INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
We make Indiana a cleaner, healthier place to live.

Joseph E. Kernan
Governor

Lori F. Kaplan
Commissioner

100 North Senate Avenue
P.O. Box 6015
Indianapolis, Indiana 46206-6015
(317) 232-8603
(800) 451-6027
www.in.gov/idem

May 27, 2004

TO: Interested Parties / Applicant

RE: Dave O'Mara Contractors, Inc / 143-18673-05047

FROM: Paul Dubenetzky
Chief, Permits Branch
Office of Air Quality

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 enclosed matter. Pursuant to IC 13-17-3-4 and 326 IAC 2, this approval is effective immediately, unless a petition for stay of effectiveness is filed and granted, 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 13-15-7-3 require that you file a petition for administrative review. This petition may include a request for stay of effectiveness and must be submitted to the Office Environmental Adjudication, 100 North Senate Avenue, Government Center North, Room 1049, Indianapolis, IN 46204, **within eighteen (18) calendar days of the mailing of this notice**. The filing of a petition for administrative review is complete on the earliest of the following dates that apply to the filing:

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

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

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

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

Enclosures
FNPER-MOD.dot 9/16/03

May 27, 2004

Amy Boswell
Dave O'Mara Contractors, Inc.
1100 East O&M Avenue
North Vernon, Indiana 47265

Re: 079-18673
First Minor Permit Revision to
FESOP 079-15258-05047

Dear Amy Boswell:

Dave O'Mara Contractors, Inc. was issued a FESOP on June 27, 2003 for an asphalt plant. A letter requesting changes to this permit was received on January 26, 2004. Pursuant to the provisions of 326 IAC 2-8-11.1 a minor permit revision to this permit is hereby approved as described in the attached Technical Support Document.

The change involves adding No. 4 fuel capability and a storage tank.

The following construction conditions are applicable to the proposed project:

1. General Construction Conditions
The data and information supplied with the application shall be considered part of this source modification approval. Prior to any proposed change in construction which may affect the potential to emit (PTE) of the proposed project, the change must be approved by the Office of Air Quality (OAQ).

2. This approval to construct does not relieve the permittee of the responsibility to comply with the provisions of the Indiana Environmental Management Law (IC 13-11 through 13-20; 13-22 through 13-25; and 13-30), the Air Pollution Control Law (IC 13-17) and the rules promulgated thereunder, as well as other applicable local, state, and federal requirements.

3. Effective Date of the Permit
Pursuant to IC 13-15-5-3, this approval becomes effective upon its issuance.

4. Pursuant to 326 IAC 2-1.1-9 (Revocation), the Commissioner may revoke this approval if construction is not commenced within eighteen (18) months after receipt of this approval or if construction is suspended for a continuous period of one (1) year or more.

5. All requirements and conditions of this construction approval shall remain in effect unless modified in a manner consistent with procedures established pursuant to 326 IAC 2.

Pursuant to 326 IAC 2-8-11.1, this permit shall be revised by incorporating the minor permit revision into the permit. All other conditions of the permit shall remain unchanged and in effect. Please attach a copy of this revision 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 Donald Poole, OAQ, 100 North Senate Avenue, P.O. Box 6015, Indianapolis, Indiana, 46206-6015, or call at (800) 451-6027, press 0 and ask for Donald Poole or extension 2-8327, or dial (317) 232-8327.

Sincerely,

Original Signed by
Paul Dubenetzky, Chief
Permits Branch
Office of Air Quality

Attachments
drp
cc: File - Jennings County
U.S. EPA, Region V
Jennings County Health Department
Air Compliance Section Inspector - Patrick Burton
Compliance Data Section
Administrative and Development

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

Dave O'Mara Contractor, Inc. (Portable)

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

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

Operation Permit No.: F079-15258-05047	
Issued by:Original signed by Paul Dubenetzky Paul Dubenetzky, Branch Chief Office of Air Quality	Issuance Date: June 27, 2003 Expiration Date: June 27, 2008

First Administrative Amendment No. 143-18015 issued on August 28, 2003

First Minor Permit Revision: 079-18673	Pages Revised: 3-5, 22-43
Issued by: Original Signed by Paul Dubenetzky Paul Dubenetzky, Branch Chief Office of Air Quality	Issuance Date: May 27, 2004

SECTION A SOURCE SUMMARY 5
A.1 General Information [326 IAC 2-8-3(b)]
A.2 Emission Units and Pollution Control Equipment Summary [326 IAC 2-8-3(c)(3)]
A.3 Insignificant Activities [326 IAC 2-7-1(21)] [326 IAC 2-8-3(c)(3)(I)]
A.4 FESOP Applicability [326 IAC 2-8-2]
A.5 Prior Permits Superseded [326 IAC 2-1.1-9.5]

SECTION B GENERAL CONDITIONS 7
B.1 Permit No Defense [IC 13]
B.2 Definitions [326 IAC 2-8-1]
B.3 Permit Term [326 IAC 2-8-4(2)] [326 IAC 2-1.1-9.5]
B.4 Enforceability [326 IAC 2-8-6]
B.5 Termination of Right to Operate [326 IAC 2-8-9][326 IAC 2-8-3 (h)]
B.6 Severability [326 IAC 2-8-4(4)]
B.7 Property Rights or Exclusive Privilege [326 IAC 2-8-4(5)(D)]
B.8 Duty to Provide Information [326 IAC 2-8-4(5)(E)]
B.9 Compliance Order Issuance [326 IAC 2-8-5(b)]
B.10 Compliance with Permit Conditions [326 IAC 2-8-4(5)(A)] [326 IAC 2-8-4(5)(B)]
B.11 Certification [326 IAC 2-8-3(d)] [326 IAC 2-8-4(3)(C)(i)] [326 IAC 2-8-5(1)]
B.12 Annual Compliance Certification [326 IAC 2-8-5(a)(1)]
B.13 Preventive Maintenance Plan [326 IAC 1-6-3][326 IAC 2-8-4(9)][326 IAC 2-8-5(a)(1)]
B.14 Emergency Provisions [326 IAC 2-8-12]
B.15 Deviations from Permit Requirements and Conditions [326 IAC 2-8-4(3)(C)(ii)]
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]
B.17 Permit Renewal [326 IAC 2-8-3(h)]
B.18 Permit Amendment or Revision [326 IAC 2-8-10][326 IAC 2-8-11.1]
B.19 Operational Flexibility [326 IAC 2-8-15][326 IAC 2-8-11.1]
B.20 Permit Revision Requirement [326 IAC 2-8-11.1]
B.21 Inspection and Entry [326 IAC 2-8-5(a)(2)] [I13-14-2-2]
B.22 Transfer of Ownership or Operation [326 IAC 2-8-10]
B.23 Annual Fee Payment [326 IAC 2-7-19] [326 IAC 2-8-4(6)] [326 IAC 2-8-16][326 IAC 2-1.1-7]

SECTION C SOURCE OPERATION CONDITIONS 16

Emission Limitations and Standards [326 IAC 2-8-4(1)]
C.1 Particulate Matter Emission Limitations For Processes with Process Weight Rates Less Than One Hundred (100) Pounds Per Hour [40 CFR 52 Subpart P][326 IAC 6-3-2]
C.2 Overall Source Limit [326 IAC 2-8]
C.3 Opacity [326 IAC 5-1]
C.4 Open Burning [326 IAC 4-1][IC 13-17-9]
C.5 Incineration [326 IAC 4-2] [326 IAC 9-1-2(3)]
C.6 Fugitive Dust Emissions [326 IAC 6-4]
C.7 Fugitive Particulate Matter Emission Limitations [326 IAC 6-5]
C.8 Operation of Equipment [326 IAC 2-8-5(a)(4)]
C.9 Stack Height [326 IAC 1-7]
C.10 Asbestos Abatement Projects [326 IAC 14-10] [326 IAC 18] [40 CFR 61 Subpart M]

Testing Requirements [326 IAC 2-8-4(3)]
C.11 Performance Testing [326 IAC 3-6]

Compliance Requirements [326 IAC 2-1.1-11]
C.12 Compliance Requirements [326 IAC 2-1.1-11]

Compliance Monitoring Requirements [326 IAC 2-8-4] [326 IAC 2-8-5(a)(1)]
C.13 Compliance Monitoring [326 IAC 2-8-4(3)] [326 IAC 2-8-5(a)(1)]
C.14 Monitoring Methods [326 IAC 3][40 CFR 60][40 CFR 63]

C.15 Pressure Gauge and Other Instrument Specifications [326 IAC 2-1.1-11] [326 IAC 2-8-4(3)] [326 IAC 2-8-5(1)]

Corrective Actions and Response Steps [326 IAC 2-8-4] [326 IAC 2-8-5]
C.16 Risk Management Plan [326 IAC 2-8-4] [40 CFR 68.215]
C.17 Compliance Response Plan - Preparation, Implementation, Records, and Reports [326 IAC 2-8-4] [326 IAC 2-8-5]
C.18 Actions Related to Noncompliance Demonstrated by a Stack Test [326 IAC 2-8-4] [326 IAC 2-8-5]

Record Keeping and Reporting Requirements [326 IAC 2-8-4(3)]
C.19 General Record Keeping Requirements [326 IAC 2-8-4(3)][326 IAC 2-8-5]
C.20 General Reporting Requirements [326 IAC 2-8-4(3)(C)] [326 IAC 2-1.1-11]

Portable Source Requirement
C.21 Relocation of Portable Sources [326 IAC 2-14-4]

Stratospheric Ozone Protection
C.22 Compliance with 40 CFR 82 and 326 IAC 22-1

SECTION D.1 FACILITY OPERATION CONDITIONS
Aggregate Mixing and Drying 25

Emission Limitations and Standards [326 IAC 2-8-4(1)]
D.1.1 General Provisions Relating to NSPS [326 IAC 12-1][40 CFR Part 60, Subpart A]
D.1.2 Particulate Matter (PM) [326 IAC 12][40 CFR 60.90, Subpart I][326 IAC 2-2] [326 IAC 6-1-2]
D.1.3 Opacity [326 IAC 12] [40 CFR 60.90, Subpart I]
D.1.4 Particulate Matter 10 Microns (PM10) [326 IAC 2-8-4][326 IAC 2-2]
D.1.5 Sulfur Dioxide (SO_2) [326 IAC 7-1.1-1][326 IAC 7-2-1]
D.1.6 Fuel Usage Limitations [326 IAC 2-8-4][326 IAC 2-2]
D.1.7 Preventive Maintenance Plan [326 IAC 2-8-4(9)]

Compliance Determination Requirements
D.1.8 Particulate Matter (PM)
D.1.9 Testing Requirements [326 IAC 2-8-5(a)(1), (4)][326 IAC 2-1.1-11]
D.1.10 Sulfur Dioxide Emissions and Sulfur Content

Compliance Monitoring Requirements [326 IAC 2-8-4] [326 IAC 2-8-5(a)(1)]
D.1.11 Visible Emissions Notations
D.1.12 Parametric Monitoring
D.1.13 Baghouse Inspections
D.1.14 Broken or Failed Bag Detection

Record Keeping and Reporting Requirements [326 IAC 2-8-4(3)] [326 IAC 2-8-16]
D.1.15 Record Keeping Requirements
D.1.16 Reporting Requirements

SECTION D.2 FACILITY OPERATION CONDITIONS
Liquid Asphalt Storage Tanks, No. 2 Distillate Fuel Oil Storage Tank 31

Emission Limitations and Standards [326 IAC 2-8-4(1)]
D.2.1 Volatile Organic Compounds (VOCs) [326 IAC 12] [40 CFR 60.110b, Subpart Kb]

Record Keeping and Reporting Requirements [326 IAC 2-8-4(3)] [326 IAC 2-8-16]
D.2.2 Record Keeping Requirements [326 IAC 12][40 CFR 60.110b, Subpart Kb]

SECTION D.3 FACILITY OPERATION CONDITIONS

Cold-mix (stockpile mix) 32

Emission Limitations and Standards [326 IAC 2-8-4(1)]
D.3.1 Volatile Organic Compound (VOC) [326 IAC 8-5-2] [326 IAC 2-8-4][326 IAC 2-2]

Record Keeping and Reporting Requirements [326 IAC 2-8-4(3)] [326 IAC 2-8-16]
D.3.2 Record Keeping Requirements
D.3.3 Reporting Requirements

Certification Form 34
Emergency Occurrence Form 35
Quarterly Report Forms 37
Quarterly Deviation and Compliance Monitoring Report Form 41
ATTACHMENT A - ASPHALT PLANT SITE FUGITIVE DUST CONTROL PLAN 43

SECTION A SOURCE SUMMARY

This permit is based on information requested by the Indiana Department of Environmental Management (IDEM), Office of Air Quality (OAQ). The information describing the source contained in conditions A.1 through A.3 is descriptive information and does not constitute enforceable conditions. However, the Permittee should be aware that a physical change or a change in the method of operation that may render this descriptive information obsolete or inaccurate may trigger requirements for the Permittee to obtain additional permits or seek modification of this permit pursuant to 326 IAC 2, or change other applicable requirements presented in the permit application.

