



Joseph E. Kernan
Governor

Lori F. Kaplan
Commissioner

May 27, 2004

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

TO: Interested Parties / Applicant

RE: Dave O'Mara Contractors, Inc / 055-18675-05211

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: 055-18675
Second Minor Permit Revision to
FESOP 055-11923-05211

Dear Amy Boswell:

Dave O'Mara Contractors, Inc. was issued a FESOP on June 29, 2000 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 - Greene County
U.S. EPA, Region V
Greene County Health Department
Air Compliance Section Inspector - Jim Thorpe
Compliance Data Section
Administrative and Development

**NEW SOURCE CONSTRUCTION
and FEDERALLY ENFORCEABLE STATE
OPERATING PERMIT (FESOP)
OFFICE OF AIR MANAGEMENT**

Dave O'Mara Contractor, Inc.

(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.: F137-11923-05211	
Issued by: Paul Dubenetzky, Branch Chief Office of Air Management	Issuance Date: June 29, 2000

First Reopening No. 055-13105 issued on September 21, 2001

First Minor Permit Revision: 055-18675	Pages revised: 3-6, 22-42
Issued by: Original Signed by Paul Dubenetzky Paul Dubenetzky, Branch Chief Office of Air Quality	Issuance Date: May 27, 2004

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SECTION A SOURCE SUMMARY

This permit is based on information requested by the Indiana Department of Environmental Management (IDEM), Office of Air Management (OAM). 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 drum mix asphalt plant.

Authorized individual: Dave O'Mara
Initial Source Address: 606 W. County Road 300 South, Versailles, Indiana 47042
Mailing Address: P.O. Box 423, North Vernon, Indiana 47265
Phone Number: 812-346-4135
SIC Code: 2951
Initial County Location: Ripley
County Status: Attainment for all criteria pollutants
Source Status: Federally Enforceable State Operating Permit (FESOP)
Minor Source, under PSD or Emission Offset 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) hot asphalt drum mix dryer, with a maximum capacity of 225 tons per hour of raw material, equipped with one (1) 60 million British thermal units (MMBtu) per hour #2 fuel oil fired burner using natural gas or No.4 fuel as a backup fuel, equipped with one (1) pulse jet baghouse for particulate matter control, exhausting through one (1) stack, identified as stack #2;
- (b) one (1) 25,000 gallon asphalt storage tank, and
- (c) one (1) 1125 horsepower (hp) diesel generator.
- (d) 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) Fuel oil-fired combustion sources with heat input equal to or less than two million (2,000,000) Btu per hour and firing fuel containing less than five-tenths (0.5) percent sulfur by weight:
 - (1) one (1) No. 2 distillate fuel oil fired hot oil heater, with a maximum rated capacity of 0.2 million British thermal units per hour.
- (b) Combustion source flame safety purging on startup.
- (c) Paved and unpaved roads and parking lots with public access.
- (d) Other categories with emissions below insignificant thresholds:
 - (1) four (4) compartment cold feed bins with feeders and collection conveyors;
 - (2) one (1) 24" charging conveyor and one (1) 4'x 10' scalping screen;
 - (3) one (1) mineral filler silo; and
 - (4) one (1) bucket elevator to transfer product from the asphalt dryer to storage silo.

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 Management (OAM) for a Federally Enforceable State Operating Permit (FESOP).

A.5 Prior Permit Conditions

- (a) This permit shall be used as the primary document for determining compliance with applicable requirements established by previously issued permits.

- (b) If, after issuance of this permit, it is determined that the permit is in nonconformance with an applicable requirement that applied to the source on the date of permit issuance, including any term or condition from a previously issued construction or operation permit, IDEM, OAM, shall immediately take steps to reopen and revise this permit and issue a compliance order to the Permittee to ensure expeditious compliance with the applicable requirement until the permit is reissued.

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, any applicable definitions found in IC 13-11, 326 IAC 1-2, and 326 IAC 2-7 shall prevail.

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

This permit is issued for a fixed term of five (5) years from the effective date, as determined in accordance with IC 4-21.5-3-5(f) and IC 13-15-5-3.

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

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

B.5 Termination of Right to Operate [326 IAC 2-8-9] [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 Supplement and Provide Information [326 IAC 2-8-3(f)] [326 IAC 2-8-4(5)(E)]

- (a) The Permittee, upon becoming aware that any relevant facts were omitted or incorrect information was submitted in the permit application, shall promptly submit such supplementary facts or corrected information to:

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

- (b) The Permittee shall furnish to IDEM, OAM, within a reasonable time, any information that IDEM, OAM 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.

- (c) Upon request, the Permittee shall also furnish to IDEM, OAM, copies of records required to be kept by this permit. If the Permittee wishes to assert a claim of confidentiality over any of the furnished records, the Permittee must furnish such records to IDEM, OAM, along with a claim of confidentiality under 326 IAC 17. If requested by IDEM, OAM, or the U.S. EPA, to furnish copies of requested records directly to U. S. EPA, and if the Permittee is making a claim of confidentiality regarding the furnished records, the Permittee must furnish such confidential records directly to the U.S. EPA along with a claim of confidentiality under 40 CFR 2, Subpart B.

B.9 Compliance Order Issuance [326 IAC 2-8-5(b)]

IDEM, OAM 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, except those specifically designated as not federally enforceable, constitutes a violation of the Clean Air Act and is grounds for:
- (1) Enforcement action;
 - (2) Permit termination, revocation and reissuance, or modification; and
 - (3) Denial of a permit renewal application.
- (b) It shall not be a defense for the Permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit.

B.11 Certification [326 IAC 2-8-3(d)] [326 IAC 2-8-4(3)(C)(i)] [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 under this permit shall contain certification by a 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, on the attached Certification Form, with each submittal.
- (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. The certification 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 April 15 of each year to:

Indiana Department of Environmental Management
Compliance Data Section, Office of Air Management
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, OAM, on or before the date it is due.

- (c) The annual compliance certification report shall include the following:
- (1) The 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, OAM 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 prepare and maintain Preventive Maintenance Plans (PMP) within ninety (90) days after issuance of this permit, 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;
 - (3) Identification and quantification of the replacement parts that will be maintained in inventory for quick replacement.

If due to circumstances beyond its control, the PMP cannot be prepared and maintained within the above time frame, the Permittee may extend the date an additional ninety (90) days provided the Permittee notifies:

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

- (b) The Permittee shall implement the Preventive Maintenance Plans as necessary to ensure that failure to implement the Preventive Maintenance Plan does not cause or contribute to a violation of any limitation on emissions or potential to emit.
- (c) PMP's shall be submitted to IDEM, OAM upon request and shall be subject to review and approval by IDEM, OAM. IDEM, OAM may require the Permittee to revise its Preventive Maintenance Plan whenever lack of proper maintenance causes or contributes to any violation.

