

Dean Logan
Rieth-Riley Construction Company, Inc.
P. O. Box 477
Goshen, IN 46527-0477

Re: 141-13801-00027
Administrative Amendment to
FESOP 141-5489-00027

Dear Mr. Logan:

Rieth-Riley Construction Company, Inc. was issued a federally enforceable state operation permit (FESOP) on December 5, 1996 for an asphalt plant located at 25200 State Road 23, South Bend, IN 46614-9501. A letter requesting a revision was received on January 22, 2001. The request was made to replace the existing burner with a smaller burner. Pursuant to the provisions of 326 IAC 2-8-10 the permit is hereby administratively amended as follows:

A.2 Emission Units and Pollution Control Summary

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

- (1) one (1) 425 ton per hour dryer drum mixer exhausting through stack SV1,
- (2) one (1) ~~436~~ **125** million British thermal units per hour burner firing no.4 residual waste oil as a primary fuel and no.4 distillate oil and butane as backup fuels also exhausting through stack SV1,
- (3) one (1) 2 million British thermal units per hour hot oil heater firing no.2 distillate oil as a primary fuel exhausting at stack SV2,
- (4) two (2) 20,000 gallon liquid asphalt storage tanks exhausting at vents SV5 and SV7,
- (5) one (1) 25,000 gallon liquid asphalt storage tanks exhausting at vent SV6,
- (6) one (1) 17,000 gallon storage tank for no.4 waste oil or no.4 distillate oil venting at SV8,
- (7) one (1) 25,000 gallon storage tank for no.2 distillate oil exhausting at vent SV9, and
- (8) this hot mix asphalt plant also produces cold mix cutback asphalt.

D.1.1 Sulfur Dioxide (SO₂)

State: Pursuant to 326 IAC 7-1.1-2 (Sulfur Dioxide Emission Limitations), sulfur dioxide emissions from the combustion of #2 distillate oil shall be limited to 0.5 pounds per million BTU heat input (the equivalent of 0.493 percent sulfur content based on a higher heating value of 0.14 million British thermal units per gallon ~~and a maximum heat input rate of 2 million British thermal units per hour~~).

Also pursuant to 326 IAC 7-1.1-2 (Sulfur Dioxide Emission Limitations), sulfur dioxide emissions from the combustion of #4 distillate oil shall be limited to 0.5 pounds per million BTU heat input (the equivalent of 0.467 percent sulfur content based on a higher heating value of 0.14 million British thermal units per gallon ~~and a maximum heat input rate of 136 million British thermal units per hour~~).

Federal: There are no federal rules (NSPS or NESHAP) that apply to these facilities.

D.1.2 Sulfur Dioxide (SO₂)

State: Pursuant to 326 IAC 7-1.1-2 (Sulfur Dioxide Limitations), sulfur dioxide emissions from the combustion of residual #4 waste oil shall be limited to 1.6 pounds per million BTU heat input. A voluntary limit of 1.0 percent by weight sulfur content shall apply to the combustion of residual #4 waste oil. Compliance with this limit will satisfy 326 IAC 7-1.1-2 based on a higher heating value of 0.14 million British thermal units per gallon ~~and a maximum heat input rate of 136 million British thermal units per hour.~~

Federal: There are ~~not~~ **no** federal rules (NSPS or NESHAP) that apply to these facilities.

Furthermore, all conditions with instances of "Office of Air Management (OAM)" have been changed to read "Office of Air Quality (OAQ)" and the facility description in Section D.1 is hereby administratively amended as follows:

- (1) one (1) 425 ton per hour drum dryer with a ~~136~~ **125** million British thermal units per hour burner, with a baghouse exhausting at stack SV1, fired by #4 residual waste oil with #4 distillate oil and butane as backup fuels.

All other conditions of the permit shall remain unchanged and in effect. Please attach a copy of this amendment and the following revised permit pages to the front of the original permit.

This decision is subject to the Indiana Administrative Orders and Procedures Act - IC 4-21.5-3-5. If you have any questions on this matter, please contact Allen R. Davidson at (800) 451-6027, press 0 and ask for extension 3-5693, or dial (317) 233-5693.

Sincerely,

Paul Dubenetzky, Chief
Permits Branch
Office of Air Quality

Attachments
ARD

cc: File - St. Joseph County
U.S. EPA, Region V
St. Joseph County Health Department
IDEM - Northern Regional Office
Air Compliance Section Inspector - Rick Reynolds
Compliance Data Section - Karen Nowak
Administrative and Development - Janet Mobley
Technical Support and Modeling - Michele Boner

**FEDERALLY ENFORCEABLE STATE
OPERATING PERMIT (FESOP)
OFFICE OF AIR QUALITY**

INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

100 North Senate Avenue, P. O. Box 6015
Indianapolis, Indiana 46206-6015
Phone: 1-800-451-6027

**Rieth Riley Construction Co., Inc.
25200 S.R. 23
South Bend, Indiana 46614**

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

This permit is issued in accordance with 326 IAC 2 and 40 CFR Part 70 and contains the conditions and provisions specified in 326 IAC 2-8 and 40 CFR Part 70.6 as required by 42 U.S.C. 7401, et. seq. (Clean Air Act as amended by the 1990 Clean Air Act Amendments) and IC 13-15 and IC 13-17 (prior to July 1, 1996, IC 13-1-1-4 and IC 13-7-10).

Operation Permit No.: F141-5489-00027	
Issued by: Paul Dubenetzky, Branch Chief Office of Air Management	Issuance Date: December 5, 1996
First Administrative Amendment 141-8221-00027	Issuance Date: March 17, 1997
Second Administrative Amendment 141-13801-00027	Pages Amended: 4, 24
Issued by: Paul Dubenetzky, Branch Chief Office of Air Quality	Issuance Date:

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SECTION A SOURCE SUMMARY

A.1 General Information

The Permittee owns and operates a stationary hot drum-mix asphalt plant with a maximum capacity of 425 tons per hour.

Responsible Official: Dean K. Logan
Source Address: 25200 S.R. 23, South Bend, IN
Mailing Address: P.O. Box 477, Goshen, IN 46527-0477
SIC Code: 2951
County Location: St. Joseph
County Status: Attainment for all criteria pollutants
Source Status: Minor Source, PSD Rules;
Synthetic Minor Source, Part 70 Permit Program

A.2 Emission Units and Pollution Control Summary

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

- (1) one (1) 425 ton per hour dryer drum mixer exhausting through stack SV1,
- (2) one (1) 125 million British thermal units per hour burner firing no.4 residual waste oil as a primary fuel and no.4 distillate oil and butane as backup fuels also exhausting through stack SV1,
- (3) one (1) 2 million British thermal units per hour hot oil heater firing no.2 distillate oil as a primary fuel exhausting at stack SV2,
- (4) two (2) 20,000 gallon liquid asphalt storage tanks exhausting at vents SV5 and SV7,
- (5) one (1) 25,000 gallon liquid asphalt storage tanks exhausting at vent SV6,
- (6) one (1) 17,000 gallon storage tank for no.4 waste oil or no.4 distillate oil venting at SV8,
- (7) one (1) 25,000 gallon storage tank for no.2 distillate oil exhausting at vent SV9, and
- (8) this hot mix asphalt plant also produces cold mix cutback asphalt.

