



Joseph E. Kernan
Governor

Lori F. Kaplan
Commissioner

October 15, 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: E & B Paving, Inc. / SPR 003-19245-00334

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 13-15-5-3, this permit is effective immediately, unless a petition for stay of effectiveness is filed and granted according to IC 13-15-6-3, 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 and IC 13-15-6-1 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 of 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.dot 9/16/03



INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

We make Indiana a cleaner, healthier place to live.

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Mr. Steve Henderson
Regulatory Affairs Director
E & B Paving, Inc.
7320 Lower Huntington Road
Fort Wayne, IN 46809

October 15, 2004

Re: 003-19245
First Significant Revision to
FESOP Renewal No. 003-14406-00334

Dear Mr. Henderson:

E & B Paving, Inc. was issued a permit on April 18, 2002 for a stationary drum mix asphalt plant. A letter requesting changes to this permit was received on June 9, 2004. Pursuant to the provisions of 326 IAC 2-8-11.1 a significant permit revision to this permit is hereby approved as described in the attached Technical Support Document.

The modification consists of replacing the existing drum mixer rated at 425 tons per hour with a new drum mixer rated at 350 tons per hour and replacing the existing 135 MMBtu per hour aggregate dryer burner with a 100 MMBtu per hour aggregate dryer burner. Also, the source is replacing the one (1) 30,000 gallon asphalt cement storage tank (ID No. T-01) and the two (2) 15,000 gallon asphalt storage tanks (ID No. T-02, T-03) with three (3) 30,000 gallon asphalt cement storage tanks (ID No. T-01, T-02, T03).

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 significant permit revision into the permit. All other conditions of the permit shall remain unchanged and in effect. Please attach a copy of this modification and the following revised permit 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 Seema Roy, c/o OAQ, 100 North Senate Avenue, P.O. Box 6015, Indianapolis, Indiana, 46206-6015, or call at (973) 575-2555, ext. 3419 or dial (800) 451-6027, and ask for extension 3-6878.

Sincerely,

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

Attachments
SR/EVP

cc: File – Allen County
U.S. EPA, Region V
Allen County Health Department
Air Compliance Section Inspector – Vaughn Ison
Compliance Data Section
Administrative and Development
Technical Support and Modeling - Michelle Boner



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

E & B PAVING, INC.
7320 Lower Huntington Road
Fort Wayne, IN 46809

(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.

The Permittee must comply with all conditions of this permit. Noncompliance with any provision of this permit is grounds for enforcement action; permit termination, revocation and reissuance, or modification; and denial of a permit renewal application. 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. An emergency does constitute an affirmative defense in an enforcement action provided the Permittee complies with the applicable requirements set forth in Section B, Emergency Provisions.

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.: F003-14406-00334	
Issued by: Paul Dubenetzky, Branch Chief Office of Air Quality	Issuance Date: April 18, 2002 Expiration Date: April 18, 2007

First Significant Permit Revision: 003-19245-00334	Pages Affected: All pages
Issued by: Original signed by Paul Dubenetzky, Branch Chief Office of Air Quality	Issuance Date: October 15, 2004 Expiration Date: October 15, 2009

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

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

The Permittee owns and operates a stationary drum mix asphalt plant.

Authorized individual:	Steve Henderson, Regulatory Affairs Director
Source Address:	7320 Lower Huntington Road, Fort Wayne, IN 46809
Mailing Address:	286 W 300 N, Anderson, IN 46012
General Source Phone:	(765) 643-5358
SIC Code:	2951
County Location:	Allen
County Status:	Nonattainment for ozone under the 8-hour standard Attainment for all other criteria pollutants
Source Status:	Federally Enforceable State Operating Permit (FESOP) Minor Source, under PSD Rules and Nonattainment NSR; 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 stationary source consists of the following emission units and pollution control devices:

- (a) one (1) aggregate drum mix dryer, identified as EU-02, constructed in 2004, with a maximum capacity of 350 tons per hour, equipped with one (1) natural gas or No. 2 distillate fuel oil fired dryer burner with a maximum heat input of 100 million (MM) Btu per hour; using one (1) baghouse (ID No. B-1) for particulate matter control, exhausting to one (1) stack (ID No. SV-1);
- (b) feeding, conveying and loading operations, processing a maximum of ~~425~~ 350 tons per hour;
- (c) cold-mix (stockpile mix) asphalt manufacturing operations;
- (d) three (3) 30,000 gallon asphalt cement storage tanks (ID No. T-01, T-02, T03), constructed in 2004;
- (e) one (1) 20,000 gallon fuel oil storage tank (ID No. T-04), constructed in 1999; and
- (f) one (1) 12,000 gallon fuel oil storage tank (ID No. T-05), constructed in 1999.

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

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

- (a) one (1) direct-fired hot oil heater, with a maximum heat input of 1.3 MMBtu per hour, firing No. 2 distillate fuel oil with natural gas and LPG as back-up fuels, exhausting to one (1) stack;

- (b) sand, crushed stone and reclaimed asphalt pavement storage piles with a maximum total storage capacity of 60,000 tons;
- (c) paved and unpaved roadways; and
- (d) two (2) materials testing labs.

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

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

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

- (a) All terms and conditions of previous permits issued pursuant to permitting programs approved into the state implementation plan have been either
 - (1) incorporated as originally stated,
 - (2) revised, or
 - (3) deletedby this permit.
- (b) All previous registrations and permits are superseded by this permit.

SECTION B GENERAL CONDITIONS

B.1 Permit No Defense [IC 13]

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

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

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

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

This permit is issued for a fixed term of five (5) years from the issuance date of this permit, as determined in accordance with IC 4-21.5-3-5(f) and IC 13-15-5-3. Subsequent revisions, modifications, or amendments of this permit do not affect the expiration date.

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

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

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

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

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

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

B.7 Property Rights or Exclusive Privilege [326 IAC 2-8-4(5)(D)]

This permit does not convey any property rights of any sort, or any exclusive privilege.

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

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

(b) For information furnished by the Permittee to IDEM, OAQ, the Permittee may include a claim of confidentiality in accordance with 326 IAC 17.1. When furnishing copies of requested records directly to U. S. EPA, the Permittee may assert a claim of confidentiality in accordance with 40 CFR 2, Subpart B.

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

IDEM, OAQ may issue a compliance order to this Permittee upon discovery that this permit is in nonconformance with an applicable requirement. The order may require immediate compliance or contain a schedule for expeditious compliance with the applicable requirement.

B.10 Certification [326 IAC 2-8-3(d)] [326 IAC 2-8-4(3)(C)(i)] [326 IAC 2-8-5(1)]

- (a) Where specifically designated by this permit or required by an applicable requirement, any application form, report, or compliance certification submitted shall contain certification by an authorized individual of truth, accuracy, and completeness. This certification, shall state that, based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate, and complete.
- (b) One (1) certification shall be included, using the attached Certification Form, with each submittal requiring certification. One (1) certification may cover multiple forms in one (1) submittal.
- (c) An authorized individual is defined at 326 IAC 2-1.1-1(1).

B.11 Annual Compliance Certification [326 IAC 2-8-5(a)(1)]

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

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

- (b) The annual compliance certification report required by this permit shall be considered timely if the date postmarked on the envelope or certified mail receipt, or affixed by the shipper on the private shipping receipt, is on or before the date it is due. If the document is submitted by any other means, it shall be considered timely if received by IDEM, OAQ, on or before the date it is due.
- (c) The annual compliance certification report shall include the following:
 - (1) The appropriate identification of each term or condition of this permit that is the basis of the certification;
 - (2) The compliance status;
 - (3) Whether compliance was continuous or intermittent;
 - (4) The methods used for determining the compliance status of the source, currently and over the reporting period consistent with 326 IAC 2-8-4(3); and
 - (5) Such other facts as specified in Sections D of this permit, IDEM, OAQ, may require to determine the compliance status of the source.

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

B.12 Preventive Maintenance Plan [326 IAC 1-6-3] [326 IAC 2-8-4(9)] [326 IAC 2-8-5(a)(1)]

- (a) If required by specific condition(s) in Section D of this permit, the Permittee shall maintain and implement Preventive Maintenance Plans (PMPs), including the following information on each facility:

- (1) Identification of the individual(s) responsible for inspecting, maintaining, and repairing emission control devices;
 - (2) A description of the items or conditions that will be inspected and the inspection schedule for said items or conditions; and
 - (3) Identification and quantification of the replacement parts that will be maintained in inventory for quick replacement.
- (b) The Permittee shall implement the PMPs, including any required record keeping, as necessary to ensure that failure to implement a PMP does not cause or contribute to an exceedance of any limitation on emissions or potential to emit.
- (c) A copy of the PMPs shall be submitted to IDEM, OAQ, upon request and within a reasonable time, and shall be subject to review and approval by IDEM, OAQ. IDEM, OAQ, may require the Permittee to revise its PMPs whenever lack of proper maintenance causes or is the primary contributor to an exceedance of any limitation on emissions or potential to emit. The PMP does not require the certification by the "authorized individual" as defined by 326 IAC 2-1.1-1(1).
- (d) To the extent the Permittee is required by 40 CFR Part 60/63 to have an Operation, Maintenance, and Monitoring (OMM) Plan for a unit, such Plan is deemed to satisfy the PMP requirements of 326 IAC 1-6-3 for that unit.

B.13 Emergency Provisions [326 IAC 2-8-12]

- (a) An emergency, as defined in 326 IAC 2-7-1(12), is not an affirmative defense for an action brought for noncompliance with a federal or state health-based emission limitation, except as provided in 326 IAC 2-8-12.
- (b) An emergency, as defined in 326 IAC 2-7-1(12), constitutes an affirmative defense to an action brought for noncompliance with a health-based or technology-based emission limitation if the affirmative defense of an emergency is demonstrated through properly signed, contemporaneous operating logs or other relevant evidence that describes the following:
- (1) An emergency occurred and the Permittee can, to the extent possible, identify the causes of the emergency;
 - (2) The permitted facility was at the time being properly operated;
 - (3) During the period of an emergency, the Permittee took all reasonable steps to minimize levels of emissions that exceeded the emission standards or other requirements in this permit;
 - (4) For each emergency lasting one (1) hour or more, the Permittee notified IDEM, OAQ, within four (4) daytime business hours after the beginning of the emergency, or after the emergency was discovered or reasonably should have been discovered;

Telephone No.: 1-800-451-6027 (ask for Office of Air Quality, Compliance Section) or,
Telephone No.: 317-233-5674 (ask for Compliance Section)
Facsimile No.: 317-233-5967
 - (5) For each emergency lasting one (1) hour or more, the Permittee submitted the attached Emergency Occurrence Report Form or its equivalent, either by mail or facsimile to:

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

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

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

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

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

- (6) The Permittee immediately took all reasonable steps to correct the emergency.
- (c) In any enforcement proceeding, the Permittee seeking to establish the occurrence of an emergency has the burden of proof.
- (d) This emergency provision supersedes 326 IAC 1-6 (Malfunctions). This permit condition is in addition to any emergency or upset provision contained in any applicable requirement.
- (e) IDEM, OAQ, may require that the Preventive Maintenance Plans required under 326 IAC 2-8-3(c)(6) be revised in response to an emergency.
- (f) Failure to notify IDEM, OAQ, by telephone or facsimile of an emergency lasting more than one (1) hour in accordance with (b)(4) and (5) of this condition shall constitute a violation of 326 IAC 2-8 and any other applicable rules.
- (g) Operations may continue during an emergency only if the following conditions are met:
 - (1) If the emergency situation causes a deviation from a technology-based limit, the Permittee may continue to operate the affected emitting facilities during the emergency provided the Permittee immediately takes all reasonable steps to correct the emergency and minimize emissions.
 - (2) If an emergency situation causes a deviation from a health-based limit, the Permittee may not continue to operate the affected emissions facilities unless:
 - (A) The Permittee immediately takes all reasonable steps to correct the emergency situation and to minimize emissions; and
 - (B) Continued operation of the facilities is necessary to prevent imminent injury to persons, severe damage to equipment, substantial loss of capital investment, or loss of product or raw material of substantial economic value.

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

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

B.14 Deviations from Permit Requirements and Conditions [326 IAC 2-8-4(3)(C)(ii)]

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

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

using the attached Quarterly Deviation and Compliance Monitoring Report, or its equivalent. A deviation required to be reported pursuant to an applicable requirement that exists independent of this permit, shall be reported according to the schedule stated in the applicable requirement and does need to be included in this report.

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

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

B.15 Permit Modification, Reopening, Revocation and Reissuance, or Termination [326 IAC 2-8-4(5)(C)] [326 IAC 2-8-7(a)] [326 IAC 2-8-8]

- (a) This permit may be modified, reopened, revoked and reissued, or terminated for cause. The filing of a request by the Permittee for a FESOP modification, revocation and reissuance, or termination, or of a notification of planned changes or anticipated noncompliance does not stay any condition of this permit. [326 IAC 2-8-4(5)(C)] The notification by the Permittee does require the certification by the "authorized individual" as defined by 326 IAC 2-1.1-1(1).
- (b) This permit shall be reopened and revised under any of the circumstances listed in IC 13-15-7-2 or if IDEM, OAQ determines any of the following:
- (1) That this permit contains a material mistake.
 - (2) That inaccurate statements were made in establishing the emissions standards or other terms or conditions.
 - (3) That this permit must be revised or revoked to assure compliance with an applicable requirement. [326 IAC 2-8-8(a)]
- (c) Proceedings by IDEM, OAQ, to reopen and revise this permit shall follow the same procedures as apply to initial permit issuance and shall affect only those parts of this permit for which cause to reopen exists. Such reopening and revision shall be made as expeditiously as practicable. [326 IAC 2-8-8(b)]
- (d) The reopening and revision of this permit, under 326 IAC 2-8-8(a), shall not be initiated before notice of such intent is provided to the Permittee by IDEM, OAQ, at least thirty (30) days in advance of the date this permit is to be reopened, except that IDEM, OAQ, may provide a shorter time period in the case of an emergency. [326 IAC 2-8-8(c)]

B.16 Permit Renewal [326 IAC 2-8-3(h)]

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

Request for renewal shall be submitted to:

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

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

- (1) A timely renewal application is one that is:

- (A) Submitted at least nine (9) months prior to the date of the expiration of this permit; and
- (B) If the date postmarked on the envelope or certified mail receipt, or affixed by the shipper on the private shipping receipt, is on or before the date it is due. If the document is submitted by any other means, it shall be considered timely if received by IDEM, OAQ, on or before the date it is due.

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

- (c) Right to Operate After Application for Renewal [326 IAC 2-8-9]

If the Permittee submits a timely and complete application for renewal of this permit, the source's failure to have a permit is not a violation of 326 IAC 2-8 until IDEM, OAQ takes final action on the renewal application, except that this protection shall cease to apply if, subsequent to the completeness determination, the Permittee fails to submit by the deadline specified in writing by IDEM, OAQ, any additional information identified as needed to process the application.

B.17 Permit Amendment or Revision [326 IAC 2-8-10] [326 IAC 2-8-11.1]

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

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

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

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

- (c) The Permittee may implement the administrative amendment changes addressed in the request for an administrative amendment immediately upon submittal of the request. [326 IAC 2-8-10(b)(3)]
- (d) No permit amendment or modification is required for the addition, operation or removal of a nonroad engine, as defined in 40 CFR 89.2.

B.18 Operational Flexibility [326 IAC 2-8-15][326 IAC 2-8-11.1]

- (a) The Permittee may make any change or changes at this source that are described in 326 IAC 2-8-15(b) through (d), without prior permit revision, if each of the following conditions is met:

- (1) The changes are not modifications under any provision of Title I of the Clean Air Act;
- (2) Any approval required by 326 IAC 2-8-11.1 has been obtained;
- (3) The changes do not result in emissions which exceed the emissions allowable under this permit (whether expressed herein as a rate of emissions or in terms of total emissions);
- (4) The Permittee notifies the:

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

and

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

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

- (5) The Permittee maintains records on-site which document, on a rolling five (5) year basis, all such changes and emissions trading that are subject to 326 IAC 2-8-15(b) through (d) and makes such records available, upon reasonable request, to public review.

Such records shall consist of all information required to be submitted to IDEM, OAQ, in the notices specified in 326 IAC 2-8-15(b)(2), (c)(1), and (d).

- (b) **Emission Trades [326 IAC 2-8-15(c)]**
The Permittee may trade increases and decreases in emissions in the source, where the applicable SIP provides for such emission trades without requiring a permit revision, subject to the constraints of Section (a) of this condition and those in 326 IAC 2-8-15(c).

