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

Joseph E. Kernan
Governor

Lori F. Kaplan
Commissioner

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

July 2, 2004

TO: Interested Parties / Applicant

RE: Paul H. Rohe Company / 029-18750-03187

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

Notice of Decision – Approval

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 326 IAC 2, this approval was effective immediately upon submittal of the application.

If you wish to challenge this decision, IC 4-21.5-3-7 requires 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 of Environmental Adjudication, 100 North Senate Avenue, Government Center North, Room 1049, Indianapolis, IN 46204, **within eighteen (18) calendar days from 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-AM.dot 9/16/03

July 2, 2004

Mr. Dan Crago
Paul H. Rohe Co., Inc.
11641 Mosteller Road
Cincinnati, Ohio 45241

Re: 029-18750-03187
First Administrative Amendment to
FESOP Permit No. F029-15056-03187

Dear Mr. Crago:

Paul H. Rohe Co., Inc. was issued a FESOP permit on June 12, 2002 for an asphalt pavement production plant. An application was received March 22, 2004 requesting that the emission statement condition be removed from the permit due to the revisions to 326 IAC 2-6 (Emission Reporting) as adopted by the Air Pollution Control Board on December 3, 2003 and became effective on March 27, 2004. The Permittee is no longer required to submit an emission statement; therefore, the emission statement condition will be removed from the permit. Pursuant to the provisions of 326 IAC 2-8-10 the permit is hereby administratively amended as follows:

Condition C.19 is removed and the remaining conditions are renumbered:

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

~~(a) Permittees located or relocated in Clark, Elkhart, Floyd, Lake, Marion, Porter, St. Joseph and Vanderburgh counties as specified in 326 IAC 2-6-1 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 Quality~~
~~100 North Senate Avenue, P.O. Box 6015~~
~~Indianapolis, Indiana 46206-6015~~

~~and~~

~~any applicable Local Air Pollution Control Agency (as described in condition B.4 of this permit)~~

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

~~(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, OAQ, and any applicable Local Air Pollution Control Agency (as described in condition B.4 of this permit) on or before the date it is due.~~

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

This decision is subject to the Indiana Administrative Orders and Procedures Act - IC 4-21.5-3-5. If you have any questions on this matter, please contact Gary Freeman, at (800) 451-6027, and ask for Gary Freeman or extension (3-5334), or dial (317) 233-5334.

Sincerely,
Original signed by

Paul Dubenetzky, Chief
Permits Branch
Office of Air Quality

Attachments: Updated Pages
PD/gkf
cc: File – Dearborn County
Dearborn County Health Department
Air Compliance Section Inspector – Patrick Burton
Compliance Data Section
Billing, Licensing and Training Section - Chet Bohannon
Permit Review Section 1 - Gary Freeman
Contract Management Section - Kim Wade
Contract Management Section - Barbara Van Winkle

GENERAL
FEDERALLY ENFORCEABLE STATE OPERATING PERMIT (FESOP) FOR AN ASPHALT PLANT

OFFICE OF AIR QUALITY

Paul H. Rohe Co., Inc.
3919 East Laughery Creek Road
Aurora, Indiana 47001

(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.: F029-15056-03187	
Issued by: Paul Dubenetzky, Branch Chief Office of Air Quality	Issuance Date: June 12, 2002 Expiration Date: June 12, 2007

First Administrative Amendment: 029-18750-03187	Condition C.19 deleted and remaining C Section conditions renumbered
Issued by: Original signed by Paul Dubenetzky, Branch Chief Office of Air Quality	Issuance Date: **July 2, 2004**

(f) At its discretion, IDEM may excuse the Permittee's failure to perform the monitoring and record keeping as required by Section D, if the Permittee provides adequate justification and documents that such failures do not exceed five percent (5%) of the operating time in any quarter. Temporary, unscheduled unavailability of qualified staff shall be considered a valid reason for failure to perform the monitoring or record keeping requirements in Section D.

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

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

(b) A retest to demonstrate compliance shall be performed within one hundred twenty (120) days of receipt of the original test results. Should the Permittee demonstrate to IDEM, OAQ that retesting in one-hundred and twenty (120) days is not practicable, IDEM, OAQ may extend the retesting deadline.

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

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

(a) Records of all required data, reports 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. The records may be stored elsewhere for the remaining two (2) years as long as they are available upon request. If the Commissioner, or any applicable Local Air Pollution Control Agency (as described in condition B.4 of this permit) makes a request for records to the Permittee, the Permittee shall furnish the records to the Commissioner, ant any applicable Local Air Pollution Control Agency, within a reasonable time.

(b) Unless otherwise specified in this permit, all record keeping requirements not already legally required shall be implemented within thirty (30) days of permit issuance.

