standards.

(iv) If the stationary CI internal combustion is not a certified engine, documentation that the engine meets the emission standards.

(b) If the stationary CI internal combustion engine is an emergency stationary internal combustion engine, the owner or operator is not required to submit an initial notification. Starting with the model years in table 5 to this subpart, if the emergency engine does not meet the standards applicable to non-emergency engines in the applicable model year, the owner or operator must keep records of the operation of the engine in emergency and non-emergency service that are recorded through the non-resettable hour meter. The owner must record the time of operation of the engine and the reason the engine was in operation during that time.

(c) If the stationary CI internal combustion engine is equipped with a diesel particulate filter, the owner or operator must keep records of any corrective action taken after the backpressure monitor has notified the owner or operator that the high backpressure limit of the engine is approached.

(d) If you own or operate an emergency stationary CI ICE with a maximum engine power more than 100 HP that operates for the purpose specified in § 60.4211(f)(3)(i), you must submit an annual report according to the requirements in paragraphs (d)(1) through (3) of this section.

(1) The report must contain the following information:

(i) Company name and address where the engine is located.

(ii) Date of the report and beginning and ending dates of the reporting period.

(iii) Engine site rating and model year.

(iv) Latitude and longitude of the engine in decimal degrees reported to the fifth decimal place.

(v)-(vi) [Reserved]

(vii) Hours spent for operation for the purposes specified in § 60.4211(f)(3)(i), including the date, start time, and end time for engine operation for the purposes specified in § 60.4211(f)(3)(i). The report must also identify the entity that dispatched the engine and the situation that necessitated the dispatch of the engine.

(2) The first annual report must cover the calendar year 2015 and must be submitted no later than March 31, 2016. Subsequent annual reports for each calendar year must be submitted no later than March 31 of the following calendar year.

(3) The annual report must be submitted electronically using the subpart specific reporting form in the Compliance and Emissions Data Reporting Interface (CEDRI) that is accessed through EPA's Central Data Exchange (CDX) (*https://cdx.epa.gov/*). However, if the reporting form specific to this subpart is not available in CEDRI at the time that the report is due, the written report must be submitted to the Administrator at the appropriate address listed in § 60.4. Beginning on February 26, 2025, submit annual report electronically according to paragraph (g) of this section.

(e) Owners or operators of stationary CI ICE equipped with AECDs pursuant to the requirements of 40 CFR 1039.665 must report the use of AECDs as required by 40 CFR 1039.665(e).

(f) Beginning on February 26, 2025, within 60 days after the date of completing each performance test required by this subpart, you must submit the results of the performance test required under this section following the procedures specified in paragraphs (f)(1) and (2) of this section.

(1) ***Data collected using test methods supported by the EPA's Electronic Reporting Tool (ERT) as listed on the EPA's ERT website (https://www.epa.gov/electronic-reporting-air-emissions/electronic-reporting-tool-ert) at the time of the test.*** Submit the results of the performance test to the EPA via the Compliance and Emissions Data Reporting Interface (CEDRI), according to paragraph (g) of this section. The data must be submitted in a file format generated using the EPA's ERT. Alternatively, you may submit an electronic file consistent with the extensible markup language (XML) schema listed on the EPA's ERT website.

(2) ***Data collected using test methods that are not supported by the EPA's ERT as listed on the EPA's ERT website at the time of the test.*** The results of the performance test must be included as an attachment in the ERT or an alternate electronic file consistent with the XML schema listed on the EPA's ERT website. Submit the ERT generated package or alternative file to the EPA via CEDRI according to paragraph (g) of this section.

(g) If you are required to submit notifications or reports following the procedure specified in this paragraph (g), you must submit notifications or reports to the EPA via the Compliance and Emissions Data Reporting Interface (CEDRI), which can be accessed through the EPA's Central Data Exchange (CDX) (*https://cdx.epa.gov/*). The EPA will make all the information submitted through CEDRI available to the public without further notice to you. Do not use CEDRI to submit information you claim as CBI. Although we do not expect persons to assert a claim of CBI, if you wish to assert a CBI claim for some of the information in the report or notification, you must submit a complete file in the format specified in this subpart, including information claimed to be CBI, to the EPA following the procedures in paragraphs (g)(1) and (2) of this section. Clearly mark the part or all of the information that you claim to be CBI. Information not marked as CBI may be authorized for public release without prior notice. Information marked as CBI will not be disclosed except in accordance with procedures set forth in 40 CFR part 2. All CBI claims must be asserted at the time of submission. Anything submitted using CEDRI cannot later be claimed CBI. Furthermore, under CAA section 114(c), emissions data is not entitled to confidential treatment, and the EPA is

required to make emissions data available to the public. Thus, emissions data will not be protected as CBI and will be made publicly available. You must submit the same file submitted to the CBI office with the CBI omitted to the EPA via the EPA's CDX as described earlier in this paragraph (g).

(1) The preferred method to receive CBI is for it to be transmitted electronically using email attachments, File Transfer Protocol, or other online file sharing services. Electronic submissions must be transmitted directly to the OAQPS CBI Office at the email address *oaqpscbi@epa.gov,* and as described in paragraph (g) of this section, should include clear CBI markings. ERT files should be flagged to the attention of the Group Leader, Measurement Policy Group; all other files should be flagged to the attention of the Stationary Compression Ignition Internal Combustion Engine Sector Lead. If assistance is needed with submitting large electronic files that exceed the file size limit for email attachments, and if you do not have your own file sharing service, please email *oaqpscbi@epa.gov* to request a file transfer link.

(2) If you cannot transmit the file electronically, you may send CBI information through the postal service to the following address: OAQPS Document Control Officer (C404-02), OAQPS, U.S. Environmental Protection Agency, 109 T.W. Alexander Drive, P.O. Box 12055, Research Triangle Park, North Carolina 27711. ERT files should be sent to the attention of the Group Leader, Measurement Policy Group, and all other files should be sent to the attention of the Stationary Compression Ignition Internal Combustion Engine Sector Lead. The mailed CBI material should be double wrapped and clearly marked. Any CBI markings should not show through the outer envelope.

(h) If you are required to electronically submit a report through CEDRI in the EPA's CDX, you may assert a claim of EPA system outage for failure to timely comply with that reporting requirement. To assert a claim of EPA system outage, you must meet the requirements outlined in paragraphs (h)(1) through (7) of this section.

(1) You must have been or will be precluded from accessing CEDRI and submitting a required report within the time prescribed due to an outage of either the EPA's CEDRI or CDX systems.

(2) The outage must have occurred within the period of time beginning five business days prior to the date that the submission is due.

(3) The outage may be planned or unplanned.

(4) You must submit notification to the Administrator in writing as soon as possible following the date you first knew, or through due diligence should have known, that the event may cause or has caused a delay in reporting.

(5) You must provide to the Administrator a written description identifying:

(i) The date(s) and time(s) when CDX or CEDRI was accessed and the system was unavailable;

(ii) A rationale for attributing the delay in reporting beyond the regulatory deadline to EPA system outage;

(iii) A description of measures taken or to be taken to minimize the delay in reporting; and

(iv) The date by which you propose to report, or if you have already met the reporting requirement at the time of the notification, the date you reported.

(6) The decision to accept the claim of EPA system outage and allow an extension to the reporting deadline is solely within the discretion of the Administrator.

(7) In any circumstance, the report must be submitted electronically as soon as possible after the outage is resolved.

(i) If you are required to electronically submit a report through CEDRI in the EPA's CDX, you may assert a claim of force majeure for failure to timely comply with that reporting requirement. To assert a claim of force majeure, you must meet the requirements outlined in paragraphs (i)(1) through (5) of this section.

(1) You may submit a claim if a force majeure event is about to occur, occurs, or has occurred or there are lingering effects from such an event within the period of time beginning five business days prior to the date the submission is due. For the purposes of this section, a force majeure event is defined as an event that will be or has been caused by circumstances beyond the control of the affected facility, its contractors, or any entity controlled by the affected facility that prevents you from complying with the requirement to submit a report electronically within the time period prescribed. Examples of such events are acts of nature (*e.g.,* hurricanes, earthquakes, or floods), acts of war or terrorism, or equipment failure or safety hazard beyond the control of the affected facility (*e.g.,* large scale power outage).

(2) You must submit notification to the Administrator in writing as soon as possible following the date you first knew, or through due diligence should have known, that the event may cause or has caused a delay in reporting.

(3) You must provide to the Administrator:

(i) A written description of the force majeure event;

(ii) A rationale for attributing the delay in reporting beyond the regulatory deadline to the force majeure event;

(iii) A description of measures taken or to be taken to minimize the delay in reporting; and

(iv) The date by which you propose to report, or if you have already met the reporting requirement at the time of the notification, the date you reported.

(4) The decision to accept the claim of force majeure and allow an extension to the reporting deadline is solely within the discretion of the Administrator.

(5) In any circumstance, the reporting must occur as soon as possible after the force majeure event occurs.

(j) Any records required to be maintained by this subpart that are submitted electronically via the EPA's CEDRI may be maintained in electronic format. This ability to maintain electronic copies does not affect the requirement for facilities to make records, data, and reports available upon request to a delegated air agency or the EPA as part of an on-site compliance evaluation.

[71 FR 39172, July 11, 2006, as amended at 78 FR 6696, Jan. 30, 2013; 81 FR 44219, July 7, 2016; 87 FR 48606, Aug. 10, 2022; 89 FR 70512, Aug. 30, 2024]

Special Requirements

§ 60.4215 What requirements must I meet for engines used in Guam, American Samoa, or the Commonwealth of the Northern Mariana Islands?

(a) Stationary CI ICE with a displacement of less than 30 liters per cylinder that are used in Guam, American Samoa, or the Commonwealth of the Northern Mariana Islands are required to meet the applicable emission standards in §§ 60.4202 and 60.4205.

(b) Stationary CI ICE that are used in Guam, American Samoa, or the Commonwealth of the Northern Mariana Islands are not required to meet the fuel requirements in § 60.4207.

(c) Stationary CI ICE with a displacement of greater than or equal to 30 liters per cylinder that are used in Guam, American Samoa, or the Commonwealth of the Northern Mariana Islands are required to meet the following emission standards:

(1) For engines installed prior to January 1, 2012, limit the emissions of NO_X in the stationary CI internal combustion engine exhaust to the following:

(i) 17.0 g/KW-hr (12.7 g/HP-hr) when maximum engine speed is less than 130 rpm;

(ii) $45 \cdot n^{-0.2}$ g/KW-hr ($34 \cdot n^{-0.2}$ g/HP-hr) when maximum engine speed is 130 or more but less than 2,000 rpm, where n is maximum engine speed; and

(iii) 9.8 g/KW-hr (7.3 g/HP-hr) when maximum engine speed is 2,000 rpm or more.

(2) For engines installed on or after January 1, 2012, limit the emissions of NO_X in the stationary CI internal combustion engine exhaust to the following:

(i) 14.4 g/KW-hr (10.7 g/HP-hr) when maximum engine speed is less than 130 rpm;

(ii) $44 \cdot n^{-0.23}$ g/KW-hr ($33 \cdot n^{-0.23}$ g/HP-hr) when maximum engine speed is greater than or equal to 130 but less than 2,000 rpm and where n is maximum engine speed; and

(iii) 7.7 g/KW-hr (5.7 g/HP-hr) when maximum engine speed is greater than or equal to 2,000 rpm.

(3) Limit the emissions of PM in the stationary CI internal combustion engine exhaust to 0.40 g/KW-hr (0.30 g/HP-hr).

[71 FR 39172, July 11, 2006, as amended at 76 FR 37971, June 28, 2011]

§ 60.4216 What requirements must I meet for engines used in Alaska?

(a) Prior to December 1, 2010, owners and operators of stationary CI ICE with a displacement of less than 30 liters per cylinder located in areas of Alaska not accessible by the FAHS should refer to 40 CFR part 69 to determine the diesel fuel requirements applicable to such engines.

(b) Except as indicated in paragraph (c) of this section, manufacturers, owners and operators of stationary CI ICE with a displacement of less than 10 liters per cylinder located in remote areas of Alaska may meet the requirements of this subpart by manufacturing and installing engines meeting the Tier 2 or Tier 3 emission standards described in 40 CFR part 1042 for the same model year, displacement, and maximum engine power, as appropriate, rather than the otherwise applicable requirements of 40 CFR part 1039, as indicated in §§ 60.4201(f) and 60.4202(g).

(c) Manufacturers, owners, and operators of stationary CI ICE that are located in remote areas of Alaska may choose to meet the applicable emission standards for emergency engines in §§ 60.4202 and 60.4205, and not those for non-emergency engines in §§ 60.4201 and 60.4204, except that for 2014 model year and later nonemergency CI ICE, the owner or operator of any such engine must have that engine certified as meeting at least the Tier 3 PM standards identified in appendix I of 40 CFR part 1039 or in 40 CFR 1042.101.

(d) The provisions of § 60.4207 do not apply to owners and operators of pre-2014 model year stationary CI ICE subject to this subpart that are located in remote areas of Alaska.

(e) The provisions of § 60.4208(a) do not apply to owners and operators of stationary CI ICE subject to this subpart that are located in areas of Alaska not accessible by the FAHS until after December 31, 2009.

(f) The provisions of this section and § 60.4207 do not prevent owners and operators of stationary CI ICE subject to this subpart that are located in remote areas of Alaska from using fuels mixed with used lubricating oil, in volumes of up to 1.75 percent of the total fuel. The sulfur content of the used lubricating oil must be less than 200 parts per million. The used lubricating oil must meet the on-specification levels and properties for used oil in 40 CFR 279.11.

[76 FR 37971, June 28, 2011, as amended at 81 FR 44219, July 7, 2016; 86 FR 34359, June 29, 2021]

§ 60.4217 What emission standards must I meet if I am an owner or operator of a stationary internal combustion engine using special fuels?

Owners and operators of stationary CI ICE that do not use diesel fuel may petition the Administrator for approval of alternative emission standards, if they can demonstrate that they use a fuel that is not the fuel on which the manufacturer of the engine certified the engine and that the engine cannot meet the applicable standards required in § 60.4204 or § 60.4205 using such fuels and that use of such fuel is appropriate and reasonably necessary, considering cost, energy, technical feasibility, human health and environmental, and other factors, for the operation of the engine.

[76 FR 37972, June 28, 2011]

General Provisions

§ 60.4218 What General Provisions and confidential information provisions apply to me?

(a) Table 8 to this subpart shows which parts of the General Provisions in §§ 60.1 through 60.19 apply to you.

(b) The provisions of 40 CFR 1068.10 and 1068.11 apply for engine manufacturers. For others, the general confidential business information (CBI) provisions apply as described in 40 CFR part 2.

[88 FR 4471, Jan. 24, 2023]

Definitions

§ 60.4219 What definitions apply to this subpart?

As used in this subpart, all terms not defined herein shall have the meaning given them in the CAA and in subpart A of this part.

Alaska Railbelt Grid means the service areas of the six regulated public utilities that extend from Fairbanks to Anchorage and the Kenai Peninsula. These utilities are Golden Valley Electric Association; Chugach Electric Association; Matanuska Electric Association; Homer Electric Association; Anchorage Municipal Light & Power; and the City of Seward Electric System.

Certified emissions life means the period during which the engine is designed to properly function in terms of reliability and fuel consumption, without being remanufactured, specified as a number of hours of operation or calendar years, whichever comes first. The values for certified emissions life for stationary CI ICE with a displacement of less than 10 liters per cylinder are given in 40 CFR 1039.101(g). The values for certified emissions life for stationary CI ICE with a displacement of greater than or equal to 10 liters per cylinder and less than 30 liters per cylinder are given in 40 CFR 1042.101(e).

Combustion turbine means all equipment, including but not limited to the turbine, the fuel, air, lubrication and exhaust gas systems, control systems (except emissions control equipment), and any ancillary components and sub-components comprising any simple cycle combustion turbine, any regenerative/recuperative cycle combustion turbine, the combustion turbine portion of any cogeneration cycle combustion system, or the combustion turbine portion of any combined cycle steam/electric generating system.

Compression ignition means relating to a type of stationary internal combustion engine that is not a spark ignition engine.

Date of manufacture means one of the following things:

(1) For freshly manufactured engines and modified engines, date of manufacture means the date the engine is originally produced.

(2) For reconstructed engines, date of manufacture means the date the engine was originally produced, except as specified in paragraph (3) of this definition.

(3) Reconstructed engines are assigned a new date of manufacture if the fixed capital cost of the new and refurbished components exceeds 75 percent of the fixed capital cost of a comparable entirely new facility. An engine that is produced from a previously used engine block does not retain the date of manufacture of the engine in which the engine block was previously used if the engine is produced using all new components except for the engine block. In these cases, the date of manufacture is the date of reconstruction or the date the new engine is produced.

Diesel fuel means any liquid obtained from the distillation of petroleum with a boiling point of approximately 150 to 360 degrees Celsius. One commonly used form is number 2 distillate oil.

Diesel particulate filter means an emission control technology that reduces PM emissions by trapping the particles in a flow filter substrate and periodically removes the collected particles by either physical action or by oxidizing (burning off) the particles in a process called regeneration.

Emergency stationary internal combustion engine means any stationary reciprocating internal combustion engine that meets all of the criteria in paragraphs (1) through (3) of this definition. All emergency stationary ICE must comply with the requirements specified in § 60.4211(f) in order to be considered emergency stationary ICE. If the engine does not comply with the requirements specified in § 60.4211(f), then it is not considered to be an emergency stationary ICE under this subpart.

(1) The stationary ICE is operated to provide electrical power or mechanical work during an emergency situation. Examples include stationary ICE used to produce power for critical networks or equipment (including power supplied to portions of a facility) when electric power from the local utility (or the normal power source, if the facility runs on its own power production) is interrupted, or stationary ICE used to pump water in the case of fire or flood, etc.

(2) The stationary ICE is operated under limited circumstances for situations not included in paragraph (1) of this definition, as specified in § 60.4211(f).

(3) The stationary ICE operates as part of a financial arrangement with another entity in situations not included in paragraph (1) of this definition only as allowed in § 60.4211(f)(3)(i).

Engine manufacturer means the manufacturer of the engine. See the definition of “manufacturer” in this section.

Fire pump engine means an emergency stationary internal combustion engine certified to NFPA requirements that is used to provide power to pump water for fire suppression or protection.

Freshly manufactured engine means an engine that has not been placed into service. An engine becomes freshly manufactured when it is originally produced.

Installed means the engine is placed and secured at the location where it is intended to be operated.

Manufacturer has the meaning given in section 216(1) of the Act. In general, this term includes any person who manufactures a stationary engine for sale in the United States or otherwise introduces a new stationary engine into commerce in the United States. This includes importers who import stationary engines for sale or resale.

Maximum engine power means maximum engine power as defined in 40 CFR 1039.801.

Model year means the calendar year in which an engine is manufactured (see “date of manufacture”), except as follows:

(1) Model year means the annual new model production period of the engine manufacturer in which an engine is manufactured (see “date of manufacture”), if the annual new model production period is different than the calendar year and includes January 1 of the calendar year for which the model year is named. It may not begin before January 2 of the previous calendar year and it must end by December 31 of the named calendar year.

(2) For an engine that is converted to a stationary engine after being placed into service as a nonroad or other non-stationary engine, model year means the calendar year or new model production period in which the engine was manufactured (see “date of manufacture”).

Other internal combustion engine means any internal combustion engine, except combustion turbines, which is not a reciprocating internal combustion engine or rotary internal combustion engine.

Reciprocating internal combustion engine means any internal combustion engine which uses reciprocating motion to convert heat energy into mechanical work.

Remote areas of Alaska means areas of Alaska that meet either paragraph (1) or (2) of this definition.

(1) Areas of Alaska that are not accessible by the Federal Aid Highway System (FAHS).

(2) Areas of Alaska that meet all of the following criteria:

(i) The only connection to the FAHS is through the Alaska Marine Highway System, or the stationary CI ICE operation is within an isolated grid in Alaska that is not connected to the statewide electrical grid referred to as the Alaska Railbelt Grid.

(ii) At least 10 percent of the power generated by the stationary CI ICE on an annual basis is used for residential purposes.

(iii) The generating capacity of the source is less than 12 megawatts, or the stationary CI ICE is used exclusively for backup power for renewable energy.

Rotary internal combustion engine means any internal combustion engine which uses rotary motion to convert heat energy into mechanical work.

Spark ignition means relating to a gasoline, natural gas, or liquefied petroleum gas fueled engine or any other type of engine with a spark plug (or other sparking device) and with operating characteristics significantly similar to the theoretical Otto combustion cycle. Spark ignition engines usually use a throttle to regulate intake air flow to control power during normal operation. Dual-fuel engines in which a liquid fuel (typically diesel fuel) is used for CI and gaseous fuel (typically natural gas) is used as the primary fuel at an annual average ratio of less than 2 parts diesel fuel to 100 parts total fuel on an energy equivalent basis are spark ignition engines.

Stationary internal combustion engine means any internal combustion engine, except combustion turbines, that converts heat energy into mechanical work and is not mobile. Stationary ICE differ from mobile ICE in that a stationary internal combustion engine is not a nonroad engine as defined at 40 CFR 1068.30 (excluding paragraph (2)(ii) of that definition), and is not used to propel a motor vehicle, aircraft, or a vehicle used solely for competition. Stationary ICE include reciprocating ICE, rotary ICE, and other ICE, except combustion turbines.

Subpart means 40 CFR part 60, subpart IIII.

[71 FR 39172, July 11, 2006, as amended at 76 FR 37972, June 28, 2011; 78 FR 6696, Jan. 30, 2013; 81 FR 44219, July 7, 2016; 86 FR 34360, June 29, 2021; 87 FR 48606, Aug. 10, 2022]

Table 1 to Subpart IIII of Part 60—Emission Standards for Stationary Pre-2007 Model Year Engines With a Displacement of <10 Liters per Cylinder and 2007-2010 Model Year Engines >2,237 KW (3,000 HP) and With a Displacement of <10 Liters per Cylinder

[As stated in §§60.4201(b), 60.4202(b), 60.4204(a), and 60.4205(a), you must comply with the following emission standards]

Maximum engine power	Emission standards for stationary pre-2007 model year engines with a displacement of <10 liters per cylinder and 2007-2010 model year engines >2,237 KW (3,000 HP) and with a displacement of <10 liters per cylinder in g/KW-hr (g/HP-hr)				
	NMHC + NO_X	HC	NO_X	CO	PM
KW<8 (HP<11)	10.5 (7.8)			8.0 (6.0)	1.0 (0.75)
8≤KW<19 (11≤HP<25)	9.5 (7.1)			6.6 (4.9)	0.80 (0.60)
19≤KW<37 (25≤HP<50)	9.5 (7.1)			5.5 (4.1)	0.80 (0.60)
37≤KW<56 (50≤HP<75)			9.2 (6.9)		
56≤KW<75 (75≤HP<100)			9.2 (6.9)		
75≤KW<130 (100≤HP<175)			9.2 (6.9)		
130≤KW<225 (175≤HP<300)		1.3 (1.0)	9.2 (6.9)	11.4 (8.5)	0.54 (0.40)
225≤KW<450 (300≤HP<600)		1.3 (1.0)	9.2 (6.9)	11.4 (8.5)	0.54 (0.40)
450≤KW≤560 (600≤HP≤750)		1.3 (1.0)	9.2 (6.9)	11.4 (8.5)	0.54 (0.40)
KW>560 (HP>750)		1.3 (1.0)	9.2 (6.9)	11.4 (8.5)	0.54 (0.40)

Table 2 to Subpart IIII of Part 60—Emission Standards for 2008 Model Year and Later Emergency Stationary CI ICE <37 KW (50 HP) With a Displacement of <10 Liters per Cylinder

[As stated in §60.4202(a)(1), you must comply with the following emission standards]

Engine power	Emission standards for 2008 model year and later emergency stationary CI ICE <37 KW (50 HP) with a displacement of <10 liters per cylinder in g/KW-hr (g/HP-hr)			
	Model year(s)	NO_X + NMHC	CO	PM
KW<8 (HP<11)	2008 +	7.5 (5.6)	8.0 (6.0)	0.40 (0.30)
8≤KW<19 (11≤HP<25)	2008 +	7.5 (5.6)	6.6 (4.9)	0.40 (0.30)
19≤KW<37 (25≤HP<50)	2008 +	7.5 (5.6)	5.5 (4.1)	0.30 (0.22)

Table 3 to Subpart IIII of Part 60—Certification Requirements for Stationary Fire Pump Engines

As stated in §60.4202(d), you must certify new stationary fire pump engines beginning with the following model years:

Engine power	Starting model year engine manufacturers must certify new stationary fire pump engines according to §60.4202(d)[1]
KW<75 (HP<100)	2011
75≤KW<130 (100≤HP<175)	2010
130≤KW≤560 (175≤HP≤750)	2009
KW>560 (HP>750)	2008

[1]Manufacturers of fire pump stationary CI ICE with a maximum engine power greater than or equal to 37 kW (50 HP) and less than 450 KW (600 HP) and a rated speed of greater than 2,650 revolutions per minute (rpm) are not required to certify such engines until three model years following the model year indicated in this Table 3 for engines in the applicable engine power category.

[71 FR 39172, July 11, 2006, as amended at 76 FR 37972, June 28, 2011]

Table 4 to Subpart IIII of Part 60—Emission Standards for Stationary Fire Pump Engines

[As stated in §§ 60.4202(d) and 60.4205(c), you must comply with the following emission standards for stationary fire pump engines]

Maximum engine power	Model year(s)	Emission standards for stationary fire pump engines in g/KW-hr (g/HP-hr)		
		NMHC + NO_X	CO	PM
KW<8 (HP<11)	2010 and earlier	10.5 (7.8)	8.0 (6.0)	1.0 (0.75)
KW<8 (HP<11)	2011 +	7.5 (5.6)	8.0 (6.0)	0.40 (0.30)
8≤KW<19 (11≤HP<25)	2010 and earlier	9.5 (7.1)	6.6 (4.9)	0.80 (0.60)
8≤KW<19 (11≤HP<25)	2011 +	7.5 (5.6)	6.6 (4.9)	0.40 (0.30)
19≤KW<37 (25≤HP<50)	2010 and earlier	9.5 (7.1)	5.5 (4.1)	0.80 (0.60)
19≤KW<37 (25≤HP<50)	2011 +	7.5 (5.6)	5.5 (4.1)	0.30 (0.22)
37≤KW<56 (50≤HP<75)	2010 and earlier	10.5 (7.8)	5.0 (3.7)	0.80 (0.60)
37≤KW<56 (50≤HP<75)	2011 +[1]	4.7 (3.5)	5.0 (3.7)	0.40 (0.30)
56≤KW<75 (75≤HP<100)	2010 and earlier	10.5 (7.8)	5.0 (3.7)	0.80 (0.60)
56≤KW<75 (75≤HP<100)	2011 +[1]	4.7 (3.5)	5.0 (3.7)	0.40 (0.30)
75≤KW<130 (100≤HP<175)	2009 and earlier	10.5 (7.8)	5.0 (3.7)	0.80 (0.60)
75≤KW<130 (100≤HP<175)	2010 +[2]	4.0 (3.0)	5.0 (3.7)	0.30 (0.22)

130≤KW<225 (175≤HP<300)	2008 and earlier	10.5 (7.8)	3.5 (2.6)	0.54 (0.40)
130≤KW<225 (175≤HP<300)	2009 +[3]	4.0 (3.0)	3.5 (2.6)	0.20 (0.15)
225≤KW<450 (300≤HP<600)	2008 and earlier	10.5 (7.8)	3.5 (2.6)	0.54 (0.40)
225≤KW<450 (300≤HP<600)	2009 +[3]	4.0 (3.0)	3.5 (2.6)	0.20 (0.15)
450≤KW≤560 (600≤HP≤750)	2008 and earlier	10.5 (7.8)	3.5 (2.6)	0.54 (0.40)
450≤KW≤560 (600≤HP≤750)	2009 +	4.0 (3.0)	3.5 (2.6)	0.20 (0.15)
KW>560 (HP>750)	2007 and earlier	10.5 (7.8)	3.5 (2.6)	0.54 (0.40)
KW>560 (HP>750)	2008 +	6.4 (4.8)	3.5 (2.6)	0.20 (0.15)

[1] For model years 2011-2013, manufacturers, owners and operators of fire pump stationary CI ICE in this engine power category with a rated speed of greater than 2,650 revolutions per minute (rpm) may comply with the emission limitations for 2010 model year engines.

[2] For model years 2010-2012, manufacturers, owners and operators of fire pump stationary CI ICE in this engine power category with a rated speed of greater than 2,650 rpm may comply with the emission limitations for 2009 model year engines.

[3] In model years 2009-2011, manufacturers of fire pump stationary CI ICE in this engine power category with a rated speed of greater than 2,650 rpm may comply with the emission limitations for 2008 model year engines.

[89 FR 70513, Aug. 30, 2024]

Table 5 to Subpart IIII of Part 60—Labeling and Recordkeeping Requirements for New Stationary Emergency Engines

[You must comply with the labeling requirements in §60.4210(f) and the recordkeeping requirements in §60.4214(b) for new emergency stationary CI ICE beginning in the following model years:]

Engine power	Starting model year
19≤KW<56 (25≤HP<75)	2013
56≤KW<130 (75≤HP<175)	2012
KW≥130 (HP≥175)	2011

Table 6 to Subpart IIII of Part 60—Optional 3-Mode Test Cycle for Stationary Fire Pump Engines

[As stated in §60.4210(g), manufacturers of fire pump engines may use the following test cycle for testing fire pump engines:]

Mode No.	Engine speed[1]	Torque (percent)[2]	Weighting factors
1	Rated	100	0.30
2	Rated	75	0.50
3	Rated	50	0.20

[1]Engine speed: ±2 percent of point.

[2]Torque: NFPA certified nameplate HP for 100 percent point. All points should be ±2 percent of engine percent load value.

Table 7 to Subpart IIII of Part 60—Requirements for Performance Tests for Stationary CI ICE With a Displacement of ≥30 Liters per Cylinder

As stated in §60.4213, you must comply with the following requirements for performance tests for stationary CI ICE with a displacement of ≥30 liters per cylinder:

Each	Complying with the requirement to	You must	Using	According to the following requirements
1. Stationary CI internal combustion engine with a displacement of ≥ 30 liters per cylinder	a. Reduce NO_X emissions by 90 percent or more;	i. Select the sampling port location and number/location of traverse points at the inlet and outlet of the control device;		(a) For NO_X, O_2, and moisture measurement, ducts ≤6 inches in diameter may be sampled at a single point located at the duct centroid and ducts >6 and ≤12 inches in diameter may be sampled at 3 traverse points located at 16.7, 50.0, and 83.3% of the measurement line ('3-point long line'). If the duct is >12 inches in diameter *and* the sampling port location meets the two and half-diameter criterion of Section 11.1.1 of Method 1 of 40 CFR part 60, appendix A-1, the duct may be sampled at '3-point long line'; otherwise, conduct the stratification testing and select sampling points according to Section 8.1.2 of Method 7E of 40 CFR part 60, appendix A-4.
		ii. Measure O_2 at the inlet and outlet of the control device;	(1) Method 3, 3A, or 3B of 40 CFR part 60, appendix A-2	(b) Measurements to determine O_2 concentration must be made at the same time as the measurements for NO_X concentration.
		iii. If necessary, measure moisture content at the inlet and outlet of the control device; and	(2) Method 4 of 40 CFR part 60, appendix A-3, Method 320 of 40 CFR part 63, appendix A, or ASTM D 6348-03 (incorporated by reference, see §60.17)	(c) Measurements to determine moisture content must be made at the same time as the measurements for NO_X concentration.
		iv. Measure NO_X at the inlet and outlet of the control device.	(3) Method 7E of 40 CFR part 60, appendix A-4, Method 320 of 40 CFR part 63, appendix A, or ASTM D 6348-03 (incorporated by reference, see §60.17)	(d) NO_X concentration must be at 15 percent O_2, dry basis. Results of this test consist of the average of the three 1-hour or longer runs.

Each	Complying with the requirement to	You must	Using	According to the following requirements
	b. Limit the concentration of NO_X in the stationary CI internal combustion engine exhaust.	i. Select the sampling port location and number/location of traverse points at the exhaust of the stationary internal combustion engine;		(a) For NO_X, O_2, and moisture measurement, ducts ≤6 inches in diameter may be sampled at a single point located at the duct centroid and ducts >6 and ≤12 inches in diameter may be sampled at 3 traverse points located at 16.7, 50.0, and 83.3% of the measurement line ('3-point long line'). If the duct is >12 inches in diameter *and* the sampling port location meets the two and half-diameter criterion of Section 11.1.1 of Method 1 of 40 CFR part 60, appendix A-1, the duct may be sampled at '3-point long line'; otherwise, conduct the stratification testing and select sampling points according to Section 8.1.2 of Method 7E of 40 CFR part 60, appendix A-4.
		ii. Determine the O_2 concentration of the stationary internal combustion engine exhaust at the sampling port location;	(1) Method 3, 3A, or 3B of 40 CFR part 60, appendix A-2	(b) Measurements to determine O_2 concentration must be made at the same time as the measurement for NO_X concentration.
		iii. If necessary, measure moisture content of the stationary internal combustion engine exhaust at the sampling port location; and	(2) Method 4 of 40 CFR part 60, appendix A-3, Method 320 of 40 CFR part 63, appendix A, or ASTM D 6348-03 (incorporated by reference, see §60.17)	(c) Measurements to determine moisture content must be made at the same time as the measurement for NO_X concentration.
		iv. Measure NO_X at the exhaust of the stationary internal combustion engine; if using a control device, the sampling site must be located at the outlet of the control device.	(3) Method 7E of 40 CFR part 60, appendix A-4, Method 320 of 40 CFR part 63, appendix A, or ASTM D 6348-03 (incorporated by reference, see §60.17)	(d) NO_X concentration must be at 15 percent O_2, dry basis. Results of this test consist of the average of the three 1-hour or longer runs.
	c. Reduce PM emissions by 60 percent or more	i. Select the sampling port location and the number of traverse points;	(1) Method 1 or 1A of 40 CFR part 60, appendix A-1	(a) Sampling sites must be located at the inlet and outlet of the control device.
		ii. Measure O_2 at the inlet and outlet of the control device;	(2) Method 3, 3A, or 3B of 40 CFR part 60, appendix A-2	(b) Measurements to determine O_2 concentration must be made at the same time as the measurements for PM concentration.

Each	Complying with the requirement to	You must	Using	According to the following requirements
		iii. If necessary, measure moisture content at the inlet and outlet of the control device; and	(3) Method 4 of 40 CFR part 60, appendix A-3	(c) Measurements to determine and moisture content must be made at the same time as the measurements for PM concentration.
		iv. Measure PM at the inlet and outlet of the control device.	(4) Method 5 of 40 CFR part 60, appendix A-3	(d) PM concentration must be at 15 percent O_2, dry basis. Results of this test consist of the average of the three 1-hour or longer runs.
	d. Limit the concentration of PM in the stationary CI internal combustion engine exhaust	i. Select the sampling port location and the number of traverse points;	(1) Method 1 or 1A of 40 CFR part 60, appendix A-1	(a) If using a control device, the sampling site must be located at the outlet of the control device.
		ii. Determine the O_2 concentration of the stationary internal combustion engine exhaust at the sampling port location;	(2) Method 3, 3A, or 3B of 40 CFR part 60, appendix A-2	(b) Measurements to determine O_2 concentration must be made at the same time as the measurements for PM concentration.
		iii. If necessary, measure moisture content of the stationary internal combustion engine exhaust at the sampling port location; and	(3) Method 4 of 40 CFR part 60, appendix A-3	(c) Measurements to determine moisture content must be made at the same time as the measurements for PM concentration.
		iv. Measure PM at the exhaust of the stationary internal combustion engine.	(4) Method 5 of 40 CFR part 60, appendix A-3	(d) PM concentration must be at 15 percent O_2, dry basis. Results of this test consist of the average of the three 1-hour or longer runs.

[79 FR 11251, Feb. 27, 2014]

Table 8 to Subpart IIII of Part 60—Applicability of General Provisions to Subpart IIII

[As stated in §60.4218, you must comply with the following applicable General Provisions:]

General Provisions citation	Subject of citation	Applies to subpart	Explanation
§60.1	General applicability of the General Provisions	Yes	
§60.2	Definitions	Yes	Additional terms defined in §60.4219.
§60.3	Units and abbreviations	Yes	
§60.4	Address	Yes	

General Provisions citation	Subject of citation	Applies to subpart	Explanation
§60.5	Determination of construction or modification	Yes	
§60.6	Review of plans	Yes	
§60.7	Notification and Recordkeeping	Yes	Except that §60.7 only applies as specified in §60.4214(a).
§60.8	Performance tests	Yes	Except that §60.8 only applies to stationary CI ICE with a displacement of (≥30 liters per cylinder and engines that are not certified.
§60.9	Availability of information	Yes	
§60.10	State Authority	Yes	
§60.11	Compliance with standards and maintenance requirements	No	Requirements are specified in subpart IIII.
§60.12	Circumvention	Yes	
§60.13	Monitoring requirements	Yes	Except that §60.13 only applies to stationary CI ICE with a displacement of (≥30 liters per cylinder.
§60.14	Modification	Yes	
§60.15	Reconstruction	Yes	
§60.16	Priority list	Yes	
§60.17	Incorporations by reference	Yes	
§60.18	General control device requirements	No	
§60.19	General notification and reporting requirements	Yes	

Attachment B

Part 70 Operating Permit No: T091-49561-00195

[Downloaded from the eCFR on September 5, 2024]

Electronic Code of Federal Regulations

Title 40: Protection of Environment

PART 63—NATIONAL EMISSION STANDARDS FOR HAZARDOUS AIR POLLUTANTS FOR SOURCE CATEGORIES

Subpart ZZZZ—National Emissions Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines

Source:69 FR 33506, June 15, 2004, unless otherwise noted.

What This Subpart Covers

§ 63.6580 What is the purpose of subpart ZZZZ?

Subpart ZZZZ establishes national emission limitations and operating limitations for hazardous air pollutants (HAP) emitted from stationary reciprocating internal combustion engines (RICE) located at major and area sources of HAP emissions. This subpart also establishes requirements to demonstrate initial and continuous compliance with the emission limitations and operating limitations.

[73 FR 3603, Jan. 18, 2008]

§ 63.6585 Am I subject to this subpart?

You are subject to this subpart if you own or operate a stationary RICE at a major or area source of HAP emissions, except if the stationary RICE is being tested at a stationary RICE test cell/stand.

(a) A stationary RICE is any internal combustion engine which uses reciprocating motion to convert heat energy into mechanical work and which is not mobile. Stationary RICE differ from mobile RICE in that a stationary RICE is not a non-road engine as defined at 40 CFR 1068.30, and is not used to propel a motor vehicle or a vehicle used solely for competition.

(b) A major source of HAP emissions is a plant site that emits or has the potential to emit any single HAP at a rate of 10 tons (9.07 megagrams) or more per year or any combination of HAP at a rate of 25 tons (22.68 megagrams) or more per year, except that for oil and gas production facilities, a major source of HAP emissions is determined for each surface site.

(c) An area source of HAP emissions is a source that is not a major source.

(d) If you are an owner or operator of an area source subject to this subpart, your status as an entity subject to a standard or other requirements under this subpart does not subject you to the obligation to obtain a permit under 40 CFR part 70 or 71, provided you are not required to obtain a permit under 40 CFR 70.3(a) or 40 CFR 71.3(a) for a reason other than your status as an area source under this subpart. Notwithstanding the previous sentence, you must continue to comply with the provisions of this subpart as applicable.

(e) If you are an owner or operator of a stationary RICE used for national security purposes, you may be eligible to request an exemption from the requirements of this subpart as described in 40 CFR part 1068, subpart C.

(f) The emergency stationary RICE listed in paragraphs (f)(1) through (3) of this section are not subject to this subpart. The stationary RICE must meet the definition of an emergency stationary RICE in § 63.6675, which includes operating according to the provisions specified in § 63.6640(f).

(1) Existing residential emergency stationary RICE located at an area source of HAP emissions that do not operate for the purpose specified in § 63.6640(f)(4)(ii).

(2) Existing commercial emergency stationary RICE located at an area source of HAP emissions that do not operate for the purpose specified in § 63.6640(f)(4)(ii).

(3) Existing institutional emergency stationary RICE located at an area source of HAP emissions that do not operate for the purpose specified in § 63.6640(f)(4)(ii).

[69 FR 33506, June 15, 2004, as amended at 73 FR 3603, Jan. 18, 2008; 78 FR 6700, Jan. 30, 2013; 87 FR 48607, Aug. 10, 2022]

§ 63.6590 What parts of my plant does this subpart cover?

This subpart applies to each affected source.

(a) ***Affected source.*** An affected source is any existing, new, or reconstructed stationary RICE located at a major or area source of HAP emissions, excluding stationary RICE being tested at a stationary RICE test cell/stand.

(1) ***Existing stationary RICE.***

(i) For stationary RICE with a site rating of more than 500 brake horsepower (HP) located at a major source of HAP emissions, a stationary RICE is existing if you commenced construction or reconstruction of the stationary RICE before December 19, 2002.

(ii) For stationary RICE with a site rating of less than or equal to 500 brake HP located at a major source of HAP emissions, a stationary RICE is existing if you commenced construction or reconstruction of the stationary RICE before June 12, 2006.

(iii) For stationary RICE located at an area source of HAP emissions, a stationary RICE is existing if you commenced construction or reconstruction of the stationary RICE before June 12, 2006.

(iv) A change in ownership of an existing stationary RICE does not make that stationary RICE a new or reconstructed stationary RICE.

(2) ***New stationary RICE.***

(i) A stationary RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions is new if you commenced construction of the stationary RICE on or after December 19, 2002.

(ii) A stationary RICE with a site rating of equal to or less than 500 brake HP located at a major source of HAP emissions is new if you commenced construction of the stationary RICE on or after June 12, 2006.

(iii) A stationary RICE located at an area source of HAP emissions is new if you commenced construction of the stationary RICE on or after June 12, 2006.

(3) ***Reconstructed stationary RICE.***

(i) A stationary RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions is reconstructed if you meet the definition of reconstruction in § 63.2 and reconstruction is commenced on or after December 19, 2002.

(ii) A stationary RICE with a site rating of equal to or less than 500 brake HP located at a major source of HAP emissions is reconstructed if you meet the definition of reconstruction in § 63.2 and reconstruction is commenced on or after June 12, 2006.

(iii) A stationary RICE located at an area source of HAP emissions is reconstructed if you meet the definition of reconstruction in § 63.2 and reconstruction is commenced on or after June 12, 2006.

(b) ***Stationary RICE subject to limited requirements.***

(1) An affected source which meets either of the criteria in paragraphs (b)(1)(i) through (ii) of this section does not have to meet the requirements of this subpart and of subpart A of this part except for the initial notification requirements of § 63.6645(f).

(i) The stationary RICE is a new or reconstructed emergency stationary RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions.

(ii) The stationary RICE is a new or reconstructed limited use stationary RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions.

(2) A new or reconstructed stationary RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions which combusts landfill or digester gas equivalent to 10 percent or more of the gross heat input on an annual basis must meet the initial notification requirements of § 63.6645(f) and the requirements of §§ 63.6625(c), 63.6650(g), and 63.6655(c). These stationary RICE do not have to meet the emission limitations and operating limitations of this subpart.

(3) The following stationary RICE do not have to meet the requirements of this subpart and of subpart A of this part, including initial notification requirements:

(i) Existing spark ignition 2 stroke lean burn (2SLB) stationary RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions;

(ii) Existing spark ignition 4 stroke lean burn (4SLB) stationary RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions;

(iii) Existing emergency stationary RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions.

(iv) Existing limited use stationary RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions;

(v) Existing stationary RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions that combusts landfill gas or digester gas equivalent to 10 percent or more of the gross heat input on an annual basis;

(c) ***Stationary RICE subject to Regulations under 40 CFR Part 60.*** An affected source that meets any of the criteria in paragraphs (c)(1) through (7) of this section must meet the requirements of this part by meeting the requirements of 40 CFR part 60 subpart IIII, for compression ignition engines or 40 CFR part 60 subpart JJJJ, for spark ignition engines. No further requirements apply for such engines under this part.

(1) A new or reconstructed stationary RICE located at an area source;

(2) A new or reconstructed 2SLB stationary RICE with a site rating of less than or equal to 500 brake HP located at a major source of HAP emissions;

(3) A new or reconstructed 4SLB stationary RICE with a site rating of less than 250 brake HP located at a major source of HAP emissions;

(4) A new or reconstructed spark ignition 4 stroke rich burn (4SRB) stationary RICE with a site rating of less than or equal to 500 brake HP located at a major source of HAP emissions;

(5) A new or reconstructed stationary RICE with a site rating of less than or equal to 500 brake HP located at a major source of HAP emissions which combusts landfill or digester gas equivalent to 10 percent or more of the gross heat input on an annual basis;

(6) A new or reconstructed emergency or limited use stationary RICE with a site rating of less than or equal to 500 brake HP located at a major source of HAP emissions;

(7) A new or reconstructed compression ignition (CI) stationary RICE with a site rating of less than or equal to 500 brake HP located at a major source of HAP emissions.

[69 FR 33506, June 15, 2004, as amended at 73 FR 3604, Jan. 18, 2008; 75 FR 9674, Mar. 3, 2010; 75 FR 37733, June 30, 2010; 75 FR 51588, Aug. 20, 2010; 78 FR 6700, Jan. 30, 2013; 87 FR 48607, Aug. 10, 2022]

§ 63.6595 When do I have to comply with this subpart?

(a) ***Affected sources.***

(1) If you have an existing stationary RICE, excluding existing non-emergency CI stationary RICE, with a site rating of more than 500 brake HP located at a major source of HAP emissions, you must comply with the applicable emission limitations, operating limitations and other requirements no later than June 15, 2007. If you have an existing non-emergency CI stationary RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions, an existing stationary CI RICE with a site rating of less than or equal to 500 brake HP located at a major source of HAP emissions, or an existing stationary CI RICE located at an area source of HAP emissions, you must comply with the applicable emission limitations, operating limitations, and other requirements no later than May 3, 2013. If you have an existing stationary SI RICE with a site rating of less than or equal to 500 brake HP located at a major source of HAP emissions, or an existing stationary SI RICE located at an area source of HAP emissions, you must comply with the applicable emission limitations, operating limitations, and other requirements no later than October 19, 2013.

(2) If you start up your new or reconstructed stationary RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions before August 16, 2004, you must comply with the applicable emission limitations and operating limitations in this subpart no later than August 16, 2004.

(3) If you start up your new or reconstructed stationary RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions after August 16, 2004, you must comply with the applicable emission limitations and operating limitations in this subpart upon startup of your affected source.

(4) If you start up your new or reconstructed stationary RICE with a site rating of less than or equal to 500 brake HP located at a major source of HAP emissions before January 18, 2008, you must comply with the applicable emission limitations and operating limitations in this subpart no later than January 18, 2008.

(5) If you start up your new or reconstructed stationary RICE with a site rating of less than or equal to 500 brake HP located at a major source of HAP emissions after January 18, 2008, you must comply with the applicable emission limitations and operating limitations in this subpart upon startup of your affected source.

(6) If you start up your new or reconstructed stationary RICE located at an area source of HAP emissions before January 18, 2008, you must comply with the applicable emission limitations and operating limitations in this subpart no later than January 18, 2008.

(7) If you start up your new or reconstructed stationary RICE located at an area source of HAP emissions after January 18, 2008, you must comply with the applicable emission limitations and operating limitations in this subpart upon startup of your affected source.

(b) ***Area sources that become major sources.*** If you have an area source that increases its emissions or its potential to emit such that it becomes a major source of HAP, the compliance dates in paragraphs (b)(1) and (2) of this section apply to you.

(1) Any stationary RICE for which construction or reconstruction is commenced after the date when your area source becomes a major source of HAP must be in compliance with this subpart upon startup of your affected source.

(2) Any stationary RICE for which construction or reconstruction is commenced before your area source becomes a major source of HAP must be in compliance with the provisions of this subpart that are applicable to RICE located at major sources within 3 years after your area source becomes a major source of HAP.

(c) If you own or operate an affected source, you must meet the applicable notification requirements in § 63.6645 and in 40 CFR part 63, subpart A.

[69 FR 33506, June 15, 2004, as amended at 73 FR 3604, Jan. 18, 2008; 75 FR 9675, Mar. 3, 2010; 75 FR 51589, Aug. 20, 2010; 78 FR 6701, Jan. 30, 2013]

Emission and Operating Limitations

§ 63.6600 What emission limitations and operating limitations must I meet if I own or operate a stationary RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions?

Compliance with the numerical emission limitations established in this subpart is based on the results of testing the average of three 1-hour runs using the testing requirements and procedures in § 63.6620 and Table 4 to this subpart.

(a) If you own or operate an existing, new, or reconstructed spark ignition 4SRB stationary RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions, you must comply with the emission limitations in Table 1a to this subpart and the operating limitations in Table 1b to this subpart which apply to you.

(b) If you own or operate a new or reconstructed 2SLB stationary RICE with a site rating of more than 500 brake HP located at major source of HAP emissions, a new or reconstructed 4SLB stationary RICE with a site rating of more than 500 brake HP located at major source of HAP emissions, or a new or reconstructed CI stationary RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions, you must comply with the emission limitations in Table 2a to this subpart and the operating limitations in Table 2b to this subpart which apply to you.

(c) If you own or operate any of the following stationary RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions, you do not need to comply with the emission limitations in Tables 1a, 2a, 2c, and 2d to this subpart or operating limitations in Tables 1b and 2b to this subpart: an existing 2SLB stationary RICE; an existing 4SLB stationary RICE; a stationary RICE that combusts landfill gas or digester gas equivalent to 10 percent or more of the gross heat input on an annual basis; an emergency stationary RICE; or a limited use stationary RICE.

(d) If you own or operate an existing non-emergency stationary CI RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions, you must comply with the emission limitations in Table 2c to this subpart and the operating limitations in Table 2b to this subpart which apply to you.

[73 FR 3605, Jan. 18, 2008, as amended at 75 FR 9675, Mar. 3, 2010]

§ 63.6601 What emission limitations must I meet if I own or operate a new or reconstructed 4SLB stationary RICE with a site rating of greater than or equal to 250 brake HP and less than or equal to 500 brake HP located at a major source of HAP emissions?

Compliance with the numerical emission limitations established in this subpart is based on the results of testing the average of three 1-hour runs using the testing requirements and procedures in § 63.6620 and Table 4 to this subpart. If you own or operate a new or reconstructed 4SLB stationary RICE with a site rating of greater than or equal to 250

and less than or equal to 500 brake HP located at major source of HAP emissions manufactured on or after January 1, 2008, you must comply with the emission limitations in Table 2a to this subpart and the operating limitations in Table 2b to this subpart which apply to you.

[73 FR 3605, Jan. 18, 2008, as amended at 75 FR 9675, Mar. 3, 2010; 75 FR 51589, Aug. 20, 2010]

§ 63.6602 What emission limitations and other requirements must I meet if I own or operate an existing stationary RICE with a site rating of equal to or less than 500 brake HP located at a major source of HAP emissions?

If you own or operate an existing stationary RICE with a site rating of equal to or less than 500 brake HP located at a major source of HAP emissions, you must comply with the emission limitations and other requirements in Table 2c to this subpart which apply to you. Compliance with the numerical emission limitations established in this subpart is based on the results of testing the average of three 1-hour runs using the testing requirements and procedures in § 63.6620 and Table 4 to this subpart.

[78 FR 6701, Jan. 30, 2013]

§ 63.6603 What emission limitations, operating limitations, and other requirements must I meet if I own or operate an existing stationary RICE located at an area source of HAP emissions?

Compliance with the numerical emission limitations established in this subpart is based on the results of testing the average of three 1-hour runs using the testing requirements and procedures in § 63.6620 and Table 4 to this subpart.

(a) If you own or operate an existing stationary RICE located at an area source of HAP emissions, you must comply with the requirements in Table 2d to this subpart and the operating limitations in Table 2b to this subpart that apply to you.

(b) If you own or operate an existing stationary non-emergency CI RICE with a site rating of more than 300 HP located at an area source of HAP that meets either paragraph (b)(1) or (2) of this section, you do not have to meet the numerical CO emission limitations specified in Table 2d of this subpart. Existing stationary non-emergency CI RICE with a site rating of more than 300 HP located at an area source of HAP that meet either paragraph (b)(1) or (2) of this section must meet the management practices that are shown for stationary non-emergency CI RICE with a site rating of less than or equal to 300 HP in Table 2d of this subpart.

(1) The area source is located in an area of Alaska that is not accessible by the Federal Aid Highway System (FAHS).

(2) The stationary RICE is located at an area source that meets paragraphs (b)(2)(i), (ii), and (iii) of this section.

(i) The only connection to the FAHS is through the Alaska Marine Highway System (AMHS), or the stationary RICE operation is within an isolated grid in Alaska that is not connected to the statewide electrical grid referred to as the Alaska Railbelt Grid.

(ii) At least 10 percent of the power generated by the stationary RICE on an annual basis is used for residential purposes.

(iii) The generating capacity of the area source is less than 12 megawatts, or the stationary RICE is used exclusively for backup power for renewable energy.

(c) If you own or operate an existing stationary non-emergency CI RICE with a site rating of more than 300 HP located on an offshore vessel that is an area source of HAP and is a nonroad vehicle that is an Outer Continental Shelf (OCS) source as defined in 40 CFR 55.2, you do not have to meet the numerical CO emission limitations specified in Table 2d of this subpart. You must meet all of the following management practices:

(1) Change oil every 1,000 hours of operation or within 1 year + 30 days of the previous change, whichever comes first. Sources have the option to utilize an oil analysis program as described in § 63.6625(i) in order to extend the specified oil change requirement.

(2) Inspect and clean air filters every 750 hours of operation or within 1 year + 30 days of the previous inspection, whichever comes first, and replace as necessary.

(3) Inspect fuel filters and belts, if installed, every 750 hours of operation or within 1 year + 30 days of the previous inspection, whichever comes first, and replace as necessary.

(4) Inspect all flexible hoses every 1,000 hours of operation or within 1 year + 30 days of the previous inspection, whichever comes first, and replace as necessary.

(d) If you own or operate an existing non-emergency CI RICE with a site rating of more than 300 HP located at an area source of HAP emissions that is certified to the Tier 1 or Tier 2 emission standards in Table 1 of 40 CFR 89.112 and that is subject to an enforceable state or local standard that requires the engine to be replaced no later than June 1, 2018, you may until January 1, 2015, or 12 years after the installation date of the engine (whichever is later), but not later than June 1, 2018, choose to comply with the management practices that are shown for stationary non-emergency CI RICE with a site rating of less than or equal to 300 HP in Table 2d of this subpart instead of the applicable emission limitations in Table 2d, operating limitations in Table 2b, and crankcase ventilation system requirements in § 63.6625(g). You must comply with the emission limitations in Table 2d and operating limitations in Table 2b that apply for non-emergency CI RICE with a site rating of more than 300 HP located at an area source of HAP emissions by January 1, 2015, or 12 years after the installation date of the engine (whichever is later), but not later than June 1, 2018. You must also comply with the crankcase ventilation system requirements in § 63.6625(g) by January 1, 2015, or 12 years after the installation date of the engine (whichever is later), but not later than June 1, 2018.

(e) If you own or operate an existing non-emergency CI RICE with a site rating of more than 300 HP located at an area source of HAP emissions that is certified to the Tier 3 (Tier 2 for engines above 560 kilowatt (kW)) emission standards in Table 1 of 40 CFR 89.112, you may comply with the requirements under this part by meeting the requirements for Tier 3 engines (Tier 2 for engines above 560 kW) in 40 CFR part 60 subpart IIII instead of the emission limitations and other requirements that would otherwise apply under this part for existing non-emergency CI RICE with a site rating of more than 300 HP located at an area source of HAP emissions.

(f) An existing non-emergency SI 4SLB and 4SRB stationary RICE with a site rating of more than 500 HP located at area sources of HAP must meet the definition of remote stationary RICE in § 63.6675 on the initial compliance date for the engine, October 19, 2013, in order to be considered a remote stationary RICE under this subpart. Owners and operators of existing non-emergency SI 4SLB and 4SRB stationary RICE with a site rating of more than 500 HP located at area sources of HAP that meet the definition of remote stationary RICE in § 63.6675 of this subpart as of October 19, 2013 must evaluate the status of their stationary RICE every 12 months. Owners and operators must keep records of the initial and annual evaluation of the status of the engine. If the evaluation indicates that the stationary RICE no longer meets the definition of remote stationary RICE in § 63.6675 of this subpart, the owner or operator must comply with all of the requirements for existing non-emergency SI 4SLB and 4SRB stationary RICE with a site rating of more than 500 HP located at area sources of HAP that are not remote stationary RICE within 1 year of the evaluation.

[75 FR 9675, Mar. 3, 2010, as amended at 75 FR 51589, Aug. 20, 2010; 76 FR 12866, Mar. 9, 2011; 78 FR 6701, Jan. 30, 2013; 89 FR 70515, Aug. 30, 2024]

§ 63.6604 What fuel requirements must I meet if I own or operate a stationary CI RICE?

(a) If you own or operate an existing non-emergency, non-black start CI stationary RICE with a site rating of more than 300 brake HP with a displacement of less than 30 liters per cylinder that uses diesel fuel, you must use diesel fuel that meets the requirements in 40 CFR 1090.305 for nonroad diesel fuel.

(b) Beginning January 1, 2015, if you own or operate an existing emergency CI stationary RICE with a site rating of more than 100 brake HP and a displacement of less than 30 liters per cylinder that uses diesel fuel and operates for the purpose specified in § 63.6640(f)(4)(ii), you must use diesel fuel that meets the requirements in 40 CFR

1090.305 for nonroad diesel fuel, except that any existing diesel fuel purchased (or otherwise obtained) prior to January 1, 2015, may be used until depleted.

(c) [Reserved]

(d) Existing CI stationary RICE located in Guam, American Samoa, the Commonwealth of the Northern Mariana Islands, at area sources in areas of Alaska that meet either § 63.6603(b)(1) or § 63.6603(b)(2), or are on offshore vessels that meet § 63.6603(c) are exempt from the requirements of this section.

[78 FR 6702, Jan. 30, 2013, as amended at 85 FR 78463, Dec. 4, 2020; 87 FR 48607, Aug. 10, 2022]

General Compliance Requirements

§ 63.6605 What are my general requirements for complying with this subpart?

(a) You must be in compliance with the emission limitations, operating limitations, and other requirements in this subpart that apply to you at all times.

(b) At all times you must operate and maintain any affected source, including associated air pollution control equipment and monitoring equipment, in a manner consistent with safety and good air pollution control practices for minimizing emissions. The general duty to minimize emissions does not require you to make any further efforts to reduce emissions if levels required by this standard have been achieved. Determination of whether such operation and maintenance procedures are being used will be based on information available to the Administrator which may include, but is not limited to, monitoring results, review of operation and maintenance procedures, review of operation and maintenance records, and inspection of the source.

[75 FR 9675, Mar. 3, 2010, as amended at 78 FR 6702, Jan. 30, 2013]

Testing and Initial Compliance Requirements

§ 63.6610 By what date must I conduct the initial performance tests or other initial compliance demonstrations if I own or operate a stationary RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions?

If you own or operate a stationary RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions you are subject to the requirements of this section.

(a) You must conduct the initial performance test or other initial compliance demonstrations in Table 4 to this subpart that apply to you within 180 days after the compliance date that is specified for your stationary RICE in § 63.6595 and according to the provisions in § 63.7(a)(2).

(b) If you commenced construction or reconstruction between December 19, 2002 and June 15, 2004 and own or operate stationary RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions, you must demonstrate initial compliance with either the proposed emission limitations or the promulgated emission limitations no later than February 10, 2005 or no later than 180 days after startup of the source, whichever is later, according to § 63.7(a)(2)(ix).

(c) If you commenced construction or reconstruction between December 19, 2002 and June 15, 2004 and own or operate stationary RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions, and you chose to comply with the proposed emission limitations when demonstrating initial compliance, you must conduct a second performance test to demonstrate compliance with the promulgated emission limitations by December 13, 2007 or after startup of the source, whichever is later, according to § 63.7(a)(2)(ix).

(d) An owner or operator is not required to conduct an initial performance test on units for which a performance test has been previously conducted, but the test must meet all of the conditions described in paragraphs (d)(1) through (5) of this section.

(1) The test must have been conducted using the same methods specified in this subpart, and these methods must have been followed correctly.

(2) The test must not be older than 2 years.

(3) The test must be reviewed and accepted by the Administrator.

(4) Either no process or equipment changes must have been made since the test was performed, or the owner or operator must be able to demonstrate that the results of the performance test, with or without adjustments, reliably demonstrate compliance despite process or equipment changes.

(5) The test must be conducted at any load condition within plus or minus 10 percent of 100 percent load.

[69 FR 33506, June 15, 2004, as amended at 73 FR 3605, Jan. 18, 2008]

§ 63.6611 By what date must I conduct the initial performance tests or other initial compliance demonstrations if I own or operate a new or reconstructed 4SLB SI stationary RICE with a site rating of greater than or equal to 250 and less than or equal to 500 brake HP located at a major source of HAP emissions?

If you own or operate a new or reconstructed 4SLB stationary RICE with a site rating of greater than or equal to 250 and less than or equal to 500 brake HP located at a major source of HAP emissions, you must conduct an initial performance test within 240 days after the compliance date that is specified for your stationary RICE in § 63.6595 and according to the provisions specified in Table 4 to this subpart, as appropriate.

[73 FR 3605, Jan. 18, 2008, as amended at 75 FR 51589, Aug. 20, 2010]

§ 63.6612 By what date must I conduct the initial performance tests or other initial compliance demonstrations if I own or operate an existing stationary RICE with a site rating of less than or equal to 500 brake HP located at a major source of HAP emissions or an existing stationary RICE located at an area source of HAP emissions?

If you own or operate an existing stationary RICE with a site rating of less than or equal to 500 brake HP located at a major source of HAP emissions or an existing stationary RICE located at an area source of HAP emissions you are subject to the requirements of this section.

(a) You must conduct any initial performance test or other initial compliance demonstration according to Tables 4 and 5 to this subpart that apply to you within 180 days after the compliance date that is specified for your stationary RICE in § 63.6595 and according to the provisions in § 63.7(a)(2).

(b) An owner or operator is not required to conduct an initial performance test on a unit for which a performance test has been previously conducted, but the test must meet all of the conditions described in paragraphs (b)(1) through (4) of this section.

(1) The test must have been conducted using the same methods specified in this subpart, and these methods must have been followed correctly.

(2) The test must not be older than 2 years.