- (c) Alternative Operating Scenarios [326 IAC 2-8-15(d)]
The Permittee may make changes at the source within the range of alternative operating scenarios that are described in the terms and conditions of this permit in accordance with 326 IAC 2-8-4(7). No prior notification of IDEM, OAQ or U.S. EPA is required.
- (d) 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.19 Permit Revision Requirement [326 IAC 2-8-11.1]

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

B.20 Inspection and Entry [326 IAC 2-8-5(a)(2)][IC 13-14-2-2][IC 13-17-3-2][IC 13-30-3-1]

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

- (a) Enter upon the Permittee's premises where a FESOP source is located, or emissions related activity is conducted, or where records must be kept under the conditions of this permit;
- (b) As authorized by the Clean Air Act, IC 13-14-2-2, IC 13-17-3-2, and IC 13-30-3-1, have access to and copy, at reasonable times, any records that must be kept under the conditions of this permit;
- (c) As authorized by the Clean Air Act, IC 13-14-2-2, IC 13-17-3-2, and IC 13-30-3-1, inspect at reasonable times, any facilities, equipment (including monitoring and air pollution control equipment), practices, or operations regulated or required under this permit;
- (d) As authorized by the Clean Air Act, IC 13-14-2-2, IC 13-17-3-2, and IC 13-30-3-1, sample or monitor, at reasonable times, substances or parameters for the purpose of assuring compliance with this permit or applicable requirements; and
- (e) As authorized by the Clean Air Act, IC 13-14-2-2, IC 13-17-3-2, and IC 13-30-3-1, utilize any photographic, recording, testing, monitoring, or other equipment for the purpose of assuring compliance with this permit or applicable requirements.

B.21 Transfer of Ownership or Operational Control [326 IAC 2-8-10]

- (a) The Permittee must comply with the requirements of 326 IAC 2-8-10 whenever the Permittee seeks to change the ownership or operational control of the source and no other change in the permit is necessary.
- (b) Any application requesting a change in the ownership or operational control of the source shall contain a written agreement containing a specific date for transfer of permit responsibility, coverage and liability between the current and new Permittee. The application shall be submitted to:

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

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

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

B.22 Annual Fee Payment [326 IAC 2-7-19] [326 IAC 2-8-4(6)] [326 IAC 2-8-16][326 IAC 2-1.1-7]

- (a) The Permittee shall pay annual fees to IDEM, OAQ, within thirty (30) calendar days of receipt of a billing. Pursuant to 326 IAC 2-7-19(b), if the Permittee does not receive a bill from IDEM, OAQ the applicable fee is due April 1 of each year.
- (b) Failure to pay may result in administrative enforcement action, or revocation of this permit.
- (c) The Permittee may call the following telephone numbers: 1-800-451-6027 or 317-233-4320 (ask for OAQ, Billing, Licensing and Training Section), to determine the appropriate permit fee.

B.23 Credible Evidence [326 IAC 2-8-4(3)][326 IAC 2-8-5][62 FR 8314]

Notwithstanding the conditions of this permit that state specific methods that may be used to demonstrate compliance with, or a violation of, applicable requirements, any person (including the Permittee) may also use other credible evidence to demonstrate compliance with, or a violation of, any term or condition of this permit.

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, except particulate matter (PM), from the entire source shall be limited to less than one-hundred (100) tons per twelve (12) consecutive month period. This limitation shall also satisfy the requirements of 326 IAC 2-2 (Prevention of Significant Deterioration (PSD));
- (2) The potential to emit any individual hazardous air pollutant (HAP) from the entire source shall be limited to less than ten (10) tons per twelve (12) consecutive month period; and
- (3) The potential to emit any combination of HAPs from the entire source shall be limited to less than twenty-five (25) tons per twelve (12) consecutive month period.

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

(c) This condition shall include all emission points at this source including those that are insignificant as defined in 326 IAC 2-7-1(21). The source shall be allowed to add insignificant activities not already listed in this permit, provided 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 Particulate Emission Limitations For Processes with Process Weight Rates Less Than One Hundred (100) Pounds Per Hour [40 CFR 52 Subpart P][326 IAC 6-3-2]

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

(b) Pursuant to 326 IAC 6-3-2(e)(2), particulate emissions from any process not exempt under 326 IAC 6-3-1(b) or (c) which has a maximum process weight rate less than 100 pounds per hour and the methods in 326 IAC 6-3-2(b) through (d) do not apply shall not exceed 0.551 pounds per hour.

C.3 Opacity [326 IAC 5-1]

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

- (a) Opacity shall not exceed an average of forty percent (40%) in any one (1) six (6) minute averaging period as determined in 326 IAC 5-1-4.
- (b) Opacity shall not exceed sixty percent (60%) for more than a cumulative total of fifteen (15) minutes (sixty (60) readings as measured according to 40 CFR 60, Appendix A, Method 9 or fifteen (15) one (1) minute nonoverlapping integrated averages for a continuous opacity monitor) in a six (6) hour period.

C.4 Open Burning [326 IAC 4-1] [IC 13-17-9]

The Permittee shall not open burn any material except as provided in 326 IAC 4-1-3, 326 IAC 4-1-4 or 326 IAC 4-1-6. The previous sentence notwithstanding, the Permittee may open burn in accordance with an open burning approval issued by the Commissioner under 326 IAC 4-1-4.1.

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

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

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

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

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

Pursuant to 326 IAC 6-5 (Fugitive Particulate Matter Emission Limitations), fugitive particulate matter emissions shall be controlled according to the plan submitted on June 17, 1996. The plan is included as Attachment A.

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

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

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

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

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

- (a) Notification requirements apply to each owner or operator. If the combined amount of regulated asbestos containing material (RACM) to be stripped, removed or disturbed is at least 260 linear feet on pipes or 160 square feet on other facility components, or at least thirty-five (35) cubic feet on all facility components, then the notification requirements of 326 IAC 14-10-3 are mandatory. All demolition projects require notification whether or not asbestos is present.
- (b) The Permittee shall ensure that a written notification is sent on a form provided by the Commissioner at least ten (10) working days before asbestos stripping or removal work or before demolition begins, per 326 IAC 14-10-3, and shall update such notice as necessary, including, but not limited to the following:
 - (1) When the amount of affected asbestos containing material increases or decreases by at least twenty percent (20%); or
 - (2) If there is a change in the following:

- (A) Asbestos removal or demolition start date;
 - (B) Removal or demolition contractor; or
 - (C) Waste disposal site.
- (c) The Permittee shall ensure that the notice is postmarked or delivered according to the guidelines set forth in 326 IAC 14-10-3(2).
- (d) The notice to be submitted shall include the information enumerated in 326 IAC 14-10-3(3).

All required notifications shall be submitted to:

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

The notice shall include a signed certification from the owner or operator that the information provided in this notification is correct and that only Indiana licensed workers and project supervisors will be used to implement the asbestos removal project. The notifications do not require a certification by the "authorized individual" as defined by 326 IAC 2-1.1-1(1).

- (e) **Procedures for Asbestos Emission Control**
The Permittee shall comply with the applicable emission control procedures in 326 IAC 14-10-4 and 40 CFR 61.145(c). Per 326 IAC 14-10-1 emission control requirements are applicable for any removal or disturbance of RACM greater than three (3) linear feet on pipes or three (3) square feet on any other facility components or a total of at least 0.75 cubic feet on all facility components.
- (f) **Demolition and renovation**
The Permittee shall thoroughly inspect the affected facility or part of the facility where the demolition or renovation will occur for the presence of asbestos pursuant to 40 CFR 61.145(a).
- (g) **Indiana Accredited Asbestos Inspector**
The Permittee shall comply with 326 IAC 14-10-1(a) that requires the owner or operator, prior to a renovation/demolition, to use an Indiana Accredited Asbestos Inspector to thoroughly inspect the affected portion of the facility for the presence of asbestos. The requirement to use an Indiana Accredited Asbestos inspector is not federally enforceable.

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

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

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

A test protocol, except as provided elsewhere in this permit, shall be submitted to:

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

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

- (b) The Permittee shall notify IDEM, OAQ of the actual test date at least fourteen (14) days prior to the actual test date. The notification submitted by the Permittee does not require certification by the "authorized individual" as defined by 326 IAC 2-1.1-1(1).
- (c) Pursuant to 326 IAC 3-6-4(b), all test reports must be received by IDEM, OAQ not later than forty-five (45) days after the completion of the testing. An extension may be granted by IDEM, OAQ, if the Permittee submits to IDEM, OAQ, a reasonable written explanation not later than five (5) days prior to the end of the initial forty-five (45) day period.

Compliance Requirements [326 IAC 2-1.1-11]

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

The commissioner may require stack testing, monitoring, or reporting at any time to assure compliance with all applicable requirements by issuing an order under 326 IAC 2-1.1-11. Any monitoring or testing shall be performed in accordance with 326 IAC 3 or other methods approved by the commissioner or the U. S. EPA.

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

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

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

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

C.14 Maintenance of Emission Monitoring Equipment [326 IAC 2-8-4(3)(A)(iii)]

- (a) In the event that a breakdown of the emission 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 often less than once an 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.15 Monitoring Methods [326 IAC 3] [40 CFR 60] [40 CFR 63]

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

C.16 Pressure Gauge and Other Instrument Specifications [326 IAC 2-1.1-11] [326 IAC 2-8-4(3)] [326 IAC 2-8-5(1)]

- (a) Whenever a condition in this permit requires the measurement of pressure drop across any part of the unit or its control device, the gauge employed shall have a scale such that the expected normal reading shall be no less than twenty percent (20%) of full scale and be accurate within plus or minus two percent (" 2%) of full scale reading.
- (b) The Permittee may request the IDEM, OAQ approve the use of a pressure gauge or other instrument that does not meet the above specifications provided the Permittee can demonstrate an alternative pressure gauge or other instrument specification will adequately ensure compliance with permit conditions requiring the measurement of pressure drop or other parameters.

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

C.17 Risk Management Plan [326 IAC 2-8-4] [40 CFR 68]

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

C.18 Compliance Response Plan - Preparation, Implementation, Records, and Reports [326 IAC 2-8-4] [326 IAC 2-8-5]

- (a) The Permittee is required to prepare a Compliance Response Plan (CRP) for each compliance monitoring condition of this permit. A CRP shall be submitted to IDEM, OAQ upon request. The CRP shall be prepared within ninety (90) days after issuance of this permit by the Permittee, supplemented from time to time by the Permittee, maintained on site, and is comprised of:
 - (1) Reasonable response steps that may be implemented in the event that a response step is needed pursuant to the requirements of Section D of this permit; and an expected time frame for taking reasonable response steps.
 - (2) If, at any time, the Permittee takes reasonable response steps that are not set forth in the Permittee's current Compliance Response Plan and the Permittee documents such response in accordance with subsection (e) below, the Permittee shall amend its Compliance Response Plan to include such response steps taken.
- (b) For each compliance monitoring condition of this permit, reasonable response steps shall be taken when indicated by the provisions of that compliance monitoring condition as follows:
 - (1) Reasonable response steps shall be taken as set forth in the Permittee's current Compliance Response Plan; or
 - (2) If none of the reasonable response steps listed in the Compliance Response Plan is applicable or responsive to the excursion, the Permittee shall devise and implement additional response steps as expeditiously as practical. Taking such additional response steps shall not be considered a deviation from this permit so long as the Permittee documents such response steps in accordance with this condition.

- (3) If the Permittee determines that additional response steps would necessitate that the emissions unit or control device be shut down, and it will be ten (10) days or more until the unit or device will be shut down, then the permittee shall promptly notify the IDEM, OAQ of the expected date of the shut down. The notification shall also include the status of the applicable compliance monitoring parameter with respect to normal, and the results of the response actions taken up to the time of notification.
 - (4) Failure to take reasonable response steps shall be considered a deviation from the permit.
- (c) The Permittee is not required to take any further response steps for any of the following reasons:
- (1) A false reading occurs due to the malfunction of the monitoring equipment and prompt action was taken to correct the monitoring equipment.
 - (2) The Permittee has determined that the compliance monitoring parameters established in the permit conditions are technically inappropriate, has previously submitted a request for an administrative amendment to the permit, and such request has not been denied.
 - (3) An automatic measurement was taken when the process was not operating.
 - (4) The process has already returned or is returning to operating within "normal" parameters and no response steps are required.
- (d) When implementing reasonable steps in response to a compliance monitoring condition, if the Permittee determines that an exceedance of an emission limitation has occurred, the Permittee shall report such deviations pursuant to Section B-Deviations from Permit Requirements and Conditions.
- (e) The Permittee shall record all instances when 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.19 Actions Related to Noncompliance Demonstrated by a Stack Test [326 IAC 2-8-4][326 IAC 2-8-5]

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

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

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

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

C.20 General Record Keeping Requirements [326 IAC 2-8-4(3)] [326 IAC 2-8-5]

- (a) Records of all required monitoring data, reports and support information required by this permit shall be retained for a period of at least five (5) years from the date of monitoring sample, measurement, report, or application. These records shall be physically present or electronically accessible at the source location for a minimum of three (3) years. The records may be stored elsewhere for the remaining two (2) years as long as they are available upon request. If the Commissioner makes a request for records to the Permittee, the Permittee shall furnish the records to the Commissioner within a reasonable time.
- (b) Unless otherwise specified in this permit, all record keeping requirements not already legally required shall be implemented within ninety (90) days of permit issuance.

C.21 General Reporting Requirements [326 IAC 2-8-4(3)(C)] [326 IAC 2-1.1-11]

- (a) The Permittee 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
- (c) Unless otherwise specified in this permit, any notice, report, or other submission required by this permit shall be considered timely if the date postmarked on the envelope or certified mail receipt, or affixed by the shipper on the private shipping receipt, is on or before the date it is due. If the document is submitted by any other means, it shall be considered timely if received by IDEM, OAQ, on or before the date it is due.
- (d) Unless otherwise specified in this permit, all reports required in Section D of this permit shall be submitted within thirty (30) days of the end of the reporting period. All reports do require the certification by the "authorized individual" as defined by 326 IAC 2-1.1-1(1).
- (e) Reporting periods are based on calendar years, unless otherwise specified in this permit. For the purpose of this permit "calendar year" means the twelve (12) month period from January 1 to December 31 inclusive.

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) aggregate drum mix dryer, identified as EU-02, constructed in 2004, with a maximum capacity of 350 tons per hour, equipped with one (1) natural gas or No. 2 distillate fuel oil fired dryer burner with a maximum heat input of 100 million (MM) Btu per hour; using one (1) baghouse (ID No. B-1) for particulate matter control, exhausting to one (1) stack (ID No. SV-1);

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

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

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

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

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

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 not exceed 0.04 grains per dry standard cubic foot (gr/dscf). This is equivalent to a particulate matter emission rate of 17.44 pounds per hour.

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

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

D.1.4 Particulate Matter (PM) [326 IAC 2-2]

Particulate matter emissions from the aggregate mixing and drying operation shall not exceed 0.05 pound PM per ton of asphalt mix. This is equivalent to a PM emission limit of 17.44 pounds per hour, based on a maximum throughput of 350 tons of asphalt mix per hour. Based on 8,760 hours of operation per 12 consecutive month period, this limits PM emissions from the aggregate mixing and drying operation to less than 76.4 tons per year for a source-wide total potential to emit of less than 250 tons per year.

Therefore, compliance with this limit will render the requirements of 326 IAC 2-2 (Prevention of Significant Deterioration (PSD)) not applicable.

D.1.5 Particulate Matter Less Than 10 Microns (PM-10) [326 IAC 2-8-4] [326 IAC 2-2]

Pursuant to 326 IAC 2-8-4, PM-10 emissions from the aggregate mixing and drying operation shall be limited to 0.046 pounds of PM-10 emitted per ton of asphalt produced, including both filterable and condensable fractions. This is equivalent to a PM-10 emission limit of 16.03 pounds per hour, based on a maximum throughput of 350 tons of asphalt mix per hour. Based on 8,760 hours of operation per 12 consecutive month period, this limits PM-10 emissions from the aggregate mixing and drying operation to 70.20 tons per year for a source-wide total potential to emit of less than 100 tons per year. Therefore, the Part 70 rules (326 IAC 2-7) do not apply. Compliance with this limit shall also make the requirements of 326 IAC 2-2 (Prevention of Significant Deterioration (PSD)) not applicable.

D.1.6 Sulfur Dioxide (SO₂) [326 IAC 7-1] [326 IAC 7-2-1]

Pursuant to 326 IAC 7-1.1 (Sulfur Dioxide Emission Limitations), sulfur dioxide emissions from the 100 million British thermal units per hour burner for the aggregate drum mix dryer shall be limited to 0.5 pound per MMBtu heat input or a sulfur content of less than or equal to 0.5% when using No. 2 distillate oil.

Pursuant to 326 IAC 7-1.1-2, this sulfur dioxide limit applies at all times including periods of startup, shutdown, and malfunction. Pursuant to 326 IAC 7-2-1, compliance shall be demonstrated on a calendar month average.

D.1.7 No. 2 Fuel Usage and Equivalents [326 IAC 2-8] [326 IAC 2-2]

Pursuant to 326 IAC 2-8-4(1), the following limits shall apply:

- (a) The input of No. 2 distillate fuel oil and No. 2 distillate fuel oil equivalents in the 100 MMBtu per hour burner for the aggregate dryer shall be limited to 2,471,592 gallons per twelve (12) consecutive month period, with compliance determined at the end of each month, so that SO₂ emissions are limited below 100 tons per year.
- (b) For purposes of determining compliance, every MMCF of natural gas burned shall be equivalent to 7.64 gallons of No. 2 distillate fuel oil based on SO₂ emissions, such that the total gallons of No. 2 distillate fuel oil and No. 2 distillate fuel oil equivalent input does not exceed the limit specified.

Therefore, the requirements of 326 IAC 2-7 will not apply. This limit will also render 326 IAC 2-2 (Prevention of Significant Deterioration (PSD)) and 40 CFR 52.21 not applicable.