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, OAM, 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 Management, Compliance Section) or,
Telephone No.: 317-233-5674 (ask for Compliance Section)
Facsimile No.: 317-233-5967

Failure to notify IDEM, OAM by telephone or facsimile within four (4) daytime business hours after the beginning of the emergency, or after the emergency is discovered or reasonably should have been discovered, shall constitute a violation of 326 IAC 2-8 and any other applicable rules. [326 IAC 2-8-12(f)]

- (5) For each emergency lasting one (1) hour or more, the Permittee submitted notice either in writing or facsimile, of the emergency to:

Indiana Department of Environmental Management
Compliance Branch, Office of Air Management
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) for sources subject to this rule after the effective date of this rule. This permit condition is in addition to any emergency or upset provision contained in any applicable requirement.
- (e) IDEM, OAM 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, OAM by telephone or facsimile of an emergency lasting more than one (1) hour in compliance with (b)(4) and (5) of this condition shall constitute a violation of 326 IAC 2-8 and any other applicable rules.
- (g) Operations may continue during an emergency only if the following conditions are met:
 - (1) If the emergency situation causes a deviation from a technology-based limit, the Permittee may continue to operate the affected emitting facilities during the emergency provided the Permittee immediately takes all reasonable steps to correct the emergency and minimize emissions.
 - (2) If an emergency situation causes a deviation from a health-based limit, the Permittee may not continue to operate the affected emissions facilities unless:
 - (A) The Permittee immediately takes all reasonable steps to correct the emergency situation and to minimize emissions; and
 - (B) Continued operation of the facilities is necessary to prevent imminent injury to persons, severe damage to equipment, substantial loss of capital investment, or loss of product or raw material of substantial economic value.

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

B.15 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 Branch, Office of Air Management
100 North Senate Avenue, P.O. Box 6015
Indianapolis, Indiana 46206-6015

within ten (10) calendar days from the date of the discovery of the deviation, except for the failure to perform the monitoring or record the information required by the compliance monitoring provisions of Section D unless such failure exceeds 5% of the required data in any calendar quarter.
- (b) A deviation is an exceedance of a permit limitation or a failure to comply with a requirement of the permit or a rule. It does not include:
 - (1) An excursion from compliance monitoring parameters as identified in Section D of this permit unless tied to an applicable rule or limit; or
 - (2) An emergency as defined in 326 IAC 2-7-1(12); or
 - (3) Failure to implement elements of the Preventive Maintenance Plan unless such failure has caused or contributed to a deviation.

- (4) Failure to make or record information required by the compliance monitoring provisions of Section D unless such failure exceeds 5% of the required data in any calendar quarter.

A Permittee's failure to take the appropriate response step when an excursion of a compliance monitoring parameter has occurred is a deviation.

- (c) Written notification shall be submitted on the attached Emergency/Deviation Occurrence Reporting Form or its substantial equivalent. The notification does not need to be certified by the "authorized individual" as defined by 326 IAC 2-1.1-1(1).
- (d) Proper notice submittal under 326 IAC 2-7-16 satisfies the requirement of this subsection.

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)]
- (b) This permit shall be reopened and revised under any of the circumstances listed in IC 13-15-7-2 or if IDEM, OAM 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, OAM 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, OAM, at least thirty (30) days in advance of the date this permit is to be reopened, except that IDEM, OAM, 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, OAM 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).

Request for renewal shall be submitted to:

Indiana Department of Environmental Management
Permits Branch, Office of Air Management
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, OAM, on or before the date it is due.
- (2) If IDEM, OAM 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, OAM 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, OAM, any additional information identified as needed to process the application.

B.18 Permit Amendment or Modification [326 IAC 2-8-10] [326 IAC 2-8-11.1]

- (a) The Permittee must comply with 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 Management
100 North Senate Avenue, P.O. Box 6015
Indianapolis, Indiana 46206-6015

Any such application should be certified by the "authorized individual" as defined by 326 IAC 2-1.1-1(1) only if a certification is required by the terms of the applicable rule.
- (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)]

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

- (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 2-1.1 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 Management
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, OAM, in the notices specified in 326 IAC 2-8-15(b), (c)(1), and (d).

- (b) The Permittee may make Section 502(b)(10) of the Clean Air Act changes (this term is defined at 326 IAC 2-7-1(36)) without a permit revision, subject to the constraint of 326 IAC 2-8-15(a) and the following additional conditions:
 - (1) A brief description of the change within the source;
 - (2) The date on which the change will occur;
 - (3) Any change in emissions; and
 - (4) Any permit term or condition that is no longer applicable as a result of the change.

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

- (c) Emission Trades [326 IAC 2-8-15(c)]
The Permittee may trade increases and decreases in emissions in the source, where the applicable SIP provides for such emission trades without requiring a permit revision, subject to the constraints of Section (a) of this condition and those in 326 IAC 2-8-15(c).
- (d) Alternative Operating Scenarios [326 IAC 2-8-15(d)]
The Permittee may make changes at the source within the range of alternative operating scenarios that are described in the terms and conditions of this permit in accordance with 326 IAC 2-8-4(7). No prior notification of IDEM, OAM or U.S. EPA is required.
- (e) Backup fuel switches specifically addressed in, and limited under, Section D of this permit shall not be considered alternative operating scenarios. Therefore, the notification requirements of part (a) of this condition do not apply.

B.20 Construction Permit Requirement [326 IAC 2]

A modification, construction, or reconstruction shall be approved if required by and in accordance with the applicable provisions of 326 IAC 2.

B.21 Inspection and Entry [326 IAC 2-8-5(a)(2)]

Upon presentation of proper identification cards, credentials, and other documents as may be required by law, and subject to the Permittee's right under all applicable laws and regulations to assert that the information collected by the agency is confidential and entitled to be treated as such, the Permittee shall allow IDEM, OAM, 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) Have access to and copy, at reasonable times, any records that must be kept under the conditions of this permit;
- (c) Inspect, at reasonable times, any facilities, equipment (including monitoring and air pollution control equipment), practices, or operations regulated or required under this permit;
- (d) Sample or monitor, at reasonable times, substances or parameters for the purpose of assuring compliance with this permit or applicable requirements; and
- (e) Utilize any photographic, recording, testing, monitoring, or other equipment for the purpose of assuring compliance with this permit or applicable requirements.
[326 IAC 2-8-5(a)(4)]

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 Management
100 North Senate Avenue, P.O. Box 6015
Indianapolis, Indiana 46206-6015

The application 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).

- (c) The Permittee may implement administrative amendment changes addressed in the request for an administrative amendment immediately upon submittal of the request.
[326 IAC 2-8-11(b)(3)]

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

- (a) The Permittee shall pay annual fees to IDEM, OAM, within thirty (30) calendar days of receipt of a billing. If the Permittee does not receive a bill from IDEM, OAM 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 317-233-0425 (ask for OAM, Technical Support and Modeling 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 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 from the entire source shall be limited to less than one-hundred (100) tons per twelve (12) consecutive month period. This limitation shall also satisfy the requirements of 326 IAC 2-3 (Emission Offset);
 - (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)), emissions of 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.2 Opacity [326 IAC 5-1]

Pursuant to 326 IAC 5-1-2 (Opacity Limitations), except as provided in 326 IAC 5-1-3 (Temporary Exemptions), visible emissions 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.3 Open Burning [326 IAC 4-1] [IC 13-17-9]

The Permittee shall not open burn any material except as provided in 326 IAC 4-1-3, 326 IAC 4-1-4 or 326 IAC 4-1-6. The previous sentence notwithstanding, the Permittee may open burn in accordance with an open burning approval issued by the Commissioner under 326 IAC 4-1-4.1. 326 IAC 4-1-3(a)(2)(A) and (B) are not federally enforceable.