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

(a) The source shall submit the attached Quarterly Deviation and Compliance Monitoring Report or its equivalent. Any deviation from permit requirements, the date(s) of each deviation, the cause of the deviation, and the response steps taken must be reported. This report shall be submitted within thirty (30) days of the end of the reporting period. The Quarterly Deviation and Compliance Monitoring Report shall include the certification by the "authorized individual" as defined by 326 IAC 2-1.1-1(1).

(b) The report required in (a) of this condition and reports required by conditions in Section D of this permit shall be submitted to:

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

and

any applicable Local Air Pollution Control Agency (as described in condition B.4 of this permit)

(c) Unless otherwise specified in this permit, any notice, report, or other submission required by this permit shall be considered timely if the date postmarked on the envelope or certified mail receipt, or affixed by the shipper on the private shipping receipt, is on or before the date it is due. If the document is submitted by any other means, it shall be considered timely if received by IDEM, OAQ, and any applicable Local Air Pollution Control Agency (as described in condition B.4 of this permit) on or before the date it is due.

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

(e) 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. Reporting periods are based on calendar years.

Portable Source Requirement

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

(a) This permit is approved for operation in all areas of Indiana except in severe nonattainment areas (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 Permittee seeking to relocate a portable source must give a thirty (30) day advance notice of relocation to IDEM, OAQ and a "Relocation Site Approval" letter must be obtained from IDEM, OAQ before any relocation. The notification by a Permittee does require the certification by the "authorized individual" as defined by 326 IAC 2-1.1-1(1).

(b) A 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) Marion County - (Indianapolis Air Pollution Control Agency)

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

(5) Vigo County - (Vigo County Air Pollution Department)

(c) For portable sources, a valid operation permit consists of this permit and any subsequent "Relocation Site Approval" letter specifying the current location of a 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.

Storm Water Control

C.23 Compliance with Indiana's Storm Water Rule 327 IAC 8-4.1 and 327 IAC 15-3 [326 IAC 2-8-4]

Pursuant to 327 IAC 15-16-1, Indiana's Storm Water Rule, the permittee shall comply with applicable requirements of the rule.

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Compliance Monitoring Requirements [326 IAC 2-8-4] [326 IAC 2-8-5(a)(1)]
C.11 Compliance Monitoring [326 IAC 2-8-4(3)] [326 IAC 2-8-5(a)(1)]
C.12 Maintenance of Emission Monitoring Equipment [326 IAC 2-8-4(3)(A)(iii)]
C.13 Monitoring Methods [326 IAC 3][40 CFR 60][40 CFR 63]
C.14 Temperature Gauge Specifications

Corrective Actions and Response Steps [326 IAC 2-8-4] [326 IAC 2-8-5]
C.15 Emergency Reduction Plans [326 IAC 1-5-2] [326 IAC 1-5-3]
C.16 Risk Management Plan [326 IAC 2-8-4] [40 CFR 68.215]
C.17 Compliance Monitoring Plan - Failure to Take Response Steps [326 IAC 2-8-4]
C.18 Actions Related to Noncompliance Demonstrated by a Stack Test

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

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

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

Storm Water Control
C.23 Compliance with Indiana's Storm Water Rule 327 IAC 8-4.1 and 327 IAC 15-3

SECTION D FACILITY OPERATION CONDITIONS

Emission Limitations and Standards [326 IAC 2-8-4(1)]
D.1 Production Limitation
D.2 Burner Fuel Limitation
D.3 Particulate Matter less than 10 Microns in Diameter (PM-10)
D.4 Particulate Emission Limitations
D.5 Opacity Emission Limitation [40 CFR 60.90 Subpart I]
D.6 Severe Nonattainment Area Limitations
D.7 Preventive Maintenance Plan [326 IAC 2-8-4(9)]

Compliance Determination Requirements
D.8 Volatile Organic Compounds (VOC)
D.9 Used Oil Requirements [329 IAC 13-8]
D.10 Testing Requirements [326 IAC 2-8-5(1)]

Compliance Monitoring Requirements [326 IAC 2-8-4] [326 IAC 2-8-5(a)(1)]
D.11 Monitoring Baghouse on the Dryer/Burner Process Stack
D.12 Broken or Failed Bag Detection
D.13 Visible Emission Notations

Record Keeping and Reporting Requirements [326 IAC 2-8-4(3)] [326 IAC 2-8-16]
D.14 Record Keeping Requirements
D.15 Volatile Liquid Storage Tanks [326 IAC 12][40 CFR Part 60.116 Subpart Kb]
D.16 Quarterly Reporting Requirements
D.17 General Provisions Relating to NSPS [326 IAC 12-1][40 CFR Part 60, Subpart I]

Certification Form
Production Quarterly Report
Single Fuel Quarterly Report

Multiple Fuel Quarterly Report
Single Liquid Binder Solvent Quarterly Report Form
Multiple Liquid Binder Solvent Quarterly Report Form
Emergency Occurrence Form
Quarterly Deviation and Compliance Monitoring Report Form