D.1.8 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.1.9 Testing Requirements [326 IAC 2-8-5(a)(1), (4)] [326 IAC 2-1.1-11]

Within 60 days after achieving the maximum production rate, but not later than 180 days after initial start-up of the modified units, the Permittee shall perform the following to demonstrate compliance with Conditions D.1.2, D.1.3, D.1.4 and D.1.5 for the drum-mix aggregate dryer:

- (a) PM and PM-10 testing utilizing methods per 40 CFR Part 60 Appendix A, Method 5 for PM and methods, as approved by the Commissioner for PM-10. PM-10 includes filterable and condensable PM-10.
- (b) Opacity testing utilizing 40 CFR Part 60 Appendix A, Method 9, to demonstrate compliance with the opacity limitation of Condition D.1.3.

This test shall be repeated at least once every five (5) years from the date of this valid compliance demonstration. Testing shall be conducted in accordance with Section C- Performance Testing.

D.1.10 Particulate Matter (PM) and PM-10

In order to comply with conditions D.1.2, D.1.3, D.1.4 and D.1.5, the baghouse for PM and PM10 control shall be in operation and control emissions at all times when the aggregate dryer and burner are in operation.

D.1.11 Sulfur Dioxide Emissions and Sulfur Content

Compliance with Condition D.1.6 shall be determined utilizing one of the following options.

- (a) Pursuant to 326 IAC 3-7-4, the Permittee shall demonstrate that the sulfur dioxide emissions do not exceed 0.5 pounds per million Btu heat input when firing No. 2 distillate fuel oil:
 - (1) Providing vendor analysis of fuel delivered, if accompanied by a vendor certification; or
 - (2) Analyzing the oil sample to determine the sulfur content of the oil via the procedures in 40 CFR 60, Appendix A, Method 19.
 - (A) Oil samples may be collected from the fuel tank immediately after the fuel tank is filled and before any oil is combusted; and
 - (B) If a partially empty fuel tank is refilled, a new sample and analysis would be required upon filling.
- (b) Compliance may also be determined by conducting a stack test for sulfur dioxide emissions from the 100 MMBtu per hour heater, using 40 CFR 60, Appendix A, Method 6 in accordance with the procedures in 326 IAC 3-6.

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

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

D.1.12 Visible Emissions Notations

- (a) Visible emission notations of the mixing and drying operation stack exhaust and conveyor transfer points 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. Failure to take response steps in accordance with Section C - Compliance Response Plan - Preparation, Implementation, Records, and Reports, shall be considered a deviation from this permit.

D.1.13 Parametric Monitoring

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

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

D.1.14 Baghouse Inspections

An inspection shall be performed each calendar quarter of all bags controlling the drum-mix aggregate mixing/drying operations 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.1.15 Broken or Failed Bag Detection

In the event that bag failure has been observed:

- (a) For multi-compartment units, the affected compartments will be shut down immediately until the failed units have been repaired or replaced. Within eight (8) business hours of the determination of failure, response steps according to the timetable described in the Compliance Response Plan shall be initiated. For any failure with corresponding response steps and timetable not described in the Compliance Response Plan, response steps shall be devised within eight (8) business hours of discovery of the failure and shall include a timetable for completion. Failure to take response steps in accordance with Section C - Compliance Response Plan - Failure to Take Response Steps, shall be considered a deviation from this permit. If operations continue after bag failure is observed and it will be 10 days or more after the failure is observed before the failed units will be repaired or replaced, the Permittee shall promptly notify the IDEM, OAQ of the expected date the failed units will be repaired or replaced. The notification shall also include the status of the applicable compliance monitoring parameters with respect to normal, and the results of any response actions taken up to the time of notification.
- (b) For single compartment baghouses, if failure is indicated by a significant drop in the baghouse's pressure readings with abnormal visible emissions or the failure is indicated by an opacity violation, or if bag failure is determined by other means, such as gas temperatures, flow rates, air infiltration, leaks, dust traces or triboflows, then failed units and the associated process will be shut down immediately until the failed units have been repaired or replaced. Operations may continue only if the event qualifies as an emergency and the Permittee satisfies the requirements of the emergency provisions of this permit (Section B - Emergency Provisions).

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

D.1.16 Record Keeping Requirements

(a) To document compliance with Conditions D.1.6, D.1.7 and D.1.11, the Permittee shall maintain records in accordance with (1) through (6) below. Records maintained for (1) through (8) shall be taken monthly and shall be complete and sufficient to establish compliance with the SO₂ emission limits established in Conditions D.1.6 and D.1.7.

- (1) Calendar dates covered in the compliance determination period;
- (2) Actual No. 2 distillate fuel oil and No. 2 distillate fuel oil equivalent usage in the 100 MMBtu per hour burner for the aggregate dryer per month since last compliance determination period and equivalent SO₂ emissions;;
- (3) A certification, signed by the owner or operator, that the records of the fuel supplier certifications represent all of the fuel combusted during the period; and

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

- (4) Fuel supplier certifications;
- (5) The name of the fuel supplier; and
- (6) A statement from the fuel supplier that certifies the sulfur content of the fuel oil.

The Permittee shall retain records of all recording/monitoring data and support information for a period of five (5) years, or longer if specified elsewhere in this permit, from the date of the monitoring sample, measurement, or report. Support information includes all calibration and maintenance records and all original strip-chart recordings for continuous monitoring instrumentation, and copies of all reports required by this permit.

- (b) To document compliance with condition D.1.12, the Permittee shall maintain records of visible emission notations of the mixing and drying operation stack exhaust, once per shift.
- (c) To document compliance with Condition D.1.13, the Permittee shall maintain records once per shift of the total static pressure drop during normal operation when venting to the atmosphere.
- (d) To document compliance with Condition D.1.14, the Permittee shall maintain records of the results of the inspections required under Condition D.1.14 and the dates the vents are redirected.
- (e) All records shall be maintained in accordance with Section C - General Record Keeping Requirements, of this permit.

D.1.17 Reporting Requirements

A quarterly summary of the information to document compliance with Condition D.1.7 shall be submitted to the address(es) listed in Section C - General Reporting Requirements, of this permit, using the reporting forms located at the end of this permit, or their equivalent, within thirty (30) days after the end of the quarter being reported. The report submitted by the Permittee does require the certification by the "authorized individual" as defined by 326 IAC 2-1-1(1).

SECTION D.2

FACILITY OPERATION CONDITIONS

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

- (c) cold-mix (stockpile mix) asphalt manufacturing operations, constructed in 1986.

(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 (VOC) [326 IAC 8-5-2]

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

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

D.2.2 Cold-Mix (Stockpile Mix) VOC Usage Nonattainment New Source Review Minor Limit [326 IAC 2-1.1-5] [326 IAC 2-8-4]

Emulsified asphalt with VOC solvent liquid binder used in the production of cold mix asphalt shall be limited to 181.25 tons of VOC solvent per twelve (12) consecutive month period with compliance determined at the end of each month. This is equivalent to limiting the VOC emitted from solvent use to less than 84.1 tons per 12 consecutive month period, based on the following definition:

Emulsified asphalt with solvent - contains a maximum of 15 percent (%) of liquid binder by weight of VOC solvent and 46.4% by weight of the VOC solvent in the liquid blend evaporating. The percent oil distillate in emulsified asphalt with solvent liquid, as determined by ASTM, shall be 7% or less of the total emulsion by volume.

Compliance with this limitation shall make the requirements of 326 IAC 2-7 (Part 70) and Nonattainment NSR (326 IAC 2-1.1-5) not applicable to the source.

Compliance Determination Requirements

D.2.3 VOC Emissions

Compliance with Condition D.2.2 shall be demonstrated within 30 days of the end of each month based on the VOC solvent emulsified asphalt binder usage for the most recent twelve (12) month period.

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

D.2.4 Record Keeping Requirements

To document compliance with Condition D.2.2, the Permittee shall maintain records in accordance with (a) through (d) below. Records maintained for (a) through (d) shall be taken monthly and shall be complete and sufficient to establish compliance with the VOC usage limits and/or the VOC emission limits established in Condition D.2.2.

- (a) Calendar dates covered in the compliance determination period;
- (b) Emulsified asphalt binder usage per month since the last compliance determination period;
- (c) VOC solvent content by weight of the emulsified asphalt binder used each month; and
- (d) Amount of VOC solvent used in the production of cold mix asphalt, and the amount of VOC emitted each month.

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

D.2.5 Reporting Requirements

A quarterly summary of the information to document compliance with Condition D.2.2 shall be submitted to the address listed in Section C - General Reporting Requirements, of this permit, using the reporting forms located at the end of this permit, or their equivalent, within thirty (30) days after the end of the quarter being reported. The report submitted by the Permittee does not require the certification by the "authorized individual" as defined by 326 IAC 2-1.1-1(1).

SECTION D.3

FACILITY OPERATION CONDITIONS

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

The source also consists of the following insignificant activities, as defined in 326 IAC 2-7-1(21):

- (d) three (3) 30,000 gallon asphalt cement storage tanks (ID No. T-01, T-02, T03), constructed in 2004;
- (e) one (1) 20,000 gallon fuel oil storage tank (ID No. T-04), constructed in 1999; and
- (f) one (1) 12,000 gallon fuel oil storage tank (ID No. T-05), constructed in 1999.

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

Record Keeping and Reporting Requirement [326 IAC 2-8-4(3)] [326 IAC 2-8-16]**D.3.1 Record Keeping Requirements [326 IAC 12] [40 CFR 60.110b, Subpart Kb]**

Pursuant to the New Source Performance Standard (NSPS), 326 IAC12 and 40 CFR Part 60.116 Subpart Kb, the Permittee shall maintain permanent accessible records at the source for the life of each volatile liquid storage tank as follows:

- (a) the dimension of each storage vessel (tanks T-01, T-02, T-03, T-04 and T-05);
- (b) an analysis showing the capacity of each storage vessel (tanks T-01, T-02, T-03, T-04 and T-05); and
- (c) the true vapor pressure of the VOC stored, indicating that the maximum true vapor pressure of each VOC stored is less than 15.0 kPa (tanks T-01, T-02, T-03 and T-04 only).

INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT OFFICE OF AIR QUALITY

FEDERALLY ENFORCEABLE STATE OPERATING PERMIT (FESOP) CERTIFICATION

Source Name: E & B Paving, Inc.
Source Address: 7320 Lower Huntington Road, Fort Wayne, IN 46809
Mailing Address: 286 W 300 N, Anderson, IN 46012
FESOP No.: F003-14406-03281

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

Please check what document is being certified:

- Annual Compliance Certification Letter
- Test Result (specify) _____
- Report (specify) _____
- Notification (specify) _____
- Affidavit (specify) _____
- Other (specify) _____

I certify that, based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate, and complete.

Signature:

Printed Name:

Title/Position:

Date:

**INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
OFFICE OF AIR QUALITY
COMPLIANCE BRANCH
P.O. Box 6015
100 North Senate Avenue
Indianapolis, Indiana 46206-6015
Phone: 317-233-5674
Fax: 317-233-5967**

**FEDERALLY ENFORCEABLE STATE OPERATING PERMIT (FESOP)
EMERGENCY OCCURRENCE REPORT**

Source Name: E & B Paving, Inc.
Source Address: 7320 Lower Huntington Road, Fort Wayne, IN 46809
Mailing Address: 286 W 300 N, Anderson, IN 46012
FESOP No.: F003-14406-03281

This form consists of 2 pages

Page 1 of 2

- This is an emergency as defined in 326 IAC 2-7-1(12)
- The Permittee must notify the Office of Air Quality (OAQ), within four (4) business hours (1-800-451-6027 or 317-233-5674, ask for Compliance Section); and
 - The Permittee must submit notice in writing or by facsimile within two (2) working days (Facsimile Number: 317-233-5967), and follow the other requirements of 326 IAC 2-7-16

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

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

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

Page 2 of 2

Date/Time Emergency started:
Date/Time Emergency was corrected:
Was the facility being properly operated at the time of the emergency? Y N Describe:
Type of Pollutants Emitted: TSP, PM-10, SO ₂ , VOC, NO _x , CO, Pb, other:
Estimated amount of pollutant(s) emitted during emergency:
Describe the steps taken to mitigate the problem:
Describe the corrective actions/response steps taken:
Describe the measures taken to minimize emissions:
If applicable, describe the reasons why continued operation of the facilities are necessary to prevent imminent injury to persons, severe damage to equipment, substantial loss of capital investment, or loss of product or raw materials of substantial economic value:

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

A certification is not required for this report.

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

FESOP Quarterly Report

Source Name: E & B Paving, Inc.
Source Address: 7320 Lower Huntington Road, Fort Wayne, IN 46809
Mailing Address: 286 W 300 N, Anderson, IN 46012
FESOP No.: F003-14406-03281
Facility: 100 MMBtu per hour burner for the drum mix dryer
Parameter: SO₂ fuel oil consumption limitations
Limit: The input of No. 2 distillate fuel oil and No. 2 distillate fuel oil equivalents in the 100 MMBtu per hour burner for the aggregate dryer shall be limited to 2,471,592 gallons per twelve (12) consecutive month period with compliance determined at the end of each month, so that SO₂ emissions are limited below 100 tons per year.

YEAR:

Month	No.2 (+ equivalents) usage this month (gallons per month)	No.2 (+ equivalents) usage for previous 11 months (gallons)	No.2 (+ equivalents) usage for last 12 months (gallons)
Month 1			
Month 2			
Month 3			

No deviation occurred in this month.

Deviation/s occurred in this month.

Deviation has been reported on: _____

Submitted by: _____

Title / Position: _____

Signature: _____

Date: _____

Phone: _____

Attach a signed certification to complete this report.

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

FESOP Quarterly Report

Source Name: E & B Paving, Inc.
Source Address: 7320 Lower Huntington Road, Fort Wayne, IN 46809
Mailing Address: 286 W 300 N, Anderson, IN 46012
FESOP No.: F003-14406-03281
Facility: Cold-mix (stockpile mix) asphalt manufacturing operations
Parameter: VOC solvent in emulsified asphalt binder used in the production of cold mix asphalt
Limit: 181.25 tons of solvent per twelve (12) consecutive month period with compliance determined at the end of each month.

YEAR:

Month	VOC Solvent Usage This Month (Tons per Month)	VOC Solvent Usage Previous 11 Months (Tons)	VOC Solvent Usage the Last 12 Months (Tons)
Month 1			
Month 2			
Month 3			

No deviation occurred in this month.

Deviation/s occurred in this month.

Deviation has been reported on: _____

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

Attach a signed certification to complete this report.

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

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

Source Name: E & B Paving, Inc.
Source Address: 7320 Lower Huntington Road, Fort Wayne, IN 46809
Mailing Address: 286 W 300 N, Anderson, IN 46012
FESOP No.: F003-14406-00334

Months: _____ to _____ Year: _____

Page 1 of 2

This report shall be submitted quarterly based on a calendar year. Any deviation from the requirements, the date(s) of each deviation, the probable cause of the deviation, and the response steps taken must be reported. A deviation required to be reported pursuant to an applicable requirement that exists independent of the permit, shall be reported according to the schedule stated in the applicable requirement and does not need to be included in this report. Additional pages may be attached if necessary. If no deviations occurred, please specify in the box marked "No deviations occurred this reporting period".

NO DEVIATIONS OCCURRED THIS REPORTING PERIOD.

THE FOLLOWING DEVIATIONS OCCURRED THIS REPORTING PERIOD

Permit Requirement (specify permit condition #)

Date of Deviation:

Duration of Deviation:

Number of Deviations:

Probable Cause of Deviation:

Response Steps Taken:

Permit Requirement (specify permit condition #)

Date of Deviation:

Duration of Deviation:

Number of Deviations:

Probable Cause of Deviation:

Response Steps Taken:

Permit Requirement (specify permit condition #)	
Date of Deviation:	Duration of Deviation:
Number of Deviations:	
Probable Cause of Deviation:	
Response Steps Taken:	
Permit Requirement (specify permit condition #)	
Date of Deviation:	Duration of Deviation:
Number of Deviations:	
Probable Cause of Deviation:	
Response Steps Taken:	
Permit Requirement (specify permit condition #)	
Date of Deviation:	Duration of Deviation:
Number of Deviations:	
Probable Cause of Deviation:	
Response Steps Taken:	

Form Completed By: _____

Title/Position: _____

Date: _____

Phone: _____

Attach a signed certification to complete this report.

ATTACHMENT A

ASPHALT PLANT SITE FUGITIVE DUST CONTROL PLAN

- (a) Fugitive particulate matter emissions from plant roadways, parking lots and yards shall be controlled by the following methods:
 - (1) application of water and/or water-dust control material solutions on an as needed basis;
 - (2) sweeping between watering on an as needed basis; and
 - (3) limiting vehicular speeds to 10 miles per hour.

- (b) Fugitive particulate matter emissions from conveying/handling operations shall be controlled by the following methods:
 - (1) utilizing a water spray system at strategic transfer locations; and
 - (2) minimizing all drop distances.

- (c) Fugitive particulate matter emissions from storage piles shall be controlled by the following methods:
 - (1) watering storage piles on an as needed basis;
 - (2) minimizing drop distances; and
 - (3) maintaining moisture contents of materials above 1.5%.