C.4 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. The provisions of 326 IAC 9-1-2 are not federally enforceable.

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

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

C.6 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 February 23, 2000. The fugitive dust control plan for this source includes watering the following fugitive emission activities on an as needed basis:

- (a) Unpaved roads and parking lots due to vehicular traffic; and
- (b) Outdoor aggregate storage piles, conveying and handling.

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

Except as otherwise provided 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.8 Asbestos Abatement Projects [326 IAC 14-10] [326 IAC 18] [40 CFR 61.140]

- (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 Management
100 North Senate Avenue, P.O. Box 6015
Indianapolis, Indiana 46206-6015

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 14-10-4 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) **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 that the inspector be accredited is federally enforceable.

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

C.9 Performance Testing [326 IAC 3-6]

- (d) 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, OAM.

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 Management
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 Permittee shall submit a notice of the actual test date to the above address so that it is received at least two weeks prior to the test date.

- (b) All test reports must be received by IDEM, OAM within forty-five (45) days after the completion of the testing. An extension may be granted by the IDEM, OAM, if the source submits to IDEM, OAM, a reasonable written explanation within five (5) days prior to the end of the initial forty-five (45) day period.

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

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

C.10 Compliance Monitoring [326 IAC 2-8-4(3)] [326 IAC 2-8-5(a)(1)]

Compliance with applicable requirements shall be documented as required by this permit. All monitoring and record keeping requirements not already legally required shall be implemented within ninety (90) days of permit issuance. The Permittee shall be responsible for installing any necessary equipment and initiating any required monitoring related to that equipment. If due to circumstances beyond its control, that equipment cannot be installed and operated within ninety (90) days, the Permittee may extend the compliance schedule related to the equipment for an additional ninety (90) days provided the Permittee notifies:

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

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

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).

C.11 Maintenance of Monitoring Equipment [326 IAC 2-8-4(3)(A)(iii)]

- (a) In the event that a breakdown of the monitoring equipment occurs, a record shall be made of the times and reasons of the breakdown and efforts made to correct the problem. To the extent practicable, supplemental or intermittent monitoring of the parameter should be implemented at intervals no less frequent than required in Section D of this permit until such time as the monitoring equipment is back in operation. In the case of continuous monitoring, supplemental or intermittent monitoring of the parameter should be implemented at intervals no less than one (1) hour until such time as the continuous monitor is back in operation.
- (b) The Permittee shall install, calibrate, quality assure, maintain, and operate all necessary monitors and related equipment. In addition, prompt corrective action shall be initiated whenever indicated.

C.12 Monitoring Methods [326 IAC 3]

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, or other approved methods as specified in this permit.

C.13 Pressure Gauge Specifications

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 ($\pm 2\%$) of full scale reading.

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

C.14 Emergency Reduction Plans [326 IAC 1-5-2] [326 IAC 1-5-3]

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

- (a) The Permittee shall prepare written emergency reduction plans (ERPs) consistent with safe operating procedures.
- (b) These ERPs shall be submitted for approval to:

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

within ninety (90) days from the date of issuance of this permit.

The ERP does not require the certification by the "authorized individual" as defined by 326 IAC 2-1.1-1(1).

- (c) If the ERP is disapproved by IDEM, OAM, the Permittee shall have an additional thirty (30) days to resolve the differences and submit an approvable ERP.
- (d) These ERPs shall state those actions that will be taken, when each episode level is declared, to reduce or eliminate emissions of the appropriate air pollutants.
- (e) Said ERPs shall also identify the sources of air pollutants, the approximate amount of reduction of the pollutants, and a brief description of the manner in which the reduction will be achieved.
- (f) Upon direct notification by IDEM, OAM, that a specific air pollution episode level is in effect, the Permittee shall immediately put into effect the actions stipulated in the approved ERP for the appropriate episode level. [326 IAC 1-5-3]

C.15 Risk Management Plan [326 IAC 2-8-4] [40 CFR 68.215]

If a regulated substance, subject to 40 CFR 68, is present at a source in more than a threshold quantity, 40 CFR 68 is an applicable requirement and the Permittee shall:

- (a) Submit:
 - (1) A compliance schedule for meeting the requirements of 40 CFR 68 by the date provided in 40 CFR 68.10(a); or
 - (2) As a part of the compliance certification submitted under 326 IAC 2-7-6(5), a certification statement that the source is in compliance with all the requirements of 40 CFR 68, including the registration and submission of a Risk Management Plan (RMP); and
 - (3) A verification to IDEM, OAM that a RMP or a revised plan was prepared and submitted as required by 40 CFR 68.
- (b) Provide annual certification to IDEM, OAM that the Risk Management Plan is being properly implemented.

All documents submitted pursuant to this condition shall include the certification by the "authorized individual" as defined by 326 IAC 2-1.1-1(1).

C.16 Compliance Monitoring Plan - Failure to Take Response Steps [326 IAC 2-8-4][326 IAC 2-8-5] [326 IAC 1-6]

- (a) The Permittee is required to implement a compliance monitoring plan to ensure that reasonable information is available to evaluate its continuous compliance with applicable requirements. This compliance monitoring plan is comprised of:
 - (1) This condition;
 - (2) The Compliance Determination Requirements in Section D of this permit;

- (3) The Compliance Monitoring Requirements in Section D of this permit;
- (4) The Record Keeping and Reporting Requirements in Section C (Monitoring Data Availability, General Record Keeping Requirements, and General Reporting Requirements) and in Section D of this permit; and
- (5) A Compliance Response Plan (CRP) for each compliance monitoring condition of this permit. CRP's shall be submitted to IDEM, OAM upon request and shall be subject to review and approval by IDEM, OAM. The CRP shall be prepared within ninety (90) days after issuance of this permit by the Permittee and maintained on site, and is comprised of :
 - (A) Response steps that will be implemented in the event that compliance related information indicates that a response step is needed pursuant to the requirements of Section D of this permit; and
 - (B) A time schedule for taking such response steps including a schedule for devising additional response steps for situations that may not have been predicted.
- (b) For each compliance monitoring condition of this permit, appropriate response steps shall be taken when indicated by the provisions of that compliance monitoring condition. Failure to perform the actions detailed in the compliance monitoring conditions or failure to take the response steps within the time prescribed in the Compliance Response Plan, shall constitute a violation of the permit unless taking the response steps set forth in the Compliance Response Plan would be unreasonable.
- (c) After investigating the reason for the excursion, the Permittee is excused from taking further response steps for any of the following reasons:
 - (1) The monitoring equipment malfunctioned, giving a false reading. This shall be an excuse from taking further response steps providing that 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 or;
 - (3) An automatic measurement was taken when the process was not operating; or
 - (4) The process has already returned to operating within "normal" parameters and no response steps are required.
- (d) Records shall be kept of all instances in which the compliance related information was not met and of all response steps taken. In the event of an emergency, the provisions of 326 IAC 2-7-16 (Emergency Provisions) requiring prompt corrective action to mitigate emissions shall prevail.

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

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

IDEM, OAM shall notify the Permittee within thirty (30) days, if the corrective actions taken are deficient. The Permittee shall submit a description of additional corrective actions taken to IDEM, OAM within thirty (30) days of receipt of the notice of deficiency. IDEM, OAM reserves the authority to use enforcement activities to resolve noncompliant stack tests.

