

DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
RECOMMENDATION TO REVOKE AIR PERMIT MEMORANDUM

Date: April 12, 2021

To: Joanne Smiddie-Brush, Section Chief
Permits Administration Support Section
Permits Branch
Office of Air Quality

Thru: Phil Perry, Branch Chief
Compliance and Enforcement
Branch
Office of Air Quality

From: Tammy Haug, Air Compliance Inspector
Nicholas Carr, Director *NC* 4/12/2021
Compliance and Enforcement Branch
Office of Air Quality

Source Name: Pryrolyx USA

Source ID: 167-00160

Source Location address: 4150 East Steelton Avenue Terre Haute, Indiana 47805

Operating Permit # to be revoked: 42619

Based upon reviewing 326 IAC 2-1.1-9 and [method(s) to verify closure (on the Air Permit Revocation Supporting Documentation Log below)], the source is permanently closed and the operating air permit for Pyrolyx USA Indiana LLC can be revoked. Please revoke the air permit and issue a Revocation and Notice of Decision.

☐ Revocation and Notice of Decision should be mailed to:

Name:

Title:

Address:

City:

State:

Zip Code:

OR

☒ There is no person identified with the source to receive the Revocation. The Revocation should take the form of a Memo to File.

cc:

**Indiana Department of Environmental Management
Office of Air Quality
Air Permit Revocation Supporting Documentation Log**

Source Name	Pyrolyx USA Indiana LLC	OAQ Inspector	T Haug
Source ID	167-00160	Date of Review	03/31/2021

Methods used to determine/verify source closure (Check all that apply.)

	Method (From Step 3 in SOP)	Verification	Comments
<input checked="" type="checkbox"/>	(a) Inspection/Site visit	Inspection Date:	03/31/2021
<input type="checkbox"/>	(b) Corporate staff contact	Contact Date: Name: Title: Contact submitting information for Permit Revocation? Other Comments	Yes <input type="checkbox"/> No <input type="checkbox"/>
<input checked="" type="checkbox"/>	(c) Internet search (attach any article found)	Date of Search: 04/06/2021	October 30, 2020 in Tribune-Star newspaper heading, "Pyrolyx USA Indiana files for bankruptcy" https://www.tribstar.com/news/pyrolyx-usa-indiana-files-for-bankruptcy/article_f67a986a-1acf-11eb-9d49-7fa8d9f948e1.html
<input type="checkbox"/>	(c) County Health Department	Contact & Date:	
<input type="checkbox"/>	(d) Secretary of State's website operating status	Operating?	Yes <input type="checkbox"/> No <input type="checkbox"/>
<input type="checkbox"/>	(e) Commenced construction	Commenced within 18 months? Date of Issuance of Permit:	Yes <input type="checkbox"/> No <input type="checkbox"/>
<input type="checkbox"/>	(f) Disconnected phone number?	Phone number: Date verified	
<input type="checkbox"/>	(f) Returned U.S. Mail/Email	Document(s) type: Date(s) of returned mail:	
<input type="checkbox"/>	(g) Non-payment of permit fees	Year(s) not paid	
<input type="checkbox"/>	(h) Non-submittal of Emission Statements, Quarterly Report, Annual Compliance Certifications, Annual Notifications	Year(s) not submitted	
<input checked="" type="checkbox"/>	Other Information		IDEM issue email on November 2, 2020 titled "Bankruptcy – Pyrolyx USA Indiana, LLC" Body stating, "IDEM has been served

			with a bankruptcy filing for the Debtor: Pyrolyx USA Indiana, LLC”
<input checked="" type="checkbox"/>	Other Information		Pyrolyxusa email to John Hale, IDEM OLQ, from former employee, “Pyrolyx has filed Chapter 7 bankruptcy and has ceased to exist.”