(3) The test must be reviewed and accepted by the Administrator.

(4) Either no process or equipment changes must have been made since the test was performed, or the owner or operator must be able to demonstrate that the results of the performance test, with or without adjustments, reliably demonstrate compliance despite process or equipment changes.

[75 FR 9676, Mar. 3, 2010, as amended at 75 FR 51589, Aug. 20, 2010]

§ 63.6615 When must I conduct subsequent performance tests?

If you must comply with the emission limitations and operating limitations, you must conduct subsequent performance tests as specified in Table 3 of this subpart.

§ 63.6620 What performance tests and other procedures must I use?

(a) You must conduct each performance test in Tables 3 and 4 of this subpart that applies to you.

(b) Each performance test must be conducted according to the requirements that this subpart specifies in Table 4 to this subpart. If you own or operate a non-operational stationary RICE that is subject to performance testing, you do not need to start up the engine solely to conduct the performance test. Owners and operators of a non-operational engine can conduct the performance test when the engine is started up again. The test must be conducted at any load condition within plus or minus 10 percent of 100 percent load for the stationary RICE listed in paragraphs (b)(1) through (4) of this section.

(1) Non-emergency 4SRB stationary RICE with a site rating of greater than 500 brake HP located at a major source of HAP emissions.

(2) New non-emergency 4SLB stationary RICE with a site rating of greater than or equal to 250 brake HP located at a major source of HAP emissions.

(3) New non-emergency 2SLB stationary RICE with a site rating of greater than 500 brake HP located at a major source of HAP emissions.

(4) New non-emergency CI stationary RICE with a site rating of greater than 500 brake HP located at a major source of HAP emissions.

(c) [Reserved]

(d) You must conduct three separate test runs for each performance test required in this section, as specified in § 63.7(e)(3). Each test run must last at least 1 hour, unless otherwise specified in this subpart.

(e)

(1) You must use Equation 1 of this section to determine compliance with the percent reduction requirement:

$$\frac{C_i - C_o}{C_i} \times 100 = R \quad (Eq.\ 1)$$

Where:

C_i = concentration of carbon monoxide (CO), total hydrocarbons (THC), or formaldehyde at the control device inlet,

C_o = concentration of CO, THC, or formaldehyde at the control device outlet, and

R = percent reduction of CO, THC, or formaldehyde emissions.

(2) You must normalize the CO, THC, or formaldehyde concentrations at the inlet and outlet of the control device to a dry basis and to 15 percent oxygen, or an equivalent percent carbon dioxide (CO_2). If pollutant concentrations are to be corrected to 15 percent oxygen and CO_2 concentration is measured in lieu of oxygen concentration measurement, a CO_2 correction factor is needed. Calculate the CO_2 correction factor as described in paragraphs (e)(2)(i) through (iii) of this section.

(i) Calculate the fuel-specific F_o value for the fuel burned during the test using values obtained from Method 19, Section 5.2, and the following equation:

$$F_O = \frac{0.209\ F_d}{F_C} \quad (Eq.\ 2)$$

Where:

F_o = Fuel factor based on the ratio of oxygen volume to the ultimate CO_2 volume produced by the fuel at zero percent excess air.

0.209 = Fraction of air that is oxygen, percent/100.

F_d = Ratio of the volume of dry effluent gas to the gross calorific value of the fuel from Method 19, dsm^3/J ($dscf/10^6$ Btu).

F_c = Ratio of the volume of CO_2 produced to the gross calorific value of the fuel from Method 19, dsm^3/J ($dscf/10^6$ Btu)

(ii) Calculate the CO_2 correction factor for correcting measurement data to 15 percent O_2, as follows:

$$X_{CO2} = \frac{5.9}{F_O} \quad (Eq.\ 3)$$

Where:

X_{CO2} = CO_2 correction factor, percent.

5.9 = 20.9 percent O_2—15 percent O_2, the defined O_2 correction value, percent.

(iii) Calculate the CO, THC, and formaldehyde gas concentrations adjusted to 15 percent O_2 using CO_2 as follows:

$$C_{adj} = C_d \frac{X_{CO2}}{\%CO_2} \quad (Eq.\ 4)$$

Where:

C_{adj} = Calculated concentration of CO, THC, or formaldehyde adjusted to 15 percent O_2.

C_d = Measured concentration of CO, THC, or formaldehyde, uncorrected.

X_{CO2} = CO_2 correction factor, percent.

$\%CO_2$ = Measured CO_2 concentration measured, dry basis, percent.

(f) If you comply with the emission limitation to reduce CO and you are not using an oxidation catalyst, if you comply with the emission limitation to reduce formaldehyde and you are not using NSCR, or if you comply with the emission limitation to limit the concentration of formaldehyde in the stationary RICE exhaust and you are not using an oxidation catalyst or NSCR, you must petition the Administrator for operating limitations to be established during the initial performance test and continuously monitored thereafter; or for approval of no operating limitations. You must not conduct the initial performance test until after the petition has been approved by the Administrator.

(g) If you petition the Administrator for approval of operating limitations, your petition must include the information described in paragraphs (g)(1) through (5) of this section.

(1) Identification of the specific parameters you propose to use as operating limitations;

(2) A discussion of the relationship between these parameters and HAP emissions, identifying how HAP emissions change with changes in these parameters, and how limitations on these parameters will serve to limit HAP emissions;

(3) A discussion of how you will establish the upper and/or lower values for these parameters which will establish the limits on these parameters in the operating limitations;

(4) A discussion identifying the methods you will use to measure and the instruments you will use to monitor these parameters, as well as the relative accuracy and precision of these methods and instruments; and

(5) A discussion identifying the frequency and methods for recalibrating the instruments you will use for monitoring these parameters.

(h) If you petition the Administrator for approval of no operating limitations, your petition must include the information described in paragraphs (h)(1) through (7) of this section.

(1) Identification of the parameters associated with operation of the stationary RICE and any emission control device which could change intentionally (*e.g.,* operator adjustment, automatic controller adjustment, etc.) or unintentionally (*e.g.,* wear and tear, error, etc.) on a routine basis or over time;

(2) A discussion of the relationship, if any, between changes in the parameters and changes in HAP emissions;

(3) For the parameters which could change in such a way as to increase HAP emissions, a discussion of whether establishing limitations on the parameters would serve to limit HAP emissions;

(4) For the parameters which could change in such a way as to increase HAP emissions, a discussion of how you could establish upper and/or lower values for the parameters which would establish limits on the parameters in operating limitations;

(5) For the parameters, a discussion identifying the methods you could use to measure them and the instruments you could use to monitor them, as well as the relative accuracy and precision of the methods and instruments;

(6) For the parameters, a discussion identifying the frequency and methods for recalibrating the instruments you could use to monitor them; and

(7) A discussion of why, from your point of view, it is infeasible or unreasonable to adopt the parameters as operating limitations.

(i) The engine percent load during a performance test must be determined by documenting the calculations, assumptions, and measurement devices used to measure or estimate the percent load in a specific application. A written report of the average percent load determination must be included in the notification of compliance status. The following information must be included in the written report: the engine model number, the engine manufacturer, the year of purchase, the manufacturer's site-rated brake horsepower, the ambient temperature, pressure, and humidity during the performance test, and all assumptions that were made to estimate or calculate percent load during the performance test must be clearly explained. If measurement devices such as flow meters,

kilowatt meters, beta analyzers, stain gauges, etc. are used, the model number of the measurement device, and an estimate of its accurate in percentage of true value must be provided.

(j) Beginning on February 26, 2025, within 60 days after the date of completing each performance test required by this subpart, you must submit the results of the performance test following the procedure specified in § 63.9(k). Data collected using test methods supported by the EPA's Electronic Reporting Tool (ERT) as listed on the EPA's ERT website (*https://www.epa.gov/electronic-reporting-air-emissions/electronic-reporting-tool-ert*) at the time of the test must be submitted in a file format generated using the EPA's ERT. Alternatively, you may submit an electronic file consistent with the extensible markup language (XML) schema listed on the EPA's ERT website. Data collected using test methods that are not supported by the EPA's ERT as listed on the EPA's ERT website at the time of the test must be included as an attachment in the ERT or alternate electronic file.

[69 FR 33506, June 15, 2004, as amended at 75 FR 9676, Mar. 3, 2010; 78 FR 6702, Jan. 30, 2013; 89 FR 70516, Aug. 30, 2024]

§ 63.6625 What are my monitoring, installation, collection, operation, and maintenance requirements?

(a) If you elect to install a CEMS as specified in Table 5 of this subpart, you must install, operate, and maintain a CEMS to monitor CO and either O_2 or CO_2 according to the requirements in paragraphs (a)(1) through (4) of this section. If you are meeting a requirement to reduce CO emissions, the CEMS must be installed at both the inlet and outlet of the control device. If you are meeting a requirement to limit the concentration of CO, the CEMS must be installed at the outlet of the control device.

(1) Each CEMS must be installed, operated, and maintained according to the applicable performance specifications of 40 CFR part 60, appendix B.

(2) You must conduct an initial performance evaluation and an annual relative accuracy test audit (RATA) of each CEMS according to the requirements in § 63.8 and according to the applicable performance specifications of 40 CFR part 60, appendix B as well as daily and periodic data quality checks in accordance with 40 CFR part 60, appendix F, procedure 1.

(3) As specified in § 63.8(c)(4)(ii), each CEMS must complete a minimum of one cycle of operation (sampling, analyzing, and data recording) for each successive 15-minute period. You must have at least two data points, with each representing a different 15-minute period, to have a valid hour of data.

(4) The CEMS data must be reduced as specified in § 63.8(g)(2) and recorded in parts per million or parts per billion (as appropriate for the applicable limitation) at 15 percent oxygen or the equivalent CO_2 concentration.

(5) Beginning on February 26, 2025, within 60 days after the date of completing each continuous emissions monitoring system (CEMS) performance evaluation (as defined in § 63.2) that includes a relative accuracy test audit (RATA), you must submit the results of the performance evaluation following the procedures specified in § 63.9(k). The results of performance evaluations of CEMS measuring RATA pollutants that are supported by the EPA's ERT as listed on the EPA's ERT website at the time of the evaluation must be submitted in a file format generated using the EPA's ERT. Alternatively, you may submit an electronic file consistent with the XML schema listed on the EPA's ERT website. The results of performance evaluations of CEMS measuring RATA pollutants that are not supported by the EPA's ERT as listed on the EPA's ERT website at the time of the evaluation must be included as an attachment in the ERT or alternate electronic file.

(b) If you are required to install a continuous parameter monitoring system (CPMS) as specified in Table 5 of this subpart, you must install, operate, and maintain each CPMS according to the requirements in paragraphs (b)(1) through (6) of this section. For an affected source that is complying with the emission limitations and operating limitations on March 9, 2011, the requirements in paragraph (b) of this section are applicable September 6, 2011.

(1) You must prepare a site-specific monitoring plan that addresses the monitoring system design, data collection, and the quality assurance and quality control elements outlined in paragraphs (b)(1)(i) through (v) of this section and in § 63.8(d). As specified in § 63.8(f)(4), you may request approval of monitoring system quality assurance and quality control procedures alternative to those specified in paragraphs (b)(1) through (5) of this section in your site-specific monitoring plan.

(i) The performance criteria and design specifications for the monitoring system equipment, including the sample interface, detector signal analyzer, and data acquisition and calculations;

(ii) Sampling interface (*e.g.,* thermocouple) location such that the monitoring system will provide representative measurements;

(iii) Equipment performance evaluations, system accuracy audits, or other audit procedures;

(iv) Ongoing operation and maintenance procedures in accordance with provisions in § 63.8(c)(1)(ii) and (c)(3); and

(v) Ongoing reporting and recordkeeping procedures in accordance with provisions in § 63.10(c), (e)(1), and (e)(2)(i).

(2) You must install, operate, and maintain each CPMS in continuous operation according to the procedures in your site-specific monitoring plan.

(3) The CPMS must collect data at least once every 15 minutes (see also § 63.6635).

(4) For a CPMS for measuring temperature range, the temperature sensor must have a minimum tolerance of 2.8 degrees Celsius (5 degrees Fahrenheit) or 1 percent of the measurement range, whichever is larger.

(5) You must conduct the CPMS equipment performance evaluation, system accuracy audits, or other audit procedures specified in your site-specific monitoring plan at least annually.

(6) You must conduct a performance evaluation of each CPMS in accordance with your site-specific monitoring plan.

(c) If you are operating a new or reconstructed stationary RICE which fires landfill gas or digester gas equivalent to 10 percent or more of the gross heat input on an annual basis, you must monitor and record your fuel usage daily with separate fuel meters to measure the volumetric flow rate of each fuel. In addition, you must operate your stationary RICE in a manner which reasonably minimizes HAP emissions.

(d) If you are operating a new or reconstructed emergency 4SLB stationary RICE with a site rating of greater than or equal to 250 and less than or equal to 500 brake HP located at a major source of HAP emissions, you must install a non-resettable hour meter prior to the startup of the engine.

(e) If you own or operate any of the following stationary RICE, you must operate and maintain the stationary RICE and after-treatment control device (if any) according to the manufacturer's emission-related written instructions or develop your own maintenance plan which must provide to the extent practicable for the maintenance and operation of the engine in a manner consistent with good air pollution control practice for minimizing emissions:

(1) An existing stationary RICE with a site rating of less than 100 HP located at a major source of HAP emissions;

(2) An existing emergency or black start stationary RICE with a site rating of less than or equal to 500 HP located at a major source of HAP emissions;

(3) An existing emergency or black start stationary RICE located at an area source of HAP emissions;

(4) An existing non-emergency, non-black start stationary CI RICE with a site rating less than or equal to 300 HP located at an area source of HAP emissions;

(5) An existing non-emergency, non-black start 2SLB stationary RICE located at an area source of HAP emissions;

(6) An existing non-emergency, non-black start stationary RICE located at an area source of HAP emissions which combusts landfill or digester gas equivalent to 10 percent or more of the gross heat input on an annual basis.

(7) An existing non-emergency, non-black start 4SLB stationary RICE with a site rating less than or equal to 500 HP located at an area source of HAP emissions;

(8) An existing non-emergency, non-black start 4SRB stationary RICE with a site rating less than or equal to 500 HP located at an area source of HAP emissions;

(9) An existing, non-emergency, non-black start 4SLB stationary RICE with a site rating greater than 500 HP located at an area source of HAP emissions that is operated 24 hours or less per calendar year; and

(10) An existing, non-emergency, non-black start 4SRB stationary RICE with a site rating greater than 500 HP located at an area source of HAP emissions that is operated 24 hours or less per calendar year.

(f) If you own or operate an existing emergency stationary RICE with a site rating of less than or equal to 500 brake HP located at a major source of HAP emissions or an existing emergency stationary RICE located at an area source of HAP emissions, you must install a non-resettable hour meter if one is not already installed.

(g) If you own or operate an existing non-emergency, non-black start CI engine greater than or equal to 300 HP that is not equipped with a closed crankcase ventilation system, you must comply with either paragraph (g)(1) or paragraph (2) of this section. Owners and operators must follow the manufacturer's specified maintenance requirements for operating and maintaining the open or closed crankcase ventilation systems and replacing the crankcase filters, or can request the Administrator to approve different maintenance requirements that are as protective as manufacturer requirements. Existing CI engines located at area sources in areas of Alaska that meet either § 63.6603(b)(1) or § 63.6603(b)(2) do not have to meet the requirements of this paragraph (g). Existing CI engines located on offshore vessels that meet § 63.6603(c) do not have to meet the requirements of this paragraph (g).

(1) Install a closed crankcase ventilation system that prevents crankcase emissions from being emitted to the atmosphere, or

(2) Install an open crankcase filtration emission control system that reduces emissions from the crankcase by filtering the exhaust stream to remove oil mist, particulates and metals.

(h) If you operate a new, reconstructed, or existing stationary engine, you must minimize the engine's time spent at idle during startup and minimize the engine's startup time to a period needed for appropriate and safe loading of the engine, not to exceed 30 minutes, after which time the emission standards applicable to all times other than startup in Tables 1a, 2a, 2c, and 2d to this subpart apply.

(i) If you own or operate a stationary CI engine that is subject to the work, operation or management practices in items 1 or 2 of table 2c to this subpart or in items 1 or 4 of table 2d to this subpart, you have the option of utilizing an oil analysis program in order to extend the specified oil and filter change requirement in tables 2c and 2d to this subpart. The oil analysis must be performed at the same frequency specified for changing the oil and filter in table 2c or 2d to this subpart. The analysis program must at a minimum analyze the following three parameters: Total Base Number, viscosity, and percent water content. The condemning limits for these parameters are as follows: Total Base Number is less than 30 percent of the Total Base Number of the oil when new; viscosity of the oil has changed by more than 20 percent from the viscosity of the oil when new; or percent water content (by volume) is greater than 0.5. If all of these condemning limits are not exceeded, the engine owner or operator is not required to change the oil and filter. If any of the limits are exceeded, the engine owner or operator must change the oil and filter within 2 business days of receiving the results of the analysis; if the engine is not in operation when the results of the analysis are received, the engine owner or operator must change the oil and filter within 2 business days or before commencing operation, whichever is later. The owner or operator must keep records of the parameters that are analyzed as part of the program, the results of the analysis, and the oil and filter changes for the engine. The analysis program must be part of the maintenance plan for the engine.

(j) If you own or operate a stationary SI engine that is subject to the work, operation or management practices in items 6, 7, or 8 of table 2c to this subpart or in items 5, 6, 7, 8, 10, 11, or 13 of table 2d to this subpart, you have the option of utilizing an oil analysis program in order to extend the specified oil and filter change requirement in tables 2c and 2d to this subpart. The oil analysis must be performed at the same frequency specified for changing the oil and filter in table 2c or 2d to this subpart. The analysis program must at a minimum analyze the following three parameters: Total Acid Number, viscosity, and percent water content. The condemning limits for these parameters are as follows: Total Acid Number increases by more than 3.0 milligrams of potassium hydroxide (KOH) per gram from Total Acid Number of the oil when new; viscosity of the oil has changed by more than 20 percent from the viscosity of the oil when new; or percent water content (by volume) is greater than 0.5. If all of these condemning limits are not exceeded, the engine owner or operator is not required to change the oil and filter. If any of the limits are exceeded, the engine owner or operator must change the oil and filter within 2 business days of receiving the results of the analysis; if the engine is not in operation when the results of the analysis are received, the engine owner or operator must change the oil and filter within 2 business days or before commencing operation, whichever is later. The owner or operator must keep records of the parameters that are analyzed as part of the program, the results of the analysis, and the oil and filter changes for the engine. The analysis program must be part of the maintenance plan for the engine.

[69 FR 33506, June 15, 2004, as amended at 73 FR 3606, Jan. 18, 2008; 75 FR 9676, Mar. 3, 2010; 75 FR 51589, Aug. 20, 2010; 76 FR 12866, Mar. 9, 2011; 78 FR 6703, Jan. 30, 2013; 89 FR 70516, Aug. 30, 2024]

§ 63.6630 How do I demonstrate initial compliance with the emission limitations, operating limitations, and other requirements?

(a) You must demonstrate initial compliance with each emission limitation, operating limitation, and other requirement that applies to you according to Table 5 of this subpart.

(b) During the initial performance test, you must establish each operating limitation in Tables 1b and 2b of this subpart that applies to you.

(c) You must submit the Notification of Compliance Status containing the results of the initial compliance demonstration according to the requirements in § 63.6645.

(d) Non-emergency 4SRB stationary RICE complying with the requirement to reduce formaldehyde emissions by 76 percent or more can demonstrate initial compliance with the formaldehyde emission limit by testing for THC instead of formaldehyde. The testing must be conducted according to the requirements in Table 4 of this subpart. The average reduction of emissions of THC determined from the performance test must be equal to or greater than 30 percent.

(e) The initial compliance demonstration required for existing non-emergency 4SLB and 4SRB stationary RICE with a site rating of more than 500 HP located at an area source of HAP that are not remote stationary RICE and that are operated more than 24 hours per calendar year must be conducted according to the following requirements:

(1) The compliance demonstration must consist of at least three test runs.

(2) Each test run must be of at least 15 minute duration, except that each test conducted using the method in appendix A to this subpart must consist of at least one measurement cycle and include at least 2 minutes of test data phase measurement.

(3) If you are demonstrating compliance with the CO concentration or CO percent reduction requirement, you must measure CO emissions using one of the CO measurement methods specified in Table 4 of this subpart, or using appendix A to this subpart.

(4) If you are demonstrating compliance with the THC percent reduction requirement, you must measure THC emissions using Method 25A, reported as propane, of 40 CFR part 60, appendix A.

(5) You must measure O_2 using one of the O_2 measurement methods specified in Table 4 of this subpart. Measurements to determine O_2 concentration must be made at the same time as the measurements for CO or THC concentration.

(6) If you are demonstrating compliance with the CO or THC percent reduction requirement, you must measure CO or THC emissions and O_2 emissions simultaneously at the inlet and outlet of the control device.

[69 FR 33506, June 15, 2004, as amended at 78 FR 6704, Jan. 30, 2013]

Continuous Compliance Requirements

§ 63.6635 How do I monitor and collect data to demonstrate continuous compliance?

(a) If you must comply with emission and operating limitations, you must monitor and collect data according to this section.

(b) Except for monitor malfunctions, associated repairs, required performance evaluations, and required quality assurance or control activities, you must monitor continuously at all times that the stationary RICE is operating. A monitoring malfunction is any sudden, infrequent, not reasonably preventable failure of the monitoring to provide valid data. Monitoring failures that are caused in part by poor maintenance or careless operation are not malfunctions.

(c) You may not use data recorded during monitoring malfunctions, associated repairs, and required quality assurance or control activities in data averages and calculations used to report emission or operating levels. You must, however, use all the valid data collected during all other periods.

[69 FR 33506, June 15, 2004, as amended at 76 FR 12867, Mar. 9, 2011]

§ 63.6640 How do I demonstrate continuous compliance with the emission limitations, operating limitations, and other requirements?

(a) You must demonstrate continuous compliance with each emission limitation, operating limitation, and other requirements in Tables 1a and 1b, Tables 2a and 2b, Table 2c, and Table 2d to this subpart that apply to you according to methods specified in Table 6 to this subpart.

(b) You must report each instance in which you did not meet each emission limitation or operating limitation in Tables 1a and 1b, Tables 2a and 2b, Table 2c, and Table 2d to this subpart that apply to you. These instances are deviations from the emission and operating limitations in this subpart. These deviations must be reported according to the requirements in § 63.6650. If you change your catalyst, you must reestablish the values of the operating parameters measured during the initial performance test. When you reestablish the values of your operating parameters, you must also conduct a performance test to demonstrate that you are meeting the required emission limitation applicable to your stationary RICE.

(c) The annual compliance demonstration required for existing non-emergency 4SLB and 4SRB stationary RICE with a site rating of more than 500 HP located at an area source of HAP that are not remote stationary RICE and that are operated more than 24 hours per calendar year must be conducted according to the following requirements:

(1) The compliance demonstration must consist of at least one test run.

(2) Each test run must be of at least 15 minute duration, except that each test conducted using the method in appendix A to this subpart must consist of at least one measurement cycle and include at least 2 minutes of test data phase measurement.

(3) If you are demonstrating compliance with the CO concentration or CO percent reduction requirement, you must measure CO emissions using one of the CO measurement methods specified in Table 4 of this subpart, or using appendix A to this subpart.

(4) If you are demonstrating compliance with the THC percent reduction requirement, you must measure THC emissions using Method 25A, reported as propane, of 40 CFR part 60, appendix A.

(5) You must measure O_2 using one of the O_2 measurement methods specified in Table 4 of this subpart. Measurements to determine O_2 concentration must be made at the same time as the measurements for CO or THC concentration.

(6) If you are demonstrating compliance with the CO or THC percent reduction requirement, you must measure CO or THC emissions and O_2 emissions simultaneously at the inlet and outlet of the control device.

(7) If the results of the annual compliance demonstration show that the emissions exceed the levels specified in Table 6 of this subpart, the stationary RICE must be shut down as soon as safely possible, and appropriate corrective action must be taken (e.g., repairs, catalyst cleaning, catalyst replacement). The stationary RICE must be retested within 7 days of being restarted and the emissions must meet the levels specified in Table 6 of this subpart. If the retest shows that the emissions continue to exceed the specified levels, the stationary RICE must again be shut down as soon as safely possible, and the stationary RICE may not operate, except for purposes of startup and testing, until the owner/operator demonstrates through testing that the emissions do not exceed the levels specified in Table 6 of this subpart.

(d) For new, reconstructed, and rebuilt stationary RICE, deviations from the emission or operating limitations that occur during the first 200 hours of operation from engine startup (engine burn-in period) are not violations. Rebuilt stationary RICE means a stationary RICE that has been rebuilt as that term is defined in 40 CFR 94.11(a).

(e) You must also report each instance in which you did not meet the requirements in Table 8 to this subpart that apply to you. If you own or operate a new or reconstructed stationary RICE with a site rating of less than or equal to 500 brake HP located at a major source of HAP emissions (except new or reconstructed 4SLB engines greater than or equal to 250 and less than or equal to 500 brake HP), a new or reconstructed stationary RICE located at an area source of HAP emissions, or any of the following RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions, you do not need to comply with the requirements in Table 8 to this subpart: An existing 2SLB stationary RICE, an existing 4SLB stationary RICE, an existing emergency stationary RICE, an existing limited use stationary RICE, or an existing stationary RICE which fires landfill gas or digester gas equivalent to 10 percent or more of the gross heat input on an annual basis. If you own or operate any of the following RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions, you do not need to comply with the requirements in Table 8 to this subpart, except for the initial notification requirements: a new or reconstructed stationary RICE that combusts landfill gas or digester gas equivalent to 10 percent or more of the gross heat input on an annual basis, a new or reconstructed emergency stationary RICE, or a new or reconstructed limited use stationary RICE.

(f) If you own or operate an emergency stationary RICE, you must operate the emergency stationary RICE according to the requirements in paragraphs (f)(1) through (4) of this section. In order for the engine to be considered an emergency stationary RICE under this subpart, any operation other than emergency operation, maintenance and testing, and operation in non-emergency situations for 50 hours per year, as described in paragraphs (f)(1) through (4), is prohibited. If you do not operate the engine according to the requirements in paragraphs (f)(1) through (4), the engine will not be considered an emergency engine under this subpart and must meet all requirements for non-emergency engines.

(1) There is no time limit on the use of emergency stationary RICE in emergency situations.

(2) You may operate your emergency stationary RICE for the purpose specified in paragraph (f)(2)(i) of this section for a maximum of 100 hours per calendar year. Any operation for non-emergency situations as allowed by paragraphs (f)(3) and (4) of this section counts as part of the 100 hours per calendar year allowed by this paragraph (f)(2).

(i) Emergency stationary RICE may be operated for maintenance checks and readiness testing, provided that the tests are recommended by federal, state or local government, the manufacturer, the vendor, the regional transmission organization or equivalent balancing authority and transmission operator, or the insurance company associated with the engine. The owner or operator may petition the Administrator for approval of additional hours to be used for maintenance checks and readiness testing, but a petition is not required if the owner or operator maintains records indicating that federal, state, or local standards require maintenance and testing of emergency RICE beyond 100 hours per calendar year.

(ii)-(iii) [Reserved]

(3) Emergency stationary RICE located at major sources of HAP may be operated for up to 50 hours per calendar year in non-emergency situations. The 50 hours of operation in non-emergency situations are counted as part of the 100 hours per calendar year for maintenance and testing provided in paragraph (f)(2) of this section. The 50 hours per year for non-emergency situations cannot be used for peak shaving or non-emergency demand response, or to generate income for a facility to supply power to an electric grid or otherwise supply power as part of a financial arrangement with another entity.

(4) Emergency stationary RICE located at area sources of HAP may be operated for up to 50 hours per calendar year in non-emergency situations. The 50 hours of operation in non-emergency situations are counted as part of the 100 hours per calendar year for maintenance and testing provided in paragraph (f)(2) of this section. Except as provided in paragraphs (f)(4)(i) and (ii) of this section, the 50 hours per year for non-emergency situations cannot be used for peak shaving or non-emergency demand response, or to generate income for a facility to an electric grid or otherwise supply power as part of a financial arrangement with another entity.

(i) Prior to May 3, 2014, the 50 hours per year for non-emergency situations can be used for peak shaving or non-emergency demand response to generate income for a facility, or to otherwise supply power as part of a financial arrangement with another entity if the engine is operated as part of a peak shaving (load management program) with the local distribution system operator and the power is provided only to the facility itself or to support the local distribution system.

(ii) The 50 hours per year for non-emergency situations can be used to supply power as part of a financial arrangement with another entity if all of the following conditions are met:

(A) The engine is dispatched by the local balancing authority or local transmission and distribution system operator.

(B) The dispatch is intended to mitigate local transmission and/or distribution limitations so as to avert potential voltage collapse or line overloads that could lead to the interruption of power supply in a local area or region.

(C) The dispatch follows reliability, emergency operation or similar protocols that follow specific NERC, regional, state, public utility commission or local standards or guidelines.

(D) The power is provided only to the facility itself or to support the local transmission and distribution system.

(E) The owner or operator identifies and records the entity that dispatches the engine and the specific NERC, regional, state, public utility commission or local standards or guidelines that are being followed for dispatching the engine. The local balancing authority or local transmission and distribution system operator may keep these records on behalf of the engine owner or operator.

[69 FR 33506, June 15, 2004, as amended at 71 FR 20467, Apr. 20, 2006; 73 FR 3606, Jan. 18, 2008; 75 FR 9676, Mar. 3, 2010; 75 FR 51591, Aug. 20, 2010; 78 FR 6704, Jan. 30, 2013; 87 FR 48607, Aug. 10, 2022]

Notifications, Reports, and Records

§ 63.6645 What notifications must I submit and when?

(a) You must submit all of the notifications in §§ 63.7(b) and (c), 63.8(e), (f)(4) and (f)(6), 63.9(b) through (e), and (g) and (h) that apply to you by the dates specified if you own or operate any of the following;

(1) An existing stationary RICE with a site rating of less than or equal to 500 brake HP located at a major source of HAP emissions.

(2) An existing stationary RICE located at an area source of HAP emissions.

(3) A stationary RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions.

(4) A new or reconstructed 4SLB stationary RICE with a site rating of greater than or equal to 250 HP located at a major source of HAP emissions.

(5) This requirement does not apply if you own or operate an existing stationary RICE less than 100 HP, an existing stationary emergency RICE, or an existing stationary RICE that is not subject to any numerical emission standards.

(b) As specified in § 63.9(b)(2), if you start up your stationary RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions before the effective date of this subpart, you must submit an initial notification not later than December 13, 2004, or no later than 120 days after the source becomes subject to this subpart, whichever is later. Beginning on February 26, 2025, submit the notification electronically in portable document format (PDF) consistent with § 63.9(k).

(c) If you start up your new or reconstructed stationary RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions on or after August 16, 2004, you must submit an initial notification not later than 120 days after you become subject to this subpart. Beginning on February 26, 2025, submit the notification electronically in PDF consistent with § 63.9(k).

(d) As specified in § 63.9(b)(2), if you start up your stationary RICE with a site rating of equal to or less than 500 brake HP located at a major source of HAP emissions before the effective date of this subpart and you are required to submit an initial notification, you must submit an initial notification not later than July 16, 2008, or no later than 120 days after the source becomes subject to this subpart, whichever is later. Beginning on February 26, 2025, submit the notification electronically in PDF consistent with § 63.9(k).

(e) If you start up your new or reconstructed stationary RICE with a site rating of equal to or less than 500 brake HP located at a major source of HAP emissions on or after March 18, 2008, and you are required to submit an initial notification, you must submit an initial notification not later than 120 days after you become subject to this subpart. Beginning on February 26, 2025, submit the notification electronically in PDF consistent with § 63.9(k).

(f) If you are required to submit an Initial Notification but are otherwise not affected by the requirements of this subpart, in accordance with § 63.6590(b), your notification should include the information in § 63.9(b)(2)(i) through (v), and a statement that your stationary RICE has no additional requirements and explain the basis of the exclusion (for example, that it operates exclusively as an emergency stationary RICE if it has a site rating of more than 500 brake HP located at a major source of HAP emissions).

(g) If you are required to conduct a performance test, you must submit a Notification of Intent to conduct a performance test at least 60 days before the performance test is scheduled to begin as required in § 63.7(b)(1).

(h) If you are required to conduct a performance test or other initial compliance demonstration as specified in Tables 4 and 5 to this subpart, you must submit a Notification of Compliance Status according to § 63.9(h)(2)(ii).

(1) For each initial compliance demonstration required in Table 5 to this subpart that does not include a performance test, you must submit the Notification of Compliance Status before the close of business on the 30th day following the completion of the initial compliance demonstration.

(2) Before February 26, 2025, for each initial compliance demonstration required in table 5 to this subpart that includes a performance test conducted according to the requirements in table 3 to this subpart, you must submit the Notification of Compliance Status, including the performance test results, before the close of business on the 60th day following the completion of the performance test according to § 63.10(d)(2). Beginning on February 26, 2025, for each initial compliance demonstration required in table 5 to this subpart that includes a performance test conducted according to the requirements in table 3 to this subpart, you must submit the Notification of Compliance Status, including a summary of the performance test results, in PDF to the EPA via the Compliance and Emissions Data Reporting Interface (CEDRI), before the close of business on the 60th day following the completion of the performance test following the procedure specified in § 63.9(k), except any Confidential Business Information (CBI) is to be submitted according to paragraphs (h)(2)(i) and (ii) of this section. Do not use CEDRI to submit information you claim as CBI. Although we do not expect persons to assert a claim of CBI, if you wish to assert a CBI claim for some of the information in the report, you must submit a complete file, including information claimed to be CBI, to the EPA following the procedures in paragraphs (h)(2)(i) and (ii) of this section. Clearly mark the part or all of the information that you claim to be CBI. Information not marked as

CBI may be authorized for public release without prior notice. Information marked as CBI will not be disclosed except in accordance with procedures set forth in 40 CFR part 2. All CBI claims must be asserted at the time of submission. Anything submitted using CEDRI cannot later be claimed CBI. Furthermore, under CAA section 114(c), emissions data is not entitled to confidential treatment, and the EPA is required to make emissions data available to the public. Thus, emissions data will not be protected as CBI and will be made publicly available. You must submit the same file submitted to the CBI office with the CBI omitted to the EPA via the EPA's CDX as described earlier in this paragraph (h)(2).

(i) The preferred method to receive CBI is for it to be transmitted electronically using email attachments, File Transfer Protocol, or other online file sharing services. Electronic submissions must be transmitted directly to the OAQPS CBI Office at the email address *oaqpscbi@epa.gov,* and as described in paragraph (h)(2) of this section, should include clear CBI markings and be flagged to the attention of the Reciprocating Internal Combustion Engine Sector Lead. If assistance is needed with submitting large electronic files that exceed the file size limit for email attachments, and if you do not have your own file sharing service, please email *oaqpscbi@epa.gov* to request a file transfer link.

(ii) If you cannot transmit the file electronically, you may send CBI information through the postal service to the following address: OAQPS Document Control Officer (C404-02), OAQPS, U.S. Environmental Protection Agency, 109 T.W. Alexander Drive, P.O. Box 12055, Research Triangle Park, North Carolina 27711, Attention Reciprocating Internal Combustion Engine Sector Lead. The mailed CBI material should be double wrapped and clearly marked. Any CBI markings should not show through the outer envelope.

(i) If you own or operate an existing non-emergency CI RICE with a site rating of more than 300 HP located at an area source of HAP emissions that is certified to the Tier 1 or Tier 2 emission standards in Table 1 of 40 CFR 89.112 and subject to an enforceable state or local standard requiring engine replacement and you intend to meet management practices rather than emission limits, as specified in § 63.6603(d), you must submit a notification by March 3, 2013, stating that you intend to use the provision in § 63.6603(d) and identifying the state or local regulation that the engine is subject to.

[73 FR 3606, Jan. 18, 2008, as amended at 75 FR 9677, Mar. 3, 2010; 75 FR 51591, Aug. 20, 2010; 78 FR 6705, Jan. 30, 2013; 85 FR 73912, Nov. 19, 2020; 89 FR 70516, Aug. 30, 2024]

§ 63.6650 What reports must I submit and when?

(a) You must submit each report in Table 7 of this subpart that applies to you.

(b) Unless the Administrator has approved a different schedule for submission of reports under § 63.10(a), you must submit each report by the date in Table 7 of this subpart and according to the requirements in paragraphs (b)(1) through (b)(9) of this section.

(1) For semiannual Compliance reports, the first Compliance report must cover the period beginning on the compliance date that is specified for your affected source in § 63.6595 and ending on June 30 or December 31, whichever date is the first date following the end of the first calendar half after the compliance date that is specified for your source in § 63.6595.

(2) For semiannual Compliance reports, the first Compliance report must be postmarked or delivered no later than July 31 or January 31, whichever date follows the end of the first calendar half after the compliance date that is specified for your affected source in § 63.6595.

(3) For semiannual Compliance reports, each subsequent Compliance report must cover the semiannual reporting period from January 1 through June 30 or the semiannual reporting period from July 1 through December 31.

(4) For semiannual Compliance reports, each subsequent Compliance report must be postmarked or delivered no later than July 31 or January 31, whichever date is the first date following the end of the semiannual reporting period.

(5) For each stationary RICE that is subject to permitting regulations pursuant to 40 CFR part 70 or 71, and if the permitting authority has established dates for submitting semiannual reports pursuant to 40 CFR 70.6(a)(3)(iii)(A) or 40 CFR 71.6 (a)(3)(iii)(A), you may submit the first and subsequent Compliance reports according to the dates the permitting authority has established instead of according to the dates in paragraphs (b)(1) through (b)(4) of this section.

(6) For annual Compliance reports, the first Compliance report must cover the period beginning on the compliance date that is specified for your affected source in § 63.6595 and ending on December 31.

(7) For annual Compliance reports, the first Compliance report must be postmarked or delivered no later than January 31 following the end of the first calendar year after the compliance date that is specified for your affected source in § 63.6595.

(8) For annual Compliance reports, each subsequent Compliance report must cover the annual reporting period from January 1 through December 31.

(9) For annual Compliance reports, each subsequent Compliance report must be postmarked or delivered no later than January 31.

(c) The Compliance report must contain the information in paragraphs (c)(1) through (8) of this section.

(1) Company name and address.

(2) Statement by a responsible official, with that official's name, title, and signature, certifying the accuracy of the content of the report.

(3) Date of report and beginning and ending dates of the reporting period.

(4) If you had a malfunction during the reporting period, the compliance report must include the starting and ending date and time, the duration (in hours), and a brief description for each malfunction which occurred during the reporting period and which caused or may have caused any applicable emission limitation to be exceeded. The report must also include a description of actions taken by an owner or operator during a malfunction of an affected source to minimize emissions in accordance with § 63.6605(b), including actions taken to correct a malfunction.

(5) If there are no deviations from any emission or operating limitations that apply to you, a statement that there were no deviations from the emission or operating limitations during the reporting period.

(6) If there were no periods during which the continuous monitoring system (CMS), including CEMS and CPMS, was out-of-control, as specified in § 63.8(c)(7), a statement that there were no periods during which the CMS was out-of-control during the reporting period.

(7) Engine site rating in brake HP, year construction of the engine commenced (as defined in § 63.2, where the exact year is not known, provide the best estimate), and type of engine (CI, SI 2SLB, SI 4SLB, or SI 4SRB).

(8) Latitude and longitude of the engine in decimal degrees reported to the fifth decimal place.

(9) An engine can be claimed as exempt from reporting coordinates (latitude/longitude) via CEDRI if:

(i) During the reporting period, the engine will be owned by, or operated by or for, an agency of the Federal Government responsible for national defense; and

(ii) The agency determines that disclosing the coordinates to the general public would be a threat to national security.

(d) For each deviation from an emission or operating limitation that occurs for a stationary RICE where you are not using a CMS to comply with the emission or operating limitations in this subpart, the Compliance report must contain the information in paragraphs (c)(1) through (8) of this section and the information in paragraphs (d)(1) and (2) of this section.

(1) The total operating time (in hours) of the stationary RICE at which the deviation occurred during the reporting period.

(2) Information on the number, duration (in hours), and cause of deviations (including unknown cause, if applicable), as applicable, and the corrective action taken.

(3) A description of any changes in processes, or controls since the last reporting period.

(e) For each deviation from an emission or operating limitation occurring for a stationary RICE where you are using a CMS to comply with the emission and operating limitations in this subpart, you must include information in paragraphs (c)(1) through (8) and (e)(1) through (13) of this section.

(1) The date and time that each malfunction started and stopped.

(2) The start and end date and time and the duration (in hours) that each CMS was inoperative, except for zero (low-level) and high-level checks.

(3) The start and end date and time and the duration (in hours) that each CMS was out-of-control, including the information in § 63.8(c)(8).

(4) The date and time that each deviation started and stopped, and whether each deviation occurred during a period of malfunction or during another period.

(5) A summary of the total duration (in hours) of the deviation during the reporting period, and the total duration as a percent of the total source operating time during that reporting period.

(6) A breakdown of the total duration (in hours) of the deviations during the reporting period into those that are due to control equipment problems, process problems, other known causes, and other unknown causes.

(7) A summary of the total duration (in hours) of CMS downtime during the reporting period, and the total duration of CMS downtime as a percent of the total operating time of the stationary RICE at which the CMS downtime occurred during that reporting period.

(8) An identification of each parameter and pollutant (CO or formaldehyde) that was monitored at the stationary RICE.

(9) [Reserved]

(10) A brief description of the CMS.

(11) The date of the latest CMS certification or audit.

(12) A description of any changes in CMS, processes, or controls since the last reporting period.

(13) The total operating time of the stationary RICE at which the deviation occurred during the reporting period.

(f) Each affected source that has obtained a title V operating permit pursuant to 40 CFR part 70 or 71 must report all deviations as defined in this subpart in the semiannual monitoring report required by 40 CFR 70.6 (a)(3)(iii)(A) or 40 CFR 71.6(a)(3)(iii)(A). If an affected source submits a Compliance report pursuant to table 7 of this subpart along with, or as part of, the semiannual monitoring report required by 40 CFR 70.6(a)(3)(iii)(A) or 40 CFR 71.6(a)(3)(iii)(A), and the Compliance report includes all required information concerning deviations from any

emission or operating limitation in this subpart, submission of the Compliance report shall be deemed to satisfy any obligation to report the same deviations in the semiannual monitoring report. However, submission of a Compliance report shall not otherwise affect any obligation the affected source may have to report deviations from permit requirements to the permit authority. Beginning on February 26, 2025, the semiannual and annual compliance report required in table 7 of this subpart must be submitted according to paragraph (i) of this section. Only those elements required under this subpart are required to be submitted according to paragraph (i) of this section.

(g) If you are operating as a new or reconstructed stationary RICE which fires landfill gas or digester gas equivalent to 10 percent or more of the gross heat input on an annual basis, you must submit an annual report according to Table 7 of this subpart by the date specified unless the Administrator has approved a different schedule, according to the information described in paragraphs (b)(1) through (b)(5) of this section. You must report the data specified in (g)(1) through (g)(3) of this section.

(1) Fuel flow rate of each fuel and the heating values that were used in your calculations. You must also demonstrate that the percentage of heat input provided by landfill gas or digester gas is equivalent to 10 percent or more of the total fuel consumption on an annual basis.

(2) The operating limits provided in your federally enforceable permit, and any deviations from these limits.

(3) Any problems or errors suspected with the meters.

(h) If you own or operate an emergency stationary RICE with a site rating of more than 100 brake HP that operates for the purpose specified in § 63.6640(f)(4)(ii), you must submit an annual report according to the requirements in paragraphs (h)(1) through (3) of this section.

(1) The report must contain the following information:

(i) Company name and address where the engine is located.

(ii) Date of the report and beginning and ending dates of the reporting period.

(iii) Engine site rating in brake HP, year construction of the engine commenced (as defined in § 63.2, where the exact year is not known, provide the best estimate), and type of engine (CI, SI 2SLB, SI 4SLB, or SI 4SRB).

(iv) Latitude and longitude of the engine in decimal degrees reported to the fifth decimal place.

(v)-(vi) [Reserved]

(vii) Hours spent for operation for the purpose specified in § 63.6640(f)(4)(ii), including the date, start time, and end time for engine operation for the purposes specified in § 63.6640(f)(4)(ii). The report must also identify the entity that dispatched the engine and the situation that necessitated the dispatch of the engine.

(viii) If there were no deviations from the fuel requirements in § 63.6604 that apply to the engine (if any), a statement that there were no deviations from the fuel requirements during the reporting period.

(ix) If there were deviations from the fuel requirements in § 63.6604 that apply to the engine (if any), information on the number, duration (in hours), and cause of deviations, and the corrective action taken.

(2) The first annual report must cover the calendar year 2015 and must be submitted no later than March 31, 2016. Subsequent annual reports for each calendar year must be submitted no later than March 31 of the following calendar year.

(3) Before February 26, 2025, the annual report must be submitted electronically using the subpart specific reporting form in the Compliance and Emissions Data Reporting Interface (CEDRI) that is accessed through EPA's Central Data Exchange (CDX) (*https://cdx.epa.gov/*). However, if the reporting form specific to this subpart

is not available in CEDRI at the time that the report is due, the written report must be submitted to the Administrator at the appropriate address listed in § 63.13. Beginning on February 26, 2025, the annual report must be submitted according to paragraph (i) of this section.

(i) Beginning on February 26, 2025 for the annual report specified in § 63.6650(h) and February 26, 2025 or one year after the report becomes available in CEDRI, whichever is later for all other semiannual or annual reports, submit all semiannual and annual subsequent compliance reports using the appropriate electronic report template on the CEDRI website (*https://www.epa.gov/electronic-reporting-air-emissions/cedri*) for this subpart and following the procedure specified in § 63.9(k), except any CBI must be submitted according to the procedures in § 63.6645(h). The date report templates become available will be listed on the CEDRI website. Unless the Administrator or delegated state agency or other authority has approved a different schedule for submission of reports, the report must be submitted by the deadline specified in this subpart, regardless of the method in which the report is submitted.

[69 FR 33506, June 15, 2004, as amended at 75 FR 9677, Mar. 3, 2010; 78 FR 6705, Jan. 30, 2013; 87 FR 48607, Aug. 10, 2022; 89 FR 70517, Aug. 30, 2024]

§ 63.6655 What records must I keep?

(a) If you must comply with the emission and operating limitations, you must keep the records described in paragraphs (a)(1) through (a)(5), (b)(1) through (b)(3) and (c) of this section.

(1) A copy of each notification and report that you submitted to comply with this subpart, including all documentation supporting any Initial Notification or Notification of Compliance Status that you submitted, according to the requirement in § 63.10(b)(2)(xiv).

(2) Records of the occurrence and duration (in hours) of each malfunction of operation (*i.e.,* process equipment) or the air pollution control and monitoring equipment.

(3) Records of performance tests and performance evaluations as required in § 63.10(b)(2)(viii).

(4) Records of all required maintenance performed on the air pollution control and monitoring equipment.

(5) Records of actions taken during periods of malfunction to minimize emissions in accordance with § 63.6605(b), including corrective actions to restore malfunctioning process and air pollution control and monitoring equipment to its normal or usual manner of operation.

(b) For each CEMS or CPMS, you must keep the records listed in paragraphs (b)(1) through (3) of this section.

(1) Records described in § 63.10(b)(2)(vi) through (xi).

(2) Previous (*i.e.,* superseded) versions of the performance evaluation plan as required in § 63.8(d)(3).

(3) Requests for alternatives to the relative accuracy test for CEMS or CPMS as required in § 63.8(f)(6)(i), if applicable.

(c) If you are operating a new or reconstructed stationary RICE which fires landfill gas or digester gas equivalent to 10 percent or more of the gross heat input on an annual basis, you must keep the records of your daily fuel usage monitors.

(d) You must keep the records required in Table 6 of this subpart to show continuous compliance with each emission or operating limitation that applies to you.

(e) You must keep records of the maintenance conducted on the stationary RICE in order to demonstrate that you operated and maintained the stationary RICE and after-treatment control device (if any) according to your own maintenance plan if you own or operate any of the following stationary RICE;

(1) An existing stationary RICE with a site rating of less than 100 brake HP located at a major source of HAP emissions.

(2) An existing stationary emergency RICE.

(3) An existing stationary RICE located at an area source of HAP emissions subject to management practices as shown in Table 2d to this subpart.

(f) If you own or operate any of the stationary RICE in paragraphs (f)(1) through (2) of this section, you must keep records of the hours of operation of the engine that is recorded through the non-resettable hour meter. The owner or operator must document how many hours are spent for emergency operation, including what classified the operation as emergency and how many hours are spent for non-emergency operation. If the engine is used for the purpose specified in § 63.6640(f)(4)(ii), the owner or operator must keep records of the notification of the emergency situation, and the date, start time, and end time of engine operation for these purposes.

(1) An existing emergency stationary RICE with a site rating of less than or equal to 500 brake HP located at a major source of HAP emissions that does not meet the standards applicable to non-emergency engines.

(2) An existing emergency stationary RICE located at an area source of HAP emissions that does not meet the standards applicable to non-emergency engines.

[69 FR 33506, June 15, 2004, as amended at 75 FR 9678, Mar. 3, 2010; 75 FR 51592, Aug. 20, 2010; 78 FR 6706, Jan. 30, 2013; 87 FR 48607, Aug. 10, 2022; 89 FR 70518, Aug. 30, 2024]

§ 63.6660 In what form and how long must I keep my records?

(a) Your records must be in a form suitable and readily available for expeditious review according to § 63.10(b)(1).

(b) As specified in § 63.10(b)(1), you must keep each record for 5 years following the date of each occurrence, measurement, maintenance, corrective action, report, or record.

(c) You must keep each record readily accessible in hard copy or electronic form for at least 5 years after the date of each occurrence, measurement, maintenance, corrective action, report, or record, according to § 63.10(b)(1).

[69 FR 33506, June 15, 2004, as amended at 75 FR 9678, Mar. 3, 2010]

Other Requirements and Information

§ 63.6665 What parts of the General Provisions apply to me?

Table 8 to this subpart shows which parts of the General Provisions in §§ 63.1 through 63.15 apply to you. If you own or operate a new or reconstructed stationary RICE with a site rating of less than or equal to 500 brake HP located at a major source of HAP emissions (except new or reconstructed 4SLB engines greater than or equal to 250 and less than or equal to 500 brake HP), a new or reconstructed stationary RICE located at an area source of HAP emissions, or any of the following RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions, you do not need to comply with any of the requirements of the General Provisions specified in Table 8: An existing 2SLB stationary RICE, an existing 4SLB stationary RICE, an existing stationary RICE that combusts landfill or digester gas equivalent to 10 percent or more of the gross heat input on an annual basis, an existing emergency stationary RICE, or an existing limited use stationary RICE. If you own or operate any of the following RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions, you do not need to comply with the requirements in the General Provisions specified in Table 8 except for the initial notification requirements: A new stationary RICE that combusts landfill gas or digester gas equivalent to 10 percent or more of the gross heat input on an annual basis, a new emergency stationary RICE, or a new limited use stationary RICE.

[75 FR 9678, Mar. 3, 2010]

§ 63.6670 Who implements and enforces this subpart?

(a) This subpart is implemented and enforced by the U.S. EPA, or a delegated authority such as your State, local, or tribal agency. If the U.S. EPA Administrator has delegated authority to your State, local, or tribal agency, then that agency (as well as the U.S. EPA) has the authority to implement and enforce this subpart. You should contact your U.S. EPA Regional Office to find out whether this subpart is delegated to your State, local, or tribal agency.

(b) In delegating implementation and enforcement authority of this subpart to a State, local, or tribal agency under 40 CFR part 63, subpart E, the authorities contained in paragraph (c) of this section are retained by the Administrator of the U.S. EPA and are not transferred to the State, local, or tribal agency.

(c) The authorities that will not be delegated to State, local, or tribal agencies are:

(1) Approval of alternatives to the non-opacity emission limitations and operating limitations in § 63.6600 under § 63.6(g).

(2) Approval of major alternatives to test methods under § 63.7(e)(2)(ii) and (f) and as defined in § 63.90.

(3) Approval of major alternatives to monitoring under § 63.8(f) and as defined in § 63.90.

(4) Approval of major alternatives to recordkeeping and reporting under § 63.10(f) and as defined in § 63.90.

(5) Approval of a performance test which was conducted prior to the effective date of the rule, as specified in § 63.6610(b).

(6) Approval of an alternative to any electronic reporting to the EPA required by this subpart.

[69 FR 33506, June 15, 2004, as amended at 89 FR 70518, Aug. 30, 2024]

§ 63.6675 What definitions apply to this subpart?

Terms used in this subpart are defined in the Clean Air Act (CAA); in 40 CFR 63.2, the General Provisions of this part; and in this section as follows:

Alaska Railbelt Grid means the service areas of the six regulated public utilities that extend from Fairbanks to Anchorage and the Kenai Peninsula. These utilities are Golden Valley Electric Association; Chugach Electric Association; Matanuska Electric Association; Homer Electric Association; Anchorage Municipal Light & Power; and the City of Seward Electric System.

Area source means any stationary source of HAP that is not a major source as defined in part 63.

Associated equipment as used in this subpart and as referred to in section 112(n)(4) of the CAA, means equipment associated with an oil or natural gas exploration or production well, and includes all equipment from the well bore to the point of custody transfer, except glycol dehydration units, storage vessels with potential for flash emissions, combustion turbines, and stationary RICE.

Backup power for renewable energy means an engine that provides backup power to a facility that generates electricity from renewable energy resources, as that term is defined in Alaska Statute 42.45.045(l)(5) (incorporated by reference, see § 63.14).

Black start engine means an engine whose only purpose is to start up a combustion turbine.

CAA means the Clean Air Act (42 U.S.C. 7401 *et seq.,* as amended by Public Law 101-549, 104 Stat. 2399).

Commercial emergency stationary RICE means an emergency stationary RICE used in commercial establishments such as office buildings, hotels, stores, telecommunications facilities, restaurants, financial institutions such as banks, doctor's offices, and sports and performing arts facilities.

Compression ignition means relating to a type of stationary internal combustion engine that is not a spark ignition engine.

Custody transfer means the transfer of hydrocarbon liquids or natural gas: After processing and/or treatment in the producing operations, or from storage vessels or automatic transfer facilities or other such equipment, including product loading racks, to pipelines or any other forms of transportation. For the purposes of this subpart, the point at which such liquids or natural gas enters a natural gas processing plant is a point of custody transfer.

Deviation means any instance in which an affected source subject to this subpart, or an owner or operator of such a source:

(1) Fails to meet any requirement or obligation established by this subpart, including but not limited to any emission limitation or operating limitation;

(2) Fails to meet any term or condition that is adopted to implement an applicable requirement in this subpart and that is included in the operating permit for any affected source required to obtain such a permit; or

(3) Fails to meet any emission limitation or operating limitation in this subpart during malfunction, regardless or whether or not such failure is permitted by this subpart.

(4) Fails to satisfy the general duty to minimize emissions established by § 63.6(e)(1)(i).

Diesel engine means any stationary RICE in which a high boiling point liquid fuel injected into the combustion chamber ignites when the air charge has been compressed to a temperature sufficiently high for auto-ignition. This process is also known as compression ignition.

Diesel fuel means any liquid obtained from the distillation of petroleum with a boiling point of approximately 150 to 360 degrees Celsius. One commonly used form is fuel oil number 2. Diesel fuel also includes any non-distillate fuel with comparable physical and chemical properties (*e.g.* biodiesel) that is suitable for use in compression ignition engines.

Digester gas means any gaseous by-product of wastewater treatment typically formed through the anaerobic decomposition of organic waste materials and composed principally of methane and CO_2.

Dual-fuel engine means any stationary RICE in which a liquid fuel (typically diesel fuel) is used for compression ignition and gaseous fuel (typically natural gas) is used as the primary fuel.

Emergency stationary RICE means any stationary reciprocating internal combustion engine that meets all of the criteria in paragraphs (1) through (3) of this definition. All emergency stationary RICE must comply with the requirements specified in § 63.6640(f) in order to be considered emergency stationary RICE. If the engine does not comply with the requirements specified in § 63.6640(f), then it is not considered to be an emergency stationary RICE under this subpart.

(1) The stationary RICE is operated to provide electrical power or mechanical work during an emergency situation. Examples include stationary RICE used to produce power for critical networks or equipment (including power supplied to portions of a facility) when electric power from the local utility (or the normal power source, if the facility runs on its own power production) is interrupted, or stationary RICE used to pump water in the case of fire or flood, etc.

(2) The stationary RICE is operated under limited circumstances for situations not included in paragraph (1) of this definition, as specified in § 63.6640(f).

(3) The stationary RICE operates as part of a financial arrangement with another entity in situations not included in paragraph (1) of this definition only as allowed in § 63.6640(f)(4)(i) or (ii).

Engine startup means the time from initial start until applied load and engine and associated equipment reaches steady state or normal operation. For stationary engine with catalytic controls, engine startup means the time from initial start until applied load and engine and associated equipment, including the catalyst, reaches steady state or normal operation.

Four-stroke engine means any type of engine which completes the power cycle in two crankshaft revolutions, with intake and compression strokes in the first revolution and power and exhaust strokes in the second revolution.

Gaseous fuel means a material used for combustion which is in the gaseous state at standard atmospheric temperature and pressure conditions.

Gasoline means any fuel sold in any State for use in motor vehicles and motor vehicle engines, or nonroad or stationary engines, and commonly or commercially known or sold as gasoline.

Glycol dehydration unit means a device in which a liquid glycol (including, but not limited to, ethylene glycol, diethylene glycol, or triethylene glycol) absorbent directly contacts a natural gas stream and absorbs water in a contact tower or absorption column (absorber). The glycol contacts and absorbs water vapor and other gas stream constituents from the natural gas and becomes “rich” glycol. This glycol is then regenerated in the glycol dehydration unit reboiler. The “lean” glycol is then recycled.

Hazardous air pollutants (HAP) means any air pollutants listed in or pursuant to section 112(b) of the CAA.

Institutional emergency stationary RICE means an emergency stationary RICE used in institutional establishments such as medical centers, nursing homes, research centers, institutions of higher education, correctional facilities, elementary and secondary schools, libraries, religious establishments, police stations, and fire stations.

ISO standard day conditions means 288 degrees Kelvin (15 degrees Celsius), 60 percent relative humidity and 101.3 kilopascals pressure.

Landfill gas means a gaseous by-product of the land application of municipal refuse typically formed through the anaerobic decomposition of waste materials and composed principally of methane and CO_2.

Lean burn engine means any two-stroke or four-stroke spark ignited engine that does not meet the definition of a rich burn engine.

Limited use stationary RICE means any stationary RICE that operates less than 100 hours per year.

Liquefied petroleum gas means any liquefied hydrocarbon gas obtained as a by-product in petroleum refining of natural gas production.

Liquid fuel means any fuel in liquid form at standard temperature and pressure, including but not limited to diesel, residual/crude oil, kerosene/naphtha (jet fuel), and gasoline.

Major Source, as used in this subpart, shall have the same meaning as in § 63.2, except that:

(1) Emissions from any oil or gas exploration or production well (with its associated equipment (as defined in this section)) and emissions from any pipeline compressor station or pump station shall not be aggregated with emissions from other similar units, to determine whether such emission points or stations are major sources, even when emission points are in a contiguous area or under common control;

(2) For oil and gas production facilities, emissions from processes, operations, or equipment that are not part of the same oil and gas production facility, as defined in § 63.1271 of subpart HHH of this part, shall not be aggregated;

(3) For production field facilities, only HAP emissions from glycol dehydration units, storage vessel with the potential for flash emissions, combustion turbines and reciprocating internal combustion engines shall be aggregated for a major source determination; and

(4) Emissions from processes, operations, and equipment that are not part of the same natural gas transmission and storage facility, as defined in § 63.1271 of subpart HHH of this part, shall not be aggregated.

Malfunction means any sudden, infrequent, and not reasonably preventable failure of air pollution control equipment, process equipment, or a process to operate in a normal or usual manner which causes, or has the potential to cause, the emission limitations in an applicable standard to be exceeded. Failures that are caused in part by poor maintenance or careless operation are not malfunctions.

Natural gas means a naturally occurring mixture of hydrocarbon and non-hydrocarbon gases found in geologic formations beneath the Earth's surface, of which the principal constituent is methane. Natural gas may be field or pipeline quality.

Non-selective catalytic reduction (NSCR) means an add-on catalytic nitrogen oxides (NO_X) control device for rich burn engines that, in a two-step reaction, promotes the conversion of excess oxygen, NO_X, CO, and volatile organic compounds (VOC) into CO_2, nitrogen, and water.

Oil and gas production facility as used in this subpart means any grouping of equipment where hydrocarbon liquids are processed, upgraded (*i.e.,* remove impurities or other constituents to meet contract specifications), or stored prior to the point of custody transfer; or where natural gas is processed, upgraded, or stored prior to entering the natural gas transmission and storage source category. For purposes of a major source determination, facility (including a building, structure, or installation) means oil and natural gas production and processing equipment that is located within the boundaries of an individual surface site as defined in this section. Equipment that is part of a facility will typically be located within close proximity to other equipment located at the same facility. Pieces of production equipment or groupings of equipment located on different oil and gas leases, mineral fee tracts, lease tracts, subsurface or surface unit areas, surface fee tracts, surface lease tracts, or separate surface sites, whether or not connected by a road, waterway, power line or pipeline, shall not be considered part of the same facility. Examples of facilities in the oil and natural gas production source category include, but are not limited to, well sites, satellite tank batteries, central tank batteries, a compressor station that transports natural gas to a natural gas processing plant, and natural gas processing plants.

Oxidation catalyst means an add-on catalytic control device that controls CO and VOC by oxidation.

Peaking unit or engine means any standby engine intended for use during periods of high demand that are not emergencies.

Percent load means the fractional power of an engine compared to its maximum manufacturer's design capacity at engine site conditions. Percent load may range between 0 percent to above 100 percent.

Potential to emit means the maximum capacity of a stationary source to emit a pollutant under its physical and operational design. Any physical or operational limitation on the capacity of the stationary source to emit a pollutant, including air pollution control equipment and restrictions on hours of operation or on the type or amount of material combusted, stored, or processed, shall be treated as part of its design if the limitation or the effect it would have on emissions is federally enforceable. For oil and natural gas production facilities subject to subpart HH of this part, the potential to emit provisions in § 63.760(a) may be used. For natural gas transmission and storage facilities subject to subpart HHH of this part, the maximum annual facility gas throughput for storage facilities may be determined according to § 63.1270(a)(1) and the maximum annual throughput for transmission facilities may be determined according to § 63.1270(a)(2).

Production field facility means those oil and gas production facilities located prior to the point of custody transfer.