- (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, OAM that retesting in one-hundred and twenty (120) days is not practicable, IDEM, OAM may extend the retesting deadline. Failure of the second test to demonstrate compliance with the appropriate permit conditions may be grounds for immediate revocation of the permit to operate the affected facility.

The documents submitted pursuant to this condition do not 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.18 Monitoring Data Availability

- (a) With the exception of performance tests conducted in accordance with Section C-Performance Testing all observations, sampling, maintenance procedures, and record keeping, required as a condition of this permit shall be performed at all times the equipment is operating at normal representative conditions.
- (b) As an alternative to the observations, sampling, maintenance procedures, and record keeping of subsection (a) above, when the equipment listed in Section D of this permit is not operating, the Permittee shall either record the fact that the equipment is shut down or perform the observations, sampling, maintenance procedures, and record keeping that would otherwise be required by this permit.
- (c) If the equipment is operating but abnormal conditions prevail, additional observations and sampling should be taken with a record made of the nature of the abnormality.
- (d) If for reasons beyond its control, the operator fails to make required observations, sampling, maintenance procedures, or record keeping, reasons for this must be recorded.
- (e) At its discretion, IDEM may excuse such failure providing adequate justification is documented and such failures do not exceed five percent (5%) of the operating time in any quarter.
- (f) Temporary, unscheduled unavailability of staff qualified to perform the required observations, sampling, maintenance procedures, or record keeping shall be considered a valid reason for failure to perform the requirements in (a) above.

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

- (a) Records of all required monitoring data and support information 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 kept at the source location for a minimum of three (3) years and available upon the request of an IDEM, OAM representative. 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 written request for records to the Permittee, the Permittee shall furnish the records to the Commissioner within a reasonable time.
- (b) Records of required monitoring information shall include, where applicable:
 - (1) The date, place, and time of sampling or measurements;

- (2) The dates analyses were performed;
 - (3) The company or entity performing the analyses;
 - (4) The analytic techniques or methods used;
 - (5) The results of such analyses; and
 - (6) The operating conditions existing at the time of sampling or measurement.
- (c) Support information shall include, where applicable:
- (1) Copies of all reports required by this permit;
 - (2) All original strip chart recordings for continuous monitoring instrumentation;
 - (3) All calibration and maintenance records;
 - (4) Records of preventive maintenance shall be sufficient to demonstrate that failure to implement the Preventive Maintenance Plan did not cause or contribute to a violation of any limitation on emissions or potential to emit. To be relied upon subsequent to any such violation, these records may include, but are not limited to: work orders, parts inventories, and operator's standard operating procedures. Records of response steps taken shall indicate whether the response steps were performed in accordance with the Compliance Response Plan required by Section C - Compliance Monitoring Plan - Failure to take Response Steps, of this permit, and whether a deviation from a permit condition was reported. All records shall briefly describe what maintenance and response steps were taken and indicate who performed the tasks.
- (d) 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)]

- (a) To affirm that the source has met all the compliance monitoring requirements stated in this permit the source shall submit a Quarterly Compliance Monitoring Report. Any deviation from the requirements and the date(s) of each deviation must be reported. The 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 Management
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, OAM on or before the date it is due.
- (d) Unless otherwise specified in this permit, any quarterly report shall be submitted within thirty (30) days of the end of the reporting period. The reports do not require the certification by the "authorized individual" as defined by 326 IAC 2-1.1-1(1).

- (e) All instances of deviations as described in Section B- Deviations from Permit Requirements Conditions must be clearly identified in such reports. The Emergency/Deviation Occurrence Report does not require the certification by the "authorized individual" as defined by 326 IAC 2-1.1-1(1).
- (f) Any corrective actions or response steps taken as a result of each deviation must be clearly identified in such reports.
- (g) The first report shall cover the period commencing on the date of issuance of this permit and ending on the last day of the reporting period.

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 Prevention of Significant Deterioration in 326 IAC 2-2 and 40 CFR 52.21, and Emission Offset requirements in 326 IAC 2-3. A thirty (30) day advance notice of relocation must be given to IDEM, OAM and a "Relocation Site Approval" letter must be obtained before relocating.
- (b) The Permittee shall also notify the applicable local air pollution control agency when relocating to or from one of 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 Division of Air Pollution)
 - (4) City of Hammond - (Hammond Department of Environmental Management)
 - (5) Marion County - (Indianapolis Air Pollution Control Agency)
 - (6) St. Joseph County - (St. Joseph County Health Department)
 - (7) Vigo County - (Vigo County Air Pollution Department)
- (c) That 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) hot asphalt drum mix dryer, with a maximum capacity of 225 tons per hour of raw material, equipped with one (1) 60 million British thermal units (MMBtu) per hour #2 fuel oil fired burner using natural gas or No.4 fuel oil as a backup fuel, equipped with one (1) pulse jet baghouse for particulate matter control, exhausting through one (1) stack, identified as stack #2.
- (b) one (1) hot asphalt drum mix dryer, with a maximum capacity of 225 tons per hour of raw material, equipped with one (1) 60 million British thermal units (MMBtu) per hour No.2 fuel oil fired burner using natural gas or No.4 fuel oil as a backup fuel, equipped with one (1) pulse jet baghouse for particulate matter control, exhausting through one (1) stack, identified as stack #4.

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

- (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). This is equivalent to a particulate matter emission rate of 6.31 pounds per hour. This limit will also render 326 IAC 2-2 (Prevention of Significant Deterioration (PSD)) and 326 IAC 2-3 (Emission Offset) 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). This is equivalent to a particulate matter emission rate of 8.42 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.1.2 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.1.3 Particulate Matter 10 Microns (PM-10) [326 IAC 2-8-4]

Pursuant to 326 IAC 2-8-4, particulate matter 10 microns emissions from the aggregate mixing and drying operation shall not exceed 15.03 pounds per hour, including both filterable and condensable fractions. Compliance with this limit will satisfy 326 IAC 2-8-4. Therefore, the Part 70 rules (326 IAC 2-7) do not apply.

D.1.4 Sulfur Dioxide (SO₂) [326 IAC 7-1.1]

Pursuant to 326 IAC 7-1.1 (Sulfur Dioxide Emission Limitations), sulfur dioxide emissions from the 60.0 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 No. 2 distillate oil.

Pursuant to 326 IAC 7-1.1 (Sulfur Dioxide Emission Limitations), sulfur dioxide emissions from the 60.0 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.

D.1.5 Fuel Usage Limitations [326 IAC 2-8-4]

- (a) Pursuant to 326 IAC 2-8-4(1), the input of No. 2 distillate fuel oil with a maximum sulfur content of 0.5% to the 60.0 MMBtu per hour burner for the aggregate dryer shall be limited to 2,444,271 U.S. gallons per twelve (12) consecutive month period, rolled on a monthly basis, so that SO₂ emissions are limited below 100 tons per year. Therefore, the requirements of 326 IAC 2-7 will not apply.
- (b) For purposes of determining compliance on SO₂ emissions, each 1155 gallons of No. 4 distillate fuel shall be equivalent to 1000 gallons of No. 2 used fuel.
- (c) Pursuant to 326 IAC 2-8-4(1), the usage of No. 4 fuel oil shall be limited to 813,000 gallons per 12 consecutive months with compliance determined at the end of each month.
- (d) Pursuant to 326 IAC 2-8-4(1), the maximum sulfur content of the No.4 residual fuel oil used in the 60 MMBtu per hour burner for the aggregate dryer shall be limited to 0.41%, so that SO₂ emissions are limited to less than 100 tons per year.