A.3 Insignificant Activities

This stationary source also includes the following insignificant activities, as defined in 326 IAC 2-7-1(20):

- (1) the 2 million British thermal units per hour hot oil heater when firing backup fuels of propane or butane,
- (2) two (2) A.C. tank heaters (0.48 million British thermal units per hour each) firing no.2 distillate fuel with propane or butane as backup fuels, and
- (3) vessels storing lubricating, hydraulic and machining oils, and machining fluids.

A.4 FESOP Applicability [326 IAC 2-8-2]

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

SECTION B GENERAL CONDITIONS

- B.1 General Requirements [IC 13-15] [IC 13-17] (Prior to July 1, 1996: IC 13-7 and IC 13-1-1)
The permittee shall comply with the provisions of IC 13-15 (Permits Generally), IC 13-17 (Air Pollution Control) and the rules promulgated thereunder.
- B.2 Definitions [326 IAC 2-8-1]
Terms in this permit shall have the meaning assigned to such terms in the referenced regulation. In the absence of definitions in the referenced regulation, any applicable definitions found in IC 13-11 (prior to July 1, 1996, IC 13-7-2, IC 13-1-1-2), 326 IAC 1-2, and 326 IAC 2-7 shall prevail.
- B.3 Permit Term [326 IAC 2-8-4(2)]
This permit is issued for a fixed term of five (5) years from the effective date, as determined in accordance with IC 4-21.5-3-5(f) and IC 13-5-5-3 (prior to July 1, 1996, IC 13-7-10-2.5), of the permit.
- B.4 Enforceability [326 IAC 2-8-6]
(a) All terms and conditions in this permit, including any provisions designed to limit the source's potential to emit, are enforceable by IDEM.
(b) Unless otherwise stated, terms and conditions of this permit, including any provisions to limit the source's potential to emit, are enforceable by the United States Environmental Protection Agency (U.S. EPA) and citizens under the Clean Air Act.
- B.5 Termination of Right to Operate [326 IAC 2-8-9]
The expiration of this permit terminates the Permittee's right to operate unless a timely and complete renewal application has been submitted consistent with 326 IAC 2-8-3(h) and 326 IAC 2-8-7.
- B.6 Severability [326 IAC 2-8-4(4)]
(a) The provisions of this permit are severable, and if any provisions of this permit, or the application of any provision of this permit to any circumstance, is held invalid, the application of such provision to other circumstances, and the remainder of this permit, shall not be affected thereby.
(b) Indiana rules from 326 IAC quoted in conditions in this permit are those applicable at the time the permit was issued. The issuance or possession of this permit shall not alone constitute a defense against an alleged violation of any law, regulation or standard.
- B.7 Property Rights or Exclusive Privilege [326 IAC 2-8-4(5)(D)]
This permit does not convey any property rights of any sort or any exclusive privilege.
- B.8 Duty to Supplement and Provide Information [326 IAC 2-8-3(f)] [326 IAC 2-8-4(5)(E)]
(a) The Permittee, upon becoming aware that any relevant facts were omitted or incorrect information was submitted in the permit application, shall promptly submit such supplementary facts or corrected information to:

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

-and-

St. Joseph County Health Department
Environmental Health, Room 914
County-City Building
South Bend, Indiana 46601-1870

- that
- (b) The Permittee shall also provide additional information as requested by IDEM, OAQ, to determine the compliance status of the source in accordance with 326 IAC 2-8-5(a).
 - (c) The Permittee shall furnish to IDEM, OAQ, within a reasonable time, any information the 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.
 - (d) Upon written request, the Permittee shall also furnish to IDEM, OAQ, copies of records required to be kept by this permit. For information claimed to be confidential, the Permittee shall furnish such records directly to both the U.S. EPA and IDEM, OAQ, along with a claim of confidentiality.

Such confidentiality claims shall meet the requirements of 40 CFR Part 2, Subpart B (when submitting to U.S. EPA) and 326 IAC 17 (when submitting to IDEM, OAQ).

- B.9 Compliance Order Issuance [326 IAC 2-8-5(b)]
IDEM, OAQ may issue a compliance order to this Permittee upon discovery that this permit is in nonconformance with an applicable requirement. The order may require immediate compliance or contain a schedule for expeditious compliance with the applicable requirement.

- B.10 Compliance with Permit Conditions [326 IAC 2-8-4(5)(A)] [326 IAC 2-8-4(5)(B)]
- (a) The Permittee must comply with all conditions of this permit. Noncompliance with any provisions of this permit is grounds for:
 - (1) enforcement action;
 - (2) permit termination, revocation and reissuance or modification; and
 - (3) denial of a permit renewal application.
 - (b) It shall not be a defense for the Permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit.

- B.11 Certification [326 IAC 2-8-3(d)] [326 IAC 2-8-4(3)(C)(i)]
Any application form, report, or compliance certification submitted under this permit shall contain certification by a responsible official of truth, accuracy, and completeness. This certification and any other certification required under this permit shall state that, based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate, and complete.

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

B.12 Annual Compliance Certification [326 IAC 2-8-5(a)(1)]

- (a) The Permittee shall annually certify that the source has complied with the terms and conditions contained in this permit, including emission limitations, standards, and work practices. The certification shall be submitted April 15 to:

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

-and-

St. Joseph County Health Department
Environmental Health, Room 914
County-City Building
South Bend, Indiana 46601-1870

-and-

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

- (b) This annual compliance certification report required by this permit shall be timely if:

- (1) Delivered by U.S. mail and postmarked on or before the date it is due; or
(2) Delivered by any other method if it is received and stamped by IDEM, OAQ, on
before the date it is due.

or

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

- (1) The identification of each term and 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, and over the reporting period; and
(5) Such other facts as IDEM, OAQ, may require to determine the compliance of the source.

currently

status

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

- (a) The Permittee shall prepare, maintain and implement operation and Preventive

Maintenance Plans as necessary including the following information on each:

- (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;
- (3) Corrective actions that will be implemented in the event an inspection indicates an out of specification situation;
- (4) A time schedule for taking such corrective actions including a schedule for devising additional corrective actions for situations that may not have been predicted; and
- (5) Identification and quantification of the replacement parts which will be maintained in inventory for quick replacement.

- (b) Preventive Maintenance Plans shall be submitted to IDEM, OAQ, upon request and shall be subject to review and approval by IDEM, OAQ.

B.14 Emergency Provision [326 IAC 2-8-12]

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

OAQ

Telephone No.: 1-800-451-6027 (ask for Office of Air Quality) or,
Telephone No.: 317-233-5674

Facsimile No.: 317-233-5967

-and-

St. Joseph County Health Department, Environmental Health
Telephone No.: 219-235-9775
Facsimile No.: 219-235-7558

- (5) The Permittee submitted written notice or by facsimile of the emergency to:

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

-and-

St. Joseph County Health Department
Environmental Health, Room 914
County-City Building
South Bend, Indiana 46601-1870

within two (2) working days of the time when emission limitations were exceeded due to the emergency. The notification which shall be submitted by the Permittee does not require the certification by the "responsible official" as defined by 326 IAC 2-7-1(C)(33). The notice shall fulfill the requirement of 326 IAC 2-8-

(3)(C)(ii) and must contain the following:

- (A) A description of the emergency;
- (B) Any steps taken to mitigate the emissions; and
- (C) Corrective actions taken.

- (6) The Permittee immediately took all reasonable steps to correct the emergency.

- (c) In any enforcement proceeding, the Permittee seeking to establish the occurrence of an emergency has the burden of proof.