Production well means any hole drilled in the earth from which crude oil, condensate, or field natural gas is extracted.

Propane means a colorless gas derived from petroleum and natural gas, with the molecular structure C_3H_8.

Remote stationary RICE means stationary RICE meeting any of the following criteria:

(1) Stationary RICE located in an offshore area that is beyond the line of ordinary low water along that portion of the coast of the United States that is in direct contact with the open seas and beyond the line marking the seaward limit of inland waters.

(2) Stationary RICE located on a pipeline segment that meets both of the criteria in paragraphs (2)(i) and (ii) of this definition.

(i) A pipeline segment with 10 or fewer buildings intended for human occupancy and no buildings with four or more stories within 220 yards (200 meters) on either side of the centerline of any continuous 1-mile (1.6 kilometers) length of pipeline. Each separate dwelling unit in a multiple dwelling unit building is counted as a separate building intended for human occupancy.

(ii) The pipeline segment does not lie within 100 yards (91 meters) of either a building or a small, well-defined outside area (such as a playground, recreation area, outdoor theater, or other place of public assembly) that is occupied by 20 or more persons on at least 5 days a week for 10 weeks in any 12-month period. The days and weeks need not be consecutive. The building or area is considered occupied for a full day if it is occupied for any portion of the day.

(iii) For purposes of this paragraph (2), the term pipeline segment means all parts of those physical facilities through which gas moves in transportation, including but not limited to pipe, valves, and other appurtenance attached to pipe, compressor units, metering stations, regulator stations, delivery stations, holders, and fabricated assemblies. Stationary RICE located within 50 yards (46 meters) of the pipeline segment providing power for equipment on a pipeline segment are part of the pipeline segment. Transportation of gas means the gathering, transmission, or distribution of gas by pipeline, or the storage of gas. A building is intended for human occupancy if its primary use is for a purpose involving the presence of humans.

(3) Stationary RICE that are not located on gas pipelines and that have 5 or fewer buildings intended for human occupancy and no buildings with four or more stories within a 0.25 mile radius around the engine. A building is intended for human occupancy if its primary use is for a purpose involving the presence of humans.

Residential emergency stationary RICE means an emergency stationary RICE used in residential establishments such as homes or apartment buildings.

Responsible official means responsible official as defined in 40 CFR 70.2.

Rich burn engine means any four-stroke spark ignited engine where the manufacturer's recommended operating air/fuel ratio divided by the stoichiometric air/fuel ratio at full load conditions is less than or equal to 1.1. Engines originally manufactured as rich burn engines, but modified prior to December 19, 2002 with passive emission control technology for NO_X (such as pre-combustion chambers) will be considered lean burn engines. Also, existing engines where there are no manufacturer's recommendations regarding air/fuel ratio will be considered a rich burn engine if the excess oxygen content of the exhaust at full load conditions is less than or equal to 2 percent.

Site-rated HP means the maximum manufacturer's design capacity at engine site conditions.

Spark ignition means relating to either: A gasoline-fueled engine; or any other type of engine with a spark plug (or other sparking device) and with operating characteristics significantly similar to the theoretical Otto combustion cycle. Spark ignition engines usually use a throttle to regulate intake air flow to control power during normal operation. Dual-fuel engines in which a liquid fuel (typically diesel fuel) is used for CI and gaseous fuel (typically natural gas) is used as the primary fuel at an annual average ratio of less than 2 parts diesel fuel to 100 parts total fuel on an energy equivalent basis are spark ignition engines.

Stationary reciprocating internal combustion engine (RICE) means any reciprocating internal combustion engine which uses reciprocating motion to convert heat energy into mechanical work and which is not mobile. Stationary RICE differ from mobile RICE in that a stationary RICE is not a non-road engine as defined at 40 CFR 1068.30, and is not used to propel a motor vehicle or a vehicle used solely for competition.

Stationary RICE test cell/stand means an engine test cell/stand, as defined in subpart PPPPP of this part, that tests stationary RICE.

Stoichiometric means the theoretical air-to-fuel ratio required for complete combustion.

Storage vessel with the potential for flash emissions means any storage vessel that contains a hydrocarbon liquid with a stock tank gas-to-oil ratio equal to or greater than 0.31 cubic meters per liter and an American Petroleum Institute gravity equal to or greater than 40 degrees and an actual annual average hydrocarbon liquid throughput equal to or greater than 79,500 liters per day. Flash emissions occur when dissolved hydrocarbons in the fluid evolve from solution when the fluid pressure is reduced.

Subpart means 40 CFR part 63, subpart ZZZZ.

Surface site means any combination of one or more graded pad sites, gravel pad sites, foundations, platforms, or the immediate physical location upon which equipment is physically affixed.

Two-stroke engine means a type of engine which completes the power cycle in single crankshaft revolution by combining the intake and compression operations into one stroke and the power and exhaust operations into a second stroke. This system requires auxiliary scavenging and inherently runs lean of stoichiometric.

[69 FR 33506, June 15, 2004, as amended at 71 FR 20467, Apr. 20, 2006; 73 FR 3607, Jan. 18, 2008; 75 FR 9679, Mar. 3, 2010; 75 FR 51592, Aug. 20, 2010; 76 FR 12867, Mar. 9, 2011; 78 FR 6706, Jan. 30, 2013; 87 FR 48608, Aug. 10, 2022]

Table 1a to Subpart ZZZZ of Part 63—Emission Limitations for Existing, New, and Reconstructed Spark Ignition, 4SRB Stationary RICE >500 HP Located at a Major Source of HAP Emissions

As stated in §§ 63.6600 and 63.6640, you must comply with the following emission limitations at 100 percent load plus or minus 10 percent for existing, new and reconstructed 4SRB stationary RICE >500 HP located at a major source of HAP emissions:

For each . . .	You must meet the following emission limitation, except during periods of startup . . .	During periods of startup you must . . .
1. 4SRB stationary RICE	a. Reduce formaldehyde emissions by 76 percent or more. If you commenced construction or reconstruction between December 19, 2002 and June 15, 2004, you may reduce formaldehyde emissions by 75 percent or more until June 15, 2007 or	Minimize the engine's time spent at idle and minimize the engine's startup time at startup to a period needed for appropriate and safe loading of the engine, not to exceed 30 minutes, after which time the non-startup emission limitations apply.[1]
	b. Limit the concentration of formaldehyde in the stationary RICE exhaust to 350 ppbvd or less at 15 percent O_2	

[1] Sources can petition the Administrator pursuant to the requirements of 40 CFR 63.6(g) for alternative work practices.

[75 FR 9679, Mar. 3, 2010, as amended at 75 FR 51592, Aug. 20, 2010]

Table 1b to Subpart ZZZZ of Part 63—Operating Limitations for Existing, New, and Reconstructed SI 4SRB Stationary RICE >500 HP Located at a Major Source of HAP Emissions

As stated in §§ 63.6600, 63.6603, 63.6630 and 63.6640, you must comply with the following operating limitations for existing, new and reconstructed 4SRB stationary RICE >500 HP located at a major source of HAP emissions:

For each . . .	You must meet the following operating limitation, except during periods of startup . . .
1. existing, new and reconstructed 4SRB stationary RICE >500 HP located at a major source of HAP emissions complying with the requirement to reduce formaldehyde emissions by 76 percent or more (or by 75 percent or more, if applicable) and using NSCR; or existing, new and reconstructed 4SRB stationary RICE >500 HP located at a major source of HAP emissions complying with the requirement to limit the concentration of formaldehyde in the stationary RICE exhaust to 350 ppbvd or less at 15 percent O_2 and using NSCR;	a. maintain your catalyst so that the pressure drop across the catalyst does not change by more than 2 inches of water at 100 percent load plus or minus 10 percent from the pressure drop across the catalyst measured during the initial performance test; and b. maintain the temperature of your stationary RICE exhaust so that the catalyst inlet temperature is greater than or equal to 750 °F and less than or equal to 1250 °F.[1]
2. existing, new and reconstructed 4SRB stationary RICE >500 HP located at a major source of HAP emissions complying with the requirement to reduce formaldehyde emissions by 76 percent or more (or by 75 percent or more, if applicable) and not using NSCR; or	Comply with any operating limitations approved by the Administrator.
existing, new and reconstructed 4SRB stationary RICE >500 HP located at a major source of HAP emissions complying with the requirement to limit the concentration of formaldehyde in the stationary RICE exhaust to 350 ppbvd or less at 15 percent O_2 and not using NSCR.	
[1] Sources can petition the Administrator pursuant to the requirements of 40 CFR 63.8(f) for a different temperature range.	

[78 FR 6706, Jan. 30, 2013]

Table 2a to Subpart ZZZZ of Part 63—Emission Limitations for New and Reconstructed 2SLB and Compression Ignition Stationary RICE >500 HP and New and Reconstructed 4SLB Stationary RICE ≥250 HP Located at a Major Source of HAP Emissions

As stated in §§ 63.6600 and 63.6640, you must comply with the following emission limitations for new and reconstructed lean burn and new and reconstructed compression ignition stationary RICE at 100 percent load plus or minus 10 percent:

For each . . .	You must meet the following emission limitation, except during periods of startup . . .	During periods of startup you must . . .
1. 2SLB stationary RICE	a. Reduce CO emissions by 58 percent or more; or b. Limit concentration of formaldehyde in the stationary RICE exhaust to 12 ppmvd or less at 15 percent O_2. If you commenced construction or reconstruction between December 19, 2002 and June 15, 2004, you may limit concentration of formaldehyde to 17 ppmvd or less at 15 percent O_2 until June 15, 2007	Minimize the engine's time spent at idle and minimize the engine's startup time at startup to a period needed for appropriate and safe loading of the engine, not to exceed 30 minutes, after which time the non-startup emission limitations apply.[1]
2. 4SLB stationary RICE	a. Reduce CO emissions by 93 percent or more; or	
	b. Limit concentration of formaldehyde in the stationary RICE exhaust to 14 ppmvd or less at 15 percent O_2	
3. CI stationary RICE	a. Reduce CO emissions by 70 percent or more; or	

	b. Limit concentration of formaldehyde in the stationary RICE exhaust to 580 ppbvd or less at 15 percent O_2	
[1] Sources can petition the Administrator pursuant to the requirements of 40 CFR 63.6(g) for alternative work practices.		

[75 FR 9680, Mar. 3, 2010]

Table 2b to Subpart ZZZZ of Part 63—Operating Limitations for New and Reconstructed 2SLB and CI Stationary RICE >500 HP Located at a Major Source of HAP Emissions, New and Reconstructed 4SLB Stationary RICE ≥250 HP Located at a Major Source of HAP Emissions, Existing CI Stationary RICE >500 HP

As stated in §§ 63.6600, 63.6601, 63.6603, 63.6630, and 63.6640, you must comply with the following operating limitations for new and reconstructed 2SLB and CI stationary RICE >500 HP located at a major source of HAP emissions; new and reconstructed 4SLB stationary RICE ≥250 HP located at a major source of HAP emissions; and existing CI stationary RICE >500 HP:

For each . . .	**You must meet the following operating limitation, except during periods of startup . . .**
1. New and reconstructed 2SLB and CI stationary RICE >500 HP located at a major source of HAP emissions and new and reconstructed 4SLB stationary RICE ≥250 HP located at a major source of HAP emissions complying with the requirement to reduce CO emissions and using an oxidation catalyst; and New and reconstructed 2SLB and CI stationary RICE >500 HP located at a major source of HAP emissions and new and reconstructed 4SLB stationary RICE ≥250 HP located at a major source of HAP emissions complying with the requirement to limit the concentration of formaldehyde in the stationary RICE exhaust and using an oxidation catalyst.	a. maintain your catalyst so that the pressure drop across the catalyst does not change by more than 2 inches of water at 100 percent load plus or minus 10 percent from the pressure drop across the catalyst that was measured during the initial performance test; and b. maintain the temperature of your stationary RICE exhaust so that the catalyst inlet temperature is greater than or equal to 450 °F and less than or equal to 1350 °F.[1]
2. Existing CI stationary RICE >500 HP complying with the requirement to limit or reduce the concentration of CO in the stationary RICE exhaust and using an oxidation catalyst	a. maintain your catalyst so that the pressure drop across the catalyst does not change by more than 2 inches of water from the pressure drop across the catalyst that was measured during the initial performance test; and
	b. maintain the temperature of your stationary RICE exhaust so that the catalyst inlet temperature is greater than or equal to 450 °F and less than or equal to 1350 °F.[1]
3. New and reconstructed 2SLB and CI stationary RICE >500 HP located at a major source of HAP emissions and new and reconstructed 4SLB stationary RICE ≥250 HP located at a major source of HAP emissions complying with the requirement to reduce CO emissions and not using an oxidation catalyst; and	Comply with any operating limitations approved by the Administrator.
New and reconstructed 2SLB and CI stationary RICE >500 HP located at a major source of HAP emissions and new and reconstructed 4SLB stationary RICE ≥250 HP located at a major source of HAP emissions complying with the requirement to limit the concentration of formaldehyde in the stationary RICE exhaust and not using an oxidation catalyst; and	
existing CI stationary RICE >500 HP complying with the requirement to limit or reduce the concentration of CO in the stationary RICE exhaust and not using an oxidation catalyst.	
[1] Sources can petition the Administrator pursuant to the requirements of 40 CFR 63.8(f) for a different temperature range.	

[78 FR 6707, Jan. 30, 2013]

Table 2c to Subpart ZZZZ of Part 63—Requirements for Existing Compression Ignition Stationary RICE Located at a Major Source of HAP Emissions and Existing Spark Ignition Stationary RICE ≤500 HP Located at a Major Source of HAP Emissions

As stated in §§ 63.6600, 63.6602, and 63.6640, you must comply with the following requirements for existing compression ignition stationary RICE located at a major source of HAP emissions and existing spark ignition stationary RICE ≤500 HP located at a major source of HAP emissions

For each . . .	You must meet the following requirement, except during periods of startup . . .	During periods of startup you must . . .
1. Emergency stationary CI RICE and black start stationary CI RICE[1]	a. Change oil and filter every 500 hours of operation or within 1 year + 30 days of the previous change, whichever comes first[2]. b. Inspect air cleaner every 1,000 hours of operation or within 1 year + 30 days of the previous inspection, whichever comes first, and replace as necessary;	Minimize the engine's time spent at idle and minimize the engine's startup time at startup to a period needed for appropriate and safe loading of the engine, not to exceed 30 minutes, after which time the non-startup emission limitations apply.[3]
	c. Inspect all hoses and belts every 500 hours of operation or within 1 year + 30 days of the previous inspection, whichever comes first, and replace as necessary[3]	
2. Non-Emergency, non-black start stationary CI RICE <100 HP	a. Change oil and filter every 1,000 hours of operation or within 1 year + 30 days of the previous change, whichever comes first[2].	
	b. Inspect air cleaner every 1,000 hours of operation or within 1 year + 30 days of the previous inspection, whichever comes first, and replace as necessary;	
	c. Inspect all hoses and belts every 500 hours of operation or within 1 year + 30 days of the previous inspection, whichever comes first, and replace as necessary[3]	
3. Non-Emergency, non-black start CI stationary RICE 100≤HP≤300 HP	Limit concentration of CO in the stationary RICE exhaust to 230 ppmvd or less at 15 percent O_2	
4. Non-Emergency, non-black start CI stationary RICE 300<HP≤500	a. Limit concentration of CO in the stationary RICE exhaust to 49 ppmvd or less at 15 percent O_2; or	
	b. Reduce CO emissions by 70 percent or more	
5. Non-Emergency, non-black start stationary CI RICE >500 HP	a. Limit concentration of CO in the stationary RICE exhaust to 23 ppmvd or less at 15 percent O_2; or	
	b. Reduce CO emissions by 70 percent or more	

For each . . .	You must meet the following requirement, except during periods of startup . . .	During periods of startup you must . . .
6. Emergency stationary SI RICE and black start stationary SI RICE.[1]	a. Change oil and filter every 500 hours of operation or within 1 year + 30 days of the previous change, whichever comes first;[2]	
	b. Inspect spark plugs every 1,000 hours of operation or within 1 year + 30 days of the previous inspection, whichever comes first, and replace as necessary;	
	c. Inspect all hoses and belts every 500 hours of operation or within 1 year + 30 days of the previous inspection, whichever comes first, and replace as necessary[3]	
7. Non-Emergency, non-black start stationary SI RICE <100 HP that are not 2SLB stationary RICE	a. Change oil and filter every 1,440 hours of operation or within 1 year + 30 days of the previous change, whichever comes first;[2]	
	b. Inspect spark plugs every 1,440 hours of operation or within 1 year + 30 days of the previous inspection, whichever comes first, and replace as necessary	
	c. Inspect all hoses and belts every 1,440 hours of operation or within 1 year + 30 days of the previous inspection, whichever comes first, and replace as necessary[3]	
8. Non-Emergency, non-black start 2SLB stationary SI RICE <100 HP	a. Change oil and filter every 4,320 hours of operation or within 1 year + 30 days of the previous change, whichever comes first;[2]	
	b. Inspect spark plugs every 4,320 hours of operation or within 1 year + 30 days of the previous inspection, whichever comes first, and replace as necessary;	
	c. Inspect all hoses and belts every 4,320 hours of operation or within 1 year + 30 days of the previous inspection, whichever comes first, and replace as necessary[3]	
9. Non-emergency, non-black start 2SLB stationary RICE 100≤HP≤500	Limit concentration of CO in the stationary RICE exhaust to 225 ppmvd or less at 15 percent O_2	
10. Non-emergency, non-black start 4SLB stationary RICE 100≤HP≤500	Limit concentration of CO in the stationary RICE exhaust to 47 ppmvd or less at 15 percent O_2	

For each . . .	You must meet the following requirement, except during periods of startup . . .	During periods of startup you must . . .
11. Non-emergency, non-black start 4SRB stationary RICE 100≤HP≤500	Limit concentration of formaldehyde in the stationary RICE exhaust to 10.3 ppmvd or less at 15 percent O_2	
12. Non-emergency, non-black start stationary RICE 100≤HP≤500 which combusts landfill or digester gas equivalent to 10 percent or more of the gross heat input on an annual basis	Limit concentration of CO in the stationary RICE exhaust to 177 ppmvd or less at 15 percent O_2	
[1] If an emergency engine is operating during an emergency and it is not possible to shut down the engine in order to perform the work practice requirements on the schedule required in table 2c of this subpart, or if performing the work practice on the required schedule would otherwise pose an unacceptable risk under Federal, state, or local law, the work practice can be delayed until the emergency is over or the unacceptable risk under Federal, state, or local law has abated. The work practice should be performed as soon as practicable after the emergency has ended or the unacceptable risk under Federal, state, or local law has abated. Sources must report any failure to perform the work practice on the schedule required and the Federal, state or local law under which the risk was deemed unacceptable.		
[2] Sources have the option to utilize an oil analysis program as described in § 63.6625(i) or (j) in order to extend the specified oil change requirement in table 2c of this subpart.		
[3] Sources can petition the Administrator pursuant to the requirements of 40 CFR 63.6(g) for alternative work practices.		

[89 FR 70518, Aug. 30, 2024]

Table 2d to Subpart ZZZZ of Part 63—Requirements for Existing Stationary RICE Located at Area Sources of HAP Emissions

As stated in §§ 63.6603 and 63.6640, you must comply with the following requirements for existing stationary RICE located at area sources of HAP emissions:

For each . . .	You must meet the following requirement, except during periods of startup . . .	During periods of startup you must . . .
1. Non-Emergency, non-black start CI stationary RICE ≤300 HP	a. Change oil and filter every 1,000 hours of operation or within 1 year + 30 days of the previous change, whichever comes first;[1] b. Inspect air cleaner every 1,000 hours of operation or within 1 year + 30 days of the previous inspection, whichever comes first, and replace as necessary;	Minimize the engine's time spent at idle and minimize the engine's startup time at startup to a period needed for appropriate and safe loading of the engine, not to exceed 30 minutes, after which time the non-startup emission limitations apply.
	c. Inspect all hoses and belts every 500 hours of operation or within 1 year + 30 days of the previous inspection, whichever comes first, and replace as necessary	
2. Non-Emergency, non-black start CI stationary RICE 300<HP≤500	a. Limit concentration of CO in the stationary RICE exhaust to 49 ppmvd at 15 percent O_2; or	

For each . . .	You must meet the following requirement, except during periods of startup . . .	During periods of startup you must . . .
	b. Reduce CO emissions by 70 percent or more	
3. Non-Emergency, non-black start CI stationary RICE >500 HP	a. Limit concentration of CO in the stationary RICE exhaust to 23 ppmvd at 15 percent O_2; or	
	b. Reduce CO emissions by 70 percent or more	
4. Emergency stationary CI RICE and black start stationary CI RICE.[2]	a. Change oil and filter every 500 hours of operation or within 1 year + 30 days of the previous change, whichever comes first;[1]	
	b. Inspect air cleaner every 1,000 hours of operation or within 1 year + 30 days of the previous inspection, whichever comes first, and replace as necessary; and	
	c. Inspect all hoses and belts every 500 hours of operation or within 1 year + 30 days of the previous inspection, whichever comes first, and replace as necessary	
5. Emergency stationary SI RICE; black start stationary SI RICE; non-emergency, non-black start 4SLB stationary RICE >500 HP that operate 24 hours or less per calendar year; non-emergency, non-black start 4SRB stationary RICE >500 HP that operate 24 hours or less per calendar year.[2]	a. Change oil and filter every 500 hours of operation or within 1 year + 30 days of the previous change, whichever comes first;[1] b. Inspect spark plugs every 1,000 hours of operation or within 1 year + 30 days of the previous inspection, whichever comes first, and replace as necessary; and	
	c. Inspect all hoses and belts every 500 hours of operation or within 1 year + 30 days of the previous inspection, whichever comes first, and replace as necessary	
6. Non-emergency, non-black start 2SLB stationary RICE	a. Change oil and filter every 4,320 hours of operation or within 1 year + 30 days of the previous change, whichever comes first;[1]	
	b. Inspect spark plugs every 4,320 hours of operation or within 1 year + 30 days of the previous inspection, whichever comes first, and replace as necessary; and	

For each . . .	You must meet the following requirement, except during periods of startup . . .	During periods of startup you must . . .
	c. Inspect all hoses and belts every 4,320 hours of operation or within 1 year + 30 days of the previous inspection, whichever comes first, and replace as necessary	
7. Non-emergency, non-black start 4SLB stationary RICE ≤500 HP	a. Change oil and filter every 1,440 hours of operation or within 1 year + 30 days of the previous change, whichever comes first;[1]	
	b. Inspect spark plugs every 1,440 hours of operation or within 1 year + 30 days of the previous inspection, whichever comes first, and replace as necessary; and	
	c. Inspect all hoses and belts every 1,440 hours of operation or within 1 year + 30 days of the previous inspection, whichever comes first, and replace as necessary	
8. Non-emergency, non-black start 4SLB remote stationary RICE >500 HP	a. Change oil and filter every 2,160 hours of operation or within 1 year + 30 days of the previous change, whichever comes first;[1]	
	b. Inspect spark plugs every 2,160 hours of operation or within 1 year + 30 days of the previous inspection, whichever comes first, and replace as necessary; and	
	c. Inspect all hoses and belts every 2,160 hours of operation or within 1 year + 30 days of the previous inspection, whichever comes first, and replace as necessary	
9. Non-emergency, non-black start 4SLB stationary RICE >500 HP that are not remote stationary RICE and that operate more than 24 hours per calendar year	Install an oxidation catalyst to reduce HAP emissions from the stationary RICE	
10. Non-emergency, non-black start 4SRB stationary RICE ≤500 HP	a. Change oil and filter every 1,440 hours of operation or within 1 year + 30 days of the previous change, whichever comes first;[1]	

For each . . .	You must meet the following requirement, except during periods of startup . . .	During periods of startup you must . . .
	b. Inspect spark plugs every 1,440 hours of operation or within 1 year + 30 days of the previous inspection, whichever comes first, and replace as necessary; and	
	c. Inspect all hoses and belts every 1,440 hours of operation or within 1 year + 30 days of the previous inspection, whichever comes first, and replace as necessary	
11. Non-emergency, non-black start 4SRB remote stationary RICE >500 HP	a. Change oil and filter every 2,160 hours of operation or within 1 year + 30 days of the previous change, whichever comes first;[1]	
	b. Inspect spark plugs every 2,160 hours of operation or within 1 year + 30 days of the previous inspection, whichever comes first, and replace as necessary; and	
	c. Inspect all hoses and belts every 2,160 hours of operation or within 1 year + 30 days of the previous inspection, whichever comes first, and replace as necessary	
12. Non-emergency, non-black start 4SRB stationary RICE >500 HP that are not remote stationary RICE and that operate more than 24 hours per calendar year	Install NSCR to reduce HAP emissions from the stationary RICE	
13. Non-emergency, non-black start stationary RICE which combusts landfill or digester gas equivalent to 10 percent or more of the gross heat input on an annual basis	a. Change oil and filter every 1,440 hours of operation or within 1 year + 30 days of the previous change, whichever comes first;[1] b. Inspect spark plugs every 1,440 hours of operation or within 1 year + 30 days of the previous inspection, whichever comes first, and replace as necessary; and	
	c. Inspect all hoses and belts every 1,440 hours of operation or within 1 year + 30 days of the previous inspection, whichever comes first, and replace as necessary	

[1] Sources have the option to utilize an oil analysis program as described in § 63.6625(i) or (j) in order to extend the specified oil change requirement in table 2d of this subpart.

For each . . .	You must meet the following requirement, except during periods of startup . . .	During periods of startup you must . . .
[2] If an emergency engine is operating during an emergency and it is not possible to shut down the engine in order to perform the management practice requirements on the schedule required in table 2d of this subpart, or if performing the management practice on the required schedule would otherwise pose an unacceptable risk under Federal, state, or local law, the management practice can be delayed until the emergency is over or the unacceptable risk under Federal, state, or local law has abated. The management practice should be performed as soon as practicable after the emergency has ended or the unacceptable risk under Federal, state, or local law has abated. Sources must report any failure to perform the management practice on the schedule required and the Federal, state or local law under which the risk was deemed unacceptable.		

[89 FR 70520, Aug. 30, 2024]

Table 3 to Subpart ZZZZ of Part 63—Subsequent Performance Tests

As stated in §§ 63.6615 and 63.6620, you must comply with the following subsequent performance test requirements:

For each . . .	Complying with the requirement to . . .	You must . . .
1. New or reconstructed 2SLB stationary RICE >500 HP located at major sources; new or reconstructed 4SLB stationary RICE ≥250 HP located at major sources; and new or reconstructed CI stationary RICE >500 HP located at major sources	Reduce CO emissions and not using a CEMS	Conduct subsequent performance tests semiannually.[1]
2. 4SRB stationary RICE ≥5,000 HP located at major sources	Reduce formaldehyde emissions	Conduct subsequent performance tests semiannually.[1]
3. Stationary RICE >500 HP located at major sources and new or reconstructed 4SLB stationary RICE 250≤HP≤500 located at major sources	Limit the concentration of formaldehyde in the stationary RICE exhaust	Conduct subsequent performance tests semiannually.[1]
4. Existing non-emergency, non-black start CI stationary RICE >500 HP that are not limited use stationary RICE	Limit or reduce CO emissions and not using a CEMS	Conduct subsequent performance tests every 8,760 hours or 3 years, whichever comes first.
5. Existing non-emergency, non-black start CI stationary RICE >500 HP that are limited use stationary RICE	Limit or reduce CO emissions and not using a CEMS	Conduct subsequent performance tests every 8,760 hours or 5 years, whichever comes first.
[1] After you have demonstrated compliance for two consecutive tests, you may reduce the frequency of subsequent performance tests to annually. If the results of any subsequent annual performance test indicate the stationary RICE is not in compliance with the CO or formaldehyde emission limitation, or you deviate from any of your operating limitations, you must resume semiannual performance tests.		

[78 FR 6711, Jan. 30, 2013]

Table 4 to Subpart ZZZZ of Part 63—Requirements for Performance Tests

As stated in §§ 63.6610, 63.6611, 63.6620, and 63.6640, you must comply with the following requirements for performance tests for stationary RICE:

For each . . .	Complying with the requirement to . . .	You must . . .	Using . . .	According to the following requirements . . .
1. 2SLB, 4SLB, and CI stationary RICE	a. Reduce CO emissions	i. Select the sampling port location and the number/location of traverse points at the inlet and outlet of the control device; and		(a) For CO, O_2, and moisture measurement, ducts ≤6 inches in diameter may be sampled at a single point located at the duct centroid and ducts >6 and ≤12 inches in diameter may be sampled at 3 traverse points located at 16.7, 50.0, and 83.3% of the measurement line ('3-point long line'). If the duct is >12 inches in diameter *and* the sampling port location meets the two and half-diameter criterion of section 11.1.1 of method 1 of 40 CFR part 60, appendix A-1, the duct may be sampled at `3-point long line'; otherwise, conduct the stratification testing and select sampling points according to section 8.1.2 of method 7E of 40 CFR part 60, appendix A-4.
		ii. Measure the O_2 at the inlet and outlet of the control device; and	(1) Method 3 or 3A or 3B of 40 CFR part 60, appendix A-2, or ASTM D6522-00 (Reapproved 2005)[13] (heated probe not necessary)	(b) Measurements to determine O_2 must be made at the same time as the measurements for CO concentration.
		iii. Measure the CO at the inlet and the outlet of the control device; and	(2) ASTM D6522-00 (Reapproved 2005)[123] (heated probe not necessary) or method 10 of 40 CFR part 60, appendix A-4	(c) The CO concentration must be at 15 percent O_2, dry basis.
		iv. Measure moisture content at the inlet and outlet of the control device as needed to determine CO and O_2 concentrations on a dry basis	(3) Method 4 of 40 CFR part 60, appendix A-3, or method 320 of 40 CFR part 63, appendix A, or ASTM D6348-03[13]	(d) Measurements to determine moisture content must be made at the same time and location as the measurements for CO concentration.

For each . . .	Complying with the requirement to . . .	You must . . .	Using . . .	According to the following requirements . . .
2. 4SRB stationary RICE	a. Reduce formaldehyde or THC emissions	i. Select the sampling port location and the number/location of traverse points at the inlet and outlet of the control device; and		(a) For formaldehyde, THC, O_2, and moisture measurement, ducts ≤6 inches in diameter may be sampled at a single point located at the duct centroid and ducts >6 and ≤12 inches in diameter may be sampled at 3 traverse points located at 16.7, 50.0, and 83.3% of the measurement line (`3-point long line'). If the duct is >12 inches in diameter *and* the sampling port location meets the two and half-diameter criterion of section 11.1.1 of method 1 of 40 CFR part 60, appendix A, the duct may be sampled at `3-point long line'; otherwise, conduct the stratification testing and select sampling points according to section 8.1.2 of method 7E of 40 CFR part 60, appendix A.
		ii. Measure O_2 at the inlet and outlet of the control device; and	(1) Method 3 or 3A or 3B of 40 CFR part 60, appendix A-2, or ASTM D6522-00 (Reapproved 2005)[13] (heated probe not necessary)	(b) Measurements to determine O_2 concentration must be made at the same time as the measurements for formaldehyde or THC concentration.
		iii. Measure moisture content at the inlet and outlet of the control device as needed to determine formaldehyde or THC and O_2 concentrations on a dry basis; and	(2) Method 4 of 40 CFR part 60, appendix A-3, or method 320 of 40 CFR part 63, appendix A, or ASTM D6348-03[13]	(c) Measurements to determine moisture content must be made at the same time and location as the measurements for formaldehyde or THC concentration.
		iv. If demonstrating compliance with the formaldehyde percent reduction requirement, measure formaldehyde at the inlet and the outlet of the control device	(3) Method 320 or 323 of 40 CFR part 63, appendix A; or ASTM D6348-03,[13] provided in ASTM D6348-03 Annex A5 (Analyte Spiking Technique), the percent R must be greater than or equal to 70 and less than or equal to 130	(d) Formaldehyde concentration must be at 15 percent O_2, dry basis. Results of this test consist of the average of the three 1-hour or longer runs.

For each . . .	Complying with the requirement to . . .	You must . . .	Using . . .	According to the following requirements . . .
		v. If demonstrating compliance with the THC percent reduction requirement, measure THC at the inlet and the outlet of the control device	(4) (1) Method 25A, reported as propane, of 40 CFR part 60, appendix A-7	(e) THC concentration must be at 15 percent O_2, dry basis. Results of this test consist of the average of the three 1-hour or longer runs.
3. Stationary RICE	a. Limit the concentration of formaldehyde or CO in the stationary RICE exhaust	i. Select the sampling port location and the number/location of traverse points at the exhaust of the stationary RICE; and		(a) For formaldehyde, CO, O_2, and moisture measurement, ducts ≤6 inches in diameter may be sampled at a single point located at the duct centroid and ducts >6 and ≤12 inches in diameter may be sampled at 3 traverse points located at 16.7, 50.0, and 83.3% of the measurement line (`3-point long line'). If the duct is >12 inches in diameter *and* the sampling port location meets the two and half-diameter criterion of section 11.1.1 of method 1 of 40 CFR part 60, appendix A, the duct may be sampled at `3-point long line'; otherwise, conduct the stratification testing and select sampling points according to section 8.1.2 of method 7E of 40 CFR part 60, appendix A. If using a control device, the sampling site must be located at the outlet of the control device.
		ii. Determine the O_2 concentration of the stationary RICE exhaust at the sampling port location; and	(1) Method 3 or 3A or 3B of 40 CFR part 60, appendix A-2, or ASTM D6522-00 (Reapproved 2005)[13] (heated probe not necessary)	(b) Measurements to determine O_2 concentration must be made at the same time and location as the measurements for formaldehyde or CO concentration.
		iii. Measure moisture content of the stationary RICE exhaust at the sampling port location as needed to determine formaldehyde or CO and O_2 concentrations on a dry basis; and	(2) Method 4 of 40 CFR part 60, appendix A-3, or method 320 of 40 CFR part 63, appendix A, or ASTM D6348-03[13]	(c) Measurements to determine moisture content must be made at the same time and location as the measurements for formaldehyde or CO concentration.

For each . . .	Complying with the requirement to . . .	You must . . .	Using . . .	According to the following requirements . . .
		iv. Measure formaldehyde at the exhaust of the stationary RICE; or	(3) Method 320 or 323 of 40 CFR part 63, appendix A; or ASTM D6348-03,[13] provided in ASTM D6348-03 Annex A5 (Analyte Spiking Technique), the percent R must be greater than or equal to 70 and less than or equal to 130	(d) Formaldehyde concentration must be at 15 percent O_2, dry basis. Results of this test consist of the average of the three 1-hour or longer runs.
		v. Measure CO at the exhaust of the stationary RICE	(4) Method 10 of 40 CFR part 60, appendix A-4, ASTM D6522-00 (2005),[13] method 320 of 40 CFR part 63, appendix A, or ASTM D6348-03[13]	(e) CO concentration must be at 15 percent O_2, dry basis. Results of this test consist of the average of the three 1-hour or longer runs.
[1] You may also use methods 3A and 10 as options to ASTM-D6522-00 (2005).				
[2] You may obtain a copy of ASTM-D6348-03 from at least one of the following addresses: American Society for Testing and Materials, 100 Barr Harbor Drive, West Conshohocken, PA 19428-2959, or University Microfilms International, 300 North Zeeb Road, Ann Arbor, MI 48106.				
[3] Incorporated by reference, see § 63.14.				

[88 FR 18413, Mar. 29, 2023]

Table 5 to Subpart ZZZZ of Part 63—Initial Compliance With Emission Limitations, Operating Limitations, and Other Requirements

As stated in §§ 63.6612, 63.6625 and 63.6630, you must initially comply with the emission and operating limitations as required by the following:

For each . . .	Complying with the requirement to . . .	You have demonstrated initial compliance if . . .
1. New or reconstructed non-emergency 2SLB stationary RICE >500 HP located at a major source of HAP, new or reconstructed non-emergency 4SLB stationary RICE ≥250 HP located at a major source of HAP, non-emergency stationary CI RICE >500 HP located at a major source of HAP, and existing non-emergency stationary CI RICE >500 HP located at an area source of HAP	a. Reduce CO emissions and using oxidation catalyst, and using a CPMS	i. The average reduction of emissions of CO determined from the initial performance test achieves the required CO percent reduction; and ii. You have installed a CPMS to continuously monitor catalyst inlet temperature according to the requirements in § 63.6625(b); and iii. You have recorded the catalyst pressure drop and catalyst inlet temperature during the initial performance test.
2. Non-emergency stationary CI RICE >500 HP located at a major source of HAP, and existing non-emergency stationary CI RICE >500 HP located at an area source of HAP	a. Limit the concentration of CO, using oxidation catalyst, and using a CPMS	i. The average CO concentration determined from the initial performance test is less than or equal to the CO emission limitation; and

For each . . .	Complying with the requirement to . . .	You have demonstrated initial compliance if . . .
		ii. You have installed a CPMS to continuously monitor catalyst inlet temperature according to the requirements in § 63.6625(b); and
		iii. You have recorded the catalyst pressure drop and catalyst inlet temperature during the initial performance test.
3. New or reconstructed non-emergency 2SLB stationary RICE >500 HP located at a major source of HAP, new or reconstructed non-emergency 4SLB stationary RICE ≥250 HP located at a major source of HAP, non-emergency stationary CI RICE >500 HP located at a major source of HAP, and existing non-emergency stationary CI RICE >500 HP located at an area source of HAP	a. Reduce CO emissions and not using oxidation catalyst	i. The average reduction of emissions of CO determined from the initial performance test achieves the required CO percent reduction; and ii. You have installed a CPMS to continuously monitor operating parameters approved by the Administrator (if any) according to the requirements in § 63.6625(b); and iii. You have recorded the approved operating parameters (if any) during the initial performance test.
4. Non-emergency stationary CI RICE >500 HP located at a major source of HAP, and existing non-emergency stationary CI RICE >500 HP located at an area source of HAP	a. Limit the concentration of CO, and not using oxidation catalyst	i. The average CO concentration determined from the initial performance test is less than or equal to the CO emission limitation; and ii. You have installed a CPMS to continuously monitor operating parameters approved by the Administrator (if any) according to the requirements in § 63.6625(b); and
		iii. You have recorded the approved operating parameters (if any) during the initial performance test.
5. New or reconstructed non-emergency 2SLB stationary RICE >500 HP located at a major source of HAP, new or reconstructed non-emergency 4SLB stationary RICE ≥250 HP located at a major source of HAP, non-emergency stationary CI RICE >500 HP located at a major source of HAP, and existing non-emergency stationary CI RICE >500 HP located at an area source of HAP	a. Reduce CO emissions, and using a CEMS	i. You have installed a CEMS to continuously monitor CO and either O_2 or CO_2 at both the inlet and outlet of the oxidation catalyst according to the requirements in § 63.6625(a); and ii. You have conducted a performance evaluation of your CEMS using PS 3 and 4A of 40 CFR part 60, appendix B; and
		iii. The average reduction of CO calculated using § 63.6620 equals or exceeds the required percent reduction. The initial test comprises the first 4-hour period after successful validation of the CEMS. Compliance is based on the average percent reduction achieved during the 4-hour period.
6. Non-emergency stationary CI RICE >500 HP located at a major source of HAP, and existing non-emergency stationary CI RICE >500 HP located at an area source of HAP	a. Limit the concentration of CO, and using a CEMS	i. You have installed a CEMS to continuously monitor CO and either O_2 or CO_2 at the outlet of the oxidation catalyst according to the requirements in § 63.6625(a); and

For each . . .	Complying with the requirement to . . .	You have demonstrated initial compliance if . . .
		ii. You have conducted a performance evaluation of your CEMS using PS 3 and 4A of 40 CFR part 60, appendix B; and
		iii. The average concentration of CO calculated using § 63.6620 is less than or equal to the CO emission limitation. The initial test comprises the first 4-hour period after successful validation of the CEMS. Compliance is based on the average concentration measured during the 4-hour period.
7. Non-emergency 4SRB stationary RICE >500 HP located at a major source of HAP	a. Reduce formaldehyde emissions and using NSCR	i. The average reduction of emissions of formaldehyde determined from the initial performance test is equal to or greater than the required formaldehyde percent reduction, or the average reduction of emissions of THC determined from the initial performance test is equal to or greater than 30 percent; and
		ii. You have installed a CPMS to continuously monitor catalyst inlet temperature according to the requirements in § 63.6625(b); and
		iii. You have recorded the catalyst pressure drop and catalyst inlet temperature during the initial performance test.
8. Non-emergency 4SRB stationary RICE >500 HP located at a major source of HAP	a. Reduce formaldehyde emissions and not using NSCR	i. The average reduction of emissions of formaldehyde determined from the initial performance test is equal to or greater than the required formaldehyde percent reduction or the average reduction of emissions of THC determined from the initial performance test is equal to or greater than 30 percent; and
		ii. You have installed a CPMS to continuously monitor operating parameters approved by the Administrator (if any) according to the requirements in § 63.6625(b); and
		iii. You have recorded the approved operating parameters (if any) during the initial performance test.
9. New or reconstructed non-emergency stationary RICE >500 HP located at a major source of HAP, new or reconstructed non-emergency 4SLB stationary RICE 250≤HP≤500 located at a major source of HAP, and existing non-emergency 4SRB stationary RICE >500 HP located at a major source of HAP	a. Limit the concentration of formaldehyde in the stationary RICE exhaust and using oxidation catalyst or NSCR	i. The average formaldehyde concentration, corrected to 15 percent O_2, dry basis, from the three test runs is less than or equal to the formaldehyde emission limitation; and ii. You have installed a CPMS to continuously monitor catalyst inlet temperature according to the requirements in § 63.6625(b); and
		iii. You have recorded the catalyst pressure drop and catalyst inlet temperature during the initial performance test.

For each . . .	Complying with the requirement to . . .	You have demonstrated initial compliance if . . .
10. New or reconstructed non-emergency stationary RICE >500 HP located at a major source of HAP, new or reconstructed non-emergency 4SLB stationary RICE 250≤HP≤500 located at a major source of HAP, and existing non-emergency 4SRB stationary RICE >500 HP located at a major source of HAP	a. Limit the concentration of formaldehyde in the stationary RICE exhaust and not using oxidation catalyst or NSCR	i. The average formaldehyde concentration, corrected to 15 percent O_2, dry basis, from the three test runs is less than or equal to the formaldehyde emission limitation; and ii. You have installed a CPMS to continuously monitor operating parameters approved by the Administrator (if any) according to the requirements in § 63.6625(b); and
		iii. You have recorded the approved operating parameters (if any) during the initial performance test.
11. Existing non-emergency stationary RICE 100≤HP≤500 located at a major source of HAP, and existing non-emergency stationary CI RICE 300<HP≤500 located at an area source of HAP	a. Reduce CO emissions	i. The average reduction of emissions of CO or formaldehyde, as applicable determined from the initial performance test is equal to or greater than the required CO or formaldehyde, as applicable, percent reduction.
12. Existing non-emergency stationary RICE 100≤HP≤500 located at a major source of HAP, and existing non-emergency stationary CI RICE 300<HP≤500 located at an area source of HAP	a. Limit the concentration of formaldehyde or CO in the stationary RICE exhaust	i. The average formaldehyde or CO concentration, as applicable, corrected to 15 percent O_2, dry basis, from the three test runs is less than or equal to the formaldehyde or CO emission limitation, as applicable.
13. Existing non-emergency 4SLB stationary RICE >500 HP located at an area source of HAP that are not remote stationary RICE and that are operated more than 24 hours per calendar year	a. Install an oxidation catalyst	i. You have conducted an initial compliance demonstration as specified in § 63.6630(e) to show that the average reduction of emissions of CO is 93 percent or more, or the average CO concentration is less than or equal to 47 ppmvd at 15 percent O_2;
		ii. You have installed a CPMS to continuously monitor catalyst inlet temperature according to the requirements in § 63.6625(b), or you have installed equipment to automatically shut down the engine if the catalyst inlet temperature exceeds 1350 °F.
14. Existing non-emergency 4SRB stationary RICE >500 HP located at an area source of HAP that are not remote stationary RICE and that are operated more than 24 hours per calendar year	a. Install NSCR	i. You have conducted an initial compliance demonstration as specified in § 63.6630(e) to show that the average reduction of emissions of CO is 75 percent or more, the average CO concentration is less than or equal to 270 ppmvd at 15 percent O_2, or the average reduction of emissions of THC is 30 percent or more;
		ii. You have installed a CPMS to continuously monitor catalyst inlet temperature according to the requirements in § 63.6625(b), or you have installed equipment to automatically shut down the engine if the catalyst inlet temperature exceeds 1250 °F.

[78 FR 6712, Jan. 30, 2013]

Table 6 to Subpart ZZZZ of Part 63—Continuous Compliance With Emission Limitations, and Other Requirements

As stated in § 63.6640, you must continuously comply with the emissions and operating limitations and work or management practices as required by the following:

For each . . .	Complying with the requirement to . . .	You must demonstrate continuous compliance by . . .
1. New or reconstructed non-emergency 2SLB stationary RICE >500 HP located at a major source of HAP, new or reconstructed non-emergency 4SLB stationary RICE ≥250 HP located at a major source of HAP, and new or reconstructed non-emergency CI stationary RICE >500 HP located at a major source of HAP	a. Reduce CO emissions and using an oxidation catalyst, and using a CPMS	i. Conducting semiannual performance tests for CO to demonstrate that the required CO percent reduction is achieved[a]; and ii. Collecting the catalyst inlet temperature data according to § 63.6625(b); and iii. Reducing these data to 4-hour rolling averages; and
		iv. Maintaining the 4-hour rolling averages within the operating limitations for the catalyst inlet temperature; and
		v. Measuring the pressure drop across the catalyst once per month and demonstrating that the pressure drop across the catalyst is within the operating limitation established during the performance test.
2. New or reconstructed non-emergency 2SLB stationary RICE >500 HP located at a major source of HAP, new or reconstructed non-emergency 4SLB stationary RICE ≥250 HP located at a major source of HAP, and new or reconstructed non-emergency CI stationary RICE >500 HP located at a major source of HAP	a. Reduce CO emissions and not using an oxidation catalyst, and using a CPMS	i. Conducting semiannual performance tests for CO to demonstrate that the required CO percent reduction is achieved[a]; and ii. Collecting the approved operating parameter (if any) data according to § 63.6625(b); and iii. Reducing these data to 4-hour rolling averages; and
		iv. Maintaining the 4-hour rolling averages within the operating limitations for the operating parameters established during the performance test.
3. New or reconstructed non-emergency 2SLB stationary RICE >500 HP located at a major source of HAP, new or reconstructed non-emergency 4SLB stationary RICE ≥250 HP located at a major source of HAP, new or reconstructed non-emergency stationary CI RICE >500 HP located at a major source of HAP, and existing non-emergency stationary CI RICE >500 HP	a. Reduce CO emissions or limit the concentration of CO in the stationary RICE exhaust, and using a CEMS	i. Collecting the monitoring data according to § 63.6625(a), reducing the measurements to 1-hour averages, calculating the percent reduction or concentration of CO emissions according to § 63.6620; and ii. Demonstrating that the catalyst achieves the required percent reduction of CO emissions over the 4-hour averaging period, or that the emission remain at or below the CO concentration limit; and
		iii. Conducting an annual RATA of your CEMS using PS 3 and 4A of 40 CFR part 60, appendix B, as well as daily and periodic data quality checks in accordance with 40 CFR part 60, appendix F, procedure 1.

For each . . .	Complying with the requirement to . . .	You must demonstrate continuous compliance by . . .
4. Non-emergency 4SRB stationary RICE >500 HP located at a major source of HAP	a. Reduce formaldehyde emissions and using NSCR	i. Collecting the catalyst inlet temperature data according to § 63.6625(b); and
		ii. Reducing these data to 4-hour rolling averages; and
		iii. Maintaining the 4-hour rolling averages within the operating limitations for the catalyst inlet temperature; and
		iv. Measuring the pressure drop across the catalyst once per month and demonstrating that the pressure drop across the catalyst is within the operating limitation established during the performance test.
5. Non-emergency 4SRB stationary RICE >500 HP located at a major source of HAP	a. Reduce formaldehyde emissions and not using NSCR	i. Collecting the approved operating parameter (if any) data according to § 63.6625(b); and
		ii. Reducing these data to 4-hour rolling averages; and
		iii. Maintaining the 4-hour rolling averages within the operating limitations for the operating parameters established during the performance test.
6. Non-emergency 4SRB stationary RICE with a brake HP ≥5,000 located at a major source of HAP	a. Reduce formaldehyde emissions	Conducting semiannual performance tests for formaldehyde to demonstrate that the required formaldehyde percent reduction is achieved, or to demonstrate that the average reduction of emissions of THC determined from the performance test is equal to or greater than 30 percent.[a]
7. New or reconstructed non-emergency stationary RICE >500 HP located at a major source of HAP and new or reconstructed non-emergency 4SLB stationary RICE 250≤HP≤500 located at a major source of HAP	a. Limit the concentration of formaldehyde in the stationary RICE exhaust and using oxidation catalyst or NSCR	i. Conducting semiannual performance tests for formaldehyde to demonstrate that your emissions remain at or below the formaldehyde concentration limit[a]; and ii. Collecting the catalyst inlet temperature data according to § 63.6625(b); and
		iii. Reducing these data to 4-hour rolling averages; and
		iv. Maintaining the 4-hour rolling averages within the operating limitations for the catalyst inlet temperature; and
		v. Measuring the pressure drop across the catalyst once per month and demonstrating that the pressure drop across the catalyst is within the operating limitation established during the performance test.

For each . . .	Complying with the requirement to . . .	You must demonstrate continuous compliance by . . .
8. New or reconstructed non-emergency stationary RICE >500 HP located at a major source of HAP and new or reconstructed non-emergency 4SLB stationary RICE 250≤HP≤500 located at a major source of HAP	a. Limit the concentration of formaldehyde in the stationary RICE exhaust and not using oxidation catalyst or NSCR	i. Conducting semiannual performance tests for formaldehyde to demonstrate that your emissions remain at or below the formaldehyde concentration limit[a]; and ii. Collecting the approved operating parameter (if any) data according to § 63.6625(b); and
		iii. Reducing these data to 4-hour rolling averages; and
		iv. Maintaining the 4-hour rolling averages within the operating limitations for the operating parameters established during the performance test.
9. Existing emergency and black start stationary RICE ≤500 HP located at a major source of HAP, existing non-emergency stationary RICE <100 HP located at a major source of HAP, existing emergency and black start stationary RICE located at an area source of HAP, existing non-emergency stationary CI RICE ≤300 HP located at an area source of HAP, existing non-emergency 2SLB stationary RICE located at an area source of HAP, existing non-emergency stationary SI RICE located at an area source of HAP which combusts landfill or digester gas equivalent to 10 percent or more of the gross heat input on an annual basis, existing non-emergency 4SLB and 4SRB stationary RICE ≤500 HP located at an area source of HAP, existing non-emergency 4SLB and 4SRB stationary RICE >500 HP located at an area source of HAP that operate 24 hours or less per calendar year, and existing non-emergency 4SLB and 4SRB stationary RICE >500 HP located at an area source of HAP that are remote stationary RICE	a. Work or Management practices	i. Operating and maintaining the stationary RICE according to the manufacturer's emission-related operation and maintenance instructions; or ii. Develop and follow your own maintenance plan which must provide to the extent practicable for the maintenance and operation of the engine in a manner consistent with good air pollution control practice for minimizing emissions.
10. Existing stationary CI RICE >500 HP that are not limited use stationary RICE	a. Reduce CO emissions, or limit the concentration of CO in the stationary RICE exhaust, and using oxidation catalyst	i. Conducting performance tests every 8,760 hours or 3 years, whichever comes first, for CO or formaldehyde, as appropriate, to demonstrate that the required CO or formaldehyde, as appropriate, percent reduction is achieved or that your emissions remain at or below the CO or formaldehyde concentration limit; and
		ii. Collecting the catalyst inlet temperature data according to § 63.6625(b); and
		iii. Reducing these data to 4-hour rolling averages; and

For each . . .	Complying with the requirement to . . .	You must demonstrate continuous compliance by . . .
		iv. Maintaining the 4-hour rolling averages within the operating limitations for the catalyst inlet temperature; and
		v. Measuring the pressure drop across the catalyst once per month and demonstrating that the pressure drop across the catalyst is within the operating limitation established during the performance test.
11. Existing stationary CI RICE >500 HP that are not limited use stationary RICE	a. Reduce CO emissions, or limit the concentration of CO in the stationary RICE exhaust, and not using oxidation catalyst	i. Conducting performance tests every 8,760 hours or 3 years, whichever comes first, for CO or formaldehyde, as appropriate, to demonstrate that the required CO or formaldehyde, as appropriate, percent reduction is achieved or that your emissions remain at or below the CO or formaldehyde concentration limit; and
		ii. Collecting the approved operating parameter (if any) data according to § 63.6625(b); and
		iii. Reducing these data to 4-hour rolling averages; and
		iv. Maintaining the 4-hour rolling averages within the operating limitations for the operating parameters established during the performance test.
12. Existing limited use CI stationary RICE >500 HP	a. Reduce CO emissions or limit the concentration of CO in the stationary RICE exhaust, and using an oxidation catalyst	i. Conducting performance tests every 8,760 hours or 5 years, whichever comes first, for CO or formaldehyde, as appropriate, to demonstrate that the required CO or formaldehyde, as appropriate, percent reduction is achieved or that your emissions remain at or below the CO or formaldehyde concentration limit; and
		ii. Collecting the catalyst inlet temperature data according to § 63.6625(b); and
		iii. Reducing these data to 4-hour rolling averages; and
		iv. Maintaining the 4-hour rolling averages within the operating limitations for the catalyst inlet temperature; and
		v. Measuring the pressure drop across the catalyst once per month and demonstrating that the pressure drop across the catalyst is within the operating limitation established during the performance test.

For each . . .	Complying with the requirement to . . .	You must demonstrate continuous compliance by . . .
13. Existing limited use CI stationary RICE >500 HP	a. Reduce CO emissions or limit the concentration of CO in the stationary RICE exhaust, and not using an oxidation catalyst	i. Conducting performance tests every 8,760 hours or 5 years, whichever comes first, for CO or formaldehyde, as appropriate, to demonstrate that the required CO or formaldehyde, as appropriate, percent reduction is achieved or that your emissions remain at or below the CO or formaldehyde concentration limit; and
		ii. Collecting the approved operating parameter (if any) data according to § 63.6625(b); and
		iii. Reducing these data to 4-hour rolling averages; and
		iv. Maintaining the 4-hour rolling averages within the operating limitations for the operating parameters established during the performance test.
14. Existing non-emergency 4SLB stationary RICE >500 HP located at an area source of HAP that are not remote stationary RICE and that are operated more than 24 hours per calendar year	a. Install an oxidation catalyst	i. Conducting annual compliance demonstrations as specified in § 63.6640(c) to show that the average reduction of emissions of CO is 93 percent or more, or the average CO concentration is less than or equal to 47 ppmvd at 15 percent O_2; and either ii. Collecting the catalyst inlet temperature data according to § 63.6625(b), reducing these data to 4-hour rolling averages; and maintaining the 4-hour rolling averages within the limitation of greater than 450 °F and less than or equal to 1350 °F for the catalyst inlet temperature; or iii. Immediately shutting down the engine if the catalyst inlet temperature exceeds 1350 °F.
15. Existing non-emergency 4SRB stationary RICE >500 HP located at an area source of HAP that are not remote stationary RICE and that are operated more than 24 hours per calendar year	a. Install NSCR	i. Conducting annual compliance demonstrations as specified in § 63.6640(c) to show that the average reduction of emissions of CO is 75 percent or more, the average CO concentration is less than or equal to 270 ppmvd at 15 percent O_2, or the average reduction of emissions of THC is 30 percent or more; and either ii. Collecting the catalyst inlet temperature data according to § 63.6625(b), reducing these data to 4-hour rolling averages; and maintaining the 4-hour rolling averages within the limitation of greater than or equal to 750 °F and less than or equal to 1250 °F for the catalyst inlet temperature; or iii. Immediately shutting down the engine if the catalyst inlet temperature exceeds 1250 °F.

For each . . .	Complying with the requirement to . . .	You must demonstrate continuous compliance by . . .
[a] After you have demonstrated compliance for two consecutive tests, you may reduce the frequency of subsequent performance tests to annually. If the results of any subsequent annual performance test indicate the stationary RICE is not in compliance with the CO or formaldehyde emission limitation, or you deviate from any of your operating limitations, you must resume semiannual performance tests.		

[78 FR 6715, Jan. 30, 2013]

Table 7 to Subpart ZZZZ of Part 63—Requirements for Reports

As stated in § 63.6650, you must comply with the following requirements for reports:

For each . . .	You must submit a . . .	The report must contain . . .	You must submit the report . . .
1. Existing non-emergency, non-black start stationary RICE 100≤HP≤500 located at a major source of HAP; existing non-emergency, non-black start stationary CI RICE >500 HP located at a major source of HAP; existing non-emergency 4SRB stationary RICE >500 HP located at a major source of HAP; existing non-emergency, non-black start stationary CI RICE >300 HP located at an area source of HAP; new or reconstructed non-emergency stationary RICE >500 HP located at a major source of HAP; and new or reconstructed non-emergency 4SLB stationary RICE 250≤HP≤500 located at a major source of HAP	Compliance report	a. If there are no deviations from any emission limitations or operating limitations that apply to you, a statement that there were no deviations from the emission limitations or operating limitations during the reporting period. If there were no periods during which the CMS, including CEMS and CPMS, was out-of-control, as specified in § 63.8(c)(7), a statement that there were not periods during which the CMS was out-of-control during the reporting period; or b. If you had a deviation from any emission limitation or operating limitation during the reporting period, the information in § 63.6650(d). If there were periods during which the CMS, including CEMS and CPMS, was out-of-control, as specified in § 63.8(c)(7), the information in § 63.6650(e); or	i. Semiannually according to the requirements in § 63.6650(b)(1)-(5) and (i) for engines that are not limited use stationary RICE subject to numerical emission limitations; and ii. Annually according to the requirements in § 63.6650(b)(6)-(9) and (i) for engines that are limited use stationary RICE subject to numerical emission limitations. i. Semiannually according to the requirements in § 63.6650(b) and (i).
		c. If you had a malfunction during the reporting period, the information in § 63.6650(c)(4)	i. Semiannually according to the requirements in § 63.6650(b) and (i).
2. New or reconstructed non-emergency stationary RICE that combusts landfill gas or digester gas equivalent to 10 percent or more of the gross heat input on an annual basis	Report	a. The fuel flow rate of each fuel and the heating values that were used in your calculations, and you must demonstrate that the percentage of heat input provided by landfill gas or digester gas, is equivalent to 10 percent or more of the gross heat input on an annual basis; and	i. Annually, according to the requirements in § 63.6650.

For each . . .	You must submit a . . .	The report must contain . . .	You must submit the report . . .
		b. The operating limits provided in your federally enforceable permit, and any deviations from these limits; and	i. See item 2.a.i.
		c. Any problems or errors suspected with the meters	i. See item 2.a.i.
3. Existing non-emergency, non-black start 4SLB and 4SRB stationary RICE >500 HP located at an area source of HAP that are not remote stationary RICE and that operate more than 24 hours per calendar year	Compliance report	a. The results of the annual compliance demonstration, if conducted during the reporting period	i. Semiannually according to the requirements in § 63.6650(b)(1)-(5) and (i).
4. Emergency stationary RICE that operate for the purposes specified in § 63.6640(f)(4)(ii)	Report	a. The information in § 63.6650(h)(1)	i. Annually according to the requirements in § 63.6650(h)(2)-(3) and (i).

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Table 8 to Subpart ZZZZ of Part 63—Applicability of General Provisions to Subpart ZZZZ

As stated in § 63.6665, you must comply with the following applicable general provisions.