A.1 General Information [326 IAC 2-8-3(b)]

The Permittee owns and operates a portable source hot drum mix asphalt plant.

Authorized individual:	Amy Boswell
Source Address:	6100 Base Road, Hayden, Indiana 47245
Mailing Address:	1100 East O & M Avenue, North Vernon, Indiana 47265
General Source Phone:	(812) 346-4135
SIC Code:	2951
Source Location:	Jennings
Source Location Status:	Attainment for all criteria pollutants
Source Status:	Federally Enforceable State Operating Permit (FESOP) Minor Source, under PSD Rules; Minor Source, Section 112 of the Clean Air Act

A.2 Emission Units and Pollution Control Equipment Summary [326 IAC 2-8-3(c)(3)]

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

(a) one (1) portable asphalt drum-mix plant, with a maximum capacity of 300 tons per hour, equipped with one (1) #2 fuel oil fired aggregate dryer burner with a maximum rated capacity of 72 million British thermal units (MMBtu) per hour, using natural gas or No.4 fuel oil as a back up fuel and one (1) pulse jet baghouse for particulate control, exhausting at one (1) stack, identified as #1;

(b) four (4) compartment cold feed bins with feeders and collection conveyors;

(c) one (1) 30" incline conveyor with 4' X 10' scalping screen;

(d) two (2) conveyors and one (1) screen to transfer aggregate from recycle bin to asphalt dryer;

(e) one (1) conveyor to transfer product from asphalt dryer to storage silo;

(f) two (2) 25,000 gallon asphalt storage tanks;

(g) one (1) 11,000 gallon #2 fuel oil storage tank; and

(h) cold-mix (stockpile mix) asphalt storage piles.

(i) one (1) 15,000 gallon No. 4 fuel oil storage tank

A.3 Insignificant Activities [326 IAC 2-7-1(21)] [326 IAC 2-8-3(c)(3)(I)]

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

(a) Paved and unpaved roads and parking lots with public access;

(b) combustion source flame safety purging on startup;

(c) a petroleum fuel, other than gasoline, dispensing facility, having a storage capacity of less than or equal to 10,500 gallons, and dispensing less than or equal to 230,000 gallons per month;

(d) Other categories with emissions below insignificant thresholds:

(1) one (1) #2 fuel fired hot oil heater, with a rated capacity of 0.828 MMBtu/hr;
(2) one (1) recycle bin with twenty-five (25) ton storage capacity;
(3) one (1) storage silo with seventy (70) ton storage capacity; and
(4) aggregate storage piles with a total storage capacity of 12,500 tons.

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

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

A.5 Prior Permits Superseded [326 IAC 2-1.1-9.5]

(a) All terms and conditions of previous permits issued pursuant to permitting programs approved into the state implementation plan have been either

(1) incorporated as originally stated,

(2) revised, or

(3) deleted

by this permit.

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

SECTION B GENERAL CONDITIONS

B.1 Permit No Defense [IC 13]

Indiana statutes from IC 13 and rules from 326 IAC, quoted in conditions in this permit, are those applicable at the time the permit was issued. The issuance or possession of this permit shall not alone constitute a defense against an alleged violation of any law, regulation or standard, except for the requirement to obtain a FESOP under 326 IAC 2-8.

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

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

B.3 Permit Term [326 IAC 2-8-4(2)] [326 IAC 2-1.1-9.5]

This permit 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.

B.4 Enforceability [326 IAC 2-8-6]

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

B.5 Termination of Right to Operate [326 IAC 2-8-9] [326 IAC 2-8-3(h)]

The Permittee's right to operate this source terminates with the expiration of this permit unless a timely and complete renewal application is submitted at least nine (9) months prior to the date of expiration of the source's existing permit, consistent with 326 IAC 2-8-3(h) and 326 IAC 2-8-9.

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

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

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

(a) The Permittee shall furnish to IDEM, OAQ within a reasonable time, any information that IDEM, OAQ may request in writing to determine whether cause exists for modifying, revoking and reissuing, or terminating this permit, or to determine compliance with this permit. The submittal by the Permittee does require the certification by the "authorized individual" as defined by 326 IAC 2-1.1-1(1). 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.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.

(c) An emergency does constitute an affirmative defense in an enforcement action provided the Permittee complies with the applicable requirements set forth in Section B, Emergency Provisions.

B.11 Certification [326 IAC 2-8-3(d)] [326 IAC 2-8-4(3)(C)(i)] [326 IAC 2-8-5(1)]

(a) Where specifically designated by this permit or required by an applicable requirement, any application form, report, or compliance certification submitted shall contain certification by an authorized individual of truth, accuracy, and completeness. This certification, shall state that, based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate, and complete.

(b) One (1) certification shall be included, using the attached Certification Form, with each submittal requiring certification.

(c) An authorized individual is defined at 326 IAC 2-1.1-1(1).

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

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

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

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

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

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

(2) The compliance status;

(3) Whether compliance was continuous or intermittent;

(4) The methods used for determining the compliance status of the source, currently and over the reporting period consistent with 326 IAC 2-8-4(3); and

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

The notification which shall be submitted by the Permittee does require the certification by the "authorized individual" as defined by 326 IAC 2-1.1-1(1).

B.13 Preventive Maintenance Plan [326 IAC 1-6-3] [326 IAC 2-8-4(9)] [326 IAC 2-8-5(a)(1)]

(a) If required by specific condition(s) in Section D of this permit, the Permittee shall maintain and implement Preventive Maintenance Plans (PMPs), 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.

(b) The Permittee shall implement the PMPs, including any required record keeping, as necessary to ensure that failure to implement a PMP does not cause or contribute to an exceedance of any limitation on emissions or potential to emit.

(c) A copy of the PMPs shall be submitted to IDEM, OAQ upon request and within a reasonable time, and shall be subject to review and approval by IDEM, OAQ. IDEM, OAQ may require the Permittee to revise its PMPs whenever lack of proper maintenance causes or is the primary contributor to an exceedance of any limitation on emissions or potential to emit. The PMP does not require the certification by the "authorized individual" as defined by 326 IAC 2-1.1-1(1).

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

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

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

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

(4) For each emergency lasting one (1) hour or more, the Permittee notified IDEM, OAQ within four (4) daytime business hours after the beginning of the emergency, or after the emergency was discovered or reasonably should have been discovered;

Telephone No.: 1-800-451-6027 (ask for Office of Air Quality, Compliance Section) or,
Telephone No.: 317-233-5674 (ask for Compliance Section)
Facsimile No.: 317-233-5967

(5) For each emergency lasting one (1) hour or more, the Permittee submitted the attached Emergency Occurrence Report Form or its equivalent, either by mail or facsimile to:

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

within two (2) working days of the time when emission limitations were exceeded due to the emergency.

The notice fulfills the requirement of 326 IAC 2-8-4(3)(C)(ii) and must contain the following:

(A) A description of the emergency;

(B) Any steps taken to mitigate the emissions; and

(C) Corrective actions taken.

The notification which shall be submitted by the Permittee does not require the certification by the "authorized individual" as defined by 326 IAC 2-1.1-1(1).

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

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

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

(e) IDEM, OAQ may require that the Preventive Maintenance Plans required under 326 IAC 2-8-3(c)(6) be revised in response to an emergency.

(f) Failure to notify IDEM, OAQ by telephone or facsimile of an emergency lasting more than one (1) hour in accordance with (b)(4) and (5) of this condition shall constitute a violation of 326 IAC 2-8 and any other applicable rules.

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

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

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

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

(B) Continued operation of the facilities is necessary to prevent imminent injury to persons, severe damage to equipment, substantial loss of capital investment, or loss of product or raw material of substantial economic value.

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

(h) Permittee shall include all emergencies in the Quarterly Deviation and Compliance Monitoring Report.

B.15 Deviations from Permit Requirements and Conditions [326 IAC 2-8-4(3)(C)(ii)]

(a) Deviations from any permit requirements (for emergencies see Section B - Emergency Provision), the probable cause of such deviations, and any response steps or preventive measures taken shall be reported 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

using the attached Quarterly Deviation and Compliance Monitoring Report, or its equivalent. 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 need to be included in this report.

The Quarterly Deviation and Compliance Monitoring Report does require the certification by the "authorized individual" as defined by 326 IAC 2-1.1-1(1).

(b) A deviation is an exceedance of a permit limitation or a failure to comply with a requirement of the permit.

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) This permit may be modified, reopened, revoked and reissued, or terminated for cause. The filing of a request by the Permittee for a FESOP modification, revocation and reissuance, or termination, or of a notification of planned changes or anticipated noncompliance does not stay any condition of this permit. [326 IAC 2-8-4(5)(C)] The notification by the Permittee does require the certification by the "authorized individual" as defined by 326 IAC 2-1.1-1(1).

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

(1) That this permit contains a material mistake.

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

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

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

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

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

(a) The application for renewal shall be submitted using the application form or forms prescribed by IDEM, OAQ and shall include the information specified in 326 IAC 2-8-3. Such information shall be included in the application for each emission unit at this source, except those emission units included on the trivial or insignificant activities list contained in 326 IAC 2-7-1(21) and 326 IAC 2-7-1(40). The renewal application does require the certification by the "authorized individual" as defined by 326 IAC 2-1.1-1(1).

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

(b) Timely Submittal of Permit Renewal [326 IAC 2-8-3]

(1) 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) 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.

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

(c) Right to Operate After Application for 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 Permit Amendment or Revision [326 IAC 2-8-10] [326 IAC 2-8-11.1]

(a) Permit amendments and revisions are governed by the requirements of 326 IAC 2-8-10 or 326 IAC 2-8-11.1 whenever the Permittee seeks to amend or modify this permit.

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

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

Any such application shall be certified by the "authorized individual" as defined by 326 IAC 2-1.1-1(1).

(c) The Permittee may implement the administrative amendment changes addressed in the request for an administrative amendment immediately upon submittal of the request. [326 IAC 2-8-10(b)(3)]

(d) No permit amendment or modification is required for the addition, operation or removal of a nonroad engine, as defined in 40 CFR 89.2.

B.19 Operational Flexibility [326 IAC 2-8-15][326 IAC 2-8-11.1]

(a) The Permittee may make any change or changes at this 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) Any approval required by 326 IAC 2-8-11.1 has been obtained;

(3) The changes do not result in emissions which exceed the emissions allowable under 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
Permits Branch, Office of Air Quality
100 North Senate Avenue, P.O. Box 6015
Indianapolis, Indiana 46206-6015

and

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

in advance of the change by written notification at least ten (10) days in advance of the proposed change. The Permittee shall attach every such notice to the Permittee's copy of this permit; and

(5) The Permittee maintains records on-site which document, on a rolling five (5) year basis, all such changes and emissions trading that are subject to 326 IAC 2-8-15(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)(2), (c)(1), and (d).