- 326 (d) This emergency provision supersedes any emergency or upset provision contained in IAC 1-6 (Malfunctions). This permit condition is in addition to any emergency or upset provision contained in any applicable requirement.

- 2- (e) IDEM, OAQ, may require that the preventive maintenance plan required under 326 IAC -3(c)(6) be revised in response to an emergency.

- (f) Failure to notify IDEM, OAQ, by telephone or facsimile within four (4) daytime business hours after the beginning of the emergency shall constitute a violation of 326 IAC 2-8

and

any other applicable rules.

(g) Operations may continue during an emergency only if the following conditions are met:

(1) If the emergency situation causes a deviation from a technology-based limit, the Permittee may continue to operate the affected emitting facilities during the emergency provided the Permittee immediately takes all reasonable steps to correct the emergency and minimize emissions.

(2) If an emergency situation causes a deviation from a health-based limit, the Permittee may not continue to operate the affected emissions facilities unless:

(A) the Permittee immediately takes all reasonable steps to correct the emergency situation and to minimize emissions; and

(B) continued operation of the facilities is necessary to prevent imminent injury to persons, severe damage to equipment, substantial loss of

capital

investment, or loss of product or raw material of substantial economic value.

Any operations shall continue no longer than the minimum time required to prevent the situations identified in clause (B) above.

B.15 Deviations from Permit Requirements and/or Conditions [326 IAC 2-8-4(3)(C)(ii)]
Deviations from requirements, (for emergencies see Condition B.14 - Emergency Provision) the probable cause of such deviations, and any corrective actions or preventive measures taken shall be reported to:

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

-and-

St. Joseph County Health Department
Environmental Health, Room 914
County-City Building
South Bend, Indiana 46601-1870

within ten (10) calendar days from the date of the discovery of the deviation.

Written notification shall be submitted on the attached Deviation Occurrence Reporting Forms.

B.16 Permit Modification, Reopening, Revocation and Reissuance, or Termination [326 IAC 2-8-4(5)(C)] [326 IAC 2-8-7(a)] [326 IAC 2-8-8(a)] [326 IAC 2-8-8(b)] [326 IAC 2-8-8(c)]

(a) This permit may be modified, reopened, revoked and reissued, or terminated for cause. The filing of a request by the Permittee for a modification, revocation and reissuance, or termination, or of a notification of planned changes or anticipated noncompliance does

not

stay any condition of this permit. [326 IAC 2-8-4(5)(C)]

15- (b) This permit shall be reopened and revised under any of the circumstances listed in IC
the 5-7-2 (prior to July 1, 1996, in IC 13-7-10-5) or if the commissioner determines any of
the following:

(1) That it contains a material mistake.

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

(3) That this permit must be revised or revoked to assure compliance with an applicable requirement. [326 IAC 2-8-8(a)]

(c) Proceedings by IDEM, OAQ, to reopen and revise this permit shall follow the same procedures as apply to initial permit issuance and shall affect only those parts of this permit for which cause to reopen exists. Such reopening and revision shall be made as expeditiously as practical. [326 IAC 2-8-8(b)]

(30) (d) The reopening and revision of this permit, under 326 IAC 2-8-8(a), shall not be initiated before notice of such intent is provided to the Permittee by IDEM, OAQ, at least thirty days in advance of the date this permit is to be reopened, except that IDEM, OAQ, may provide a shorter time period in the case of an emergency. [326 IAC 2-8-8(c)]

B.17 Permit Renewal [326 IAC 2-8-3(h)]

326 (a) The application for renewal shall be submitted using the application form or forms prescribed by IDEM, OAQ, and shall include, at minimum, the information specified in IAC 2-8-3. Such information shall be included in the application for each emission unit at this source, except those emission units included on the trivial or insignificant activities list contained in 326 IAC 2-7-1(20).

Request for renewal shall be submitted to:

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

-and-

St. Joseph County Health Department
Environmental Health, Room 914
County-City Building
South Bend, Indiana 46601-1870

- (b) Timely Submittal of Permit Renewal [326 IAC 2-5-3]
- (1) The Permittee has a duty to submit a timely and complete permit renewal application. A timely renewal application is one that is:
- (A) Submitted at least nine (9) months prior to the date of the expiration of this permit; and
 - (B) Delivered by U. S. mail and postmarked on or before the date it is due;
 - (C) Delivered by any other method if it is received and stamped by IDEM, OAQ, on or before the date it is due.
- or
- (2) If IDEM, OAQ fails to issue or deny the permit renewal prior to the expiration date of this permit, this existing permit shall not expire and all terms and conditions shall continue in effect until the renewal permit has been issued or denied.
- (c) Right to Operate After Application of Renewal [326 IAC 2-8-9]
If the Permittee submits a timely and complete application for renewal of this permit, the source's failure to have a permit is not a violation of 326 IAC 2-8 until IDEM, OAQ takes final action on the renewal application, except that this protection shall cease to apply if, subsequent to the completeness determination, the Permittee fails to submit by the deadline specified in writing by IDEM, OAQ, any additional information identified as needed to process the application.
- B.18 Administrative Permit Amendment [326 IAC 2-8-10]
- type
- (a) An administrative permit amendment is a FESOP revision that makes changes of the specified under 326 IAC 2-8-10(a).
- (b) An administrative permit amendment may be made by IDEM, OAQ, consistent with the procedures specified under 326 IAC 2-8-10(b).
- (c) The Permittee may implement the changes addressed in the request for an administrative amendment immediately upon submittal of the request. [326 IAC 2-8-10(b)(3)]
- B.19 Minor Permit Modification [326 IAC 2-8-11(a)] [326 IAC 2-8-11(b)(1) and (2)]
- IAC
- (a) A permit modification is any revision to this permit that cannot be accomplished as an administrative permit amendment under 326 IAC 2-8-10.
- (b) Minor permit modification procedures shall follow the procedures specified under 326 IAC 2-8-11(b)(1)(A) through (F).
- (c) An application requesting the use of minor modification procedures shall meet the requirements of 326 IAC 2-8-3(c) and shall include the information required in 326 IAC 2-8-11(b)(3)(A) through (D).

(d) The Permittee may make the change proposed in its minor permit modification application immediately after it files such application unless the change is subject to the construction permit requirements of 326 IAC 2-1, 326 IAC 2-2, or 326 IAC 2-3. After the Permittee makes the change allowed under minor permit modification procedures, and until IDEM, OAQ takes any of the actions specified in 326 IAC 2-8-11(b)(5), the Permittee must comply with both the applicable requirements governing the change and the proposed permit terms and conditions. During this period, the Permittee need not comply with the existing permit terms and conditions it seeks to modify. If the Permittee fails to comply with its proposed permit terms and conditions during this time period, the existing permit terms and conditions it seeks to modify may be enforced against it. [326 IAC 2-8-11(b)(6)]

B.20 Significant Permit Modification [326 IAC 2-8-11(d)]

- (a) Significant modification procedures shall be used for applications requesting permit modifications that do not qualify as minor permit modifications or as administrative amendments.
- (b) Any significant change in existing monitoring permit terms or conditions and every relaxation of reporting or record keeping permit terms or conditions of this permit shall be considered significant.
- (c) Nothing in 326 IAC 2-8-11(d) shall be construed to preclude the Permittee from making changes consistent with 326 IAC 2-8 that would render existing permit compliance terms and conditions irrelevant.
- (d) Significant modifications of this permit shall meet all requirements of 326 IAC 2-8, including those for application, public participation, and review by the U.S. EPA, as they apply to permit issuance and renewal.