Indiana Department of Environmental Management Office of Air Quality

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

Source Background and Description

Source Name: E & B Paving, Inc.
Source Location: 7320 Lower Huntington Road, Fort Wayne, IN 46809
County: Allen
SIC Code: 2951
Operation Permit No.: F003-14406-00334
Operation Permit Issuance Date: April 18, 2002
Permit Revision No.: 003-19245-00334
Permit Reviewer: Seema Roy/EVP

The Office of Air Quality (OAQ) has reviewed a revision application from E & B Paving, Inc. relating to the operation of a stationary drum mix asphalt plant.

History

On June 9, 2004, E & B Paving, Inc. submitted an application to the OAQ requesting to replace the existing drum mixer rated at 425 tons per hour with a new drum mixer rated at 350 tons per hour and to replace the existing 135 MMBtu per hour aggregate dryer burner with a 100 MMBtu per hour aggregate dryer burner. Also, the source is replacing the one (1) 30,000 gallon asphalt cement storage tank (ID No. T-01) and the two (2) 15,000 gallon asphalt storage tanks (ID No. T-02, T-03) with three (3) 30,000 gallon asphalt cement storage tanks (ID No. T-01, T-02, T03). E & B Paving, Inc. was issued a FESOP Renewal on April 18, 2002.

Existing Approvals

The source was issued a FESOP Renewal (F003-14406-00334) on April 18, 2002.

Enforcement Issue

There are no enforcement actions pending.

Stack Summary

Stack ID	Operation	Height (feet)	Diameter (feet)	Flow Rate (acfm)	Temperature (°F)
SV-1	Aggregate dryer burner	31	3.83	76,665	300

Recommendation

The staff recommends to the Commissioner that the Significant 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.

An application for the purposes of this review was received on June 9, 2004.

Emission Calculations

See Appendix A of this document for detailed emissions calculations (10 pages).

Potential To Emit of Modification

Pursuant to 326 IAC 2-1.1-1(16), Potential to Emit is defined as “the maximum capacity of a stationary source 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.”

Pollutant	Potential To Emit (tons/year)
PM	43,115.62
PM-10	9,872.62
SO ₂	248.48
VOC	2,162.01
CO	37.27
NO _x	84.03

Note: For the purpose of determining Title V applicability for particulates, PM-10, not PM, is the regulated pollutant in consideration.

HAP	PTE (tons/year)
Arsenic	less than 10
Benzene	less than 10
Beryllium	less than 10
Cadmium	less than 10
Chromium	less than 10
Ethylbenzene	less than 10
Formaldehyde	less than 10
Hexane	less than 10
2,2,4 Trimethylpentane	less than 10
Lead	less than 10
Manganese	less than 10
Mercury	less than 10
Methyl Chloroform	less than 10
Nickel	less than 10
Selenium	less than 10
Toluene	less than 10
Total Polycyclic Organic Matter	less than 10
Xylene	less than 10
TOTAL HAPs	less than 25

- (a) The potential to emit (as defined in 326 IAC 2-1.1-1(16)) of PM10, SO2, VOC, NOx, and CO are equal to or greater than 25 tons per year. Therefore, the FESOP is being revised through a Significant Permit Revision pursuant to 326 IAC 2-8-11.1.
- (b) **Fugitive Emissions**
 Since there are 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 counted toward determination of PSD and Emission Offset applicability. This type of operation is not one of the twenty-eight (28) listed source categories under 326 IAC 2-2.

Potential to Emit

The table below summarizes the total potential to emit, reflecting all limits, of the significant emission units.

Process/emission unit	Potential to Emit (tons/year)						
	PM	PM-10	SO ₂	VOC	CO	NO _x	HAPs
Aggregate Dryer and Burner ⁽¹⁾	76.39 ⁽²⁾	70.20 ⁽³⁾	97.01	15.77	36.79	83.22	13.386
Hot Oil Heater	0.08	0.13	2.89	0.03	0.48	0.81	negligible
Conveying/Handling	16.95	8.02	-	-	-	-	-
Unpaved Roads ⁽⁴⁾	83.93	21.39	-	-	-	-	-
Aggregate Storage	0.46	0.16	-	-	-	-	-
Cold-mix VOC storage	-	-	-	84.10	-	-	-
Total PTE After Issuance	177.81	99.9	99.9	99.9	37.27	84.03	13.386

- (1) Limited PTE based on No.2 distillate fuel oil with a sulfur content of 0.5%, usage limitation of 2,471,592 gallons per twelve (12) consecutive month period, with compliance determined at the end of each month to comply with 326 IAC 2-8 (FESOP).
- (2) Maximum allowable PM emissions pursuant to 326 IAC 12, 40 CFR 60.90 to 60.93, Subpart I.
- (3) Maximum allowable PM10 emissions in order to comply with 326 IAC 2-8 (FESOP).
- (4) Potential to emit after controls.

County Attainment Status

The source is located in Allen County.

Pollutant	Status
PM-10	Attainment
SO ₂	Attainment
NO ₂	Attainment
1-hour Ozone	Attainment
8-hour Ozone	Non-attainment
CO	Attainment
Lead	Attainment

- (a) Volatile organic compounds (VOC) and Nitrogen Oxides (NO_x) are regulated under the Clean Air Act (CAA) for the purposes of attaining and maintaining the National Ambient Air Quality Standards (NAAQS) for ozone. Therefore, VOC and NO_x emissions are considered when evaluating the rule applicability relating to the ozone standards. Allen County has been designated as nonattainment for the 8-hour ozone standard. Therefore, VOC and NO_x emissions were reviewed pursuant to the requirements for nonattainment new source review.
- (b) Allen County has been classified as attainment or unclassifiable in Indiana for the remaining 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.

Federal Rule Applicability

- (a) This source is subject to the New Source Performance Standard, 326 IAC 12, (40 CFR 60.90, Subpart I). The affected facility to which the provisions of this Subpart apply is each hot mix asphalt facility that commences construction or modification after June 11, 1973. This source meets the definition of a hot mix asphalt facility pursuant to the rule and it was originally constructed after June 11, 1973. This revision is not a not a modification because the actual emissions due to the changes do not increase (both the drum mixer and burner are being reduced in size) and it is not a reconstruction because the replacement of the drum mixer and the burner do not exceed 50% of the cost of the entire asphalt plant. This rule limits particulate matter emissions to 0.04 grains per dry standard cubic foot (gr/dscf) and also limits visible emissions to 20% opacity. This is equivalent to a particulate matter emission rate of 17.44 pounds per hour. The source will comply with this rule by using a baghouse to limit particulate matter emissions to less than 0.04 gr/dscf (see Appendix A, page 10 of 10, for detailed calculations).
- (b) The requirements of the New Source Performance Standard, 326 IAC 12, (40 CFR 60.110b, Subpart Kb) "Standards of Performance for Volatile Organic Liquid Storage Vessels" are not included in the permit for the three (3) 30,000 gallon asphalt cement storage tanks (ID No. T-01, T-02, T03). Although they are to be constructed after July 23, 1984, and have a storage capacity greater than 75 cubic meters, each, the tanks have a storage capacity greater than 75 cubic meters but less than 151 cubic meters each, and the liquid asphalt stored in the tank has a maximum true vapor pressure of less than 15.0 kPa each. Therefore, pursuant to 40 CFR 60.110b(b), as amended in the October 15, 2003 Federal Register, these tanks are not subject to this rule.

However, the three (3) 30,000 gallon asphalt cement storage tanks (ID No. T-01, T-02, T03) are subject to the requirements of 40 CFR 60.116b(a) and (b) under 326 IAC 12 due to the state rules not yet reflecting the October 15, 2003 changes made to this NSPS.

- (c) There are no National Emission Standards for Hazardous Air Pollutants (NESHAPs)(326 IAC 14 and 40 CFR Part 63) applicable to this source or modification.

State Rule Applicability - Entire Source

326 IAC 2-2 (Prevention of Significant Deteriorations (PSD))

This modification is not subject to the requirements of this rule. The existing source, which is not one of the twenty-eight (28) listed source categories under 326 IAC 2-2 is an existing minor PSD source. As shown in the Potential to Emit After Issuance table on page 3 above, the allowable emissions of all regulated pollutants, except PM, are less than 100 tons per year after application of all federally enforceable emission limits. The allowable emissions of PM are less than 250 tons per year after application of all federally enforceable emission limits. Therefore the requirements

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of 326 IAC 2-2 (PSD) do not apply.

326 IAC 2-4.1-1 (New Source Toxics Control)

Pursuant to 326 IAC 2-4.1-1 (New Source Toxics Control), any new process or production unit, which in and of itself emits or has the PTE 10 tons per year of any HAP or 25 tons per year of the combination of HAPs, and is constructed or reconstructed after July 27, 1997, must be controlled using technologies consistent with Maximum Achievable Control Technology (MACT).

This source has potential single HAP and total HAP emissions of less than 10 and 25 tons per year, respectively; therefore, this rule does not apply.

326 IAC 2-6 (Emission Reporting)

Since this source is complying with 326 IAC 2-8 (FESOP) and is not required to have an operating permit under 326 IAC 2-7, Part 70 Permit Program, this source is not subject to 326 IAC 2-6 (Emission Reporting).

326 IAC 2-8-4 (FESOP)

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

- (a) The usage of No. 2 distillate fuel oil with a limited sulfur content of 0.5% and No. 2 distillate fuel oil equivalents in the 100 MMBtu/hr aggregate dryer burner shall not exceed 2,471,592 U.S. gallons per twelve (12) consecutive month period, with compliance determined at the end of each month, so that SO₂ emissions are limited to less than 100 tons per year.
- (b) Emulsified asphalt with VOC solvent liquid binder used in the production of cold mix asphalt shall be limited to 181.25 tons of VOC solvent per twelve (12) consecutive month period with compliance determined at the end of each month. This is equivalent to limiting the VOC emitted from solvent use to less than 84.1 tons per 12 consecutive month period with compliance determined at the end of each month, based on the following definition:

Emulsified asphalt with solvent - contains a maximum of 15 percent (%) of liquid binder by weight of VOC solvent and 46.4% by weight of the VOC solvent in the liquid blend evaporating. The percent oil distillate in emulsified asphalt with solvent liquid, as determined by ASTM, shall be 7% or less of the total emulsion by volume.

Compliance with this condition will limit source-wide VOC to less than 100 tons per 12 consecutive month period.

- (c) PM-10 emissions from the aggregate dryer shall be limited to 0.046 pound PM-10 per ton of asphalt mix which are equivalent to 16.03 pounds per hour, based on a maximum throughput of 350 tons of asphalt mix per hour. Based on 8,760 hours of operation per 12 consecutive month period with compliance determined at the end of each month, this limits PM-10 emissions from the aggregate mixing and drying operation to 70.20 tons per year for a source-wide total potential to emit of less than 100 tons per year. The source will comply with the PM-10 emission limit by utilizing a baghouse for controlling PM-10 emissions to less than 16.03 pounds per hour from the aggregate dryer.

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

326 IAC 5-1 (Visible Emissions Limitations)

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

- (a) Opacity shall not exceed an average of forty percent (40%) 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 is already included in the FESOP and shall remain unchanged.

State Rule Applicability - Individual Facilities

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

The particulate matter emissions from the aggregate mixing and drying operation are not subject to the requirements of 326 IAC 6-1-2 (Particulate Emissions Limitations) because this source is not located in any of the specifically listed counties (Clark, Dearborn, Dubois, Howard, Lake, Marion, St. Joseph, Vanderburgh, Vigo and Wayne).

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 less stringent than applicable limitations in 326 IAC 6-1 or 326 IAC 12. Since the applicable PM emission limit established by 326 IAC 12, 40 CFR 60, Subpart I (17.44 pounds per hour), is less than the PM limit that would be established by 326 IAC 6-3-2 (64.76 pounds per hour, see Appendix A, page 10 of 10), the more stringent limit applies and the limit pursuant to 326 IAC 6-3-2 does not apply.

326 IAC 7-1.1 (Sulfur Dioxide Emission Limitations)

This rule applies to all facilities with a potential to emit greater than twenty-five (25) tons per year or ten (10) pounds per hour of sulfur dioxide. The 100 MMBtu/hr dryer burning distillate oil is subject to the requirements of this rule because the potential sulfur dioxide emissions from this facility is greater than twenty-five (25) tons per year. Therefore, pursuant to this rule the sulfur dioxide emissions from the 100 MMBtu/hr dryer burning distillate oil shall be limited to 0.5 lb/MMBtu heat input. This equates to a fuel oil sulfur content limit of 0.5%. Therefore, the sulfur content of the fuel must be less than or equal to 0.5% in order to comply with this rule (See Appendix A, Page 10 of 10 for detailed calculations). The source will comply with this rule by using No. 2 distillate oil with a sulfur content of 0.5% or less in the dryer.

The 1.3 MMBtu/hr hot oil heater is not subject to the requirements of this rule because potential SO₂ emissions from this unit is less than 25 tons per year.

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

This source is subject to 326 IAC 7-2-1 (Reporting Requirements) because it has a potential to emit greater than twenty-five (25) tons per year of sulfur dioxide. 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 8-1-6 (New Facilities, General Reduction Requirements)

This source is not subject to the provisions of 326 IAC 8-1-6. This rule requires all facilities constructed after January 1, 1980, which have potential VOC emission rates of greater than or equal to 25 tons per year, and which are not otherwise regulated by other provisions of 326 IAC 8, to reduce VOC emissions using Best Available Control Technology (BACT). The source is subject to the requirements of 326 IAC 8-5-2 (Miscellaneous Operations: Asphalt Paving), therefore, it is not subject to the requirements of this rule.

326 IAC 8-4-3 (Petroleum Liquid Storage Facilities)

The storage tanks at this source are not subject to 326 IAC 8-4-3 because the tanks have storage capacities less than 39,000 gallons each.

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

This rule applies to any paving application constructed after January 1, 1980 located anywhere in the state. This source was constructed in 1986, therefore, pursuant to this rule, the source shall not cause or allow the use of cutback asphalt or asphalt emulsion containing more than seven percent (7%) oil distillate by volume of emulsion for any paving application, except in the following purposes:

- (a) Penetrating prime coating
- (b) Stockpile storage
- (c) Application during the months of November, December, January, February and March.

This source uses stockpile mix containing 7% (wt) emulsified asphalt binder, which contains 1% (wt) fuel oil, for a net fuel oil content in the stockpile mix of 0.07% (wt), which equates to less than 7% (by vol). The operation is thus in compliance with 326 IAC 8-5-2.

326 IAC 8-7 (Specific VOC Reduction Requirements for Lake, Porter, Clark and Floyd Counties)

The requirements of this rule apply to stationary sources located in Lake, Porter, Clark and Floyd Counties that emit or have the potential to emit VOCs at levels equal to or greater than 25 tons per year in Lake and Porter Counties; 100 tons per year in Clark and Floyd Counties; and to any coating facility that emits or has the potential to emit 10 tons per year or greater in Lake, Porter, Clark or Floyd County. This source is located in Allen County. Therefore, this rule is not applicable to this source.

326 IAC 8-9 (Volatile Organic Liquid Storage Vessels)

Pursuant to 326 IAC 8-9-1, on and after October 1, 1995 stationary vessels used to store volatile organic liquids (VOL) must comply with the requirement of the rule if located in Clark, Floyd, Lake or Porter Counties. Stationary vessels with capacities less than 39,000 gallons are only subject to the reporting and record keeping requirements of the rule. Stationary storage vessels subject to any provision of 40 CFR Part 60.110b, New Source Performance Standard for Volatile Organic Liquid Storage, are exempt from this rule. The storage tanks at this source are not subject to this rule because they are stationary vessels that are not located in one of the specified counties.

326 IAC 12 (New Source Performance Standards)

The three (3) 30,000 gallon asphalt cement storage tanks (ID No. T-01, T-02, T03) are subject to the requirements of the New Source Performance Standard, 326 IAC 12, (40 CFR 60.110b, Subpart Kb) "Standards of Performance for Volatile Organic Liquid Storage Vessels" because they are to be constructed after July 23, 1984, and they each have a storage capacity greater than 40 cubic meters. However, since each tank has a storage capacity greater than 75 cubic meters but less than 151 cubic meters, and the liquid asphalt stored in each tank has a maximum true vapor pressure of less than 15.0 kPa, the tanks are subject to only 40 CFR 60.116b, paragraphs (a) and (b) which require record keeping.

Testing Requirements

The source is replacing the existing drum mixer rated at 425 tons per hour with a new drum mixer rated at 350 tons per hour and the existing 135 MMBtu per hour aggregate dryer burner with a 100 MMBtu per hour aggregate dryer burner. Since the source is subject to 40 CFR 60, Subpart I (Standards of Performance for Hot Mix Asphalt Facilities), therefore, the source shall comply with the particulate matter (PM) and opacity compliance testing requirements of the rule for the drum-mix plant. OAQ also requires PM-10 testing to demonstrate FESOP compliance.

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 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.

The compliance monitoring requirements already included in the FESOP will remain unchanged.

Changes Proposed

The following changes have been made to the Federally Enforceable State Operating Permit Renewal (F003-14406-03281) (additions are shown in bold, deletions are shown in strikeout):

1. On April 15, 2004, the United States Environmental Protection Agency (U.S. EPA) named 23 Indiana counties and one partial county nonattainment for the new 8-hour ozone standard. The designations became effective on June 15, 2004. Johnson County has been designated as nonattainment for the 8-hour ozone standard. The following has been added to A.1 General Information:

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

The Permittee owns and operates a stationary drum mix asphalt plant.

