



Joseph E. Kernan
Governor

Lori F. Kaplan
Commissioner

July 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: Beck Industries, L.P. / 039-18988-00166

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 27, 2004

Mr. Alvin Evans
J.H. Rudolph & Company, Inc.
P.O. Box 5226
Evansville, Indiana 47715

Re: 163-18898-03408
Third Administrative Amendment to
FESOP No.: F163-14132-03408

Dear Mr. Evans:

J.H. Rudolph & Company, Inc. was issued a FESOP permit on April 10, 2002 for a hot drum-mix asphalt plant. An application was received March 29, 2004 requesting that the emission statement condition be revised to incorporate the revisions to 326 IAC 2-6 (Emission Reporting) which became effective on March 27, 2004. Pursuant to the provisions of 326 IAC 2-7-11(a)(7), the permit is hereby administratively amended as follows:

Condition C.19 is deleted (indicated by strikeout) with the remaining conditions renumbered:

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

- ~~(a) — The Permittee shall submit an emission statement certified pursuant to the requirements of 326 IAC 2-6. This statement must be received in accordance with the compliance schedule specified in 326 IAC 2-6-3 and must comply with the minimum requirements specified in 326 IAC 2-6-4. The submittal should cover the period defined in 326 IAC 2-6-2(8). The statement must be submitted to:~~

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

~~and~~

~~Evansville Environmental Protection Agency
101 Court Street, Room 205
Evansville, Indiana 47708~~

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

- ~~(b) — The emission statement required by this permit shall be considered timely if the date postmarked on the envelope or certified mail receipt, or affixed by the shipper on the private shipping receipt, is on or before the date it is due. If the document is submitted by any other means, it shall be considered timely if received by IDEM, OAQ, and the Evansville Environmental Protection Agency on or before the date it is due.~~

J.H. Rudolph & Company, Inc.
Evansville, Indiana 47715

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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 – Vanderburgh County
Vanderburgh County Health Department
Air Compliance Section Inspector – Scott Anslinger
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
IDEM Southwest Regional Office
Local Agency – Evansville EPA
Contract Management Section – Duane Van Laningham (File 163-19126-03408)

**FEDERALLY ENFORCEABLE STATE
OPERATING PERMIT (FESOP) Renewal
OFFICE OF AIR QUALITY
AND THE
EVANSVILLE ENVIRONMENTAL PROTECTION AGENCY**

**J. H. Rudolph & Company, Inc.
3300 S. Green River Road
Evansville, Indiana 47715**

(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.: F163-14132-03408	
Issued by: Paul Dubenetzky, Branch Chief Office of Air Quality	Issuance Date: April 10, 2002 Expiration Date: April 10, 2007

First Administrative Amendment 163-15939-03408, issued May 22, 2002
Second Administrative Amendment 163-16647-03408, issued June 9, 2003

Third Administrative Amendment: 163-18898-03408	Condition C.19 is removed and the remaining C Section conditions are renumbered
Issued by: Original signed by Paul Dubenetzky, Branch Chief Office of Air Quality	Issuance Date: July 27, 2004

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 Response 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]

Stratospheric Ozone Protection

- C.21 Compliance with 40 CFR 82 and 326 IAC 22-1

SECTION D.1 ALTERNATIVE OPERATION SCENARIO TO SECTION D.2

Magnetite Drying

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

- D.1.1 FESOP Limit [326 IAC 2-8-4]
- D.1.2 Sulfur Dioxide (SO₂) [326 IAC 7-1.1-1]
- D.1.3 No. 2 Fuel Usage and Equivalentents [326 IAC 2-8-4]
- D.1.4 Natural Gas Fuel Usage and Equivalentents [326 IAC 2-8-4]
- D.1.5 Preventive Maintenance Plan [326 IAC 2-8-4(9)]

Compliance Determination Requirements

- D.1.6 Particulate Matter and PM-10
- D.1.7 Sulfur Dioxide and Sulfur Content
- D.1.8 Used Oil Requirements

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

- D.1.9 Visible Emissions Notations
- D.1.10 Parametric Monitoring
- D.1.11 Baghouse Inspections
- D.1.12 Broken or Failed Bag Detection