(b) 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 of Section (a) of this condition and those in 326 IAC 2-8-15(c).

(c) 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 with 326 IAC 2-8-4(7). No prior notification of IDEM, OAQ or U.S. EPA is required.

B.20 Permit Revision Requirement [326 IAC 2-8-11.1]

A modification, construction, or reconstruction is governed by the requirements of 326 IAC 2 and 326 IAC 2-8-11.1.

B.21 Inspection and Entry [326 IAC 2-8-5(a)(2)] [IC 13-14-2-2][IC 13-30-3-1]

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

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

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

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

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

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

B.22 Transfer of Ownership or Operational Control [326 IAC 2-8-10]

(a) The Permittee must comply with the requirements of 326 IAC 2-8-10 whenever the Permittee seeks to change the ownership or operational control of the source and no other change in the permit is necessary.

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

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

The application which shall be submitted by the Permittee does require the certification by the "authorized individual" as defined by 326 IAC 2-1.1-1(1).

(c) The Permittee may implement administrative amendment changes addressed in the request for an administrative amendment immediately upon submittal of the request. [326 IAC 2-8-10(b)(3)]

B.23 Annual Fee Payment [326 IAC 2-7-19] [326 IAC 2-8-4(6)] [326 IAC 2-8-16][326 IAC 2-1.1-7]

(a) The Permittee shall pay annual fees to IDEM, OAQ, 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) 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 317-233-4320 (ask for OAQ, I/M & Billing Section), to determine the appropriate permit fee.

SECTION C SOURCE OPERATION CONDITIONS

Entire Source

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

C.1 Particulate Matter Emission Limitations For Processes with Process Weight Rates Less Than One Hundred (100) Pounds Per Hour [40 CFR 52 Subpart P][326 IAC 6-3-2]

(a) Pursuant to 40 CFR 52 Subpart P, particulate matter emissions from any process not already regulated by 326 IAC 6-1 or any New Source Performance Standard, and which has a maximum process weight rate less than 100 pounds per hour shall not exceed 0.551 pounds per hour.

(b) 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 Overall Source Limit [326 IAC 2-8]

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

(a) Pursuant to 326 IAC 2-8:

(1) The potential to emit any regulated pollutant, except particulate matter (PM), from the entire source shall be limited to less than one-hundred (100) tons per twelve (12) consecutive month period. This limitation shall also make the requirements of 326 IAC 2-2 (Prevention of Significant Deterioration (PSD)) and 326 IAC 2-3 (Emission Offset) not applicable;

(2) The potential to emit any individual hazardous air pollutant (HAP) from the entire source shall be limited to less than ten (10) tons per twelve (12) consecutive month period; and

(3) The potential to emit any combination of HAPs from the entire source shall be limited to less than twenty-five (25) tons per twelve (12) consecutive month period.

(b) Pursuant to 326 IAC 2-2 (Prevention of Significant Deterioration (PSD)), potential to emit particulate matter (PM) from the entire source shall be limited to less than two hundred fifty (250) tons per twelve (12) consecutive month period.

(c) This condition shall include all emission points at this source including those that are insignificant as defined in 326 IAC 2-7-1(21). The source shall be allowed to add insignificant activities not already listed in this permit, provided that the source's potential to emit does not exceed the above specified limits.

(d) Section D of this permit contains independently enforceable provisions to satisfy this requirement.

C.3 Opacity [326 IAC 5-1]

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

(a) Opacity shall not exceed an average of thirty percent (30%) in any one (1) six (6) minute averaging period as determined in 326 IAC 5-1-4.

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

C.4 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.5 Incineration [326 IAC 4-2] [326 IAC 9-1-2(3)]

The Permittee shall not operate an incinerator or incinerate any waste or refuse except as provided in 326 IAC 4-2 and in 326 IAC 9-1-2.

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

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

C.7 Fugitive Particulate Matter Emission Limitations [326 IAC 6-5]

Pursuant to 326 IAC 6-5 (Fugitive Particulate Matter Emission Limitations), fugitive particulate matter emissions shall be controlled according to the plan submitted on June 18, 1997. The plan is included as Attachment A.

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

Except as otherwise provided by statute, rule or in this permit, all air pollution control equipment listed in this permit and used to comply with an applicable requirement shall be operated at all times that the emission units vented to the control equipment are in operation.

C.9 Stack Height [326 IAC 1-7]

The Permittee shall comply with the applicable provisions of 326 IAC 1-7 (Stack Height Provisions), for all exhaust stacks through which a potential (before controls) of twenty-five (25) tons per year or more of particulate matter or sulfur dioxide is emitted.

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

(a) Notification requirements apply to each owner or operator. If the combined amount of regulated asbestos containing material (RACM) to be stripped, removed or disturbed is at least 260 linear feet on pipes or 160 square feet on other facility components, or at least thirty-five (35) cubic feet on all facility components, then the notification requirements of 326 IAC 14-10-3 are mandatory. All demolition projects require notification whether or not asbestos is present.

(b) The Permittee shall ensure that a written notification is sent on a form provided by the Commissioner at least ten (10) working days before asbestos stripping or removal work or before demolition begins, per 326 IAC 14-10-3, and shall update such notice as necessary, including, but not limited to the following:

(1) When the amount of affected asbestos containing material increases or decreases by at least twenty percent (20%); or

(2) If there is a change in the following:

(A) Asbestos removal or demolition start date;

(B) Removal or demolition contractor; or

(C) Waste disposal site.

(c) The Permittee shall ensure that the notice is postmarked or delivered according to the guidelines set forth in 326 IAC 14-10-3(2).

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

All required notifications shall be submitted to:

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

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 by the "authorized individual" as defined by 326 IAC 2-1.1-1(1).

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

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

(g) Indiana Accredited 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 Accredited Asbestos Inspector to thoroughly inspect the affected portion of the facility for the presence of asbestos. The requirement to use an Indiana Accredited Asbestos inspector be accredited is not federally enforceable.

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

C.11 Performance Testing [326 IAC 3-6]

(a) All testing shall be performed according to the provisions of 326 IAC 3-6 (Source Sampling Procedures), except as provided elsewhere in this permit, utilizing any applicable procedures and analysis methods specified in 40 CFR 51, 40 CFR 60, 40 CFR 61, 40 CFR 63, 40 CFR 75, or other procedures approved by IDEM, OAQ.

A test protocol, except as provided elsewhere in 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

no later than thirty-five (35) days prior to the intended test date. The protocol submitted by the Permittee does not require certification by the "authorized individual" as defined by 326 IAC 2-1.1-1(1).

(b) The Permittee shall notify IDEM, OAQ of the actual test date at least fourteen (14) days prior to the actual test date. The notification submitted by the Permittee does not require certification by the "authorized individual" as defined by 326 IAC 2-1.1-1(1).

(c) Pursuant to 326 IAC 3-6-4(b), all test reports must be received by IDEM, OAQ not later than forty-five (45) days after the completion of the testing. An extension may be granted by IDEM, OAQ if the source 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.12 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 2-8-4] [326 IAC 2-8-5(a)(1)]

C.13 Compliance Monitoring [326 IAC 2-8-4(3)] [326 IAC 2-8-5(a)(1)]

Unless otherwise specified in this permit, all monitoring and record keeping requirements not already legally required shall be implemented upon issuance of this permit. If required by Section D, the Permittee shall be responsible for installing any necessary equipment and initiating any required monitoring related to that equipment.

Unless otherwise specified in the approval for the new emissions unit, compliance monitoring for new emission units or emission units added through a permit revision shall be implemented when operation begins.

C.14 Monitoring Methods [326 IAC 3] [40 CFR 60] [40 CFR 63]

Any monitoring or testing performed required by Section D of this permit shall be performed according to the provisions of 326 IAC 3, 40 CFR 60, Appendix A, 40 CFR 60 Appendix B, 40 CFR 63 or other approved methods as specified in this permit.

C.15 Pressure Gauge and Other Instrument Specifications [326 IAC 2-1.1-11] [326 IAC 2-8-4(3)] [326 IAC 2-8-5(1)]

(a) Whenever a condition in this permit requires the measurement 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 twenty percent (20%) of full scale and be accurate within plus or minus two percent (±2%) of full scale reading.

(b) Whenever a condition in this permit requires the measurement of a temperature or flow rate, the instrument employed shall have a scale such that the expected normal reading shall be no less than twenty percent (20%) of full scale and be accurate within plus or minus two percent (±2%) of full scale reading.

(c) The Preventive Maintenance Plan for the pH meter shall include calibration using known standards. The frequency of calibration shall be adjusted such that the typical error found at calibration is less than one pH point.

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

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

C.16 Risk Management Plan [326 IAC 2-8-4] [40 CFR 68.~~215~~]

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

C.17 Compliance Response Plan - Preparation, Implementation, Records, and Reports [326 IAC 2-8-4] [326 IAC 2-8-5]

(a) The Permittee is required to prepare a Compliance Response Plan (CRP) for each compliance monitoring condition of this permit. A CRP shall be submitted to IDEM, OAQ upon request. The CRP shall be prepared within ninety (90) days after issuance of this permit by the Permittee, supplemented from time to time by the Permittee, maintained on site, and is comprised of:

(1) Reasonable response steps that may be implemented in the event that a response step is needed pursuant to the requirements of Section D of this permit; and an expected time frame for taking reasonable response steps.

(2) If, at any time, the Permittee takes reasonable response steps that are not set forth in the Permittee's current Compliance Response Plan and the Permittee documents such response in accordance with subsection (e) below, the Permittee shall amend its Compliance Response Plan to include such response steps taken.

(b) For each compliance monitoring condition of this permit, reasonable response steps shall be taken when indicated by the provisions of that compliance monitoring condition as follows:

(1) Reasonable response steps shall be taken as set forth in the Permittee's current Compliance Response Plan; or

(2) If none of the reasonable response steps listed in the Compliance Response Plan is applicable or responsive to the excursion, the Permittee shall devise and implement additional response steps as expeditiously as practical. Taking such additional response steps shall not be considered a deviation from this permit so long as the Permittee documents such response steps in accordance with this condition.

(3) If the Permittee determines that additional response steps would necessitate that the emissions unit or control device be shut down, the IDEM, OAQ shall be promptly notified of the expected date of the shut down, the status of the applicable compliance monitoring parameter with respect to normal, and the results of the actions taken up to the time of notification.

(4) Failure to take reasonable response steps shall be considered a deviation from the permit.

(c) The Permittee is not required to take any further response steps for any of the following reasons:

(1) A false reading occurs due to the malfunction of the monitoring equipment and prompt action was taken to correct the monitoring equipment.

(2) The Permittee has determined that the compliance monitoring 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.

(3) An automatic measurement was taken when the process was not operating.

(4) The process has already returned or is returning to operating within "normal" parameters and no response steps are required.

(d) When implementing reasonable steps in response to a compliance monitoring condition, if the Permittee determines that an exceedance of an emission limitation has occurred, the Permittee shall report such deviations pursuant to Section B-Deviations from Permit Requirements and Conditions.

(e) The Permittee shall record all instances when, in accordance with Section D, response steps are 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.

(f) Except as otherwise provided by a rule or provided specifically in Section D, all monitoring as required in Section D shall be performed when the emission unit is operating, except for time necessary to perform quality assurance and maintenance activities.

C.18 Actions Related to Noncompliance Demonstrated by a Stack Test [326 IAC 2-8-4] [326 IAC 2-8-5]

(a) When the results of a stack test performed in conformance with Section C - Performance Testing, of this permit exceed the level specified in any condition of this permit, the Permittee shall take appropriate response actions. The Permittee shall submit a description of these response actions to IDEM, OAQ, within thirty (30) days of receipt of the test results. The Permittee shall take appropriate action to minimize excess emissions from the affected facility while the response actions are being implemented.