Compliance the emission limit in (a) and (b) of this condition shall limit the potential to emit SO₂ from the entire source to less than one hundred (100) tons per year and render the requirements of 326 IAC 2-7 not applicable.

D.1.6 Cutback or Emulsified Asphalt Usage

Pursuant to 326 IAC 2-8-11, the source shall not use cutback asphalt or emulsified asphalt without prior OAM approval.

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 any control devices.

Compliance Determination Requirements

D.1.8 Testing Requirements [326 IAC 2-8-5(a)(1), (4)][326 IAC 2-1.1-11]

During the period between 24 and 30 months after issuance of this permit, the Permittee shall perform PM and PM-10 testing utilizing Methods 5 or 17 (40 CFR 60, Appendix A) for PM and Methods 201 or 201A and 202 (40 CFR 51, Appendix M) for PM-10, or other methods as approved by the Commissioner. This test shall be repeated at least once every five (5) years from the date of this valid compliance demonstration. PM-10 includes filterable and condensable PM-10. In addition to these requirements, IDEM may require compliance testing when necessary to determine if the facility is in compliance.

D.1.9 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 No. 2 distillate fuel oil sulfur content does not exceed 0.5% by weight by:
 - (1) Providing vendor analysis of fuel delivered, if accompanied by a certification;
 - (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; or
- (b) Compliance may also be determined by conducting a stack test for sulfur dioxide

emissions from the 60.0 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.

- (c) Pursuant to 326 IAC 3-7-4, the Permittee shall demonstrate that the No. 4 residual fuel oil sulfur content does not exceed 0.41% by weight by:
- (1) Providing vendor analysis of fuel delivered, if accompanied by a certification;
 - (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; or
- (d) Compliance may also be determined by conducting a stack test for sulfur dioxide emissions from the 60.0 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 either of the methods specified in (a) or (b) above shall not be refuted by evidence of compliance pursuant to the other method.

D.1.10 Particulate Matter (PM)

The baghouse for PM and PM-10 control shall be in operation at all times when the aggregate dryer is in operation.

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 aggregate dryer baghouse stack exhaust shall be performed once per shift during normal daylight operations when exhausting to the atmosphere. 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.

D.1.12 Parametric Monitoring

The Permittee shall record the total static pressure drop across the baghouse used in conjunction with the aggregate dryer, at least once daily when the aggregate dryer is in operation when venting to the atmosphere. Unless operated under conditions for which the Compliance Response Plan specifies otherwise, the pressure drop across the baghouse shall be maintained within the range of 3.0 and 6.0 inches of water or a range established during the latest stack test. The Compliance Response Plan for this unit shall contain troubleshooting contingency and response steps for when the pressure reading is outside of the above

mentioned range for any one reading.

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

D.1.13 Baghouse Inspections

An inspection shall be performed each calendar quarter of all bags controlling the aggregate dryer when venting to the atmosphere. A baghouse inspection shall be performed within three months of redirecting vents to the atmosphere and every three months thereafter. Inspections are optional when venting indoors. All defective bags shall be replaced.

D.1.14 Broken or Failed Bag Detection

In the event that bag failure has been observed:

- (a) The affected compartments will be shut down immediately until the failed units have been repaired or replaced. Within eight (8) 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) hours of discovery of the failure and shall include a timetable for completion. Operations may continue only if the event qualifies as an emergency and the Permittee satisfies the requirements of the emergency provisions of this permit (Section B - Emergency Provisions).
- (b) For single compartment baghouses, 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 Condition D.1.11, the Permittee shall maintain records of visible emission notations of the aggregate dryer baghouse stack exhaust once per shift.
- (b) To document compliance with Condition D.1.12, the Permittee shall maintain the following:
 - (1) Daily records of the following operational parameters during normal operation when venting to the atmosphere:
 - (A) Inlet and outlet differential static pressure; and
 - (B) Cleaning cycle: frequency and differential pressure.
 - (2) Documentation of all response steps implemented, per event .
 - (3) Operation and preventive maintenance logs, including work purchases orders, shall be maintained.
 - (4) Quality Assurance/Quality Control (QA/QC) procedures.
 - (5) Operator standard operating procedures (SOP).
 - (6) Manufacturer's specifications or its equivalent.

- (7) Equipment "troubleshooting" contingency plan.
- (8) Documentation of the dates vents are redirected.
- (c) 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.
- (d) To document compliance with Conditions D.1.5, 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.

- (e) 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.1.5 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.

SECTION D.2

FACILITY OPERATION CONDITIONS

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

- (b) one (1) 25,000 gallon asphalt storage tank
- (d) 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 one (1) 25,000 gallon asphalt cement 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, is subject to 40 CFR Part 60.116b, paragraphs (a), (b), and (d) which require record keeping.

D.2.2 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 these facilities and any control devices.

Compliance Determination Requirements

D.2.3 Testing Requirements [326 IAC 2-8-5(a)(1), (4)][326 IAC 2-1.1-11]

The Permittee is not required to test this facility by this permit. However, IDEM may require compliance testing when necessary to determine if the facility is in compliance. If testing is required by IDEM, compliance with the VOC limit specified in Condition D.2.1 shall be determined by a performance test conducted in accordance with Section C - Performance Testing.

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

D.2.4 Record Keeping Requirements

- (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 the storage vessel;
 - (2) an analysis showing the capacity of the storage vessel; and
 - (3) the true vapor pressure of each VOC stored in the 25,000 gallon asphalt cement 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)]:

(c) one (1) 1125 horsepower (hp) diesel generator.

(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 Sulfur Dioxide (SO₂) and Nitrogen Oxides (NO_x) [326 IAC 2-8-4]

Pursuant to 326 IAC 2-8-4(1), the usage of No.2 fuel oil for the 1125 hp diesel generator shall be limited to less than 132,389 U.S. gallons per twelve (12) consecutive month period, rolled on a monthly basis, so that SO₂ and NO_x emissions are limited below 100 tons per year. Therefore, the requirements of 326 IAC 2-7 will not apply.

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

D.3.2 Record Keeping Requirements

(a) To document compliance with Condition D.3.1, the Permittee shall maintain records in accordance with (1) through (2) below. Records maintained for (1) through (2) shall be taken monthly and shall be complete and sufficient to establish compliance with the diesel generator operating hour limit established in Condition D.3.1.

(1) The total number of operating hours for the month; and

(2) A log of the hours and dates of use.

(b) 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 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.

SECTION D.4

FACILITY CONDITIONS

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

- (a) one (1) hot asphalt drum mix dryer, with a maximum capacity of 225 tons per hour of raw material, equipped with one (1) 60 million British thermal units (MMBtu) per hour #2 fuel oil fired burner using natural gas as a backup fuel, equipped with one (1) pulse jet baghouse for particulate matter control, exhausting through one (1) stack, identified as stack #2;
- (b) one (1) 25,000 gallon asphalt storage tank, and
- (c) one (1) 1125 horsepower (hp) diesel generator.