B.21 Permit Revision Under Economic Incentives and Other Programs [326 IAC 2-8-11(b)(2)]

Notwithstanding 326 IAC 2-8-11(b)(1)(D)(i) and 326 IAC 2-8-11(c)(1), minor permit modification procedures may be used for modifications of this permit involving the use of economic incentives, marketable FESOP's, emissions trading, and other similar approaches to the extent that such minor permit modification procedures are explicitly provided for in the applicable implementation plan (SIP) or in applicable requirements promulgated by the U.S. EPA.

B.22 Operational Flexibility [326 IAC 2-8-15]

- (a) The Permittee may make any change or changes at the source that are described in 326 IAC 2-8-15(b) through (d), without 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) The changes do not result in emissions which exceed the emissions allowable under this permit (whether expressed therein as a rate of emissions or in terms

of

total emissions);

- (3) The Permittee notifies the:

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

-and-

St. Joseph County Health Department
Environmental Health, Room 914
County-City Building
South Bend, Indiana 46601-1870

-and-

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

in advance of the change by written notification at least ten (10) days in advance of the proposed change. The notification which shall be submitted by the Permittee does not require the certification by the "responsible official" as defined by 326 IAC 2-7-1(C)(33). The Permittee shall attach every such notice to the Permittee's copy of this permit; and

- (4) The Permittee maintains records on-site which document, on a rolling five (5) year basis, all such changes and emissions trading that are subject to 326 IAC 2-15(b) through (d) and makes such records available, upon reasonable request, to public review. Such records shall consist of all information required to be submitted to IDEM, OAQ, in the notices specified in 326 IAC 2-8-15(b)(1), (c)(1), and (d).

- (b) For each such 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.

- (c) Emission trades [326 IAC 2-8-15(c)]
The Permittee may trade increases and decreases in emissions in the source, where the

applicable SIP provides for such emission trades without requiring a permit revision, subject to the constraints in section (a) of this condition and those in 326 IAC 2-8-15(c).

- with
- in
- (d) Alternative Operating Scenarios [326 IAC 2-8-15(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 326 IAC 2-8-4(7) and subject to the constraints in section (a) of this condition and those 326 IAC 2-8-15(d)
 - (e) Backup fuel switches specifically addressed in (and if necessary, 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.23 Construction Permit Requirement [326 IAC 2-1]

Prior to any change in the operation which may result in an increase in allowable emissions exceeding those specified in 326 IAC 2-1-1 (Construction and Operating Permit Requirements), the change must be approved by the Office of Air Quality (OAQ)

B.24 Inspection and Entry [326 IAC 2-8-5(a)(2)]

Upon presentation of IDEM identification cards, credentials, and other documents as may be required by law, the Permittee shall allow IDEM, OAQ, U.S. EPA, or an authorized representative to perform the following:

- (a) Enter upon the Permittee's premises where a FESOP source is located or emissions related activity is conducted, or where records are kept under the conditions of this permit;
- (b) Have access to and copy, at reasonable times, any records that must be kept under the conditions of this permit;
- (c) Inspect, at reasonable times, any facilities, equipment (including monitoring and air pollution control equipment), practices, or operations regulated or required under this permit;
- (d) Sample or monitor, at reasonable times, substances or parameters for the purpose of demonstrating compliance with this permit or applicable requirements; and
- (e) Utilize any photographic, recording, testing, monitoring, or other equipment for the purpose of demonstrating compliance with this permit or applicable requirements. [326 IAC 2-8-5(a)(4)]

B.25 Annual Fee Payment [326 IAC 2-8-4(6)] [326 IAC 2-8-16]

- (a) The Permittee shall pay annual fees to IDEM, OAQ, consistent with the fee schedule established in 326 IAC 2-8-16.
- (b) Failure to pay may result in administrative enforcement action, revocation of this permit, referral to the Office of Attorney General for collection, or other appropriate measures.

- (c) The Permittee shall pay the annual fee within thirty (30) calendar days of receipt of a billing by IDEM, OAQ or in a time period that is consistent with the payment schedule issued by IDEM, OAQ.

- (d) If the Permittee does not receive a bill from IDEM, OAQ, thirty (30) calendar days before due date, the Permittee shall call the following telephone numbers: 1-800-451-6027 or 317-233-0179 (ask for OAQ, Data Support Section), to determine the appropriate permit fee. The applicable fee is due April 1 of each year.

SECTION C SOURCE OPERATION CONDITIONS

Entire Source

Emissions Limitations [326 IAC 2-8-4(1)]

C.1 Overall Source Limit (326 IAC 2-8)

Pursuant to 326 IAC 2-8, emissions of any regulated pollutant from the entire source shall not exceed 99 tons per 365 day period. Emissions of hazardous air pollutants (HAP) from the entire source shall not exceed 9 tons per 365 day period for any individual HAP or 24 tons per 365 day period of any combination of HAPs. Emissions shall include those from all emission points at the source including those that are insignificant as defined in 326 IAC 2-7-1(20). The source shall be allowed to add insignificant activities not already listed in this permit, as long as the total emissions from the source do not exceed the above specified limits. In the event that any condition or combination of conditions in Section D of this permit differs from the above, the most restrictive limit will prevail.

C.2 Opacity

That pursuant to 326 IAC 5-1-2 (Visible Emission Limitations) except as provided in 326 IAC 5-1-3 (Temporary Exemptions), the visible emissions shall meet the following:

- (a) visible emissions shall not exceed an average of 40 percent opacity in 24 consecutive readings,
- (b) visible emissions shall not exceed 60 percent opacity for more than a cumulative total of 15 minutes (60 readings) in a 6-hour period.
- (c) unless otherwise stated in Section D.

C.3 Open Burning

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.

C.4 Fugitive Dust Emissions

The Permittee shall be in violation of 326 IAC 6-4 if any of the criteria specified in 326 IAC 6-4-2 (1) through (4) are violated.

C.5 Fugitive Particulate Matter Emission Limitations

That pursuant to 326 IAC 6-5 (Fugitive Particulate Matter Emission Limitations), fugitive particulate matter emissions shall be controlled according to the plan submitted in the application. The plan includes:

- (a) adequate wetting of unpaved roads as needed to minimize fugitive dust
- (b) adequate wetting of storage piles as needed to minimize fugitive dust

C.6 Volatile Organic Compounds (VOC)

State: That pursuant to 326 IAC 8-5 the permittee shall not allow the use of cutback asphalt or asphalt emulsion containing more than 7 percent oil distillate by volume of emulsion, except as used for the following purposes:

- (a) penetrating prime coating,
- (b) stockpile storage mix, and
- (c) application during the months of November, December, January, February, and March.

Federal: There are no federal requirements that apply.

C.7 Operation of Equipment [326 IAC 2-8-5(a)(4)]

- (a) All equipment that potentially might emit pollutants into the ambient air shall be properly operated and maintained.
- (b) Unless otherwise stated in this permit, all air pollution control equipment listed in this permit shall be operated at all times that the emission unit(s) vented to the control equipment is in operation.
- (c) The permittee shall perform all necessary maintenance and make all necessary attempts to keep all air pollution control equipment in proper operating condition at all times.