(b) A retest to demonstrate compliance shall be performed within one hundred twenty (120) days of receipt of the original test results. Should the Permittee demonstrate to IDEM, OAQ that retesting in one-hundred and twenty (120) 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 the certification by the "authorized individual" as defined by 326 IAC 2-1.1-1(1).

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

C.19 General Record Keeping Requirements [326 IAC 2-8-4(3)] [326 IAC 2-8-5]

(a) Records of all required monitoring data, reports and support information required by this permit shall be retained for a period of at least five (5) years from the date of monitoring sample, measurement, report, or application. 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, all record keeping requirements not already legally required shall be implemented within ninety (90) days of permit issuance.

C.20 General Reporting Requirements [326 IAC 2-8-4(3)(C)] [326 IAC 2-1.1-11]

(a) The source shall submit the attached Quarterly Deviation and Compliance Monitoring Report or its equivalent. Any deviation from permit requirements, the date(s) of each deviation, the cause of the deviation, and the response steps taken must be reported. This report shall be submitted within thirty (30) days of the end of the reporting period. The Quarterly Deviation and Compliance Monitoring Report shall include the certification by the "authorized individual" as defined by 326 IAC2-1.1-1(1).

(b) The report required in (a) of this condition and 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

(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) Unless otherwise specified in this permit, all reports required in Section D of this permit shall be submitted within thirty (30) days of the end of the reporting period. All reports do require the certification by the "authorized individual" as defined by 326 IAC 2-1.1-1(1).

(e) Reporting periods are based on calendar years.

Portable Source Requirement

C.21 Relocation of Portable Sources [326 IAC 2-14-4]

(a) This permit is approved for operation in all areas of Indiana except in severe nonattainment areas for ozone (at the time of this permit's issuance these areas were Lake and Porter Counties). This determination is based on the requirements of Prevention of Significant Deterioration in 326 IAC 2-2 and 40 CFR 52.21, and Emission Offset requirements in 326 IAC 2-3. Prior to locating in any severe nonattainment area, the Permittee must submit a request and obtain a permit modification.

(b) A request to relocate shall be submitted to IDEM, OAQ at least thirty (30) days prior to the intended date of relocation. This submittal shall include the following:

(1) A list of governmental officials entitled to receive notice of application to relocate. IC 13-15-3-1

(2) A list of adjacent landowners that the Permittee will send written notice to not more than ten (10) days after submission of the request to relocate. IC 13-15-8

The notification by the Permittee does require the certification by an "authorized individual" as defined by 326 IAC 2-1.1-1(1).

(c) A "Relocation Site Approval" letter shall be obtained prior to relocating.

(d) The Permittee shall also notify the applicable local air pollution control agency when relocating to, or from, one the following:

(1) Madison County - (Anderson Office of Air Management)

(2) City of Evansville plus four (4) miles beyond the corporate limits but not outside Vanderburgh County - (Evansville EPA)

(3) City of Gary - Gary Department of Environmental Affairs)

(4) City of Hammond - (Hammond Department of Environmental Management)

(5) Marion County - (Indianapolis Office of Environmental Services)

(6) St. Joseph County - (St. Joseph County Health Department)

(7) Vigo County - (Vigo County Air Pollution Control)

(e) A valid operation permit consists of this document and any subsequent "Relocation Site Approval" letter specifying the current location of the portable plant.

Stratospheric Ozone Protection

C.22 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 the standards for recycling and emissions reduction:

(a) Persons opening appliances for maintenance, service, repair or disposal must comply with the required practices pursuant to 40 CFR 82.156

(b) Equipment used during the maintenance, service, repair or disposal of appliances must comply with the standards for recycling and recovery equipment pursuant to 40 CFR 82.158.

(c) Persons performing maintenance, service, repair or disposal of appliances must be certified by an approved technician certification program pursuant to 40 CFR 82.161.

SECTION D.1 FACILITY OPERATION CONDITIONS

Facility Description [326 IAC 2-8-4(10)]

(a) one (1) portable asphalt drum-mix plant, with a maximum capacity of 300 tons per hour, equipped with one (1) #2 fuel oil fired aggregate dryer burner with a maximum rated capacity of 72 million British thermal units (MMBtu) per hour, using natural gas or No.4 fuel oil as a back up fuel, and one (1) pulse jet baghouse for particulate control, exhausting at one (1) stack, identified as #1;
(b) four (4) compartment cold feed bins with feeders and collection conveyors;
(c) one (1) 30" incline conveyor with 4' X 10' scalping screen;
(d) two (2) conveyors and one (1) screen to transfer aggregate from recycle bin to asphalt dryer; and
(e) one (1) conveyor to transfer product from asphalt dryer to storage silo.

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

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

D.1.1 General Provisions Relating to NSPS [326 IAC 12-1][40 CFR Part 60, Subpart A]

The provisions of 40 CFR Part 60, Subpart A - General Provisions, which are incorporated by reference in 326 IAC 12-1, apply to the facility described in this section except when otherwise specified in 40 CFR Part 60, Subpart I.

D.1.2 Particulate Matter (PM) [326 IAC 6-1-2] [326 IAC 12] [40 CFR 60.90, Subpart I][326 IAC 2-2]

(a) Pursuant to 326 IAC 6-1-2 (Particulate Emissions Limitations), the particulate matter emissions from the mixing and drying operation shall be limited to 0.03 grains per dry standard cubic foot (gr/dscf) of exhaust air. This is equivalent to a particulate matter emission rate of 7.69 pounds per hour. This limit will also render 326 IAC 2-2 (Prevention of Significant Deterioration (PSD)) not applicable.

(b) Pursuant to 326 IAC 12, (40 CFR Part 60.90, Subpart I) "Standards of Performance for Hot Mix Asphalt Facilities", the particulate matter emissions from the mixing and drying operations shall be limited to 0.04 grains per dry standard cubic foot (gr/dscf) of exhaust air. This is equivalent to a particulate matter emission rate of 10.25 pounds per hour.

Compliance with the PM emission limit pursuant to 326 IAC 6-1-2 will also satisfy the PM emission limit pursuant to 326 IAC 12, 40 CFR Part 60.90, Subpart I.

D.1.3 Opacity [326 IAC 12] [40 CFR 60.90, Subpart I]

Pursuant to 326 IAC 12, (40 CFR Part 60.92, Subpart I) "Standards of Performance for Hot Mix Asphalt Facilities", the mixing and drying operations shall not discharge or cause the discharge into the atmosphere any gases which exhibit 20% opacity or greater.

D.1.4 Particulate Matter 10 Microns (PM10) [326 IAC 2-8-4][326 IAC 2-2]

Pursuant to 326 IAC 2-8-4, particulate matter 10 microns emissions from the aggregate mixing and drying operation shall not exceed 0.068 pound of PM-10 per ton of asphalt mix produced based on a maximum asphalt throughput of 300 tons per hour. This is equivalent to a PM-10 emission limit of 20.36 pounds per hour, including both filterable and condensible fractions. Based on 8,760 hours of operation per 12 consecutive month period, this limits PM-10 emissions from the aggregate mixing and drying operation to 89.16 tons per year for a source-wide total potential to emit of less than 100 tons per year.

Compliance with this limit will satisfy 326 IAC 2-8-4. Therefore, the Part 70 rules (326 IAC 2-7) do not apply.

D.1.5 Sulfur Dioxide (SO_2) [326 IAC 7-1.1-1][326 IAC 7-2-1]

(a) Pursuant to 326 IAC 7-1.1 (Sulfur Dioxide Emission Limitations), sulfur dioxide emissions from the 72.0 million Btu per hour burner for the aggregate dryer shall be limited to 0.5 pounds per million Btu heat input or a sulfur content of less than or equal to 0.5% when using distillate oil.

(b) Pursuant to 326 IAC 7-1.1 (Sulfur Dioxide Emission Limitations), sulfur dioxide emissions from the 72.0 million Btu per hour burner for the aggregate dryer shall using No.4 fuel oil is limited to 1.6 pounds per million Btu heat input or a sulfur content of less than or equal to 1.6% when using residual oil.

(c) Pursuant to 326 IAC 7-2-1, compliance shall be demonstrated on a calendar month average.

Compliance with Condition D.1.6 will also satisfy Condition D.1.5.

D.1.6 Fuel Usage Limitations [326 IAC 2-8-4][326 IAC 2-2]

(a) Pursuant to 326 IAC 2-8-4(1), the maximum sulfur content of the No. 2 distillate fuel oil used in the 72.0 MMBtu per hour burner for the aggregate dryer shall be limited to 0.05%, so that SO_2 emissions are limited to less than 100 tons per year.

(b) Pursuant to 326 IAC 2-8-4(1), the maximum sulfur content of the No. 4 residual fuel oil used in the 72.0 MMBtu per hour burner for the aggregate dryer shall be limited to 0.41%, so that SO_2 emissions are limited to less than 100 tons per year.

(c) Pursuant to 326 IAC 2-8-4(1), the usage of #4 fuel oil is limited to 813,000 gallons per 12 consecutive months with compliance determined at the end of each month.

(d) For the purposes of determining compliance on SO_2 emissions, each 8,662 gallons of No.2 fuel oil shall be equivalent to 1,000 gallons of No.4 fuel oil.

Therefore, the requirements of 326 IAC 2-7 will not apply. This limitation will also render 326 IAC 2-2 (Prevention of Significant Deterioration (PSD)), not applicable.

D.1.7 Preventive Maintenance Plan [326 IAC 2-8-4(9)]

A Preventive Maintenance Plan, in accordance with Section B - Preventive Maintenance Plan, of this permit, is required for this facility and its control device.

Compliance Determination Requirements

D.1.8 Particulate Matter (PM)

In order to comply with D.1.2(a) and (b), and D.1.4 the baghouse for PM and PM10 control shall be in operation and control emissions from the drum mix dryer/burner at all times that the drum mix dryer/burner is in operation.

D.1.9 Testing Requirements [326 IAC 2-8-5(a)(1), (4)] [326 IAC 2-1.1-11]

A stack testing shall be performed on November 7, 2006, that is five (5) years from the original required stack testing date, in order to demonstrate compliance with Conditions D.1.2(a) and (b), and D.1.4, the Permittee shall perform PM, and PM10 testing utilizing methods per 40 CFR Part 60 Appendix A, Method 5 for PM and methods as approved by the Commissioner for PM-10. PM-10 includes filterable and condensible PM-10. This test shall be repeated at least once every five (5) years from the date of this valid compliance demonstration. Testing shall be conducted in accordance with Section C- Performance Testing.

D.1.10 Sulfur Dioxide Emissions and Sulfur Content

Compliance shall be determined utilizing one of the following options.

(a) Pursuant to 326 IAC 3-7-4, the Permittee shall demonstrate that the sulfur dioxide emissions do not exceed five-tenths (0.5) pounds per million Btu heat input and 0.05% sulfur content when burning No. 2 distillate fuel oil by:

(1) Providing vendor analysis of fuel delivered, if accompanied by a vendor certification; or

(2) Analyzing the oil sample to determine the sulfur content of the oil via the procedures in 40 CFR 60, Appendix A, Method 19.

(A) Oil samples may be collected from the fuel tank immediately after the fuel tank is filled and before any oil is combusted; and

(B) If a partially empty fuel tank is refilled, a new sample and analysis would be required upon filling.

(b) Compliance may also be determined by conducting a stack test for sulfur dioxide emissions from the 72 MMBtu per hour burner for the aggregate dryer, using 40 CFR 60, Appendix A, Method 6 in accordance with the procedures in 326 IAC 3-6.