General provisions citation	Subject of citation	Applies to subpart	Explanation
§ 63.1	General applicability of the General Provisions	Yes	
§ 63.2	Definitions	Yes	Additional terms defined in § 63.6675.
§ 63.3	Units and abbreviations	Yes	
§ 63.4	Prohibited activities and circumvention	Yes	
§ 63.5	Construction and reconstruction	Yes	
§ 63.6(a)	Applicability	Yes	
§ 63.6(b)(1)-(4)	Compliance dates for new and reconstructed sources	Yes	
§ 63.6(b)(5)	Notification	Yes	
§ 63.6(b)(6)	[Reserved]		
§ 63.6(b)(7)	Compliance dates for new and reconstructed area sources that become major sources	Yes	
§ 63.6(c)(1)-(2)	Compliance dates for existing sources	Yes	
§ 63.6(c)(3)-(4)	[Reserved]		
§ 63.6(c)(5)	Compliance dates for existing area sources that become major sources	Yes	
§ 63.6(d)	[Reserved]		
§ 63.6(e)	Operation and maintenance	No	

General provisions citation	Subject of citation	Applies to subpart	Explanation
§ 63.6(f)(1)	Applicability of standards	No	
§ 63.6(f)(2)	Methods for determining compliance	Yes	
§ 63.6(f)(3)	Finding of compliance	Yes	
§ 63.6(g)(1)-(3)	Use of alternate standard	Yes	
§ 63.6(h)	Opacity and visible emission standards	No	Subpart ZZZZ does not contain opacity or visible emission standards.
§ 63.6(i)	Compliance extension procedures and criteria	Yes	
§ 63.6(j)	Presidential compliance exemption	Yes	
§ 63.7(a)(1)-(2)	Performance test dates	Yes	Subpart ZZZZ contains performance test dates at §§ 63.6610, 63.6611, and 63.6612.
§ 63.7(a)(3)	CAA section 114 authority	Yes	
§ 63.7(b)(1)	Notification of performance test	Yes	Except that § 63.7(b)(1) only applies as specified in § 63.6645.
§ 63.7(b)(2)	Notification of rescheduling	Yes	Except that § 63.7(b)(2) only applies as specified in § 63.6645.
§ 63.7(c)	Quality assurance/test plan	Yes	Except that § 63.7(c) only applies as specified in § 63.6645.
§ 63.7(d)	Testing facilities	Yes	
§ 63.7(e)(1)	Conditions for conducting performance tests	No	Subpart ZZZZ specifies conditions for conducting performance tests at § 63.6620.
§ 63.7(e)(2)	Conduct of performance tests and reduction of data	Yes	Subpart ZZZZ specifies test methods at § 63.6620.
§ 63.7(e)(3)	Test run duration	Yes	
§ 63.7(e)(4)	Administrator may require other testing under section 114 of the CAA	Yes	
§ 63.7(f)	Alternative test method provisions	Yes	
§ 63.7(g)	Performance test data analysis, recordkeeping, and reporting	Yes	
§ 63.7(h)	Waiver of tests	Yes	
§ 63.8(a)(1)	Applicability of monitoring requirements	Yes	Subpart ZZZZ contains specific requirements for monitoring at § 63.6625.
§ 63.8(a)(2)	Performance specifications	Yes	
§ 63.8(a)(3)	[Reserved]		
§ 63.8(a)(4)	Monitoring for control devices	No	
§ 63.8(b)(1)	Monitoring	Yes	
§ 63.8(b)(2)-(3)	Multiple effluents and multiple monitoring systems	Yes	

General provisions citation	Subject of citation	Applies to subpart	Explanation
§ 63.8(c)(1)	Monitoring system operation and maintenance	Yes	
§ 63.8(c)(1)(i)	Routine and predictable SSM	No	
§ 63.8(c)(1)(ii)	SSM not in Startup Shutdown Malfunction Plan	Yes	
§ 63.8(c)(1)(iii)	Compliance with operation and maintenance requirements	No	
§ 63.8(c)(2)-(3)	Monitoring system installation	Yes	
§ 63.8(c)(4)	Continuous monitoring system (CMS) requirements	Yes	Except that subpart ZZZZ does not require Continuous Opacity Monitoring System (COMS).
§ 63.8(c)(5)	COMS minimum procedures	No	Subpart ZZZZ does not require COMS.
§ 63.8(c)(6)-(8)	CMS requirements	Yes	Except that subpart ZZZZ does not require COMS.
§ 63.8(d)	CMS quality control	Yes	
§ 63.8(e)	CMS performance evaluation	Yes	Except for § 63.8(e)(5)(ii), which applies to COMS.
			Except that § 63.8(e) only applies as specified in § 63.6645.
§ 63.8(f)(1)-(5)	Alternative monitoring method	Yes	Except that § 63.8(f)(4) only applies as specified in § 63.6645.
§ 63.8(f)(6)	Alternative to relative accuracy test	Yes	Except that § 63.8(f)(6) only applies as specified in § 63.6645.
§ 63.8(g)	Data reduction	Yes	Except that provisions for COMS are not applicable. Averaging periods for demonstrating compliance are specified at §§ 63.6635 and 63.6640.
§ 63.9(a)	Applicability and State delegation of notification requirements	Yes	
§ 63.9(b)(1)-(5)	Initial notifications	Yes	Except that § 63.9(b)(3) is reserved.
			Except that § 63.9(b) only applies as specified in § 63.6645.
§ 63.9(c)	Request for compliance extension	Yes	Except that § 63.9(c) only applies as specified in § 63.6645.
§ 63.9(d)	Notification of special compliance requirements for new sources	Yes	Except that § 63.9(d) only applies as specified in § 63.6645.
§ 63.9(e)	Notification of performance test	Yes	Except that § 63.9(e) only applies as specified in § 63.6645.
§ 63.9(f)	Notification of visible emission (VE)/opacity test	No	Subpart ZZZZ does not contain opacity or VE standards.
§ 63.9(g)(1)	Notification of performance evaluation	Yes	Except that § 63.9(g) only applies as specified in § 63.6645.
§ 63.9(g)(2)	Notification of use of COMS data	No	Subpart ZZZZ does not contain opacity or VE standards.

General provisions citation	Subject of citation	Applies to subpart	Explanation
§ 63.9(g)(3)	Notification that criterion for alternative to RATA is exceeded	Yes	If alternative is in use. Except that § 63.9(g) only applies as specified in § 63.6645.
§ 63.9(h)(1)-(6)	Notification of compliance status	Yes	Except that notifications for sources using a CEMS are due 30 days after completion of performance evaluations. § 63.9(h)(4) is reserved.
			Except that § 63.9(h) only applies as specified in § 63.6645.
§ 63.9(i)	Adjustment of submittal deadlines	Yes	
§ 63.9(j)	Change in previous information	Yes	
§ 63.9(k)	Electronic reporting procedures	Yes	Only as specified in §§ 63.9(j), 63.6620, 63.6625, 63.6645, and 63.6650.
§ 63.10(a)	Administrative provisions for recordkeeping/reporting	Yes	
§ 63.10(b)(1)	Record retention	Yes	Except that the most recent 2 years of data do not have to be retained on site.
§ 63.10(b)(2)(i)-(v)	Records related to SSM	No	
§ 63.10(b)(2)(vi)-(xi)	Records	Yes	
§ 63.10(b)(2)(xii)	Record when under waiver	Yes	
§ 63.10(b)(2)(xiii)	Records when using alternative to RATA	Yes	For CO standard if using RATA alternative.
§ 63.10(b)(2)(xiv)	Records of supporting documentation	Yes	
§ 63.10(b)(3)	Records of applicability determination	Yes	
§ 63.10(c)	Additional records for sources using CEMS	Yes	Except that § 63.10(c)(2)-(4) and (9) are reserved.
§ 63.10(d)(1)	General reporting requirements	Yes	
§ 63.10(d)(2)	Report of performance test results	Yes	
§ 63.10(d)(3)	Reporting opacity or VE observations	No	Subpart ZZZZ does not contain opacity or VE standards.
§ 63.10(d)(4)	Progress reports	Yes	
§ 63.10(d)(5)	Startup, shutdown, and malfunction reports	No	
§ 63.10(e)(1) and (2)(i)	Additional CMS Reports	Yes	
§ 63.10(e)(2)(ii)	COMS-related report	No	Subpart ZZZZ does not require COMS.
§ 63.10(e)(3)	Excess emission and parameter exceedances reports	No	Excess emissions and exceedance reporting is specified in § 63.6650.
§ 63.10(e)(4)	Reporting COMS data	No	Subpart ZZZZ does not require COMS.
§ 63.10(f)	Waiver for recordkeeping/reporting	Yes	
§ 63.11	Flares	No	

General provisions citation	Subject of citation	Applies to subpart	Explanation
§ 63.12	State authority and delegations	Yes	
§ 63.13	Addresses	Yes	
§ 63.14	Incorporation by reference	Yes	
§ 63.15	Availability of information	Yes	

[89 FR 70522, Aug. 30, 2024]

Appendix A to Subpart ZZZZ of Part 63—Protocol for Using an Electrochemical Analyzer to Determine Oxygen and Carbon Monoxide Concentrations From Certain Engines

1.0 Scope and Application. What is this Protocol?

This protocol is a procedure for using portable electrochemical (EC) cells for measuring carbon monoxide (CO) and oxygen (O_2) concentrations in controlled and uncontrolled emissions from existing stationary 4-stroke lean burn and 4-stroke rich burn reciprocating internal combustion engines as specified in the applicable rule.

1.1 Analytes. What does this protocol determine?

This protocol measures the engine exhaust gas concentrations of carbon monoxide (CO) and oxygen (O_2).

Analyte	CAS No.	Sensitivity
Carbon monoxide (CO)	630-08-0	Minimum detectable limit should be 2 percent of the nominal range or 1 ppm, whichever is less restrictive.
Oxygen (O_2)	*7782-44-7*	

1.2 Applicability. When is this protocol acceptable?

This protocol is applicable to 40 CFR part 63, subpart ZZZZ. Because of inherent cross sensitivities of EC cells, you must not apply this protocol to other emissions sources without specific instruction to that effect.

1.3 Data Quality Objectives. How good must my collected data be?

Refer to Section 13 to verify and document acceptable analyzer performance.

1.4 Range. What is the targeted analytical range for this protocol?

The measurement system and EC cell design(s) conforming to this protocol will determine the analytical range for each gas component. The nominal ranges are defined by choosing up-scale calibration gas concentrations near the maximum anticipated flue gas concentrations for CO and O_2, or no more than twice the permitted CO level.

1.5 Sensitivity. What minimum detectable limit will this protocol yield for a particular gas component?

The minimum detectable limit depends on the nominal range and resolution of the specific EC cell used, and the signal to noise ratio of the measurement system. The minimum detectable limit should be 2 percent of the nominal range or 1 ppm, whichever is less restrictive.

2.0 Summary of Protocol

In this protocol, a gas sample is extracted from an engine exhaust system and then conveyed to a portable EC analyzer for measurement of CO and O_2 gas concentrations. This method provides measurement system performance specifications and sampling protocols to ensure reliable data. You may use additions to, or

modifications of vendor supplied measurement systems (e.g., heated or unheated sample lines, thermocouples, flow meters, selective gas scrubbers, etc.) to meet the design specifications of this protocol. Do not make changes to the measurement system from the as-verified configuration (Section 3.12).

3.0 Definitions

3.1 ***Measurement System.*** The total equipment required for the measurement of CO and O_2 concentrations. The measurement system consists of the following major subsystems:

3.1.1 ***Data Recorder.*** A strip chart recorder, computer or digital recorder for logging measurement data from the analyzer output. You may record measurement data from the digital data display manually or electronically.

3.1.2 ***Electrochemical (EC) Cell.*** A device, similar to a fuel cell, used to sense the presence of a specific analyte and generate an electrical current output proportional to the analyte concentration.

3.1.3 ***Interference Gas Scrubber.*** A device used to remove or neutralize chemical compounds that may interfere with the selective operation of an EC cell.

3.1.4 ***Moisture Removal System.*** Any device used to reduce the concentration of moisture in the sample stream so as to protect the EC cells from the damaging effects of condensation and to minimize errors in measurements caused by the scrubbing of soluble gases.

3.1.5 ***Sample Interface.*** The portion of the system used for one or more of the following: sample acquisition; sample transport; sample conditioning or protection of the EC cell from any degrading effects of the engine exhaust effluent; removal of particulate matter and condensed moisture.

3.2 ***Nominal Range.*** The range of analyte concentrations over which each EC cell is operated (normally 25 percent to 150 percent of up-scale calibration gas value). Several nominal ranges can be used for any given cell so long as the calibration and repeatability checks for that range remain within specifications.

3.3 ***Calibration Gas.*** A vendor certified concentration of a specific analyte in an appropriate balance gas.

3.4 ***Zero Calibration Error.*** The analyte concentration output exhibited by the EC cell in response to zero-level calibration gas.

3.5 ***Up-Scale Calibration Error.*** The mean of the difference between the analyte concentration exhibited by the EC cell and the certified concentration of the up-scale calibration gas.

3.6 ***Interference Check.*** A procedure for quantifying analytical interference from components in the engine exhaust gas other than the targeted analytes.

3.7 ***Repeatability Check.*** A protocol for demonstrating that an EC cell operated over a given nominal analyte concentration range provides a stable and consistent response and is not significantly affected by repeated exposure to that gas.

3.8 ***Sample Flow Rate.*** The flow rate of the gas sample as it passes through the EC cell. In some situations, EC cells can experience drift with changes in flow rate. The flow rate must be monitored and documented during all phases of a sampling run.

3.9 ***Sampling Run.*** A timed three-phase event whereby an EC cell's response rises and plateaus in a sample conditioning phase, remains relatively constant during a measurement data phase, then declines during a refresh phase. The sample conditioning phase exposes the EC cell to the gas sample for a length of time sufficient to reach a constant response. The measurement data phase is the time interval during which gas sample measurements can be made that meet the acceptance criteria of this protocol. The refresh phase then purges the EC cells with CO-free air. The refresh phase replenishes requisite O_2 and moisture in the electrolyte reserve and provides a mechanism to de-gas or desorb any interference gas scrubbers or filters so as to enable a stable CO EC cell response. There are four primary types of sampling runs: pre- sampling calibrations; stack gas sampling; post-sampling calibration checks; and measurement system repeatability checks. Stack gas sampling runs can be chained together for extended evaluations, providing all other procedural specifications are met.

3.10 ***Sampling Day.*** A time not to exceed twelve hours from the time of the pre-sampling calibration to the post-sampling calibration check. During this time, stack gas sampling runs can be repeated without repeated recalibrations, providing all other sampling specifications have been met.

3.11 ***Pre-Sampling Calibration/Post-Sampling Calibration Check.*** The protocols executed at the beginning and end of each sampling day to bracket measurement readings with controlled performance checks.

3.12 ***Performance-Established Configuration.*** The EC cell and sampling system configuration that existed at the time that it initially met the performance requirements of this protocol.

4.0 Interferences.

When present in sufficient concentrations, NO and NO_2 are two gas species that have been reported to interfere with CO concentration measurements. In the likelihood of this occurrence, it is the protocol user's responsibility to employ and properly maintain an appropriate CO EC cell filter or scrubber for removal of these gases, as described in Section 6.2.12.

5.0 Safety. [Reserved]

6.0 Equipment and Supplies.

6.1 What equipment do I need for the measurement system?

The system must maintain the gas sample at conditions that will prevent moisture condensation in the sample transport lines, both before and as the sample gas contacts the EC cells. The essential components of the measurement system are described below.

6.2 Measurement System Components.

6.2.1 ***Sample Probe.*** A single extraction-point probe constructed of glass, stainless steel or other non-reactive material, and of length sufficient to reach any designated sampling point. The sample probe must be designed to prevent plugging due to condensation or particulate matter.

6.2.2 ***Sample Line.*** Non-reactive tubing to transport the effluent from the sample probe to the EC cell.

6.2.3 ***Calibration Assembly (optional).*** A three-way valve assembly or equivalent to introduce calibration gases at ambient pressure at the exit end of the sample probe during calibration checks. The assembly must be designed such that only stack gas or calibration gas flows in the sample line and all gases flow through any gas path filters.

6.2.4 ***Particulate Filter (optional).*** Filters before the inlet of the EC cell to prevent accumulation of particulate material in the measurement system and extend the useful life of the components. All filters must be fabricated of materials that are non-reactive to the gas mixtures being sampled.

6.2.5 ***Sample Pump.*** A leak-free pump to provide undiluted sample gas to the system at a flow rate sufficient to minimize the response time of the measurement system. If located upstream of the EC cells, the pump must be constructed of a material that is non-reactive to the gas mixtures being sampled.

6.2.8 ***Sample Flow Rate Monitoring.*** An adjustable rotameter or equivalent device used to adjust and maintain the sample flow rate through the analyzer as prescribed.

6.2.9 ***Sample Gas Manifold (optional).*** A manifold to divert a portion of the sample gas stream to the analyzer and the remainder to a by-pass discharge vent. The sample gas manifold may also include provisions for introducing calibration gases directly to the analyzer. The manifold must be constructed of a material that is non-reactive to the gas mixtures being sampled.

6.2.10 ***EC cell.*** A device containing one or more EC cells to determine the CO and O_2 concentrations in the sample gas stream. The EC cell(s) must meet the applicable performance specifications of Section 13 of this protocol.

6.2.11 ***Data Recorder.*** A strip chart recorder, computer or digital recorder to make a record of analyzer output data. The data recorder resolution (i.e., readability) must be no greater than 1 ppm for CO; 0.1 percent for O_2; and one degree (either °C or °F) for temperature. Alternatively, you may use a digital or analog meter having the same resolution to observe and manually record the analyzer responses.

6.2.12 ***Interference Gas Filter or Scrubber.*** A device to remove interfering compounds upstream of the CO EC cell. Specific interference gas filters or scrubbers used in the performance-established configuration of the analyzer must continue to be used. Such a filter or scrubber must have a means to determine when the removal agent is exhausted. Periodically replace or replenish it in accordance with the manufacturer's recommendations.

7.0 Reagents and Standards. What calibration gases are needed?

7.1 ***Calibration Gases.*** CO calibration gases for the EC cell must be CO in nitrogen or CO in a mixture of nitrogen and O_2. Use CO calibration gases with labeled concentration values certified by the manufacturer to be within ±5 percent of the label value. Dry ambient air (20.9 percent O_2) is acceptable for calibration of the O_2 cell. If needed, any lower percentage O_2 calibration gas must be a mixture of O_2 in nitrogen.

7.1.1 ***Up-Scale CO Calibration Gas Concentration.*** Choose one or more up-scale gas concentrations such that the average of the stack gas measurements for each stack gas sampling run are between 25 and 150 percent of those concentrations. Alternatively, choose an up-scale gas that does not exceed twice the concentration of the applicable outlet standard. If a measured gas value exceeds 150 percent of the up-scale CO calibration gas value at any time during the stack gas sampling run, the run must be discarded and repeated.

7.1.2 ***Up-Scale O_2 Calibration Gas Concentration.***

Select an O_2 gas concentration such that the difference between the gas concentration and the average stack gas measurement or reading for each sample run is less than 15 percent O_2. When the average exhaust gas O_2 readings are above 6 percent, you may use dry ambient air (20.9 percent O_2) for the up-scale O_2 calibration gas.

7.1.3 ***Zero Gas.*** Use an inert gas that contains less than 0.25 percent of the up-scale CO calibration gas concentration. You may use dry air that is free from ambient CO and other combustion gas products (e.g., CO_2).

8.0 Sample Collection and Analysis

8.1 ***Selection of Sampling Sites.***

8.1.1 ***Control Device Inlet.*** Select a sampling site sufficiently downstream of the engine so that the combustion gases should be well mixed. Use a single sampling extraction point near the center of the duct (e.g., within the 10 percent centroidal area), unless instructed otherwise.

8.1.2 ***Exhaust Gas Outlet.*** Select a sampling site located at least two stack diameters downstream of any disturbance (e.g., turbocharger exhaust, crossover junction or recirculation take-off) and at least one-half stack diameter upstream of the gas discharge to the atmosphere. Use a single sampling extraction point near the center of the duct (e.g., within the 10 percent centroidal area), unless instructed otherwise.

8.2 ***Stack Gas Collection and Analysis.*** Prior to the first stack gas sampling run, conduct that the pre-sampling calibration in accordance with Section 10.1. Use Figure 1 to record all data. Zero the analyzer with zero gas. Confirm and record that the scrubber media color is correct and not exhausted. Then position the probe at the sampling point and begin the sampling run at the same flow rate used during the up-scale calibration. Record the start time. Record all EC cell output responses and the flow rate during the “sample conditioning phase” once per minute until constant readings are obtained. Then begin the “measurement data phase” and record readings every 15 seconds for at least two minutes (or eight readings), or as otherwise required to achieve two continuous minutes of data that meet the specification given in Section 13.1. Finally, perform the “refresh phase” by introducing dry air, free from CO and other combustion gases, until several minute-to-minute readings of consistent value have been obtained. For each run use the “measurement data phase” readings to calculate the average stack gas CO and O_2 concentrations.

8.3 ***EC Cell Rate.*** Maintain the EC cell sample flow rate so that it does not vary by more than ±10 percent throughout the pre-sampling calibration, stack gas sampling and post-sampling calibration check. Alternatively, the EC cell sample flow rate can be maintained within a tolerance range that does not affect the gas concentration readings by more than ±3 percent, as instructed by the EC cell manufacturer.

9.0 Quality Control (Reserved)

10.0 Calibration and Standardization

10.1 ***Pre-Sampling Calibration.*** Conduct the following protocol once for each nominal range to be used on each EC cell before performing a stack gas sampling run on each field sampling day. Repeat the calibration if you replace an EC cell before completing all of the sampling runs. There is no prescribed order for calibration of the EC cells; however, each cell must complete the measurement data phase during calibration. Assemble the measurement system by following the manufacturer's recommended protocols including for preparing and preconditioning the EC cell. Assure the measurement system has no leaks and verify the gas scrubbing agent is not depleted. Use Figure 1 to record all data.

10.1.1 ***Zero Calibration.*** For both the O_2 and CO cells, introduce zero gas to the measurement system (e.g., at the calibration assembly) and record the concentration reading every minute until readings are constant for at least two consecutive minutes. Include the time and sample flow rate. Repeat the steps in this section at least once to verify the zero calibration for each component gas.

10.1.2 ***Zero Calibration Tolerance.*** For each zero gas introduction, the zero level output must be less than or equal to ±3 percent of the up-scale gas value or ±1 ppm, whichever is less restrictive, for the CO channel and less than or equal to ±0.3 percent O_2 for the O_2 channel.

10.1.3 ***Up-Scale Calibration.*** Individually introduce each calibration gas to the measurement system (e.g., at the calibration assembly) and record the start time. Record all EC cell output responses and the flow rate during this “sample conditioning phase” once per minute until readings are constant for at least two minutes. Then begin the “measurement data phase” and record readings every 15 seconds for a total of two minutes, or as otherwise required. Finally, perform the “refresh phase” by introducing dry air, free from CO and other combustion gases, until readings are constant for at least two consecutive minutes. Then repeat the steps in this section at least once to verify the calibration for each component gas. Introduce all gases to flow through the entire sample handling system (i.e., at the exit end of the sampling probe or the calibration assembly).

10.1.4 ***Up-Scale Calibration Error.*** The mean of the difference of the “measurement data phase” readings from the reported standard gas value must be less than or equal to ±5 percent or ±1 ppm for CO or ±0.5 percent O_2, whichever is less restrictive, respectively. The maximum allowable deviation from the mean measured value of any single “measurement data phase” reading must be less than or equal to ±2 percent or ±1 ppm for CO or ±0.5 percent O_2, whichever is less restrictive, respectively.

10.2 ***Post-Sampling Calibration Check.*** Conduct a stack gas post-sampling calibration check after the stack gas sampling run or set of runs and within 12 hours of the initial calibration. Conduct up-scale and zero calibration checks using the protocol in Section 10.1. Make no changes to the sampling system or EC cell calibration until all post-sampling calibration checks have been recorded. If either the zero or up-scale calibration error exceeds the respective specification in Sections 10.1.2 and 10.1.4 then all measurement data collected since the previous successful calibrations are invalid and re-calibration and re-sampling are required. If the sampling system is disassembled or the EC cell calibration is adjusted, repeat the calibration check before conducting the next analyzer sampling run.

11.0 Analytical Procedure

The analytical procedure is fully discussed in Section 8.

12.0 Calculations and Data Analysis

Determine the CO and O_2 concentrations for each stack gas sampling run by calculating the mean gas concentrations of the data recorded during the “measurement data phase”.

13.0 Protocol Performance

Use the following protocols to verify consistent analyzer performance during each field sampling day.

13.1 ***Measurement Data Phase Performance Check.*** Calculate the mean of the readings from the "measurement data phase". The maximum allowable deviation from the mean for each of the individual readings is ±2 percent, or ±1 ppm, whichever is less restrictive. Record the mean value and maximum deviation for each gas monitored. Data must conform to Section 10.1.4. The EC cell flow rate must conform to the specification in Section 8.3.

Example:

A measurement data phase is invalid if the maximum deviation of any single reading comprising that mean is greater than ±2 percent *or* ±1 ppm (the default criteria). For example, if the mean = 30 ppm, single readings of below 29 ppm and above 31 ppm are disallowed).

13.2 ***Interference Check.*** Before the initial use of the EC cell and interference gas scrubber in the field, and semi-annually thereafter, challenge the interference gas scrubber with NO and NO_2 gas standards that are generally recognized as representative of diesel-fueled engine NO and NO_2 emission values. Record the responses displayed by the CO EC cell and other pertinent data on Figure 1 or a similar form.

13.2.1 ***Interference Response.*** The combined NO and NO_2 interference response should be less than or equal to ±5 percent of the up-scale CO calibration gas concentration.

13.3 ***Repeatability Check.*** Conduct the following check once for each nominal range that is to be used on the CO EC cell within 5 days prior to each field sampling program. If a field sampling program lasts longer than 5 days, repeat this check every 5 days. Immediately repeat the check if the EC cell is replaced or if the EC cell is exposed to gas concentrations greater than 150 percent of the highest up-scale gas concentration.

13.3.1 ***Repeatability Check Procedure.*** Perform a complete EC cell sampling run (all three phases) by introducing the CO calibration gas to the measurement system and record the response. Follow Section 10.1.3. Use Figure 1 to record all data. Repeat the run three times for a total of four complete runs. During the four repeatability check runs, do not adjust the system except where necessary to achieve the correct calibration gas flow rate at the analyzer.

13.3.2 ***Repeatability Check Calculations.*** Determine the highest and lowest average "measurement data phase" CO concentrations from the four repeatability check runs and record the results on Figure 1 or a similar form. The absolute value of the difference between the maximum and minimum average values recorded must not vary more than ±3 percent or ±1 ppm of the up-scale gas value, whichever is less restrictive.

14.0 Pollution Prevention (Reserved)

15.0 Waste Management (Reserved)

16.0 Alternative Procedures (Reserved)

17.0 References

(1) ***"Development of an Electrochemical Cell Emission Analyzer Test Protocol"*** , Topical Report, Phil Juneau, Emission Monitoring, Inc., July 1997.

(2) ***"Determination of Nitrogen Oxides, Carbon Monoxide, and Oxygen Emissions from Natural Gas-Fired Engines, Boilers, and Process Heaters Using Portable Analyzers"*** , EMC Conditional Test Protocol 30 (CTM-30), Gas Research Institute Protocol GRI-96/0008, Revision 7, October 13, 1997.

(3) ***"ICAC Test Protocol for Periodic Monitoring"*** , EMC Conditional Test Protocol 34 (CTM-034), The Institute of Clean Air Companies, September 8, 1999.

(4) ***"Code of Federal Regulations"*** , Protection of Environment, 40 CFR, Part 60, Appendix A, Methods 1-4; 10.

Table 1: Appendix A—Sampling Run Data.

Facility_____ Engine I.D._____ Date_____

Run Type: (X)	(_) Pre-Sample Calibration				(_) Stack Gas Sample				(_) Post-Sample Cal. Check		(_) Repeatability Check
Run #	1	1	2	2	3	3	4	4	Time	Scrub. OK	Flow- Rate
Gas	O_2	CO	O_2	CO	O_2	CO	O_2	CO			
Sample Cond. Phase											
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″											
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Measurement Data Phase											
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Mean											
Refresh Phase											
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[78 FR 6721, Jan. 30, 2013]

Indiana Department of Environmental Management
Office of Air Quality

Addendum to the Technical Support Document (ATSD) for a New Source Construction and Part 70 Operating Permit

Source Background and Description

Source Name:	**Lavender Fields Holdings LLC**
Source Location:	**402 Royal Road, Michigan City, Indiana 46360**
County:	**LaPorte**
SIC Code:	**7374 (Computer Processing and Data Preparation and Processing Services)**
Operation Permit No.:	**T091-49561-00195**
Permit Reviewer:	**Alexandrea Neuzerling**

On November 13, 2025, the Office of Air Quality (OAQ) had a notice posted on IDEM's website (https://www.in.gov/idem/public-notices/), stating that Lavender Fields Holdings LLC had applied for a New Source Construction and Part 70 Operating Permit to construct and operate sixty-six (66) diesel-fired critical emergency generators, two (2) diesel-fired site entrance emergency generators, two (2) diesel-fired fire pump emergency generators and associated diesel fuel storage tanks for a new data center. The notice also stated that the OAQ proposed to issue a New Source Construction and Part 70 Operating Permit for this operation and provided information on how the public could review the proposed permit and other documentation. Finally, the notice informed interested parties that there was a period of thirty (30) days to provide comments on whether or not this permit should be issued as proposed.

On November 20, 2025, IDEM, OAQ also posted a notice on IDEM's website (https://www.in.gov/idem/public-notices/), stating that IDEM, OAQ would hold a public meeting on December 9, 2025, to discuss the draft New Source Construction and Part 70 Operating Permit No. T091-49561-00195 for Lavender Fields Holdings LLC. The notice provided information on how the public could attend the public meeting, 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 end on Monday, December 15, 2025.

On December 9, 2025, IDEM, OAQ conducted a public meeting regarding the draft New Source Construction and Part 70 Operating Permit No. T091-49561-00195 for Lavender Fields Holdings LLC.

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**.

Table of Contents

General Statement 1 – Public Participation and Permitting Process

Some commenters expressed concerns regarding public participation and the permitting process with respect to the proposed permit. Commenters requested an in-person Public Hearing/Meeting be held in order to answer additional concerns and any other questions that others may have regarding this Permit.

IDEM Response to General Statement 1 – Public Participation and Permitting Process

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

(1) A copy of the New Source Construction and Part 70 Operating Permit application and the draft New Source Construction and Part 70 Operating Permit were physically accessible and free to communities, as follows:

(a) A copy of the permit application and the draft New Source Construction and Part 70 Operating Permit were sent to the Michigan City Public Library, located at 100 E. 4th St., Michigan City, IN 46360, for public review.

(b) An electronic copy of the draft New Source Construction and Part 70 Operating Permit was made available for public review or download on the Internet at: http://www.in.gov/ai/appfiles/idem-caats/

(c) An electronic copy of the permit application and draft New Source Construction and Part 70 Operating Permit were also made available via IDEM's Virtual File Cabinet (VFC) for public review or download on the Internet at: https://www.in.gov/idem/legal/public-records/virtual-file-cabinet/.

(2) On November 13, 2025, the Office of Air Quality (OAQ) had a notice posted on IDEM's website (https://www.in.gov/idem/public-notices/), stating that Lavender Fields Holdings LLC had applied for a New Source Construction and Part 70 Operating Permit, relating to construction and operations of a stationary data center. The notice also stated that the OAQ proposed to issue a Part 70 Operating Permit for this operation and provided information on how the public could review the proposed permits and other documentation. Finally, the notice informed interested parties that there was a period of thirty (30) days to provide comments on whether or not these permits should be issued as proposed.

(3) On November 20, 2025, OAQ also posted a notice on IDEM's website (https://www.in.gov/idem/public-notices/), stating that IDEM, OAQ would hold a public meeting on December 9, 2025, to discuss the draft New Source Construction and Part 70 Operating Permit for Lavender Fields Holdings LLC. The notice provided information on how the public could attend the public meeting, 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 permits and other documentation. Finally, the notice informed interested parties that the public notice period would end on December 15, 2024.

- 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.

- IDEM, OAQ also sent the above notifications to local government officials.

  (1) LaPorte County Commissioners
  (2) Michigan City, City Council and Mayors Office
  (3) Pottawattamie Park Town Council
  (4) LaPorte County Health Department

- Information regarding the public meeting was posted to the IDEM Calendar Events website (https://events.in.gov/idem).

https://events.in.gov/event/public-meeting-for-lavender-fields-holdings-tv-new-source-construction-091-49561-00195

ABOUT THIS EVENT

Michigan City High School - Auditorium (Door P) View map Add to calendar

8466 W. Pahs Road, Michigan City, IN 46360

NOTE: THIS MEETING STARTS AT 6 PM CENTRAL TIME

NEW LOCATION: Auditorium (Door P)

The Indiana Department of Environmental Management (IDEM) will hold a public meeting to discuss the Title V New Source Construction draft air permit for Lavender Fields Holdings LLC. IDEM staff will describe the draft air permits and answer questions from citizens in an informal setting. The public meeting will not include formal presentations, but will give the public an opportunity to ask questions, make statements, and discuss air pollution concerns with IDEM staff.

When: Tuesday, Dec. 9, 2025

Where:
Michigan City High School - Auditorium
8466 W Pahs Rd
Michigan City, IN 46360

Start Time: 6 p.m. CT

End Time: 9 p.m. CT or when all comments have been heard, whichever comes first.

EVENT DETAILS

EVENT TYPE
EVENTS PUBLIC NOTICES

CALENDAR
AGENCY IDEM

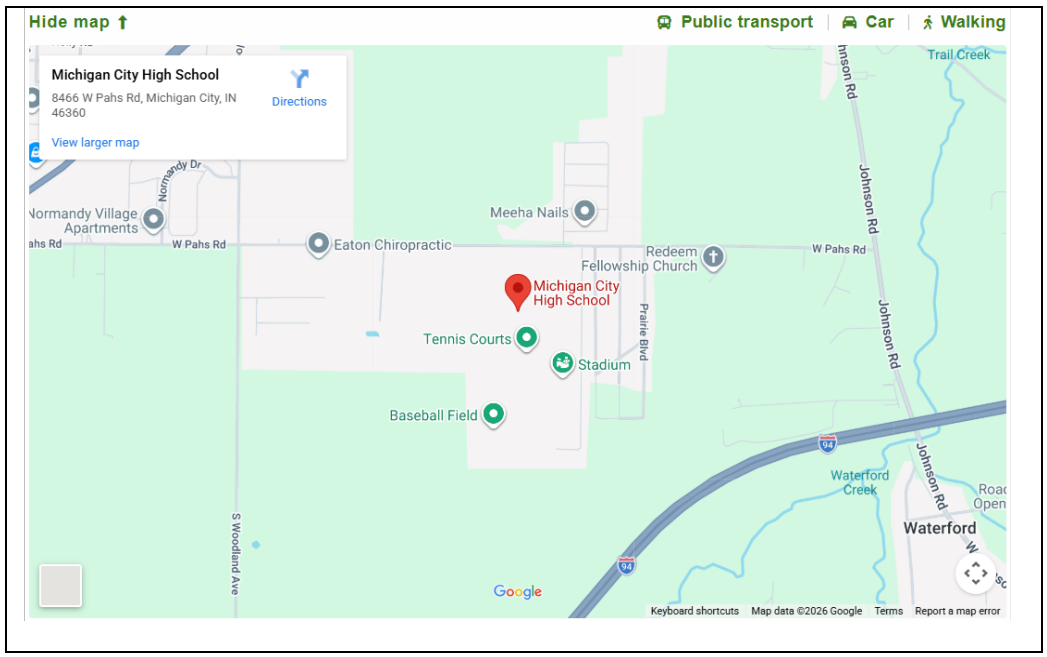
TAGS
PUBLIC MEETING

GROUP
Department of Environmental Management

CONTACT NAME
Alexandrea Neuzerling

CONTACT PHONE
317-234-2-6634

CONTACT EMAIL
aneuzerl@idem.in.gov



- IDEM typically posts a weekly submission to its X site (formerly known as Twitter) (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://www.in.gov/idem/public-notices/)

- On December 9, 2024, at 6:00 p.m. Central Time, IDEM, OAQ began a public meeting regarding the draft New Source Construction and Part 70 Operating Permit for Lavender Fields Holdings LLC. The public meeting was concluded at 9:00 p.m. Central Time. During the public meeting, IDEM staff discussed the draft air permit and answered questions from citizens. The public meeting provided the public with an opportunity to submit written comments, ask questions, and discuss air pollution concerns with IDEM staff.

All written comments submitted to IDEM, OAQ during the public comment period and during the public meeting were reviewed and detailed responses to those comments are provided in this Addendum to the Technical Support Document (ATSD).

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.

General Statement 2 – Request to Postpone/Reschedule Public Meeting and Extend the Public Comment Period

Multiple commenters requested IDEM postpone and reschedule the Public Meeting, scheduled for December 9, 2025, and extend the public comment period, which ended on Monday, December 15, 2025, due to concerns about the close proximity to the holiday season.

IDEM Response to General Statement 2 – Request to Postpone/Reschedule Public Meeting and Extend the Public Comment Period

On November 26, 2025, IDEM, OAQ, Assistant Commissioner Matt Stuckey replied with the following statement:

Thank you for your request to postpone the IDEM public meeting scheduled for December 9, 2025, for the Lavender Fields Holding LLC permit (091-49561-00195). IDEM will not be granting this request. The December 9th public meeting is being held consistent with state and federal requirements. IDEM will accept comments in written form. We have made necessary arrangements to hold this meeting on that date and posted the meeting information so that interested parties can make arrangements to attend.

IDEM is not extending the comment period, which ends on December 15, 2025. IDEM is required to provide for a review period of no less than 30 days, which we have already extended to accommodate the public meeting. IDEM receives several hundred permit applications each year. IDEM is obligated to issue a permit provided the applicant can demonstrate that construction and operation of the proposed facility will meet all applicable state and federal regulations. In addition, IDEM is required to process an application within prescribed regulatory timeframes. IDEM has completed its initial review of the permit application and drafted a permit that we believe satisfies all the regulatory requirements for this proposed facility. This permit was made available for review on November 13th, and IDEM will hold a public meeting where we will discuss the draft permit and answer questions related to this pending action. Under Title V of the federal Clean Air Act, U.S. EPA also has a 45-day review period for this permit. While we understand you are concerned about the timing of this action, IDEM is still obligated to complete its work regardless of the time of year.

The documents posted along with the draft permit explain how the public may participate in the permit review process and specify how the public can provide comments on the draft permit. We will review all written comments received during the comment period and provide responses to all comments received as part of the public record.

General Statement 3 – Impact to the Environment and Public Health/Wellbeing

Some commenters expressed concerns regarding the negative impact of the proposed data center with respect to the environment and public health within the community.

IDEM Response to General Statement 3 – Impact to the Environment and Public Health/Wellbeing

IDEM's Mission Goal and Authority

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.

Indiana Department of Environmental Management, Office of Air Quality (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 requires that IDEM approve or deny an application received by the department.

The proposed permit 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 air pollution emissions from the facility in accordance with all applicable requirements. Specifically, the permit contains all applicable control device operating requirements, compliance determination requirements, compliance monitoring 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. These conditions work in conjunction to protect human health and the environment.

IDEM, OAQ has no authority to create any permit limits or measures that exceed what is legally required for a regulated source.

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.

Indiana's air pollution control rules are contained in Title 326 of the Indiana Administrative Code, which is available at https://iar.iga.in.gov/code/current/326 on the Internet.
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). 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.

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

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

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.

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://casac.epa.gov/ords/sab/r/sab_apex/casac/home.

Ambient Air at Monitoring Stations Around Indiana

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://www.in.gov/idem/airmonitoring/smogwatch/ on the internet.

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 (NO_2), ground-level ozone (O_3), particulate matter (PM_{10} and $PM_{2.5}$), and sulfur dioxide (SO_2). 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 (CO_2). 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 Data Management and Display System (DMDS) provides on-line access to Indiana's continuous air quality monitoring data. It has been available to the public since July 2007. DMDS offers access to near real-time data from active 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. Site information with site photographs can be found at the following website: https://www.in.gov/idem/airmonitoring/air-quality-data/

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 NOx 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/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) for pollutants including ozone and particulate matter (PM) can be found at the following website: https://www.in.gov/idem/airmonitoring/air-quality-data/.

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 current air quality and 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 eight regions of Indiana. Current air quality and air quality forecasts for each day are available at https://www.in.gov/idem/airmonitoring/smogwatch/.

Ambient Air Monitoring Network Plan and Public Participation

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. IDEM is required to develop and submit an annual monitoring network plan to U.S. EPA that details the current air quality surveillance system and proposed changes for the coming year. IDEM must release the proposed plan to the public for inspection for 30 days prior to submission to U.S. EPA by July 1. IDEM posts the proposed plan on IDEM's website (https://www.in.gov/idem/airmonitoring/indianas-ambient-air-monitoring-network/) when it becomes available. Information on how to submit comments is located in Appendix A of the plan. IDEM, OAQ will evaluate comments and requests on monitoring locations 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 may be contacted by U.S. Mail:

Neil Deardorff
IDEM/OAQ/AMB

2525 North Shadeland Avenue
Ste 100
Indianapolis, IN 46219

Or by FAX at 317-308-3239.

Ambient Air Monitors Near Michigan City, IN

The following Table 4 summarizes the IDEM air pollution monitors that are located near Michigan City, Indiana:

Table 1: IDEM air pollution monitors located near Michigan City, Indiana			
County	City	Site Name/Address	Air Pollutants Monitored
LaPorte	Michigan City	NIPSCO Gas Station 490 W. Michigan Blvd	Ozone (O_3)
LaPorte	Michigan City	Marsh Elementary School 400 E. Homer St.	$PM_{2.5}$
LaPorte	LaPorte	2011 E. Lincoln Way	Ozone (O_3)
Porter	Portage	Bethlehem Steel Waste Lagoon, Hwy. 12	PM10
Porter	Ogden Dunes	Water Treatment Plant, 84 Diana Rd.	Ozone (O3) PM2.5 VOCs
Porter	Valparaiso	Valparaiso Water Dept., 1000 Wesly St.	Ozone (O3)
Porter	Burns Harbor	Port of Indiana - E. Boundary Rd.	Lead Metals
St. Joseph	North Liberty	25601 St. Rd. 4	Ozone (O_3)
St. Joseph	South Bend	2335 Shields Dr.	Ozone (O_3), Nitrogen Dioxide (NO_2), Nitrogen Oxides (NO_y), and $PM_{2.5}$
St. Joseph	Granger	12441 Beckley St.	Ozone (O_3)

Fenceline Monitoring

The proposed permit 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 air pollution emissions from the facility in accordance with all applicable requirements. IDEM, OAQ has no authority to create any permit limits or measures that exceed what is legally required for a regulated source. There are no applicable state or federal rules that require down-wind fenceline ambient monitoring of the emissions from this source.

General Statement 4 – Soil Contamination

Many commenters expressed concerns regarding the soil contamination found on the site of this project.

IDEM Response to General Statement 4 – Soil Contamination

IDEM, OAQ understands that many commenters have concerns regarding the soil contamination found on the site of this project. However, IDEM, Office of Air Quality, does not regulate or have authority to manage the soil contamination found on the site of this project. Land-related issues such as soil contamination are regulated and managed by IDEM's Office of Land Quality (OLQ). Questions regarding the soil contamination found on the site of this project can be directed to IDEM's Office of Land Quality (OLQ).

General Statement 5 – Denial of the Permit

Many commenters requested that the permit be denied.

IDEM Response to General Statement 5 – Denial of the Permit

IDEM, OAQ does not have the authority to deny an air permit upon request. IDEM's authority is to evaluate the proposed project and to assure the proposed permit contains all health-based and technology-based standards established by the U.S. EPA and the Indiana Environmental Rules Board (ERB). 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. The information provided by the applicant in its air permit application indicates that the Permittee will be able to comply with all permit requirements; therefore, IDEM will issue the permit.

See the "IDEM Response to General Statement 3 - Impact to the Environment and Public Health/Wellbeing" section above for more information regarding how IDEM, OAQ processes air permit applications and ultimately issues air permits.

General Statement 6 – Zoning

Several commenters expressed concerns that the proposed Lavender Fields Holdings LLC data center would be located too close to their home (residential areas) and schools, and would result in loss of farmland, woodlands, wetlands, wildlife habitat, and a loss of trees and plants that absorb carbon dioxide and other contaminants and convert carbon to oxygen.

IDEM Response to General Statement 6 – Zoning

IDEM, OAQ does not have the authority to evaluate zoning issues as part of the air permit application review process or to deny an air permit based on concerns about these types of issues.

IDEM, OAQ does not have the authority to evaluate zoning as part of the air permit application review process. Zoning and other local level permitting decisions are made by local government bodies and officials.

Comment 1 and IDEM Responses

I respectfully request a 60-day or more extension of the public comment period and the scheduling of a public hearing to take place before the close of that extended public comment period regarding the proposed New Source Construction and Part 70 Operating Permit for Lavender Fields Holdings LLC. No.: T091-49561-00195, which is currently under review by the Indiana Department of Environmental Management (IDEM).

Given the complexity and community impact of this 165-page proposal, as well as the approaching holiday season, additional time is needed to allow affected residents, local organizations, and other stakeholders to review the available material, prepare meaningful comments, and make their voices heard. Extending the comment period by at least 60 days would ensure effective public participation. This permit will have a significant cumulative impact on the local air quality near neighborhoods, schools, businesses, and nature preserves in close proximity to the Project Maize data center in Michigan City, a community already overburdened by historic industrial air pollution, including that from the Michigan City Generating Station. These cumulative impacts warrant a more robust public process and timeline.

We are also requesting this extension in light of another significant pending IDEM matter related to this site. Phoenix Investors LLC, the project developer, is currently in a compliance period, which began on October 9, 2025, due to the site's violation of the Uncontaminated Soil Policy resulting from the discovery of trichloroethylene contamination. Phoenix Investors' 60-day window to determine overall compliance with IDEM concludes just a few days before this current public comment period is set to close. We are concerned that this timing could create a misalignment of incentives, increasing the risk that both processes are rushed and that industry, disclosure, and regulatory best practices may not be fully observed, thereby threatening public health and safety.

Additionally, we request that IDEM hold a public hearing with ample time after the close of the holiday season (November 27-January 1st) and before the end of the extended comment period. Hosting the hearing outside the holiday window, and at a time and location accessible to Michigan City and LaPorte County residents, would significantly enhance transparency and foster dialogue between IDEM and the communities most impacted by the proposed action.

Thank you for your time and consideration of this request. Please confirm receipt of this letter and advise us whether IDEM will grant the requested 60-day or more extension and public hearing, and any next steps or additional requirements to formally initiate the extension and hearing process.

The above comment was submitted by the persons listed in the table below. If a person's comments varied from the above comment, the differences are shown in the last column of the table:

Last Name	First Name	Date Comment Submitted	Environmental Job/Title (if included)	Additional Statements to the above Comment 1, added by the Commenter
Williams	Ashley	11/20/2025	Executive Director, Just Transition NWI	-
Vallee	Kristen	11/20/2025	-	-
Mark	Eileen	11/20/2025	-	-
Walter	Nancy	11/20/2025	-	-
Hirschland	Madeline	11/20/2025	-	-
Scully	Donnita	11/20/2025	ECJ Chair - Michigan City Branch NAACP	-
Barrier	Donavan	11/20/2025	-	-
Hoppe	Mary	11/20/2025	-	-
Anella	Mark	11/20/2025	-	-
Mendoza	Judy	11/20/2025	-	"IDEM, please listen to the citizens of northwest Indiana."
Tyler	Rebecca	11/20/2025	NAACP Branch 3061	-
Curtin	Colleen	11/20/2025	-	-
Washburn	Jennifer	11/20/2025	-	-
DaMota	Phyllis	11/20/2025	-	"Residents are beginning to hear about the back up diesel generators and still trying to understand about this data center. Please help us!"
Halline	Allan	11/20/2025	-	-

Last Name	First Name	Date Comment Submitted	Environmental Job/Title (if included)	Additional Statements to the above Comment 1, added by the Commenter
Schalk	Zach	11/20/2025	Indiana Program Director, Solar United Neighbors	-
Hoppe	David	11/20/2025	-	-

IDEM Response to Comment 1:

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

(1) IDEM Response to General Statement 1 – Public Participation and Permitting Process
(2) IDEM Response to General Statement 2 – Request to Postpone/Reschedule Public Meeting and Extend the Public Comment Period
(3) IDEM Response to General Statement 3 – Impact to the Environment and Public Health/Wellbeing
(4) IDEM Response to General Statement 4 – Soil Contamination

There are no changes made to the permit due to these comments.

Comment 2 and IDEM Responses

I respectfully request a 60-day or more extension of the public comment period and reschedule the public meeting from the current date of December 9th, and hold both a meeting and a hearing to take place before the close of that extended public comment period regarding the proposed New Source Construction and Part 70 Operating Permit for Lavender Fields Holdings LLC. No.: T091-49561-00195, which is currently under review by the Indiana Department of Environmental Management (IDEM).

Given the complexity and community impact of this 165-page proposal, as well as the approaching holiday season, additional time is needed to allow affected residents, local organizations, and other stakeholders to review the available material, prepare meaningful comments, and make their voices heard. Extending the comment period by at least 60 days would ensure effective public participation. This permit will have a significant cumulative impact on the local air quality near neighborhoods, schools, businesses, and nature preserves in close proximity to the Project Maize data center in Michigan City, a community already overburdened by historic industrial air pollution, including that from the Michigan City Generating Station. These cumulative impacts warrant a more robust public process and timeline.

We are also requesting this extension in light of another significant pending IDEM matter related to this site. Phoenix Investors LLC, the project developer, is currently in a compliance period, which began on October 9, 2025, due to the site's violation of the Uncontaminated Soil Policy resulting from the discovery of trichloroethylene contamination. Phoenix Investors' 60-day window to determine overall compliance with IDEM overlaps with the current public comment period. We are concerned that this timing could create a misalignment of incentives, increasing the risk that both processes are rushed and that industry, disclosure, and regulatory best practices may not be fully observed, thereby threatening public health and safety.

Additionally, we request that IDEM hold a public meeting and hearing, ideally in late January/February 2026, with ample time after the close of the holiday season (November 27-January 1st) and before the end of the extended comment period. Hosting the hearing outside the holiday window, and at a time and location accessible to Michigan City and LaPorte County

residents, would significantly enhance transparency and foster dialogue between IDEM and the communities most impacted by the proposed action.

Thank you for your time and consideration of this request. Please confirm receipt of this letter and advise us whether IDEM will grant the requested 60-day or more extension and public meeting, and any next steps or additional requirements to formally initiate the extension and hearing process.

The above comment was submitted by the persons listed in the table below. If a person's comments varied from the above comment, the differences are shown in the last column of the table:

Last Name	First Name	Date Comment Submitted	Environmental Job/Title (if included)	Additional Statements and/or changes* to the above Comment 2 by the Commenter
Wink	Laurie	11/20/2025	-	Changes: Paragraph 3: "Phoenix Investors' 60-day window to determine overall compliance with IDEM ~~overlaps with the~~ **concludes just a few days before this** current public comment period **is set to close**." Paragraph 4: "Additionally, we request that IDEM hold a public meeting and hearing~~,~~ ~~ideally~~ in late January/February 2026~~,~~ with ample time after the close of the holiday season...."
Filler	Andrew	11/20/2025	-	-
Weller	Amy	11/20/2025	-	-
Hill	James	11/20/2025	-	-
Quinlan	Jacqueline	11/20/2025	-	-
Lewis	Anthony	11/20/2025	-	-
Miller	Beth	11/20/2025	-	-
Holm	Eric	11/20/2025	-	-
Davis	Catherine	11/20/2025	-	-
Chapman	Cheryl	11/20/2025	-	-
Nelson	Dee	11/20/2025	-	-
Firanek	Alicia	11/20/2025	-	Additional Statement: "May this letter find you well. As a mother of a medically complex child, the affects can and will likely be detrimental."
McDonald	Nora	11/20/2025	Just Transition of Northwest Indiana	-
Gaertig	TJ	11/20/2025	-	-
Yanke	Shelly	11/20/2025	-	-
Bruce-Whitaker	Lucy	11/20/2025	-	-
Ward	Zachary	11/20/2025	-	-
Smith	Nancy	11/20/2025	-	-
Brittain	Dennis	11/20/2025	-	-

Last Name	First Name	Date Comment Submitted	Environmental Job/Title (if included)	Additional Statements and/or changes* to the above Comment 2 by the Commenter
Sells	Andrea	11/20/2025	-	-
Thomas	Stephanie	11/20/2025	-	-
Morrow	Colette	11/20/2025	-	-
Gray	Socrates	11/20/2025	-	-
Davis	Lisa	11/20/2025	-	-
Euler	Dakota	11/20/2025	-	-
Schooley	Jos	11/20/2025	-	-
Thomas	Brient	11/20/2025	-	-
Hauskins	Jacob	11/20/2025	-	-
Kysel	Kristine	11/20/2025	-	-
Norris	Brenda	11/20/2025	-	-
McCay	James	11/20/2025	-	-
Block	David	11/20/2025	-	-
Carpenter	Sam	11/20/2025	Executive Director, Hoosier Environmental Council	-
Houldieson	Scott	11/21/2025	-	-
Flaherty	John	11/21/2025	-	-
Bardol	Sarah	11/21/2025	-	-
Briggs	Don	11/21/2025	Member of JTNWI and NAACP 3061	Changes: Paragraph 3: "We ~~are~~ also ~~requesting~~ **request** this extension in light of...." "...thereby ~~threatening~~ **jeopardizing** public health and safety."
Diener	Kathryn	11/21/2025	-	-
Mark	Eileen	11/21/2025	-	-
Losinski	Amy	11/21/2025	-	-
Barnes	Marissa	11/21/2025	-	-
Lukas	Amy	11/21/2025	-	-
Grote	M	11/21/2025	-	-
Greetham	Theresa	11/21/2025	-	-
Shippen	Kathleen	11/21/2025	-	-
Nelson	Joseph	11/21/2025	Common Council of Michigan City	-
Koonce	Travis	11/21/2025	-	-
Powell	Megan	11/21/2025	-	-
Thomas	Lia	11/21/2025	-	-
Attar	Reese	11/21/2025	-	-

Last Name	First Name	Date Comment Submitted	Environmental Job/Title (if included)	Additional Statements and/or changes* to the above Comment 2 by the Commenter
Garner	Aviana	11/21/2025	-	-
Shinn	Olivia	11/21/2025	-	-
Staback	Sharon	11/21/2025	-	-
Mauldin	Jalisa	11/21/2025	-	-
Bruce	Judy	11/21/2025	-	-
Robson	Anne	11/21/2025	-	-
Novak	Krystal	11/21/2025	-	-
Arnett	Erica	11/21/2025	-	-
Piotrowski	Elizabeth	11/21/2025	-	-
Moore	Willa	11/21/2025	LaPorte County NAACP 3061	-
Kraus	Emily	11/21/2025	-	-
Henzman	Angela	11/21/2025	-	-
Fox	Linda	11/21/2025	-	-
Stephens	Douglas	11/21/2025	-	-
Fredenburg	Gracie	11/21/2025	-	-
Callan	Kathy	11/21/2025	-	-
Gray	Sandra	11/21/2025	-	-
Brockman	Tracy	11/22/2025	-	-
Reindt	Deborah	11/22/2025	-	-
Spann	Ajulia	11/22/2025	-	-
Sikora	Elizabeth	11/22/2025	-	-
Miller	Kristie	11/22/2025	-	-
Lawrenz	Rachel	11/22/2025	-	-
Maguire	Gretchen	11/22/2025	-	-
Young	Cheryl	11/22/2025	-	-
Young	Donald	11/22/2025	-	-
Kolesar	William	11/22/2025	-	-
Beavin	Karen	11/22/2025	-	-
R	Kelly	11/22/2025	-	-
Blaszkiewicz	Adam	11/22/2025	-	-
Perunko	LeeAnne	11/23/2025	-	-
Weems	Barb	11/23/2025	-	Additional Statement: "Then come to Hobart and do the very same thing. We are under a fire here also. It's a war."
Williams	Jennifer	11/23/2025	-	Additional Statement: "No Data Centers Hobart Indiana."
Llorens	Jaime	11/23/2025	-	-

Last Name	First Name	Date Comment Submitted	Environmental Job/Title (if included)	Additional Statements and/or changes* to the above Comment 2 by the Commenter
FoxKay	Kammi	11/23/2025	-	Additional Statement: "Not allowing diesel generators is imperative to our god given right for clean air to breathe and minus air noise pollution. Migrating birds come through NW Indiana. The recorded path of a Bald Eagle whom recently passed and she traversed this area numerous times. Our wildlife depends on us to protect it. Their nesting grounds, the migration patterns. Humans cannot be responsible for destruction of our beautiful state of Indiana."
Parnell	Sarah	11/23/2025	-	-
Blomiley	Beth	11/23/2025	-	-
McCroskey	Carrie	11/23/2025	-	-
Carroll	Maribeth	11/23/2025	-	-
Wildemann	David	11/23/2025	-	-
Brown	Beth	11/23/2025	-	-
Lopez	Kym	11/23/2025	-	-
Campos	Gonzalo	11/23/2025	-	-
Campos	Adan	11/23/2025	-	-
Campos	Sage	11/23/2025	-	-
Dittmann	Joan	11/23/2025	-	-
Harmon	Kelly	11/23/2025	-	-
Pendergast	Valerie	11/24/2025	-	-
Becich	Maryann	11/24/2025	-	-
Sellers	Abby	11/24/2025	-	-
Eck	Cheryl	11/24/2025	-	-
Sherman	Katie	11/24/2025	-	-
Bruce	Judy	11/24/2025	-	-
Torres	Wanda Royal	11/24/2025	-	-
Niemiec	Laura	11/24/2025	-	Additional Statement: "As a resident living in the immediate vicinity of this project,"
Hill	Lisa	11/24/2025	-	-
Nielsen	Lindsay	11/25/2025	-	-
DeBald	Joseph	11/25/2025	-	-
Chandler	Nicole	11/25/2025	-	-
Cooney	Lauren	11/26/2025	-	-
Clemons	Suzannah	11/26/2025	-	-

Last Name	First Name	Date Comment Submitted	Environmental Job/Title (if included)	Additional Statements and/or changes* to the above Comment 2 by the Commenter
Yanke	Dominic	11/26/2025	-	Additional Statement: "As a student at Ivy Tech Community College, I am an active member in many clubs including Student Government Association and Phi Theta Kappa Honor Society. Personally, the timing of this public hearing and the public comment period could not be worse. With Student Government, our student feedback tabling results are due mid-December along with a report. Additionally, preparing for a transition in officers and for Spring planning occurs at this time. For Phi Theta Kappa Honor Society, Hallmark Awards applications are due soon as well as submissions for our College Project and Honors in Action Project. These two projects will be the culmination of a year of research and volunteer efforts on campus and in the community, and as such, they require an intensive amount of time for Honor Society members to draft, polish, and submit entries for each project following detailed, multi-page Rubrics. Submitting those two entries will be the difference between my chapter being a 3-star chapter and a 5-star chapter. Furthermore, as a Indiana Regional officer of PTK Honor Society I have Regional Hallmark Awards to draft and submit around the end of the year. Furthermore, I have a nursing project due next week and a nursing final exam in two weeks for which I need to continue studying. Many students and professors are busy preparing for final exams and many residents are planning travel for Thanksgiving and Christmas, given travel plans and holiday commitments as well as school/college and work responsibilities, I don't foresee residents having a meaningful opportunity to participate and engage in the discussion process given the current timeline." Changes: Paragraph 1: "...which is currently under review by the ~~Indiana Department of Environmental Management (IDEM)~~ **IDEM**. Paragraph 2: "~~Given the complexity and community impact of this 165 page proposal, as well as the approaching holiday season, additional~~ **Additional** time is needed...." Paragraph 3: "~~Phoenix Investors' 60-day window to determine overall compliance with IDEM overlaps with the current public comment period. We are concerned that this timing could create a misalignment of~~

Last Name	First Name	Date Comment Submitted	Environmental Job/Title (if included)	Additional Statements and/or changes* to the above Comment 2 by the Commenter
Goldsberry	Julie	11/26/2025	-	-
Naughton	Teresa	11/26/2025	-	-
Kovalcik	Judy	11/27/2025	-	-
FoxKay	Kammi	11/28/2025	-	-

*Deleted language is shown as ~~strikeouts~~ and new language is **bolded**.

IDEM Response to Comment 2:

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

(1) IDEM Response to General Statement 1 – Public Participation and Permitting Process
(2) IDEM Response to General Statement 2 – Request to Postpone/Reschedule Public Meeting and Extend the Public Comment Period
(3) IDEM Response to General Statement 3 – Impact to the Environment and Public Health/Wellbeing
(4) IDEM Response to General Statement 4 – Soil Contamination
(5) IDEM Response to General Statement 6 – Zoning

There are no changes made to the permit due to these comments.

Comment 3 and IDEM Responses

I am writing to strongly urge the Indiana Department of Environmental Management (IDEM) to deny the draft air permit, T091-49561-00195, for Lavender Fields Holdings LLC, a Google shell company, for its Project Maize data center at 402 Royal Road in Michigan City.

This permit would allow the facility to operate 70 diesel backup generators (66 diesel-fired emergency generators and 4 smaller generators), totaling 197 megawatts, the equivalent of a small power plant, and this is just for phase 1. This AI data center, located on a known brownfield already cited by IDEM for Trichloroethylene violations, is dangerously close to our neighborhoods, businesses, natural areas, and schools, including the CCC Head Start - Niemann Elementary School, which is less than a mile away. IDEM should not allow Lavender Fields Holdings LLC to game the system and operate these generators without pollution controls in a community already burdened by industrial air pollution.

IDEM's draft air permit allows for a staggering amount of unnecessary air pollution, a problem that could be in part solved by IDEM denying this permit and issuing a stricter one that better protects public health. In addition to concerns about air pollution from diesel exhaust carcinogens, the facility would be allowed to emit up to 2,100 tons of carbon dioxide each year, locking in 30 years of fossil fuel infrastructure. This permit would allow air pollution that could significantly harm our air quality, increasing smog and the risk of asthma attacks, raising healthcare costs, and posing a serious threat to our children, elders, and other vulnerable individuals.

As a brand-new facility being built in 2025, there is no excuse for one of the wealthiest corporations in the world to be using outdated, unfiltered diesel generators when cleaner, better options exist. By ignoring this modern technology, the applicant is exploiting regulatory loopholes and prioritizing profits over our community's health and well-being.

I ask that IDEM deny this permit and address the following demands:

1. Ensure a Transparent Process: Extend the public comment period by 60 days to provide the community adequate time to review and respond to this complex proposal.

2. Mandate Modern Pollution Controls: Require the use of the cleanest generator technology available to significantly reduce emissions, such as Tier 4 generators that can reduce harmful emissions by 90-95%. In the event of a significant emergency, the site would exceed its synthetic NOx limit in just 158 hours, far less than the 500 emergency hours permitted. IDEM must enforce stricter operating limits and require modern pollution control technology.

3. Require a Major Source Permit: Given the likelihood that this site would exceed NOx emissions in an emergency, mandate a Major Source Permit under the Prevention of Significant Deterioration Program to ensure that Best Available Control Technology is used, including pollution controls, and a public health analysis, an impacts analysis, and meaningful public involvement are required. The expansion of diesel generator use must be evaluated, as this site is in phase 1 of construction.

4. Require Cleaner Back-Up Power: Prohibit conventional diesel and require cleaner alternatives, such as large-scale battery storage and renewable energy. Any permit language allowing Hydro-treated Vegetable Oil (HVO) must be enforceable and require its exclusive use. Still, HVO alone is not a solution as it does not reduce key pollutants such as particulate matter.

5. Strengthen Enforcement and Oversight: Install permanent fenceline pollution monitors, conduct quarterly audits and analyses by third-party, independent experts, and make all generators' operational data easily accessible to the public.

This draft air permit is woefully inadequate and poses a clear threat to our air and our health. Demand better, and deny draft permit T091-49561-00195.