Comments: Attached email from former Pyrolyx employee

**INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
OFFICE OF AIR QUALITY
FIELD INSPECTION REPORT**



NC 4/12/2021

SOURCE INFORMATION	
<u>SOURCE NAME</u>	Pyrolyx USA Indiana LLC
<u>SOURCE LOCATION</u>	4150 East Steelton Avenue Terre Haute, Indiana 47805 Vigo County
<u>MAILING ADDRESS</u>	same
<u>PLANT ID</u>	167-00160
<u>PERMIT INFORMATION</u>	Permit Type: FESOP Permit Number: 42619 Permit Expiration Date: 5/18/22 VFC Document No.(hyperlink): 82935072
<u>ATTAINMENT STATUS</u>	<input checked="" type="checkbox"/> Attainment for all criteria pollutants <input type="checkbox"/> Nonattainment for <input type="checkbox"/> SO ₂ <input type="checkbox"/> CO <input type="checkbox"/> O ₃ <input type="checkbox"/> NO ₂ <input type="checkbox"/> Pb <input type="checkbox"/> PM ₁₀ <input type="checkbox"/> PM _{2.5}
<u>SOURCE STATUS</u>	<input type="checkbox"/> PSD Major (326 IAC 2-2) <input type="checkbox"/> Major Source of HAPs <input type="checkbox"/> Emission Offset (326 IAC 2-3) <input checked="" type="checkbox"/> Area Source of HAPs <input type="checkbox"/> Acid Rain (326 IAC 21)
<u>SOURCE DESCRIPTION</u>	The Permittee owns and operates a stationary other basic inorganic chemical manufacturing - recovered carbon black facility. SIC Code: 2895 (Carbon Black)

INSPECTION INFORMATION			
<u>INSPECTED BY</u>	Tammy Haug		
<u>INSPECTION DATE AND TIME</u>	3/31/2021	TIME IN: 12:14 pm	TIME OUT: TIME
<u>REPORTED BY</u>	Tammy Haug	REPORT DATE: 04/12/21	
<u>COMPLIANCE PERIOD REVIEWED</u>	DATE to DATE		
<u>INSPECTION NOTIFICATION</u>	<input checked="" type="checkbox"/> Unannounced <input type="checkbox"/> Announced:		
<u>INSPECTION OBJECTIVE(S)</u>	<input type="checkbox"/> Complaint <input checked="" type="checkbox"/> Surveillance <input checked="" type="checkbox"/> Other: Commitment		
<u>ACES TRACKING NUMBER(S)</u>	Inspection: 256205	Complaint:	Violation/Warning:
<u>RM TRACKING NUMBER(S)</u>	Complaint:		
<u>INSPECTION BACKGROUND</u>	<p>Facility received the initial permit on May 18, 2017 167-38034-00160</p> <p>SPR on 5/9/19 and 11/25/19 AA on 3/18/20 Construction completed Spring 2019 Operations started on June 2020 Pyrolysis started on October 1, 2019 Operations stopped on March 24, 2020 Plan to begin operations in May 2021 This is the first air compliance inspection A ST extension was given due to COVID-19. An additional ST extension was given due to changes in operation. Commitment inspection conducted on September 30, 2020</p>		

SOURCE PERSONNEL INTERVIEWED			
Name	Title	Phone Number	Email Address

INSPECTION AND COMPLAINT HISTORY (PREVIOUS 5 YEARS)			
Date	Inspection/ Complaint Type	Result	Comments
9/30/20	CMS	Violations Noted	Failure to maintain records for continuous temperature Failure to maintain records for the continuous H2S monitoring system Failure to maintain records for calibration checks

COMPLIANCE HISTORY (PREVIOUS 5 YEARS)			
Informal Enforcement Actions			
Date Issued	Action Taken	Describe Violation(s)	
	SELECT ACTION TAKEN		
Formal Enforcement Actions			
Case Number	Enforcement Type	Civil Penalty	Describe Violation(s)
	SELECT ENFORCEMENT TYPE	\$	
Other Relevant Actions			
Action Taken	Comments		

INSPECTION OBSERVATIONS AND COMMENTS
<p>IDEM issue email on November 2, 2020 titled "Bankruptcy – Pyrolyx USA Indiana, LLC" Body stating, "IDEM has been served with a bankruptcy filing for the Debtor: Pyrolyx USA Indiana, LLC"</p> <p>October 30, 2020 in Tribune-Star newspaper heading, "Pyrolyx USA Indiana files for bankruptcy"</p> <p>I drove by the facility on March 31, 2021. The signage was taken down and there were no vehicles at the facility.</p> <p>Attached: Air permit revocation supporting documentation log and recommendation to revoke air permit memorandum. ACES has been updated to show facility is permanently closed.</p>

INSPECTION FINDINGS	
<input checked="" type="checkbox"/> No violations were observed or determined at the time of the inspection. <input type="checkbox"/> The following violations were determined at the time of the inspection:	
Condition/Citation	Description of Violation(s)
RECOMMENDED ACTION	No inspection summary letter will be issued as inspector did not enter property.
EXIT INTERVIEW	No one was available to be interviewed. The facility is permanently closed.

ATTACHMENTS
<ul style="list-style-type: none"> Air permit revocation supporting documentation log Recommendation to revoke air permit memorandum

SUPPORTING DOCUMENTATION