A determination of noncompliance pursuant to any of the methods specified in (a) or (b) above shall not be refuted by evidence of compliance pursuant to the other method.

(c) Pursuant to 326 IAC 3-7-4, the Permittee shall demonstrate that the sulfur dioxide emissions do not exceed 1.6 pounds per million Btu heat input and 0.41% sulfur content when burning No. 4 residual fuel oil by:

(1) Providing vendor analysis of fuel delivered, if accompanied by a vendor certification; or

(2) Analyzing the oil sample to determine the sulfur content of the oil via the procedures in 40 CFR 60, Appendix A, Method 19.

(A) Oil samples may be collected from the fuel tank immediately after the fuel tank is filled and before any oil is combusted; and

(B) If a partially empty fuel tank is refilled, a new sample and analysis would be required upon filling.

(d) Compliance may also be determined by conducting a stack test for sulfur dioxide emissions from the 72 MMBtu per hour burner for the aggregate dryer, using 40 CFR 60, Appendix A, Method 6 in accordance with the procedures in 326 IAC 3-6.

A determination of noncompliance pursuant to any of the methods specified in (a) or (b) above shall not be refuted by evidence of compliance pursuant to the other method**.**

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

D.1.11 Visible Emissions Notations

(a) Visible emission notations of the drum mix dryer/burner baghouse stack exhaust, conveyors, and transfer points, shall be performed once per shift during normal daylight operations. A trained employee shall record whether emissions are normal or abnormal.

(b) For processes operated continuously, "normal" means those conditions prevailing, or expected to prevail, eighty percent (80%) of the time the process is in operation, not

counting startup or shut down time.

(c) In the case of batch or discontinuous operations, readings shall be taken during that part of the operation that would normally be expected to cause the greatest emissions.

(d) A trained employee is an employee who has worked at the plant at least one (1) month and has been trained in the appearance and characteristics of normal visible emissions for that specific process.

(e) The Compliance Response Plan for this unit shall contain troubleshooting contingency and response steps for when an abnormal emission is observed. Failure to take response steps in accordance with Section C - Compliance Response Plan - Preparation, Implementation, Records, and Reports, shall be considered a violation of this permit.

D.1.12 Parametric Monitoring

The Permittee shall record the total static pressure drop across the baghouse used in conjunction with the aggregate dryer, mixer, and burner, at least once per shift when the aggregate dryer, mixer, and burner are in operation. When for any one reading, the pressure drop across the baghouse is outside the normal range of 2.0 and 6.0 inches of water or a range established during the latest stack test, the Permittee shall take reasonable response steps in accordance with Section C- Compliance Response Plan - Preparation, Implementation, Records, and Reports. A pressure reading that is outside the above mentioned range is not a deviation from this permit. Failure to take response steps in accordance with Section C - Compliance Response Plan - Preparation, Implementation, Records, and Reports, shall be considered a violation of this permit.

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

D.1.13 Baghouse Inspections

(a) An inspection shall be performed each calendar quarter of all bags controlling the aggregate dryer, mixer, and burner with no two (2) inspections conducted in consecutive months. All defective bags shall be replaced.

(b) Inspections required by this condition shall not prevent the Permittee from conducting additional voluntary inspections provided that the requirements of this condition are met.

D.1.14 Broken or Failed Bag Detection

In the event that bag failure has been observed:

(a) For multi-compartment units, the affected compartments will be shut down immediately until the failed units have been repaired or replaced. Operations may continue only if there are no visible emissions or if the event qualifies as an emergency and the Permittee satisfies the emergency provisions of this permit (Section B- Emergency Provisions). Within eight (8) business hours of the determination of failure, response steps according to the timetable described in the Compliance Response Plan shall be initiated. For any failure with corresponding response steps and timetable not described in the Compliance Response Plan, response steps shall be devised within eight (8) business hours of discovery of the failure and shall include a timetable for completion. Failure to take response steps in accordance with Section C - Compliance Response Plan - Preparation, Implementation, Records, and Reports, shall be considered a violation of this permit.

(b) For single compartment baghouses, if failure is indicated by a significant drop in the baghouse's pressure readings with abnormal visible emissions or the failure is indicated by an opacity violation, or if bag failure is determined by other means, such as gas temperatures, flow rates, air infiltration, leaks, dust traces or triboflows, then failed units and the associated process will be shut down immediately until the failed units have been repaired or replaced. Operations may continue only if the event qualifies as an emergency and the Permittee satisfies the requirements of the emergency provisions of this permit (Section B - Emergency Provisions).

Record Keeping and Reporting Requirement [326 IAC 2-8-4(3)] [326 IAC 2-8-16]

D.1.15 Record Keeping Requirements

(a) To document compliance with Conditions D.1.5 and D.1.6, the Permittee shall maintain records in accordance with (1) through (3) below. Records necessary to demonstrate compliance shall be available within 30 days of the end of each compliance period.

(1) A certification, signed by the owner or operator, that the records of the fuel oil supplier certifications represent all of the fuel combusted during the period; and

If the fuel supplier certification is used to demonstrate compliance the following, as a minimum, shall be maintained:

(2) The name of the fuel supplier; and

(3) A statement from the fuel supplier that certifies the sulfur content of the fuel oil.

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.

(b) The Permittee shall maintain records sufficient to verify compliance with the procedures specified in condition D.1.10. Records shall be maintained for a period of five (5) years and shall be made available upon request by IDEM.

(c) To document compliance with Condition D.1.11, the Permittee shall maintain records of the once per shift visible emission notations of the drum mix dryer/burner baghouse stack exhaust, conveyors, and transfer points.

(d) To document compliance with Condition D.1.12, the Permittee shall maintain weekly records of the total static pressure drop during normal operation.

(e) To document compliance with Condition D.1.13, the Permittee shall maintain records of the results of the inspections required under Condition D.1.13 and the dates the vents are redirected.

(f) To document compliance with Condition D.1.7, the Permittee shall maintain records of any additional inspections prescribed by the Preventive Maintenance Plan.

(g) All records shall be maintained in accordance with Section C - General Record Keeping Requirements, of this permit.

D.1.16 Reporting Requirements

A quarterly summary of the information to document compliance with Condition D.1.6 shall be submitted to the address listed in Section C - General Reporting Requirements, of this permit, using the reporting forms located at the end of this permit, or their equivalent, within thirty (30) days after the end of the quarter being reported. The report submitted by the Permittee does require the certification by the "authorized individual" as defined by 326 IAC 2-1.1-1(1).

SECTION D.2 FACILITY OPERATION CONDITIONS

Facility Description [326 IAC 2-8-4(10)]:

(f) two (2) 25,000 gallon asphalt storage tanks; and

(g) one (1) 11,000 gallon #2 fuel oil storage tank.

(i) one (1) 15,000 gallon No. 4 fuel oil storage tank

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

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

D.2.1 Volatile Organic Compounds (VOCs) [326 IAC 12] [40 CFR 60.110b, Subpart Kb]

Pursuant to 40 CFR Part 60.110b, Subpart Kb (Standards of Performance for Volatile Organic Liquid Storage Vessels), the two (2) 25,000 gallon asphalt storage tanks, one (1) 11,000 gallon #2 fuel oil storage tank and one (1) 15,000 gallon No.4 fuel oil storage tank each with a vapor pressure of less than 15.0 kPa, are subject to 40 CFR Part 60.116b, paragraphs (a), (b), and (d) which require record keeping.

Record Keeping and Reporting Requirement [326 IAC 2-8-4(3)] [326 IAC 2-8-16]

D.2.2 Record Keeping Requirements [326 IAC 12][40 CFR 60.110b, Subpart Kb]

(a) To document compliance with Condition D.2.1, the Permittee shall maintain permanent records at the source in accordance with (1) through (3) below:

(1) the dimension of each storage vessel;

(2) an analysis showing the capacity of each storage vessel; and

(3) the true vapor pressure of each VOC stored in each of the two (2) 25,000 gallon asphalt storage tanks, one (1) 11,000 gallon #2 fuel oil storage tank and one (1) 15,000 gallon No. 4 fuel oil storage tank, indicating that the maximum true vapor pressure of VOC is less than 15.0 kPa.

(b) All records shall be maintained in accordance with Section C - General Record Keeping Requirements, of this permit.

SECTION D.3 FACILITY OPERATION CONDITIONS

Facility Description [326 IAC 2-8-4(10)]:

(h) cold-mix (stockpile mix) asphalt storage piles.

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

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

D.3.1 Volatile Organic Compound (VOC) [326 IAC 8-5-2] [326 IAC 2-8-4][326 IAC 2-2]

(a) Pursuant to 326 IAC 8-5-2 (Miscellaneous Operations: Asphalt Paving), the use of cutback asphalt or asphalt emulsion shall not contain more than seven percent (7%) oil distillate by volume of emulsion for any paving application except the following purposes:

(1) penetrating prime coating

(2) stockpile storage

(3) application during the months of November, December, January, February and March.

(b) The VOC solvent usage as cut back diluent in the liquid binder used in cold mix asphalt production shall be limited such that VOC emissions shall not exceed 92.50 tons per twelve (12) consecutive months. This shall be achieved by limiting the total VOC solvent usage of any one selected binder to not exceed the stated limit above for that binder during the last twelve (12) months. When more than one binder is used, the formula in (c)(4) must be applied so that the total VOC emitted does not exceed 92.50 tons per twelve (12) consecutive month period, based on the following liquid binder definitions:

(1) Cut back asphalt rapid cure, containing a maximum of 25.3% of the liquid binder by weight of VOC solvent and 95% by weight of VOC solvent evaporating.

(2) Cut back asphalt medium cure, containing a maximum of 28.6% of the liquid binder by weight of VOC solvent and 70% by weight of VOC solvent evaporating.

(5) Cut back asphalt slow cure, containing a maximum of 20% of the liquid binder by weight of VOC solvent and 25% by weight of VOC solvent evaporating.

(c) The liquid binder used in cold mix asphalt production shall be limited as follows:

(1) Cutback asphalt rapid cure liquid binder usage shall not exceed 90.32 tons of VOC solvent per twelve (12) consecutive month period rolled on a monthly basis.

(2) Cutback asphalt medium cure liquid binder usage shall not exceed 122.57 tons of VOC solvent per twelve (12) consecutive month period rolled on a monthly basis.

(3) Cutback asphalt slow cure liquid binder usage shall not exceed 343.20 tons of VOC solvent per twelve (12) consecutive month period rolled on a monthly basis.

(4) The VOC solvent allotments in subpart (c)(1) through (c)(3) of this condition shall be adjusted when more than one type of binder is used per twelve (12) month consecutive period. In order to determine the tons of VOC emitted per each type of binder, use the following formula and divide the tons of VOC solvent used for each type of binder by the corresponding adjustment ratio listed in the table that follows.

$$\frac{\text{Tons of solvent contained in binder}}{\text{Adjustment ratio}} = \text{tons of VOC emitted}$$

Type of binder	tons VOC solvent	adjustment ratio	tons VOC emitted
cutback asphalt rapid cure		1	
cutback asphalt medium cure		1.36	
cutback asphalt slow cure		3.8	

The equivalent total tons of VOC of the combined liquid binders shall be less than 85.80 tons per twelve (12) consecutive month period with compliance determined at the end of each month. Therefore, the requirements of 326 IAC 2-7 will not apply. This limitation will also render 326 IAC 2-2 (Prevention of Significant Deterioration (PSD)), not applicable.

Record Keeping and Reporting Requirements [326 IAC 2-8-4(3)] [326 IAC 2-8-16]

D.3.2 Record Keeping Requirements

To document compliance with Condition D.3.1(b), the Permittee shall maintain records in accordance with (a) through (d) below. Records maintained for (a) through (d) shall be taken monthly and shall be complete and sufficient to establish compliance with the VOC emission limits established in Condition D.3.1(b).