Insignificant Activities, as defined in 326 IAC 2-7-1(21):

- (a) Fuel oil-fired combustion sources with heat input equal to or less than two million (2,000,000) Btu per hour and firing fuel containing less than five-tenths (0.5) percent sulfur by weight:
 - (1) one (1) No. 2 distillate fuel oil fired hot oil heater, with a maximum rated capacity of 0.2 million British thermal units per hour.
- (b) Combustion source flame safety purging on startup.
- (c) Paved and unpaved roads and parking lots with public access.
- (d) Other categories with emissions below insignificant thresholds:
 - (1) four (4) compartment cold feed bins with feeders and collection conveyors;
 - (2) one (1) 24" charging conveyer and one (1) 4'x 10' scalping screen;
 - (3) one (1) mineral filler silo; and
 - (4) one (1) bucket elevator to transfer product from the 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.)

GENERAL CONSTRUCTION CONDITIONS

THIS SECTION OF THE PERMIT IS BEING ISSUED UNDER THE PROVISIONS OF 326 IAC 2-1.1 AND 40 CFR 52.780, WITH CONDITIONS LISTED BELOW.

D.4.1 Permit No Defense [IC 13]

This permit 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.

D.4.2 Definitions

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, any applicable definitions found in IC 13-11, 326 IAC 1-2, and 326 IAC 2-1.1-1 shall prevail.

D.4.3 Effective Date of the Permit [IC13-15-5-3]

Pursuant to IC 13-15-5-3, this permit becomes effective upon its issuance.

D.4.4 Modification to Permit [326 IAC 2]

All requirements of these construction conditions shall remain in effect unless modified in a manner consistent with procedures established for revisions pursuant to 326 IAC 2.

D.4.5 Affidavit of Construction [326 IAC 2-5.1-3]

Pursuant to 326 IAC 2-5.1-3(h), prior to start of operation the following requirements shall be met:

- (a) The attached Affidavit of Construction shall be submitted to the Office of Air Management (OAM), Permit Administration & Development Section.

- (1) If the Affidavit of Construction verifies that the facilities covered in this Construction Permit were constructed as proposed in the application, then the facilities may begin operating on the date the Affidavit of Construction is postmarked or hand delivered to IDEM.
 - (2) If the Affidavit of Construction does not verify that the facilities covered in this Construction Permit were constructed as proposed in the application, then the Permittee shall receive an Operation Permit Validation Letter from the Chief of the Permit Administration & Development Section prior to beginning operation of the facilities.
- (b) If construction is completed in phases; i.e., the entire construction is not done continuously, a separate affidavit must be submitted for each phase of construction. Any permit conditions associated with operation start up dates such as stack testing for New Source Performance Standards (NSPS) shall be applicable to each individual phase.
- (c) Upon receipt of the Operation Permit Validation Letter from the Chief of the Permit Administration & Development Section, the Permittee shall attach it to this document.

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

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

Source Name: Dave O'Mara Contractor, Inc.
Initial Source Address: 606 W. County Road Road 300 South, Versailles, IN
Mailing Address: P. O. Box 423, North Vernon, IN 47265
FESOP No.: F137-11923-05211

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) _____
- 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 MANAGEMENT
COMPLIANCE DATA SECTION
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/DEVIATION OCCURRENCE REPORT**

Source Name: Dave O'Mara Contractor, Inc.
Initial Source Address: 606 W. County Road Road 300 South, Versailles, IN
Mailing Address: P. O. Box 423, North Vernon, IN 47265
FESOP No.: F137-11923-05211

This form consists of 2 pages

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Check either No. 1 or No.2
<input checked="" type="radio"/> 1. This is an emergency as defined in 326 IAC 2-7-1(12) The Permittee must notify the Office of Air Management (OAM), 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
<input type="radio"/> 2. This is a deviation, reportable per 326 IAC 2-8-4(3)(C) The Permittee must submit notice in writing within ten (10) calendar days

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/Deviation:
Describe the cause of the Emergency/Deviation:

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

Page 2 of 2

Date/Time Emergency/Deviation started:
Date/Time Emergency/Deviation was corrected:
Was the facility being properly operated at the time of the emergency/deviation? 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/deviation:
Describe the steps taken to mitigate the problem:
Describe the corrective actions/response steps taken:
Describe the measures taken to minimize emissions:
If applicable, describe the reasons why continued operation of the facilities are necessary to prevent imminent injury to persons, severe damage to equipment, substantial loss of capital investment, or loss of product or raw materials of substantial economic value:

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

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

FESOP Quarterly Report

Source Name: Dave O'Mara Contractor, Inc.
Initial Source Address: 606 W. County Road Road 300 South, Versailles, IN 47042
Mailing Address: P. O. Box 423, North Vernon, IN 47265
FESOP No.: F137-11923-05211
Facility: drum mix dryer
Parameter: Sulfur Dioxide (SO₂)
Limit: The input of No. 2 distillate fuel oil with a maximum sulfur content of 0.5% to the 60.0 MMBtu per hour burner for the aggregate dryer is limited to 2,444,271 U.S. gallons per twelve (12) consecutive month period, rolled on a monthly basis.

YEAR: _____

Month	Column 1	Column 2	Column 1 + Column 2
	Fuel Usage This Month	Fuel Usage Previous 11 Months	12 Month Total Fuel Usage
Month 1			
Month 2			
Month 3			

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

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

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

FESOP Quarterly Report

Source Name: Dave O'Mara Contractor, Inc.
 Initial Source Address: 606 W. County Road Road 300 South, Versailles, IN 47042
 Mailing Address: P. O. Box 423, North Vernon, IN 47265
 FESOP No.: F137-11923-05211
 Facility: drum mix dryer
 Parameter: Sulfur Dioxide (SO₂)
 Limit: The input of No. 4 fuel oil to the 60.0 MMBtu per hour burner for the aggregate dryer is limited to 813,000 U.S. gallons per twelve (12) consecutive months with compliance determined at the end of each month.

YEAR: _____

Month	Column 1	Column 2	Column 1 + Column 2
	Fuel Usage This Month	Fuel Usage Previous 11 Months	12 Month Total Fuel Usage
Month 1			
Month 2			
Month 3			

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

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

OFFICE OF AIR MANAGEMENT COMPLIANCE DATA SECTION

FESOP Quarterly Report

Source Name: Dave O'Mara Contractor, Inc.
Initial Source Address: 606 W. County Road Road 300 South, Versailles, IN 47042
Mailing Address: P. O. Box 423, North Vernon, IN 47265
FESOP No.: F137-11923-05211
Facility: 1125 hp diesel generator
Parameter: Sulfur Dioxide (SO₂) and Nitrogen Oxides (NO_x)
Limit:: The input of No. 2 distillate fuel oil with a maximum sulfur content of 0.5% to the 1125 hp diesel generator is limited to 132,389 U.S. gallons per twelve (12) consecutive month period, rolled on a monthly basis.