The above comment was submitted by the persons listed in the table below. If a person's comments varied from the above comment, the differences are shown in the last column of the table:

Last Name	First Name	Date Comment Submitted	Environmental Job/Title (if included)	Additional Statements and/or changes* to the above Comment 3 by the Commenter
P	Bryan	12/2/2025	-	-
Kp	Jamie	12/2/2025	-	-
P	Bryan	12/2/2025	-	-
Gomez	Cecilia	12/2/2025	-	-
Roman	Azucena	12/2/2025	-	-
Rojas	Bertha	12/2/2025	-	-
Seabolt	Sarah	12/2/2025	-	Additional Statement: "We should not add more emissions via industry!" Changes: Paragraph 1: "...operate these generators without pollution controls in a ~~community~~ **region** already burdened by industrial air pollution."
Magana	Sergio	12/2/2025	-	-
Rivera	Karla	12/2/2025	-	-

Last Name	First Name	Date Comment Submitted	Environmental Job/Title (if included)	Additional Statements and/or changes* to the above Comment 3 by the Commenter
Rush	Erin	12/2/2025	-	-
Roman	Efrain	12/2/2025	-	-
Hargrove	Barbara	12/2/2025	-	-
Leader	Evelyn	12/2/2025	-	Additional Statement: "I thought IDEM was supposed to protect the environment!"
Mark	Eileen	12/2/2025	-	-
Holm	Eria	12/2/2025	-	-
McCay	James	12/2/2025	-	-
Parnell	Sarah	12/3/2025	-	-
Waishwell	Isabella	12/3/2025	-	-
Lawrenz	April	12/3/2025	-	-
Ottersen	Thomas	12/3/2025	-	-
Hackett	Olivia	12/3/2025	-	-
Eck	Cheryl	12/3/2025	-	-
Shelton	Libby	12/3/2025	-	-
Nelson	Dee	12/3/2025	-	-
Baas	Ann	12/3/2025	-	-
Blumenshine	Joyce	12/3/2025	-	-
Ehn	Kimberly	12/3/2025	-	Additional Statement: "Let's not recreate the pollutes air of my childhood!"
Tuazon	Angie	12/3/2025	-	-
Miltenberger	Colleen	12/3/2025	-	-
Llewellyn	John	12/3/2025	-	-
Neary	Abigail	12/3/2025	-	-
Warneke	Melissa	12/3/2025	-	-
Hoppe	David	12/3/2025	-	-
McGrail	Corinne	12/3/2025	-	-
Hensley	Marian	12/3/2025	-	Additional Statement: "Pollution controls are necessary!" Changes: Paragraph 2: "...is dangerously close ~~to~~ ~~our~~ neighborhoods,...." Paragraph 3: "...and posing a serious threat to ~~our~~ children...."
Howell	Sharon Busick	12/3/2025	-	-
Beson	Baylie	12/3/2025	-	-
McDonald	Jane	12/3/2025	-	-
Marciniak	Claudia	12/3/2025	-	-
Smith	Julie	12/3/2025	-	-

Last Name	First Name	Date Comment Submitted	Environmental Job/Title (if included)	Additional Statements and/or changes* to the above Comment 3 by the Commenter
Smith	Darryl	12/3/2025	-	-
Romashko	Greg	12/3/2025	-	Changes: Paragraph 1: "~~I am writing to~~ **I** strongly urge...." Paragraph 4: "~~As a brand-new facility being built in~~ **It is** 2025, there is no excuse for one of the wealthiest corporations in the world to be using outdated, unfiltered diesel generators when cleaner, better options exist **for their brand-new facility**."
Smith	Julie-Samantha	12/3/2025	-	-
Smith	River	12/3/2025	-	-
Smith	Noah	12/3/2025	-	-
Scoville	Glenn	12/3/2025	-	-
Bruce-Whitaker	Lucy	12/3/2025	-	-
Grote	Mary	12/3/2025	-	-
Sherman	Katie	12/3/2025	-	-
Koehler	Jeffrey	12/3/2025	-	-
Gutierrez	Olimpia	12/3/2025	-	-
Losinski	Amy	12/3/2025	-	-
Blewett	Juliana	12/3/2025	-	-
Hargrove	Barbara	12/3/2025	JTNWI	-
Kosanovich	Milosh	12/3/2025	-	-
Lawrenz	Rachel	12/3/2025	-	-
Hicks	Joyce	12/3/2025	-	-
Dunn	Sharon	12/3/2025	-	-
Miller	Celene	12/3/2025	-	-
Harden	Stephanie	12/4/2025	-	-
Kieper	Kerry	12/4/2025	-	-
Moore	Willa	12/4/2025	-	-
Walter	Nancy	12/4/2025	-	-
Thacker	Carla	12/4/2025	-	-
Hamman	Kelly	12/4/2025	-	-
Tomlins	Sean	12/4/2025	-	-
Fekete	Jillien	12/4/2025	-	Additional Statement: "Have you considered the proximity to a school?"
Allen	Kayla	12/4/2025	-	-
Daehler	Marcia	12/4/2025	-	-
Steinberg	Meir	12/4/2025	-	-

Last Name	First Name	Date Comment Submitted	Environmental Job/Title (if included)	Additional Statements and/or changes* to the above Comment 3 by the Commenter
Houston	Gregory	12/5/2025	-	-
Chapman	Cheryl	12/5/2025	-	Additional Statements: "I spoke with a Michigan City City Council member about this, and he said, "Well, it won't be any worse than the amount of diesel truck pollution between here and South Bend. Well, if those poor neighbors wanted to breathe in diesel fuel, they would have bought a house on the highway!" "If Michigan City is going to be the guinea pig for building a data center in a neighborhood, we need to have THE most cutting edge technology!" "I totally agree with all of the "asks" below:" Changes: Paragraph 2: ~~This permit would allow the facility to operate 70 diesel backup generators (66 diesel-fired emergency generators and 4 smaller generators), totaling 197 megawatts, the equivalent of a small power plant, and this is just for phase 1.~~ "...including the ~~CCC~~ **La Porte County Paladin** Head Start - Niemann Elementary School **(where I volunteer), and the Michigan City Area Schools' Alternative School for elementary students in the same building**.... ~~IDEM should not allow Lavender Fields Holdings LLC to game the system and operate these generators without pollution controls in a community already burdened by industrial air pollution.~~ **And the Data Center borders on the Kreuger Middle School land as well!**" Paragraph 3: ~~In addition to concerns about air pollution from diesel exhaust carcinogens, the facility would be allowed to emit up to 2,100 tons of carbon dioxide each year, locking in 30 years of fossil fuel infrastructure.~~
Perrin	Catherine	12/5/2025	-	Changes: List Item 1: ~~Ensure a Transparent Process:~~ **People need to know what is going on.**
Bowman	John	12/6/2025	-	-

Last Name	First Name	Date Comment Submitted	Environmental Job/Title (if included)	Additional Statements and/or changes* to the above Comment 3 by the Commenter
Connors-Cates	Lorraine	12/6/2025	-	-
Reyna-Jr.	Robert	12/6/2025	-	-
Radford	Jan	12/7/2025	-	-
Mendoza	Judy	12/7/2025	-	-
Aponte	Lucas	12/8/2025	-	Additional Statement: "Help keep our air clean and create a better future."
Garrett	Kristen	12/8/2025	-	-
Littell	Julie	12/8/2025	-	-
Burdett	Sharon	12/8/2025	-	-
Stoops	Rebecca	12/8/2025	-	Additional Statement: "I am a lifelong Hoosier, concerned about my family's lungs." Changes: Paragraph 1: "I am writing to ~~strongly~~ urge...."
Rudderham	Jennifer	12/8/2025	-	-
Dagley	Joyce	12/8/2025	-	-
Fosberg	Lora	12/8/2025	-	-
Murray	Bridgette	12/8/2025	-	Additional Statement: "NW Indiana is already awash in air pollution!"
Kuzio	Vicki	12/8/2025	-	-
Mandel	Miranda	12/8/2025	-	Additional Statement: "As a property owner in Michigan City,"
Webb	Leslie	12/8/2025	-	Changes: Paragraph 1: "~~I am~~ **I'm** writing to..." Paragraph 2: ~~This permit would allow the facility to operate 70 diesel backup generators (66 diesel-fired emergency generators and 4 smaller generators), totaling 197 megawatts, the equivalent of a small power plant, and this is just for phase 1.~~ "...is dangerously close to ~~our~~ neighborhoods..." ~~IDEM should not allow Lavender Fields Holdings LLC to game the system and operate these generators without pollution controls in a community already burdened by industrial air pollution.~~ Paragraph 3: ~~IDEM's draft air permit allows for a staggering amount~~ **This permit seeks to operate 70 diesel backup generators (66 diesel-fired**

Last Name	First Name	Date Comment Submitted	Environmental Job/Title (if included)	Additional Statements and/or changes* to the above Comment 3 by the Commenter
				emergency generators and 4 smaller generators), totaling 197 megawatts, the equivalent of ~~unnecessary air~~ **a small power plant. IDEM should not allow "Lavender Fields" to game the system and operate diesel generators without** pollution~~, a problem that could be~~ **controls** in ~~part solved~~ **a community already burdened** by ~~IDEM denying this permit and issuing a stricter one that better protects public health. In addition to concerns about~~ **industrial** air pollution**.** ~~from diesel exhaust carcinogens, the facility would be allowed to emit up to 2,100 tons of carbon dioxide each year, locking in 30 years of fossil fuel infrastructure.~~ Paragraph 4: "...could significantly harm ~~our~~ air quality..." "...posing a serious threat to ~~our~~ children..." "...prioritizing profits over ~~our~~ **the** community's health..." Final Paragraph: "...poses a clear threat to ~~our~~ **clean** air and ~~our~~ health."
McNulty	Cavin	12/8/2025	-	-
Block	David	12/8/2025	-	-
Kenning	Susan	12/8/2025	-	Changes: Paragraph 3: "...posing a ~~serious threat~~ **SERIOUS THREAT** to our children..." Paragraph 4: "...to be using ~~outdated, unfiltered~~ **OUTDATED, UNFILTERED** diesel generators..." Final Paragraph: "~~This draft air permit is woefully inadequate and poses a clear threat to our air and our health. Demand better, and deny draft permit T091-49561-00195.~~ **The air we breathe in Northwest Indiana is already pretty bad- please don't make it worse. No dirty diesel permit for the AI data center in Michigan City!**"
Charpentier	Erin	12/8/2025	-	-
Keenan	Karen	12/8/2025	-	-

Last Name	First Name	Date Comment Submitted	Environmental Job/Title (if included)	Additional Statements and/or changes* to the above Comment 3 by the Commenter
FoxKay	Kammi	12/8/2025	-	-
Knox	John	12/8/2025	-	-
Holman	Pamela M	12/8/2025	-	Additional Statement: "NO POLLUTERS ALLOWED!!"
Ploof	John	12/8/2025	-	Changes: Paragraph 1: "~~I am writing to~~ **I** strongly urge..."
Tidwell	Marion	12/8/2025	-	-
Keith	Erin	12/8/2025	-	-
Jahnel	Nancy	12/8/2025	-	-
Moore	Stephanie	12/8/2025	-	-
Mendoza	Judy	12/8/2025	-	-
Hicks	Joyce	12/8/2025	-	-
Zak	Cindy	12/8/2025	-	-
Anderson	Mark	12/8/2025	-	-
Moon	Doug	12/8/2025	-	-
Lewis	Anthony	12/9/2025	-	-
Russell-Jayne	Bruce	12/9/2025	-	-
Swistek	Barbara	12/9/2025	-	-
Briggs	Don	12/9/2025	-	Changes: Paragraph 1: "~~I am writing to~~ **I** strongly urge...: Paragraph 5: "I ~~ask~~ **insist** that IDEM..."
Fichtner	Louise	12/9/2025	-	Additional Statement: "I am a nearby resident who enjoys an active outdoors lifestyle." Changes: Final Paragraph: "~~Demand better, and deny~~ **Deny** draft permit..."
Peterson	Ava	12/9/2025	-	-
Yost	Kevin	12/9/2025	-	Additional Statement: "THERE IS NO JUSTIFICATION FOR ALLOWING EMISSIONS GREATER THAN WHAT CAN BE ACCOMPLISHED IN AN AUTOMOBILE." Changes: Paragraph 1: "~~I am writing to strongly urge the~~ **The** Indiana Department of Environmental Management (IDEM) **needs** to deny..." Paragraph 2: "~~This~~ **The** permit ~~would allow the facility to operate~~ **allows operation**

Last Name	First Name	Date Comment Submitted	Environmental Job/Title (if included)	Additional Statements and/or changes* to the above Comment 3 by the Commenter
				of..." "...totaling 197 ~~megawatts~~ **MW**, ~~the~~ equivalent ~~of~~ **to** a small power plant, ~~and this is~~ **in** just ~~for~~ phase 1." "Niemann Elementary School, ~~which is~~ less than a mile away." Paragraph 3: "...2,100 tons of **PLANET WARMING** carbon dioxide..."
Proffitt	Susan	12/9/2025	-	-
Sieb	Angeline	12/9/2025	-	-
Thomas	Janet	12/9/2025	-	-
Andresen	Bryana	12/9/2025	-	-
Mahoney	Erin	12/9/2025	-	-
Ransom	Susan	12/9/2025	-	-
Peller	Julie	12/9/2025	-	Additional Statement: "The state agency should be considering the amount of pollution emitted by a massively wealthy company that does not care about the local community and interested only in monetary profits and focusing on the effects on the local communities." Changes: Paragraph 2: ~~This AI data center, located on a known brownfield already cited by IDEM for Trichloroethylene violations, is dangerously close to our neighborhoods, businesses, natural areas, and schools, including the CCC Head Start - Niemann Elementary School, which is less than a mile away. IDEM should not allow Lavender Fields Holdings LLC to game the system and operate these generators without pollution controls in a community already burdened by industrial air pollution.~~ Paragraph 3: ~~IDEM's draft air permit allows for a staggering amount of unnecessary air pollution, a problem~~ **I ask** that ~~could be in part solved by~~ IDEM ~~denying this permit~~ **recognize the current energy technologies** and ~~issuing a stricter one that better protects public health. In addition~~ **require these wealthy companies** to ~~concerns about air pollution from diesel exhaust carcinogens, the~~

Last Name	First Name	Date Comment Submitted	Environmental Job/Title (if included)	Additional Statements and/or changes* to the above Comment 3 by the Commenter
				~~facility would be allowed to emit up to 2,100 tons of carbon dioxide each year, locking in 30 years of~~ **invest in clean energies, not polluting** fossil fuel**s** ~~infrastructure~~. This permit would allow air pollution that could significantly harm ~~our~~ **local** air quality, increasing smog and the risk of asthma attacks, raising healthcare costs, and posing a serious threat to ~~our~~ children, elders, and other vulnerable individuals. Paragraph 4: ~~As a brand-new facility being built in 2025, there is no excuse for one of the wealthiest corporations in the world to be using outdated, unfiltered diesel generators when cleaner, better options exist. By ignoring this~~ **By ignoring** modern technology, the applicant is exploiting regulatory loopholes and prioritizing profits over our community's health and well-being. List Item 2: ~~In the event of a significant emergency, the site would exceed its synthetic NOx limit in just 158 hours, far less than the 500 emergency hours permitted. IDEM must enforce stricter operating limits and require modern pollution control technology.~~
Spiess	Marissa	12/9/2025	-	Additional comment: "SAME ON YOU FOR PRIORITIZING CORPORATE GREED OVER PUBLIC HEALTH"
Saxton	Spencer	12/9/2025	-	-
Carter	Dillon	12/9/2025	-	-
Patterson	Cynthia	12/9/2025	-	-
Corr	Samantha	12/10/2025	-	-
Lopez	Kymberly	12/10/2025	-	-
Fosberg	Lora	12/10/2025	-	-
Coleman Jr.	Edward	12/10/2025	-	-
Morrison	Jennifer	12/11/2025	-	-
Carroll	Emily	12/11/2025	-	-
Peiffer	Melissa	12/12/2025	-	-
Robertson	Todd	12/12/2025	-	-
Nelson	Dee	12/12/2025	-	-
Joy	Dawn	12/12/2025	-	-
Baum	James	12/12/2025	-	-

Last Name	First Name	Date Comment Submitted	Environmental Job/Title (if included)	Additional Statements and/or changes* to the above Comment 3 by the Commenter
Eck	Cheryl	12/12/2025	-	-
Schavey	Aaron	12/12/2025	-	-
Baum	James	12/12/2025	-	-
Sikora	Elizabeth	12/12/2025	-	-
Evans	Jennifer	12/12/2025	-	-
Anton	Emily	12/12/2025	-	-
Deaner	Amanda	12/12/2025	-	Additional Statement: "The people of this area deserve better."
Palus	Katie	12/12/2025	-	-
Schooley	Joselyn	12/13/2025	-	-
Schooley	Joselyn	12/13/2025	-	-
Harmon	Angelica	12/13/2025	-	-
Lemons	Chad	12/13/2025	-	-
Bradford	McKenna	12/13/2025	-	-
Gottschalk	Stephanie	12/13/2025	-	Additional Statement: "MY KIDS DONT WANT THIS DATA CENTER IN THEIR TOWN"
Retseck	Gabriella	12/13/2025	-	-
Bowman	Amy	12/13/2025	-	Additional Statement: "We simply don't support this project!"
Whitley	Kasey	12/13/2025	-	-
Cristofano	Stephen	12/13/2025	-	-
Aguillon	Juan	12/13/2025	-	-
Litke	Jamie	12/13/2025	-	-
Pedzinski	Greg	12/13/2025	-	-
Mentado	Thamar	12/13/2025	-	Changes: Paragraph 1: "I am ~~writing to strongly urge~~ **urging**..."
Kp	Jamie	12/13/2025	-	Additional Statement: "Please listen to the people who live here!"
P	Bryan	12/13/2025	-	Additional Statement: "Please listen to what the citizens want!"
Rucker	Nicole	12/13/2025	-	-
Schooley	Angela	12/13/2025	-	-
Ward	Zachary	12/13/2025	-	-
Logue	Anne	12/13/2025	-	-
Schooley	Julianna	12/13/2025	-	Additional Statement: "Stop playing with your citizens' lives!"
Smith	Kristina	12/13/2025	-	-
D	Cat	12/13/2025	-	-
Carr	Sarah	12/13/2025	-	-
Hare	Cathie J	12/13/2025	-	Additional Statement: "No Data Centers here period in white County"

Last Name	First Name	Date Comment Submitted	Environmental Job/Title (if included)	Additional Statements and/or changes* to the above Comment 3 by the Commenter
Kolesar	William	12/13/2025	-	-
Jewell	Ronald	12/13/2025	-	-
Miller	Beth	12/13/2025	-	-
Savage	Carter	12/13/2025	-	-
German	Gabrielle	12/13/2025	-	-
Houldieson	Scott	12/13/2025	-	-
Painter	Sarah	12/13/2025	-	-
Blake	Miranda	12/14/2025	-	-
West	Annie	12/14/2025	-	-
Flynn	Katherine	12/14/2025	-	-
Lammon	Holiday	12/14/2025	-	-
Douglass	Katherine	12/14/2025	-	-
Childers	Tony	12/14/2025	-	-
Stephany	Pamela	12/14/2025	-	-
Garcia	Jazmine	12/14/2025	-	-
Nielsen	Lindsay	12/14/2025	-	-
Beatty	Destiny	12/14/2025	-	-
Tharpe	Dale	12/14/2025	-	-
Murray	Sarah	12/14/2025	-	-
Cooney	Sebastian	12/14/2025	-	-
Curtin	Colleen	12/14/2025	-	-
Bologna	James A	12/14/2025	-	-
Murray	Katie	12/14/2025	-	Additional Statement: "DO NOT let the interests of Lavender Fields Holdings LLC put our children and community at risk!" Changes: Paragraph 2: "~~This~~ **I do not agree with the** permit **that** would..." ~~IDEM should not allow Lavender Fields Holdings LLC to game the system and operate these generators without pollution controls in a community already burdened by industrial air pollution.~~ List Item 1: **The public has every right** to ~~provide the community adequate time to review and respond to this complex proposal~~ **make their opinions heard**. List Item 2: ~~to significantly reduce emissions, such as Tier 4 generators that can reduce harmful emissions by 90-95%. In the event of a significant emergency,~~

Last Name	First Name	Date Comment Submitted	Environmental Job/Title (if included)	Additional Statements and/or changes* to the above Comment 3 by the Commenter
				~~the site would exceed its synthetic NOx limit in just 158 hours, far less than the 500 emergency hours permitted.~~ Final Paragraph: ~~This draft air permit is woefully inadequate and poses a clear threat to our air and our health.~~
Fazekas	Susan	12/14/2025	-	-
Gardner	Katherine	12/14/2025	-	-
Gardnerr	Katherine	12/14/2025	-	-
Patz	Rebecca	12/15/2025	-	-
Lefeber	Jim	12/15/2025	-	-
Boyd	Lori	12/15/2025	-	-
Firanek	Alicia	12/15/2025	-	Additional Statement: "I also believe it negligent & reprehensible, to not factor adequately: data and info IDEM holds and is responsible for. ny accepted &/or applied for permits that contribute to the same air space." Changes: Paragraph 1: "I am writing to strongly urge ~~the Indiana Department of Environmental Management~~ (IDEM) ~~to deny the~~ **denial**: draft air permit, T091-49561-00195, for Lavender Fields Holdings LLC, ~~a Google shell company,~~..." Paragraph 2: "~~This permit~~ **Permit** would allow ~~the~~ facility to ... totaling 197 megawatts, ~~the~~ equivalent of a small power plant~~, and this~~. **This** is just ~~for~~ phase 1. ...violations~~, is~~. **Is** dangerously close ... Niemann Elementary School, ~~which is less than~~ **some homes** a ~~mile~~ mere **20ft** away. IDEM ~~should~~, do not allow Lavender Fields Holdings LLC to ~~game the system and~~ operate these generators ~~without~~ **w/o** pollution controls in a community already burdened by industrial air pollution." Final Paragraph: "This draft air permit is ~~woefully inadequate and poses~~ a clear threat to our air and our health. ~~Demand better, and deny~~ **Deny** draft permit T091-49561-00195."
Jacobs	Laura	12/15/2025	-	Additional Statement: "This is a huge concern environmentally."
Brooks	Paula	12/15/2025	Hoosier	-

Last Name	First Name	Date Comment Submitted	Environmental Job/Title (if included)	Additional Statements and/or changes* to the above Comment 3 by the Commenter
			Environmental Council	
Gross	Thomas	12/15/2025	-	-
Barrier	Donavan	12/15/2025	-	-
Podkul	Kathy	12/15/2025	-	-
Vallee	Lisa	12/15/2025	-	-
Halon	Joelle	12/15/2025	-	-
Mark	Guendolen	12/15/2025	-	-
Stedge	Natalie	12/15/2025	-	-
Mason	Cassie	12/15/2025	-	-

*Deleted language is shown as ~~strikeouts~~ and new language is **bolded**.

IDEM Response to Comment 3:

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

(1) IDEM Response to General Statement 2 – Request to Postpone/Reschedule Public Meeting and Extend the Public Comment Period
(2) IDEM Response to General Statement 3 – Impact to the Environment and Public Health/Wellbeing
(3) IDEM Response to General Statement 5 – Denial of the Permit
(4) IDEM Response to General Statement 6 – Zoning

Diesel Particulate Filters

The generators being constructed at the Lavender Fields Holdings LLC site are equipped with built-in diesel particulate filters. IDEM OAQ does not consider the built-in diesel particulate filters as "add-on controls", since the engines come equipped with a diesel particulate filters directly from the manufacturer and the engines were certified to meet the federal (NSPS) emission standards with the use of the filters. Therefore, IDEM OAQ used the term "uncontrolled" in the generator emission unit descriptions to refer to the lack of additional control methods added after the engines achieved certification. Based on the information submitted by the source, they are able to meet the limitations established in the permit without add-on controls. IDEM, OAQ does not have the authority to require a source to include add-on controls if they are not required to meet the applicable state and federal rules.

IDEM does not have the authority to require a specific type of unit be constructed at the source.

PSD Minor Source

Lavender Fields opted to accept a limit of 245 tons per year for NOx and CO, each, in order to render the requirements of 326 IAC 2-2 (Prevention of Significant Deterioration (PSD)) not applicable and to be a PSD Minor source. Since this source is not a PSD Major source, a PSD Best Available Control Technology (BACT) evaluation and ambient air modeling is not required.

Alternative Fuels or Processes

IDEM, OAQ has no authority to regulate what technology or process a company proposes to construct and operate. IDEM, OAQ has no authority to mandate the type of energy a source should use, such as diesel fuel versus hydrogen fuel cells, solar, or wind power. IDEM's authority is to evaluate the proposed project and to assure the proposed permit contains all health-based and technology-based standards established by the U.S. EPA and the Indiana Environmental Rules Board (ERB).

Hours of Operation

The proposed permit for Lavender Fields Holdings LLC does not state that the emergency generators are allowed to operate unlimited for 500 hours per year. The permit specifies both a NOx and a CO limit of 245 tons per 12 consecutive month period. This means the generators may only operate up until they have hit this limit. This limit includes all operational hours, including maintenance, readiness checks, and operation under emergency conditions.

The potential to emit (PTE) calculations use 500 hours of operation per year to determine the unlimited PTE for emergency units. The unlimited PTE is used to determine the required permit level and what limits are required to in order to render the requirements of 326 IAC 2-2 (Prevention of Significant Deterioration (PSD)) not applicable. The D and E sections of the permit specify the enforceable limits that apply to the source. Lavender Fields Holdings LLC's generators must comply with the requirements specified under 40 CFR 63.6640(f) in order to be considered an emergency unit and to calculate the unlimited PTE using 500 hours of operation per year. The information provided by the applicant in its air permit application indicates that the Permittee is able to comply with these requirements.

Compliance Inspections

IDEM, OAQ and U.S. EPA inspections are generally unannounced inspections. IDEM, OAQ inspects major sources like the proposed Lavender Fields Holdings LLC source on an annual basis, consistent with EPA's Clean Air Act Stationary Source Compliance Monitoring Strategy. IDEM, OAQ may make additional inspections on a case-by-case basis based on a number of factors including public complaints received. During an inspection, the IDEM, OAQ inspector will perform a records review, review operations and maintenance (O&M) plans, operation maintenance and monitoring (OMM) plans, preventative maintenance plans (PMPs), operating logs, inspect and review compliance monitoring, and inspect the facility operations and process parameters 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, allow IDEM, OAQ to determine if Lavender Fields Holdings LLC is in continuous compliance with all air permit terms and conditions. If it is determined that the source has violated a permit term or condition, IDEM, OAQ will take appropriate action to bring the 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 the source back into compliance with applicable permit conditions, state rules, and federal regulations. Violations are addressed consistent with Indiana Code 13-30, IDEM's Compliance and Enforcement Response Policy (https://www.in.gov/idem/files/nrpd_mp-005.pdf) and EPA's Enforcement Response Policy for High Priority Violations of the

Clean Air Act, 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.

Submitting Complaints

IDEM, OAQ encourages citizens to contact IDEM, OAQ 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 the source back into compliance with applicable permit conditions and state and federal rules and regulations.

If a commenter or citizen has 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/).

The current air compliance inspector for each county in Indiana can be found at the following website:
https://www.in.gov/idem/aircompliance/files/contact_compliance_staff.pdf.

There are no changes made to the permit due to these comments.

Mayor Angie Nelson Deuitch Comments and IDEM Responses

On November 24, 2025, Michigan City Mayor Angie Nelson Deuitch emailed the following comments to IDEM, OAQ regarding the draft New Source Construction and Part 70 Operating Permit:

The public comment period for the proposed New Source Construction and Part 70 Operating Permit for Lavender Fields Holdings LLC, Permit No. T091-49561-00195.

Given the number of outstanding questions and the significant public interest in this project, additional time is necessary to ensure that residents, local officials, and community stakeholders have a meaningful opportunity to review the permit materials and provide informed comments.

Furthermore, I request that IDEM reschedule the upcoming public meeting, currently set for December 9, 2025, and instead hold both a public meeting and a formal public hearing after January 4, 2026. Hosting these events outside the holiday season (November 27–January 1) and before the conclusion of an extended comment period would allow for broader participation, improved transparency, and more robust dialogue between IDEM and the Michigan City and LaPorte County communities most affected by the proposed project.

Ensuring that residents have equitable access to information and the opportunity to participate fully in this process is essential. I appreciate IDEM's consideration of this request and look forward to continued collaboration in the interest of public health, environmental stewardship, and community engagement.

Please let me know if additional information is needed.

IDEM Response to Mayor Angie Nelson Deuitch Comments:

On November 26, 2025, IDEM, OAQ, Assistant Commissioner Matt Stuckey responded by email to Mayor Angie Nelson Deuitch's request to extend the public comment period with the following:

> Thank you for your request to postpone the IDEM public meeting scheduled for December 9, 2025, for the Lavender Fields Holding LLC permit (091-49561-00195). IDEM will not be granting this request. The December 9th public meeting is being held consistent with state and federal requirements. IDEM will accept comments in written form. We have made necessary arrangements to hold this meeting on that date and posted the meeting information so that interested parties can make arrangements to attend.
>
> IDEM is not extending the comment period, which ends on December 15, 2025. IDEM is required to provide for a review period of no less than 30 days, which we have already extended to accommodate the public meeting. IDEM receives several hundred permit applications each year. IDEM is obligated to issue a permit provided the applicant can demonstrate that construction and operation of the proposed facility will meet all applicable state and federal regulations. In addition, IDEM is required to process an application within prescribed regulatory timeframes. IDEM has completed its initial review of the permit application and drafted a permit that we believe satisfies all the regulatory requirements for this proposed facility. This permit was made available for review on November 13th, and IDEM will hold a public meeting where we will discuss the draft permit and answer questions related to this pending action. Under Title V of the federal Clean Air Act, U.S. EPA also has a 45-day review period for this permit. While we understand you are concerned about the timing of this action, IDEM is still obligated to complete its work regardless of the time of year.
>
> The documents posted along with the draft permit explain how the public may participate in the permit review process and specify how the public can provide comments on the draft permit. We will review all written comments received during the comment period and provide responses to all comments received as part of the public record.

There are no changes made to the permit due to these comments.

Senator Rodney Pol Jr. Comments and IDEM Responses

On November 24, 2025, District 4 Indiana Senator Rodney Pol Jr. emailed the following comments to IDEM, OAQ regarding the draft New Source Construction and Part 70 Operating Permit:

> I have the honor of serving Senate District 4, which includes Michigan City, in the Indiana Senate. I am writing today on behalf of my constituents to respectfully request a 60-day extension of the public comment period regarding the proposed New Source Construction and Part 70 Operating Permit for Lavender Fields Holdings LLC. No.: T091-49561-00195.
>
> Given the monumental community impact of this project, the complexity of the 165-page proposal, and the approaching holiday season, it is reasonable for IDEM to allow additional time for the comment period. Extending the comment period 60 days would ensure more public participation and allow IDEM to more fully understand the communities' thoughts and concerns with this project.
>
> Additionally, I would like to request IDEM hold a public meeting and hearing in Michigan City, ideally in late January 2026, on this project. Constituents deserve the opportunity to speak with IDEM officials about how this data center would affect their quality of life, their homes, and their

community. This hearing should occur after the holiday period has ended to allow maximum constituent participation.

Thank you for your time and consideration of this request. Please advise whether IDEM will grant the requested 60-day extension to the public comment period and additional public hearing.

IDEM Response to Senator Rodney Pol Jr. Comments:

On November 26, 2025, IDEM, OAQ, Assistant Commissioner Matt Stuckey responded by email to Senator Rodney Pol Jr.'s request to extend the public comment period with the following:

> Please thank the Senator for his request to postpone the IDEM public meeting scheduled for December 9, 2025 for the Lavender Fields Holding LLC permit (091-49561-00195). IDEM will not be granting this request. The December 9th public meeting is being held consistent with state and federal requirements. IDEM will accept comments in written form. We have made necessary arrangements to hold this meeting on that date and posted the meeting information so that interested parties can make arrangements to attend.
>
> IDEM is not extending the comment period, which ends on December 15, 2025. IDEM is required to provide for a review period of no less than 30 days, which we have already extended to accommodate the public meeting. IDEM receives several hundred permit applications each year. IDEM is obligated to issue a permit provided the applicant can demonstrate that construction and operation of the proposed facility will meet all applicable state and federal regulations. In addition, IDEM is required to process an application within prescribed regulatory timeframes. IDEM has completed its initial review of the permit application and drafted a permit that we believe satisfies all the regulatory requirements for this proposed facility. This permit was made available for review on November 13th, and IDEM will hold a public meeting where we will discuss the draft permit and answer questions related to this pending action. Under Title V of the federal Clean Air Act, U.S. EPA also has a 45-day review period for this permit. While we understand you are concerned about the timing of this action, IDEM is still obligated to complete its work regardless of the time of year.
>
> The documents posted along with the draft permit explain how the public may participate in the permit review process and specify how the public can provide comments on the draft permit. We will review all written comments received during the comment period and provide responses to all comments received as part of the public record.

There are no changes made to the permit due to these comments.

Representative Randy Novak Comments and IDEM Responses

On November 25, 2025, District 9 Indiana Representative Randy Novak emailed the following comments to IDEM, OAQ regarding the draft New Source Construction and Part 70 Operating Permit:

> On behalf of my constituents in House District 9 I am writing to respectfully request a 60-day extension of the public comment period regarding the New Source Construction and Part 70 Operating Permit for Lavender Fields Holdings LLC. No.: T091-49561-00195, currently scheduled to end on December 15th, 2025.
>
> The local community has the right to be informed and make their voice heard about a project of this scope and I believe it is a reasonable request for IDEM to extend the comment period given the approaching holiday season and the scale of this proposal. An extension will allow for my

local community to fully participate and for IDEM to have a firm grasp of any concerns brought forward.

I would also echo my colleague, Senator Rodney Pol's, request that IDEM hold an additional public meeting and hearing in Michigan City. Holding such a meeting in late January 2026 will allow for further opportunities for concerns and questions to be raised by the public. As we continue forging the pathways for new technology it is imperative to listen to our communities and answer their questions honestly and thoughtfully.

Thank you for your time and consideration of this request. Please advise whether IDEM will grant the 60-day extension of the public comment period and additional public hearing. If you have any questions, please do not hesitate to reach out to my office at 317-234-9047.

IDEM Response to Representative Randy Novak Comments:

On December 2, 2025, IDEM, Deputy Legislative Director Alexander Goodnight responded by email to Representative Randy Novak's request to extend the public comment period with the following:

Representative Novak,

Thank you for your inquiry regarding the Lavender Fields Holding LLC permit (091-49561-00195). The December 9th public meeting is being held consistent with state and federal requirements. IDEM will accept comments in written form and made the necessary arrangements to hold this meeting on that date. IDEM posted the meeting information so that interested parties can make arrangements to attend.
IDEM is not extending the comment period, which ends on December 15, 2025. IDEM is required to provide for a review period of no less than 30 days, which was extended to accommodate the public meeting. IDEM receives several hundred permit applications each year. IDEM is obligated to issue a permit provided the applicant can demonstrate that construction and operation of the proposed facility will meet all applicable state and federal regulations. In addition, IDEM is required to process an application within prescribed regulatory timeframes.
IDEM has completed its initial review of the permit application and drafted a permit that the agency believes satisfies all the regulatory requirements for this proposed facility. This permit was made available for review on November 13th, and IDEM will hold a public meeting where the agency will discuss the draft permit and answer questions related to this pending action. Under Title V of the federal Clean Air Act, U.S. EPA also has a 45-day review period for this permit. While we understand you are concerned about the timing of this action, IDEM is still obligated to complete its work regardless of the time of year.

The documents posted along with the draft permit explain how the public may participate in the permit review process and specify how the public can provide comments on the draft permit. IDEM will review all written comments received during the comment period and provide responses to all comments received as part of the public record.

There are no changes made to the permit due to these comments.

Ashley Williams Comments and IDEM Responses

(a) On November 25, 2025, Ashley Williams submitted comments to IDEM, OAQ on the draft New Source Construction and Part 70 Operating Permit:

Jenny, I left a message for you last week to discuss the public meeting and request for an extension and new public meeting and hearing after the holiday season with you, but have not received a call back.

Can you please respond to me, the citizens of Michigan City, and our state and local elected officials regarding our urgent request?

(b) On December 15, 2025, Ashley Williams submitted comments to IDEM, OAQ on the draft New Source Construction and Part 70 Operating Permit:

Just Transition Northwest Indiana (JTNWI)'s comments represent our interpretation at this time. We have identified the following to raise caution and additional due diligence from IDEM in this and related areas. Phoenix Investors appears to have commenced construction at 402 Royal Road in August 2024, after purchasing the property in December 2022. The IDEM RCRA report identified the brownfield history of the site and chemical contagion in the soil, namely TCE. IDEM proposed "no further action for all of the identified SWMUs and AOCs," despite their 2025 violation findings. In November 2025, WSP documented oil excavation and transport operations documented in their Environmental correspondence (November 20, 2025). This would have occurred prior to submitting an air construction permit application to IDEM on August 22, 2025.

Our understanding of Rule 326 IAC 2-5.1 - Construction of New Sources is that it prohibits construction of sources requiring permits until IDEM issues the permit. This activity appears to meet the threshold of a violation. ""(11) Begin actual construction means, in general, initiation of physical on-site construction activities on an emissions unit which are of a permanent nature. Such activities include, but are not limited to, installation of building supports and foundations, laying underground pipework and construction of permanent storage structures. With respect to a change in method of operations, this term refers to those on-site activities other than preparatory activities which mark the initiation of the change." https://protect.checkpoint.com/v2/r01/___https://www.law.cornell.edu/cfr/text/40/52.21___.YzJ1OnN0YXRlb2ZpbmRpYW5hOmM6bzoxMTE2OGI5MDAxOGUxMmU0Njg2M2E4MGI1NWMwZTg3NDo3OmVjYWQ6MWNlMzZmYzVhZjRhNzdkNTAzOWU5YzUxYWUyYWE3ZmVmYmViYjM1NzMzY2IzMjRmNjg1YjIxYjU1NjNhODUyZjpwOlQ6Tg" The applicant's own documentation (Eurofins Chicago Lab Report, Table A-6: 2022 Screening Levels p. 12, and ALS Global Lab Report, Work Order HN2515840, November 6, 2025) appears to confirm soil excavation occurred in August 2025, a full month before permit application submittal. 40 CFR §52.21(c) establishes that "no owner or operator shall begin actual construction... without a permit." The simultaneous IDEM Violation Letter (October 9, 2025) for unlawful soil transport documents that construction activities continued after IDEM identified violations. This appears to demonstrate ongoing non-compliance during the permit review period.

Our understanding of EPA's "Compliance First," is "Compliance is the North Star," and "State Partner Coordination," for "aiming for consistency in compliance determinations and to strengthen capacity." In keeping with these federal directives, we encourage IDEM to reject this air permit as Phoenix Investors (on behalf of their affiliates) have construct major sources and related infrastructure without obtaining pre-construction authorizations.

Under EPA's "Compliance First" enforcement framework (2025), agencies are directed to deny permits to applicants with "demonstrated willingness to construct major sources before obtaining required pre-construction authorizations." Indiana's synthetic minor source threshold (100 tons NO_2 per 12-month rolling period) would have triggered pre-construction review requirements under 326 IAC 2-5.1-2 had Phoenix properly notified IDEM before construction. We hold that IDEM should reference 326 IAC 2-1.1-10 to deny the permit as the following have occurred: excavation before environmental assessment and compliance, ongoing construction during this violation period, and submission of the air permit in spite of these violations and ongoing matters. If this noncompliance is deemed allowable and the permit is to be granted, we encourage IDEM to first share with the public enhanced monitoring conditions such as permit suspension triggers for any further violations and real-time emissions tracking for the public.

(c) On December 15, 2025, Ashley Williams submitted comments to IDEM, OAQ on the draft New Source Construction and Part 70 Operating Permit:

Just Transition Northwest Indiana (JTNWI)'s comments represent our interpretation at this time. We have identified the following to raise caution and additional due diligence from IDEM in this and related areas.

The applicant's Appendix B emission calculations estimate volatile organic compound (VOC) emissions from belly fuel tanks at 0.06 tons per year based on AP-42 Chapter 7.1 methodology. However, the applicant concedes in Section 1.2.3 that "the size and throughput [for site entrance and fire pump fuel tanks] was assumed to be the same as for the Critical Generators" tanks at 5,373 gallons each with unknown throughput. We believe their calculation does not reflect actual operational parameters and is based upon general assumptions. We believe they are masking and distorting what their actual potential to emit levels are for VOCs. If they were to tailor their assumptions to Michigan City realities, we believe they would hit major status. We believe that calculation of PTE is best based upon realistic and local conditions and maximum operational capacity. Further, with HVO, they should similarly model it based upon worst case and maximum scenarios as these are more realistic. We request actual tank specifications for evaluation prior to permit issuance. This together provides a more realistic and compliance ready emissions profile.

(d) On December 15, 2025, Ashley Williams submitted comments to IDEM, OAQ on the draft New Source Construction and Part 70 Operating Permit:

Just Transition Northwest Indiana (JTNWI)'s comments represent our interpretation at this time. We have identified the following to raise caution and additional due diligence from IDEM in this and related areas.

The applicant's permit application does not include the modeling analysis required demonstrating compliance with National Ambient Air Quality Standards (NAAQS) for NO_2 and $PM_{2.5}$. The facility projects 555.34 tons per year of NO_2 emissions (Appendix B, unlimited potential-to-emit) and 21.69 tons per year of $PM_{2.5}$ (unlimited scenario). Indiana's 1-hour NO_2 NAAQS standard is 100 ppb, and the 24-hour $PM_{2.5}$ standard is 35 µg/m³. Michigan City is currently designated as attainment for all criteria pollutants, but a facility proposing 555 tons NO_2 annual emissions adjacent to populated areas requires ambient air quality impact modeling. Accurate and public dispersion models, as well as all assumptions benefit IDEM's process and public evaluation, especially on key factors such as facility-specific NO_2/$PM_{2.5}$ increments to maintain compliance with NAAQS baseline concentrations. 40 CFR §51.165 requires such modeling for any source with PTE exceeding 25 tons per year of pollutants such as VOCs, given that we believe this is a major source, and these emissions will challenge and worsen ozone attainment levels.

Additionally, the applicant's claim that "emergency generators will operate maximum 96 hours per year" (page 3) is contradicted by the permit condition allowing "unlimited 500 hours per year" under IDEM emergency engine guidance. If the facility experiences extended grid outages (weather events, infrastructure failures), emergency generators could operate 500 hours annually, increasing annual NO_2 from 98.85 tons (96-hour limit) to 514.64 tons (500-hour scenario). The applicant's PTE inventory uses 96-hour assumptions to stay under synthetic minor threshold (100 tons), but operational reality may exceed these limits. If IDEM moves forward, they should at minimum require ambient air quality modeling using 500-hour worst-case scenario to verify NAAQS compliance, or reduce the permit's hour-per-year limit to 96 hours maximum with monthly IDEM reporting and automatic shutdown if limits are exceeded. Provision of plans for public review from the permittee should be required before any approval.

(e) On December 15, 2025, Ashley Williams submitted comments to IDEM, OAQ on the draft New Source Construction and Part 70 Operating Permit:

Just Transition Northwest Indiana (JTNWI)'s comments represent our interpretation at this time. We have identified the following to raise caution and additional due diligence from IDEM in this and related areas.

The Trump Administration's "Compliance First" enforcement policy, formally announced by EPA Administrator Lee Zeldin (January 2025) and codified in recent EPA guidance (https://protect.checkpoint.com/v2/r01/___https://natlawreview.com/article/compliance-first-epas-new-enforcement-playbook-made-public?amp___.YzJ1OnN0YXRlb2ZpbmRpYW5hOmM6bzplZmU1MjMxMzcwY2I1ZmZmYWE2NTc1NDRhZjM5YmNjNDo3OmJmNTM6Y2E3Yzk4NTk3Yzg0ZDYwNTRmYzIxZDEyYzMyNGU0ZDgyNjRkMmMyZjNlZDFkNWNlMDI5YzNiYjE4ZWU0MWQzMTpwOlQ6Tg), prioritizes preventing violations before they occur rather than enforcing post-hoc. We believe that it is appropriate to review the applicant's pattern and practice across their entire portfolio as their actions appear similar to what has been documented in this instance. This enables permitting bodies to consider compliance history, operational track record, and willingness to self-report violations. Phoenix Investors' documented pattern of constructing before obtaining permits (Project Maize: excavation August 2024, permit application August 2025; Iowa: asbestos renovation without pre-construction inspection which resulted in a 2020 settlement), combined with active IDEM enforcement during the current permit review period (TCE violation, October 9, 2025, ongoing), demonstrates applicant does not meet "compliance-first" standards. EPA's guidance gives license for state agencies to deny or impose enhanced conditions on permits where applicant has this type of concerning pattern.

Phoenix's response to the October 9, 2025 IDEM TCE violation was delayed (submitted November 20, 2025, 41 days late) and incomplete (missing 60-day waste determination deadline, December 9, 2025). This pattern of late and inadequate responses to regulatory directives is inconsistent with the good faith development and compliance. Furthermore, the applicant's misrepresentation on the permit application cover sheet (Question 7 marking "Greenfield" when site is former Federal-Mogul facility) is a misrepresentation that should encourage greater application of due diligence standards towards Phoenix and their affiliates. For example, tying claw-backs to further misrepresentations for future reporting or missed deadlines. This can be further strengthened with weekly and monthly compliance certifications verified by third parties that include IDEM officers.

(f) On December 15, 2025, Ashley Williams submitted comments to IDEM, OAQ on the draft New Source Construction and Part 70 Operating Permit:

Just Transition Northwest Indiana (JTNWI)'s comments represent our interpretation at this time. We have identified the following to raise caution and additional due diligence from IDEM in this and related areas.

The applicant's August 22, 2025 cover letter asserts that "the make and model of the selected stationary engines" constitute confidential business information (CBI) under 326 IAC 17.1-4-1, and states that "engine specification sheets enclosed with the confidential application are not included in the public version." This CBI claim violates multiple regulatory requirements. The information they claim is CBI claims for information should be disclosed under the Clean Air Act, and the information for all of these types of engines is available on the EPA NONROAD database. This appears to be just to waste public time by forcing the public to model all or a major group based upon assumptions. This is challenging because of the compressed window for comments. Engine make, model, and certification standard (Tier 2 vs. Tier 4) are essential to verify claimed NOx emission rates (5.12 g/kW-hr Tier 2 vs. 0.67 g/kW-hr Tier 4), and this verification is required under 40 CFR §51.160(c) to verify accurate information around types and quantities of air pollutants. Second, 40 CFR §2.203(b) establishes CBI criteria requiring information be "trade secret, proprietary, or company confidential." Engine makes/models are publicly available in EPA's NONROAD engine database and standard commercial catalogs;

knowledge of whether Phoenix selected Caterpillar vs. Cummins (or other) generators provides no competitive advantage. Multiple data center facilities nationwide publicly disclose identical Tier 2 engine specifications in air permits without competitive harm.

Citizen research can identify tier 2 generators and conduct initial evaluations based upon other data centers. We identified the following for preliminary review, Caterpillar, Cummins, MTU, and Kohler. The applicant's CBI claim prevents verification of whether Tier 2 certification is accurate (compare claims against actual manufacturer specs) and prevents assessment of whether applicant selected cleanest available technology. We believe that the tier 2 engine calculations to maintain minor designation do not account for predictable emergencies such as grid outages, brown and black outs, extreme weather, heat related stresses, capacity constraints, or emissions during idling or starts and stops under extreme and normal weather patterns. We believe that including cold start emissions, and other plausible scenarios, in calculations is important to provide a full picture of emissions. For instance, we encourage IDEM to model emissions during cold starts, as well as how energy is produced during these start up phases and during standard running of the engines. Diesel engines can produce higher NOx, and other emission, levels when it is cold and during test cycles. Applying a multiplier to account for these higher levels we believe will produce a more accurate emissions level. This can be used to better evaluate whether their permit application for minor is appropriate, or if accounting for these operations they actually qualify for major status due to higher emissions under real conditions. This means the 245 artificial limit Phoenix has proposed does not provide sufficient cushion for real world operations to maintain minor classification. IDEM must reject the CBI claim under 326 IAC 17.1-4-1(c)(3), require disclosure of engine manufacturer and model numbers with EPA certification documentation, and provide 30-day supplemental public comment period after disclosure. Alternatively, IDEM should note in the permit that engine specifications were redacted at applicant request and therefore cannot be verified to comply with claimed Tier 2 standards.

(g) On December 15, 2025, Ashley Williams submitted comments to IDEM, OAQ on the draft New Source Construction and Part 70 Operating Permit:

Just Transition Northwest Indiana (JTNWI)'s comments represent our interpretation at this time. We have identified the following to raise caution and additional due diligence from IDEM in this and related areas.

The applicant's August 22, 2025 application states that "The proposed Critical Generator engines will be certified to meet the EPA Tier 2 standards for non-road engines" and "The proposed Site Entrance Emergency Generator will be certified to meet the EPA Tier 3 standards" (page 3 and Appendix B). However, the application contains no engineering justification, cost analysis, or BACT (Best Available Control Technology) evaluation comparing Tier 2 to Tier 4 Final standards required state and federal best practices.

Citizen research can identify tier 2 generators and conduct initial evaluations based upon other data centers. We identified the following for preliminary review, Caterpillar, Cummins, MTU, and Kohler. The applicant's CBI claim prevents verification of whether Tier 2 certification is accurate (compare claims against actual manufacturer specs) and prevents assessment of whether applicant selected cleanest available technology. We believe that the tier 2 engine calculations to maintain minor designation do not account for predictable emergencies such as grid outages, brown and black outs, extreme weather, heat related stresses, capacity constraints, or emissions during idling or starts and stops under extreme and normal weather patterns.

Modeling these scenarios would show that the identified tier 2 sample engines exceed minor classification under these conditions and go above the 250 limit. This means the 245 artificial limit Phoenix has proposed does not provide sufficient cushion for real world operations to maintain minor classification. IDEM must reject the CBI claim under 326 IAC 17.1-4-1(c)(3), require disclosure of engine manufacturer and model numbers with EPA certification documentation, and

provide 30-day supplemental public comment period after disclosure. Alternatively, IDEM should note in the permit that engine specifications were redacted at applicant request and therefore cannot be verified to comply with claimed Tier 2 standards. As seen in our comments, JTNWI shares the community's concerns about NOx and other related pollutants for their current and potential future limits from this project. We believe it is in the community's best interest for this permit to be denied. As IEDC has identified Google as the end user, we do notate that renewable energy power options are available and feasible in Indiana, as shown in comparable markets such as in a Google Arkansas data center project. If clean and renewable sources were utilized, that would address a share of the environmental air concerns. (https://protect.checkpoint.com/v2/r01/___https://www.energy-storage.news/arkansas-utility-seeks-approval-of-1-4gwh-hybrid-bess-with-financial-support-from-google-as-part-of-data-centre-deal/___.YzJ1OnN0YXRlb2ZpbmRpYW5hOmM6bzplMzQ5Yjg1M2RmZGMyOGNiZDg1ZGU0NTZhMGZjNDkxNTo3OmFkNTU6N2JkNjM3MjgxZDMzNTQ2MzE1OTEzZjkwZDJjYjU0NmQ3MzJmN2VhYTYxZjU4NDcxY2U5MjRhZDZhNDQyMDRiNTpwOlQ6Tg). Utilizing clean technologies, such as battery energy storage systems (BESS) are both cleaner for the environment, and they are financially viable as the Investment Tax Credit extends until 2033 for BESS systems. Moreover, even selecting EPA Tier 4 standards if fossil fuel technology is selected would create other pollutant reduction measures under the 96 hour framework. We hold that due to substation proximity, ITC credit persistence, and the portfolio and partnership capacity of Google, LLC that even aside from selecting tier 2 vs tier 4, there is not material reason to select fossil fuel infrastructure over clean energy for this project.

(h) On December 15, 2025, Ashley Williams submitted comments to IDEM, OAQ on the draft New Source Construction and Part 70 Operating Permit:

Just Transition Northwest Indiana (JTNWI)'s comments represent our interpretation at this time. We have identified the following to raise caution and additional due diligence from IDEM in this and related areas.

On page 15 of the air permit application cover sheet (State Form 50639, R4 1-10), Jim Timmons (Project Scientist for Olsson) marked "Yes" in response to Question 7: "Is this an application for an initial construction and/or operating permit for a 'Greenfield' Source?" He also marked "No" in response to Question 8: "Is this an application for construction of a new emissions unit at an Existing Source?" This dual marking is factually incorrect and materially misleading. The site at 402 Royal Road is the former Federal-Mogul Corporation industrial facility, documented in WSP Environmental's November 20, 2025 letter as "Former Federal-Mogul Corporation Site" with "Regulated Unit" and "Recharge Gallery" infrastructure. Soil samples collected "during site development" in August 2025 (WSP letter, November 20, 2025) and analyzed by ALS Global (Work Order HN2515840) and Eurofins Chicago (Job 500-276737-1) demonstrate the site contains prior contamination requiring characterization.

Under 326 IAC 1-2-46, a "Greenfield site" is defined as "real property that has NOT been previously developed or disturbed by past human activity." Federal-Mogul's, and previous tenants', decades of industrial manufacturing operations constitute prior development and disturbance, disqualifying the site from greenfield status. This designation is material because greenfield vs. existing source status affects baseline emission calculations, netting requirements under New Source Review, and PSD applicability pathways (40 CFR §52.21(b)). By marking "Greenfield/No Existing Source," the applicant misrepresented applicability of NSR/PSD baseline emissions and netting requirements. EPA and state standards require applicants to provide accurate information in each application. The inaccuracy regarding greenfield status is at best an omission and misrepresentation and at worst an intentional lie. We believe that is further reason for why this permit should be denied as the permit is based upon easily disproved misrepresentations. IDEM should issue a Notice of Deficiency requiring amended cover sheet with correct designation (No Greenfield / Yes Existing Source) and 30-day supplemental public comment period after correction.

(h) On December 15, 2025, Ashley Williams submitted comments to IDEM, OAQ on the draft New Source Construction and Part 70 Operating Permit:

Just Transition Northwest Indiana (JTNWI)'s comments represent our interpretation at this time. We have identified the following to raise caution and additional due diligence from IDEM in this and related areas.

Phoenix Investors has a documented pattern of environmental violations across multiple states spanning five years, establishing grounds for permit denial under 326 IAC 2-1.1-10. First, in 2020, Phoenix settled an Iowa Department of Natural Resources enforcement action for $75,000 for asbestos violations at the former Maytag facility in Newton, Iowa (Business Record, April 20, 2020, https://protect.checkpoint.com/v2/r01/___https://www.businessrecord.com/out-of-state-company-agrees-to-pay-75000-for-asbestos-violations/___.YzJ1OnN0YXRlb2ZpbmRpYW5hOmM6bzo5ZmNlN2QyMzFhMTlkZjg3OTJmMTA3YjE1ZjQ2ODVjYzo3OjRlZGU6MmJmZmVkN2I0NDU5OTYyOTFkM2M0OTg1NWIwOGQ2ZWI0MDdjODJiNzhhOGY2MGU4MDk1OWE2NTQ4MjYwYzY0ZTpwOlQ6Tg; Des Moines Register, April 21, 2020, https://protect.checkpoint.com/v2/r01/___https://www.desmoinesregister.com/story/news/crime-and-courts/2020/04/21/company-pay-fine-to-iowa-asbestos-violations-former-maytag-building-newton/2996016001/___.YzJ1OnN0YXRlb2ZpbmRpYW5hOmM6bzo5ZmNlN2QyMzFhMTlkZjg3OTJmMTA3YjE1ZjQ2ODVjYzo3OjYwZTI6YjQ2M2Q5YmY3MDBjZjEwMTIwZmYwODU4NzM4NjFlODRhMGRiNjBmOTIzMDRhZDU5MDlkMzJkMjNmYmMxNDMwYjpwOlQ6Tg). The state alleged Phoenix failed to conduct required asbestos inspections before renovation and improperly removed friable asbestos without licensed contractors, exposing workers and community to IARC Group 1 carcinogen. Second, in Michigan City, an active IDEM enforcement case documents that Phoenix illegally excavated and transported TCE-contaminated soil (IARC Group 1 carcinogen) from 402 Royal Road without proper waste characterization, marketing it as "clean fill" to Duneland Materials, landscaping companies, and farms (IDEM Violation Letter, October 9, 2025; WSP Environmental Letter, November 20, 2025; Eurofins Chicago Lab Report, Job 500-276737-1, November 10, 2025). The pattern demonstrates systematic failure to conduct pre-construction environmental assessment before disturbing contaminated industrial sites, with enforcement actions in 2020 and 2025.

Third, Phoenix's involvement with the xAI Memphis data center, Phoenix owns the facility leased to xAI for operations, reveals landlord liability for Clean Air Act violations. Federal law (CERCLA §107) makes property owners jointly liable for environmental violations on their property. NAACP and Southern Environmental Law Center filed Notice of Intent to Sue (June 16-17, 2025) alleging xAI operated 35 unpermitted gas turbines generating 421 megawatts without air permits (SELC, https://protect.checkpoint.com/v2/r01/___https://www.selc.org/press-release/elon-musks-xai-threatened-with-lawsuit-over-air-pollution-from-memphis-data-center/___.YzJ1OnN0YXRlb2ZpbmRpYW5hOmM6bzo5ZmNlN2QyMzFhMTlkZjg3OTJmMTA3YjE1ZjQ2ODVjYzo3OmYxNDc6MTAxM2Q3YmZiZTI4YmJjZTQ2Y2FmZjNmYzZkMmIyZmZlOGJhZjk2YTU4NDM3YWI5Mjk0MGJkYWMxMTgzMWM2ZTpwOlQ6Tg; NAACP, https://protect.checkpoint.com/v2/r01/___https://naacp.org/articles/elon-musks-xai-threatened-lawsuit-over-air-pollution-memphis-data-center-filed-behalf___.YzJ1OnN0YXRlb2ZpbmRpYW5hOmM6bzo5ZmNlN2QyMzFhMTlkZjg3OTJmMTA3YjE1ZjQ2ODVjYzo3OjJlNTI6MjczODlkMGNhNTliZWU5MTFhNmE2NmJhMjQxNDQ3YzdjYzMzMjRiODllZDI1NzI0ZDcyZTA1MDhkYTU1ODRiNzpwOlQ6Tg). TIME Magazine's investigation found 79% increase in peak NO_2 levels and cancer risks "4 times the national average" in surrounding neighborhoods (August 12, 2025, https://protect.checkpoint.com/v2/r01/___https://time.com/7308925/elon-musk-memphis-ai-data-center/___.YzJ1OnN0YXRlb2ZpbmRpYW5hOmM6bzo5ZmNlN2QyMzFhMTlkZjg3OTJmMTA3YjE1ZjQ2ODVjYzo3OmI4OTA6YzJhOTJmYmE5M2JhM2VlNmEzOGE5ZWJlYTIzYmMzNTUwMzM1NGVjYjM2MThhZWE4Y2Y3YTFmNGVkNzkzZTIxNTpwOlQ6Tg). Phoenix's lease failed to

include enforceable environmental compliance provisions, allowing major unpermitted emissions sources to operate on its property. These documented violations across three states (Iowa asbestos 2020, Michigan City TCE 2025, Memphis Clean Air Act 2024-2025) establish a pattern meeting state and federal grounds for strong consideration of permit denial.

(i) On December 15, 2025, Ashley Williams submitted comments to IDEM, OAQ on the draft New Source Construction and Part 70 Operating Permit:

Just Transition Northwest Indiana (JTNWI)'s comments represent our interpretation at this time. We have identified the following to raise caution and additional due diligence from IDEM in this and related areas.

Phoenix Investors' corporate history reveals a pattern of construction-before-permits practices across multiple projects and jurisdictions, with specific relevance to Project Maize's pre-construction violations and environmental assessment failures across their portfolio. The company's documented pattern includes, but is not limited to: (1) Iowa asbestos violation (2020) in which they purchased a contaminated former industrial site, initiated renovation without required asbestos inspection ($75,000 settlement, Business Record, April 20, 2020, https://protect.checkpoint.com/v2/r01/___https://www.businessrecord.com/out-of-state-company-agrees-to-pay-75000-for-asbestos-violations/___.YzJ1OnN0YXRlb2ZpbmRpYW5hOmM6bzowN2U1MmY5MDFmNTFhMmUxYWY1MGY3ZTc0NDI4ZjY0Nzo3OmNhZDQ6ODhmMDliNDgxNmMzOWE3NDAyNGU0NjlmMzFjNjAyNjM5ZDM5NTIxYTQ1YmM3YTExZGE1YTRkNGU3Y2FkMjE1MjpwOlQ6Tg); (2) Northridge Mall abandonment (2023) in which they demanded $1.5 million in municipal tax/fine forgiveness as project precondition, abandoned when Milwaukee refused (Urban Milwaukee, July 28, 2023, https://protect.checkpoint.com/v2/r01/___https://urbanmilwaukee.com/2023/07/28/milwaukee-company-backs-out-of-buying-northridge-mall/___.YzJ1OnN0YXRlb2ZpbmRpYW5hOmM6bzowN2U1MmY5MDFmNTFhMmUxYWY1MGY3ZTc0NDI4ZjY0Nzo3OjEwNjA6ZjFiMjQ4NDZjMmYxZWI0MzVmOTQxZTQwMDIzNzgxYmY5NmM1ZGZkNTA5YjYyNmQ5MjE3YTNhYzNjMDUwNzQ1MDpwOlQ6Tg); (3) Michigan City TCE violation (2025)—excavated contaminated soil without waste characterization, transported to residential/agricultural sites (IDEM Violation Letter, October 9, 2025); (4) Memphis Clean Air Act violations (2024-2025)—owns facility where tenant operates 35 un-permitted gas turbines generating 421 MW emissions in environmental justice community (SELC Press Release, June 17, 2025, https://protect.checkpoint.com/v2/r01/___https://www.selc.org/press-release/elon-musks-xai-threatened-with-lawsuit-over-air-pollution-from-memphis-data-center/___.YzJ1OnN0YXRlb2ZpbmRpYW5hOmM6bzowN2U1MmY5MDFmNTFhMmUxYWY1MGY3ZTc0NDI4ZjY0Nzo3OmU5NDA6NmRiNmYyYmQ2ZjUyYmU4NjNhN2QxNmJhN2ExYmI4NWZmNjRiNzFmMzJhN2Y1YTY4MGEwMjFhMWZlNmJlNDYzODpwOlQ6Tg). These violations span five years and involve identical conduct: purchasing contaminated former industrial sites, commencing construction/renovation before conducting required environmental assessment, and operating without adequate permit compliance mechanisms.

The pattern establishes systematic risk for Project Maize permit compliance. The applicant has demonstrated willingness to: (1) begin construction before obtaining permits (Iowa 2020, Michigan City 2025, Project Maize August 2024); (2) seek regulatory forgiveness (tax/fine waivers) as project preconditions (Milwaukee); (3) abandon projects when regulatory requirements are enforced (Milwaukee); (4) fail to ensure tenant/operational compliance with environmental law (Memphis). This pattern of non-compliance justifies permit denial. If permit issuance proceeds, IDEM should impose conditions, as a floor not a ceiling, requiring: (1) pre-construction environmental certification by licensed environmental consultant before any construction activity; (2) monthly IDEM compliance certifications from Phoenix facility manager; (3) binding remediation insurance for potential legacy contamination at 402 Royal Road; (4) automatic permit suspension on any violation without cure period (no grace period given pattern); (5) third-party compliance monitoring quarterly with public reporting. The applicant's history of

construction-before-permits and project abandonment when held accountable poses unacceptable risk to IDEM's regulatory authority and Michigan City's environmental protection. Prior to any approvals, any additional conditions should be made available to the public for a 30 day comment period before any issuance may occur.