(a) Calendar dates covered in the compliance determination period;

(b) Cutback asphalt binder usage per month since the last compliance determination period;

(c) VOC solvent content by weight of the cutback asphalt binder used each month; and

(d) Amount of VOC solvent used in the production of cold mix asphalt, and the amount of VOC emitted each month.

All records shall be maintained in accordance with Section C - General Record Keeping Requirements, of this permit.

D.3.3 Reporting Requirements

A quarterly summary of the information to document compliance with Condition D.3.1(b) shall be submitted to the address listed in Section C - General Reporting Requirements, of this permit, using the reporting forms located at the end of this permit, or their equivalent, within thirty (30) days after the end of the quarter being reported. The report submitted by the Permittee does require the certification by the "authorized individual" as defined by 326 IAC 2-1.1-1(1).

INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
OFFICE OF AIR QUALITY

FEDERALLY ENFORCEABLE STATE OPERATING PERMIT (FESOP) CERTIFICATION

Source Name: Dave O'Mara Contractor, Inc.
Initial Source Address: 6100 Base Road, Hayden, Indiana 47245
Mailing Address: 1100 East O & M Avenue, North Vernon, Indiana 47265
FESOP No.: F079-15258-05047

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

Please check what document is being certified:

Annual Compliance Certification Letter

Test Result (specify) _____

Report (specify) _____

Notification (specify) _____

Affidavit (specify) _____

Other (specify) _____

I certify that, based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate, and complete. Signature:
Printed Name:
Title/Position:
Date:

INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
OFFICE OF AIR QUALITY

COMPLIANCE BRANCH
P.O. Box 6015
100 North Senate Avenue
Indianapolis, Indiana 46206-6015
Phone: 317-233-5674
Fax: 317-233-5967

FEDERALLY ENFORCEABLE STATE OPERATING PERMIT (FESOP)
EMERGENCY OCCURRENCE REPORT

Source Name: Dave O'Mara Contractor, Inc.
Initial Source Address: 6100 Base Road, Hayden, Indiana 47245
Mailing Address: 1100 East O & M Avenue, North Vernon, Indiana 47265
FESOP No.: F079-15258-05047

This form consists of 2 pages **Page 1 of 2**

9 This is an emergency as defined in 326 IAC 2-7-1(12)

- The Permittee must notify the Office of Air Quality (OAQ), within four (**4**) business hours (1-800-451-6027 or 317-233-5674, ask for Compliance Section); and
- The Permittee must submit notice in writing or by facsimile within two (**2**) days (Facsimile Number: 317-233-5967), and follow the other requirements of 326 IAC 2-7-16

If any of the following are not applicable, mark N/A

Facility/Equipment/Operation:
Control Equipment:
Permit Condition or Operation Limitation in Permit:
Description of the Emergency:
Describe the cause of the Emergency:

If any of the following are not applicable, mark N/A

Page 2 of 2

Date/Time Emergency started:
Date/Time Emergency was corrected:
Was the facility being properly operated at the time of the emergency? Y N Describe:
Type of Pollutants Emitted: TSP, PM-10, SO_2, VOC, NO_X, CO, Pb, other:
Estimated amount of pollutant(s) emitted during emergency:
Describe the steps taken to mitigate the problem:
Describe the corrective actions/response steps taken:
Describe the measures taken to minimize emissions:
If applicable, describe the reasons why continued operation of the facilities are necessary to prevent imminent injury to persons, severe damage to equipment, substantial loss of capital investment, or loss of product or raw materials of substantial economic value:

Form Completed by: _____
Title / Position: _____
Date: _____
Phone: _____

A certification is not required for this report.

INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
OFFICE OF AIR QUALITY
COMPLIANCE BRANCH

No. 2/No.4 Fuel Oil Sulfur Content Quarterly Report

Source Name: Dave O'Mara Contractor, Inc.
Initial Source Address: 6100 Base Road, Hayden, Indiana 47245
Mailing Address: 1100 East O & M Avenue, North Vernon, Indiana 47265
FESOP No.: F079-15258-05047
Facility: Aggregate Mixing and Drying
Parameter: SO2
Limit: the maximum sulfur content of the No. 2 distillate fuel oil used in the 72.0 MMBtu per hour burner for the aggregate dryer shall be limited to 0.05% and No.4 fuel oil sulfur content shall be limited to 0.41%.

Month: _____ Year: _____

Date of Fuel Oil Delivery	Sulfur Content of No. 2/No.4 Fuel Oil	Date of Fuel Oil Delivery	Sulfur Content of No. 2/No.4 Fuel Oil
1		**17**	
2		**18**	
3		**19**	
4		**20**	
5		**21**	
6		**22**	
7		**23**	
8		**24**	
9		**25**	
10		**26**	
11		**27**	
12		**28**	
13		**29**	
14		**30**	
15		**31**	
16			

No deviation occurred in this reporting period.
Deviation/s occurred in this reporting period.
Deviation has been reported on: _____

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

Attach a signed certification to complete this report.

INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
OFFICE OF AIR QUALITY
COMPLIANCE BRANCH

Single Liquid Binder Solvent Quarterly Report

Source Name: Dave O'Mara Contractor, Inc.
Initial Source Address: 6100 Base Road, Hayden, Indiana 47245
Mailing Address: 1100 East O & M Avenue, North Vernon, Indiana 47265
FESOP No.: F079-15258-05047
Facility: Cold-mix asphalt storage piles
Parameter: VOC
Limit: Cutback asphalt rapid cure liquid binder usage shall not exceed 90.32 tons of VOC solvent per twelve (12) consecutive month period. Cutback asphalt medium cure liquid binder usage shall not exceed 122.57 tons of VOC solvent per twelve (12) consecutive month period. Cutback asphalt slow cure liquid binder usage shall not exceed 343.20 tons of VOC solvent per twelve (12) consecutive month period. Compliance shall be determined at the end of each month.

YEAR: _____

The following liquid binder solvent was the only liquid binder solvent used over the previous 12 month period:_____ Limit applicable:_____
(use of more than one binder requires the use of the "Multiple Liquid Binder Solvents" report form)

Month	Column 1	Column 2	Column 1 + Column 2
	Liquid Binder Usage This Month (tons)	Liquid Binder Usage Previous 11 Months (tons)	Liquid Binder Usage 12 Month Total (tons)
Month 1			
Month 2			
Month 3			

No deviation occurred in this reporting period.
Deviation/s occurred in this reporting period.
Deviation has been reported on: _____

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

Attach a signed certification to complete this report.

INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
OFFICE OF AIR QUALITY
COMPLIANCE BRANCH

Fuel Usage Quarterly Report

Source Name: Dave O'Mara Contractor, Inc.
Initial Source Address: 6100 Base Road, Hayden, Indiana 47245
Mailing Address: 1100 East O & M Avenue, North Vernon, Indiana 47265
FESOP No.: F079-15258-05047
Facility: Aggregate dryer burner
Parameter: SO_2
Limit: 813,000 gallons of No.4 fuel oil per 12 consecutive months with compliance determined at the end of each month

YEAR: _____

Month	Column 1	Column 2	Column 1 + Column 2
	No.4 fuel oil Usage This Month (tons)	No.4 fuel oil Usage Previous 11 Months (tons)	No.4 fuel oil Usage 12 Month Total (tons)
Month 1			
Month 2			
Month 3			

No deviation occurred in this reporting period.
Deviation/s occurred in this reporting period.
Deviation has been reported on: _____

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

Attach a signed certification to complete this report.

INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
OFFICE OF AIR QUALITY
COMPLIANCE BRANCH

Multiple Liquid Binder Solvent Quarterly Report

Source Name: Dave O'Mara Contractor, Inc.
Initial Source Address: 6100 Base Road, Hayden, Indiana 47245
Mailing Address: 1100 East O & M Avenue, North Vernon, Indiana 47265
FESOP No.: F079-15258-05047
Facility: Cold-mix asphalt storage piles
Parameter: VOC
Limit:: 85.80 tons per year
Year:

Month	Type of Liquid binder	Solvent Usage This Month (tons)	Divisor	VOC emitted This Month (tons) for each solvent	VOC emitted This Month (tons)	VOC emitted Previous 11 Months (tons)	This month + Previous 11 months =VOC emitted 12 Month Total(tons)
Month 1	Cutback asphalt rapid cure		1				
	Cutback asphalt medium cure		1.36				
	Cutback asphalt slow cure		3.8				
	Emulsified asphalt		2.04				
	other asphalt		38				
Month 2	Cutback asphalt rapid cure		1				
	Cutback asphalt medium cure		1.36				
	Cutback asphalt slow cure		3.8				
	Emulsified asphalt		2.04				
	other asphalt		38				
Month 3	Cutback asphalt rapid cure		1				
	Cutback asphalt medium cure		1.36				
	Cutback asphalt slow cure		3.8				
	Emulsified asphalt		2.04				
	other asphalt		38				

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

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

Attach a signed certification to complete this report.

INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
OFFICE OF AIR QUALITY
COMPLIANCE DATA SECTION

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

Source Name: Dave O'Mara Contractor, Inc.
Initial Source Address: 6100 Base Road, Hayden, Indiana 47245
Mailing Address: 1100 East O & M Avenue, North Vernon, Indiana 47265
FESOP No.: F079-15258-05047

Months: _____ to _____ Year: _____

Page 1 of 2

This report shall be submitted quarterly based on a calendar year. Any deviation from the requirements, the date(s) of each deviation, the probable cause of the deviation, and the response steps taken must be reported. Deviations that are required to be reported by an applicable requirement shall be reported according to the schedule stated in the applicable requirement and do 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".
9 NO DEVIATIONS OCCURRED THIS REPORTING PERIOD.
9 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:	

Page 2 of 2

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: _____

Attach a signed certification to complete this report.

ATTACHMENT A

ASPHALT PLANT SITE FUGITIVE DUST CONTROL PLAN

Fugitive particulate matter emissions from paved roads, unpaved roads, and parking lots shall be controlled by one or more of the following methods:

Paved roads and parking lots:

(1) cleaning by vacuum sweeping on an as needed basis (monthly at a minimum)
(2) power brooming while wet either from rain or application of water.

Unpaved roads and parking lots:

(1) paving with asphalt;
(2) treating with emulsified asphalt;
(3) watering;
(4) double chip and seal the road surface.

Fugitive particulate matter emissions from aggregate stockpiles shall be controlled by one or more of the following methods on an as needed basis:

(1) maintaining minimum size and number of stock piles of aggregate;
(2) treating around the stockpile area with emulsified asphalt;
(3) treating around the stockpile area with water;
(4) treating the stockpiles with water.

Fugitive particulate matter emissions from outdoor conveying of aggregates shall be controlled by the following method on an as needed basis:

(1) applying water at the feed and the intermediate points.

Fugitive particulate matter emissions from the transfer of aggregates shall be controlled by one of the following methods:

(1) minimize the vehicular distance between transfer points;
(2) enclose the transfer points;
(3) apply water on transfer points on an as needed basis.

Fugitive particulate matter emissions from transportation of aggregate by truck, front end loader, etc. shall be controlled by one of the following methods:

(1) tarping the aggregate hauling vehicles;
(2) maintain vehicle bodies in a condition to prevent leakage;
(3) spray the aggregates with water;
(4) maintain a 10 MPH speed limit in the yard.

Fugitive particulate matter emissions from the loading and unloading of aggregate shall be controlled by one of the following methods:

(1) reduce free fall distance to a minimum;
(2) reduce the rate of discharge of the aggregate;
(3) spray the aggregate with water on an as needed basis.