Authorized individual:	Gary L. Stobbins, President Steve Henderson, Regulatory Affairs Director
Source Address:	7320 Lower Huntington Road, Fort Wayne, IN 46809
Mailing Address:	286 W 300 N, Anderson, IN 46012
General Source Phone:	(765) 643-5358
SIC Code:	2951
County Location:	Allen
County Status:	Nonattainment for ozone under the 8-hour standard Attainment for all other criteria pollutants

Source Status: Federally Enforceable State Operating Permit (FESOP)
Minor Source, under PSD Rules **and Nonattainment
NSR**;
Minor Source, Section 112 of the Clean Air Act

2. Section A.2 of the FESOP has been revised to include the new aggregate dryer burner and the new drum mixer of the source as follows:

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

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

- (a) one (1) aggregate drum mix dryer, identified as EU-02, constructed in ~~1996~~ **2004**, with a maximum capacity of ~~425~~ **350** tons per hour, equipped with one (1) natural gas **or No. 2 distillate fuel oil** fired dryer burner with a maximum heat input of ~~135~~ **100** million (MM) Btu per hour, ~~using liquefied petroleum gas (LPG), No. 1 distillate fuel oil, No. 2 distillate fuel oil, No. 4 residual fuel oil, No. 5 residual fuel oil, No. 6 residual fuel oil and re-refined waste oil as back-up fuels;~~ using one (1) baghouse (ID No. B-1) for particulate matter control, exhausting to one (1) stack (ID No. SV-1);
 - (b) feeding, conveying and loading operations, processing a maximum of ~~425~~ **350** tons per hour;
 - (c) cold-mix (stockpile mix) asphalt manufacturing operations;
 - (d) ~~one (1)~~ **three (3)** 30,000 gallon asphalt cement storage tanks (ID No. T-01, **T-02, T03**), constructed in ~~1999~~ **2004**;
 - ~~(e) two (2) 15,000 gallon asphalt cement storage tanks (ID No. T-02, T-03), constructed in 1999;~~
 - ~~(f e)~~ one (1) 20,000 gallon fuel oil storage tank (ID No. T-04), constructed in 1999; and
 - ~~(g f)~~ one (1) 12,000 gallon fuel oil storage tank (ID No. T-05), constructed in 1999.
3. The facility description box in section D.1 has also been revised to include the new aggregate dryer burner and the new drum mixer of the source. The source is replacing the existing drum mixer rated at 425 tons per hour with a new drum mixer rated at 350 tons per hour and the existing 135 MMBtu per hour aggregate dryer burner with a 100 MMBtu per hour aggregate dryer burner. The dryer and burner to be installed are new affected facilities pursuant to 40 CFR 60, Subpart I (Standards of Performance for Hot Mix Asphalt Facilities), and are therefore subject to the initial testing requirements pursuant to 40 CFR 60.8 (Performance Tests). Therefore, Condition D.1.8 has been revised.

SECTION D.1 FACILITY OPERATION CONDITIONS

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

- (a) one (1) aggregate drum mix dryer, identified as EU-02, constructed in ~~1986~~ **2004**, with a maximum capacity of ~~425~~ **350** tons per hour, equipped with one (1) natural gas **or No. 2 distillate fuel oil** fired dryer burner with a maximum heat input of ~~435~~ **100** million (MM) Btu per hour, ~~using liquefied petroleum gas (LPG), No. 1 distillate fuel oil, No. 2 distillate fuel oil, No. 4 residual fuel oil, No. 5 residual fuel oil, No. 6 residual fuel oil and re-refined waste oil as back-up fuels;~~ using one (1) baghouse (ID No. B-1) for particulate matter control, exhausting to one (1) stack (ID No. SV-1);

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

4. All conditions of Section D.1 have been revised to include the new equipment as follows:

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

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

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

D.1.2 Particulate Matter (PM) [326 IAC 12] [40 CFR 60.90, Subpart I] [326 IAC 2-2] [~~40 CFR 52.24~~]

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 not exceed 0.04 grains per dry standard cubic foot (gr/dscf). This is equivalent to a particulate matter emission rate of ~~9.05~~ **17.44** pounds per hour. Compliance with this limit shall limit the source's potential to emit of PM to less than 100 tons per twelve (12) consecutive month period and make the requirements of 326 IAC 2-2 (Prevention of Significant Deterioration (PSD)) ~~and 40 CFR 52.24~~ not applicable.

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

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

D.1.4 Particulate Matter Less Than 10 Microns (PM-10) [326 IAC 2-8-4] [326 IAC 2-2][40 CFR 52.21]

Pursuant to 326 IAC 2-8-4, PM-10 emissions from the aggregate mixing and drying operation shall be limited to ~~0.05~~ **0.046** pounds of PM-10 emitted per ton of asphalt produced, including both filterable and condensable fractions. Compliance with this limit shall limit the source's potential to emit of PM-10 to less than 100 tons per twelve (12) consecutive month period. Therefore, the Part 70 rules (326 IAC 2-7) do not apply.

D.1.5 Sulfur Dioxide (SO₂) [326 IAC 7-1] [326 IAC 7-2-1]

Pursuant to 326 IAC 7-1.1 (Sulfur Dioxide Emission Limitations), sulfur dioxide emissions from the ~~435~~ **100** million British thermal units per hour burner for the aggregate drum mix dryer shall be limited to 0.5 pound per MMBtu heat input **or a sulfur content of less than or equal to 0.5%** when using **No. 2** distillate oils ~~and 1.6 pound per MMBtu heat input when using residual oils. This is equivalent to the following maximum allowable sulfur contents of the following fuels: No. 1 distillate fuel oil (0.5%), No. 2 distillate fuel oil (0.5%), No. 4 residual oil (1.6%), No. 5 residual fuel~~

~~oil (1.7%), No. 6 residual fuel oil (1.7%), and re-refined waste oil (1.5%).~~

Pursuant to 326 IAC 7-1.1-2, this sulfur dioxide limit applies at all times including periods of startup, shutdown, and malfunction. Pursuant to 326 IAC 7-2-1, compliance shall be demonstrated on a calendar month average.

D.1.6 No. 2 Fuel Usage and Equivalents [326 IAC 2-8] [326 IAC 2-2][40 CFR 52.21]

Pursuant to 326 IAC 2-8-4(1), the following limits shall apply:

- (a) The input of No. 2 distillate fuel oil and No. 2 distillate fuel oil equivalents in the ~~135~~ **100** MMBtu per hour burner for the aggregate dryer shall be limited to ~~2,504,470~~ **2,471,592** gallons per twelve (12) consecutive month period, **with compliance determined at the end of each month** ~~rolled on a monthly basis~~, so that SO₂ emissions are limited below 100 tons per year.
- (b) For purposes of determining compliance, **every MMCF of natural gas burned shall be equivalent to 7.64 gallons of No. 2 distillate fuel oil based on SO₂ emissions, such that the total gallons of No. 2 distillate fuel oil and No. 2 distillate fuel oil equivalent input does not exceed the limit specified.** ~~the following shall apply:~~
 - (1) ~~every 1,000 gallons of No. 1 distillate fuel oil burned shall be equivalent to 980 gallons of No. 2 distillate fuel oil based on SO₂ emissions, such that the total input of No. 2 distillate fuel oil and No. 2 distillate fuel oil equivalent input does not exceed the limit specified;~~
 - (2) ~~every 1,000 gallons of No. 4 residual fuel oil burned shall be equivalent to 1,365.4 gallons of No. 2 distillate fuel oil based on SO₂ emissions, such that the total input of No. 2 distillate fuel oil and No. 2 distillate fuel oil equivalent input does not exceed the limit specified;~~
 - (3) ~~every 1,000 gallons of No. 5 residual fuel oil burned shall be equivalent to 1,776.2 gallons of No. 2 distillate fuel oil based on SO₂ emissions, such that the total input of No. 2 distillate fuel oil and No. 2 distillate fuel oil equivalent input does not exceed the limit specified;~~
 - (4) ~~every 1,000 gallons of No. 6 residual fuel oil burned shall be equivalent to 2,735.8 gallons of No. 2 distillate fuel oil based on SO₂ emissions, such that the total input of No. 2 distillate fuel oil and No. 2 distillate fuel oil equivalent input does not exceed the limit specified;~~
 - (5) ~~every 1,000 gallons of waste oil (No. 4 recycled) burned shall be equivalent to 1,338.1 gallons of No. 2 distillate fuel oil based on SO₂ emissions, such that the total input of No. 2 distillate fuel oil and No. 2 distillate fuel oil equivalent input does not exceed the limit specified.~~

Therefore, the requirements of 326 IAC 2-7 will not apply. This limit will also render 326 IAC 2-2 (Prevention of Significant Deterioration (PSD)) and 40 CFR 52.21 not applicable.

D.1.7 ~~Natural Gas Usage and Equivalents [326 IAC 2-8] [326 IAC 2-2] [40 CFR 52.21]~~

~~Pursuant to 326 IAC 2-8-4(1), the following limits shall apply:~~

- ~~(a) the input of natural gas and natural gas equivalents in the 135 MMBtu per hour burner for the aggregate dryer shall be limited to 1032.316 million cubic feet (MMCF) per twelve (12)~~

~~consecutive month period, rolled on a monthly basis, so that NOx emissions are limited below 100 tons per year.~~

~~(b) For purposes of determining compliance, the following shall apply:~~

- ~~(1) every 1,000 gallons of No. 2 distillate fuel oil burned shall be equivalent to 0.4047 MMCF of natural gas based on NOx emissions, such that the total input of natural gas and natural gas equivalent input does not exceed the limit specified;~~
- ~~(2) every 1,000 gallons of liquefied petroleum gas burned shall be equivalent to 0.1105 MMCF of natural gas based on NOx emissions, such that the total input of natural gas and natural gas equivalent input does not exceed the limit specified;~~
- ~~(3) every 1,000 gallons of No. 1 distillate fuel oil burned shall be equivalent to 0.1263 MMCF of natural gas based on NOx emissions, such that the total input of natural gas and natural gas equivalent input does not exceed the limit specified;~~
- ~~(4) every 1,000 gallons of No. 4 residual fuel oil burned shall be equivalent to 0.2474 MMCF of natural gas based on NOx emissions, such that the total input of natural gas and natural gas equivalent input does not exceed the limit specified;~~
- ~~(5) every 1,000 gallons of No. 5 residual fuel oil burned shall be equivalent to 0.2474 MMCF of natural gas based on NOx emissions, such that the total input of natural gas and natural gas equivalent input does not exceed the limit specified;~~
- ~~(6) every 1,000 gallons of No. 6 residual fuel oil burned shall be equivalent to 0.2105 MMCF of natural gas based on NOx emissions, such that the total input of natural gas and natural gas equivalent input does not exceed the limit specified;~~
- ~~(7) every 1,000 gallons of waste oil (No. 4 recycled) burned shall be equivalent to 0.1 MMCF of natural gas based on NOx emissions, such that the total input of natural gas and natural gas equivalent input does not exceed the limit specified.~~

~~Therefore, the requirements of 326 IAC 2-7 will not apply. This limit will also render 326 IAC 2-2 (Prevention of Significant Deterioration (PSD)) and 40 CFR 52.21 not applicable.~~

D.1.8 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.1.9 8 Testing Requirements [326 IAC 2-8-5(a)(1), (4)] [326 IAC 2-1.1-11]

~~During the period between 30 to 36 months after issuance of this permit~~ **Within 60 days after achieving the maximum production rate, but not later than 180 days after initial start-up of the modified units**, the Permittee shall perform the following to demonstrate compliance with Conditions D.1.2, D.1.3 and D.1.4 for the drum-mix aggregate dryer:

- (a) PM and PM-10 testing utilizing methods per 40 CFR Part 60 Appendix A, Method 5 for PM and methods, as approved by the Commissioner for PM-10. PM-10 includes filterable and condensible PM-10.
- (b) Opacity testing utilizing 40 CFR Part 60 Appendix A, Method 9, to demonstrate compliance with the opacity limitation of Condition D.1.3.

This test shall be repeated at least once every five (5) years from the date of this valid compliance demonstration. Testing shall be conducted in accordance with Section C- Performance Testing.

D.1.10 Particulate Matter (PM) and PM-10

In order to comply with conditions D.1.2, D.1.3 and D.1.4, The the baghouse for PM and PM10 control shall be in operation **and control emissions** at all times when the aggregate dryer and burner are in operation.

D.1.11 Sulfur Dioxide Emissions and Sulfur Content

Compliance with Condition D.1.5 shall be determined utilizing one of the following options.

- (a) Pursuant to 326 IAC 3-7-4, the Permittee shall demonstrate that the sulfur dioxide emissions do not exceed 0.5 pounds per million Btu heat input when firing ~~No. 1 and No. 2~~ distillate fuel oil, ~~and 1.6 pounds per million Btu heat input when firing No. 4, No. 5, No. 6 and re-refined waste oil:~~
- (1) Providing vendor analysis of fuel delivered, if accompanied by a vendor certification; or
- (2) Analyzing the oil sample to determine the sulfur content of the oil via the procedures in 40 CFR 60, Appendix A, Method 19.
- (A) Oil samples may be collected from the fuel tank immediately after the fuel tank is filled and before any oil is combusted; and
- (B) If a partially empty fuel tank is refilled, a new sample and analysis would be required upon filling.
- (b) Compliance may also be determined by conducting a stack test for sulfur dioxide emissions from the ~~135~~ **100** MMBtu per hour heater, using 40 CFR 60, Appendix A, Method 6 in accordance with the procedures in 326 IAC 3-6.
- A determination of noncompliance pursuant to any of the methods specified in (a) or (b) above shall not be refuted by evidence of compliance pursuant to the other method.

~~D.1.12 Used Oil Requirements [329 IAC 13]~~

~~The waste oil burned in the aggregate dryer burner shall comply with the used oil requirements specified in 329 IAC 13 (Used Oil Management). Pursuant to 329 IAC 13-3-2 (Used Oil Specifications), used oil burned for energy recovery that is classified as off-specification used oil fuel shall comply with the provisions of 329 IAC 13-8 (Used Oil Burners Who Burn Off-specification Used Oil For Energy Recovery), including:~~

- ~~(a) Receipt of an EPA identification number as outlined in 329 IAC 13-8-3 (Notification),~~
- ~~(b) Compliance with the used oil storage requirements specified in 329 IAC 13-8-5 (Used Oil Storage), and~~
- ~~(c) Maintaining records pursuant to 329 IAC 13-8-6 (Tracking).~~

~~The burning of mixtures of used oil and hazardous waste that is regulated under 329 IAC 3.1 is prohibited at this source.~~

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 mixing and drying operation 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. Failure to take response steps in accordance with Section C - Compliance Response Plan - Preparation, Implementation, Records, and Reports, shall be considered a ~~violation of~~ **deviation from** this permit.

D.1.1412 Parametric Monitoring

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

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

D.1.1513 Baghouse Inspections

An inspection shall be performed each calendar quarter of all bags controlling the drum-mix aggregate mixing/drying operations 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.1.1614 Broken or Failed Bag Detection

In the event that bag failure has been observed:

- (a) For multi-compartment units, the affected compartments will be shut down immediately until the failed units have been repaired or replaced. ~~Operations may continue only if there are no visible emissions or if the event qualifies as an emergency and the Permittee satisfies the emergency provisions of this permit (Section B - Emergency Provisions).~~ Within eight (8) business hours of the determination of failure, response steps according to the timetable described in the Compliance Response Plan shall be initiated. For any failure with corresponding response steps and timetable not described in the Compliance Response Plan, response steps shall be devised within eight (8) business hours of discovery of the failure and shall include a timetable for completion. Failure to take response steps in accordance with Section C - Compliance Response Plan - Failure to Take Response Steps, shall be considered a ~~violation of~~ **deviation from** this permit. **If operations continue after bag failure is observed and it will be 10 days or more after the failure is observed before the failed units will be repaired or replaced, the Permittee shall promptly notify the IDEM, OAQ of the expected date the failed units**

will be repaired or replaced. The notification shall also include the status of the applicable compliance monitoring parameters with respect to normal, and the results of any response actions taken up to the time of notification.

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

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

D.1.4715 Record Keeping Requirements

- (a) To document compliance with Conditions D.1.5, D.1.6, ~~D.1.7~~ and D.1.44 **10**, the Permittee shall maintain records in accordance with (1) through ~~(8)~~ **(6)** below. Records maintained for (1) through (8) shall be taken monthly and shall be complete and sufficient to establish compliance with the SO₂ and ~~NO_x~~ emission limits established in Conditions D.1.5, ~~and D.1.6, D.1.7.~~
- (1) Calendar dates covered in the compliance determination period;
- (2) ~~Monthly fuel usages~~ **Actual No. 2 distillate fuel oil and No. 2 distillate fuel oil equivalent usage in the 100 MMBtu per hour burner for the aggregate dryer per month since last compliance determination period and equivalent SO₂ emissions;;**
- ~~(3) Average heating value of the fuels;~~
- ~~(2) Average sulfur dioxide (SO₂) emission rate for each fuel oil type combusted per month (pounds SO₂ per million Btu)~~
- ~~(5)~~ **(3)** A certification, signed by the owner or operator, that the records of the fuel supplier certifications represent all of the fuel combusted during the period; and
- If the fuel supplier certification is used to demonstrate compliance the following, as a minimum, shall be maintained:
- ~~(6)~~ **(4)** Fuel supplier certifications;
- ~~(7)~~ **(5)** The name of the fuel supplier; and
- ~~(8)~~ **(6)** A statement from the fuel supplier that certifies the sulfur content of the fuel oil.