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

C.8 Performance Testing

Compliance testing shall be conducted on the dryer/mixer baghouse stack for particulate matter and particulate matter 10 micron emissions between 540 and 720 days after issuance of this permit, the Permittee shall perform the tests specified in this permit to demonstrate compliance with the applicable rule or permit condition. All testing shall be performed according to the provisions of 326 IAC 3-2.1 (Source Sampling Procedures) and by methods in the approved test protocol. The test protocol shall be submitted to:

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

and

St. Joseph County Health Department
Environmental Health, Room 914
County-City Building
South Bend, Indiana 46206-6015

at least thirty-five (35) days before the intended test date.[326 IAC 3-2.1-2]

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

C.9 Compliance Monitoring [326 IAC 2-8-4(3)]

Compliance with applicable requirements shall be documented in accordance with the provisions of 326 IAC 2-8-4(3). The Permittee shall be responsible for installing any necessary equipment and initiating any additional monitoring no more than ninety (90) days after receipt of this permit. If due to circumstances beyond its control, this schedule cannot be met, the Permittee shall

notify:

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

-and-

St. Joseph County Health Department
Environmental Health, Room 914
County-City Building
South Bend, Indiana 46601-1870

in writing, with full justification of the reasons for inability to meet this date and a schedule which it expects to meet. If a denial of the request is not received before the monitoring is fully implemented, the schedule shall be deemed approved. The notification which shall be submitted by the Permittee does not require the certification by the "responsible official" as defined by 326 IAC 2-7-1(C)(33).

C.10 Maintenance of Monitoring Equipment [326 IAC 1-6]

The Permittee shall perform all necessary maintenance and make all necessary attempts to keep

all required monitoring equipment in proper operating condition at all times. In the event that a breakdown of the monitoring equipment occurs, a record shall be made of the times and reasons of the breakdown and efforts made to correct the problem.

The Permittee shall install, calibrate, quality assure, maintain, and operate all necessary monitors

and related equipment. Preventive maintenance plans of the monitors shall be implemented. In addition prompt correction, as indicated, shall be initiated within the time frames specified, whenever the parameters monitored fall outside of the indicated values.

C.11 Monitoring Methods [326 IAC 3]

Any monitoring or testing performed to meet the requirements of this permit shall be performed, whenever applicable according to the provisions of 326 IAC 3, or 40 CFR Part 60, Appendix A, and 40 CFR Part 51, Appendix M, as appropriate, unless some other method is specified in this permit.

C.12 Pressure Gauge Specifications

Whenever a condition in this permit requires the taking of pressure drop across any part of the unit or its control device the gauge employed shall have a scale such that the expected normal reading shall be no less than 20 percent of full scale and be accurate within 2 percent of full scale

reading. The instrument shall be quality assured and maintained as specified by the vendor.

Corrective Actions [326 IAC 2-8-4(1)] [326 IAC 2-8-5(1)]

C.13 Failure to Take Corrective Action

For each unit for which parametric monitoring is required, appropriate corrective actions as described in the Preventive Maintenance Plan shall be taken when indicated by monitoring information. Failure to take corrective action following an excursion of a surrogate monitoring parameter within the prescribed time will constitute a violation of the permit unless taking the corrective action set forth in the Plan would be unreasonable.

After investigating the reason for the excursion, the Permittee may be excused from taking further corrective action for any of the following reasons:

- (a) Providing that prompt action was taken to correct the monitoring equipment, that the monitoring equipment malfunctioned, giving a false reading; or
- (b) The Permittee has determined that the parameters established in the permit conditions are technically inappropriate, has previously submitted a request for an administrative amendment to the permit, and such request has not been denied; or
- (c) An automatic measurement was taken when the process was not operating; or
- (d) The Permittee determines that the process has already returned to operating within "normal" parameters and no corrective action is required.

Records shall be kept of all instances in which the action values were not met and of all corrective actions taken. In the event of an emergency, the provisions of 326 IAC 2-8-12 (Emergency Provisions) requiring prompt corrective action to mitigate emissions shall prevail.

C.14 Actions Related to Noncompliance Demonstrated by a Stack Test

Whenever the results of the stack test performed in conformance with Condition C.8 - Performance Testing, of this permit exceed the level specified in any condition of this permit, appropriate corrective actions shall be submitted to IDEM-OAQ within 30 (thirty) days of receipt of the test results. These actions shall be implemented immediately unless notified by OAQ that they are not acceptable. The Permittee shall minimize emissions while the corrective actions are being implemented.

A second test to demonstrate compliance shall be performed within 120 days. Failure of the second test to demonstrate compliance may be grounds for immediate revocation of the permit to operate the affected facility.

C.15 Emission Reporting [326 IAC 2-6]

(a) The Permittee shall submit a certified, annual emission statement that meets the requirements of 326 IAC 2-6 (Emission Reporting), only if the portable source is located in

Clark, Elkhart, Floyd, Lake, Marion, Porter, St. Joseph, or Vanderburgh County. This annual statement must be received by April 15 of each year and must comply with the minimum requirements specified in 326 IAC 2-6-4. The submittal should cover the

period defined in 326 IAC 2-6-2(8)(Emission Statement Operating Year). The annual statement must be submitted to:

Indiana Department of Environmental Management,

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

-and-

St. Joseph County Health Department
Environmental Health, Room 914
County-City Building
South Bend, Indiana 46601-1870

- (b) This annual emission statement required by this permit shall be timely if:
- (1) Delivered by U.S. mail and postmarked on or before the date it is due; or
 - (2) Delivered by any other method if it is received and stamped by IDEM, OAQ, on
- or
- before the date it is due.

C.16 Monitoring Data Availability

All observations, sampling, maintenance procedures, and record keeping, required as a condition of this permit shall be performed at all times the equipment is operating at normal representative conditions. Records shall be kept of the times that the equipment is not operating. If the equipment is operating but abnormal conditions prevail, additional observations and sampling should be taken with a record made of the nature of the abnormality. If for reasons beyond its control, the operator fails to make required observations, sampling, maintenance procedures, or record keeping, reasons for this must be recorded. At its discretion, IDEM may excuse such failure providing adequate justification is documented and such failures do not exceed 5 percent of the operating time in any quarter. Temporary, unscheduled unavailability of staff qualified to perform the required observations, sampling, maintenance procedures, or record keeping shall be considered a valid reason.

C.17 General Record Keeping Requirements

- (a) Records of all required monitoring data and support information shall be retained for a report, one period of at least five (5) years from the date of monitoring sample, measurement, or application. These records shall be kept at the source location and available within one hour upon verbal request of an IDEM, OAQ representative, for a minimum of three (3) years. They may be stored elsewhere for the remaining two years providing they are made available within thirty (30) days after written request.
- (b) Records of required monitoring information shall include:
- (1) The date, place, and time of sampling or measurements;

- (2) The dates analyses were performed;
 - (3) The company or entity performing the analyses;
 - (4) The analytic techniques or methods used;
 - (5) The results of such analyses; and
 - (6) The operating conditions existing at the time of sampling or measurement.
- (c) Support information shall include:
- (1) Copies of all reports required by this permit;
 - (2) All original strip chart recordings for continuous monitoring instrumentation;
 - (3) All calibration and maintenance records;
 - (4) All preventive maintenance and corrective actions that were implemented. Such records shall briefly describe what was done and indicate who did it;
 - (5) Relevant work purchases orders;
 - (6) Quality assurance and quality control procedures;
 - (7) Operator's standard operating procedures;
 - (8) Manufacturer's specifications or their equivalent; and
 - (9) Equipment "troubleshooting" guidance.