Indiana Department of Environmental Management
Office of Air Quality

Technical Support Document (TSD) for a Minor Permit Revision to a Federally Enforceable State Operating Permit

Source Background and Description

Source Name:	**Dave O'Mara Contractors, Inc.**
Source Location:	**313 South SR 203, Lexington, Indiana**
County:	**Jennings**
SIC Code:	**2951**
Operation Permit No.:	**F079-15258-05047**
Operation Permit Issuance Date:	**June 27, 2003**
Permit Revision No.:	**079-18673**
Permit Reviewer:	**Vince Kong/drp**

The Office of Air Quality (OAQ) has reviewed a revision application from Dave O'Mara Contractors, Inc. relating to the addition of No.4 fuel oil as a backup fuel for the dryer burner at an asphalt plant. The source will accept a limitation on the input of No. 4 fuel oil so that SO2 emissions are less than 25 tons per year. A storage tank with capacity of 15,000 gallons will be added to store No. 4 fuel oil.

History

Dave O'Mara Inc. was issued a FESOP on June 27, 2003. On January 26, 2004, an application was submitted to OAQ to add No.4 fuel oil.

Justification for the Revision

The FESOP is being modified through a Minor Permit Revision. This revision is being performed pursuant to 326 IAC 2-8-11.1(d)(5)(D) which allows for limitations on pollutants to less than 25 tons per year limiting the individual fuel usage and the fuel type for a combustion source. The addition of the tank adds only NSPS recordkeeping requirements. This change is allowed under a Minor Permit Revision.

Existing Approvals

The source was issued a FESOP F079-15258-05047 on June 27, 2003. The source has since received the following:

(a) First Administrative Amendment No. 143-18015 issued on August 28, 2003.

Enforcement Issue

There are no enforcement actions pending.

Recommendation

The staff recommends to the Commissioner that the Minor Permit Revision be approved. This recommendation is based on the following facts and conditions:

Unless otherwise stated, information used in this review was derived from the application and additional information submitted by the applicant.

A complete application for the purposes of this review was received on January 26, 2004.
Additional information was supplied on February 26, 2004

Emission Calculations

For the aggregate dryer burner:

The following calculations determine the amount of emissions created by natural gas combustion, from the aggregate dryer burner, based on 8,760 hours of operation and US EPA's AP-42, 5th Edition, Section 1.4 – Natural Gas Combustion, Tables 1.4-1 and 1.4-2.

Criteria Pollutant:	72 MMBtu/hr *8,760hr/yr / 1000 Btu/cf * 2,000 lb/ton	* Ef(lb/MMcf) = (ton/yr)
PM:	1.9 lb/MMcf =	0.60 ton/yr
PM-10:	7.6 lb/MMcf =	2.40 ton/yr
SO2:	0.6 lb/MMcf =	0.19 ton/yr
NOx:	100.0 lb/MMcf =	31.54 ton/yr
VOC:	5.5 lb/MMcf =	1.73 ton/yr
CO:	84.0 lb/MMcf =	26.49 ton/yr

The following calculations determine the amount of emissions created by the combustion of #2 distillate fuel oil @ 0.05% sulfur, from the aggregate dryer burner, based on 8,760 hours of use and US EPA's AP 42, 5th Edition, Section 1.3 – Fuel Oil Combustion, Tables 1.3-1, 1.3-2, and 1.3-3.

Criteria Pollutant:		72 MMBtu/hr *8,760hr/yr / 140,000 Btu/1gal * 2,000 lb/ton	* Ef(lb/1,000 gal)=(ton/yr)
PM:		2.0 lb/1000 gal =	4.51 ton/yr
PM-10:		3.3 lb/1000 gal =	7.43 ton/yr
SO2:	142*0.05	7.1 lb/1000 gal =	16.0 ton/yr
NOx:		20.0 lb/1000 gal =	45.05 ton/yr
VOC:		0.34 lb/1000 gal =	0.77 ton/yr
CO:		5.0 lb/1000 gal =	11.26 ton/yr

The following calculations determine the amount of emissions created by the combustion of #4 fuel oil @ 0.41% sulfur, from the aggregate dryer burner, based on 8760 hours of use and US EPAs AP-42, 5th Edition, Section 1.3 – Fuel Oil Combustion, Tables 1.3-1, 1.3-2, and 1.3-3.

Criteria Pollutant:		72 MMBtu/hr *8,760hr/yr / 150,000 Btu/1gal * 2,000 lb/ton	* Ef(lb/1,000 gal) =(ton/yr)
PM:		7.0 lb/1000 gal =	2.8 ton/yr
PM-10:		7.0 lb/1000 gal =	2.8 ton/yr
SO2:	150*0.41	61.5 lb/1000 gal =	25.0 ton/yr
NOx:		20.0 lb/1000 gal =	2.0 ton/yr
VOC:		0.34 lb/1000 gal =	8.1 ton/yr
CO:		5.0 lb/1000 gal =	0.1 ton/yr

The company agrees to restrick the usage of #4 fuel oil to 813,000 gallons per year. This limit will also limit the emissions of SO2 and NOx to less than 25 tons per year.

(813,000 gal/yr)(61.5 lb SO2/1000 gal)(1 ton/2000lbs) = 25 tpy of SO2.

The maximum potential emissions from the aggregate dryer burner due to fuel combustion are the following:

Criteria Pollutant:		Worst Case Fuel
PM:	4.51 ton/yr	No. 2 Fuel Oil
PM-10:	7.43 ton/yr	No. 2 Fuel Oil
SO2:	25.0 ton/yr	No. 4 Fuel Oil
NOx:	45.05 ton/yr	No. 2 Fuel Oil
VOC:	8.1 ton/yr	Natural Gas
CO:	0.1 ton/yr	Natural Gas

Equivalency = (61.5(1000))/7.1 = 8662 gals of No.2 fuel oil = 1000 gallons of No. 4 fuel oil

Based upon Tanks 4.0, the emissions from the storage tank for No. 4 fuel oil is negligable.

Potential to Emit of the Revision Before Controls and After Limitation

Pursuant to 326 IAC 2-1.1-1(16), Potential to Emit is defined as "the maximum capacity of a stationary source or emissions unit to emit any air pollutant under its physical and operational design. Any physical or operational limitation on the capacity of a source to emit an air pollutant, including air pollution control equipment and restrictions on hours of operation or type or amount of material combusted, stored, or processed shall be treated as part of its design if the limitation is enforceable by the U.S. EPA, the department, or the appropriate local air pollution control agency."

Pollutant	Potential to Emit (tons/yr)
PM	2.8
PM-10	2.8
SO_2	25.0
VOC	0.1
CO	2.0
NO_x	8.1

(a) The potential to emit (as defined in 326 IAC 2-7-1(29)) of all the pollutants are less than 25 tons per year. Therefore, the source is subject to the provisions of 326 IAC 2-8-11.1(d).

Potential to Emit of the Source after controls excluding the revision

Pursuant to 326 IAC 2-1.1-1(16), Potential to Emit is defined as "the maximum capacity of a stationary source or emissions unit to emit any air pollutant under its physical and operational design. Any physical or operational limitation on the capacity of a source to emit an air pollutant, including air pollution control equipment and restrictions on hours of operation or type or amount of material combusted, stored, or processed shall be treated as part of its design if the limitation is enforceable by the U.S. EPA, the department, or the appropriate local air pollution control agency."

Pollutant	Potential to Emit (tons/yr)
PM	76.9
PM-10	99.0
SO_2	99.0
VOC	13.2
CO	26.6
NO_x	32.0

This source is an existing minor source for PSD.

County Attainment Status

The source is located in Jennings County.

Pollutant	Status
PM-10	Attainment
SO_2	Attainment
NO_2	Attainment
Ozone	Attainment
CO	Attainment
Lead	Attainment

(a) Volatile organic compounds (VOC) are precursors for the formation of ozone. Therefore, VOC emissions are considered when evaluating the rule applicability relating to the ozone standards. Jennings County has been designated as attainment or unclassifiable for ozone. Therefore, VOC emissions were reviewed pursuant to the requirements for Prevention of Significant Deterioration (PSD), 326 IAC 2-2. See the State Rule Applicability for the source section.

(b) Jennings County has been classified as attainment or unclassifiable for all other criteria pollutants. Therefore, these emissions were reviewed pursuant to the requirements for Prevention of Significant Deterioration (PSD), 326 IAC 2-2. See the State Rule Applicability for the source section.

(c) Fugitive Emissions
Since this type of operation is not one of the 28 listed source categories under 326 IAC 2-2 or 2-3 and since there are no applicable New Source Performance Standards that were in effect on August 7, 1980, the fugitive particulate matter (PM) and volatile organic compound (VOC) emissions are not counted toward determination of PSD and Emission Offset applicability.

Proposed Revision

PTE from the proposed revision (based on 8760 hours of operation per year at rated capacity including enforceable emission control and production limit where applicable):

Pollutant	PM (ton/yr)	PM-10 (ton/yr)	SO_2 (ton/yr)	VOC (ton/yr)	CO (ton/yr)	NO_x (ton/yr)
Proposed Modification	2.8	2.8	25.0	0.1	2.0	8.1
PSD Threshold Level	250	250	250	250	250	250

This modification to an existing minor stationary source is not major because the emission increase is less than the PSD major source levels. Therefore, pursuant to 326 IAC 2-2, the PSD requirements do not apply.

Federal Rule Applicability

(a) The No.4 fuel oil storage tank is not applicable to NSPS Subpart Kb due to the tank size being less than 75 m^3. The NSPS applicability of the source otherwise remains unchanged from that determined in Technical Support Document for FESOP No. 079-15258.

(b) There are no additional National Emmission Standards for Hazardous Air Pollutants (NESHAP)(326 IAC 14, 20 and 40 CFR Part 61, 63) applicable to this source as result of this porposed revision. The NESHAP applicability remains unchanged from that determined in Technical Support Document for FESOP No. 079-15258.

State Rule Applicability – Entire Source

326 IAC 2-2 (Prevention of Significant Deterioration (PSD)) and 326 IAC 2-3 (Emission Offset)
This source, constructed in 1996, is not subject to the requirements of these rules. As shown in the Potential to Emit of the source on page 3 and the revision on this page, the allowable emissions of all regulated pollutants are less than 100 tons per year after application of all federally enforceable emission

limits. Also, since this source is approved for operation in all areas of Indiana except in severe non-attainment areas for ozone (at this time these areas are Lake and Porter Counties), the applicability threshold for 326 IAC 2-3 (Emission Offset) is 100 tons per year for PM-10, SO_2, VOC, NOx, and CO. Therefore the requirements of 326 IAC 2-2 (PSD) and 326 IAC 2-3 (Emission Offset) do not apply.

326 IAC 2-6 (Emission Reporting)

This source is not subject to 326 IAC 2-6 because it is not a Title V source and condition C.22 excludes this source from locating in Lake or Porter County. Therefore, condition C.19 will be deleted.

326 IAC 2-8-4 (FESOP)

This source is subject to 326 IAC 2-8-4 (FESOP). Pursuant to this rule, the following limits shall apply:

(a) PM-10 emissions from aggregate mixing and drying shall be limited to 0.068 pounds of PM-10 emitted per ton of asphalt produced, equivalent to 20.36 pounds per hour from the drum-mix aggregate dryer. These limits are required to limit the source-wide potential to emit of PM-10 to less than 100 tons per twelve (12) consecutive month period, with compliance determined at the end of each month, such that the requirements of 326 IAC 2-7 (Part 70) are not applicable.

(b) This source does not produce cutback or emulsified asphalt. The only VOC emissions from this source are from the aggregate dryer burner (combustion) which has the potential to emit VOC of less than twenty-five (25) tons per year. This source therefore does not need to limit VOC emissions to comply with 326 IAC 2-8-4 (FESOP).

(c) The addition of No. 4 fuel oil will be limited to 813,000 gallons per year. The sulfur content of No.4 fuel oil will be limited to 0.41%.

Therefore, the requirements of 326 IAC 2-7 do not apply.

326 IAC 5-1 (Opacity Limitations)

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

(a) Opacity shall not exceed an average of thirty percent (30%) 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.