The Permittee shall retain records of all recording/monitoring data and support information for a period of five (5) years, or longer if specified elsewhere in this permit, from the date of the monitoring sample, measurement, or report. Support information includes all calibration and maintenance records and all original strip-chart recordings for continuous monitoring instrumentation, and copies of all reports required by this permit.

- (b) To document compliance with condition D.1.43 **11**, the Permittee shall maintain records of visible emission notations of the mixing and drying operation stack exhaust, once per shift.
- (c) To document compliance with Condition D.1.44 **12**, the Permittee shall maintain the following:
- Weekly records of the differential pressure during normal operation when venting to the

atmosphere.

- (d) To document compliance with Condition D.1.45 **13**, the Permittee shall maintain records of the results of the inspections required under Condition D.1.15 and the dates the vents are redirected.
- (e) All records shall be maintained in accordance with Section C - General Record Keeping Requirements, of this permit.

D.1.48**16** Reporting Requirements

A quarterly summary of the information to document compliance with Conditions D.1.6 and ~~D.1.7~~ shall be submitted to the address(es) listed in Section C - General Reporting Requirements, of this permit, using the reporting forms located at the end of this permit, or their equivalent, within thirty (30) days after the end of the quarter being reported. The report submitted by the Permittee does require the certification by the "authorized individual" as defined by 326 IAC 2-1-1(1).

- 5. The state has initiated a rulemaking to adopt the federal 8-hour ozone nonattainment designation into 326 IAC 1-4. The applicability of the state nonattainment NSR program, 326 IAC 2-3 (Emission Offset), relies on the attainment designations in 326 IAC 1-4. Until the state rule has been updated, IDEM will rely on 326 IAC 2-1.1-5(a)(1) to apply minor limits to remain below the nonattainment NSR thresholds. 326 IAC 2-1.1-5(a)(1) clarifies that IDEM cannot issue a permit or modification that will cause or contribute to a violation of the National Air Quality Standards (NAAQS). Allen County has been designated as nonattainment for the 8-hour ozone standard. Therefore, Condition D.2.2 has been revised to reflect the revised VOC limit for cold-mix (stockpile mix) asphalt storage piles and to clarify that the limit is making all (state and federal) nonattainment NSR not applicable as follows:

D.2.2 Cold-Mix (Stockpile Mix) VOC Usage **Nonattainment New Source Review Minor Limit [326 IAC 2-1.1-5]** [326 IAC 2-8-4]

Emulsified asphalt with VOC solvent liquid binder used in the production of cold mix asphalt shall be limited to ~~182.3~~ **181.25** tons of VOC solvent per twelve (12) consecutive month period **with compliance determined at the end of each month**. This is equivalent to limiting the VOC emitted from solvent use to less than ~~84.6~~ **84.1** tons per 12 consecutive month period, based on the following definition:

Emulsified asphalt with solvent - contains a maximum of 15 percent (%) of liquid binder by weight of VOC solvent and 46.4% by weight of the VOC solvent in the liquid blend evaporating. The percent oil distillate in emulsified asphalt with solvent liquid, as determined by ASTM, shall be 7% or less of the total emulsion by volume.

Compliance with this limitation shall make the requirements of 326 IAC 2-7 (Part 70) and Nonattainment NSR (326 IAC 2-1.1-5) not applicable to the source.

- 6. Section D.3 is revised to include the three (3) new 30,000 gallon asphalt cement storage tanks (ID No. T-01, T-02, T03) as follows:

SECTION D.3 FACILITY OPERATION CONDITIONS

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

The source also consists of the following insignificant activities, as defined in 326 IAC 2-7-1(21):

- (d) ~~one (1)~~ **three (3)** 30,000 gallon asphalt cement storage tanks (ID No. T-01, **T-02, T03**), constructed in ~~1999~~ **2004**;
- ~~(e) two (2) 15,000 gallon asphalt cement storage tanks (ID No. T-02, T-03), constructed in 1999;~~
- (~~f~~ **e**) one (1) 20,000 gallon fuel oil storage tank (ID No. T-04), constructed in 1999; and
- (~~g~~ **f**) one (1) 12,000 gallon fuel oil storage tank (ID No. T-05), constructed in 1999.

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

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

D.3.1 Record Keeping Requirements [326 IAC 12] [40 CFR 60.110b, Subpart Kb]

Pursuant to the New Source Performance Standard (NSPS), 326 IAC12 and 40 CFR Part 60.116 Subpart Kb, the Permittee shall maintain permanent accessible records at the source for the life of each volatile liquid storage tank as follows:

- (a) the dimension of each storage vessel (tanks T-01, T-02, T-03, T-04 and T-05);
- (b) an analysis showing the capacity of each storage vessel (tanks T-01, T-02, T-03, T-04 and T-05); and
- (c) the true vapor pressure of the VOC stored, indicating that the maximum true vapor pressure of each VOC stored is less than 15.0 kPa (tanks T-01, **T-02, T-03** and T-04 only).

7. OAQ has decided to move the provision that is required by 326 IAC 2-8-4(5) from condition B.10 to the front of the permit. Therefore, condition B.10 has been deleted and the requirements of that condition have been added to the front page of the permit.

~~B.10 Compliance with Permit Conditions [326 IAC 2-8-4(5)(A)] [326 IAC 2-8-4(5)(B)]~~

- ~~(a) The Permittee must comply with all conditions of this permit. Noncompliance with any provisions of this permit is grounds for:
 - ~~(1) Enforcement action;~~
 - ~~(2) Permit termination, revocation and reissuance, or modification; and~~
 - ~~(3) Denial of a permit renewal application.~~~~
- ~~(b) It shall not be a defense for the Permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit.~~

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

8. The general provisions; term of permit rule cite was added to B.3 Permit Term. In order to avoid confusion for renewals as to what “original” date IDEM is referring to, the following change has been made:

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

This permit is issued for a fixed term of five (5) years from the ~~original~~ **issuance date of this permit**, as determined in accordance with IC 4-21.5-3-5(f) and IC 13-15-5-3. Subsequent revisions, modifications, or amendments of this permit do not affect the expiration date.

9. The duty to supplement an application is not an ongoing requirement after the permit is issued; therefore, (a) has been removed from B.8, Duty to Supplement and Provide Information. Since B.8 (c), now (b), Duty to Supplement and Provide Information already addresses confidentiality, the last sentence of (b), now (a), was revised to remove the statement about confidential information, and (c), now (b), was updated for clarity. Also, the condition was revised to change a rule reference. Subpart (c), now (b), references 326 IAC 17. This rule was repealed by the Air Pollution Control Board on January 26, 2000. The condition is revised to read as follows:

B.8 Duty to Supplement and Provide Information [326 IAC 2-8-3(f)] [326 IAC 2-8-4(5)(E)]~~[326 IAC 2-8-5(a)(4)]~~

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

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

~~The submittal by the Permittee does require the certification by the “authorized individual” as defined by 326 IAC 2-1.1-1(1).~~

~~(b)(a) The Permittee shall furnish to IDEM, OAQ, within a reasonable time, any information that IDEM, OAQ, may request in writing to determine whether cause exists for modifying, revoking and reissuing, or terminating this permit, or to determine compliance with this permit. The submittal by the Permittee does require the certification by the “authorized individual” as defined by 326 IAC 2-1.1-1(1). Upon request, the Permittee shall also furnish to IDEM, OAQ, copies of records required to be kept by this permit. ~~or, for information claimed to be confidential, the Permittee may furnish such records directly to the U. S. EPA along with a claim of confidentiality.~~ [326 IAC 2-8-4(5)(E)]~~

~~(c)(b) For information furnished by the Permittee to IDEM, OAQ, t~~The Permittee may include a claim of confidentiality in accordance with 326 IAC 17.1. When furnishing copies of requested records directly to U. S. EPA, the Permittee may assert a claim of confidentiality in accordance with 40 CFR 2, Subpart B.

10. B.13 (b), now B.12(b), was revised to clarify that required record keeping needs to be implemented as well as the rest of the plan to ensure that failure to implement a PMP does not cause or contribute to an exceedance of any limitation on emissions or potential to emit. Also, (c) has been revised to clarify that OAQ may require the Permittee to revise its PMPs whenever lack of proper maintenance is the primary contributor to an exceedance of any limitation on emissions or potential to emit. The requirements to keep records of preventive maintenance in (d) has been moved to Section D. Because the general record keeping requirements (i.e. retained for 5 years) are in Section C, it is not necessary to include them in this condition or in the D condition. At some sources, an OMM Plan is required. Instead of having two separate plans, the OMM Plan may satisfy the PMP requirements, so (d) has been added to this condition.

B.132 Preventive Maintenance Plan [326 IAC 1-6-3] [326 IAC 2-8-4(9)] [326 IAC 2-8-5(a)(1)]

- (a) If required by specific condition(s) in Section D of this permit, the Permittee shall maintain and implement Preventive Maintenance Plans (PMPs), including the following information on each facility:
- (1) Identification of the individual(s) responsible for inspecting, maintaining, and repairing emission control devices;
 - (2) A description of the items or conditions that will be inspected and the inspection schedule for said items or conditions; and
 - (3) Identification and quantification of the replacement parts that will be maintained in inventory for quick replacement.
- (b) The Permittee shall implement the PMPs, **including any required record keeping**, as necessary to ensure that failure to implement a PMP does not cause or contribute to a ~~violation~~ **an exceedance** of any limitation on emissions or potential to emit.
- (c) A copy of the PMPs shall be submitted to IDEM, OAQ, upon request and within a reasonable time, and shall be subject to review and approval by IDEM, OAQ. IDEM, OAQ, may require the Permittee to revise its PMPs whenever lack of proper maintenance causes or ~~contributes to any violation~~ **is the primary contributor to an exceedance of any limitation on emissions or potential to emit**. The PMP does not require the certification by the "authorized individual" as defined by 326 IAC 2-1.1-1(1).
- ~~(d) Records of preventive maintenance shall be retained for a period of at least five (5) years. 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 makes a request for records to the Permittee, the Permittee shall furnish the records to the Commissioner within a reasonable time.~~
- (d) To the extent the Permittee is required by 40 CFR Part 60/63 to have an Operation, Maintenance, and Monitoring (OMM) Plan for a unit, such Plan is deemed to satisfy the PMP requirements of 326 IAC 1-6-3 for that unit.**
11. The requirement to include emergencies in the Quarterly Deviation and Compliance Monitoring Report has been moved from B.15 to B.14. In condition B.14, now B.13, Emergency Provisions, the statement at the end of (b)(4) has been removed, because this is stated again in (f).

B.143 Emergency Provisions [326 IAC 2-8-12]

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

- (b) An emergency, as defined in 326 IAC 2-7-1(12), constitutes an affirmative defense to an action brought for noncompliance with a health-based or technology-based emission limitation if the affirmative defense of an emergency is demonstrated through properly signed, contemporaneous operating logs or other relevant evidence that describes the following:
- (1) An emergency occurred and the Permittee can, to the extent possible, identify the causes of the emergency;
 - (2) The permitted facility was at the time being properly operated;
 - (3) During the period of an emergency, the Permittee took all reasonable steps to minimize levels of emissions that exceeded the emission standards or other requirements in this permit;
 - (4) For each emergency lasting one (1) hour or more, the Permittee notified IDEM, OAQ, within four (4) daytime business hours after the beginning of the emergency, or after the emergency was discovered or reasonably should have been discovered;

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

~~Failure to notify IDEM, OAQ, 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 the attached Emergency Occurrence Report Form or its equivalent, either by mail or facsimile to:

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

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

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

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

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

- (6) The Permittee immediately took all reasonable steps to correct the emergency.
- (c) In any enforcement proceeding, the Permittee seeking to establish the occurrence of an emergency has the burden of proof.
- (d) This emergency provision supersedes 326 IAC 1-6 (Malfunctions). This permit condition is in addition to any emergency or upset provision contained in any applicable requirement.
- (e) IDEM, OAQ, may require that the Preventive Maintenance Plans required under 326 IAC 2-8-3(c)(6) be revised in response to an emergency.
- (f) Failure to notify IDEM, OAQ, by telephone or facsimile of an emergency lasting more than one (1) hour in accordance with (b)(4) and (5) of this condition shall constitute a violation of 326 IAC 2-8 and any other applicable rules.
- (g) Operations may continue during an emergency only if the following conditions are met:
 - (1) If the emergency situation causes a deviation from a technology-based limit, the Permittee may continue to operate the affected emitting facilities during the emergency provided the Permittee immediately takes all reasonable steps to correct the emergency and minimize emissions.
 - (2) If an emergency situation causes a deviation from a health-based limit, the Permittee may not continue to operate the affected emissions facilities unless:
 - (A) The Permittee immediately takes all reasonable steps to correct the emergency situation and to minimize emissions; and
 - (B) Continued operation of the facilities is necessary to prevent imminent injury to persons, severe damage to equipment, substantial loss of capital investment, or loss of product or raw material of substantial economic value.

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

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

12. Paragraph (c) has been removed from B.15, now B.14, Deviations from Permit Requirements and Conditions, then revised and incorporated in B.14, now B.13, Emergency Provisions.

B.154 Deviations from Permit Requirements and Conditions [326 IAC 2-8-4(3)(C)(ii)]

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

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

using the attached Quarterly Deviation and Compliance Monitoring Report, or its equivalent. A deviation required to be reported pursuant to an applicable requirement that

exists independent of this permit, shall be reported according to the schedule stated in the applicable requirement and does need to be included in this report.

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

- (b) A deviation is an exceedance of a permit limitation or a failure to comply with a requirement of the permit.
- ~~(c) Emergencies shall be included in the Quarterly Deviation and Compliance Monitoring Report.~~

13. Paragraph (b) of condition B.18, now B.17, Permit Amendment or Revision, has been revised to replace "should" with "shall". Also, in order to clarify that an amendment or modification will not be required for the addition, operation or removal of a nonroad engine, an explanation (instructions) and (d) has been added to B.18, now B.17, Permit Amendment or Revision.

B.187 Permit Amendment or Revision [326 IAC 2-8-10] [326 IAC 2-8-11.1]

- (a) Permit amendments and revisions are governed by the requirements of 326 IAC 2-8-10 or 326 IAC 2-8-11.1 whenever the Permittee seeks to amend or modify this permit.
- (b) Any application requesting an amendment or modification of this permit shall be submitted to:

Indiana Department of Environmental Management
Permits Branch, Office of Air Quality
100 North Senate Avenue, P.O. Box 6015
Indianapolis, Indiana 46206-6015
Any such application ~~should~~ **shall** be certified by the "authorized individual" as defined by 326 IAC 2-1.1-1(1).
- (c) The Permittee may implement the administrative amendment changes addressed in the request for an administrative amendment immediately upon submittal of the request. [326 IAC 2-8-10(b)(3)]
- (d) No permit amendment or modification is required for the addition, operation or removal of a nonroad engine, as defined in 40 CFR 89.2.**

14. In order to be consistent with 326 IAC 2-8-15(a)(5) the rule cite has been revised in B.19(a)(5), now B.18(a)(5), Operational Flexibility. Also, paragraph (b) has been removed, because this is a Part 70 requirement, but not a FESOP requirement.

B.198 Operational Flexibility [326 IAC 2-8-15][**326 IAC 2-8-11.1**]

- (a) The Permittee may make any change or changes at this source that are described in 326 IAC 2-8-15(b) through (d), without prior permit revision, if each of the following conditions is met:
 - (1) The changes are not modifications under any provision of Title I of the Clean Air Act;
 - (2) Any approval required by 326 IAC 2-8-11.1 has been obtained;
 - (3) The changes do not result in emissions which exceed the emissions allowable under this permit (whether expressed herein as a rate of emissions or in terms of total emissions);

- (4) The Permittee notifies the:

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

and

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

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

- (5) The Permittee maintains records on-site which document, on a rolling five (5) year basis, all such changes and emissions trading that are subject to 326 IAC 2-8-15(b) through (d) and makes such records available, upon reasonable request, to public review.

Such records shall consist of all information required to be submitted to IDEM, OAQ, in the notices specified in 326 IAC 2-8-15(b)(2), (c)(1), and (d).

- (b) ~~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.~~

- ~~(e)~~ 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)(c)~~ Alternative Operating Scenarios [326 IAC 2-8-15(d)]
The Permittee may make changes at the source within the range of alternative operating scenarios that are described in the terms and conditions of this permit in accordance with 326 IAC 2-8-4(7). No prior notification of IDEM, OAQ or U.S. EPA is required.