C.18 General Reporting Requirements

- (a) Reports required by conditions in Section D of this permit shall be submitted to:

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

-and-

St. Joseph County Health Department
Environmental Health, Room 914
County-City Building
South Bend, Indiana 46601-1870

- (b) Unless otherwise specified in this permit, any notice, report, or other submission required

by this permit shall be timely if:

- (1) Delivered by U.S. mail and postmarked on or before the date it is due; or
- (2) Delivered by any other method if it is received and stamped by IDEM, OAQ, on
before the date it is due.

or

- (c) All instances of deviations from any requirements of this permit must be clearly identified in such reports.
- (d) Any corrective actions taken as a result of an exceedance of a limit, an excursion from the parametric values, or a malfunction that may have caused excess emissions must be clearly identified in such reports.
- (e) The first report shall cover the period commencing the date of issuance of this permit and ending March 31, 1997.

SECTION D.1 FACILITY OPERATION CONDITIONS

- (1) one (1) 425 ton per hour drum dryer with a 125 million British thermal units per hour burner, with a baghouse exhausting at stack SV1, fired by #4 residual waste oil with #4 distillate oil and butane as backup fuels.
- (2) one (1) hot oil heater, rated at 2 million British thermal units per hour, fired by #2 distillate fuel oil. The heater exhausts at stack SV2.
- (3) one (1) baghouse with a total filter area of 13,824 ft².

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

D.1.1 Sulfur Dioxide (SO₂)

State: Pursuant to 326 IAC 7-1.1-2 (Sulfur Dioxide Emission Limitations), sulfur dioxide emissions from the combustion of #2 distillate oil shall be limited to 0.5 pounds per million BTU heat input (the equivalent of 0.493 percent sulfur content based on a higher heating value of 0.14 million British thermal units per gallon).

Also pursuant to 326 IAC 7-1.1-2 (Sulfur Dioxide Emission Limitations), sulfur dioxide emissions from the combustion of #4 distillate oil shall be limited to 0.5 pounds per million BTU heat input (the equivalent of 0.467 percent sulfur content based on a higher heating value of 0.14 million British thermal units per gallon).

Federal: There are no federal rules (NSPS or NESHAP) that apply to these facilities.

D.1.2 Sulfur Dioxide (SO₂)

State: Pursuant to 326 IAC 7-1.1-2 (Sulfur Dioxide Limitations), sulfur dioxide emissions from the combustion of residual #4 waste oil shall be limited to 1.6 pounds per million BTU heat input. A voluntary limit of 1.0 percent by weight sulfur content shall apply to the combustion of residual #4 waste oil. Compliance with this limit will satisfy 326 IAC 7-1.1-2 based on a higher heating value of 0.14 million British thermal units per gallon.

Federal: There are no federal rules (NSPS or NESHAP) that apply to these facilities.

D.1.3 Waste Oil Combustion

Pursuant to 329 IAC 3.1-11 (Standards for the management of specific hazardous wastes and specific types of hazardous waste management facilities), the waste oil burned in the aggregate dryer burner shall meet the used oil specifications in 40 CFR 266.40 (e). Therefore, 40 CFR 266 (Standards for the management of specific hazardous wastes and specific types of hazardous waste management facilities), Subpart E (used oil burned for energy recovery), does not apply.

D.1.4 Sulfur Dioxide (SO₂)

Pursuant to 326 IAC 2-8-4, the input of #4 residual waste oil to the aggregate dryer burner shall be limited to 1,258,510 gallons per 365-day period, rolled on a daily basis. This fuel usage limitation was taken voluntarily by the company and is equivalent to sulfur dioxide emissions of 92.5 tons per 365-day period, rolled on a daily basis. During the first 365 days of operation, fuel consumption shall not exceed the following monthly limits while records of daily fuel usage are maintained to establish a basis for the daily rolling total:

MONTH	USAGE LIMIT (GALLONS PER MONTH)
January	15,268
February	31,082
March	31,082
April	42,805
May	148,523
June	154,522
July	160,383
August	172,448
September	147,569
October	160,997
November	151,386
December	42,445

For purposes of determining compliance each gallon of #4 distillate oil burned shall be equivalent to 0.477 gallons of #4 waste oil. This combined fuel usage limitation was taken voluntarily by the company and is equivalent to sulfur dioxide emissions of 92.5 tons year. Due to this limit (D.1.3) combined with D.1.2, the Part 70 Permit Program (326 IAC 2-7) rules do not apply.

D.1.5 Nitrogen Oxides (NO_x)

Pursuant to 326 IAC 2-8-4, the input of butane to the aggregate dryer burner shall be limited to 9,257,140 gallons per 365-day period, rolled on a daily basis. This fuel usage limitation was taken voluntarily by the company and is equivalent to nitrogen oxides emissions of 97.2 tons per 365-day period, rolled on a daily basis. During the first 365 days of operation, fuel consumption shall not exceed the following monthly limits while records of daily fuel usage are maintained to establish a basis for the daily rolling total:

MONTH	USAGE LIMIT (GALLONS PER MONTH)
January	112,307
February	228,624
March	228,624
April	314,860
May	1,092,483
June	1,136,604
July	1,179,722
August	1,268,464
September	1,085,464
October	1,184,234
November	1,113,541
December	312,213

For purposes of determining compliance each gallon of #4 waste oil burned shall be equivalent to 0.905 gallons of butane, and each gallon of #4 distillate oil burned shall be equivalent to 3.191 gallons of butane. This fuel usage limitation was taken voluntarily by the company and is equivalent to NO_x emissions of 97.2 tons per year. Due to this limit (D.1.3) combined with D.1.2, the Part 70 Permit Program (326 IAC 2-7) rules do not apply.

D.1.6 Particulate Matter (PM)

State: That pursuant to 326 IAC 6-3-2 particulate matter emissions from the asphalt plant shall not exceed 42.1 pounds per hour (lb/hr).

Federal: That pursuant to the New Source Performance Standards, 326 IAC 12 (40 CFR 60.90 to 60 .93, Subpart I), particulate matter emissions from the asphalt plant shall not exceed 0.040 grains per dry standard cubic foot (gr/dscf). Compliance with this limit will also satisfy 326 IAC 6-3.

Also, that visible emissions from the plant shall not exceed 20 percent opacity. Compliance with this limit will also satisfy 326 IAC 5-1.

D.1.7 Particulate Matter 10 Microns (PM-10)

Pursuant to 326 IAC 2-8-4, particulate matter 10 microns emissions from the aggregate dryer/mixer shall not exceed 17.7 pounds per hour, including both filterable and condensable fractions. Compliance with this limit will satisfy 326 IAC 2-8-4. Therefore, the Part 70 rules (326 IAC 2-7) do not apply.

D.1.8 Volatile Organic Compounds (VOC)

The VOC usage in the production of cold mix cutback asphalt shall be limited to 94.7 tons per year. This is equivalent to 1902 tons of liquid binder used per year in the production of cold mix cutback asphalt based on 8.0 percent diluent present in the asphalt. Due to the above limits, the Part 70 rules (326 IAC 2-7) do not apply.

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

D.1.9 Particulate Matter

That during the period between 540 days and 720 days after issuance of this permit, the Permittee shall perform PM and PM10 testing utilizing methods per 40 CFR Part 60 Appendix A, Method 5, 17, 40 CFR Part 51 Appendix M, Method 201, 201a, 202, as approved by the Commissioner. This test shall be repeated at least once every five years from the date of this valid compliance demonstration. PM10 includes filterable and condensable PM10.