326 IAC 6-4 (Fugitive Dust Emissions)

This source is subject to 326 IAC 6-4 for fugitive dust emissions. Pursuant to 326 IAC 6-4 (Fugitive Dust Emissions), fugitive dust shall not be visible crossing the boundary or property line of a source. Observances of visible emissions crossing property lines may be refuted by factual data expressed in 326 IAC 6-4-2(1), (2) or (3).

326 IAC 6-5 (Fugitive Particulate Matter Emission Limitations)

This source is subject to 326 IAC 6-5 for fugitive particulate matter emissions. Pursuant to 326 IAC 6-5, for any new source which has not received all the necessary preconstruction approvals before December 13, 1985, a fugitive dust control plan must be submitted, reviewed and approved. The fugitive dust control plan for this source includes the following:

Fugitive particulate matter emissions from paved roads, unpaved roads, and parking lots shall be controlled by one or more of the following methods:

Paved roads and parking lots:

(1) cleaning by vacuum sweeping on an as needed basis (monthly at a minimum)
(2) power brooming while wet either from rain or application of water.

Unpaved roads and parking lots:

(1) paving with asphalt;
(2) treating with emulsified asphalt;
(3) watering;
(4) double chip and seal the road surface.

Fugitive particulate matter emissions from aggregate stockpiles shall be controlled by one or more of the following methods on an as needed basis:

(1) maintaining minimum size and number of stock piles of aggregate;
(2) treating around the stockpile area with emulsified asphalt;
(3) treating around the stockpile area with water;
(4) treating the stockpiles with water.

Fugitive particulate matter emissions from outdoor conveying of aggregates shall be controlled by the following method on an as needed basis:

(1) applying water at the feed and the intermediate points.

Fugitive particulate matter emissions from the transfer of aggregates shall be controlled by one of the following methods:

(1) minimize the vehicular distance between transfer points;
(2) enclose the transfer points;
(3) apply water on transfer points on an as needed basis.

Fugitive particulate matter emissions from transportation of aggregate by truck, front end loader, etc. shall be controlled by one of the following methods:

(1) tarping the aggregate hauling vehicles;
(2) maintain vehicle bodies in a condition to prevent leakage;
(3) spray the aggregates with water;
(4) maintain a 10 MPH speed limit in the yard.

Fugitive particulate matter emissions from the loading and unloading of aggregate shall be controlled by one of the following methods:

(1) reduce free fall distance to a minimum;
(2) reduce the rate of discharge of the aggregate;
(3) spray the aggregate with water on an as needed basis.

State Rule Applicability – Individual Facilities

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

The operation of the addition of number 4 fuel oil to the dryer burner will emit less than 10 tons per year of a single HAP or 25 tons per year of a combination of HAPs. Therefore, 326 IAC 2-4.1 does not apply.

326 IAC 2-8-4

The addition of No. 4 fuel oil will be limited to 813,000 gallons per year. The sulfur content of No.4 fuel oil will be limited to 0.41%.

326 IAC 7-1.1-2 Sulfur dioxide emission limitations

Since the unrestricted potential to emit of SO2 from the dryer burner is greater than twenty-five (25) tons per year, this source is subject to 326 IAC 7-1.1-1:

Sulfur dioxide emissions from fuel combustion facilites shall be limited to one and sixth-tenths (1.6) pounds per million Btu for residual oil combustion.

326 IAC 12

The No. 4 fuel oil storage tank is applicable to NSPS Subpart Kb due to the tank size being greater than $40m^3$. 40 CFR 60.116b(a) and (b) apply to this tank.

329 IAC 13 (Used Oil Management)

The No.4 used oil burned in the aggregate dryer is not subject to regulation under the requirements specified in 329 IAC 13 (Used Oil Management), because pursuant to 329 IAC 13-3-2 (Used Oil Specifications), the No.4 used oil that will be burned at this source does not exceed the following allowable levels for specific constituents or

properties:

Constituent or Property	Allowable Level
Arsenic	5 ppm maximum
Cadmium	2 ppm maximum
Chromium	10 ppm maximum
Lead	100 ppm maximum
Flash Point	100 deg F minimum
Total Halogen	4,000 ppm maximum

Compliance Requirements

Permits issued under 326 IAC 2-8 are required to ensure that sources can demonstrate compliance with applicable state and federal rules on a more or less continuous basis. All state and federal rules contain compliance provisions, however, these provisions do not always fulfill the requirement for a more or less continuous demonstration. When this occurs IDEM, OAQ in conjunction with the source, must develop specific conditions to satisfy 326 IAC 2-8-4. As a result, compliance requirements are divided into two sections: Compliance Determination Requirements and Compliance Monitoring Requirements.

Compliance Determination Requirements in Section D of the permit are those conditions that are found more or less directly within state and federal rules and the violation of which serves as grounds for enforcement action. If these conditions 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 approporiate corrective actions within a specific time period.

Changes to the permit

Changes to descriptive language in A.2 and D.1.

(a) one (1) portable asphalt drum-mix plant, with a maximum capacity of 300 tons per hour, equipped with one (1) #2 fuel oil fired aggregate dryer burner with a maximum rated capacity of 72 million British thermal units (MMBtu) per hour, using natural gas **or No.4 fuel oil** as a back up fuel and one (1) pulse jet baghouse for particulate control, exhausting at one (1) stack, identified as #1;

Condition D.1.5 was changed as follows:

(b) Pursuant to 326 IAC 7-1.1 (Sulfur Dioxide Emission Limitations), sulfur dioxide emissions from the 72.0 million Btu per hour burner for the aggregate dryer shall be limited to 1.6 pounds per million Btu heat input or a sulfur content of less than or equal to 1.6% when using residual oil.

Condition D.1.6 was changed as follows:

(b) Pursuant to 326 IAC 2-8-4(1), the maximum sulfur content of the No.4 residual fuel oil used in the 72.0 MMBtu per hour burner for the aggregate dryer shall be limited to 0.41%, so that SO_2 emissions are limited to less than 25 tons per year.

(c) Pursuant to 326 IAC 2-8-4(1), the usage of #4 fuel oil is limited to 813.000 gallons per 12 consecutive months with compliance determined at the end of each month.

(d) For the purposes of determining compliance on SO_2 emissions, each 8,662 gallons of No.2 fuel oil shall be equivalent to 1,000 gallons of No.4 fuel oil.

Condition D.1.10 was changed as follows:

(a) Pursuant to 326 IAC 3-7-4, the Permittee shall demonstrate that the sulfur dioxide emissions do not exceed five-tenths (0.5) pounds per million Btu heat input **and 0.05% sulfur content** when burning No.2 distillate fuel oil by:

(c) Pursuant to 326 IAC 3-7-4, the Permittee shall demonstrate that the sulfur dioxide emissions do not exceed 1.6 pounds per million Btu heat input and 0.41% sulfur content when burning No. 4 residual fuel oil by:

(1) Providing vendor analysis of fuel delivered, if accompanied by a vendor certification; or

(2) Analyzing the oil sample to determine the sulfur content of the oil via the procedures in 40 CFR 60, Appendix A, Method 19.

(A) Oil samples may be collected from the fuel tank immediately after the fuel tank is filled and before any oil is combusted; and

(B) If a partially empty fuel tank is refilled, a new sample and analysis would be required upon filling.

(d) Compliance may also be determined by conducting a stack test for sulfur dioxide emissions from the 72 MMBtu per hour burner for the aggregate dryer, using 40 CFR 60, Appendix A, Method 6 in accordance with the procedures in 326 IAC 3-6.

A determination of noncompliance pursuant to any of the methods specified in (a) or (b) above shall not be refuted by evidence of compliance pursuant to the other method.

A reporting form for the No. 4 fuel oil usage will be added to the permit.
The No.2 fuel oil sulfur content report will be adjusted to add No.4 fuel oil.

INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
OFFICE OF AIR QUALITY
COMPLIANCE BRANCH

No. 2/No.4 Fuel Oil Sulfur Content Quarterly Report

Source Name:	**Dave O'Mara Contractor, Inc.**
Initial Source Address:	**6100 Base Road, Hayden, Indiana 47245**
Mailing Address:	**1100 East O & M Avenue, North Vernon, Indiana 47265**
FESOP No.:	**F079-15258-05047**
Facility:	**Aggregate Mixing and Drying**
Parameter:	**SO2**
Limit:	**the maximum sulfur content of the No. 2 distillate fuel oil used in the 72.0 MMBtu per hour burner for the aggregate dryer shall be limited to 0.05% and No.4 fuel oil sulfur content shall be limited to 0.41%.**

Month: _____ Year: _____

Date of Fuel Oil Delivery	Sulfur Content of No. 2/No.4 Fuel Oil	Date of Fuel Oil Delivery	Sulfur Content of No. 2/No.4 Fuel Oil
1		17	
2		18	
3		19	
4		20	
5		21	
6		22	
7		23	
8		24	
9		25	
10		26	
11		27	
12		28	
13		29	
14		30	
15		31	
16			

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

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

Attach a signed certification to complete this report.

INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
OFFICE OF AIR QUALITY
COMPLIANCE BRANCH

Fuel Usage Quarterly Report

Source Name: Dave O'Mara Contractor, Inc.
Initial Source Address: 6100 Base Road, Hayden, Indiana 47245
Mailing Address: 1100 East O & M Avenue, North Vernon, Indiana 47265
FESOP No.: F079-15258-05047
Facility: Aggregate dryer burner
Parameter: SO_2

Limit: **813,000 gallons of No.4 fuel oil per 12 consecutive month period with compliance determined at the end of each month**

YEAR: _____

Month	Column 1	Column 2	Column 1 + Column 2
	No.4 fuel oil Usage This Month (tons)	No.4 fuel oil Usage Previous 11 Months (tons)	No.4 fuel oil Usage 12 Month Total (tons)
Month 1			
Month 2			
Month 3			

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

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

Attach a signed certification to complete this report.

Condition A.2 and the description in D.2 was changed as follows:

(i) one (1) 15,000 gallon No. 4 fuel oil storage tank.

Condition D.2.1 was changed as follows:

Pursuant to 40 CFR Part 60.110b, Subpart Kb (Standards of Performance for Volatile Organic Liquid Storage Vessels), the two (2) 25,000 gallon asphalt storage tanks, ~~and~~ one (1) 11,000 gallon #2 fuel oil storage tank **and one (1) 15,000 gallon No.4 fuel oil storage tank** each with a vapor pressure of less than 15.0 kPa, are subject to 40 CFR Part 60.116b, paragraphs (a), (b), and (d) which require record keeping

Condition D.2.2 was changed as follows:

(3) the true vapor pressure of each VOC stored in each of the two (2) 25,000 gallon asphalt storage tanks, ~~and~~ one (1) 11,000 gallon #2 fuel oil storage tank **and one (1) 15,000 gallon No. 4 fuel oil storage tank**, indicating that the maximum true vapor pressure of VOC is less than 15.0 kPa.

Condition C.19 will be deleted and the following conditions will be renumbered.

~~C.19 Emission Statement [326 IAC 2-6] [326 IAC 2-8-4(3)]~~

~~(a) The Permittee shall submit an emission statement certified pursuant to the requirements of 326 IAC 2-6 when the source is operated in one of the counties listed in 326 IAC 2-6-1(a), except Lake and Porter Counties, for any portion of the year. This 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). The statement must be submitted to:~~

~~Indiana Department of Environmental Management~~
~~Technical Support and Modeling Section, Office of Air Quality~~
~~100 North Senate Avenue, P.O. Box 6015~~
~~Indianapolis, Indiana 46206-6015~~

~~The emission statement does require the certification by the "authorized individual" as defined by 326 IAC 2-1.1-1(1).~~

~~(b) The emission statement 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.~~

Conclusion

The permit revision shall be added to the conditions of the FESOP as F079-18673-05047**.**