15. For clarity, additional rule cites have been added to B.21, now B.20, Inspection and Entry.

B.240 Inspection and Entry [326 IAC 2-8-5(a)(2)][IC 13-14-2-2][IC 13-17-3-2][IC13-30-3-1]

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

- (a) Enter upon the Permittee's premises where a FESOP source is located, or emissions related activity is conducted, or where records must be kept under the conditions of this permit;
 - (b) **As authorized by the Clean Air Act, IC 13-14-2-2, IC 13-17-3-2, and IC 13-30-3-1, have** ~~Have~~ access to and copy, at reasonable times, any records that must be kept under the conditions of this permit;
 - (c) **As authorized by the Clean Air Act, IC 13-14-2-2, IC 13-17-3-2, and IC 13-30-3-1, inspect** ~~inspect~~, at reasonable times, any facilities, equipment (including monitoring and air pollution control equipment), practices, or operations regulated or required under this permit;
 - (d) **As authorized by the Clean Air Act, IC 13-14-2-2, IC 13-17-3-2, and IC 13-30-3-1, sample** ~~Sample~~ or monitor, at reasonable times, substances or parameters for the purpose of assuring compliance with this permit or applicable requirements; and
 - (e) **As authorized by the Clean Air Act, IC 13-14-2-2, IC 13-17-3-2, and IC 13-30-3-1, utilize** ~~Utilize~~ any photographic, recording, testing, monitoring, or other equipment for the purpose of assuring compliance with this permit or applicable requirements.
16. In condition B.22(c), now B.21(c), Transfer of Ownership or Operational Control, the rule cite has been corrected.
- (c) The Permittee may implement administrative amendment changes addressed in the request for an administrative amendment immediately upon submittal of the request. [326 IAC 2-8-44 **10(b)(3)**]
17. 326 IAC 2-1.1-7 specifies that nonpayment may result in revocation of the permit. This is not specified in 326 IAC 2-8; therefore, this rule cite is being added to B.23, now B.22, Annual Fee Payment. Also, the section and phone number of whom the Permittee can contact has been corrected in (c).

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

- (c) The Permittee may call the following telephone numbers: 1-800-451-6027 or 317-233-0425 **4320** (ask for OAQ, ~~Technical Support and Modeling~~ **Billing, Licensing, and Training** Section), to determine the appropriate permit fee.
18. Condition C.2 has been revised to read as follows:
- C.2 Particulate ~~Matter~~ Emission Limitations For Processes with Process Weight Rates Less Than One Hundred (100) pounds per hour [**40 CFR 52 Subpart P**][326 IAC 6-3-2(~~e~~)]
-
- (a) Pursuant to **40 CFR 52 Subpart P, particulate matter emissions from any process not already regulated by 326 IAC 6-1 or any New Source Performance Standard, and which has a maximum process weight rate less than 100 pounds per hour shall not exceed 0.551 pounds per hour.**
 - (b) Pursuant to 326 IAC 6-3-2(~~e~~)(**2**), the allowable particulate ~~matter~~ emissions rate from any process not already regulated by 326 IAC 6-1 or any New Source Performance

~~Standard, and~~ **exempt under 326 IAC 6-3-1(b) or (c)** which has a maximum process weight rate less than 100 pounds per hour **and the methods in 326 IAC 6-3-2(b) through (d) do not apply** shall not exceed 0.551 pounds per hour.

19. C.10(e), Asbestos Abatement Projects, has been revised to correct the rule cite. Also, C.10 has been revised to clarify that the requirement to have an Indiana Accredited Asbestos inspector is not federally enforceable.

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

- (a) Notification requirements apply to each owner or operator. If the combined amount of regulated asbestos containing material (RACM) to be stripped, removed or disturbed is at least 260 linear feet on pipes or 160 square feet on other facility components, or at least thirty-five (35) cubic feet on all facility components, then the notification requirements of 326 IAC 14-10-3 are mandatory. All demolition projects require notification whether or not asbestos is present.
- (b) The Permittee shall ensure that a written notification is sent on a form provided by the Commissioner at least ten (10) working days before asbestos stripping or removal work or before demolition begins, per 326 IAC 14-10-3, and shall update such notice as necessary, including, but not limited to the following:
- (1) When the amount of affected asbestos containing material increases or decreases by at least twenty percent (20%); or
- (2) If there is a change in the following:
- (A) Asbestos removal or demolition start date;
- (B) Removal or demolition contractor; or
- (C) Waste disposal site.
- (c) The Permittee shall ensure that the notice is postmarked or delivered according to the guidelines set forth in 326 IAC 14-10-3(2).
- (d) The notice to be submitted shall include the information enumerated in 326 IAC 14-10-3(3).

All required notifications shall be submitted to:

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

The notice shall include a signed certification from the owner or operator that the information provided in this notification is correct and that only Indiana licensed workers and project supervisors will be used to implement the asbestos removal project. The notifications do not require a certification by the "authorized individual" as defined by 326 IAC 2-1.1-1(1).

- (e) Procedures for Asbestos Emission Control
The Permittee shall comply with the applicable emission control procedures in 326 IAC 14-10-4 and 40 CFR 61.145(c). Per 326 IAC 14-10-41 emission control requirements are applicable for any removal or disturbance of RACM greater than three (3) linear feet on pipes or three (3) square feet on any other facility components or a total of at least 0.75

cubic feet on all facility components.

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

(f)(g) Indiana Accredited Asbestos Inspector
The Permittee shall comply with 326 IAC 14-10-1(a) that requires the owner or operator, prior to a renovation/demolition, to use an Indiana Accredited Asbestos Inspector to thoroughly inspect the affected portion of the facility for the presence of asbestos. ~~The requirement that the inspector be accredited, pursuant to the provision of 40 CFR 61, Subpart M, is federally enforceable.~~ **The requirement to use an Indiana Accredited Asbestos inspector be accredited is not federally enforceable.**

20. The following was added to C.12, Compliance Requirements, to state what OAQ does when stack testing, monitoring, or reporting is required to assure compliance with applicable requirements:

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

The commissioner may require stack testing, monitoring, or reporting at any time to assure compliance with all applicable requirements **by issuing an order under 326 IAC 2-1.1-11**. Any monitoring or testing shall be performed in accordance with 326 IAC 3 or other methods approved by the commissioner or the U. S. EPA.

21. Condition C.15 has been revised as follows:

C.15 Monitoring Methods [326 IAC 3] [40 CFR 60] [40 CFR 63]

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

22. C.17, Risk Management Plan, has been revised so that it is more straightforward, and the condition requires the source to comply with the applicable requirements of 40 CFR 68 if a regulated substance is present at a source in more than a threshold quantity.

C.17 Risk Management Plan [326 IAC 2-8-4] [40 CFR 68.215]

If a regulated substance, ~~subject to as defined in 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 submit:~~ **the Permittee must comply with the applicable requirements of 40 CFR 68.**

~~(a) A compliance schedule for meeting the requirements of 40 CFR 68; or~~

~~(b) As a part of the annual 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).~~

~~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).~~

23. Condition C.18 (b)(3) notification requirement has been modified to apply only to situations where the emissions unit will continue to operate for an extended time while the compliance monitoring parameter is out of range. It is intended to provide the OAQ an opportunity to assess the situation and determine whether any additional actions are necessary to demonstrate compliance with applicable requirements. Condition C.16 (b)(3) has been revised as follows:

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

If the Permittee determines that additional response steps would necessitate that the emissions unit or control device be shut down, and it will be ten (10) days or more until the unit or device will be shut down, then the permittee shall promptly notify the IDEM, OAQ of the expected date of the shut down. The notification shall also include the status of the applicable compliance monitoring parameter with respect to normal, and the results of the response actions taken up to the time of notification.

24. C.18 (e), Compliance Response Plan - Preparation, Implementation, Records, and Reports, the rule cite was corrected to reflect the FESOP rules instead of the Title V rules. Also, failure to take reasonable response steps shall be considered deviation of the permit; therefore, (b)(4) was revised.

C.18 Compliance Response Plan - Preparation, Implementation, Records, and Reports [326 IAC 2-8-4]
[326 IAC 2-8-5]

-
- (b) (4) Failure to take reasonable response steps shall ~~constitute a violation of~~ **be considered a deviation from** the permit.

- (e) The Permittee shall record all instances when response steps are taken. In the event of an emergency, the provisions of ~~326 IAC 2-7-16~~ **326 IAC 2-8-12**(Emergency Provisions) requiring prompt corrective action to mitigate emissions shall prevail.

25. In order to clarify which documents need to be certified by an authorized individual, the following update has been made:

C.19 Actions Related to Noncompliance Demonstrated by a Stack Test [326 IAC 2-8-4][326 IAC 2-8-5]

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

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

26. It is acceptable for records to be electronically accessible instead of being physically present at a source; therefore, the following update has been made:

C.20 General Record Keeping Requirements [326 IAC 2-8-4(3)] [326 IAC 2-8-5]

- (a) Records of all required **monitoring** data, reports and support information **required by this permit** shall be retained for a period of at least five (5) years from the date of monitoring sample, measurement, report, or application. These records shall be ~~kept~~ **physically present or electronically accessible** at the source location for a minimum of three (3) years. The records may be stored elsewhere for the remaining two (2) years as long as they are available upon request. If the Commissioner makes a request for records to the Permittee, the Permittee shall furnish the records to the Commissioner within a reasonable time.
- (d) Unless otherwise specified in this permit, all record keeping requirements not already legally required shall be implemented within ninety (90) days of permit issuance.
25. C.21 (d), General Reporting Requirements, has been revised to indicate all forms instead of the quarterly reports.
- (d) Unless otherwise specified in this permit, ~~any quarterly~~ **all reports** required in Section D of this permit shall be submitted within thirty (30) days of the end of the reporting period. ~~The~~ **All** reports do require the certification by the "authorized individual" as defined by 326 IAC 2-1.1-1(1).
29. The FESOP Quarterly Report forms have been revised as follows:

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

FESOP Quarterly Report

Source Name: E & B Paving, Inc.
 Source Address: 7320 Lower Huntington Road, Fort Wayne, IN 46809
 Mailing Address: 286 W 300 N, Anderson, IN 46012
 FESOP No.: F003-14406-03281
 Facility: ~~135~~ **100** MMBtu per hour burner for the drum mix dryer
 Parameter: SO₂ fuel oil consumption limitations
 Limit: The input of No. 2 distillate fuel oil and No. 2 distillate fuel oil equivalents in the ~~135~~ **100** MMBtu per hour burner for the aggregate dryer shall be limited to ~~2,501,470~~ **2,471,592** gallons per twelve (12) consecutive month period **with compliance determined at the end of each month**, ~~rolled on a monthly basis,~~ so that SO₂ emissions are limited below 100 tons per year.

YEAR:

Month	No.2 (+ equivalents) usage this month (gallons per month)	No.2 (+ equivalents) usage for previous 11 months (gallons)	No.2 (+ equivalents) usage for last 12 months (gallons)
Month 1			
Month 2			
Month 3			

No deviation occurred in this month.

Deviation/s occurred in this month.

Deviation has been reported on: _____

Submitted by: _____

Title / Position: _____

Signature: _____

Date: _____

Phone: _____

Attach a signed certification to complete this report.

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

FESOP Quarterly Report

Source Name: E & B Paving, Inc.
 Source Address: 7320 Lower Huntington Road, Fort Wayne, IN 46809
 Mailing Address: 286 W 300 N, Anderson, IN 46012
 FESOP No.: F003-14406-03281
 Facility: 135 MMBtu per hour burner for the drum mix dryer
 Parameter: NOx fuel oil consumption limitations
 Limit: The input of natural gas and natural gas equivalents in the 135 MMBtu per hour burner for the aggregate dryer shall be limited to 1032.316 million cubic feet (MMCF) per twelve (12) consecutive month period, rolled on a monthly basis, so that NOx emissions are limited below 100 tons per year.

YEAR: _____

Month	Natural Gas (+ equivalents) usage this month (MMCF per month)	Natural Gas (+ equivalents) usage for previous 11 months (MMCF)	Natural Gas (+ equivalents) usage for last 12 months (MMCF)
Month 1			
Month 2			
Month 3			

_____ No deviation occurred in this month.
 _____ Deviation/s occurred in this month.
 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: E & B Paving, Inc.
Source Address: 7320 Lower Huntington Road, Fort Wayne, IN 46809
Mailing Address: 286 W 300 N, Anderson, IN 46012
FESOP No.: F003-14406-03281
Facility: Cold-mix (stockpile mix) asphalt manufacturing operations
Parameter: VOC solvent in emulsified asphalt binder used in the production of cold mix asphalt
Limit: ~~182.3~~ **181.25** tons of solvent per twelve (12) consecutive month period with compliance determined at the end of each month.

YEAR:

Month	VOC Solvent Usage This Month (Tons per Month)	VOC Solvent Usage Previous 11 Months (Tons)	VOC Solvent Usage the Last 12 Months (Tons)
Month 1			
Month 2			
Month 3			

No deviation occurred in this month.

Deviation/s occurred in this month.

Deviation has been reported on: _____

Submitted by: _____

Title / Position: _____

Signature: _____

Date: _____

Phone: _____

Attach a signed certification to complete this report.

30. The first sentence of the Quarterly Deviation and Compliance Monitoring Report is being removed, because it poses a conflict with the provisions that require an annual certification.

Quarterly Deviation and CM Report

~~This report is an affirmation that the source has met all the requirements stated in this permit.~~ This report shall be submitted quarterly based on a calendar year. Any deviation from the requirements, the date(s) of each deviation, the probable cause of the deviation, and the response steps taken must be reported. **A** ~~Deviations that are~~ required to be reported **pursuant to** ~~by~~ an applicable requirement **that exists independent of the permit**, shall be reported according to the schedule stated in the applicable requirement and ~~does~~ not need to be included in this report. Additional pages may be attached if necessary. If no deviations occurred, please specify in the box marked "No deviations occurred this reporting period".

31. Asphalt plant site fugitive dust control plan has been added as ATTACHMENT A at the end of the FESOP as follows:

ATTACHMENT A

ASPHALT PLANT SITE FUGITIVE DUST CONTROL PLAN

- (a) **Fugitive particulate matter emissions from plant roadways, parking lots and yards shall be controlled by the following methods:**
- (1) **application of water and/or water-dust control material solutions on an as needed basis;**
 - (2) **sweeping between watering on an as needed basis; and**
 - (3) **limiting vehicular speeds to 10 miles per hour.**
- (b) **Fugitive particulate matter emissions from conveying/handling operations shall be controlled by the following methods:**
- (1) **utilizing a water spray system at strategic transfer locations; and**
 - (2) **minimizing all drop distances.**
- (c) **Fugitive particulate matter emissions from storage piles shall be controlled by the following methods:**
- (1) **watering storage piles on an as needed basis;**
 - (2) **minimizing drop distances; and**
 - (3) **maintaining moisture contents of materials above 1.5%.**

Conclusion

This permit revision shall be subject to the conditions of the attached proposed FESOP Significant Permit Revision No. 003-19245-00334.

Indiana Department of Environmental Management Office of Air Quality

Addendum to the Technical Support Document for a Significant Permit Revision to a Federally Enforceable State Operating Permit

Source Background and Description

Source Name:	E & B Paving, Inc.
Source Location:	7320 Lower Huntington Road, Fort Wayne, IN 46809
County:	Allen
SIC Code:	2951
Operation Permit No.:	F003-14406-00334
Operation Permit Issuance Date:	April 18, 2002
Permit Revision No.:	003-19245-00334
Permit Reviewer:	Seema Roy/EVP

On August 28, 2004, the Office of Air Quality (OAQ) had a notice published in the Fort Wayne Journal Gazette, stating that E & B Paving, Inc. had applied for a Significant Permit Revision to its Federally Enforceable State Operating Permit (FESOP) for a stationary drum mix asphalt plant. The notice also stated that OAQ proposed to issue a Significant Permit Revision for this operation and provided information on how the public could review the proposed Significant Permit Revision and other documentation. Finally, the notice informed interested parties that there was a period of thirty (30) days to provide comments on whether or not this Significant Permit Revision should be issued as proposed.

The OAQ has determined that in order to make limits to render 326 IAC 2-2 (PSD) not applicable, practically enforceable, a separate PM limit is required. Therefore, the following changes have been made to the FESOP (bolded language has been added and the language with a line through it has been deleted):

1. Condition D.1.2 has been revised as follows:

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

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 not exceed 0.04 grains per dry standard cubic foot (gr/dscf). This is equivalent to a particulate matter emission rate of 17.44 pounds per hour. ~~Compliance with this limit shall limit the source's potential to emit of PM to less than 100 tons per twelve (12) consecutive month period and make the requirements of 326 IAC 2-2 (Prevention of Significant Deterioration (PSD)) not applicable.~~

2. A new condition D.1.4 has been added as follows:

D.1.4 Particulate Matter (PM) [326 IAC 2-2]

Particulate matter emissions from the aggregate mixing and drying operation shall not exceed 0.05 pound PM per ton of asphalt mix. This is equivalent to a PM emission limit of 17.44 pounds per hour, based on a maximum throughput of 350 tons of asphalt mix per hour. Based on 8,760 hours of operation per 12 consecutive month period, this limits PM emissions from the aggregate mixing and drying operation to less than 76.4 tons per year for a source-wide total potential to emit of less than 250 tons per year.

Therefore, compliance with this limit will render the requirements of 326 IAC 2-2 (Prevention of Significant Deterioration (PSD)) not applicable.