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

D.1.10 Monitoring of Baghouse Operational Parameters

That the baghouse shall be operated at all times when the aggregate dryer is in operation. The Permittee shall monitor the following parameters:

- (a) The Permittee shall take readings of the total static pressure drop across the baghouse controlling this operation, at least once per working shift when the aggregate dryer/mixer process is in operation. Unless operated under conditions for which the Preventive Maintenance Plan specifies otherwise, the pressure drop across the baghouse shall be maintained within the range of 2.0 and 8.0 inches of water or a range established during the latest stack test. The Preventive Maintenance Plan for this unit shall contain troubleshooting contingency and corrective actions for when the pressure reading is outside of the above mentioned range for any one reading.

The instrument used for determining the pressure shall comply with Condition C.12 - Pressure Gauge Specifications, be subject to approval by IDEM, OAQ, and be calibrated at least once every six (6) months.

- (b) Inlet temperature to the baghouse

The inlet temperature to the baghouse shall be maintained within a range of 200-400 degrees Fahrenheit (°F) to prevent overheating of the bags and to prevent low temperatures from mudding up the bags.

The operational parameters shall be monitored for indications of bag failure. The thermocouple at the inlet has a temperature switch which automatically shuts the burner off if the high end range is exceeded.

In the event that bag failure has occurred due to rupture, melting, etc., corrective action shall be taken. The Preventive Maintenance Plan for this unit shall contain troubleshooting contingency and corrective actions for when the inlet temperature reading is outside of the above mentioned range for any one reading. The baghouse shall shutdown for visual inspection within 24 hours and bags shall be replaced as needed.

D.1.11 Daily Visible Emissions Notations

Visible emission notations of the conveyers, material transfers, aggregate storage piles, unpaved roads, and the mixing and drying operation stack exhaust shall be performed once per working shift. A trained employee will record whether emissions are normal or abnormal. For processes operated continuously "normal" means those conditions prevailing, or expected to prevail, 80% of the time the process is in operation, not counting startup or shut down time. In the case of batch or discontinuous operations, readings shall be taken during that part of the operation that would normally be expected to cause the greatest emissions. A trained employee is an employee who has worked at the plant at least one month and has been trained in the appearance and characteristics of normal visible emissions for that specific process. The Preventive Maintenance Plan for this unit shall contain troubleshooting contingency and corrective actions for when an abnormal emission is observed.

D.1.12 Periodic Emissions Testing

That the Permittee shall perform particulate emissions testing on the drum mixer/dryer and burner every 5 years in accordance with IDEM requirements.

D.1.13 Preventive Maintenance [326 IAC 2-8-4(9)]

A Preventive Maintenance Plan, in accordance with Condition B.13 of this permit, is required for these facilities.

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

D.1.14 Operational Parameters

The Permittee shall maintain monthly records at the stationary source of the following values:

- (a) Amount of each fuel used;
- (b) The records for fuel oil shall contain a minimum of the following:
 - (1) Average sulfur content of any fuel oil used;
 - (2) Average higher heating value of any fuel oil used;
 - (3) Average sulfur dioxide emission rate (expressed in pounds per million BTU).
 - (4) A certification, signed by the owner or operator, that the records of the fuel supplier certifications represent all of the fuel combusted during the period; and

- (5) Regular fuel sampling and analysis performed as specified in 326 IAC 3-3-4, or fuel supplier certifications containing, as a minimum, the following:
 - (A) The name of the oil supplier;
 - (B) A statement from the oil supplier that certifies the sulfur content of the fuel oil; and
 - (C) The Permittee shall retain records of all recording/monitoring data and support information for a period of five (5) years, or longer if specified elsewhere in this permit, from the date of the monitoring sample, measurement, or report. Support information includes all calibration and maintenance records and all original strip-chart recordings for continuous monitoring instrumentation, and copies of all reports required by this permit.

D.1.15 Fuel Oil Sampling and Analysis

Oil samples shall be collected from the fuel tank immediately after the fuel tank is filled and before any oil is combusted. The Permittee shall analyze the oil sample to determine the sulfur content of the oil in accordance with 326 IAC 3-3-4. If a partially empty fuel tank is refilled, a new sample and analysis is required upon filling. Vendor analysis of each load delivered is acceptable, in lieu of the above, if accompanied by a certification.

D.1.16 Production Rate

The Permittee shall maintain monthly records at the source of the following values:

- (a) Amount of liquid binder used in the production of cold mix cutback asphalt; and
- (b) Average diluent content of the liquid binder.

D.1.17 Quarterly Reporting

Quarterly summary to document compliance with operation conditions number D.1.4 and D.1.5 shall be submitted to the address(es) listed in Section C - General Reporting Requirements, using the enclosed forms or their equivalent, within thirty (30) after the end of the quarter being reported. These reports shall include the number of gallons of each fuel and fuel equivalence used per month and each fuel's average sulfur content for each month in a quarter. All records and reports shall use calendar month averages. Records of sulfur content and higher heating value shall be determined by information as obtained by the vendor.

SECTION D.2 FACILITY OPERATION CONDITIONS

- (1) two (2) 20,000 gallon liquid asphalt storage tanks exhausting at vents SV5 and SV7
- (2) one (1) 25,000 gallon liquid asphalt storage tanks exhausting at vent SV6
- (3) one (1) 17,000 gallon storage tank for no.4 waste oil or no.4 distillate oil venting at SV8
- (4) one (1) 25,000 gallon storage tank for no.2 distillate oil exhausting at vent SV9

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

D.2.1 Storage Tanks

That the storage tanks with capacities greater than 10,567 gallons and constructed after July 23, 1984, shall comply with the New Source Performance Standards (NSPS), 326 IAC 12 (40 CFR Part 60.116b only, Subpart Kb). 40 CFR Part 60.116b requires the permittee to maintain accessible records showing the dimension of each storage vessel and an analysis showing the capacity of the storage vessel. Records shall be kept for the life of the storage tanks.

State Form 47738 (5-96)

**INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
OFFICE OF AIR QUALITY - COMPLIANCE DATA SECTION
and ST. JOSEPH CO. HEALTH DEPARTMENT**

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

Source Name: Rieth Riley Construction Co., Inc.
Source Address: 25200 S.R. 23, South Bend, IN
FESOP No.: F141-5489-00027

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

Please check what document is being certified:

- 9 Deviation Occurrence Reporting Form (For Control Equipment Monitoring)
- 9 Deviation Occurrence Reporting Form (For Material Usage, Quality, Etc.)
- 9 Relocation Notification
- 9 Test Result (specify) _____
- 9 Report (specify) _____
- 9 Notification (specify) _____
- 9 Other (specify) _____

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete.

Signature:

Printed Name:

Title/Position:

Date:

State Form 47739 (5-96)

INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT OFFICE OF AIR QUALITY - COMPLIANCE DATA SECTION and ST. JOSEPH CO. HEALTH DEPARTMENT

FEDERALLY ENFORCEABLE STATE OPERATING PERMIT (FESOP) DEVIATION OCCURRENCE REPORT (For Control Equipment Monitoring Only)

Source Name: Rieth Riley Construction Co., Inc.
 Source Address: 25200 S.R. 23, South Bend, IN
 FESOP No.: F141-5489-00027

A separate copy of this report must be submitted for **each** monitoring device on all control equipment listed in this permit. Attach a signed certification to complete this report.