YEAR: _____

Month	Column 1	Column 2	Column 1 + Column 2
	Fuel Usage This Month	Fuel Usage Previous 11 Months	12 Month Total Fuel Usage
Month 1			
Month 2			
Month 3			

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

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

INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT OFFICE OF AIR QUALITY COMPLIANCE BRANCH

No.4 Fuel Oil Sulfur Content Quarterly Report

Source Name: Dave O'Mara Contractor, Inc.
 Initial Source Address: 606 W. County Road Road 300 South, Versailles, IN 47042
 Mailing Address: P.O. Box 423, North Vernon, IN 47265
 FESOP No.: F137-11923-05211
 Facility: Drum Mix Dryer
 Parameter: SO2
 Limit: the maximum sulfur content of the No. 4 residual fuel oil used in the 60.0 MMBtu per hour burner for the aggregate dryer shall be limited to 0.41%.

Month: _____ Year: _____

Date of Fuel Oil Delivery	Sulfur Content of No.4 Fuel Oil	Date of Fuel Oil Delivery	Sulfur Content of 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 MANAGEMENT
COMPLIANCE DATA SECTION**

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

Source Name: Dave O'Mara Contractor, Inc.
Initial Source Address: 606 W. County Road Road 300 South, Versailles, IN 47042
Mailing Address: P. O. Box 423, North Vernon, IN 47265
FESOP No.: F137-11923-05211

Months: _____ to _____ Year: _____

This report is an affirmation that the source has met all the compliance monitoring requirements stated in this permit. This report shall be submitted quarterly. Any deviation from the compliance monitoring requirements and the date(s) of each deviation must be reported. Additional pages may be attached if necessary. This form can be supplemented by attaching the Emergency/Deviation Occurrence Report. If no deviations occurred, please specify in the box marked "No deviations occurred this reporting period".

NO DEVIATIONS OCCURRED THIS REPORTING PERIOD.

THE FOLLOWING DEVIATIONS OCCURRED THIS REPORTING PERIOD.

Compliance Monitoring Requirement (eg. Permit Condition D.1.3)	Number of Deviations	Date of each Deviation

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

Attach a signed certification to complete this report.

**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:	RR1, Box 183A, Solsberry, Indiana
County:	Greene
SIC Code:	2951
Operation Permit No.:	F055-11923-05211
Operation Permit Issuance Date:	June 29, 2000
Permit Revision No.:	055-18675
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 25 tons per year limit on SO₂ related to the usage of No. 4 fuel oil. A storage tank with capacity of 15,000 gallons will be added to store No. 4 fuel oil.

History

Dave O' Mara was issued a FESOP on June 29, 2000. On January 26th, 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 F055-11923-05211 on June 29, 2000. The source has since received the following:

- (a) First Reopening No. 055-13105 issued on September 21, 2001

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:	<u>60 MMBtu/hr *8,760hr/yr</u>	* Ef(lb/MMcf) = (ton/yr)
	1000 Btu/cf * 2,000 lb/ton	
PM:	1.9 lb/MMcf =	0.50 ton/yr
PM-10:	7.6 lb/MMcf =	2.00 ton/yr
SO2:	0.6 lb/MMcf =	0.16 ton/yr
NOx:	190.0 lb/MMcf =	49.93 ton/yr
VOC:	5.5 lb/MMcf =	1.45 ton/yr
CO:	84.0 lb/MMcf =	22.08 ton/yr

The following calculations determine the amount of emissions created by the combustion of #2 distillate fuel oil @ 0.50% 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, 1.3-3 and 1.3-7.

Criteria Pollutant:	<u>60 MMBtu/hr *8,760hr/yr</u>	* Ef(lb/1,000 gal) =(ton/yr)
	140,000 Btu/1 gal * 2,000 lb/ton	
PM:	2.0 lb/1000 gal =	3.75 ton/yr
PM-10:	3.3 lb/1000 gal =	6.19 ton/yr
SO2: 142*0.5	71.0 lb/1000 gal =	133.28 ton/yr
NOx:	20.0 lb/1000 gal =	37.54 ton/yr
VOC:	0.34 lb/1000 gal =	0.64 ton/yr
CO:	5.0 lb/1000 gal =	9.39 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, 1.3-3 and 1.3-7.

Criteria Pollutant:	<u>60 MMBtu/hr *8,760hr/yr</u>	* Ef(lb/1,000 gal) =(ton/yr)
	150,000 Btu/1 gal * 2,000 lb/ton	
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 restrict 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.

$$(813,000 \text{ gal/yr})(61.5 \text{ lb SO}_2/1000 \text{ gal})(1 \text{ ton}/2000\text{lbs}) = 25 \text{ tpy of SO}_2.$$

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

Criteria Pollutant:

PM:	3.75 ton/yr	Worst Case Fuel
PM-10:	6.19 ton/yr	No. 2 Distillate Oil
SO ₂ :	133.28 ton/yr	No. 2 Distillate Oil
NO _x :	49.93 ton/yr	Natural Gas
VOC:	1.45 ton/yr	Natural Gas
CO:	22.08 ton/yr	Natural Gas

The usage of No. 2 fuel oil has already been limited to 2,444.271 gallons per year.

Equivalency = $(71 \times 1000) / 61.5 = 1155$ gallons of No.4 fuel oil = 1000 gallons of No.2 fuel oil.

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

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	140.1
PM-10	37.5
SO ₂	99.0
VOC	10.8
CO	30.4
NO _x	88.5

This source is an existing minor source for PSD.

County Attainment Status

The source is located in **Greene** 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. Greene 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) Greene 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 modification (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 m³. The NSPS applicability of the source remains unchanged from that determined in Technical Support Document for FESOP No. 055-11923.
- (b) There are no additional National Emission Standards for Hazardous Air Pollutants (NESHAP)(326 IAC 14, 20 and 40 CFR Part 61, 63) applicable to this source as result of this proposed revision. The NESHAP applicability remains unchanged from that determined in Technical Support Document for FESOP No. 055-11923.

State Rule Applicability – Entire Source

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.18 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 source shall:

- (a) limit the usage of No. 2 fuel oil, with a maximum sulfur content of 0.5%, as follows:
 - (1) The aggregate dryer burner shall limit No. 2 fuel oil usage to 2,444,271 U.S. gallons per twelve (12) consecutive month period, rolled on a monthly basis.
 - (2) The operation of the 1125 hp diesel generator shall be limited to 2,200 hours per twelve (12) consecutive month period, rolled on a monthly basis, which is equivalent to limiting the diesel engine No. 2 fuel oil usage to 132,389 U.S. gallons per year.
The above limits shall limit source-wide SO₂ emissions to 99 ton/yr. Limiting the diesel engine No. 2 fuel oil usage to 132,389 U.S. gallons per year shall also limit source-wide NO_x emissions to 88.5 tons/yr. The limited potential to emit NO_x includes 38.4 ton/yr from the diesel engine based on the operating limit stated above; 49.9 tons/yr from the aggregate dryer based on potential emissions firing the worst-case fuel, natural gas; and 0.2 tons/yr hot oil heater potential emissions. Therefore, no limit on aggregate dryer natural gas usage is required to limit source-wide NO_x emissions to less than 100 ton/yr.
- (b) control PM-10 emissions from the aggregate dryer by baghouse so that source-wide potential to emit PM-10 is below 100 tons per year.

The fuel usage limitations on the aggregate dryer and the 1125 hp diesel engine and the PM-10 control by a baghouse shall render the requirements of 326 IAC 2-7 not applicable.