IDEM Response to Ashley Williams Comments:

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

(1) IDEM Response to General Statement 1 – Public Participation and Permitting Process
(2) IDEM Response to General Statement 2 – Request to Postpone/Reschedule Public Meeting and Extend the Public Comment Period
(3) IDEM Response to General Statement 3 – Impact to the Environment and Public Health/Wellbeing
(4) IDEM Response to General Statement 4 – Soil Contamination
(5) IDEM Response to General Statement 5 – Denial of the Permit
(6) IDEM Response to General Statement 6 – Zoning
(7) IDEM Response to Comment 3

Construction

Pursuant to 326 IAC 1-2-21, "Construction" mean fabrication, erection, or installation of one (1) or more emissions units at the location intended for its use. Construction does not include any of the following:

(1) Installation of building supports and foundations.
(2) Laying underground piping or arbors.
(3) Erection of storage structures.
(4) Dismantling existing equipment and control devices.
(5) Ordering of equipment and control devices.
(6) Off-site fabrication.
(7) Temporary storage other than where permanent installation will occur.

The units that could potentially emit air pollution at Lavender Fields Holdings are the generators themselves and the tanks listed in section A of the permit. As long as these units are not installed in the permanent location intended for their use, "construction" as defined at 326 IAC 1-2-21 has not taken place.

Application Concerns

While there have been emission sources located at 402 Royal Road previously, that does not qualify Lavender Fields Holdings LLC as an "existing" source. Checking the “greenfield” box in the application did not impact the analysis of the application and the drafting of the permit. Upon application, Lavender Fields Holdings LLC was treated as a new source, taking construction of all new emission units into account. All necessary evaluations in accordance with state and federal rules were conducted by IDEM, OAQ. Lavender Fields opted to accept a limit of 245 tons per year for NOx and CO, each, in order to render the requirements of 326 IAC 2-2 (Prevention of Significant Deterioration (PSD)) not applicable and to be a PSD Minor source. Further discussion of the PSD avoidance limit, as well as acknowledgement that a VOC BACT evaluation was not required, is included in the Technical Support Document (TSD), which was made public during the Public Notice period. The TSD can be found on page 142 out of 167 at the following link:

https://permits.air.idem.in.gov/49561d.pdf

Engine Specifications

IDEM, OAQ confirms that the specifications for the generators were submitted and reviewed by OAQ staff. The information included in the calculations is accurate to the best of IDEM, OAQ's knowledge. All 66 of the critical emergency generators are calculated based off of EPA's Tier 2 emission standards. Regardless of the brand of generator, the numbers included in the calculations would remain the same, as they reflect what has been submitted and the published emission data for several pollutants, as these engines are certified to meet EPA standards specified in 40 CFR 60, Subpart IIII and 40 CFR 63, Subpart ZZZZ. EPA certification testing is designed to encompass a range of operations and, therefore, the EPA certified values are sufficient. In the future, IDEM, OAQ reserves the right to require data centers to make all generator information public.

IDEM does not have the authority to require a specific type of unit be constructed at the source.

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

Modeling

Since Lavender Fields Holdings LLC is opting for a PSD Minor Limit for both NOx and CO emissions, this source is not a PSD Major source. Therefore, pursuant to 326 IAC 2-2-5, ambient air modeling is not required.

Tank Size

The non-critical generators (DEAG1, DEAG2, DEP1, and DEP2) are significantly smaller capacity units (each under 600 hp) than the sixty-six (66) critical emergency generators (each almost 4,000 hp). The non-critical generators will combust significantly less fuel per hour and would likely require a smaller fuel tank than the tanks associated with the sixty-six (66) critical emergency generators (5,373 gallons). IDEM OAQ conservatively determined the worst case potential to emit from the non-critical generator fuel tanks based on a worst-case fuel tank size of 5,373 gallons. Therefore, the potential to emit from the diesel/HVO storage tanks associated with the non-critical generators is conservative.

Hydro-treated Vegetable Oil (HVO)

EPA defines Diesel fuel as: "any liquid obtained from the distillation of petroleum with a boiling point of approximately 150 to 360 degrees Celsius. One commonly used form is fuel oil number 2. Diesel fuel also includes any non-distillate fuel with comparable physical and chemical properties (*e.g.* biodiesel) that is suitable for use in compression ignition engines." - https://www.ecfr.gov/current/title-40/section-63.6675

HVO meets the EPA's definition of Diesel fuel. Therefore, Lavender Fields has the same requirements whether they are utilizing regular diesel fuel or HVO. This has been explicitly stated in the permit.

Out-Of-State, Related Data Centers

There are no applicable state or federal rules that require IDEM representatives to review, inspect, or investigate the related data centers in Iowa, Tennessee, Wisconsin, or any other state.

Possible Future Violations

IDEM, OAQ understands that some commenters have concern that the source could have possible future violations of environmental law. However, Indiana court cases have held 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/oalp/final-decisions/final-orders/

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

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

There are no changes made to the permit due to these comments.

Jamie Kp Comments and IDEM Responses

On December 2, 2025, Jamie Kp submitted comments to IDEM, OAQ on the draft New Source Construction and Part 70 Operating Permit:

The IDEM Office of Air Quality has a responsibility to the public to protect air quality! To help improve it, not worsen it by allowing a data center to run any, let alone 70, diesel generators! Even if they only run a percentage of them at a time, it is going to be incredibly detrimental to the quality of life for citizens. Especially when the Trump Administration is now allowing Steelmills to use as much coal as they want without having to adhere to the Clean Air Act. Nwi already has the worst air quality in the state. This office needs to protect our air, not worsen it for corporate greed. Cleaner alternatives are cheaper than diesel gas; there is no reason to use diesel generators.

There has been significant public outcry against this. Extend the public comment period, and do not let Big Tech make the rules. There is already significant scientific data showing how environmentally detrimental data centers are to their surroundings neighborhoods. From increased asthma/lung hospitalizations, to increased energy bills, worsening water quality/pressure while increasing bills, worsening air quality. All while adding around 30 permanent jobs and taking massive tax breaks. Nobody wants the data centers, except big tech. Please do not let them get their way! Say no to the generators! Listen to the citizens that are going to be directly affected by them.

IDEM Response to Jamie Kp Comments:

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

(1) IDEM Response to General Statement 1 – Public Participation and Permitting Process
(2) IDEM Response to General Statement 2 – Request to Postpone/Reschedule Public Meeting and Extend the Public Comment Period
(3) IDEM Response to General Statement 3 – Impact to the Environment and Public Health/Wellbeing

There are no changes made to the permit due to these comments.

Azucena Roman Comments and IDEM Responses

On December 2, 2025, Azucena Roman submitted comments to IDEM, OAQ on the draft New Source Construction and Part 70 Operating Permit:

I am writing to strongly urge the Indiana Department of Environmental Management to please deny the draft air permit T091-49561-00195, for Lavender Fields Holdings LLC.

The permit should not be approved. The facility should not be allowed to operate 70 diesel generators. The data center will only cause unnecessary air pollution. We need to help protect our air.

Air pollution from these generators will only add to the air pollution from the data center. Think of all of those that have asthma, COPD, and other lung diseases. Don't allow our children to grow in an area that has horrible air quality.

IDEM Response to Azucena Roman Comments:

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

(1) IDEM Response to General Statement 3 – Impact to the Environment and Public Health/Wellbeing
(2) IDEM Response to General Statement 5 – Denial of the Permit

There are no changes made to the permit due to these comments.

Kate Brankin Comments and IDEM Responses

On December 4, 2025, Kate Brankin submitted comments to IDEM, OAQ on the draft New Source Construction and Part 70 Operating Permit:

I am writing to strongly urge the Indiana Department of Environmental Management (IDEM) to deny the draft air permit, T091-49561-00195, for Lavender Fields Holdings LLC, a Google shell company, for its Project Maize data center at 402 Royal Road in Michigan City.

This is in close proximity to my home and without any way of regulating the generators, my family and I will be exposed to this unregulated pollution. My family’s health is at risk. Please do all that can be done to deny this permit.

IDEM Response to Kate Brankin Comments:

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

(1) IDEM Response to General Statement 3 – Impact to the Environment and Public Health/Wellbeing
(2) IDEM Response to General Statement 5 – Denial of the Permit

There are no changes made to the permit due to these comments.

Jennifer Dimitroff Comments and IDEM Responses

On December 4, 2025, Jennifer Dimitroff submitted comments to IDEM, OAQ on the draft New Source Construction and Part 70 Operating Permit:

Thank you for the opportunity to comment on the Lavender Fields Air Permit, however limited it may be. Please deny this environmentally detrimental permit that favors industry and not local residents. Allowing this company to operate diesel generators with no pollution control is unacceptable. There are neighborhoods, schools, businesses and natural areas within a 1-mile radius of the data center that will be affected by the harmful pollutants diesel emits. I understand that IDEM has a Clean Communities Program to encourage local municipalities to be more sustainable. This is a wonderful idea, but how is a town capable of making a difference with the poorly controlled pollution that local industry emits?

- Please mandate Tier 4 generators that can reduce emissions by 90-95%
- Require a major source permit and all the requirements that entails
- Strengthen enforcement and oversight. Don't allow self-monitoring
- Require cleaner back up power, such as renewables

Thank you again for your consideration.

IDEM Response to Jennifer Dimitroff Comments:

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

(1) IDEM Response to General Statement 3 – Impact to the Environment and Public Health/Wellbeing
(2) IDEM Response to General Statement 5 – Denial of the Permit
(3) IDEM Response to Comment 3

There are no changes made to the permit due to these comments.

Andrew Wetzler Comments and IDEM Responses

On December 6, 2025, Andrew Wetzler submitted comments to IDEM, OAQ on the draft New Source Construction and Part 70 Operating Permit:

This comment requests that the Indiana Department of Environmental Management (IDEM) (1) issue an extension for the public comment period of the draft air permit, T091-49561-00195, for Lavender Fields Holdings LLC, for its Project Maize data center at 402 Royal Road in Michigan City and (2) deny the permit in order to strengthen its terms.

First, IDEM should extend the public comment period by sixty days. The current comment period falls during the peak holiday season (Thanksgiving and Christmas) when many residents are away from home and occupied by family matters. Extending the comment period by sixty days will enhance the ability of the surrounding community to learn about this project and provide public input.

Second, IDEM should deny the draft permit because of its potential health effects on the surrounding community and because cleaner means of generating emergency back-up power for the facility already exist.

This permit would allow the facility to operate 66 diesel-fired emergency generators as much as 500 hours per year and for 12 continuous days per year, potentially generating over 25 tons of fine particulate matter (PM) and over 500 tons of NOx per year.

The proposed facility is a mere 0.7 miles from the Niemann Elementary School, whose student population is already burdened by air pollution and whose socioeconomic demographics suggest they are likely suffering from high rates of asthma and other air pollution linked ailments. That is particularly notable in the case of this draft permit, as the link between exposure to diesel exhaust and asthma has been borne out epidemiologically in studies indicating that children living along major trucking routes are at increased risk of asthma and allergic symptoms and of having objective evidence of respiratory dysfunction.

Luckily, alternatives exist. IDEM could require that back-up power be produced by cleaner alternatives, such as combined battery storage and renewable energy; alternatively, IDEM could mandate the use of cleaner generators at the facility, such as Tier 4 generators, that are capable of reducing harmful emission by 90-95%. However, there is no indication in any of the available permit documents that IDEM considered these alternatives or discussed them with the project applicants.

In addition, it is not clear from the available documentation that the applicant or IDEM has complied with all applicable State laws. For example, given the significant annual air pollution allowed by the draft permit, IDEM should prepare an Environmental Assessment for the proposed project and make that Assessment available to the public. 326 IAC 16-2.1-2.

For these reasons, IDEM should extend the comment period for the T091-49561-00195. It should also deny the permit to allow the applicant to consider and incorporate more robust air pollution mitigation into its permit application.

IDEM Response to Andrew Wetzler Comments:

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

(1) IDEM Response to General Statement 1 – Public Participation and Permitting Process
(2) IDEM Response to General Statement 2 – Request to Postpone/Reschedule Public Meeting and Extend the Public Comment Period
(3) IDEM Response to General Statement 3 – Impact to the Environment and Public Health/Wellbeing
(4) IDEM Response to General Statement 5 – Denial of the Permit
(5) IDEM Response to General Statement 6 – Zoning
(6) IDEM Response to Comment 3

Engine Specifications

IDEM, OAQ confirms that the specifications for the generators were submitted and reviewed by OAQ staff. The information included in the calculations is accurate to the best of IDEM, OAQ's knowledge. Regardless of the brand of generator, the numbers included in the calculations would remain the same, as they reflect what has been submitted and the published emission data for several pollutants, as these engines are certified to meet EPA standards specified in 40 CFR 60, Subpart IIII and 40 CFR 63, Subpart ZZZZ. EPA certification testing is designed to encompass a range of operations and, therefore, the EPA certified values are sufficient. In the future, IDEM, OAQ reserves the right to require data centers to make all generator information public.

IDEM does not have the authority to require a specific type of unit be constructed at the source.

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

There are no changes made to the permit due to these comments.

Eileen Mark Comments and IDEM Responses

On December 7, 2025, Eileen Mark submitted comments to IDEM, OAQ on the draft New Source Construction and Part 70 Operating Permit:

I am writing today as a concerned citizen of Michigan City in abject opposition to the granting of an air permit (referenced in the subject line) to Lavender Fields Holdings LLC for the purpose of fueling a data center in the middle of a residential neighborhood on Royal Road in Michigan City, IN.

Please deny this permit for the following reasons:

1. Diesel is a known carcinogen and contributes to lung disease. This is well-known, studied, and documented. This is a residential area with two schools in extreme close proximity to Project Maize, hundreds of private residences inhabited by tax paying residents, several businesses that benefit from outdoor activities, i.e. Shady Creek, a Municipal Golf Course where residents go to recreate outdoors, and several nature preserves and bird sanctuaries in close proximity. To allow a for-profit organization with a documented record of environmental violations concerning other data centers around the country to "self monitor" is absurd and unacceptable. The end user, Google under the guise of Lavender Field Holdings LLC, has, in fact, increased its emissions by 51% 2019 baseline, renaming their goals for carbon-free emissions "moonshots" in contrast to prior framing of their own targets.

2. We are a community already suffering from poor air quality as outlined by the American Lung Association's State of the Air Report where LaPorte county was given a failing grade for air quality this year. We must not pour gasoline on a fire of poor air quality in our community by allowing 70 diesel generators to spew toxins and particles into the air we breathe day in and day out by a company that has demonstrated a lack of trustworthiness and prioritization of profit over the health of the residents of the communities where operate. This is just the beginning, as Phoenix Investors has outlined a plan for additional buildings and additional diesel generators added subsequently, over 140 at a site nestled within a residential community.

3. We have seen in a research paper published by researchers at UC Riverside and Caltech that an increase in permits for diesel generators at data centers in Virginia since 2023 has been linked to 14,000 asthma symptom cases and caused as much as $300 million in health care costs. The citizens of LaPorte County and Michigan City deserve better and demand that regulations and laws that are in place to protect us be enforced and therefore that this air permit application be denied.

With a untested and dynamic industry like AI data centers, a for-profit company cannot be trusted to self monitor. That is where IDEM comes in. We, the citizens of Michigan City and LaPorte County, are relying on you to stop this assault on our already polluted air. We implore you to do better than our municipal government has done. They failed to protect us and let greedy organizations into our city to exploit our air, our water, our peace, and our way of life as a town on the beautiful sand dune beaches of Lake Michigan.

We appeal to you to deny Lavender Field Holdings LLC's air permit application. IDEM is responsible for ensuring that this assault on our air and our natural environment does not occur. Sadly, you are all we have standing between us and a mammoth organization fueled by a voracious appetite for more and more profit that prioritizes greed over clean air, water, peace, and the overall well-being of the citizens that are forced to reside alongside these polluting and destructive data centers. This data center does not belong on Royal Road, or anywhere, in my humble opinion. Please deny this air permit and protect our health and well being.

IDEM Response to Eileen Mark Comments:

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

(1) IDEM Response to General Statement 3 – Impact to the Environment and Public Health/Wellbeing
(2) IDEM Response to General Statement 5 – Denial of the Permit
(3) IDEM Response to General Statement 6 – Zoning
(4) IDEM Response to Comment 3

There are no changes made to the permit due to these comments.

Debra Shore Comments and IDEM Responses

On December 8, 2025, Debra Shore submitted comments to IDEM, OAQ on the draft New Source Construction and Part 70 Operating Permit:

Can you please tell me if one needs to register in advance in order to ask questions or provide comments at the public meeting IDEM is hosting tomorrow evening in Michigan City? If so, please add my name to the list.

If not, please let me know and I will come prepared with questions and may submit comments before the end of the public comment period.

Thank you for scheduling this meeting.

IDEM Response to Debra Shore Comments:

On December 8, 2025, IDEM, OAQ, responded with the following:

> Thank you for your email; we will be sure to put you on our interested parties list.
>
> You do not need to register in advance. When you arrive at the school tomorrow, there will be a sign-up sheet for those who would like to provide comments at the meeting. Each person who puts their name on the list will be called one at a time to provide comments.

There are no changes made to the permit due to these comments.

Theodore Burdett Comments and IDEM Responses

On December 8, 2025, Theodore Burdett submitted comments to IDEM, OAQ on the draft New Source Construction and Part 70 Operating Permit:

> The Indiana Department of Environmental Management (IDEM) must deny the draft air permit, T091-49561-00195, for Lavender Fields Holdings LLC, a Google shell company, for its Project Maize data center at 402 Royal Road in Michigan City.
>
> I am a google customer and like most of my neighbors, I benefit from data centers via the services they support. And I'm a fan of development in NW Indiana and Michigan City. But please, let's take this opportunity to do development responsibly. This project should be a chance for the State of Indiana and the City of Michigan city to lead by example, to show the rest of the country what a data center looks like when its developed with the best interests of the neighboring communities driving decision making and execution. We can show how it's done in partnership with, not subservience to, the developers and corporate operators.
>
> Along those lines, there is no reason or need grant concessions to one of the wealthiest corporations in the world; they have the resources to develop and operate this center in a clean, responsible, non-polluting manner. Granting them a free pass to pollute, shifts the burden of that pollution and its cost to me and my neighbors. How does that make sense?
>
> Indiana does not need to keep playing the same old corporate handouts game. Just look at the projected growth in data center development in the near future. Companies are competing for prime data center locations, and our location has it all. We're holding the bargaining chips. We can afford to demand clean progress, responsible development, and to hold prospective data center operators and developers to the highest bar. At the very least we can require steps that will prevent unnecessary pollution in an area that is home to two schools, residential neighborhoods, and important nature preserves.
>
> The IDEM must deny this permit and work to address the following demands:
>
> 1. Ensure a Transparent Process: Extend the public comment period by 60 days to provide the community adequate time to review and respond to this complex proposal.
>
> 2. Mandate Modern Pollution Controls: Require the use of the cleanest generator technology available to significantly reduce emissions, such as Tier 4 generators that can reduce harmful emissions by 90-95%. In the event of a significant emergency, the site would exceed its synthetic NOx limit in just 158 hours, far less than the 500 emergency hours permitted. IDEM must enforce stricter operating limits and require modern pollution control technology.

3. Require a Major Source Permit: Given the likelihood that this site would exceed NOx emissions in an emergency, mandate a Major Source Permit under the Prevention of Significant Deterioration Program to ensure that Best Available Control Technology is used, including pollution controls, and a public health analysis, an impacts analysis, and meaningful public involvement are required. The expansion of diesel generator use must be evaluated, as this site is in phase 1 of construction.

4. Require Cleaner Back-Up Power: Prohibit conventional diesel and require cleaner alternatives, such as large-scale battery storage and renewable energy. Any permit language allowing Hydro-treated Vegetable Oil (HVO) must be enforceable and require its exclusive use. Still, HVO alone is not a solution as it does not reduce key pollutants such as particulate matter.

5. Strengthen Enforcement and Oversight: Install permanent fenceline pollution monitors, conduct quarterly audits and analyses by third-party, independent experts, and make all generators' operational data easily accessible to the public.

The anticipated growth in data center operation is staggering; pollution controls must be a part of the data center industry's future. The State of Indiana and Michigan City can lead the nation by example. Deny draft permit T091-49561-00195.

IDEM Response to Theodore Burdett Comments:

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

(1) IDEM Response to General Statement 2 – Request to Postpone/Reschedule Public Meeting and Extend the Public Comment Period
(2) IDEM Response to General Statement 3 – Impact to the Environment and Public Health/Wellbeing
(3) IDEM Response to General Statement 5 – Denial of the Permit
(4) IDEM Response to General Statement 6 – Zoning
(5) IDEM Response to Comment 3

There are no changes made to the permit due to these comments.

Julianne (ABC57 News in South Bend) Comments and IDEM Responses

On December 9, 2025, Julianne from ABC57 News in South Bend submitted comments to IDEM, OAQ on the draft New Source Construction and Part 70 Operating Permit:

My name is Julianne, I'm a reporter at ABC57 News in South Bend.

I'm previewing tonight's meeting in Michigan City regarding the permit application from Lavendar Fields for a data center in Michigan City.

Would you/ IDEM be able to provide a comment regarding the purpose of the meeting and what would come from it? Also why it's being held (is it a requirement to hold public comment when permits come in?)

I appreciate any help, thanks so much!

IDEM Response to Julianne's Comments:

IDEM may schedule a public hearing and/or public meeting during the comment period at its discretion, depending on public interest.

On November 20, 2025, OAQ also posted a notice on IDEM's website (https://www.in.gov/idem/public-notices/), stating that IDEM, OAQ would hold a public meeting on December 9, 2025, to discuss the draft New Source Construction and Part 70 Operating Permit for Lavender Fields Holdings LLC.

On December 9, 2024, at 6:00 p.m. Central Time, IDEM, OAQ began a public meeting regarding the draft New Source Construction and Part 70 Operating Permit for Lavender Fields Holdings LLC. During the public meeting, IDEM staff discussed the draft air permit and answered questions from citizens. The public meeting provided the public with an opportunity to submit written comments, ask questions, and discuss air pollution concerns with IDEM staff.

All written comments submitted to IDEM, OAQ during the public comment period and during the public meeting were reviewed and detailed responses to those comments are provided in this Addendum to the Technical Support Document (ATSD).

There are no changes made to the permit due to these comments.

Sean McGarry (ABC57 News in South Bend) Comments and IDEM Responses

On December 9, 2025, Sean McGarry from ABC57 News in South Bend submitted comments to IDEM, OAQ on the draft New Source Construction and Part 70 Operating Permit:

This is Sean McGarry at ABC57 News. I'm reaching out to see if there will be a virtual livestream of tonight's IDEM meeting on Lavender Fields Holdings in Michigan City.

Please let me know,

IDEM Response to Sean McGarry Comments:

IDEM, OAQ did not provide a livestream of the public meeting.

There are no changes made to the permit due to these comments.

Alex Gayheart Comments and IDEM Responses

On December 9, 2025, Alex Gayheart submitted comments to IDEM, OAQ on the draft New Source Construction and Part 70 Operating Permit:

Thank you for the opportunity to speak. My name is Alex Gayheart, I'm a lifelong resident of Michigan City and at least a fourth generation Indiana Hoosier. I care deeply about the health of my home state and city, my fellow citizens, and our environment. I hope your decision regarding this permit reflects the same kind of care and commitment to Indiana and the folks who call it home.

I am here today because it seems obvious to me that IDEM's current draft permit for Lavender Fields does **not** align with IDEM's mission to protect human health and the environment.

Diesel emissions include hazardous air pollutants which **increase the risk of respiratory and cardiovascular disease, cancer, and neurological disorders, for smog** (ozone) **and acid rain, and contribute to climate change**. Approving the usage of 70 diesel backup generators and 70 storage tanks holding over 376,000 gallons of diesel on-site does not protect human health or the environment.

This permit also lacks basic pollution-control technology. **Tier 4 controls can reduce pollutants by 90-95%,** yet IDEM is allowing Google to run these generators with **no pollution controls at all.**

Instead of requiring a PSD permit - which would trigger Best Available Control Technology, air modeling, and a public health review - the company asked IDEM to set a minor source **synthetic limit of 244 tons of nitrogen oxides**, only 2% below the 250-ton major-source threshold. IDEM accepted that limit. Why is IDEM allowing one of the wealthiest companies in the world to take the easier, low cost route while putting the health of Indiana residents and our environment at risk? Obviously Google cares more about profit than the people of Indiana. My question to you is, what and who does IDEM care more about?

Monitoring and oversight are also insufficient. The company would **self-monitor,** reporting only quarterly. There is **no continuous emissions monitoring,** no modeling of pollution plumes, and no evaluation of cumulative impacts - despite nearby industries and additional Google data centers totaling 724 megawatts of diesel capacity coming online. There is no evaluation of environmental-justice concerns, even though this community already carries a pollution burden.

Public participation has also been inadequate. There was **no plain-language summary** and insufficient notice for comments, which prevents meaningful community involvement.

Finally, IDEM did not evaluate cleaner alternatives like battery storage, hybrid systems, or renewables. HVO is included in the permit as an environmentally friendly alternative fuel source but it's not actually required or guaranteed, and it's more expensive than diesel, so honestly, how likely is it that Google would voluntarily choose that option?

In short, this permit does not restrict pollution to environmentally safe levels. It does not reflect IDEM's mission or its statutory responsibilities. I respectfully ask IDEM to revise or deny this permit and require a major source permit, modern pollution controls, continuous monitoring, cumulative impact assessment, and meaningful public participation.

IDEM Response to Alex Gayheart Comments:

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

(1) IDEM Response to General Statement 1 – Public Participation and Permitting Process
(2) IDEM Response to General Statement 3 – Impact to the Environment and Public Health/Wellbeing
(3) IDEM Response to General Statement 5 – Denial of the Permit
(4) IDEM Response to Comment 3

There are no changes made to the permit due to these comments.

TJ Gaertig Comments and IDEM Responses

On December 12, 2025, TJ Gaertig submitted comments to IDEM, OAQ on the draft New Source Construction and Part 70 Operating Permit:

You need to require the specifications for these diesel generators be released to the public before the public can adequately vet them. Once they are released, there needs to be a second public hearing with the newly informed public.

IDEM Response to TJ Gaertig Comments:

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

(1) IDEM Response to General Statement 1 – Public Participation and Permitting Process

Engine Specifications

IDEM, OAQ confirms that the specifications for the generators were submitted and reviewed by OAQ staff. The information included in the calculations is accurate to the best of IDEM, OAQ's knowledge. Regardless of the brand of generator, the numbers included in the calculations would remain the same, as they reflect what has been submitted and the published emission data for several pollutants, as these engines are certified to meet EPA standards specified in 40 CFR 60, Subpart IIII and 40 CFR 63, Subpart ZZZZ. EPA certification testing is designed to encompass a range of operations and, therefore, the EPA certified values are sufficient. In the future, IDEM, OAQ reserves the right to require data centers to make all generator information public.

IDEM does not have the authority to require a specific type of unit be constructed at the source.

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

There are no changes made to the permit due to these comments.

Amy Losinski Comments and IDEM Responses

On December 13, 2025, Amy Losinski submitted comments to IDEM, OAQ on the draft New Source Construction and Part 70 Operating Permit:

I am writing to strongly urge the Indiana Department of Environmental Management (IDEM) to deny the draft air permit, T091-49561-00195, for Lavender Fields Holdings LLC, a Google shell company, for its Project Maize data center at 402 Royal Road in Michigan City.

I wanted to personalize a response that I think this decision should at least be delayed until Michigan City replies to my FOIA request that I have been waiting on since September 10th, 2025. I have escalated my request with a FOIA complaint to the state. I was requesting documents because in spring of 2025 the city granted Phoenix a permissible use to allow data centers into our M1 zoning.

Per Michigan City Ordinances:
(a)M1 Light Industrial District. The M1 Light Industrial District is established for light industries, such as light manufacturing or processing of previously refined materials and other industrial uses that have no adverse impact upon neighboring districts. This district also allows certain commercial uses that are industrial in character or are necessary to provide services to persons working within the district. Uses in this district must have less of an impact on surrounding uses and generate less truck traffic than the other industrial developments. Limitations regarding the degree of noise, smoke, glare, odor, and vibration are placed upon such uses to preclude any adverse effects upon nearby commercial or residential districts. it is intended that this district act as a transition between heavier industrial uses and residential or commercial areas.

Specifically pay attention to this line: The M1 Light Industrial District is established for light industries, such as light manufacturing or processing of previously refined materials and other industrial uses that have no adverse impact upon neighboring districts.

And this line:
Limitations regarding the degree of noise, smoke, glare, odor, and vibration are placed upon such uses to preclude any adverse effects upon nearby commercial or residential districts.

I believe are city may have failed to conduct proper research to assure the above two lines. That the construction of this data center and possible expansion, may have serious impact on residential neighborhoods and to dangerously close schools.

Plus, I fear our council may have proceeded forward with votes without seeing any official plans to what they were ever voting to approve.

This structural clearly belongs in our designated M2 zoning.

(b)M2 Heavy Industrial District. The M2 Heavy Industrial District is established to permit heavier industrial uses that are primarily of a manufacturing, assembling, and fabricating character, and are large-scale or specialized industrial operations more likely to produce external physical effects impacting to some degree surrounding districts. The M-2 District is further designed to be located in areas where heavy industrial uses can most efficiently utilize major roadways, utilities and other infrastructure while minimizing any incompatible aspects with neighboring districts.

Some FOIA requests have come back to other residents saying nothing of such requests exist. I personally asked for the specific timeframe in Spring before they granted this use in our M1.

I am not asking for an immediate no vote. I am simply asking you to delay this vote until we have the answers to the above questions. I ask this because if the city failed to act responsibly, then I believe your vote should be a no based on errors made by our city and our current ordinances.

This draft air permit is woefully inadequate and poses a clear threat to our air and our health. Demand better, and deny draft permit T091-49561-00195.

IDEM Response to Amy Losinski Comments:

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

(1) IDEM Response to General Statement 1 – Public Participation and Permitting Process
(2) IDEM Response to General Statement 3 – Impact to the Environment and Public Health/Wellbeing
(3) IDEM Response to General Statement 5 – Denial of the Permit
(4) IDEM Response to General Statement 6 – Zoning

There are no changes made to the permit due to these comments.

Elizabeth S. McCloskey Comments and IDEM Responses

On December 14, 2025, Elizabeth S. McCloskey submitted comments to IDEM, OAQ on the draft New Source Construction and Part 70 Operating Permit:

> Please deny the draft air permit, T091-49561-00195, for Lavender Fields Holdings LLC, a Google shell company, for its Project Maize data center at 402 Royal Road in Michigan City, LaPorte County, Indiana.
>
> This permit covers only Phase 1 of the proposed project and would allow the facility to operate 70 diesel backup generators (66 diesel-fired emergency generators and 4 smaller generators), totaling 197 megawatts, which is equivalent to a small power plant. This AI data center, located on a known brownfield already cited by the Indiana Department of Environmental Management (IDEM) for Trichloroethylene violations, is dangerously close to residential neighborhoods, businesses, natural and recreation areas, and schools, including the CCC Head Start - Niemann Elementary School, which is about 1/2 mile to the north, and Krueger Middle School, which is about 1/3 mile to the west. Krueger Middle School is known for its outdoor education facilities, including woodlands and wetlands along Trail Creek. This means that the students utilizing these outdoor facilities would be directly exposed to the air pollution generated by the Project Maize data center.
>
> Concerning natural and recreation areas, natural lands owned and managed by the Shirley Heinze Land Trust (SHLT) are located immediately east of the project site, directly across Royal Road. This includes McCloskey Wetlands, named after myself and my late husband. This 16.5-acre parcel fronting Royal Road is a wetland mitigation site, required to be protected in perpetuity by the Chicago District, U.S. Army Corps of Engineers, as mitigation for the loss of other wetlands in the Michigan City area, a permit that also involved a Section 401 Water Quality Certification from IDEM. This parcel, and adjacent SHLT lands that extend east to SR 212, support Indiana-listed rare plants and rare habitat types (northern flatwoods) but are not currently listed as a State Dedicated Nature Preserve. However, SHLT-owned Ambler Flatwoods, approximately 1 mile to the northeast at SR 212 and Tryon Road, is a Dedicated Nature Preserve which would also be adversely impacted by the air pollution generated by Project Maize.
>
> Immediately south of the Project Maize site, just south of the NICTD railroad, are 2 golf courses owned by Michigan City. Golfers and other recreationists at these city-owned sites would be directly impacted by the air pollution released by the generators.
>
> IDEM must not allow Lavender Fields Holdings LLC to game the system and operate these generators without pollution controls in a community already burdened by industrial air pollution. There is a residential community along Springland Avenue immediately north of the SHLT property. The Woodlands is north of that community along Tryon Road, while Tryon Farm and Mayfield Prairie are further to the west near Royal Road and Niemann School. The residents of these communities do not deserve to be sacrificed for the sake of Project Maize.
>
> IDEM's draft air permit allows for a staggering amount of uncontrolled and unnecessary air pollution. Therefore, I request that IDEM deny this draft permit and issue a stricter one that better protects public health.
>
> In addition to allowing the release of air pollution from diesel exhaust, which includes carcinogens, the current draft permit would allow the facility to emit up to 2,100 tons of carbon dioxide each year, locking in 30 years of fossil fuel infrastructure (the life of the permit). This would allow air pollution that could significantly harm local and regional air quality (which is already affected by steel mills and other pollution sources upwind to the west), increase smog and the risk of asthma attacks, raise healthcare costs, and pose a serious threat to children, the elderly, and other vulnerable individuals.

Project Maize is a totally new facility being built in 2025/26 to address 21st Century computing data demands, so there is no excuse for one of the wealthiest corporations in the world to be using outdated, unfiltered diesel generators when cleaner, better options exist. By ignoring modern technology, the applicant is exploiting regulatory loopholes and prioritizing profits over our community's health and well-being.

I request that IDEM deny this permit and address the following demands:

1. Ensure a Transparent Process: Extend the public comment period by 60 days to provide the community adequate time to review and respond to this complex proposal.
2. Mandate Modern Pollution Controls: Require the use of the cleanest generator technology available to significantly reduce emissions, such as Tier 4 generators that can reduce harmful emissions by 90-95%. In the event of a significant emergency, the site would exceed its synthetic NOx limit in just 158 hours, far less than the 500 emergency hours permitted. IDEM must enforce stricter operating limits and require modern pollution control technology.
3. Require a Major Source Permit: Given the likelihood that this site would exceed NOx emissions in an emergency, mandate a Major Source Permit under the Prevention of Significant Deterioration Program to ensure that Best Available Control Technology is used, including pollution controls, and require a public health analysis, an impacts analysis, and meaningful public involvement. The expansion of diesel generator use must be evaluated immediately, as this site is already in phase 1 of construction.
4. Require Cleaner Back-Up Power: Prohibit conventional diesel and require cleaner alternatives, such as large-scale battery storage and renewable energy. Any permit language allowing Hydro-treated Vegetable Oil (HVO) must be enforceable and require its exclusive use. However, HVO alone is not a solution as it does not reduce key pollutants such as particulate matter.
5. Strengthen Enforcement and Oversight: Install permanent fenceline pollution monitors, conduct quarterly audits and analyses by third-party, independent experts, and make all generators' operational data easily accessible to the public.

This draft air permit is woefully inadequate and poses a clear threat to our air and our health. IDEM must demand better, and deny draft permit T091-49561-00195.

IDEM Response to Elizabeth S. McCloskey Comments:

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

(1) IDEM Response to General Statement 1 – Public Participation and Permitting Process
(2) IDEM Response to General Statement 2 – Request to Postpone/Reschedule Public Meeting and Extend the Public Comment Period
(3) IDEM Response to General Statement 3 – Impact to the Environment and Public Health/Wellbeing
(4) IDEM Response to General Statement 4 – Soil Contamination
(5) IDEM Response to General Statement 5 – Denial of the Permit
(6) IDEM Response to General Statement 6 – Zoning
(7) IDEM Response to Comment 3

There are no changes made to the permit due to these comments.

Nancy Moldenhauer Comments and IDEM Responses

On December 14, 2025, Nancy Moldenhauer submitted comments to IDEM, OAQ on the draft New Source Construction and Part 70 Operating Permit:

> My primary concern is to protect the residents in my Ward 6, especially with 3 schools (Paladin Head Start, Krueger Middle School, and Notre Dame (K-8), several residential areas, and a golf course within 2 miles of the Project Maize data center.
>
> I am requesting diesel generator safeguards be included when approving this permit:
>
> 1) Tiered Emission Standards: Select generators with stricter emission standards, Tier 4 are significantly better than the Tier 2 chosen.
>
> 2) Diesel Particulate Filters: Install these in order to capture soot and other particulate matter to significantly reduce pollution.
>
> 3) Fuel Quality: Use high-quality low-sulfur diesel fuel OR even consider bio-diesel fuel for cost savings and lower carbon emissions.
>
> 4) Limit Number: Ensure there are only 66 generators as revealed in prior meetings, not the 70+ generators that appear to be referenced in this application.
>
> 5) Future: Alternative battery energy storage systems (BESS) are used successfully in other parts of the country, so seriously consider utilizing them for this development or even require them when data centers are in municipalities or close to where people learn, live, and recreate. One such company is VERTIV.
>
> I am committed to health, well-being, and quality of life for all our residents who live within Ward 6 and in Michigan City.

IDEM Response to Nancy Moldenhauer Comments:

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

(1) IDEM Response to General Statement 3 – Impact to the Environment and Public Health/Wellbeing
(2) IDEM Response to General Statement 6 – Zoning
(3) IDEM Response to Comment 3

There are no changes made to the permit due to these comments.

Janet Thomas Comments and IDEM Responses

(a) On December 15, 2025, Janet Thomas submitted comments to IDEM, OAQ on the draft New Source Construction and Part 70 Operating Permit:

> I am very concerned about the operation of a large data center within a few blocks of my home. The use of 70 diesel generators emitting hazardous pollutants is troublesome. As are 70 tanks for storing diesel fuel so close to homes and schools full of people. Relying on the data center to monitor itself is risky. After all, Lavender Fields chose to install cheaper generators instead of those with pollution controls. Therefore, I ask that IDEM place a pollution monitor near the data center to identify if hazardous emissions occur. Then concerned citizens can view this data.

Even though the data center is being built on a known brown field, Lavender Fields Holdings removed contaminated soil in open bed trucks without tarps. I saw this hazardous dirt billow from the trucks as they sped down my street and blow all over my neighborhood. I later learned the soil was dumped in an unapproved site. At the meeting with IDEM I learned that this was still under investigation. I would like to know the outcome of the investigation and what is being done about this. Do I need to worry that my yard isn't safe?
I believe that businesses such as data centers should not be built close to neighborhoods. There's too much risk to human health.

(b) On December 15, 2025, Janet Thomas submitted comments to IDEM, OAQ on the draft New Source Construction and Part 70 Operating Permit:

Regarding the contaminated soil removed from the data center site, I would like to know the results of the investigation. As the soil blew all over my neighborhood, I would like to know what chemicals are involved. Thank you.

IDEM Response to Janet Thomas Comments:

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

(1) IDEM Response to General Statement 3 – Impact to the Environment and Public Health/Wellbeing
(2) IDEM Response to General Statement 4 – Soil Contamination
(3) IDEM Response to General Statement 6 – Zoning
(4) IDEM Response to Comment 3

There are no changes made to the permit due to these comments.

Kim Scipes Comments and IDEM Responses

(a) On December 15, 2025, Kim Scipes submitted comments to IDEM, OAQ on the draft New Source Construction and Part 70 Operating Permit:

I attended the public hearing regarding Lavender Fields Holdings, LLC, held on December 9, 2025 at the Michigan City High School.

First, I want to give my general impressions, and then my specific comments.

I want to say public trust for any IDEM hearings on proposed projects seems close to zero. I say this after having been intimately involved in the permitting process for the Confined Disposal Facility (CDF) in East Chicago, IN during 2002-03, and then less involved since then; the game was felt to be so rigged that I didn't want to waste my time. I attended this hearing because I thought the public could use my expertise and experience to help stop this insane project. Hence, this intervention.

The idea of having public hearings is a good one, but they've got to be done honestly and not after the fix is in. The idea of allowing ANY construction/clearing on a project before the entire set of hearings is completed and evaluated makes it rigged; in and of itself, it undermines and destroys public confidence in any decisions IDEM ultimately makes on any project.

Should you honestly be willing to conduct hearings involving the public there are three things I think you should do in every permit process going forward from here.

1 No construction/clearing or any other work on the proposed site shall be initiated prior to final evaluation and analysis of the entire project is completed, and the decision made public.

2. Community hearings on the various aspects of the project (including water, soil, air, and public health) should be held, and findings should be publicly reported via local news media. Additionally, findings should be transmitted to any who attended a public hearing and/or signed their name requesting information. All of these hearings should be completed before going to step #3 (below).

3. Finally, a professional sociologist, public health person, or appropriate other professional, with no ties to IDEM or permitting party, should be hired to hold hearings, do interviews, and meet with interested individuals and public groups in consideration of ALL findings from the previous public hearings, so as to evaluate the overall impact of the project. The primary issue will be potential negative impact on public health. This will end the widespread belief that IDEM is conducting public hearings of single issues in order to "divide and conquer" any opposition that has emerged. We want the fullest information to be sought and put forth on any project before final evaluation is made; that way public confidence in the permitting process will be maintained.

If legislation should be required to implement these full recommendations as being mandatory in all projects across Indiana, then I encourage IDEM leaders immediately take measures to get these passed by the legislature.

Now, to comments specific to Permit No. 091-49561-00195.

During the December 9, 2025, hearing, it was reported that the project being proposed would be "monitored" for harmful emissions; however, nothing further was indicated.

- First, this air monitoring must be done on-site to be accurate and applicable. Away from the site, the acuity of the readings becomes denigrated as distance from site increases;

- Second, standards must be researched and chosen before these generators are started. There must be a list of chemicals being monitored, and the limit at which public health becomes "at risk" from each chemical must be identified, selected, and put in the public record before any generator can be started. These must be the strictest established to that date by public health officials/professionals in the United States. Until this finding is established, project should not start.

- Third, should there be a violation of any standard, the entire project must be shut down within 24 hours of recording until every standard again is in compliance with previously established standards for at least 48 hours. Without enforceable—and enforced—standards, monitoring becomes a sick joke, consciously deceiving the public that is supposed to be served.

I saw this game being run by the Army Corps of Engineers at the before-mentioned CDF processes. Sure, they had air monitors, but they had no measurable standards, and they had no plans to enforce them even if they had standards. Again, without enforceable—and enforced—standards, monitoring becomes a sick joke.

The public depends on IDEM to ensure their safety, yet IDEM's record is shaky at best. We need this agency to be an agent of the people, not of the corporations—most, like this, whose practice shows their primary interest is to make a profit—who care not a damn about our safety and public health.

Please take care of Hoosiers: it should be a sacred trust!

IDEM Response to Kim Scipes Comments:

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

(1) IDEM Response to General Statement 1 – Public Participation and Permitting Process
(2) IDEM Response to General Statement 3 – Impact to the Environment and Public Health/Wellbeing
(3) IDEM Response to General Statement 6 – Zoning
(4) IDEM Response to Comment 3

Construction

Pursuant to 326 IAC 1-2-21, "Construction" mean fabrication, erection, or installation of one (1) or more emissions units at the location intended for its use. Construction does not include any of the following:

(1) Installation of building supports and foundations.
(2) Laying underground piping or arbors.
(3) Erection of storage structures.
(4) Dismantling existing equipment and control devices.
(5) Ordering of equipment and control devices.
(6) Off-site fabrication.
(7) Temporary storage other than where permanent installation will occur.

The units that could potentially emit air pollution at Lavender Fields Holdings are the generators themselves and the tanks listed in section A of the permit. As long as these units are not installed in the permanent location intended for their use, "construction" as defined at 326 IAC 1-2-21 has not taken place.

Malfunctions

For any malfunction lasting one (1) hour or longer, the Permittee must submit the Malfunction Report included in the Permit to IDEM, OAQ, within four (4) daytime business hours of the start of the malfunction. On this report, the source must identify which units malfunctioned, the details of the malfunction, when it started, when it was corrected or is expected to be corrected, what pollutants the malfunctioning unit emits, how much of each pollutant was emitted during the malfunction, and what corrective measures the source took/is taking to correct the malfunction. This information is then evaluated by IDEM's Compliance and Enforcement Branch.

There are no changes made to the permit due to these comments.

Elise Zaniker Comments and IDEM Responses

On December 15, 2025, Elise Zaniker submitted comments to IDEM, OAQ on the draft New Source Construction and Part 70 Operating Permit:

Environmental Law & Policy Center, Just Transition Northwest Indiana, and Hoosier Environmental Council (“Commenters”) respectfully submit the following comments on the draft New Source Construction and Part 70 Operating Permit (“Draft Permit”) for Lavender Fields Holdings LLC (“Permittee”) for the construction of a data center located at 402 Royal Road, Michigan City, Indiana

46360 ("Facility"). Commenters appreciate the opportunity to provide public comments on this Draft Permit. Please let us know if you have any questions.

Commenters are non-profit organizations that work to promote a healthier environment for all. Commenters advocate for vigorous enforcement of federal and state environmental laws to protect public health and ensure that businesses do not receive a competitive advantage by polluting the environment.

I. Background

Lavender Fields Holdings LLC is applying for a New Source Construction and Part 70 Operating Permit for a new data center, known as Project Maize, in Michigan City, Indiana. The Facility would have 66 diesel-fired critical emergency generators, two-diesel fired site entrance emergency generators, and two diesel-fired fire pump emergency generators. The generators also can use hydro-treated vegetable oil ("HVO") as a secondary drop-in fuel.[1] These 70 emergency generators would all operate without any air pollution controls and exhaust outdoors. The Facility will use "electrical power provided by the local utility to maintain operations" but will use the 66 critical emergency generators to "prevent power disruption to critical data center equipment and systems" if there is "power supply interruption."[2]

The Facility is asking for a voluntary emissions limit of 245 tons of NOx and CO per any consecutive twelve-month period to avoid being subject to the Prevention of Significant Deterioration ("PSD") requirements.[3] The Facility will determine compliance with these emissions limits by recording the number of hours the 66 diesel-fired critical emergency generators operate each month and calculating the estimated NOx and CO emissions using compliance equations.[4] All 70 emergency generators are also subject to New Source Performance Standards (NSPS) and National Emissions Standards for Hazardous Air Pollutants (NESHAPs).[5]

These emergency generators could cause significant local environmental harm if they are operated for extended periods of time. Exposure to diesel emissions can cause serious health impacts such as asthma, respiratory illness, and worsening heart and lung disease.[6] Diesel emissions can result in increased emergency room and hospital visits, increased absence from work and school, and premature death.[7] Other communities located near data centers have already experienced this risk coming to pass. In Loudoun County Virginia, a June 2025 heat wave caused power demand to peak, which resulted in data centers' emergency diesel-fired generators "running 24/7 for days at a time," resulting in numerous complaints about the black smoke coming from the generators.[8]

II. Comments on the NOx and CO Emissions Limits in Section D of the Draft Permit.

a. IDEM Must Revise the Permit to Include Proper Record Keeping and Reporting Requirements.

The Permittee is avoiding the more stringent PSD requirements by agreeing to limit its NOx and CO emissions to 245 tons per year. The Permittee must determine compliance with the limits based on compliance equations using the hours that each generator operates each month as inputs. Therefore, it is essential that the Permittee is properly recording and reporting its hours of operation so that the emissions are calculated accurately. Currently, the record keeping and reporting requirements in Condition D.1.5 only require the Permittee to maintain records on the "Hours of operation by each sixty-six (66) diesel-fired emergency generators, GEN1 through GEN66, on a monthly basis and for each compliance period."[9] This is insufficient for two reasons.

First, the compliance equation in Condition D.1.3 and D.1.4 calculates NOx and CO emissions based on two inputs: (i) HR>25% load, defined as the "[h]ours operated by GEN1 through GEN66 in hours/month, when operating above 25% electric load in hours/month," and (ii) and HR≤25% load, defined as "[h]ours operated by GEN1 through GEN66 in hours/month, when operating at or below 25% electric load in hours/month." IDEM must revise the Draft Permit to specifically require the Permittee to record the hours operated above 25% electrical load and the hours operated at or below 25% electrical load so that the Permittee can properly calculate emissions with the compliance equation.

Second, each emergency generator is required to have non-resettable hour meters under 40 C.F.R. §60.4209(a).[10] IDEM should specify that the Permittee must record and report the hours of operation using these non-resettable hour meters to ensure that the hours are being recorded and reported accurately.

b. IDEM Must Provide Verified Emissions Factors for HVO Fuel to Ensure that the Compliance Equations Accurately Determine Compliance with the Emissions Limits.

A Part 70 permit must have "[m]onitoring and related record keeping and reporting requirements, which assure that all reasonable information is provided to evaluate continuous compliance with the applicable requirements."[11] The Draft Permit include two compliance equations, one for NOx and one for CO, each of which use emissions factors based on diesel fuel. But the Draft Permit also allows the Permittee to use HVO as a secondary drop-in fuel. The Draft Permit does not provide any emissions factors for HVO, but instead states that "[e]missions will be equal to or less than diesel emissions shown above. This has been verified by test results submitted by the source from the manufacturer." These test results are not included in IDEM's Virtual File Cabinet for this permit. The public permit application simply states that "[e]missions from Hydrotreated Vegetable Oil (HVO) will be equal to or less than diesel emissions shown above" and does not provide any supporting documentation. The Draft Permit therefore fails to "assure that all reasonable information is provided to evaluate continuous compliance with the applicable requirements." If IDEM plans to only include one compliance equation using only diesel fuel emission factors, it must validate and prove its assumption that HVO will not have a higher emissions rate. IDEM must revise the Draft Permit to include HVO emissions factors so that the permits terms are "sufficient to enable regulators and citizens to determine whether the limit has been exceeded and, if so, to take appropriate enforcement action."[12]

III. Comments on the NSPS and NESHAP Requirements in Section E of the Draft Permit.

A. IDEM Must Revise the Permit to Include Specific NSPS and NESHAP Requirements Rather than Only Citing the Applicable Regulations.

Title V permits should "enable the source, States, EPA, and the public to understand better the requirements to which the source is subject, and whether the source is meeting those requirements."[13] Further, the permit must "specify and reference the origin and authority for each term and condition, and identify any difference in form as compared to the applicable requirement upon which the term or condition is based."[14]

Section E of the Draft Permit, which contains the applicable NSPS and NESHAP requirements, fails to meet these requirements. The Draft Permit states only that the Facility "shall comply with the following provisions" of 40 CFR Part 60, Subpart IIII[15] and 40 CFR Part 63, Subpart ZZZZ[16] and then lists numerous sections from the Code of Federal Regulations (CFR) and the regulation's title in tables. These citations alone are insufficient to enable the public to understand applicable requirements and do not identify the "origin and authority" for any of the terms and conditions contained in Section E.

For example, Condition E.1.2(a) states that the 68 diesel-fired emergency generators are subject to 40 C.F.R. § 60.4205(b). Section 60.4205(b) states that "[o]wners and operators of 2007 model year and later emergency stationary CI ICE with a displacement of less than 30 liters per cylinder that are not fire pump engines *must comply with the emission standards for new nonroad CI engines in § 60.4202*, for all pollutants, for the same model year and maximum engine power for their 2007 model year and later emergency stationary CI ICE." Condition E.1.2, however, does not say that the generators are subject to 40 C.F.R. § 60.4202, and that section sets different emissions standards and requirements based on model year, horsepower, and engine displacement. IDEM should revise the permit to explicitly list which, if any, standards from 40 C.F.R. § 60.4202 apply, and incorporate the applicable NSPS and NESHAP

requirements into Section E of the Draft Permit, rather than simply listing the regulatory sections and attaching the entire CFR subpart.

B. IDEM Must Revise the Permit to Include All Relevant Characteristics of the Generators in the Emissions Unit Descriptions.

IDEM should revise the emissions unit descriptions in Sections E.1 and E.2 to adequately describe the generators so that the public can determine whether the permit includes the correct NSPS and NESHAP standards. For example, Condition E.1.2 states that the 68 emergency generators are subject to 40 C.F.R. § 60.4205(b). As noted above, section 60.4205(b) applies to "emergency stationary CI ICE with a displacement of less than 30 liters per cylinder." But the emissions unit descriptions for these generators only lists the year they were manufactured and their output horsepower rating, not their engine displacement.[17] The "source, States, EPA, and the public" cannot understand "the requirements to which the source is subject"[18] if the permit does not provide all of the information necessary to determine whether the permits list the correct NSPS and NESHAP requirements. Therefore, IDEM must revise the emissions unit descriptions to include the emergency generators' engine displacement and any other characteristics necessary to determine which requirements apply.

IV. IDEM Must Properly Penalize Any Permit Violations by Accounting for the Economic Benefit to the Violator.

Under 326 IAC 1-8-5, IDEM "shall calculate and add the economic benefit to the base civil penalty . . . when a violation results in significant economic benefit to the violator." The Permittee is relying on these diesel-fired emergency generators to "prevent power disruption to critical data center equipment and systems" if there is "power supply interruption."[19] Given that, the Permittee would obtain a significant economic benefit from violating the emissions limit if it were necessary to maintain power at the Facility and avoid a costly and disruptive power shortage. Therefore, if the Permittee violates the emissions limits set in Condition D.1.1, IDEM must calculate the economic benefit of noncompliance with the limit and add it into any civil penalty issued. Since the Permittee is choosing to be subject to voluntary emissions limits to avoid the PSD requirements, which allows it to install uncontrolled diesel-fired generators instead of cleaner energy sources, the Permittee must follow these voluntary limits and IDEM must enforce compliance with those limits to the full extent of the law.

V. Conclusion

IDEM must ensure that the Part 70 operating permit for this Facility adequately ensures that the Facility will comply with the emissions limits set, provides adequate record keeping and reporting requirements, and allows the public to understand the terms and conditions in the permit and whether they are being met by the Facility. Therefore, the Commenters request that IDEM do the following before approving the New Source Construction and Part 70 Operating Permit:

- Revise the Draft Permit to clarify that the Permittee must record the hours of operation above 25% electric load and at or below 25% electric load using the generators' non-resettable hour meter.
- Provide emissions testing results demonstrating that HVO would have equal or lesser NOx and CO emissions when used as a drop-in fuel.
- Revise the Draft Permit to include the specific NSPS and NESHAP requirements that apply rather than simply citing regulations.
- Revise the emissions unit descriptions in the Draft Permit to include all relevant characteristics of the generators needed to determine which NSPS and NESHAP requirements apply.
- Commit to properly enforce any violation of the permit by including the economic benefit to the violator in any civil penalty issued.

Thank you for your consideration of these comments. Please feel free to reach out with any questions or if you need additional information.

[1] Section D.1 at 25 (pdf pg. 27).
[2] Lavender Fields Holdings LLC Public Application ("Public Application") available at https://ecm.idem.in.gov/cs/idcplg?IdcService=GET_FILE&dID=83861969&dDocName=83866012&Rendition=we b&allowInterrupt=1&noSaveAs=1 at 2 (pdf pg. 6).
[3] Condition D.1.1 at 25 (pdf pg. 27).
[4] Condition D.1.3, D.1.4 at 25-26 (pdf pg. 27-28).
[5] Section E.1, E.2 at 28-32 (pdf pg. 30-34).
[6] U.S. EPA, *Learn About Impacts of Diesel Exhaust and the Diesel Emissions Reduction Act*, available at https://www.epa.gov/dera/learn-about-impacts-diesel-exhaust-and-diesel-emissions-reduction-act.
[7] *Id*.
[8] Hanna Pampaloni, *Heat Wave Prompts Increased Data Center Generator Use; Turner Pushes for Tier 4 Upgrades*, Loudoun Now (Jul. 16, 2025) available at https://www.loudounnow.com/news/heat-wave-prompts-increased-data-center-generator-use-turner-pushes-for-tier-4-upgrades/article_60a48bda-dc50-4d1a-8b16-399cd4340350.html; see *also* R. Christian Smith, *CyrusOne warns residents near Aurora data center of upcoming generator use*, Chicago Tribune (Aug. 11, 2025) available at https://www.chicagotribune.com/2025/08/11/residents-near-cyrusone-data-center-in-aurora-concerned-about-noise/ (describing how an Illinois data center had to use emergency generators for multiple days during facility repairs, which caused noise pollution described by a nearby resident as "like a helicopter was landing on her roof.")
[9] Condition D.1.5 at 26 (pdf pg. 28).
[10] *See* Condition E.1.2(a) at 29 (pdf pg. 31) stating that the emergency generators must comply with 40 C.F.R. § 60.4209(a).
[11] 326 IAC § 2-7-5(3); *see also In the Matter of Orange Recycling and Ethanol Production Facility, Pencor-Masada Oxynol, LLC,* (Apr. 8, 2002), https://www.epa.gov/sites/default/files/2015-08/documents/masada- 2_decision2001.pdf, at 7 (explaining that a permit's terms must be "sufficient to enable regulators and citizens to determine whether the limit has been exceeded and, if so, to take appropriate enforcement action").
[12] *In the Matter of Orange Recycling and Ethanol Production Facility, Pencor-Masada Oxynol, LLC,* (Apr. 8, 2002), https://www.epa.gov/sites/default/files/2015-08/documents/masada-2_decision2001.pdf, at 7 (explaining that a permit's terms must be "sufficient to enable regulators and citizens to determine whether the limit has been exceeded and, if so, to take appropriate enforcement action").
[13] 57 Fed. Reg. 32251 (July 21, 1992).
[14] 40 C.F.R. § 70.6(a)(1)(i).
[15] Condition E.1.2 at 29-30 (pdf pgs. 31-32).
[16] Condition E.2.2 at 32 (pdf pg. 34).
[17] Section E.1 at 28 (pdf pg. 30).
[18] 57 Fed. Reg. 32251 (July 21, 1992).
[19] Public Application at 2 (pdf pg. 6).

IDEM Response to Elise Zaniker Comments:

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

(1) IDEM Response to General Statement 3 – Impact to the Environment and Public Health/Wellbeing
(2) IDEM Response to Comment 3

Engine Specifications

IDEM, OAQ confirms that the specifications for the generators were submitted and reviewed by OAQ staff. The information included in the calculations is accurate to the

best of IDEM, OAQ's knowledge. All 66 of the critical emergency generators are calculated based off of EPA's Tier 2 emission standards. Regardless of the brand of generator, the numbers included in the calculations would remain the same, as they reflect what has been submitted and the published emission data for several pollutants, as these engines are certified to meet EPA standards specified in 40 CFR 60, Subpart IIII and 40 CFR 63, Subpart ZZZZ. EPA certification testing is designed to encompass a range of operations and, therefore, the EPA certified values are sufficient. In the future, IDEM, OAQ reserves the right to require data centers to make all generator information public.

IDEM does not have the authority to require a specific type of unit be constructed at the source.

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

Hydro-treated Vegetable Oil (HVO)

EPA defines Diesel fuel as: "any liquid obtained from the distillation of petroleum with a boiling point of approximately 150 to 360 degrees Celsius. One commonly used form is fuel oil number 2. Diesel fuel also includes any non-distillate fuel with comparable physical and chemical properties (*e.g.* biodiesel) that is suitable for use in compression ignition engines." - https://www.ecfr.gov/current/title-40/section-63.6675

HVO meets the EPA's definition of Diesel fuel. Therefore, Lavender Fields has the same requirements whether they are utilizing regular diesel fuel or HVO. This has been explicitly stated in the permit.

Possible Future Violations

IDEM, OAQ understands that some commenters have concern that the source could have possible future violations of environmental law. However, Indiana court cases have held 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/oalp/final-decisions/final-orders/

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

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

Non-resettable Hours Meter

This requirement is included under 40 CFR 60.4209(a), which is cited in the permit under Condition E.1.2. Therefore, this requirement is already specified in the permit, and there are no changes made to the permit due to these comments.

Federal Rule Requirements

The Indiana air permitting requirements that are applicable to this source are part of the state implementation plan (SIP) that is approved by EPA. On January 21, 2022, U.S. EPA, Region 5 completed a review of the IDEM New Source Review and Title V Permit Programs for 2021. The review found that IDEM's air permit program strengths include robust online public access to various types of supporting permit records and detailed technical support documents that clearly identify any changes to the current permit and that provide justification for IDEM's decisions. In addition, IDEM's permit development and issuance process is well-supported by permit drafting tools and resources, internal review procedures, and training for permit writers. It also mentioned that EPA periodically reviews draft permits during the public comment period and works with IDEM to resolve issues raised by EPA in a timely manner. IDEM has worked closely with EPA to address concerns and to issue final permits that are consistent with the CAA and the Indiana SIP.

Both in the draft TSD and Part 70 Operating Permit Renewal, IDEM, OAQ has cited to the specific portions of each applicable NSPS and NESHAP. Such self-implementing applicable requirements should generally be included in, or incorporated into, a title V permit without further review. IDEM, OAQ includes the applicable federal requirements in the E sections. In addition, IDEM, OAQ attaches each applicable federal rule in its entirety to the permit. IDEM, OAQ has provided the public with a detailed applicability determination. The fact that the commenter does not approve of the format it was provided in does not justify changing the format IDEM, OAQ uses for all Part 70 Operating Permits.

U.S. EPA has provided guidance on this in White Paper 2 for Improved Implementation of The Part 70 Operating Permits Program (March 5, 1996), which explains how incorporation by reference (IBR) can satisfy the requirements of CAA § 504. In all cases where IBR is employed, the title V permit must contain references that are "detailed enough that the manner in which the referenced material applies to the facility is clear and is not reasonably subject to misinterpretation." *White Paper 2* at 37.

This document is available at: https://www.epa.gov/title-v-operating-permits/white-paper-number-2-improved-implementation-part-70-operating-permits

No changes to the format for federal rule incorporation by reference in the draft permit are made as a result of these comments.

IDEM agrees with the recommended changes regarding record keeping requirements for hours of operation. The permit has been revised as follows, with deleted language as ~~strikeouts~~ and new language **bolded**:

D.1.5 Record Keeping Requirement

(a) To document the compliance status with Conditions D.1.1(a), D.1.1(b), D.1.3, and D.1.4, the Permittee shall maintain records of the following, when using either diesel fuel or HVO fuel:

(1) Hours of operation**, when operating over 25% load,** by each sixty-six (66) diesel-fired emergency generators, GEN1 through GEN66, on a monthly basis and for each compliance period.

(2) Hours of operation, when operating at or below 25% load, by each sixty-six (66) diesel-fired emergency generators, GEN1 through GEN66, on a monthly basis and for each compliance period.

...