Stack/Vent ID:
Control Equipment: (ex: thermal oxidizer, scrubber, baghouses)
Type of Parameter Monitored: (ex: temperature, pressure drop, efficiency)
<input type="checkbox"/> Continuously <input type="checkbox"/> Periodically, at a frequency of:
Parameter Operating Restrictions/Range: (ex: 1,400°F, 2-4 psi pressure drop)
Report Covers From: _____ To: _____ (date: month/day/yr)
<input checked="" type="checkbox"/> No Deviations from the Parameter Restriction/Range Occurred During the Monitoring Period. Complete Records Maintained at the Facility Verify Compliance with this Condition.
<input type="checkbox"/> Summary of Deviations from the Parameter Restriction/Range During the Monitoring Period are Identified Below. Complete Records Maintained at the Facility.

	For Parameter Recorded Continuously	For Parameter Recorded Periodically
Total Unit Operating Time		
Total Time of Deviations (Identify All Deviations)		
Percent of Time Indicating Deviations ($\frac{2}{1} \times 100$)		

Date of Deviation	Start/Stop Time of Deviation (Continuous Monitoring Only)	Actual Value Recorded	Reason for Deviation & Corrective Action Taken

INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT OFFICE OF AIR QUALITY - COMPLIANCE DATA SECTION and ST. JOSEPH CO. HEALTH DEPARTMENT

FEDERALLY ENFORCEABLE STATE OPERATING PERMIT (FESOP) DEVIATION OCCURRENCE REPORT

Source Name: Rieth Riley Construction Co., Inc.
Source Address: 25200 S.R. 23, South Bend, IN
FESOP No.: F141-5489-00027

A separate copy of this report must be submitted for **each** material type, quantity usage and operation limitation (except control equipment monitoring) listed in this permit .
Attach a signed certification to complete this report.

Stack/Vent ID:
Equipment/Operation:
Parameter Subject to Material Type, Quantity Usage or Operation Limitations Specified in the Permit: (ex: 2500 lb/day, 300 hours/yr, 5000 gallons/month)
Determination Period for this Parameter: (ex: 365-day rolling sum, fixed monthly rate)
9 Permit Has No Rate Limitations for this Parameter.
Content Restriction for this Parameter: (ex: maximum of 40% VOC in inks, 0.5% sulfur content)
Demonstration Method for this Parameter: (ex: MSDS, Supplier, material sampling & analysis)
9 Permit Has No Content Limitations for this Parameter.
Comments:

**Indiana Department of Environmental Management - Office of Air Quality - Compliance Data Section
 and St. Joseph County Health Department
 Report of Monthly Limits**

Company Name: Rieth Riley Construction Co., Inc.
 Location: 25200 S.R. 23, South Bend, Indiana
 Permit No.: F141-5489-00027
 Source/Facility: drum mixer/dryer burner
 Pollutant: sulfur dioxides (SO₂)

Month: _____ Year: _____

Month	#4 waste oil Usage (gals/mo.)	#4 distillate oil Usage (gals/mo.)	#4 waste oil Equivalent (0.477 x #4 distillate oil)	TOTAL #4 waste oil Usage (gals/mo.)	#4 waste oil LIMIT (gals/mo.)	Sulfur Content (%) a: #4 waste oil b: #4 distillate oil	Heating Value (MMBtu/gal) a: #4 waste oil b: #4 distillate oil
January					15,268	a: b:	a: b:
February					31,082	a: b:	a: b:
March					31,082	a: b:	a: b:
April					42,805	a: b:	a: b:
May					148,523	a: b:	a: b:
June					154,522	a: b:	a: b:
July					160,383	a: b:	a: b:
August					172,448	a: b:	a: b:
September					147,569	a: b:	a: b:
October					160,997	a: b:	a: b:
November					151,386	a: b:	a: b:
December					42,445	a: b:	a: b:

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

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

**Indiana Department of Environmental Management - Office of Air Quality - Compliance Data Section
 and St. Joseph County Health Department
 Report of Monthly Limits during first 365 days of operation**

Company Name: Rieth Riley Construction Co., Inc.
 Location: 25200 S.R. 23, South Bend, Indiana
 Permit No.: F141-5489-00027
 Source/Facility: drum mixer/dryer burner
 Pollutant: nitrogen oxides (NO_x)

Month: _____ Year: _____

Month	butane Usage (gals/mo.)	#4 waste oil Usage (gals/mo.)	butane equivalent (0.905 x #4 waste oil usage)	#4 distillate oil Usage (gals/mo.)	butane equivalent (3.191 x #4 distillate oil usage)	Total butane usage (gals/mo.)	butane usage LIMIT (gals/mo.)
January							112,307
February							228,624
March							228,624
April							314,860
May							1,092,483
June							1,136,604
July							1,179,722
August							1,268,464
September							1,085,464
October							1,184,234
November							1,113,541
December							312,213

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

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

**Indiana Department of Environmental Management - Office of Air Quality - Compliance Data Section
 and St. Joseph County Health Department
 Quarterly Report of 365-day Daily Rolling Total**

Company Name: Rieth Riley Construction Co., Inc.
 Location: 25200 S.R. 23, South Bend, Indiana
 Permit No.: F141-5489-00027
 Source/Facility: drum mixer/dryer burner
 Pollutant: sulfur dioxides (SO₂)

Month: _____ Year: _____

Day	#4 waste oil Usage (gals/day)	#4 distillate oil Usage (gals/day)	#4 waste oil Equivalent (0.477 x #4 distillate oil)	Total #4 waste oil usage this day (gals/day)	#4 waste oil usage last 365 days (gals/365-days)	#4 waste oil LIMIT (gals/365-days)	Sulfur Content (%) a: #4 waste oil b: #4 distillate oil	Heating Value (MMBtu/gal) a: #4 waste oil b: #4 distillate oil
1						1,258,510	a: b:	a: b:
2						1,258,510	a: b:	a: b:
3						1,258,510	a: b:	a: b:
4						1,258,510	a: b:	a: b:
5						1,258,510	a: b:	a: b:
6						1,258,510	a: b:	a: b:
7						1,258,510	a: b:	a: b:
8						1,258,510	a: b:	a: b:
9						1,258,510	a: b:	a: b:
10						1,258,510	a: b:	a: b:
11						1,258,510	a: b:	a: b:
12						1,258,510	a: b:	a: b:
13						1,258,510	a: b:	a: b:
14						1,258,510	a: b:	a: b:
15						1,258,510	a: b:	a: b:

16						1,258,510	a:	b:	a:	b:
17						1,258,510	a:	b:	a:	b:
18						1,258,510	a:	b:	a:	b:
19						1,258,510	a:	b:	a:	b:
20						1,258,510	a:	b:	a:	b:
21						1,258,510	a:	b:	a:	b:
22						1,258,510	a:	b:	a:	b:
23						1,258,510	a:	b:	a:	b:
24						1,258,510	a:	b:	a:	b:
25						1,258,510	a:	b:	a:	b:
26						1,258,510	a:	b:	a:	b:
27						1,258,510	a:	b:	a:	b:
28						1,258,510	a:	b:	a:	b:
29						1,258,510	a:	b:	a:	b:
30						1,258,510	a:	b:	a:	b:
31						1,258,510	a:	b:	a:	b:

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

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

16								9,257,140
17								9,257,140
18								9,257,140
19								9,257,140
20								9,257,140
21								9,257,140
22								9,257,140
23								9,257,140
24								9,257,140
25								9,257,140
26								9,257,140
27								9,257,140
28								9,257,140
29								9,257,140
30								9,257,140
31								9,257,140

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

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