326 IAC 5-1 (Opacity Limitations)

Pursuant 6 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 watering the following fugitive emission activities on an as needed basis:

- (a) Unpaved roads and parking lots due to vehicular traffic; and

- (b) Outdoor aggregate storage piles, conveying and handling.

State Rule Applicability – Individual Facilities

326 IAC 2-8-4

The fuel usage for No. 4 fuel oil will be limited to 813,000 gallons per year.

The sulfur content for No. 4 fuel oil will be limited to 0.41%.

326 IAC 6-1-2 (Particulate Emissions Limitations)

The particulate matter emissions from the aggregate mixing and drying operation are subject to the requirements of 326 IAC 6-1-2 (Particulate Emissions Limitations). The rule requires that the particulate matter emissions be limited to 0.03 gr/dscf. This is equivalent to a particulate matter emission rate of 6.31 pounds per hour from the aggregate dryer. The baghouse for the aggregate dryer shall be in operation at all times the aggregate dryer is in operation, in order to comply with this limit (see Appendix A, page 8 of 8, for detailed calculations).

326 IAC 6-3-2 (Process Operations)

The aggregate mixing and drying operation is not subject to the requirements of 326 IAC 6-3-2. This rule does not apply if the limitation established in the rule is not consistent with applicable limitations in 326 IAC 6-1 or 326 IAC 12. Since the applicable PM limits established by 326 IAC 6-1-2 and 326 IAC 12, 40 CFR 60, Subpart I, are less than the PM limits that would be established by 326 IAC 6-3-2, the more stringent limits apply and the limits pursuant to 326 IAC 6-3-2 do not apply.

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.

The sulfur dioxide emissions from the 60.0 MMBtu/hr dryer burning distillate oil shall be limited to 0.5 lb/MMBtu heat input. This equates to a distillate fuel oil sulfur content limit of 0.5%. The sulfur dioxide emissions from the 60.0 MMBtu/hr dryer burning residual oil shall be limited to 1.6 lb/MMtu heat input. This equates to a residual fuel oil sulfur content limit of 1.6%.

326 IAC 7-2-1 (Sulfur Dioxide Reporting Requirements)

This source is subject to 326 IAC 7-2-1 (Reporting Requirements). This rule requires the source to submit to the Office of Air Quality upon request records of sulfur content, heat content, fuel consumption, and sulfur dioxide emission rates based on a calendar-month average.

326 IAC 8-5-2 (Miscellaneous Operations: Asphalt Paving)

This source is not subject to 326 IAC 8-5-2, which prevents the use of cutback asphalt or asphalt emulsion containing more than seven percent (7%) oil distillate by volume of emulsion. This source does not use cutback asphalt or asphalt emulsion, therefore, 326 IAC 8-5-2 does not apply.

329 IAC 12

The No. 4 fuel oil storage is applicable to NSPS Subpart Kb due to the tank size being greater than 40m³. 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 appropriate corrective actions within a specific time period.

Changes to the Permit

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

Condition Facility Description [326 IAC 2-8-4(10)] was changed as follows:

- (b) one (1) hot asphalt drum mix dryer, with a maximum capacity of 225 tons per hour of raw material, equipped with one (1) 60 million British thermal units (MMBtu) per hour No.2 fuel oil fired burner using natural gas **or No.4 fuel oil** as a backup fuel, equipped with one (1) pulse jet baghouse for particulate matter control, exhausting through one (1) stack, identified as stack #4.

Condition D.1.4 was changed as follows:

Pursuant to 326 IAC 7-1.1 (Sulfur Dioxide Emission Limitations), sulfur dioxide emissions from the 60.0 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.1.5 was changed as follows:

- (a) Pursuant to 326 IAC 2-8-4(1), the input of No. 2 distillate fuel oil with a maximum sulfur content of 0.5% to the 60.0 MMBtu per hour burner for the aggregate dryer shall be limited to 2,444,271 U.S. gallons per twelve (12) consecutive month period, rolled on a monthly basis, so that SO₂ emissions are limited below 100 tons per year. Therefore, the requirements of 326 IAC 2-7 will not apply.
- (b) **For purposes of determining compliance on SO₂ emissions, each 1155 gallons of No. 4 residual fuel shall be equivalent to 1000 gallons of No. 2 distillate fuel.**
- (c) **Pursuant to 326 IAC 2-8-4(1), the usage of No. 4 fuel oil shall be limited to 813,000 gallons per 12 consecutive months with compliance determined at the end of each month.**
- (d) **Pursuant to 326 IAC 2-8-4(1), the maximum sulfur content of the No.4 residual fuel oil used in the 60 MMBtu per hour burner of the aggregate dryer shall be limited to 0.41%, so that SO₂ emissions are limited to less than 25 tons per year.**

Compliance the emission limit in (a) and (b) of this condition shall limit the potential to emit SO₂ from the entire source to less than one hundred (100) tons per year and render the requirements of 326 IAC 2-7 not applicable.

Condition D.1.9 was changed as follows:

- (c) Pursuant to 326 IAC 3-7-4, the Permittee shall demonstrate that the No. 4 residual fuel oil sulfur content does not exceed 0.41% by weight by:**
 - (1) Providing vendor analysis of fuel delivered, if accompanied by a certification;**
 - (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; or**
- (d) Compliance may also be determined by conducting a stack test for sulfur dioxide emissions from the 60.0 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.**

Condition D.1.15 was changed as follows:

- (d) To document compliance with Conditions D.1.5, 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.

A quarterly report form for the sulfur content of No. 2 fuel oil was added.
A report form for the usage of No. 4 fuel oil was added.

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

- (d) 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 one (1) 25,000 gallon asphalt cement 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, is subject to 40 CFR Part 60.116b, paragraphs (a), (b), and (d) which require record keeping

Condition D.2.4 was changed as follows:

- (3) the true vapor pressure of each VOC stored in the 25,000 gallon asphalt cement 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.

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

No.4 Fuel Oil Sulfur Content Quarterly Report

Source Name: Dave O'Mara Contractor, Inc.
Initial Source Address: 606 W. County Road Road 300 South, Versailles, IN 47042
Mailing Address: P.O. Box 423, North Vernon, IN 47265
FESOP No.: F137-11923-05211
Facility: Drum Mix Dryer
Parameter: SO2
Limit: the maximum sulfur content of the No. 4 residual fuel oil used in the 60.0 MMBtu per hour burner for the aggregate dryer shall be limited to 0.41%.

Month: _____ Year: _____

Date of Fuel Oil Delivery	Sulfur Content of No.4 Fuel Oil	Date of Fuel Oil Delivery	Sulfur Content of 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.

Condition C.18 was deleted and the following conditions were renumbered.

C.18 ~~Emission Statement [326 IAC 2-6] [326 IAC 2-8-4(3)]~~

- ~~(a) The Permittee shall submit an annual emission statement certified pursuant to the requirements of 326 IAC 2-6. This annual statement must be received by April 15 of each year and must comply with the minimum requirements specified in 326 IAC 2-6-4. The submittal should cover the period defined in 326 IAC 2-6-2(8) (Emission Statement Operating Year). The annual statement must be submitted to:~~

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

- ~~(b) The annual 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, OAM on or before the date it is due.~~

Conclusion

The permit revision shall be added to the conditions of the FESOP as **F055-18675-05211**.