IDEM agrees with the recommended changes regarding the emission unit descriptions. Additional changes to the emission unit descriptions are discussed below in this ATSD in the Additional Changes section. Sections A.2, D.1, E.1, and E.2 of the permit are revised throughout as follows with deleted language as ~~strikeouts~~ and new language **bolded**:

(a) Sixty-six (66) diesel-fired critical emergency generators, identified as GEN1 through GEN66, approved in 2025 for construction, manufactured in 2024, each with an output horsepower rating of ~~3,997 hp (2,981.8 kW)~~ **4,043 hp (3,014.9 kW)**, uncontrolled, and exhausting outdoors through stacks S1 through S66.

These engines use Hydro-treated Vegetable Oil (HVO) as a secondary fuel. HVO is a renewable diesel fuel derived from vegetable oils and animal fats through a hydrotreatment process. It is designed to be a drop-in replacement for conventional diesel.

~~Under NSPS 40 CFR Part 60, Subpart IIII, these emission units are considered as part of a new affected source.~~

Under 40 CFR 60, Subpart IIII, GEN1 through GEN66 are considered emergency, stationary compression ignition (CI) internal combustion engines (ICE) that will commence construction after July 11, 2005, were manufactured after April 1, 2006, each with a displacement of less than 10 liters per cylinder, located at an area source of HAP emissions.

~~Under NESHAP 40 CFR Part 63, Subpart ZZZZ, these emission units are considered as part of a new affected source.~~

Under 40 CFR 63, Subpart ZZZZ, GEN1 through GEN66 are considered new, emergency stationary compression ignition (CI) reciprocating internal combustion engines (RICE) that commenced constructed on or after June 12, 2006, located at an area source of HAP emissions.

Insignificant Activities:

(a) Two (2) diesel-fired site entrance emergency generators, identified as DEAG1 and DEAG2, approved in 2025 for construction, manufactured in 2024, each with an output horsepower rating of 595 hp (443.**7**~~9~~ kW), uncontrolled, and exhausting outdoors through stacks S67 and S68.

These engines use Hydro-treated Vegetable Oil (HVO) as a secondary fuel. HVO is a renewable diesel fuel derived from vegetable oils and animal fats through a hydrotreatment process. It is designed to be a drop-in replacement for conventional diesel.

~~Under NSPS 40 CFR Part 60, Subpart IIII, these emission units are considered as part of a new affected source.~~

Under 40 CFR 60, Subpart IIII, DEAG1 and DEAG2 are considered emergency, stationary compression ignition (CI) internal combustion engines (ICE) that will commence construction after July 11, 2005, were manufactured after April 1, 2006, each with a displacement of less than 30 liters per cylinder, located at an area source of HAP emissions.

~~Under NESHAP 40 CFR Part 63, Subpart ZZZZ, these emission units are considered as part of a new affected source.~~

Under 40 CFR 63, Subpart ZZZZ, DEAG1 and DEAG2 are considered new, emergency stationary compression ignition (CI) reciprocating internal combustion engines (RICE) that commenced constructed on or after June 12, 2006, located at an area source of HAP emissions.

(b) Two (2) diesel-fired fire pump emergency generators, identified as DEP1 and DEP2, approved in 2025 for construction, manufactured in 2024, each with an output horsepower rating of 557 hp (415.**4**~~5~~ kW), uncontrolled, and exhausting outdoors through stacks S69 and S70.

These engines use Hydro-treated Vegetable Oil (HVO) as a secondary fuel. HVO is a renewable diesel fuel derived from vegetable oils and animal fats through a hydrotreatment process. It is designed to be a drop-in replacement for conventional diesel.

~~Under NSPS 40 CFR Part 60, Subpart IIII, these emission units are considered as part of a new affected source.~~

Under 40 CFR 60, Subpart IIII, DEP1 and DEP2 are considered emergency, stationary compression ignition (CI) internal combustion engines (ICE), and certified National Fire Protection Association (NFPA) fire pump engines, that will commence construction after July 11, 2005, were manufactured after July 1, 2006, each with a displacement of less than 30 liters per cylinder, and located at an area source of HAP emissions.

~~Under NESHAP 40 CFR Part 63, Subpart ZZZZ, these emission units are considered as part of a new affected source.~~

Under 40 CFR 63, Subpart ZZZZ, DEP1 and DEP2 are considered new, emergency stationary compression ignition (CI) reciprocating internal combustion engines (RICE) that commenced constructed on or after June 12, 2006, located at an area source of HAP emissions.

Additional Changes

IDEM, OAQ has decided to make additional revisions to the permit as described below:

1. IDEM, OAQ has revised the emission unit description and potential to emit (PTE) calculations for the Emergency Generators (GEN1 through GEN66) to align them with the engine manufacturer performance specification sheets, rather than the anticipated site-specific data provided by the engine manufacturer. As a result of this change, the source-wide PTE and permit compliance determination requirements are revised.

2. IDEM, OAQ has revised the emission unit descriptions for the Emergency Generators (GEN1 through GEN66, DEAG1 and DEAG2, and DEP1 and DEP2) to make a minor correction to the output kilowatt rating. The output kilowatt ratings were corrected based on a conversion factor of 0.7457 kW/hp instead of 0.746 kW/hp, since the National Institute of Standards and Technology (NIST) specifies that 0.7457 kW/hp is the correct conversion factor for converting mechanical brake horsepower at an engine crankshaft.

The emission unit descriptions in permit Sections A.2, D.1, E.1, and E.2 the compliance determination requirements in permit Conditions D.1.3 and D.1.4 are revised as follows, with deleted language as ~~strikeouts~~ and new language **bolded**:

(a) Sixty-six (66) diesel-fired critical emergency generators, identified as GEN1 through GEN66, approved in 2025 for construction, manufactured in 2024, each with an output horsepower rating of ~~3,997 hp (2,981.8 kW)~~ **4,043 hp (3,014.9 kW)**, uncontrolled, and exhausting outdoors through stacks S1 through S66.

*****

Insignificant Activities:

(a) Two (2) diesel-fired site entrance emergency generators, identified as DEAG1 and DEAG2, approved in 2025 for construction, manufactured in 2024, each with an output horsepower rating of 595 hp (443.**7**~~9~~ kW), uncontrolled, and exhausting outdoors through stacks S67 and S68.

*****

(b) Two (2) diesel-fired fire pump emergency generators, identified as DEP1 and DEP2, approved in 2025 for construction, manufactured in 2024, each with an output horsepower rating of 557 hp (415.**4**~~5~~ kW), uncontrolled, and exhausting outdoors through stacks S69 and S70.

*****

D.1.3 NOx Compliance Determination

In order to determine compliance with Condition D.1.1(a), NOx emissions from the sixty-six (66) diesel-fired emergency generators, identified as GEN1 through GEN66, when using either diesel fuel or HVO fuel, shall be calculated using the following equation:

$$\text{NOx emissions in tons/month} = \sum_{n=1}^{66} \frac{(\text{~~31.04~~ } \mathbf{34.03}\ lb/hr * HR_{>25\%\ load,i}) + (\text{~~7.77~~ } \mathbf{9.52}\ lb/hr * HR_{\leq 25\%\ load,i})}{2000}$$

Where:

i = Each individual Emergency Generator (GEN1 through GEN66)

34.03~~31.04~~ = NOx Emission rate above 25% electric load in lb/hr

9.52~~7.77~~ = NOx Emission rate at or below 25% electric load in lb/hr

$HR_{>25\%\ load}$ = Hours operated by GEN1 through GEN66 in hours/month, when operating above 25% electric load in hours/month.

$HR_{\leq 25\%\ load}$ = Hours operated by GEN1 through GEN66 in hours/month, when operating at or below 25% electric load in hours/month.

1 ton = 2000 pounds

D.1.4 CO Compliance Determination

In order to determine compliance with Condition D.1.1(b), CO emissions from the sixty-six (66) diesel-fired emergency generators, identified as GEN1 through GEN66, when using either diesel fuel or HVO fuel, shall be calculated using the following equation:

$$\text{CO emissions (tons/month)} = \sum_{n=1}^{66} \frac{(\text{~~21.22~~ } \mathbf{23.26}\ lb/hr * HR_{>25\%\ load,i}) + (\text{~~5.31~~ } \mathbf{6.51}\ lb/hr * HR_{\leq 25\%\ load,i})}{2000}$$

Where:

i = Each individual Emergency Generator (GEN1 through GEN66)

23.26~~21.22~~ = CO Emission rate above 25% electric load in lb/hr

6.51~~5.31~~ = CO Emission rate at or below 25% electric load in lb/hr

$HR_{>25\% \text{ load}}$ = Hours operated by GEN1 through GEN66 in hours/month, when operating above 25% electric load in hours/month.

$HR_{\leq 25\% \text{ load}}$ = Hours operated by GEN1 through GEN66 in hours/month, when operating at or below 25% electric load in hours/month.

1 ton = 2000 pounds

Unrestricted Potential Emissions

Based on the additional changes described above, the Unrestricted Potential Emissions have been updated as follows, with previous values as ~~strikeouts~~ and new values **bolded**:

	Unrestricted Potential Emissions (ton/year)							
	PM[1]	PM_{10}[1]	$PM_{2.5}$[1, 2]	SO_2	NO_X	VOC	CO	Total HAPs
Total PTE of Entire Source Excluding Fugitives*	~~21.87~~ **22.12**	~~27.72~~ **28.02**	~~26.94~~ **27.23**	~~1.98~~ **1.99**	~~558.15~~ **564.54**	~~139.60~~ **141.19**	~~382.79~~ **387.16**	~~0.74~~ **0.75**
Title V Major Source Thresholds	NA	100	100	100	100	100	100	25
PSD Major Source Thresholds	250	250	250	250	250	250	250	--

[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 $PM_{2.5}$.
*Fugitive HAP emissions are always included in the source-wide emissions.

PTE of the Entire Source After Issuance

Based on the additional changes described above, the PTE of the Entire Source After Issuance have been updated as follows, with previous values as ~~strikeouts~~ and new values **bolded**:

	Source-Wide Emissions After Issuance (ton/year)							
	PM[1]	PM_{10}[1]	$PM_{2.5}$[1, 2]	SO_2	NO_X	VOC	CO	Total HAPs
Total PTE of Entire Source Excluding Fugitives*	~~21.87~~ **22.12**	~~27.72~~ **28.02**	~~26.94~~ **27.23**	~~1.98~~ **1.99**	248.03	~~139.60~~ **141.19**	248.31	~~0.74~~ **0.75**
Title V Major Source Thresholds	NA	100	100	100	100	100	100	25
PSD Major Source Thresholds	250	250	250	250	250	250	250	--

[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 $PM_{2.5}$.
*Fugitive HAP emissions are always included in the source-wide emissions.

Appendix A of this ATSD reflects the detailed potential to emit of the entire source after issuance.

Compliance Determination Requirements

The Compliance Determination Requirements applicable to this source have been updated as follows, with deleted language as ~~strikeouts~~ and new language **bolded**:

(i) NOx

The Permittee shall determine NO_x emissions from sixty-six (66) diesel-fired emergency generators, identified as GEN1 through GEN66, when using either diesel fuel or HVO fuel, according to the following equation:

$$\text{NOx emissions in tons/month} = \sum_{n=1}^{66} \frac{(\text{~~31.04~~ } \mathbf{34.03}\ lb/hr * HR_{>25\%\ load,i}) + (\text{~~7.77~~ } \mathbf{9.52}\ lb/hr * HR_{\leq 25\%\ load,i})}{2000}$$

Where:

i = Each individual Emergency Generator (GEN1 through GEN66)

~~31.04~~ **34.03** = NOx Emission rate above 25% electric load in lb/hr

= (**Output Horsepower Rating above 25% electric load in hp * 0.7457 kW/hp**~~Output Rating above 25% electric load in kW~~ * NOx EF in grams/kW-hr) * 1 lbs/453.59 grams

= (~~2750 kW~~ **4043 hp * 0.7457 kW/hp** * 5.12 grams/kW-hr) * 1 lbs/453.59 grams

~~2750~~ **3014.9** kW is the output rating above 25% electric load of each emergency generator based on the manufacturer's specifications.

~~7.77~~ **9.52** = NOx Emission rate at or below 25% electric load in lb/hr

= (**Output Horsepower Rating below 25% electric load in hp * 0.7457 kW/hp**~~Output Rating at or below 25% electric load in kW~~ * NOx emission rate in g/kW-hr) * 1 lb/453.59 grams

= (~~688 kW~~ **1131 hp * 0.7457 kW/hp** * 5.12 grams/kW-hr) * 1 lbs/453.59 grams

~~688~~ **843.4** kW is the output rating at or below 25% electric load of each emergency generator, based on the manufacturer's specifications.

5.12 grams/kW-hr is based on NSPS 40 CFR 60, Subpart IIII, § 60.4202(b), 40 CFR 1039, Appendix I, Table 2. For engines that have a combined NOx + NMHC emission standard under NSPS Subpart IIII, the individual NOx and VOC emission standards were estimated from the combined NOx + NMHC emission standard assuming 80% NOx and 20% VOC (NMHC) based on the equation provided in 40 CFR 1039.740(c).

$HR_{>25\%\ load}$ = Hours operated by GEN1 through GEN66 in hours/month, when operating above 25% electric load in hours/month.

$HR_{\leq 25\%\ load}$ = Hours operated by GEN1 through GEN66 in hours/month, when operating at or below 25% electric load in hours/month.

1 ton = 2000 pounds

(ii) CO

The Permittee shall determine CO emissions from the sixty-six (66) diesel-fired emergency generators, identified as GEN1 through GEN66, when using either diesel fuel or HVO fuel, according to the following equation:

$$\text{CO emissions (tons/month)} = \sum_{n=1}^{66} \frac{(\text{~~21.22~~ } \mathbf{23.26}\ lb/hr * HR_{>25\%\ load,i}) + (\text{~~5.31~~ } \mathbf{6.51}\ lb/hr * HR_{\leq 25\%\ load,i})}{2000}$$

Where:

i = Each individual Emergency Generator (GEN1 through GEN66)

~~21.22~~ **23.26** = CO Emission rate above 25% electric load in lb/hr

= (**Output Horsepower Rating above 25% electric load in hp * 0.7457 kW/hp**~~Output Rating above 25% electric load in kW~~ * CO EF in grams/kW-hr) * 1 lbs/453.59 grams

= (~~2750 kW~~ **4043 hp * 0.7457 kW/hp** * 3.50 grams/kW-hr) * 1 lbs/453.59 grams

~~2750~~ **3014.9** kW is the output rating above 25% electric load of each emergency generator based on the manufacturer's specifications.

~~5.31~~ **6.51** = CO Emission rate at or below 25% electric load in lb/hr

= (**Output Horsepower Rating below 25% electric load in hp * 0.7457 kW/hp**~~Output Rating above 25% electric load in kW~~ * CO EF in grams/kW-hr) * 1 lbs/453.59 grams

= (~~688 kW~~ **1131 hp * 0.7457 kW/hp** * 3.50 grams/kW-hr) * 1 lbs/453.59 grams

~~688~~ **843.4** kW is the output rating at or below 25% electric load of each emergency generator, based on the manufacturer's specifications.

3.50 grams/kW-hr is based on NSPS 40 CFR 60, Subpart IIII, § 60.4202(b), 40 CFR 1039, Appendix I, Table 2

$HR_{>25\%\ load}$ = Hours operated by GEN1 through GEN66 in hours/month, when operating above 25% electric load in hours/month.

$HR_{\leq 25\%\ load}$ = Hours operated by GEN1 through GEN66 in hours/month, when operating at or below 25% electric load in hours/month.

1 ton = 2000 pounds

IDEM Contact

(a) If you have any questions regarding this permit, please contact Alexandrea Neuzerling, Indiana Department Environmental Management, Office of Air Quality, Permits Branch, Indiana Government Center North, 100 North Senate Avenue, Room 13W, Indianapolis, Indiana 46204-2251, or by telephone at (317) 232-6634 or (800) 451-6027, and ask for Alexandrea Neuzerling or (317) 232-6634.

(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: Emissions Calculations
PTE Summary

Company Name: Lavender Fields Holdings LLC
Source Address: 402 Royal Road, Michigan City, Indiana 46360
Permit Number: T091-49561-00195
Reviewer: Alexandrea Neuzerling

Unlimited/Uncontrolled PTE (tons/yr)								
Emission Units	**PM**	**PM10**	**PM2.5**	**SO2**	**NOx**	**VOC**	**CO**	**Total HAPs**
Critical diesel-fired generators (GEN1 through GEN66)	21.93	26.76	25.96	0.81	561.51	140.38	383.84	0.73
Diesel fired on site generators (DEAG1 and DEAG2)	0.10	0.65	0.65	0.61	1.57	0.39	1.71	0.01
Diesel-fired fire pumps (DEP1 and DEP2)	0.09	0.61	0.61	0.57	1.47	0.37	1.60	0.01
Storage Tanks	-	-	-	-	-	0.06	-	-
Total	**22.12**	**28.02**	**27.23**	**1.99**	**564.54**	**141.19**	**387.16**	**0.75**
Paved Roads	8.04	1.61	0.39	-	-	-	-	-

Limited PTE (tons/yr)								
Emission Units	**PM**	**PM10**	**PM2.5**	**SO2**	**NOx**	**VOC**	**CO**	**Total HAPs**
Critical diesel-fired generators (GEN1 through GEN66)	21.93	26.76	25.96	0.81	245	140.38	245	0.73
Diesel fired on site generators (DEAG1 and DEAG2)	0.10	0.65	0.65	0.61	1.57	0.39	1.71	0.01
Diesel-fired fire pumps (DEP1 and DEP2)	0.09	0.61	0.61	0.57	1.47	0.37	1.60	0.01
Storage Tanks	-	-	-	-	-	0.06	-	-
Total	**22.12**	**28.02**	**27.23**	**1.99**	**248.03**	**141.19**	**248.31**	**0.75**
Paved Roads	8.04	1.61	0.39	-	-	-	-	-

Shaded cells indicate where limits are included.

Appendix A: Emissions Calculations
Reciprocating Internal Combustion Engines - Diesel Fuel
Output Rating (>600 HP)
Maximum Input Rate (>4.2 MMBtu/hr)
GEN1 through GEN66 (Emergency Generators)

Company Name: **Lavender Fields Holdings LLC**
Source Address: **402 Royal Road, Michigan City, Indiana 46360**
Permit Number: **T091-49561-00195**
Reviewer: **Alexandrea Neuzerling**

The engine has been certified to comply with the emission standards in 40 CFR 60, Subpart IIII, New Source Performance Standards (NSPS) for Stationary Compression Ignition Internal Combustion Engines. Therefore, the NSPS Subpart IIII emission standards for PM, NOx, VOC, and CO are used as the emission factors to determine the potential to emit (PTE).

Emissions calculated based on output rating (hp)

NSPS Subpart IIII Emission Standards based on a: 2024 model year emergency engine

Output Horsepower Rating (hp)	4043.0	
Output Kilowatt Rating (kW)	3014.9	
Maximum Hours Operated per Year	500	(emergency generator or fire pump)
Potential Throughput (hp-hr/yr)	2,021,500	
Potential Throughput (kW-hr/yr)	1,507,433	
Sulfur Content (S) of Fuel (% by weight)	0.0015	(ultra low sulfur diesel with sulfur content of 15 ppm pursuant to 40 CFR 60.4207(b))
Number of Units	66	

	Pollutant						
	PM	PM10*	direct PM2.5*	SO2 *(.00809S)*	NOx[1]	VOC[1]	CO
AP-42 Emission Factor in lb/hp-hr		4.01E-04	3.89E-04	1.21E-05			
40 CFR 60 (NSPS), Subpart IIII, Emission Standard (g/kW-hr)	0.20				5.12	1.28	3.5
Potential Emissions lbs/hr							
Based on AP-42 lb/hp-hr Emission Factor		1.62	1.57	0.05			
Based on g/kW-hr Emission Factor	1.33				34.03	8.51	23.26
Potential Emission in lbs/hr	**1.33**	**1.62**	**1.57**	**0.05**	**34.03**	**8.51**	**23.26**
Potential Emissions in lbs/hr (total)	**87.74**	**107.03**	**103.85**	**3.24**	**2246.03**	**561.51**	**1535.38**
Potential Emissions ton/year							
Based on AP-42 lb/hr Emission Factor		0.41	0.39	0.01			
Based on g/kW-hr Emission Factor	0.33				8.51	2.13	5.82
Potential Emissions in tons/yr (each)	**0.33**	**0.41**	**0.39**	**0.01**	**8.51**	**2.13**	**5.82**
Potential Emissions in tons/yr (total)	**21.93**	**26.76**	**25.96**	**0.81**	**561.51**	**140.38**	**383.84**

*The PM10 and PM2.5 emission factors for are from AP-42 Table 3.4-2. The PM10 emission factor is the sum of filterable PM10 and condensable particulate. The PM2.5 emission factor is the sum of filterable particulate less than 3 um and condensable particulate. Emission factors in lb/hp-hr were calculated using the emission factor in lb/MMBtu and a brake specific fuel consumption of 7,000 Btu / hp-hr (AP-42 Tables 3.3-1 and 3.4-1).

Note 1: For engines that have a combined NOx + NMHC emission standard under NSPS Subpart IIII, the individual NOx and VOC emission standards were estimated from the combined NOx + NMHC emission standard assuming 80% NOx and 20% VOC (NMHC) based on the equation provided in 40 CFR 1039.740(c).

Note 2: These engines use hydrotreated Vegetable Oil (HVO) as seconday fuel. HVO is a renewable diesel fuel derived from vegetable oils and animal fats through a hydrotreatment process. It is designed to be a drop-in replacement for conventional diesel. Emissions will be equal to or less than diesel emissions shown above. This has been verified by test results submitted by the source from the manufacturer.

Hazardous Air Pollutants (HAPs)

	Pollutant						
	Benzene	Toluene	Xylene	Formaldehyde	Acetaldehyde	Acrolein	Total PAH HAPs**
Emission Factor in lb/hp-hr***	5.43E-06	1.97E-06	1.35E-06	5.52E-07	1.76E-07	5.52E-08	1.48E-06
Potential Emissions in tons/yr (each)	5.49E-03	1.99E-03	1.37E-03	5.58E-04	1.78E-04	5.58E-05	1.50E-03
Potential Emissions in tons/yr (total)	3.62E-01	1.31E-01	9.01E-02	3.68E-02	1.18E-02	3.68E-03	9.90E-02

**PAH = Polyaromatic Hydrocarbon (PAHs are considered HAPs, since they are considered Polycyclic Organic Matter)
***Emission factors in lb/hp-hr were calculated using emission factors in lb/MMBtu and a brake specific fuel consumption of 7,000 Btu / hp-hr (AP-42 Tables 3.3-1 and 3.4-1).

Potential Emissions of Total HAPs (tons/yr) (each)	**1.11E-02**
Potential Emissions of Total HAPs (tons/yr) (total)	**7.3E-01**

Methodology
Emission Factors are from AP 42 (Supplement B 10/96) Tables 3.4-1 , 3.4-2, 3.4-3, and 3.4-4.
Output Kilowatt Rating (kW) = Output Horsepower Rating (hp) * (0.7457 kW/hp)
Potential Throughput (hp-hr/yr) = [Output Horsepower Rating (hp)] * [Maximum Hours Operated per Year]
Potential Emission (lbs/hr) (each) = [Output Horsepower Rating (hp)] * [Emission Factor (lb/hp-hr)]
Potential Emission (lbs/hr) (each) = [Output Kilowatt Rating (kW)] * [Emission Factor (g/kW-hr)] * [lb / 453.592 g]
Potential Emission (lbs/hr) (total) = Potential Emission (lbs/hr) (each) * [Number of Units]
Potential Emission (tons/yr) (each) = [Potential Throughput (hp-hr/yr)] * [Emission Factor (lb/hp-hr)] * [ton/2,000 lbs]
Potential Emission (tons/yr) (each) = [Potential Throughput (kW-hr/yr)] * [Emission Factor (g/kW-hr)] * [lb / 453.592 g] * [ton/2,000 lbs]
Potential Emission (tons/yr) (total) = Potential Emission (tons/yr) (each) * [Number of Units]

Appendix A: Emissions Calculations
Reciprocating Internal Combustion Engines - Diesel Fuel
Output Rating (<=600 HP)
Maximum Input Rate (<=4.2 MMBtu/hr)
DEAG1 and DEAG2 (Emergency Generators)

Company Name: **Lavender Fields Holdings LLC**
Source Address: **402 Royal Road, Michigan City, Indiana 46360**
Permit Number: **T091-49561-00195**
Reviewer: **Alexandrea Neuzerling**

The engine has been certified to comply with the emission standards in 40 CFR 60, Subpart IIII, New Source Performance Standards (NSPS) for Stationary Compression Ignition Internal Combustion Engines. Therefore, the NSPS Subpart IIII emission standards for PM, NOx, VOC, and CO are used as the emission factors to determine the potential to emit (PTE).

Emissions calculated based on output rating (hp)

NSPS Subpart IIII Emission Standards based on a: 2024 model year emergency engine

Output Horsepower Rating (hp)	595.0	
Output Kilowatt Rating (kW)	443.7	
Maximum Hours Operated per Year	500	(emergency generator or fire pump)
Potential Throughput (hp-hr/yr)	297,500	
Potential Throughput (kW-hr/yr)	221,846	
Sulfur Content (S) of Fuel (% by weight)	0.0015	(ultra low sulfur diesel with sulfur content of 15 ppm pursuant to 40 CFR 60.4207(b))
Number of Units	2	

	Pollutant						
	PM	PM10*	direct PM2.5*	SO2	NOx[1]	VOC[1]	CO
AP-42 Emission Factor in lb/hp-hr		0.0022	0.0022	0.00205			
40 CFR 60 (NSPS), Subpart IIII, Emission Standard (g/kW-hr)	0.20				3.20	0.80	3.5
Potential Emissions ton/year							
Based on AP-42 lb/hr Emission Factor		0.33	0.33	0.30			
Based on g/kW-hr Emission Factor	0.05				0.78	0.20	0.86
Potential Emissions in tons/yr (each)	**0.05**	**0.33**	**0.33**	**0.30**	**0.78**	**0.20**	**0.86**
Potential Emissions in tons/yr (total)	**0.10**	**0.65**	**0.65**	**0.61**	**1.57**	**0.39**	**1.71**

*PM2.5 emission factors are assumed to be equivalent to PM10 emission factors. No information was given regarding which method was used to determine the factor or the fraction of PM10 which is condensable.
Note 1: For engines that have a combined NOx + NMHC emission standard under NSPS Subpart IIII, the individual NOx and VOC emission standards were estimated from the combined NOx + NMHC emission standard assuming 80% NOx and 20% VOC (NMHC) based on the equation provided in 40 CFR 1039.740(c).

Note 2: These engines use hydrotreated Vegetable Oil (HVO) as seconday fuel. HVO is a renewable diesel fuel derived from vegetable oils and animal fats through a hydrotreatment process. It is designed to be a drop-in replacement for conventional diesel. Emissions will be equal to or less than diesel emissions shown above. This has been verified by test results submitted by the source from the manufacturer.

Hazardous Air Pollutants (HAPs)

	Pollutant							
	Benzene	Toluene	Xylene	1,3-Butadiene	Formaldehyde	Acetaldehyde	Acrolein	Total PAH HAPs**
Emission Factor in lb/hp-hr***	6.53E-06	2.86E-06	2.00E-06	2.74E-07	8.26E-06	5.37E-06	6.48E-07	1.18E-06
Potential Emissions in tons/yr (each)	9.71E-04	4.26E-04	2.97E-04	4.07E-05	1.23E-03	7.99E-04	9.63E-05	1.75E-04
Potential Emissions in tons/yr (total)	1.94E-03	8.52E-04	5.94E-04	8.14E-05	2.46E-03	1.60E-03	1.93E-04	3.50E-04

**PAH = Polyaromatic Hydrocarbon (PAHs are considered HAPs, since they are considered Polycyclic Organic Matter)
***Emission factors in lb/hp-hr were calculated using emission factors in lb/MMBtu and a brake specific fuel consumption of 7,000 Btu / hp-hr (AP-42 Table 3.3-1).

Potential Emissions of Total HAPs (tons/yr) (each)	**4.03E-03**
Potential Emissions of Total HAPs (tons/yr) (total)	**8.07E-03**

Methodology
Emission Factors are from AP 42 (Supplement B 10/96) Tables 3.3-1 and 3.3-2.
Output Kilowatt Rating (kW) = Output Horsepower Rating (hp) * (0.7457 kW/hp)
Potential Throughput (hp-hr/yr) = [Output Horsepower Rating (hp)] * [Maximum Hours Operated per Year]
Potential Throughput (kW-hr/yr) = [Output Kilowatt Rating (kW)] * [Maximum Hours Operated per Year]
Potential Emission (tons/yr) = [Potential Throughput (hp-hr/yr)] * [Emission Factor (lb/hp-hr)] * [ton/2,000 lbs]
Potential Emissions (tons/yr) (each) = [Potential Throughput (kW-hr/yr)] * [Emission Factor (g/kW-hr)] * [lb / 453.592 g] * [ton/2,000 lbs]
Potential Emissions (tons/yr) (total) = Potential Emissions (tons/yr) (each) * [Number of Units]

Appendix A: Emissions Calculations
Reciprocating Internal Combustion Engines - Diesel Fuel
Output Rating (<=600 HP)
Maximum Input Rate (<=4.2 MMBtu/hr)
DEP1 and DEP2 (Emergency Fire Pumps)

Company Name: **Lavender Fields Holdings LLC**
Source Address: **402 Royal Road, Michigan City, Indiana 46360**
Permit Number: **T091-49561-00195**
Reviewer: **Alexandrea Neuzerling**

The engine has been certified to comply with the emission standards in 40 CFR 60, Subpart IIII, New Source Performance Standards (NSPS) for Stationary Compression Ignition Internal Combustion Engines. Therefore, the NSPS Subpart IIII emission standards for PM, NOx, VOC, and CO are used as the emission factors to determine the potential to emit (PTE).

Emissions calculated based on output rating (hp)

NSPS Subpart IIII Emission Standards based on a: 2024 model year emergency engine

Output Horsepower Rating (hp)	557.0	
Output Kilowatt Rating (kW)	415.4	
Maximum Hours Operated per Year	500	(emergency generator or fire pump)
Potential Throughput (hp-hr/yr)	278,500	
Potential Throughput (kW-hr/yr)	207,677	
Sulfur Content (S) of Fuel (% by weight)	0.0015	(ultra low sulfur diesel with sulfur content of 15 ppm pursuant to 40 CFR 60.4207(b))
Number of Units	2	

	Pollutant						
	PM	PM10*	direct PM2.5*	SO2	NOx[1]	VOC[1]	CO
AP-42 Emission Factor in lb/hp-hr		0.0022	0.0022	0.00205			
40 CFR 60 (NSPS), Subpart IIII, Emission Standard (g/kW-hr)	0.20				3.20	0.80	3.5
Potential Emissions ton/year							
Based on AP-42 lb/hr Emission Factor		0.31	0.31	0.29			
Based on g/kW-hr Emission Factor	0.05				0.73	0.18	0.80
Potential Emissions in tons/yr (each)	**0.05**	**0.31**	**0.31**	**0.29**	**0.73**	**0.18**	**0.80**
Potential Emissions in tons/yr (total)	**0.09**	**0.61**	**0.61**	**0.57**	**1.47**	**0.37**	**1.60**

*PM2.5 emission factors are assumed to be equivalent to PM10 emission factors. No information was given regarding which method was used to determine the factor or the fraction of PM10 which is condensable.
Note 1: For engines that have a combined NOx + NMHC emission standard under NSPS Subpart IIII, the individual NOx and VOC emission standards were estimated from the combined NOx + NMHC emission standard assuming 80% NOx and 20% VOC (NMHC) based on the equation provided in 40 CFR 1039.740(c).

Note 2:These engines use hydrotreated Vegetable Oil (HVO) as seconday fuel. HVO is a renewable diesel fuel derived from vegetable oils and animal fats through a hydrotreatment process. It is designed to be a drop-in replacement for conventional diesel. Emissions will be equal to or less than diesel emissions shown above. This has been verified by test results submitted by the source from the manufacturer.

Hazardous Air Pollutants (HAPs)

	Pollutant							
	Benzene	Toluene	Xylene	1,3-Butadiene	Formaldehyde	Acetaldehyde	Acrolein	Total PAH HAPs**
Emission Factor in lb/hp-hr***	6.53E-06	2.86E-06	2.00E-06	2.74E-07	8.26E-06	5.37E-06	6.48E-07	1.18E-06
Potential Emissions in tons/yr (each)	9.09E-04	3.99E-04	2.78E-04	3.81E-05	1.15E-03	7.48E-04	9.02E-05	1.64E-04
Potential Emissions in tons/yr (total)	1.82E-03	7.97E-04	5.56E-04	7.62E-05	2.30E-03	1.50E-03	1.80E-04	3.28E-04

**PAH = Polyaromatic Hydrocarbon (PAHs are considered HAPs, since they are considered Polycyclic Organic Matter)
***Emission factors in lb/hp-hr were calculated using emission factors in lb/MMBtu and a brake specific fuel consumption of 7,000 Btu / hp-hr (AP-42 Table 3.3-1).

Potential Emissions of Total HAPs (tons/yr) (each)	**3.78E-03**
Potential Emissions of Total HAPs (tons/yr) (total)	**7.55E-03**

Methodology
Emission Factors are from AP 42 (Supplement B 10/96) Tables 3.3-1 and 3.3-2.
Output Kilowatt Rating (kW) = Output Horsepower Rating (hp) * (0.7457 kW/hp)
Potential Throughput (hp-hr/yr) = [Output Horsepower Rating (hp)] * [Maximum Hours Operated per Year]
Potential Throughput (kW-hr/yr) = [Output Kilowatt Rating (kW)] * [Maximum Hours Operated per Year]
Potential Emission (tons/yr) = [Potential Throughput (hp-hr/yr)] * [Emission Factor (lb/hp-hr)] * [ton/2,000 lbs]
Potential Emissions (tons/yr) (each) = [Potential Throughput (kW-hr/yr)] * [Emission Factor (g/kW-hr)] * [lb / 453.592 g] * [ton/2,000 lbs]
Potential Emissions (tons/yr) (total) = Potential Emissions (tons/yr) (each) * Number of Units

Appendix A: Emissions Calculations
Tanks Emissions

Company Name: **Lavender Fields Holdings LLC**
Source Address: **402 Royal Road, Michigan City, Indiana 46360**
Permit Number: **T091-49561-00195**
Reviewer: **Alexandrea Neuzerling**

Belly Tanks

Emission Unit Identifier	Tank1 to Tank70
Product Stored	Diesel Fuel # 2 or HVO fuel
Capacity (gal), per tank	5,373
Number of Tanks [1]	70

[1] Conservatively assumes that the site entrance emergency generator and the fire pump tanks are the same size as those for the critical generators.
[2] Calculated using the calculation methodology in AP-42, Chapter 7.1.
[3] Emissions from Hydrotreated Vegetable Oil (HVO) will be equal to or less than diesel emissions shown above. This has been verified by test results submitted by the source from the manufacturer.

Parameter Description	Equation	Source	Tank Specifics
Material Stored	Facility Information		Diesel Fuel
Tank Location	Facility Information		Michigan City, IN
Tank Type	Facility Information		Horizontal
Tank Color	Facility Information		Black
Roof Color	Facility Information		Black
Paint Condition	Facility Information		Average
Heated?	Facility Information		No
Tank Width (W), ft	Facility Information		11.67
Tank Length (L), ft	Facility Information		35.17
Tank Height (H), ft	Facility Information		1.75
Tank Volume (V), ft^3	$V = W * L * H$		718
Tank Volume (V), gal	$V = ft3 * 7.48052$		5,373
Vapor Space Outage (H_{VO}), ft	$H_{VO} = H / 2$	AP-42, Chap. 7.1, Eq 1-16	0.88
Vapor Space Volume (V_V), ft^3	$V_V = H_{VO} * W * L$		359
Ideal Gas Constant (R), psia ft^3/lb-mol R	AP-42, Chap. 7.1, Eq 4-10		10.731
Daily Maximum Ambient Temperature (T_{AX}), R	AP-42, Chap. 7.1, Table 7.1-7, South Bend, Annual		518.3
Daily Minimum Ambient Temperature (T_{AN}), R	AP-42, Chap. 7.1, Table 7.1-7, South Bend, Annual		501.1
Average Daily Ambient Temperature (T_{AA}), R	$T_{AA} = (T_{AX} + T_{AN}) / 2$	AP-42, Chap. 7.1, Eq 1-30	509.7
Liquid Bulk Temperature (T_B), R	For belly tanks assumed $T_{LA} = T_B = T_{AA}$ since shell tank solar absorption α_s will be zero.		509.7
Daily Average Liquid Surface Temperature (T_{LA}), R			
Vapor Molecular Weight (M_V), lb/lb-mol	AP-42, Chap. 7.1, Table 7.1-2, No. 2 Fuel Oil (Diesel)		130
Vapor Pressure Constant, A	AP-42, Table 7.1-2, No. 2 Fuel Oil		12.101
Vapor Pressure Constant, B	AP-42, Table 7.1-2, No. 2 Fuel Oil		8907
Vapor Pressure at T_{LA} (P_{VA}), psia	$P_{VA} = \exp[A - (B / T_{LA})]$	AP-42, Chap 7.1, Eq 1-25	0.005
Avg Vapor Temperature T_v, R	For belly tanks assumed $T_v = 0.7T_{AA} + 0.3T_B$ since shell solar absorption α will be zero.		509.7
Vapor Density (W_V), lb/ft^3	$W_V = M_V * P_{VA} / RT_V$	AP-42, Chap 7.1, Eq 1-22	0.00011
Daily Ambient Temperature Range (ΔT_A), R	$\Delta T_A = T_{AX} - T_{AN}$	AP-42, Chap. 7.1, Eq 1-11	17.2
Daily Vapor Temperature Range (ΔT_V), R	For belly tanks, assumed $\Delta T_V = 0.7\Delta T_A$ since shell solar		12.0
Vapor Pressure at T_{AN} (P_{VN}), psia	$P_{VN} = \exp[A - (B / T_{AN})]$	AP-42, Chap. 7.1, Eq 1-11, Note 5	0.003
Vapor Pressure at T_{AX} (P_{VX}), psia	$P_{VX} = \exp[A - (B / T_{AX})]$	AP-42, Chap. 7.1, Eq 1-11, Note 5	0.006
Daily Vapor Pressure Range (ΔP_V), psia	$\Delta P_V = P_{VX} - P_{VN}$	AP-42, Chap. 7.1, Eq 1-9	0.003
Breather Vent Pressure Setting Range (ΔP_B), psig	$_B = P_{BP} - P_{BV}$ (Assumed = 0	AP-42, Chap 7.1, Eq 1-10	0.06
Atmospheric Pressure (P_A), psia	Constant		14.7
Vapor Space Expansion Factor (K_E), dimensionless	Outdoor Tanks: $K_E = \Delta T_V / T_{LA} + (\Delta P_V - \Delta P_B) / (P_A - P_{VA})$	AP-42, Chap. 7.1, Eq 1-5	0.02
Vented Vapor Saturation Factor (K_S), dimensionless	$K_S = 1 / (1 + 0.053 * P_{VA} * H_{VO})$	AP-42, Chap 7.1, Eq 1-21	1.00
Number of Days/Year in Operation	Constant		365
Standing Storage Losses (L_S), lb/year/tank	$L_S = 365 * W_V * V_V * K_E * K_S$	AP-42, Chap. 7.1, Eq 1-2	0.28
Maximum Throughput (Q), gal	Facility Information		96,250
Maximum Throughput (V_Q), ft^3	Conversion		12,867
Tank Maximum Liquid Volume (V_{LX}), ft^3	Horizontal Tank: Assumed $V_{LX} = 0.9V$	Assumed	646
Turnovers (N), dimensionless	$N = V_Q / V_{LX}$	AP-42, Chap. 7.1, Eq 60-4	19.9
Turnover Factor (K_N), dimensionless	Since $N \leq 36$, $K_N = 1$	AP-42, Chap. 7.1, Eq 1-35	1
Working Loss Factor (K_P), dimensionless	For Organic Liquids, $K_P = 1$	AP-42, Chap. 7.1, Eq 60-4, Notes	1
Vent Setting Correction Factor, K_B	For Vent Setting Range ± 0.03 psig, $K_B = 1$	AP-42, Chap. 7.1, Eq 1-12	1
Working Losses (L_W), lb/year/tank	$L_W = V_Q * K_N * K_P * W_V * K_B$	AP-42, Chap. 7.1, Eq 1-35	1.42
Total Uncontrolled Losses (L_T), lb/year/tank	$L_T = L_S + L_W$	AP-42, Chap. 7.1, Eq 2-1	1.70
Total Uncontrolled Losses (L_T), lb/hr/tank	Since 8760 hr/year, L_T / 8760		0.0002
Total Uncontrolled Losses (L_T), ton/year/tank	Since 2000 lb/ton, L_T / 2000		0.0009
Number of Tanks	Facility Information		70
Total Uncontrolled Losses (L_T), lb/hr (all tanks)	L_T = lb/hr/tank * # of Tanks		0.014
Total Uncontrolled Losses (L_T), ton/year (all tanks)	**L_T = ton/year/tank * # of Tanks**		**0.06**

Appendix A: Emissions Calculations
Fugitive Dust Emissions - Paved Roads

Company Name: Lavender Fields Holdings LLC
Source Address: 402 Royal Road, Michigan City, Indiana 46360
Permit Number: T091-49561-00195
Reviewer: Alexandrea Neuzerling

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 Informtation (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 of Loaded Vehicle (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)
Diesel or HVO Delivery Tanker (entering plant) (one-way trip) (Full)	8.0	1.0	8.0	41.0	328.0	6000	1.136	9.1	3318.2
Diesel or HVO Delivery Tanker (leaving plant) (one-way trip) (Empty)	8.0	1.0	8.0	16.0	128.0	6000	1.136	9.1	3318.2
		Totals	16.0		456.0			18.2	6636.4

Average Vehicle Weight Per Trip = 28.5 tons/trip
Average Miles Per Trip = 1.14 miles/trip

Unmitigated Emission Factor, Ef = [k * (sL)^0.91 * (W)^1.02] (Equation 1 from AP-42 13.2.1)

	PM	PM10	PM2.5	
where k =	0.011	0.0022	0.00054	lb/VMT = particle size multiplier (AP-42 Table 13.2.1-1)
W =	28.5	28.5	28.5	tons = average vehicle weight
sL =	9.7	9.7	9.7	g/m^2 = silt loading value for paved roads at iron and steel production facilities - Table 13.2.1-3)

Taking natural mitigation due to precipitation into consideration, Mitigated Emission Factor, Eext = E * [1 - (p/4N)] (Equation 2 from AP-42 13.2.1)
Mitigated Emission Factor, Eext = Ef * [1 - (p/4N)]
where p = 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 =	2.650	0.530	0.1301	lb/mile
Mitigated Emission Factor, Eext =	2.423	0.485	0.1190	lb/mile

Process	Mitigated PTE of PM (tons/yr)	Mitigated PTE of PM10 (tons/yr)	Mitigated PTE of PM2.5 (tons/yr)
Diesel or HVO Delivery Tanker (entering plant) (one-way trip) (Full)	4.02	0.80	0.20
Diesel or HVO Delivery Tanker (leaving plant) (one-way trip) (Empty)	4.02	0.80	0.20
Totals	**8.04**	**1.61**	**0.39**

Methodology
Total Weight driven per day (ton/day) = [Maximum Weight of Loaded Vehicle (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)

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

Technical Support Document (TSD) for a New Source Construction and Part 70 Operating Permit

Source Description and Location

Source Name:	**Lavender Fields Holdings LLC**
Source Location:	**402 Royal Road, Michigan City, Indiana 46360**
County:	**LaPorte**
SIC Code:	**7374 (Computer Processing and Data Preparation and Processing Services)**
Operation Permit No.:	**T091-49561-00195**
Permit Reviewer:	**Alexandrea Neuzerling**

Existing Approvals

There have been no previous approvals issued to this source.

County Attainment Status

The source is located in LaPorte County.

Pursuant to amendments to Indiana Code IC 13-17-3-14, effective July 1, 2023, a federal regulation that classifies or amends a designation of attainment, nonattainment, or unclassifiable for any area in Indiana under the federal Clean Air Act is effective and enforceable in Indiana on the effective date of the federal regulation.

Pollutant	Designation
SO_2	Unclassifiable or attainment effective September 12, 2016, for the 2010 primary 1-hour SO_2 standard. Better than national secondary standards effective March 3, 1978.
CO	Unclassifiable or attainment effective November 15, 1990.
O_3	Unclassifiable or attainment effective August 3, 2018, for the 2015 8-hour ozone standard.
$PM_{2.5}$	Unclassifiable or attainment effective April 15, 2015, for the 2012 annual $PM_{2.5}$ standard.
$PM_{2.5}$	Unclassifiable or attainment effective December 13, 2009, for the 2006 24-hour $PM_{2.5}$ standard.
PM_{10}	Unclassifiable effective November 15, 1990.
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
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. LaPorte County has been designated as attainment or unclassifiable for ozone. Therefore, VOC and NO_x emissions were reviewed pursuant to the requirements of Prevention of Significant Deterioration (PSD), 326 IAC 2-2.

(b) $PM_{2.5}$
LaPorte County has been classified as attainment for $PM_{2.5}$. Therefore, direct $PM_{2.5}$, SO_2, and NOx emissions were reviewed pursuant to the requirements of Prevention of Significant Deterioration (PSD), 326 IAC 2-2.

(c) Other Criteria Pollutants
LaPorte 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(20)(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 https://www.supremecourt.gov/opinions/opinions.aspx) 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.

Background and Description of Emission Units and Pollution Control Equipment

The Office of Air Quality (OAQ) has reviewed an application, submitted by Lavender Fields Holdings LLC on September 5, 2025, relating to the construction of a new data center facility, which will include the following emission units:

(a) Sixty-six (66) diesel-fired critical emergency generators, identified as GEN1 through GEN66, approved in 2025 for construction, manufactured in 2024, each with an output horsepower rating of 3,997 hp (2,981.8 kW), uncontrolled, and exhausting outdoors through stacks S1 through S66.

These engines use Hydro-treated Vegetable Oil (HVO) as a secondary fuel. HVO is a renewable diesel fuel derived from vegetable oils and animal fats through a hydrotreatment process. It is designed to be a drop-in replacement for conventional diesel.

Under NSPS 40 CFR Part 60, Subpart IIII, these emission units are considered as part of a new affected source.

Under NESHAP 40 CFR Part 63, Subpart ZZZZ, these emission units are considered as part of a new affected source.

(b) Two (2) diesel-fired site entrance emergency generators, identified as DEAG1 and DEAG2, approved in 2025 for construction, manufactured in 2024, each with an output horsepower rating of 595 hp (443.9 kW), uncontrolled, and exhausting outdoors through stacks S67 and S68.

These engines use Hydro-treated Vegetable Oil (HVO) as a secondary fuel. HVO is a renewable diesel fuel derived from vegetable oils and animal fats through a hydrotreatment process. It is des igned to be a drop-in replacement for conventional diesel.

Under NSPS 40 CFR Part 60, Subpart IIII, these emission units are considered as part of a new affected source.

Under NESHAP 40 CFR Part 63, Subpart ZZZZ, these emission units are considered as part of a new affected source.

(c) Two (2) diesel-fired fire pump emergency generators, identified as DEP1 and DEP2, approved in 2025 for construction, manufactured in 2024, each with an output horsepower rating of 557 hp (415.5 kW), uncontrolled, and exhausting outdoors through stacks S69 and S70.

These engines use Hydro-treated Vegetable Oil (HVO) as a secondary fuel. HVO is a renewable diesel fuel derived from vegetable oils and animal fats through a hydrotreatment process. It is designed to be a drop-in replacement for conventional diesel.

Under NSPS 40 CFR Part 60, Subpart IIII, these emission units are considered as part of a new affected source.

Under NESHAP 40 CFR Part 63, Subpart ZZZZ, these emission units are considered as part of a new affected source.

(d) Seventy (70) belly tanks, identified as Tank1 through Tank70, storing diesel fuel or HVO fuel for the emergency generators, each with a maximum storage capacity of 5,373 gallons, uncontrolled, and exhausting outdoors.

(e) One (1) closed-loop air cooling system, using water only as a coolant that recycles through the system. This cooling system produces negligible emissions.

(f) Paved Roads.

Enforcement Issues

There are no pending enforcement actions related to this source.

Emission Calculations

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

Permit Level Determination – Part 70 New Source Construction

Pursuant to 326 IAC 2-7-1(28), Potential to Emit is defined as “the maximum capacity of a stationary source to emit any air pollutant under its physical and operational design. Any physical or operational limitation on the capacity of a source to emit an air pollutant, including air pollution control equipment and restrictions on hours of operation or type or amount of material combusted, stored, or processed shall be treated as part of its design if the limitation is enforceable by the U.S. EPA.”

The following table is used to determine the appropriate permit level under 326 IAC 2-7. This table reflects the unrestricted potential emissions of the source. If the control equipment has been determined to be integral, the table reflects the potential to emit (PTE) after consideration of the integral control device.

	Unrestricted Potential Emissions (ton/year)							
	PM[1]	**PM_{10}[1]**	**$PM_{2.5}$[1, 2]**	**SO_2**	**NO_X**	**VOC**	**CO**	**Total HAPs**
Total PTE of Entire Source Excluding Fugitives*	21.87	27.72	26.94	1.98	558.15	139.60	382.79	0.74
Title V Major Source Thresholds	NA	100	100	100	100	100	100	25
PSD Major Source Thresholds	250	250	250	250	250	250	250	--

[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 $PM_{2.5}$.

*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(28)) of NOx, VOC, and CO from the entire source are each equal to or greater than the Title V major source threshold levels. Therefore, the source is subject to the provisions of 326 IAC 2-7 and will be issued a Part 70 Operating Permit.

(b) The potential to emit (as defined in 326 IAC 2-7-1(28)) 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(28)) 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).

PTE of the Entire Source After Issuance

The table below summarizes the after issuance source-wide potential to emit, reflecting all limits, of the emission units. Any control equipment is considered federally enforceable only after issuance of the Part 70 New Source Review Permit, and only to the extent that the effect of the control equipment is made practically enforceable in the permit. If the control equipment has been determined to be integral, the table reflects the potential to emit (PTE) after consideration of the integral control device.

	Source-Wide Emissions After Issuance (ton/year)							
	PM[1]	**PM_{10}[1]**	**$PM_{2.5}$[1, 2]**	**SO_2**	**NO_X**	**VOC**	**CO**	**Total HAPs**
Total PTE of Entire Source Excluding Fugitives*	21.87	27.72	26.94	1.98	248.03	139.60	248.31	0.74
Title V Major Source Thresholds	NA	100	100	100	100	100	100	25
PSD Major Source Thresholds	250	250	250	250	250	250	250	--

[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 $PM_{2.5}$.

*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 2-2 (PSD) for more information regarding the limit(s).

(a) This new source is not a major stationary source, under PSD (326 IAC 2-2), because the emissions of each PSD regulated pollutant are less than the PSD major source thresholds. Therefore, pursuant to 326 IAC 2-2, the PSD requirements do not apply.

(b) 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 Determination

Federal rule applicability for this source has been reviewed as follows:

New Source Performance Standards (NSPS):

(a) The requirements of the New Source Performance Standard for Volatile Organic Liquid Storage Vessels (Including Petroleum Liquid Storage Vessels) for Which Construction, Reconstruction, or Modification Commenced After July 23, 1984, 40 CFR 60, Subpart Kb and 326 IAC 12, are not applicable to the permit for diesel storage tanks because each storage tank has a capacity less than 75 cubic meters.

(b) The following are subject to the New Source Performance Standards for Stationary Compression Ignition Internal Combustion Engines,40 CFR 60, Subpart IIII and 326 IAC 12, because these units are stationary compression ignition (CI) internal combustion engines (ICE) that will be constructed after 2007:

(1) Sixty-six (66) diesel-fired critical emergency generators, identified as GEN1 through GEN66, approved in 2025 for construction, manufactured in 2024, each with an output horsepower rating of 3,997 hp (2,981.8 kW); and

(2) Two (2) diesel-fired site entrance emergency generators, identified as DEAG1 and DEAG2, approved in 2025 for construction, manufactured in 2024, each with an output horsepower rating of 595 hp (443.9 kW).

These engines use Hydro-treated Vegetable Oil (HVO) as a secondary fuel. HVO is a renewable diesel fuel derived from vegetable oils and animal fats through a hydrotreatment process. It is designed to be a drop-in replacement for conventional diesel.

The above mentioned diesel-fired emergency generators are subject to the following portions of Subpart IIII when using either diesel or HVO fuel:

60.4200(a)(2)(i), (a)(4), and (c)	Am I subject to this subpart?
60.4205(b)	What emission standards must I meet for emergency engines if I am an owner or operator of a stationary CI internal combustion engine?
60.4206	How long must I meet the emission standards if I am an owner or operator of a stationary CI internal combustion engine?
60.4207(b)	What fuel requirements must I meet if I am an owner or operator of a stationary CI internal combustion engine subject to this subpart?
60.4208	What is the deadline for importing or installing stationary CI ICE produced in previous model years?
60.4209(a)	What are the monitoring requirements if I am an owner or operator of a stationary CI internal combustion engine?
60.4211(a), (c) and (f)	What are my compliance requirements if I am an owner or operator of a stationary CI internal combustion engine?

60.4214(b) and (d)	What are my notification, reporting, and recordkeeping requirements if I am an owner or operator of a stationary CI internal combustion engine?
60.4218	What General Provisions and confidential information provisions apply to me?
60.4219	What definitions apply to this subpart?
Tables to Subpart IIII of Part 60	
Table 5	Labeling and Recordkeeping Requirements for New Stationary Emergency Engines
Table 8	Applicability of General Provisions to Subpart IIII

The requirements of 40 CFR Part 60, Subpart A – General Provisions, which are incorporated as 326 IAC 12-1, apply to the diesel-fired emergency generators except as otherwise specified in 40 CFR 60, Subpart IIII.

(c) The two (2) diesel-fired fire pump emergency generators, identified as DEP1 and DEP2, are subject to the New Source Performance Standards for Stationary Compression Ignition Internal Combustion Engines, 40 CFR 60, Subpart IIII and 326 IAC 12, because the fire pumps are certified NFPA fire pumps manufactured after July 1, 2006. The diesel-fired emergency fire pumps subject to this rule include the following:

Two (2) diesel-fired fire pump emergency generators, identified as DEP1 and DEP2, approved in 2025 for construction, manufactured in 2024, each with an output horsepower rating of 557 hp (415.5 kW).

These engines use Hydro-treated Vegetable Oil (HVO) as a secondary fuel. HVO is a renewable diesel fuel derived from vegetable oils and animal fats through a hydrotreatment process. It is designed to be a drop-in replacement for conventional diesel.

The diesel-fired emergency fire pumps, identified as DEP1 and DEP2, are subject to the following portions of Subpart IIII when using either diesel or HVO fuel:

60.4200(a)(2)(ii), (a)(4), and (c)	Am I subject to this subpart?
60.4205(c)	What emission standards must I meet for emergency engines if I am an owner or operator of a stationary CI internal combustion engine?
60.4206	How long must I meet the emission standards if I am an owner or operator of a stationary CI internal combustion engine?
60.4207(b)	What fuel requirements must I meet if I am an owner or operator of a stationary CI internal combustion engine subject to this subpart?
60.4208	What is the deadline for importing or installing stationary CI ICE produced in previous model years?
60.4209(a)	What are the monitoring requirements if I am an owner or operator of a stationary CI internal combustion engine?
60.4211(a), (c) and (f)	What are my compliance requirements if I am an owner or operator of a stationary CI internal combustion engine?
60.4214(b) and (d)	What are my notification, reporting, and recordkeeping requirements if I am an owner or

	operator of a stationary CI internal combustion engine?
60.4218(a)	What General Provisions and confidential information provisions apply to me?
60.4219	What definitions apply to this subpart?
Tables to Subpart IIII of Part 60	
Table 4	Emission Standards for Stationary Fire Pump Engines
Table 5	Labeling and Recordkeeping Requirements for New Stationary Emergency Engines
Table 8	Applicability of General Provisions to Subpart IIII

The requirements of 40 CFR Part 60, Subpart A – General Provisions, which are incorporated as 326 IAC 12-1, apply to the diesel-fired emergency fire pumps except as otherwise specified in 40 CFR 60, Subpart IIII.

(d) The requirements of the New Source Performance Standard for Stationary Spark Ignition Internal Combustion Engines, 40 CFR 60, Subpart JJJJ and 326 IAC 12, are not included in the permit for this source, because none of the units at this source are spark ignition.

(e) There are no other New Source Performance Standards (40 CFR Part 60) and 326 IAC 12 included in the permit for this proposed new source.

National Emission Standards for Hazardous Air Pollutants (NESHAP):

(a) The following diesel-fired emergency generators are subject to the National Emission Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines, 40 CFR 63, Subpart ZZZZ, which is incorporated by reference as 326 IAC 20-82, because the diesel-fired emergency generators are Reciprocating Internal Combustion Engines (RICE), and are located in an area source of HAP emissions:

(1) Sixty-six (66) diesel-fired critical emergency generators, identified as GEN1 through GEN66, approved in 2025 for construction, manufactured in 2024, each with an output horsepower rating of 3,997 hp (2,981.8 kW); and

(2) Two (2) diesel-fired site entrance emergency generators, identified as DEAG1 and DEAG2, approved in 2025 for construction, manufactured in 2024, each with an output horsepower rating of 595 hp (443.9 kW).

(3) Two (2) diesel-fired fire pump emergency generators, identified as DEP1 and DEP2, approved in 2025 for construction, manufactured in 2024, each with an output horsepower rating of 557 hp (415.5 kW).

These engines use Hydro-treated Vegetable Oil (HVO) as a secondary fuel. HVO is a renewable diesel fuel derived from vegetable oils and animal fats through a hydrotreatment process. It is designed to be a drop-in replacement for conventional diesel.

The above listed units are subject to the following applicable portions of the NESHAP for new stationary RICE at an area source of HAP when using either diesel or HVO fuel:

63.6580	What is the purpose of subpart ZZZZ?
63.6585(a), (c), and (d)	Am I subject to this subpart?
63.6590(a)(2)(iii) and (c)(1)	What parts of my plant does this subpart cover?
63.6595(a)(7) and (c)	When do I have to comply with this subpart?

63.6605	What are my general requirements for complying with this subpart?
63.6640(f)(1), (f)(2)(i), and (f)(4)	How do I demonstrate continuous compliance with the emission limitations, operating limitations, and other requirements?
63.6665	What parts of the General Provisions apply to me?
63.6670	Who implements and enforces this subpart?
63.6675	What definitions apply to this subpart?

Pursuant to 40 CFR 63.6665, the emergency generators do not have to meet the requirements of 40 CRF 63, Subpart A (General Provisions), since they are considered new stationary RICE located at an area source of HAP emissions.

(b) There are no other National Emission Standards for Hazardous Air Pollutants under 40 CFR 63, 326 IAC 14 and 326 IAC 20 included for this proposed new source.

Compliance Assurance Monitoring (CAM):

(a) Pursuant to 40 CFR 64.2, Compliance Assurance Monitoring (CAM) is applicable to each pollutant-specific emission unit that meets the following criteria:

(1) has a potential to emit before controls equal to or greater than the major source threshold for the regulated pollutant involved;

(2) is subject to an emission limitation or standard for that pollutant (or a surrogate thereof); and

(3) uses a control device, as defined in 40 CFR 64.1, to comply with that emission limitation or standard.

(b) Pursuant to 40 CFR 64.2(b)(1)(i), emission limitations or standards proposed after November 15, 1990 pursuant to a NSPS or NESHAP under Section 111 or 112 of the Clean Air Act are exempt from the requirements of CAM. Therefore, an evaluation was not conducted for any emission limitations or standards proposed after November 15, 1990 pursuant to a NSPS or NESHAP under Section 111 or 112 of the Clean Air Act.

The requirements of 40 CFR Part 64, CAM, are not applicable to any of the units as part of this new source construction permit, since none of the emission units at this source use a control device.

State Rule Applicability - Entire Source

State rule applicability for this source has been reviewed as follows:

326 IAC 2-2 (PSD)
PSD applicability is discussed under the PTE of the Entire Source After Issuance section of this document.

PSD Minor Source Limits

The source-wide unlimited NOx and CO emissions are greater than 250 tons/year.

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

(a) The total NOx emissions from the sixty-six (66) critical emergency generators (GEN1 through GEN66) shall not exceed two hundred forty-five (245) tons per twelve (12) consecutive month period, with compliance determined at the end of each month.

Since these are emergency generators, each generator is also limited to 500 hours of operation per year.

(b) The total CO emissions from the sixty-six (66) critical emergency generators (GEN1 through GEN66) shall not exceed two hundred forty-five (245) tons per twelve (12) consecutive month period, with compliance determined at the end of each month.

Since these are emergency generators, each generator is also limited to 500 hours of operation per year.

Compliance with these limits, combined with the potential to emit NOx and CO from all other emission units at this source, shall limit the source-wide total potential to emit of NOx and CO to less than two hundred fifty (250) tons per twelve (12) consecutive month period, each, and shall render the requirements of 326 IAC 2-2 (Prevention of Significant Deterioration (PSD)) 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)
This source is subject to the requirements of 326 IAC 2-6 (Emission Reporting), since it is required to have an operating permit under 326 IAC 2-7, Part 70 Permit Program. Pursuant to 326 IAC 2-6-3(a)(2), the Permittee shall submit triennially, by July 1, an emission statement covering the previous calendar year in accordance with the compliance schedule in 326 IAC 2-6-3. The emission statement shall contain, at a minimum, the information specified in 326 IAC 2-6-4.

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

326 IAC 5-1 (Opacity Limitations)
This source is subject to the opacity limitations specified in 326 IAC 5-1-2(1).

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

326 IAC 6-5 (Fugitive Particulate Matter Emission Limitations)
This source is not subject to the requirements of 326 IAC 6-5, because the source has potential fugitive particulate emissions of less than twenty-five (25) tons per year.

326 IAC 6.5 (Particulate Matter Limitations Except Lake County)
Pursuant to 326 IAC 6.5-1-1(a), this source (located in LaPorte County) is not subject to the requirements of 326 IAC 6.5 because it is not located in one of the following counties: Clark, Dearborn, Dubois, Howard, Marion, St. Joseph, Vanderburgh, Vigo or Wayne.

326 IAC 6.8 (Particulate Matter Limitations for Lake County)
Pursuant to 326 IAC 6.8-1-1(a), this source (located in LaPorte County) is not subject to the requirements of 326 IAC 6.8 because it is not located in Lake County.