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

- D.1.13 Record Keeping Requirements
- D.1.14 Reporting Requirements

SECTION D.2 FACILITY OPERATION CONDITIONS

Aggregate Dryer

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

- D.2.1 General Provisions Relating to NSPS [326 IAC 12-1][40 CFR Part 60, Subpart A]
- D.2.2 Particulate Matter (PM) [326 IAC 12][40 CFR 60.90, Subpart I]
- D.2.3 Opacity [326 IAC 12][40 CFR 60.90, Subpart I]
- D.2.4 Particulate Matter less than micron (PM-10) [326 IAC 2-8-4]
- D.2.5 Sulfur Dioxide (SO₂) [326 IAC 7-1.1-1]
- D.2.6 No. 2 Fuel Usage and Equivalentents [326 IAC 2-8-4]
- D.2.7 Natural Gas Fuel Usage and Equivalentents [326 IAC 2-8-4]
- D.2.8 Preventive Maintenance Plan [326 IAC 2-8-4(9)]

Compliance Determination Requirements

- D.2.9 Testing Requirements
- D.2.10 Particulate Matter and PM-10
- D.2.11 Sulfur Dioxide and Sulfur Content
- D.2.12 Used Oil Requirements

- (2) The Permittee has determined that the compliance monitoring parameters established in the permit conditions are technically inappropriate, has previously submitted a request for an administrative amendment to the permit, and such request has not been denied.
- (3) An automatic measurement was taken when the process was not operating.
- (4) The process has already returned or is returning to operating within "normal" parameters and no response steps are required.
- (d) When implementing reasonable steps in response to a compliance monitoring condition, if the Permittee determines that an exceedance of an emission limitation has occurred, the Permittee shall report such deviations pursuant to Section B-Deviations from Permit Requirements and Conditions.
- (e) The Permittee shall record all instances when response steps are taken. In the event of an emergency, the provisions of 326 IAC 2-8-12 (Emergency Provisions) requiring prompt corrective action to mitigate emissions shall prevail.
- (f) Except as otherwise provided by a rule or provided specifically in Section D, all monitoring as required in Section D shall be performed when the emission unit is operating, except for time necessary to perform quality assurance and maintenance activities.

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

- (a) When the results of a stack test performed in conformance with Section C - Performance Testing, of this permit exceed the level specified in any condition of this permit, the Permittee shall take appropriate response actions. The Permittee shall submit a description of these response actions to IDEM, OAQ, within thirty (30) days of receipt of the test results. The Permittee shall take appropriate action to minimize excess emissions from the affected facility while the response actions are being implemented.
- (b) A retest to demonstrate compliance shall be performed within one hundred twenty (120) days of receipt of the original test results. Should the Permittee demonstrate to IDEM, OAQ that retesting in one-hundred and twenty (120) days is not practicable, IDEM, OAQ may extend the retesting deadline.
- (c) IDEM, OAQ reserves the authority to take any actions allowed under law in response to noncompliant stack tests.

The documents submitted pursuant to this condition do require the certification by the "authorized individual" as defined by 326 IAC 2-1.1-1(1).

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

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

- (a) Records of all required 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 the Evansville Environmental Protection Agency makes a request for records to the Permittee, the Permittee shall furnish the records to the Commissioner or the Evansville Environmental Protection Agency within a reasonable time.
- (b) Unless otherwise specified in this permit, all record keeping requirements not already legally required shall be implemented within ninety (90) days of permit issuance.

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

- (a) The source shall submit the attached Quarterly Deviation and Compliance Monitoring Report or its equivalent. Any deviation from permit requirements, the date(s) of each deviation, the cause of the deviation, and the response steps taken must be reported. This report shall be submitted within thirty (30) days of the end of the reporting period. The Quarterly Deviation and Compliance Monitoring Report shall include the certification by the "authorized individual" as defined by 326 IAC2-1.1-1(1).
- (b) The report required in (a) of this condition and reports required by conditions in Section D of this permit shall be submitted to:
- Indiana Department of Environmental Management
Compliance Data Section, Office of Air Quality
100 North Senate Avenue, P. O. Box 6015
Indianapolis, Indiana 46206-6015
- and
- Evansville Environmental Protection Agency
101 Court Street, Room 205
Evansville, Indiana 47708
- (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 the Evansville Environmental Protection Agency on or before the date it is due.
- (d) Unless otherwise specified in this permit, any quarterly 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) Reporting periods are based on calendar years.

Stratospheric Ozone Protection

C.21 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.

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