State Rule Applicability – Individual Facilities

State rule applicability for this source has been reviewed as follows:

Critical Emergency Generators and Fire Pump Emergency Generators

326 IAC 6-2-1 (Particulate Emission Limitations for Sources of Indirect Heating)
The diesel-fired critical emergency generators, GEN1 through GEN66, and the diesel-fired fire pump emergency generators, DEP1 and DEP2, are not subject to the requirements of 326 IAC 6-2, because these units are not sources of indirect heating.

326 IAC 6-3-2 (Particulate Emission Limitations for Manufacturing Processes)
Pursuant to 326 IAC 6-3-1.5(2), the diesel-fired critical emergency generators, GEN1 through GEN66, and the diesel-fired fire pump emergency generators, DEP1 and DEP2, are not subject to the requirements of 326 IAC 6-3, since these units do not meet the definition of a manufacturing process and pursuant to 326 IAC 1-2-59, liquid and gaseous fuels and combustion air are not considered as part of the process weight.

326 IAC 7-1.1 Sulfur Dioxide Emission Limitations
GEN1 to GEN66, DEP1 and DEP2 are not subject to 326 IAC 326 IAC 7-1.1 because they each have a potential to emit (or limited potential to emit) sulfur dioxide (SO2) of less than 25 tons per year or 10 pounds per hour.

326 IAC 8-1-6 (VOC Rules: General Reduction Requirements for New Facilities)
Even though, GEN1 to GEN66, DEP1 and DEP2 are to be constructed after January 1, 1980, they are not subject to the requirements of 326 IAC 8-1-6 because unlimited VOC potential emissions are less than twenty-five (25) tons per year, each.

326 IAC 9-1 (Carbon Monoxide Emission Limits)
The requirements of 326 IAC 9-1 do not apply to the GEN1 to GEN66, DEP1 and DEP2, because this source does not operate a catalyst regeneration petroleum cracking system or a petroleum fluid coker, grey iron cupola, blast furnace, basic oxygen steel furnace, or other ferrous metal smelting equipment.

326 IAC 10-3 (Nitrogen Oxide Reduction Program for Specific Source Categories).
The requirements of 326 IAC 10-3 do not apply to the GEN1 to GEN66, DEP1 and DEP2, since these units are not blast furnace gas-fired boilers, Portland cement kilns, or a facilities specifically listed under 326 IAC 10-3-1(a)(2).

Belly Tanks

326 IAC 8-1-6 (VOC Rules: General Reduction Requirements for New Facilities)
Even though, the belly tanks will be constructed after January 1, 1980, they are not subject to the requirements of 326 IAC 8-1-6 because their unlimited VOC potential emissions are less than twenty-five (25) tons per year, each.

326 IAC 8-9
The requirements of 326 IAC 8-9 do not apply to the belly storage tanks, since this source (located in LaPorte County) is not located in Clark, Floyd, Lake, or Porter County.

Closed Loop Cooling System

326 IAC 6-3-2 (Particulate Emission Limitations for Manufacturing Processes)
Pursuant to 326 IAC 6-3-1(b)(13), the closed loop cooling system is not subject to the requirements of 326 IAC 6-3, since trivial activities are exempt from this rule.

Compliance Determination and Monitoring Requirements

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

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

(a) The Compliance Determination Requirements applicable to this source are as follows:

(i) NOx
The Permittee shall determine NO_x emissions from sixty-six (66) diesel-fired emergency generators, identified as GEN1 through GEN66, when using either diesel fuel or HVO fuel, according to the following equation:

$$\text{NOx emissions in tons/month} = \sum_{n=1}^{66} \frac{(31.04\ lb/hr * HR_{>25\%\ load,i}) + (7.77\ lb/hr * HR_{\leq 25\%\ load,i})}{2000}$$

Where:

i = Each individual Emergency Generator (GEN1 through GEN66)

31.04 = NOx Emission rate above 25% electric load in lb/hr

= (Output Rating above 25% electric load in kW * NOx EF in grams/kW-hr) * 1 lbs/453.59 grams

= (2750 kW * 5.12 grams/kW-hr) * 1 lbs/453.59 grams

2750 kW is the output rating above 25% electric load of each emergency generator

based on the manufacturer's specifications.

7.77 = NOx Emission rate at or below 25% electric load in lb/hr

= (Output Rating at or below 25% electric load in kW * NOx emission rate in g/kW-hr) * 1 lb/453.59 grams

= (688 kW * 5.12 grams/kW-hr) * 1 lbs/453.59 grams

688 kW is the output rating at or below 25% electric load of each emergency generator, based on the manufacturer's specifications.

5.12 grams/kW-hr is based on NSPS 40 CFR 60, Subpart IIII, § 60.4202(b), 40 CFR 1039, Appendix I, Table 2. For engines that have a combined NOx + NMHC emission standard under NSPS Subpart IIII, the individual NOx and VOC emission standards were estimated from the combined NOx + NMHC emission standard assuming 80% NOx and 20% VOC (NMHC) based on the equation provided in 40 CFR 1039.740(c).

$HR_{>25\%\ load}$ = Hours operated by GEN1 through GEN66 in hours/month, when operating above 25% electric load in hours/month.

$HR_{\leq 25\%\ load}$ = Hours operated by GEN1 through GEN66 in hours/month, when operating at or below 25% electric load in hours/month.

1 ton = 2000 pounds

(ii) CO

The Permittee shall determine CO emissions from the sixty-six (66) diesel-fired emergency generators, identified as GEN1 through GEN66, when using either diesel fuel or HVO fuel, according to the following equation:

$$\text{CO emissions (tons/month)} = \sum_{n=1}^{66} \frac{(21.22\ lb/hr * HR_{>25\%\ load,i}) + (5.31\ lb/hr * HR_{\leq 25\%\ load,i})}{2000}$$

Where:

i = Each individual Emergency Generator (GEN1 through GEN66)

21.22 = CO Emission rate above 25% electric load in lb/hr

= (Output Rating above 25% electric load in kW * CO EF in grams/kW-hr) * 1 lbs/453.59 grams

= (2750 kW * 3.50 grams/kW-hr) * 1 lbs/453.59 grams

2750 kW is the output rating above 25% electric load of each emergency generator based on the manufacturer's specifications.

5.31 = CO Emission rate at or below 25% electric load in lb/hr

= (Output Rating above 25% electric load in kW * CO EF in grams/kW-hr) * 1 lbs/453.59 grams

= (688 kW * 3.50 grams/kW-hr) * 1 lbs/453.59 grams

688 kW is the output rating at or below 25% electric load of each emergency generator, based on the manufacturer's specifications.

3.50 grams/kW-hr is based on NSPS 40 CFR 60, Subpart IIII, § 60.4202(b), 40 CFR 1039, Appendix I, Table 2

$HR_{>25\% \text{ load}}$ = Hours operated by GEN1 through GEN66 in hours/month, when operating above 25% electric load in hours/month.

$HR_{\leq 25\% \text{ load}}$ = Hours operated by GEN1 through GEN66 in hours/month, when operating at or below 25% electric load in hours/month.

1 ton = 2000 pounds

(b) The Compliance Monitoring Requirements applicable to this source are as follows:

There are no compliance monitoring requirements applicable to this source.

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 September 5, 2025.

The construction and operation of this source shall be subject to the conditions of the attached proposed New Source Construction and Part 70 Operating Permit No. T091-49561-00195. The staff recommends to the Commissioner that the New Source Construction and Part 70 Operating Permit be approved.

IDEM Contact

(a) If you have any questions regarding this permit, please contact Alexandrea Neuzerling, Indiana Department Environmental Management, Office of Air Quality, Permits Branch, Indiana Government Center North, 100 North Senate Avenue, Room 13W, Indianapolis, Indiana 46204-2251, or by telephone at (317) 232-6634 or (800) 451-6027, and ask for Alexandrea Neuzerling or (317) 232-6634.

(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: Emissions Calculations
PTE Summary

Company Name: Lavender Fields Holdings LLC
Source Address: 402 Royal Road, Michigan City, Indiana 46360
Permit Number: T091-49561-00195
Reviewer: Alexandrea Neuzerling

Unlimited/Uncontrolled PTE (tons/yr)								
Emission Units	**PM**	**PM10**	**PM2.5**	**SO2**	**NOx**	**VOC**	**CO**	**Total HAPs**
Critical diesel-fired generators (GEN1 through GEN66)	21.68	26.45	25.67	0.80	555.12	138.78	379.48	0.73
Diesel fired on site generators (DEAG1 and DEAG2)	0.10	0.65	0.65	0.61	1.57	0.39	1.71	0.01
Diesel-fired fire pumps (DEP1 and DEP2)	0.09	0.61	0.61	0.57	1.47	0.37	1.60	0.01
Storage Tanks	-	-	-	-	-	0.06	-	-
Total	**21.87**	**27.72**	**26.94**	**1.98**	**558.15**	**139.60**	**382.79**	**0.74**
Paved Roads	8.04	1.61	0.39	-	-	-	-	-

Limited PTE (tons/yr)								
Emission Units	**PM**	**PM10**	**PM2.5**	**SO2**	**NOx**	**VOC**	**CO**	**Total HAPs**
Critical diesel-fired generators (GEN1 through GEN66)	21.68	26.45	25.67	0.80	245	138.78	245	0.73
Diesel fired on site generators (DEAG1 and DEAG2)	0.10	0.65	0.65	0.61	1.57	0.39	1.71	0.01
Diesel-fired fire pumps (DEP1 and DEP2)	0.09	0.61	0.61	0.57	1.47	0.37	1.60	0.01
Storage Tanks	-	-	-	-	-	0.06	-	-
Total	**21.87**	**27.72**	**26.94**	**1.98**	**248.03**	**139.60**	**248.31**	**0.74**
Paved Roads	8.04	1.61	0.39	-	-	-	-	-

Shaded cells indicate where limits are included.

Appendix A: Emissions Calculations
Reciprocating Internal Combustion Engines - Diesel Fuel
Output Rating (>600 HP)
Maximum Input Rate (>4.2 MMBtu/hr)
GEN1 through GEN66 (Emergency Generators)

Company Name: **Lavender Fields Holdings LLC**
Source Address: **402 Royal Road, Michigan City, Indiana 46360**
Permit Number: **T091-49561-00195**
Reviewer: **Alexandrea Neuzerling**

The engine has been certified to comply with the emission standards in 40 CFR 60, Subpart IIII, New Source Performance Standards (NSPS) for Stationary Compression Ignition Internal Combustion Engines. Therefore, the NSPS Subpart IIII emission standards for PM, NOx, VOC, and CO are used as the emission factors to determine the potential to emit (PTE).

Emissions calculated based on output rating (hp)

NSPS Subpart IIII Emission Standards based on a: 2024 model year emergency engine

Output Horsepower Rating (hp)	3997.0	
Output Horsepower Rating (kw)	2980.6	
Maximum Hours Operated per Year	500	(emergency generator or fire pump)
Potential Throughput (hp-hr/yr)	1,998,500	
Potential Throughput (kw-hr/yr)	1,490,281	
Sulfur Content (S) of Fuel (% by weight)	0.0015	(ultra low sulfur diesel with sulfur content of 15 ppm pursuant to 40 CFR 60.4207(b))
Number of Units	66	

	Pollutant						
	PM	PM10*	direct PM2.5*	SO2 *(.00809S)*	NOx[1]	VOC[1]	CO
AP-42 Emission Factor in lb/hp-hr		4.01E-04	3.89E-04	1.21E-05			
40 CFR 60 (NSPS), Subpart IIII, Emission Standard (g/kw-hr)	0.20				5.12	1.28	3.5
Potential Emissions ton/year							
Based on AP-42 lb/hr Emission Factor		0.40	0.39	0.01			
Based on g/kw-hr Emission Factor	0.33				8.41	2.10	5.75
Potential Emissions in tons/yr (each)	**0.33**	**0.40**	**0.39**	**0.01**	**8.41**	**2.10**	**5.75**
Potential Emissions in tons/yr (total)	**21.68**	**26.45**	**25.67**	**0.80**	**555.12**	**138.78**	**379.48**

*The PM10 and PM2.5 emission factors for are from AP-42 Table 3.4-2. The PM10 emission factor is the sum of filterable PM10 and condensable particulate. The PM2.5 emission factor is the sum of filterable particulate less than 3 um and condensable particulate. Emission factors in lb/hp-hr were calculated using the emission factor in lb/MMBtu and a brake specific fuel consumption of 7,000 Btu / hp-hr (AP-42

Note 1: For engines that have a combined NOx + NMHC emission standard under NSPS Subpart IIII, the individual NOx and VOC emission standards were estimated from the combined NOx + NMHC emission standard assuming 80% NOx and 20% VOC (NMHC) based on the equation provided in 40 CFR 1039.740(c).

Note 2: These engines use hydrotreated Vegetable Oil (HVO) as seconday fuel. HVO is a renewable diesel fuel derived from vegetable oils and animal fats through a hydrotreatment process. It is designed to be a drop-in replacement for conventional diesel. Emissions will be equal to or less than diesel emissions shown above. This has been verified by test results submitted by the source from the manufacturer.

Hazardous Air Pollutants (HAPs)

	Pollutant						
	Benzene	Toluene	Xylene	Formaldehyde	Acetaldehyde	Acrolein	Total PAH HAPs**
Emission Factor in lb/hp-hr***	5.43E-06	1.97E-06	1.35E-06	5.52E-07	1.76E-07	5.52E-08	1.48E-06
Potential Emissions in tons/yr (each)	5.43E-03	1.97E-03	1.35E-03	5.52E-04	1.76E-04	5.51E-05	1.48E-03
Potential Emissions in tons/yr (total)	3.58E-01	1.30E-01	8.91E-02	3.64E-02	1.16E-02	3.64E-03	9.79E-02

**PAH = Polyaromatic Hydrocarbon (PAHs are considered HAPs, since they are considered Polycyclic Organic Matter)
***Emission factors in lb/hp-hr were calculated using emission factors in lb/MMBtu and a brake specific fuel consumption of 7,000 Btu / hp-hr (AP-42 Tables 3.3-1 and 3.4-1).

Potential Emissions of Total HAPs (tons/yr) (each)	**1.10E-02**
Potential Emissions of Total HAPs (tons/yr) (total)	**7.3E-01**

Methodology
Emission Factors are from AP 42 (Supplement B 10/96) Tables 3.4-1 , 3.4-2, 3.4-3, and 3.4-4.
Potential Throughput (hp-hr/yr) = [Output Horsepower Rating (hp)] * [Maximum Hours Operated per Year]
Potential Emissions (tons/yr) (each) = [Potential Throughput (hp-hr/yr)] * [Emission Factor (lb/hp-hr)] / [2,000 lb/ton]
Potential Emissions (tons/yr) (total) = Potential Emissions (tons/yr) (each) * Number of Units

Appendix A: Emissions Calculations
Reciprocating Internal Combustion Engines - Diesel Fuel
Output Rating (<=600 HP)
Maximum Input Rate (<=4.2 MMBtu/hr)
DEAG1 and DEAG2 (Emergency Generators)

Company Name: **Lavender Fields Holdings LLC**
Source Address: **402 Royal Road, Michigan City, Indiana 46360**
Permit Number: **T091-49561-00195**
Reviewer: **Alexandrea Neuzerling**

The engine has been certified to comply with the emission standards in 40 CFR 60, Subpart IIII, New Source Performance Standards (NSPS) for Stationary Compression Ignition Internal Combustion Engines. Therefore, the NSPS Subpart IIII emission standards for PM, NOx, VOC, and CO are used as the emission factors to determine the potential to emit (PTE).

Emissions calculated based on output rating (hp)

NSPS Subpart IIII Emission Standards based on a: 2024 model year emergency engine

Output Horsepower Rating (hp)	595.0	
Output Horsepower Rating (kw)	443.7	
Maximum Hours Operated per Year	500	(emergency generator or fire pump)
Potential Throughput (hp-hr/yr)	297,500	
Potential Throughput (kw-hr/yr)	221,846	
Sulfur Content (S) of Fuel (% by weight)	0.0015	(ultra low sulfur diesel with sulfur content of 15 ppm pursuant to 40 CFR 60.4207(b))
Number of Units	2	

	Pollutant						
	PM	PM10*	direct PM2.5*	SO2	NOx[1]	VOC[1]	CO
AP-42 Emission Factor in lb/hp-hr		0.0022	0.0022	0.00205			
40 CFR 60 (NSPS), Subpart IIII, Emission Standard (g/kw-hr)	0.20				3.20	0.80	3.5
Potential Emissions ton/year							
Based on AP-42 lb/hr Emission Factor		0.33	0.33	0.30			
Based on g/kw-hr Emission Factor	0.05				0.78	0.20	0.86
Potential Emissions in tons/yr (each)	**0.05**	**0.33**	**0.33**	**0.30**	**0.78**	**0.20**	**0.86**
Potential Emissions in tons/yr (total)	**0.10**	**0.65**	**0.65**	**0.61**	**1.57**	**0.39**	**1.71**

*PM2.5 emission factors are assumed to be equivalent to PM10 emission factors. No information was given regarding which method was used to determine the factor or the fraction of PM10 which is condensable.
Note 1: For engines that have a combined NOx + NMHC emission standard under NSPS Subpart IIII, the individual NOx and VOC emission standards were estimated from the combined NOx + NMHC emission standard assuming 80% NOx and 20% VOC (NMHC) based on the equation provided in 40 CFR 1039.740(c).

Note 2: These engines use hydrotreated Vegetable Oil (HVO) as seconday fuel. HVO is a renewable diesel fuel derived from vegetable oils and animal fats through a hydrotreatment process. It is designed to be a drop-in replacement for conventional diesel. Emissions will be equal to or less than diesel emissions shown above. This has been verified by test results submitted by the source from the manufacturer.

Hazardous Air Pollutants (HAPs)

	Pollutant							
	Benzene	Toluene	Xylene	1,3-Butadiene	Formaldehyde	Acetaldehyde	Acrolein	Total PAH HAPs**
Emission Factor in lb/hp-hr***	6.53E-06	2.86E-06	2.00E-06	2.74E-07	8.26E-06	5.37E-06	6.48E-07	1.18E-06
Potential Emissions in tons/yr (each)	9.71E-04	4.26E-04	2.97E-04	4.07E-05	1.23E-03	7.99E-04	9.63E-05	1.75E-04
Potential Emissions in tons/yr (total)	1.94E-03	8.52E-04	5.94E-04	8.14E-05	2.46E-03	1.60E-03	1.93E-04	3.50E-04

**PAH = Polyaromatic Hydrocarbon (PAHs are considered HAPs, since they are considered Polycyclic Organic Matter)
***Emission factors in lb/hp-hr were calculated using emission factors in lb/MMBtu and a brake specific fuel consumption of 7,000 Btu / hp-hr (AP-42 Table 3.3-1).

Potential Emissions of Total HAPs (tons/yr) (each)	**4.03E-03**
Potential Emissions of Total HAPs (tons/yr) (total)	**8.07E-03**

Methodology
Emission Factors are from AP 42 (Supplement B 10/96) Tables 3.3-1 and 3.3-2.
Output Horsepower Rating (kw) = Output Horsepower Rating (hp) * (0.7457 kw/hp)
Potential Throughput (hp-hr/yr) = [Output Horsepower Rating (hp)] * [Maximum Hours Operated per Year]
Potential Throughput (kw-hr/yr) = [Output Horsepower Rating (kw)] * [Maximum Hours Operated per Year]
Potential Emission (tons/yr) = [Potential Throughput (hp-hr/yr)] * [Emission Factor (lb/hp-hr)] * [ton/2,000 lbs]
Potential Emissions (tons/yr) (each) = [Potential Throughput (kw-hr/yr)] * [Emission Factor (g/kw-hr)] * [lb / 453.592 g] * [ton/2,000 lbs]
Potential Emissions (tons/yr) (total) = Potential Emissions (tons/yr) (each) * Number of Units

Appendix A: Emissions Calculations
Reciprocating Internal Combustion Engines - Diesel Fuel
Output Rating (<=600 HP)
Maximum Input Rate (<=4.2 MMBtu/hr)
DEP1 and DEP2 (Emergency Fire Pumps)

Company Name: **Lavender Fields Holdings LLC**
Source Address: **402 Royal Road, Michigan City, Indiana 46360**
Permit Number: **T091-49561-00195**
Reviewer: **Alexandrea Neuzerling**

The engine has been certified to comply with the emission standards in 40 CFR 60, Subpart IIII, New Source Performance Standards (NSPS) for Stationary Compression Ignition Internal Combustion Engines. Therefore, the NSPS Subpart IIII emission standards for PM, NOx, VOC, and CO are used as the emission factors to determine the potential to emit (PTE).

Emissions calculated based on output rating (hp)

NSPS Subpart IIII Emission Standards based on a: 2024 model year emergency engine

Output Horsepower Rating (hp)	557.0	
Output Horsepower Rating (kw)	415.4	
Maximum Hours Operated per Year	500	(emergency generator or fire pump)
Potential Throughput (hp-hr/yr)	278,500	
Potential Throughput (kw-hr/yr)	207,677	
Sulfur Content (S) of Fuel (% by weight)	0.0015	(ultra low sulfur diesel with sulfur content of 15 ppm pursuant to 40 CFR 60.4207(b))
Number of Units	2	

	Pollutant						
	PM	PM10*	direct PM2.5*	SO2	NOx[1]	VOC[1]	CO
AP-42 Emission Factor in lb/hp-hr		0.0022	0.0022	0.00205			
40 CFR 60 (NSPS), Subpart IIII, Emission Standard (g/kw-hr)	0.20				3.20	0.80	3.5
Potential Emissions ton/year							
Based on AP-42 lb/hr Emission Factor		0.31	0.31	0.29			
Based on g/kw-hr Emission Factor	0.05				0.73	0.18	0.80
Potential Emissions in tons/yr (each)	**0.05**	**0.31**	**0.31**	**0.29**	**0.73**	**0.18**	**0.80**
Potential Emissions in tons/yr (total)	**0.09**	**0.61**	**0.61**	**0.57**	**1.47**	**0.37**	**1.60**

*PM2.5 emission factors are assumed to be equivalent to PM10 emission factors. No information was given regarding which method was used to determine the factor or the fraction of PM10 which is condensable.
Note 1: For engines that have a combined NOx + NMHC emission standard under NSPS Subpart IIII, the individual NOx and VOC emission standards were estimated from the combined NOx + NMHC emission standard assuming 80% NOx and 20% VOC (NMHC) based on the equation provided in 40 CFR 1039.740(c).

Note 2:These engines use hydrotreated Vegetable Oil (HVO) as seconday fuel. HVO is a renewable diesel fuel derived from vegetable oils and animal fats through a hydrotreatment process. It is designed to be a drop-in replacement for conventional diesel. Emissions will be equal to or less than diesel emissions shown above. This has been verified by test results submitted by the source from the manufacturer.

Hazardous Air Pollutants (HAPs)

	Pollutant							
	Benzene	Toluene	Xylene	1,3-Butadiene	Formaldehyde	Acetaldehyde	Acrolein	Total PAH HAPs**
Emission Factor in lb/hp-hr***	6.53E-06	2.86E-06	2.00E-06	2.74E-07	8.26E-06	5.37E-06	6.48E-07	1.18E-06
Potential Emissions in tons/yr (each)	9.09E-04	3.99E-04	2.78E-04	3.81E-05	1.15E-03	7.48E-04	9.02E-05	1.64E-04
Potential Emissions in tons/yr (total)	1.82E-03	7.97E-04	5.56E-04	7.62E-05	2.30E-03	1.50E-03	1.80E-04	3.28E-04

**PAH = Polyaromatic Hydrocarbon (PAHs are considered HAPs, since they are considered Polycyclic Organic Matter)
***Emission factors in lb/hp-hr were calculated using emission factors in lb/MMBtu and a brake specific fuel consumption of 7,000 Btu / hp-hr (AP-42 Table 3.3-1).

Potential Emissions of Total HAPs (tons/yr) (each)	**3.78E-03**
Potential Emissions of Total HAPs (tons/yr) (total)	**7.55E-03**

Methodology
Emission Factors are from AP 42 (Supplement B 10/96) Tables 3.3-1 and 3.3-2.
Output Horsepower Rating (kw) = Output Horsepower Rating (hp) * (0.7457 kw/hp)
Potential Throughput (hp-hr/yr) = [Output Horsepower Rating (hp)] * [Maximum Hours Operated per Year]
Potential Throughput (kw-hr/yr) = [Output Horsepower Rating (kw)] * [Maximum Hours Operated per Year]
Potential Emission (tons/yr) = [Potential Throughput (hp-hr/yr)] * [Emission Factor (lb/hp-hr)] * [ton/2,000 lbs]
Potential Emissions (tons/yr) (each) = [Potential Throughput (kw-hr/yr)] * [Emission Factor (g/kw-hr)] * [lb / 453.592 g] * [ton/2,000 lbs]
Potential Emissions (tons/yr) (total) = Potential Emissions (tons/yr) (each) * Number of Units

Appendix A: Emissions Calculations
Tanks Emissions

Company Name: Lavender Fields Holdings LLC
Source Address: 402 Royal Road, Michigan City, Indiana 46360
Permit Number: T091-49561-00195
Reviewer: Alexandrea Neuzerling

Belly Tanks

Emission Unit Identifier	Tank1 to Tank70
Product Stored	Diesel Fuel # 2 or HVO fuel
Capacity (gal), per tank	5,373
Number of Tanks [1]	70

[1] Conservatively assumes that the site entrance emergency generator and the fire pump tanks are the same size as those for the critical generato
[2] Calculated using the calculation methodology in AP-42, Chapter 7.1.
[3] Emissions from Hydrotreated Vegetable Oil (HVO) will be equal to or less than diesel emissions shown above. This has been verified by test results submitted by the source from the manufacturer.

Parameter Description	Equation	Source	Tank Specifics
Material Stored	Facility Information		Diesel Fuel
Tank Location	Facility Information		Michigan City, IN
Tank Type	Facility Information		Horizontal
Tank Color	Facility Information		Black
Roof Color	Facility Information		Black
Paint Condition	Facility Information		Average
Heated?	Facility Information		No
Tank Width (W), ft	Facility Information		11.67
Tank Length (L), ft	Facility Information		35.17
Tank Height (H), ft	Facility Information		1.75
Tank Volume (V), ft^3	$V = W * L * H$		718
Tank Volume (V), gal	$V = ft3 * 7.48052$		5,373
Vapor Space Outage (H_{VO}), ft	$H_{VO} = H / 2$	AP-42, Chap. 7.1, Eq 1-16	0.88
Vapor Space Volume (V_V), ft^3	$V_V = H_{VO} * W * L$		359
Ideal Gas Constant (R), psia ft^3/lb-mol R	AP-42, Chap. 7.1, Eq 4-10		10.731
Daily Maximum Ambient Temperature (T_{AX}), R	AP-42, Chap. 7.1, Table 7.1-7, South Bend, Annual		518.3
Daily Minimum Ambient Temperature (T_{AN}), R	AP-42, Chap. 7.1, Table 7.1-7, South Bend, Annual		501.1
Average Daily Ambient Temperature (T_{AA}), R	$T_{AA} = (T_{AX} + T_{AN}) / 2$	AP-42, Chap. 7.1, Eq 1-30	509.7
Liquid Bulk Temperature (T_B), R	For belly tanks assumed $T_{LA} = T_B = T_{AA}$ since shell tank solar absorption α_s will be zero.		509.7
Daily Average Liquid Surface Temperature (T_{LA}), R			
Vapor Molecular Weight (M_V), lb/lb-mol	AP-42, Chap. 7.1, Table 7.1-2, No. 2 Fuel Oil (Diesel)		130
Vapor Pressure Constant, A	AP-42, Table 7.1-2, No. 2 Fuel Oil		12.101
Vapor Pressure Constant, B	AP-42, Table 7.1-2, No. 2 Fuel Oil		8907
Vapor Pressure at T_{LA} (P_{VA}), psia	$P_{VA} = \exp[A - (B / T_{LA})]$	AP-42, Chap 7.1, Eq 1-25	0.005
Avg Vapor Temperature T_v, R	For belly tanks assumed $T_v=0.7T_{AA} + 0.3T_B$ since shell solar absorption α will be zero.		509.7
Vapor Density (W_V), lb/ft^3	$W_V = M_V * P_{VA} / RT_V$	AP-42, Chap 7.1, Eq 1-22	0.00011
Daily Ambient Temperature Range (ΔT_A), R	$\Delta T_A = T_{AX} - T_{AN}$	AP-42, Chap. 7.1, Eq 1-11	17.2
Daily Vapor Temperature Range (ΔT_V), R	For belly tanks, assumed $\Delta T_V = 0.7\Delta T_A$ since shell solar absorption α_s is zero.	AP-42, Chap. 7.1, Eq 1-11, Note 5	12.0
Vapor Pressure at T_{AN} (P_{VN}), psia	$P_{VN} = \exp[A - (B / T_{AN})]$	AP-42, Chap. 7.1, Eq 1-11, Note 5	0.003
Vapor Pressure at T_{AX} (P_{VX}), psia	$P_{VX} = \exp[A - (B / T_{AX})]$	AP-42, Chap. 7.1, Eq 1-11, Note 5	0.006
Daily Vapor Pressure Range (ΔP_V), psia	$\Delta P_V = P_{VX} - P_{VN}$	AP-42, Chap. 7.1, Eq 1-9	0.003
Breather Vent Pressure Setting Range (ΔP_B), psig	$= P_{BP} - P_{BV}$ (Assumed = 0	AP-42, Chap 7.1, Eq 1-10	0.06
Atmospheric Pressure (P_A), psia	Constant		14.7
Vapor Space Expansion Factor (K_E), dimensionless	Outdoor Tanks: $K_E = \Delta T_V / T_{LA} + (\Delta P_V - \Delta P_B) / (P_A - P_{VA})$	AP-42, Chap. 7.1, Eq 1-5	0.02
Vented Vapor Saturation Factor (K_S), dimensionless	$K_S = 1 / (1 + 0.053 * P_{VA} * H_{VO})$	AP-42, Chap 7.1, Eq 1-21	1.00
Number of Days/Year in Operation	Constant		365
Standing Storage Losses (L_S), lb/year/tank	$L_S = 365 * W_V * V_V * K_E * K_S$	AP-42, Chap. 7.1, Eq 1-2	0.28
Maximum Throughput (Q), gal	Facility Information		96,250
Maximum Throughput (V_Q), ft^3	Conversion		12,867
Tank Maximum Liquid Volume (V_{LX}), ft^3	Horizontal Tank: Assumed $V_{LX} = 0.9V$	Assumed	646
Turnovers (N), dimensionless	$N = V_Q/V_{LX}$	AP-42, Chap. 7.1, Eq 60-4	19.9
Turnover Factor (K_N), dimensionless	Since $N \leq 36$, $K_N = 1$	AP-42, Chap. 7.1, Eq 1-35	1
Working Loss Factor (K_P), dimensionless	For Organic Liquids, $K_P = 1$	AP-42, Chap. 7.1, Eq 60-4, Notes	1
Vent Setting Correction Factor, K_B	For Vent Setting Range ± 0.03 psig, $K_B = 1$	AP-42, Chap. 7.1, Eq 1-12	1
Working Losses (L_W), lb/year/tank	$L_W = V_Q * K_N * K_P * W_V * K_B$	AP-42, Chap. 7.1, Eq 1-35	1.42
Total Uncontrolled Losses (L_T), lb/year/tank	$L_T = L_S + L_W$	AP-42, Chap. 7.1, Eq 2-1	1.70
Total Uncontrolled Losses (L_T), lb/hr/tank	Since 8760 hr/year, L_T / 8760		0.0002
Total Uncontrolled Losses (L_T), ton/year/tank	Since 2000 lb/ton, L_T / 2000		0.0009
Number of Tanks	Facility Information		70
Total Uncontrolled Losses (L_T), lb/hr (all tanks)	L_T = lb/hr/tank * # of Tanks		0.014
Total Uncontrolled Losses (L_T), ton/year (all tanks)	**L_T = ton/year/tank * # of Tanks**		**0.06**

Appendix A: Emissions Calculations
Fugitive Dust Emissions - Paved Roads

Company Name: Lavender Fields Holdings LLC
Source Address: 402 Royal Road, Michigan City, Indiana 46360
Permit Number: T091-49561-00195
Reviewer: Alexandrea Neuzerling

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 Informtation (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 of Loaded Vehicle (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)
Diesel or HVO Delivery Tanker (entering plant) (one-way trip) (Full)	8.0	1.0	8.0	41.0	328.0	6000	1.136	9.1	3318.2
Diesel or HVO Delivery Tanker (leaving plant) (one-way trip) (Empty)	8.0	1.0	8.0	16.0	128.0	6000	1.136	9.1	3318.2
		Totals	16.0		456.0			18.2	6636.4

Average Vehicle Weight Per Trip = 28.5 tons/trip
Average Miles Per Trip = 1.14 miles/trip

Unmitigated Emission Factor, Ef = [k * (sL)^0.91 * (W)^1.02] (Equation 1 from AP-42 13.2.1)

	PM	PM10	PM2.5	
where k =	0.011	0.0022	0.00054	lb/VMT = particle size multiplier (AP-42 Table 13.2.1-1)
W =	28.5	28.5	28.5	tons = average vehicle weight
sL =	9.7	9.7	9.7	g/m^2 = silt loading value for paved roads at iron and steel production facilities - Table 13.2.1-3)

Taking natural mitigation due to precipitation into consideration, Mitigated Emission Factor, Eext = E * [1 - (p/4N)] (Equation 2 from AP-42 13.2.1)
Mitigated Emission Factor, Eext = Ef * [1 - (p/4N)]
where p = 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 =	2.650	0.530	0.1301	lb/mile
Mitigated Emission Factor, Eext =	2.423	0.485	0.1190	lb/mile

Process	Mitigated PTE of PM (tons/yr)	Mitigated PTE of PM10 (tons/yr)	Mitigated PTE of PM2.5 (tons/yr)
Diesel or HVO Delivery Tanker (entering plant) (one-way trip) (Full)	4.02	0.80	0.20
Diesel or HVO Delivery Tanker (leaving plant) (one-way trip) (Empty)	4.02	0.80	0.20
Totals	**8.04**	**1.61**	**0.39**

Methodology
Total Weight driven per day (ton/day) = [Maximum Weight of Loaded Vehicle (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)

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

100 N. Senate Avenue • Indianapolis, IN 46204
(800) 451-6027 • (317) 232-8603 • Fax (317) 233-6647 • www.idem.IN.gov

Mike Braun
Governor

Clint Woods
Commissioner

SENT VIA U.S. MAIL: CONFIRMED DELIVERY AND SIGNATURE REQUESTED

TO: Richard Hall
Lavender Fields Holdings LLC
11 S Meridian St
Indianapolis, IN 46204

DATE: March 19, 2026

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

SUBJECT: Final Decision
TV New Source Construction (Minor PSD/EO)
091-49561-00195

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 original signature page is enclosed for your convenience. The final decision and supporting materials are available electronically at:

IDEM's online searchable database: https://www.in.gov/apps/idem/caats/ . Choose Search Option **by Permit Number**, then enter permit 49561

and

IDEM's Virtual File Cabinet (VFC): A copy of the issued permit is also available via IDEM's Virtual File Cabinet (VFC) located at https://www.in.gov/idem/legal/public-records/virtual-file-cabinet/. Click on the Virtual File Cabinet button. Click on the "Search" dropdown menu in the upper left corner and select "OAQ Permit" from the list of options. Select "Public" in the "Security group" dropdown menu. Type the five-digit permit number 49561 in the Permit # search field, select "Final" in the "Permit Type" dropdown menu, then click the search button at the top or bottom of the webpage. The search will return the final issued permit and any applicable mailing list.

If you have requested to receive a hard copy of these documents, the final decision and supporting documents for the air permit application referenced above are enclosed. If applicable, this packet contains the original, signed, permit documents.

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.

INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

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Mike Braun
Governor

Clint Woods
Commissioner

March 19, 2026

TO: Michigan City Public Library

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

Subject: **Important Information for Display Regarding a Final Determination**

Applicant Name: **Lavender Fields Holdings LLC**
Permit Number: **091-49561-00195**

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 1/13/2025

INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

100 N. Senate Avenue • Indianapolis, IN 46204
(800) 451-6027 • (317) 232-8603 • Fax (317) 233-6647 • www.idem.IN.gov

Mike Braun
Governor

Clint Woods
Commissioner

March 19, 2026
Lavender Fields Holdings LLC
091-49561-00195

To: Interested Parties

This notice is to inform you that a final decision has been issued for the air permit application referenced above. This notice is for informational purposes only. You are not required to take any action.

You are receiving this notice because you asked to be on IDEM's notification list for this company and/or county; or because your property is nearby the company being permitted; or because you represent a local/regional government entity.

The enclosed Notice of Decision Letter provides additional information about the final permit decision.

The final decision is available on the IDEM website at: https://www.in.gov/apps/idem/caats/. To view the document, choose Search Option by **Permit Number**, then enter permit 49561

The final decision is also available via IDEM's Virtual File Cabinet (VFC) located at https://www.in.gov/idem/legal/public-records/virtual-file-cabinet/. Click on the Virtual File Cabinet button. Click on the "Search" dropdown menu in the upper left corner and select "OAQ Permit" from the list of options. Select "Public" in the "Security group" dropdown menu. Type the five-digit permit number 49561 in the Permit # search field, select "Final" in the "Permit Type" dropdown menu, then click the search button at the top or bottom of the webpage. The search will return the final issued permit and any applicable mailing list.

If you have technical questions regarding the enclosed documents, please contact the Office of Air Quality, Permits Branch at (317) 233-0178, or toll-free at 1-800-451-6027 (ext. 3-0178), and ask to speak to the permit reviewer who prepared the permit.

Please Note: *If you would like to be removed from the Air Permits mailing list, please contact Joanne Smiddie-Brush with the Air Permits Administration Section at 1-800-451-6027, ext. 3-0185 or via e-mail at JBRUSH@IDEM.IN.GOV. If you have recently moved and this Notice has been forwarded to you, please notify us of your new address and if you wish to remain on the mailing list. Mail that is returned to IDEM by the Post Office with a forwarding address in a different county will be removed from our list unless otherwise requested.*

Enclosure
Final Interested Parties Cover Letter

Mail Code 61-53 page 1 of 14

IDEM Staff	CMOSIER 3/19/2026 Lavender Fields Holdings LLC 091-49561-00195 (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		Richard Hall Lavender Fields Holdings LLC 11 S Meridian St Indianapolis IN 46204 (Source CAATS) via UPS									
2		Michael Montfort Manager Lavender Fields Holdings LLC 11 S Meridian St Indianapolis IN 46204 *(RO CAATS)*									
3		Ms. Nancy Walter Or Current Resident 1057 Poppyfield Pl Schererville IN 46375 *(Affected Party)*									
4		La Porte County Herald-Dispatch 422 Franklin St, Ste B Michigan City IN 46360 *(Affected Party)*									
5		Martin Barr Or Current Resident 4996 S 75 W Laporte IN 46350 *(Affected Party)*									
6		Jennifer Rudderham Or Current Resident 7905 Hemlock Ave Gary IN 46403 *(Affected Party)*									
7		Carolyn McCrady Or Current Resident 8241 Locust Ave Gary IN 46403 *(Affected Party)*									
8		Mr. Lukas Kromer American Renolit Corportion 1207 E. Lincolnway LaPorte IN 46350 *(Affected Party)*									
9		Dr. Julie Peller Or Current Resident 1320 Brassie Ave Chesterton IN 46304 *(Affected Party)*									
10		Lisa Vallee Or Current Resident 1649 Lake Ave Apt 2 Whiting IN 46394 *(Affected Party)*									
11		Paula Brooks Hoosier Environmental Council 3951 N Meridian St Indianapolis IN 46208 *(Affected Party)*									
12		Jennifer Dimitroff Or Current Resident 18 E Burwell Dr Porter IN 46304 *(Affected Party)*									
13		Kate Brankin Or Current Resident 3526 Calumet Trl Michigan City IN 46360 (Affected Party)									
14		Matthew Kaplan Or Current Resident 1848 W Chase Ave Chicago IL 60626 *(Affected Party)*									
15		Olimpia Gutierrez Or Current Resident 1231 W 151st St East Chicago IN 46312 *(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 page 2 of 14

IDEM Staff	CMOSIER 3/19/2026 Lavender Fields Holdings LLC 091-49561-00195 (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		Ashley Or Current Resident 401 Fir St Michigan City IN 46360 (Affected Party)									
2		Nora McDonald Or Current Resident 228 E 10th St Apt 10 Michigan City IN 46360 *(Affected Party)*									
3		Scott & Vicky Houldieson Or Current Resident 8927 Parrish Ave Highland IN 46322 *(Affected Party)*									
4		Cavin McNulty Or Current Resident 8202 Jackson Ave Munster IN 46321 *(Affected Party)*									
5		Thomas Gaertig Or Current Resident 1738 Fairbanks St Griffith IN 46319 *(Affected Party)*									
6		Cheryl Chapman Or Current Resident 2923 Summitt Dr Long Beach IN 46360 *(Affected Party)*									
7		John Ploof Or Current Resident 1039 N Warren St Gary IN 46403 *(Affected Party)*									
8		Bruce Russell-Jayne Or Current Resident 1452 Rohrer Rd Carmel IN 46032 *(Affected Party)*									
9		Kelly Hamman Or Current Resident 321 S Temple Ave Indianapolis IN 46201 *(Affected Party)*									
10		Catherine Perrin Or Current Resident 3215 Grand Blvd Highland IN 46322 *(Affected Party)*									
11		Barbara Hargrove Or Current Resident 22 Coolidge St Hammond IN 46324 *(Affected Party)*									
12		CSX Baltimore & Ohio Railroad Abandoned Brazil 500 Water St Jacksonville FL 32202 *(Affected Party)*									
13		Madeline Hirschland Or Current Resident 1228 E Maxwell Ln Bloomington IN 47401 (Affected Party)									
14		Zach Schalk Or Current Resident 532 Lincoln St Indianapolis IN 46203 *(Affected Party)*									
15		Elise Zaniker 35 E Wacker Dr Ste 1600 Chicago IL 60601 *(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 page 3 of 14

IDEM Staff	CMOSIER 3/19/2026 Lavender Fields Holdings LLC 091-49561-00195 (final)		AFFIX STAMP HERE IF USED AS CERTIFICATE OF MAILING
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1		Allan Or Current Resident 142 Shore Dr Ogden Dunes IN 46368 (Affected Party)									
2		Michael Oles Or Current Resident 10478 N CR 900 E Brownsburg IN 46112 *(Affected Party)*									
3		Jim Timmons Olsson 1717 Ingersoll Ave Des Moines IA 50309 *(Consultant)*									
4		Northern Indiana Public Service Company LLC 101 Wabash St Michigan City IN 46360 *(Affected Party)*									
5		C & O RWY 500 Water St Jacksonville Fl 32202 *(Affected Party)*									
6		City of Michigan City Sanitary District 100 E Michigan Blvd Michigan City IN 46360 *(Affected Party)*									
7		Sergio Magana Or Current Resident 4646 S Emerald Ave Chicago IL 60609 *(Affected Party)*									
8		Sarah Seabolt Or Current Resident 312 Huber Blvd Hobart IN 46342 *(Affected Party)*									
9		Bertha Rojas Or Current Resident 169 Mallard Pointe Dr Valparaiso IN 46385 *(Affected Party)*									
10		Tyler Hempfling Indiana Senate Democrats 200 W Washington St Indianapolis IN 46204 *(Affected Party)*									
11		Cecilia Gomez Or Current Resident 1202 120th St Whiting IN 46394 *(Affected Party)*									
12		Erin Rush Or Current Resident 4414 Fletcher Dr Lafayette IN 47909 *(Affected Party)*									
13		Evelyn Leader Or Current Resident 6091 W State Rd 18 Brookston IN 47923 (Affected Party)									
14		Eileen Mark Or Current Resident 219 Ann St Michigan City IN 46360 *(Affected Party)*									
15		Eric Holm Or Current Resident 206 N Calumet Ave Michigan City IN 46360 *(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 page 4 of 14

IDEM Staff	CMOSIER 3/19/2026 Lavender Fields Holdings LLC 091-49561-00195 (final)		AFFIX STAMP HERE IF USED AS CERTIFICATE OF MAILING
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1		James Or Current Resident 111 Mayfield Dr Michigan City IN 46360 (Affected Party)									
2		Sarah Parnell Or Current Resident 301 Brown St Valparaiso IN 46383 *(Affected Party)*									
3		Thomas Ottersen Or Current Resident 7303 W 400 N Michigan City IN 46360 *(Affected Party)*									
4		Olivia Hackett Or Current Resident 9 Gary Dr Trenton NJ 08690 *(Affected Party)*									
5		Mr. Randy Novak House of Representatives 200 W Wasthington St Indianapolis, IN IN 46204 *(Legislator)*									
6		Mr. Rodey Pol Indiana State Senate 200 W Washington St Indianapolis IN 46204 *(Legislator)*									
7		Ms. Ann Bass Or Current Resident 5408 May St Valparaiso IN 46383 *(Affected Party)*									
8		Joyce Blumenshine Or Current Resident 2419 E Reservoir Blvd Peoria IL 61614 *(Affected Party)*									
9		Cheryl Eck Or Current Resident 109 Upland Dr Michigan City IN 46360 *(Affected Party)*									
10		Ms. Melissa Warneke Or Current Resident 2622 Oriole Trl Long Beach IN 46360 *(Affected Party)*									
11		Ms. Colleen Miltenberger Or Current Resident 5566 W 300 N LaPorte IN 46350 *(Affected Party)*									
12		Ms. Angie Tuazon 2637 165th Hammond IN 46323 *(Affected Party)*									
13		Ms. Kimberly Ehn Or Current Resident 343 Rankin St Porter IN 46304 (Affected Party)									
14		David Hoppe Or Current Resident 1604 Oaks Ct Long Beach IN 46360 *(Affected Party)*									
15		Corinne McGrail Or Current Resident 3842 Hiawatha Dr Michiana Shores IN 46360 *(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 page 5 of 14

IDEM Staff	CMOSIER 3/19/2026 Lavender Fields Holdings LLC 091-49561-00195 (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	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		Sharon Or Current Resident 12832 Crystal Creek Pkwy Fort Wayne IN 46845 (Affected Party)									
2		Michigan City Public Library 100 E 4th St Michigan City IN 46360-3393 *(Library)*									
3		LaPorte County Commissioners 555 Michigan Ave, Ste 202 LaPorte IN 46350 *(Local Official)*									
4		Michigan City, City Council and Mayors Office 100 E Michigan Blvd Michigan City IN 46360 *(Local Official)*									
5		LaPorte County Health Department 809 State St, Ste 401A LaPorte IN 46350-3329 *(Health Department)*									
6		Board of Public Works & Safety 100 E Michigan Blvd Michigan City IN 46360 *(Affected Party)*									
7		NIPSCO PO Box 117 Columbus OH 43216 *(Affected Party)*									
8		Sharon Dunn Or Current Resident 116 Louisiana Ave Michigan City IN 46360 *(Affected Party)*									
9		Joyce Hicks 702 Washington St. Valparaiso IN 46383 *(Affected Party)*									
10		Rachel Lawrenz 444 N Holmesville Rd Michigan City IN 46360 *(Affected Party)*									
11		Milosh Kosanovich 511 Decatur St Michigan City IN 46360 *(Affected Party)*									
12		Juliana Blewett 3696 N Dana Dr LaPorte IN 46350 *(Affected Party)*									
13		Gregory Houston 46 Spruce Trl Michigan City IN 46360 (Affected Party)									
14		Cheryl Chapman 2923 Summitt Dr Long Beach IN 46360 *(Affected Party)*									
15		Lucas Aponte 646 E Oak Hill Rd Chesterton IN 46304 *(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 page 6 of 14

IDEM Staff	CMOSIER 3/19/2026 Lavender Fields Holdings LLC 091-49561-00195 (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	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		Judy 1524 Roberts Ave Whiting IN 46394 (Affected Party)									
2		Robert Reyna-jr 2230 Schrage Ave Whiting IN 46394 *(Affected Party)*									
3		Andrew Wetzler 14 Tryon Farm Ln Michigan City IN 46360 *(Affected Party)*									
4		John Bowman 506 Northbrook Dr Michigan City IN 46360 *(Affected Party)*									
5		Catherine Perrin 3215 Grand Blvd Highland IN 46322 *(Affected Party)*									
6		Jane McDonald Or Current Resident 213 Felton St Michigan City IN 46360 *(Affected Party)*									
7		Julie & Darryl & Noah Smith Or Current Resident 5723 W 750 N Michigan City IN 46360 *(Affected Party)*									
8		Lucy Bruce Whitaker Or Current Resident 805 Bullseye Lake Rd Valparaiso IN 46383 *(Affected Party)*									
9		Mary Grote Or Current Resident 2201 Hoveland Ave Long Beach IN 46360 *(Affected Party)*									
10		Jeffrey Koehler Or Current Resident 2712 Roslyn Trl Long Beach IN 46360 *(Affected Party)*									
11		Amy Losinski Or Current Resident 104 Mayfield Dr Michigan City IN 46360 *(Affected Party)*									
12		Willa Moore Or Current Resident 515 Grace St Michigan City IN 46360 *(Affected Party)*									
13		Carla Thacker Or Current Resident 1314 Macarthur Blvd Munster IN 46321 (Affected Party)									
14		Sean Tomlins Or Current Resident 111 Tryon Farm Ln Michigan City IN 46360 *(Affected Party)*									
15		Jillien Fekete Or Current Resident 11 Tryon Farm Ln Michigan City IN 46360 *(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 page 7 of 14

IDEM Staff	CMOSIER 3/19/2026 Lavender Fields Holdings LLC 091-49561-00195 (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	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		Daehler Or Current Resident 401 Rabbit Run W Lafayette IN 47906 (Affected Party)									
2		Gregory Houston Or Current Resident 46 Spruce Trl Michigan City IN 46360 *(Affected Party)*									
3		Jan Radford Or Current Resident 120 Beechwood Trl Michigan City IN 46360 *(Affected Party)*									
4		Julie Littell Or Current Resident 3315 Lasalle Trl Michigan City IN 46360 *(Affected Party)*									
5		Ted & Sharon Burdett Or Current Resident 314 Tryon Farm Ln Michigan City IN 46360 *(Affected Party)*									
6		Rebecca Stoops Or Current Resident 407 S Walker St Bloomington IN 47403 *(Affected Party)*									
7		Lora Fosberg Or Current Resident 220 Overhill Trl Michigan City IN 46360 *(Affected Party)*									
8		Vicki Kuzio Or Current Resident 3888 W Dunes Hwy Michigan City IN 46360 *(Affected Party)*									
9		Leslie Webb Or Current Resident 5113 Hummingbird Cir Carmel IN 46033 *(Affected Party)*									
10		David Block Or Current Resident 1511 Washington St Michigan City IN 46360 *(Affected Party)*									
11		Susan Kenning Or Current Resident 145 N 600 W Valparaiso IN 46385 *(Affected Party)*									
12		Erin Charpentier Or Current Resident 304 S Harrison St Hebron IN 46341 *(Affected Party)*									
13		Debra Shore Or Current Resident 72 Tryon Farm Ln Michigan City IN 46360 (Affected Party)									
14		Karen Keenan Or Current Resident 145 Shorewood Dr Long Beach IN 46360 *(Affected Party)*									
15		Isaias Solis Or Current Resident 884 Dickens Ln Valparaiso IN 46383 *(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 page 8 of 14

IDEM Staff	CMOSIER 3/19/2026 Lavender Fields Holdings LLC 091-49561-00195 (final)		AFFIX STAMP HERE IF USED AS CERTIFICATE OF MAILING
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1		Steve Or Current Resident 6782 E 100 S Mill Creek IN 46365 (Affected Party)									
2		Alex Gayheart Or Current Resident 618 E Coolspring Ave Michigan City IN 46360 *(Affected Party)*									
3		Jason Teets Or Current Resident 1502 W 500 S LaPorte IN 46350 *(Affected Party)*									
4		Donnita Scully Or Current Resident 508 PineTree Dr Trail Creek IN 46360 *(Affected Party)*									
5		Nancy Moldenhauer Or Current Resident 107 Kaye Ln Michigan City IN 46360 *(Affected Party)*									
6		Dominic & Shelly Yanke Or Current Resident 904 Willow Spring Dr Michigan City IN 46360 *(Affected Party)*									
7		Janet Thomas Or Current Resident 693 Warnke Michigan City IN 46360 *(Affected Party)*									
8		Donna Kavanagh Or Current Resident 2104 Avondale Dr Long Beach IN 46360 *(Affected Party)*									
9		Pat Boy Or Current Resident 218 Southwood Dr Michigan City IN 46360 *(Affected Party)*									
10		John Carington Or Current Resident 140 Esther St Michigan City IN 46360 *(Affected Party)*									
11		Susan Ransom Or Current Resident 6930 Red Apple Dr Michigan City IN 46360 *(Affected Party)*									
12		Braden Wilson Or Current Resident PO Box 64039 Gary IN 46401 *(Affected Party)*									
13		Rita DeMedici Or Current Resident 619 Hobart St Michigan City IN 46360 (Affected Party)									
14		Virginia Lucas Or Current Resident 213 Washington Park Blvd Michigan City IN 46360 *(Affected Party)*									
15		Toni Baldwin Or Current Resident 5424 W 300 N LaPorte IN 46350 *(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	CMOSIER 3/19/2026 Lavender Fields Holdings LLC 091-49561-00195 (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		Stephanie Or Current Resident 210 Jackson St Michigan City IN 46360 (Affected Party)									
2		Kammi FoxKay Or Current Resident 327 Village Sq Chesterton IN 46304 *(Affected Party)*									
3		John Knox Or Current Resident 9436 Community Hall Rd Union Pier MI 49129 *(Affected Party)*									
4		Erin Keith Or Current Resident 2425 Ontario St Portage IN 46368 *(Affected Party)*									
5		Nancy Jahnel Or Current Resident 4931 Hillcrest Rd Michigan City IN 46360 *(Affected Party)*									
6		Stephanie Moore Or Current Resident 5121 Mansard Dr Michigan City IN 46360 *(Affected Party)*									
7		Cindy Zak Or Current Resident 163 W 550 N Valparaiso IN 46385 *(Affected Party)*									
8		Mark Anderson Or Current Resident 10211 Windfield Dr Munster IN 46321 *(Affected Party)*									
9		Doug Moon Or Current Resident 301 School St Michigan City IN 46360 *(Affected Party)*									
10		Anthony Lewis Or Current Resident 1501 Lake Superior Rd Valparaiso IN 46383 *(Affected Party)*									
11		Barbara Swistek Or Current Resident 3125 Edgebrook Dr Michigan City IN 46360 *(Affected Party)*									
12		Martha Maust Or Current Resident 3005 Loma Portal Way Long Beach IN 46360 *(Affected Party)*									
13		Don Briggs Or Current Resident 300 Madison St Michigan City IN 46360 (Affected Party)									
14		Louise Fitchtner Or Current Resident 20 Tryon Farm Ln Michigan City IN 46360 *(Affected Party)*									
15		Keviin Yost Or Current Resident 37 Tyron Farm Ln Michigan City IN 46360 *(Affected Party)*									

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1		Susan Or Current Resident 16 Hillcrest Rd Portage IN 46368 (Affected Party)									
2		Angeline Sieb Or Current Resident 7947 Jennings Pl Merrillville IN 46410 *(Affected Party)*									
3		Erin Mahoney Or Current Resident 3015 Maple St Michigan City IN 46360 *(Affected Party)*									
4		Marissa Spiess Or Current Resident 649 E 150 S Valparaiso IN 46383 *(Affected Party)*									
5		Dillon Carter Or Current Resident 1804 Beulah Vista Blvd Valparaiso IN 46383 *(Affected Party)*									
6		Cynthia Patterson Or Current Resident 3812 W 25th Ave Gary IN 46404 *(Affected Party)*									
7		Kymberly Lopez Or Current Resident 133 Sarah Jo Ave Trail Creek IN 46360 *(Affected Party)*									
8		Edward Coleman Jr Or Current Resident 409 E 9th St Michigan City IN 46360 *(Affected Party)*									
9		Jennifer Morrison Or Current Resident 2511 Glendale Way Long Beach IN 46360 *(Affected Party)*									
10		Marcella Kunstek Or Current Resident 2654 S 400 E LaPorte IN 46350 *(Affected Party)*									
11		Adam Bleszkiewicz Or Current Resident 400 W Marquette Trail Michigan City IN 46360 *(Affected Party)*									
12		James Fox Or Current Resident 413 Derby St Michigan City IN 46360 *(Affected Party)*									
13		Jason Frazier Or Current Resident 119 Dale Rd Michigan City IN 46360 (Affected Party)									
14		Maya Wilkins Or Current Resident 5929 Jefferson St Merrillville IN 46410 *(Affected Party)*									
15		Dennis Brittain Or Current Resident 506 Thurman Ave Michigan City IN 46360 *(Affected Party)*									

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1		Bruce Or Current Resident 3250 Sal Ct Michigan City IN 46360 (Affected Party)									
2		Emily Carroll Or Current Resident 308 Garden Trl Michigan City IN 46360 *(Affected Party)*									
3		Melissa Peiffer Or Current Resident 624 Tremont St Michigan City IN 46360 *(Affected Party)*									
4		Todd Robertson Or Current Resident 5515 Osage Lake Dr Mishawaka IN 46545 *(Affected Party)*									
5		Dawn Joy Or Current Resident 711 E Central Ave Greensburg IN 47240 *(Affected Party)*									
6		Aaron Schavey Or Current Resident 444 E Rand St Hobart IN 46342 *(Affected Party)*									
7		Elizabeth Sikora Or Current Resident 360 Shadyside Rd Chesterton IN 46304 *(Affected Party)*									
8		Jennifer Evans Or Current Resident 4186 Heitz Ave Jeffersonville IN 47130 *(Affected Party)*									
9		Emily Anton Or Current Resident 1011 S 300 E LaPorte IN 46350 *(Affected Party)*									
10		Sean McGarry ABC.57 53550 Generations Dr South Bend IN 46635 *(Affected Party)*									
11		Angelica Harmon Or Current Resident 1903 Elston St Michigan City IN 46360 *(Affected Party)*									
12		Chad Lemons Or Current Resident 402 E 10th St Michigan City IN 46360 *(Affected Party)*									
13		McKenna Bradford Or Current Resident 1110 Paulette Dr Michigan City IN 46360 (Affected Party)									
14		Gabriella Retseck Or Current Resident 916 Wabash St Michigan City IN 46360 *(Affected Party)*									
15		Amy Bowman Or Current Resident 117 Valentine Ct Michigan City IN 46360 *(Affected Party)*									

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1		Juan Or Current Resident 314 Chestnut St Michigan City IN 46360 (Affected Party)									
2		Jamie Litke Or Current Resident 229 Barker Rd Apt 104 Michigan City IN 46360 *(Affected Party)*									
3		Greg Pedzinski Or Current Resident 207 Cardinal Dr # A Trail Creek IN 46360 *(Affected Party)*									
4		Thamar Mentado Or Current Resident 1137 Gostlin St Hammond IN 46327 *(Affected Party)*									
5		Nicole Rucker Or Current Resident 610 Garrettson Ave Michigan City IN 46360 *(Affected Party)*									
6		Angela & Julianna Schooley Or Current Resident 710 Pearl St Michigan City IN 46360 *(Affected Party)*									
7		Zachary Ward Or Current Resident 3031 Springland Ave Apt 78 Michigan City IN 46360 *(Affected Party)*									
8		Sarah Carr Or Current Resident 1905 Monrovia Dr Michigan City IN 46360 *(Affected Party)*									
9		Cathie J Hare Or Current Resident 210 E Market St Wolcott IN 47995 *(Affected Party)*									
10		Ronald Jewell Or Current Resident 1862 N Labrador Rd Monticello IN 47960 *(Affected Party)*									
11		Annie West Or Current Resident 1010 Wabash St Michigan City IN 46360 *(Affected Party)*									
12		Katherine Flynn Or Current Resident 302 Johnson Rd Trail Creek IN 46360 *(Affected Party)*									
13		Holiday Lammon Or Current Resident 5845 N 450 W LaPorte IN 46350 (Affected Party)									
14		Anne Logue Or Current Resident 1244 N Bengel St Springfield IL 62702 *(Affected Party)*									
15		Katherine Douglass Or Current Resident 213 Cardinal Dr Trail Creek IN 46360 *(Affected Party)*									

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1		Tony Or Current Resident 205 Douglas Ave Michigan City IN 46360 (Affected Party)									
2		Jazmine Garcia Or Current Resident 1883 Ashwood Ln Aurora IL 60506 *(Affected Party)*									
3		Lindsay Nielsen Or Current Resident 9954 S County Road 210 E Monon IN 47959 *(Affected Party)*									
4		Destiny Beatty Or Current Resident 7247 W 275 N Michigan City IN 46360 *(Affected Party)*									
5		Dale Tharpe Or Current Resident 302 Johnson Rd Trail Creek In 46360 *(Affected Party)*									
6		Sarah Murray Or Current Resident 3406 S Roeske Ave Trail Creek IN 46360 *(Affected Party)*									
7		Sebastian Cooney Or Current Resident 21 E Stillwater Ave Beverly Shores IN 46301 *(Affected Party)*									
8		James A Bologna Or Current Resident 6208 Freyer Rd Michigan City IN 46360 *(Affected Party)*									
9		Katie Murray Or Current Resident 204 Oakdale Way Michigan City IN 46360 *(Affected Party)*									
10		Elizabeth McCloskey Or Current Resident 1602 Michigan Avenue LaPorte IN 46350 *(Affected Party)*									
11		Rebecca Patz Or Current Resident 2022 Welnetz Rd Trail Creek IN 46360 *(Affected Party)*									
12		Jim Lefeber Or Current Resident 1285 E 400 S LaPorte IN 46350 *(Affected Party)*									
13		Lori Boyd Or Current Resident 201 Raven Dr Trail Creek IN 46360 (Affected Party)									
14		Alicia Firanek Or Current Resident 1306 Carriage Ct Apt D LaPorte IN 46350 *(Affected Party)*									
15		Laura Jacobs Or Current Resident 609 Fox Hound Way Apt 1B Fort Wayne IN 46804 *(Affected Party)*									

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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		Thomas Or Current Resident 118 W Warren St Michigan City IN 46360 (Affected Party)									
2		Donovan Barrier Or Current Resident 2757 N Woznim Rd Michigan City IN 46360 *(Affected Party)*									
3		Kathy Podkul Or Current Resident 3747 S Wayne Dr LaPorte IN 46350 *(Affected Party)*									
4		Miranda Blake Or Current Resident 8605 W 400 N Michigan City IN 46360 *(Affected Party)*									
5		Cassie Mason Or Current Resident 4394 N 630 W LaPorte IN 46350 *(Affected Party)*									
6		Sarah Painter Or Current Resident 1445 N Cortland Ln LaPorte IN 46350 *(Affected Party)*									
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