3. Condition D.1.4, now renumbered as D.1.5, has been revised as follows:

D.1.45 Particulate Matter Less Than 10 Microns (PM-10) [326 IAC 2-8-4] [326 IAC 2-2]

Pursuant to 326 IAC 2-8-4, PM-10 emissions from the aggregate mixing and drying operation shall be limited to 0.046 pounds of PM-10 emitted per ton of asphalt produced, including both filterable and condensible fractions. **This is equivalent to a PM-10 emission limit of 16.03 pounds per hour, based on a maximum throughput of 350 tons of asphalt mix per hour. Based on 8,760 hours of operation per 12 consecutive month period, this limits PM-10 emissions from the aggregate mixing and drying operation to 70.20 tons per year for a source-wide total potential to emit of less than 100 tons per year.** Therefore, the Part 70 rules (326 IAC 2-7) do not apply. **Compliance with this limit shall also make the requirements of 326 IAC 2-2 (Prevention of Significant Deterioration (PSD)) not applicable.**

4. Condition D.1.8, now renumbered as D.1.9, has been revised as follows:

D.1.89 Testing Requirements [326 IAC 2-8-5(a)(1), (4)] [326 IAC 2-1.1-11]

Within 60 days after achieving the maximum production rate, but not later than 180 days after initial start-up of the modified units, the Permittee shall perform the following to demonstrate compliance with Conditions D.1.2, D.1.3, ~~and~~ D.1.4 and **D.1.5** for the drum-mix aggregate dryer:

- (a) PM and PM-10 testing utilizing methods per 40 CFR Part 60 Appendix A, Method 5 for PM and methods, as approved by the Commissioner for PM-10. PM-10 includes filterable and condensible PM-10.
- (b) Opacity testing utilizing 40 CFR Part 60 Appendix A, Method 9, to demonstrate compliance with the opacity limitation of Condition D.1.3.

This test shall be repeated at least once every five (5) years from the date of this valid compliance demonstration. Testing shall be conducted in accordance with Section C- Performance Testing.

5. Condition D.1.9, now renumbered as D.1.10, has been revised as follows:

D.1.910 Particulate Matter (PM) and PM-10

In order to comply with conditions D.1.2, D.1.3, ~~and~~ D.1.4 and **D.1.5**, the baghouse for PM and PM10 control shall be in operation and control emissions at all times when the aggregate dryer and burner are in operation.

6. Condition D.1.10, now renumbered as D.1.11, has been revised as follows:

D.1.4011 Sulfur Dioxide Emissions and Sulfur Content

Compliance with Condition ~~D.1.5~~ **D.1.6** shall be determined utilizing one of the following options.

7. Condition D.1.11, now renumbered as D.1.12, has been revised as follows:

D.1.4412 Visible Emissions Notations

- (a) Visible emission notations of the mixing and drying operation stack exhaust **and conveyor transfer points** 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.

8. Condition D.1.15, now renumbered as D.1.16, has been revised as follows:

D.1.16 Record Keeping Requirements

(a) To document compliance with Conditions D.1.5 **6**, D.1.6 **7** and D.1.40 **11**, the Permittee shall maintain records in accordance with (1) through (6) below. Records maintained for (1) through (8) shall be taken monthly and shall be complete and sufficient to establish compliance with the SO₂ emission limits established in Conditions D.1.5 **6** and D.1.6 **7**.

- (1) Calendar dates covered in the compliance determination period;
- (2) Actual No. 2 distillate fuel oil and No. 2 distillate fuel oil equivalent usage in the 100 MMBtu per hour burner for the aggregate dryer per month since last compliance determination period and equivalent SO₂ emissions;;
- (3) A certification, signed by the owner or operator, that the records of the fuel supplier certifications represent all of the fuel combusted during the period; and

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

- (4) Fuel supplier certifications;
- (5) The name of the fuel supplier; and
- (6) A statement from the fuel supplier that certifies the sulfur content of the fuel oil.

The Permittee shall retain records of all recording/monitoring data and support information for a period of five (5) years, or longer if specified elsewhere in this permit, from the date of the monitoring sample, measurement, or report. Support information includes all calibration and maintenance records and all original strip-chart recordings for continuous monitoring instrumentation, and copies of all reports required by this permit.

(b) To document compliance with condition D.1.44 **12**, the Permittee shall maintain records of visible emission notations of the mixing and drying operation stack exhaust, once per shift.

(c) To document compliance with Condition D.1.42 **13**, the Permittee shall maintain ~~the following:~~ **records once per shift of the total static pressure drop during normal operation when venting to the atmosphere.**

~~Weekly records of the differential pressure during normal operation when venting to the atmosphere.~~

(d) To document compliance with Condition D.1.43 **14**, the Permittee shall maintain records of the results of the inspections required under Condition D.1.45 **14** and the dates the vents are redirected.

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

9. Condition D.1.16, now renumbered as D.1.17, has been revised as follows:

D.1.17 Reporting Requirements

A quarterly summary of the information to document compliance with Condition D.1.17 shall be submitted to the address(es) listed in Section C - General Reporting Requirements, of this permit, using the reporting forms located at the end of this permit, or their equivalent, within thirty (30) days after the end of the quarter being reported. The report submitted by the Permittee does require the certification by the "authorized individual" as defined by 326 IAC 2-1-1(1).

10. A statement was added to B.10 Certification in order to clarify that the certification form may cover more than one document that is submitted.

B.10 Certification [326 IAC 2-8-3(d)] [326 IAC 2-8-4(3)(C)(i)] [326 IAC 2-8-5(1)]

- (a) Where specifically designated by this permit or required by an applicable requirement, any application form, report, or compliance certification submitted shall contain certification by an authorized individual of truth, accuracy, and completeness. This certification, shall state that, based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate, and complete.
- (b) One (1) certification shall be included, using the attached Certification Form, with each submittal requiring certification. **One (1) certification may cover multiple forms in one (1) submittal.**
- (c) An authorized individual is defined at 326 IAC 2-1.1-1(1).
11. A statement concerning backup fuel switches has been added to B.18 Operational Flexibility as follows:
- (d) **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.**

12. A new condition B.23 has been added as follows:

B.23 Credible Evidence [326 IAC 2-8-4(3)][326 IAC 2-8-5][62 FR 8314]

Notwithstanding the conditions of this permit that state specific methods that may be used to demonstrate compliance with, or a violation of, applicable requirements, any person (including the Permittee) may also use other credible evidence to demonstrate compliance with, or a violation of, any term or condition of this permit.

13. Section (e) of condition C.21 General Reporting Requirements has been revised as follows:

- (e) Reporting periods are based on calendar years, **unless otherwise specified in this permit. For the purpose of this permit "calendar year" means the twelve (12) month period from January 1 to December 31 inclusive.**

Company Name:

E & B Paving, Inc.

Plant Location:

7320 Lower Huntington Road, Fort Wayne, IN 46809

County:

Allen

Permit Reviewer:

Seema Roy / EVP

**** 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:	$\frac{100 \text{ MMBtu/hr} * 8,760 \text{ hr/yr}}{1000 \text{ Btu/cf} * 2,000 \text{ lb/ton}}$	* Ef (lb/MMcf) = (ton/yr)
P M:	1.9 lb/MMcf =	0.83 ton/yr
P M-10:	7.6 lb/MMcf =	3.33 ton/yr
S O 2:	0.6 lb/MMcf =	0.26 ton/yr
N O x:	190.0 lb/MMcf =	83.22 ton/yr
V O C:	5.5 lb/MMcf =	2.41 ton/yr
C O:	84.0 lb/MMcf =	36.79 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, 1.3-2, and 1.3-3.

Criteria Pollutant:	$\frac{100 \text{ MMBtu/hr} * 8,760 \text{ hr/yr}}{140,000 \text{ Btu/gal} * 2,000 \text{ lb/ton}}$	* Ef (lb/1,000 gal) = (ton/yr)
P M:	2.0 lb/1000 gal =	6.26 ton/yr
P M-10:	3.3 lb/1000 gal =	10.32 ton/yr
S O 2:	78.5 lb/1000 gal =	245.59 ton/yr
N O x:	24.0 lb/1000 gal =	75.09 ton/yr
V O C:	0.20 lb/1000 gal =	0.63 ton/yr
C O:	5.0 lb/1000 gal =	15.64 ton/yr

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

Criteria Pollutant:		Worst Case Fuel
P M:	6.26 ton/yr	No. 2 Distillate Oil
P M-10:	10.32 ton/yr	No. 2 Distillate Oil
S O 2:	245.59 ton/yr	No. 2 Distillate Oil
N O x:	83.22 ton/yr	Natural Gas
V O C:	2.41 ton/yr	Natural Gas
C O:	36.79 ton/yr	Natural Gas

****hot oil heater****

This source has one (1) hot oil heater rated at 1.3 MMBtu/hr, which combusts No.2 distillate fuel oil and natural gas.

The following calculations determine the amount of emissions created by the combustion of #2 distillate fuel oil @ 0.5 % sulfur, based on 8,760 hours of use and US EPA's AP-42, 5th Edition, Section 1.3 - Fuel Oil Combustion, Tables 1.3-1, 1.3-2, and 1.3-3.

Criteria Pollutant:	$\frac{1.3 \text{ MMBtu/hr} * 8,760 \text{ hr/yr}}{140,000 \text{ Btu/gal} * 2,000 \text{ lb/ton}}$	* Ef (lb/1,000 gal) = (ton/yr)
P M:	2.0 lb/1000 gal =	0.08 ton/yr
P M-10:	3.3 lb/1000 gal =	0.13 ton/yr
S O 2:	71.0 lb/1000 gal =	2.89 ton/yr
N O x:	20.0 lb/1000 gal =	0.81 ton/yr
V O C:	0.34 lb/1000 gal =	0.01 ton/yr
C O:	5.0 lb/1000 gal =	0.20 ton/yr

The following calculations determine the amount of emissions created by natural gas combustion, from hot oil heating, 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, 1.4-2, and 1.4-3.

Criteria Pollutant:	$\frac{1.3 \text{ MMBtu/hr} * 8,760 \text{ hr/yr}}{1000 \text{ Btu/cf} * 2,000 \text{ lb/ton}}$	* Ef (lb/MMcf) = (ton/yr)
P M:	1.9 lb/MMcf =	0.01 ton/yr
P M-10:	7.6 lb/MMcf =	0.04 ton/yr
S O 2:	0.6 lb/MMcf =	0.00 ton/yr
N O x:	100.0 lb/MMcf =	0.57 ton/yr
V O C:	5.5 lb/MMcf =	0.03 ton/yr
C O:	84.0 lb/MMcf =	0.48 ton/yr

The maximum potential emissions from the hot oil heater due to fuel combustion are the following:

Criteria Pollutant:		Worst Case Fuel
P M:	0.08 ton/yr	No. 2 Distillate Oil
P M-10:	0.13 ton/yr	No. 2 Distillate Oil
S O 2:	2.89 ton/yr	No. 2 Distillate Oil
N O x:	0.81 ton/yr	No. 2 Distillate Oil
V O C:	0.03 ton/yr	Natural Gas
C O:	0.48 ton/yr	Natural Gas

**** aggregate drying: drum-mix plant ****

The following calculations determine the amount of worst case emissions created by aggregate drying before controls, based on 8,760 hours of use and USEPA's AP-42, 5th Edition, Section 11.1 - Hot Mix Asphalt Plants, Tables 11.1-5 and 11.1-10 for a drum mix dryer which has the capability of combusting either fuel oil or natural gas:

$$\text{Pollutant: } \frac{\text{Ef lb/ton} \times 350 \text{ ton/hr} \times 8,760 \text{ hr/yr}}{2,000 \text{ lb/ton}}$$

Criteria Pollutant:			
P M:	28 lb/ton =		42,924.00 ton/yr
P M-10:	6.4 lb/ton =		9,811.20 ton/yr
VOC:	0.008718 lb/ton =		13.36 ton/yr

The VOC emission factor for aggregate drying includes HAP emissions which are assumed to be VOC.

**** conveying / handling ****

The following calculations determine the amount of emissions created by material handling, based on 8,760 hours of use and AP-42, Section 13.2.4, Equation 1. The emission factor for calculating PM emissions is calculated as follows:

PM-10 Emissions:

$$E = k * (0.0032) * ((U/5)^{1.3}) / ((M/2)^{1.4})$$

$$= 5.23E-03 \text{ lb PM-10/ton}$$

$$= 1.11E-02 \text{ lb PM/ton}$$

where k = 0.35 (particle size multiplier for <10um)
0.74 (particle size multiplier for <30um)

U = 12 mph mean wind speed
M = 1.5 material moisture content (%)

$$\frac{350 \text{ ton/hr} * 8,760 \text{ hrs/yr} * \text{Ef (lb/ton of material)}}{2,000 \text{ lb/ton}} = (\text{ton/yr})$$

Total PM 10 Emissions:	8.02 tons/yr
Total PM Emissions:	16.95 tons/yr

**** unpaved roads ****

The following calculations determine the amount of emissions created by vehicle traffic on unpaved roads, based on 8,760 hours of use and USEPA's AP-42, 5th Edition, Section 13.2.2.2.

I. Dump Trucks

$$\begin{aligned}
 & 22 \text{ trip/hr} \times \\
 & 0.0625 \text{ mile/trip} \times \\
 & 2 \text{ (round trip) } \times \\
 & 8,760 \text{ hr/yr} = \qquad \qquad \qquad 24090 \text{ miles per year}
 \end{aligned}$$

$$\begin{aligned}
 E_f &= k \cdot (s/12)^a \cdot (W/3)^b \\
 &= 1.74 \text{ lb PM-10/mile} \\
 &= 6.82 \text{ lb PM/mile} \\
 \text{where } k &= 1.5 \text{ (particle size multiplier for PM-10)} \\
 k &= 4.9 \text{ (particle size multiplier for PM)} \\
 s &= 4.8 \text{ mean \% silt content of unpaved roads} \\
 a &= 0.9 \text{ Constant for PM-10} \\
 a &= 0.7 \text{ Constant for PM} \\
 b &= 0.45 \text{ Constant for PM and PM-10} \\
 W &= 26 \text{ tons average vehicle weight}
 \end{aligned}$$

$$\text{PM-10: } \frac{1.74 \text{ lb/mi} \times 24090 \text{ mi/yr}}{2000 \text{ lb/ton}} = \mathbf{20.93 \text{ tons/yr}}$$

$$\text{PM: } \frac{6.82 \text{ lb/mi} \times 24090 \text{ mi/yr}}{2000 \text{ lb/ton}} = \mathbf{82.13 \text{ tons/yr}}$$

II. Front End Loader

$$\begin{aligned}
 & 62 \text{ trip/hr} \times \\
 & 0.02 \text{ mile/trip} \times \\
 & 2 \text{ (round trip) } \times \\
 & 8,760 \text{ hr/yr} = \qquad \qquad \qquad 21724.8 \text{ miles per year}
 \end{aligned}$$

$$\begin{aligned}
 E_f &= k \cdot (s/12)^a \cdot (W/3)^b \\
 &= 2.01 \text{ lb PM-10/mile} \\
 &= 7.89 \text{ lb PM/mile} \\
 \text{where } k &= 1.5 \text{ (particle size multiplier for PM-10)} \\
 k &= 4.9 \text{ (particle size multiplier for PM)} \\
 s &= 4.8 \text{ mean \% silt content of unpaved roads} \\
 a &= 0.9 \text{ Constant for PM-10} \\
 a &= 0.7 \text{ Constant for PM} \\
 b &= 0.45 \text{ Constant for PM and PM-10} \\
 W &= 36 \text{ tons average vehicle weight}
 \end{aligned}$$

$$\text{PM-10: } \frac{2.01 \text{ lb/mi} \times 21724.8 \text{ mi/yr}}{2000 \text{ lb/ton}} = \mathbf{21.85 \text{ tons/yr}}$$

$$\text{PM: } \frac{7.89 \text{ lb/mi} \times 21724.8 \text{ mi/yr}}{2000 \text{ lb/ton}} = \mathbf{85.74 \text{ tons/yr}}$$

Total PM Emissions From Unpaved Roads = 167.87 tons/yr

Total PM-10 Emissions From Unpaved Roads = 42.78 tons/yr

**** storage ****

The following calculations determine the amount of emissions created by wind erosion of storage stockpiles, based on 8,760 hours of use and USEPA's AP-42 (Pre 1983 Edition), Section 11.2.3.

Material	Silt Content (wt %)	Pile Size (acres)	Storage Capacity (tons)	P M Emissions tons/yr	P M-10 Emissions tons/yr
Sand	1.1	0.49	15,000	0.11	0.04
Stone	1.1	1.16	30,000	0.27	0.09
RAP	0.8	0.47	15,000	0.08	0.03
Total				0.46	0.16

Methodology: $PM\ Emissions = 1.7 * (wt\% \text{ silt content} / 1.5) * (365 - p) / 235 * (f / 15) * \text{pile size} / 2000 * 365$

Where:

p = 125 days of rain greater than or equal to 0.01 inches
f = 15 % of wind greater than or equal to 12 mph

PM-10 Emissions = 35% of PM emissions

**** cold mix VOC storage emissions ****

The following calculations determine the amount of VOC emissions created by the application of emulsified asphalt with 1.0% fuel oil in emulsified asphalt mix, based on 8,760 hours of operation.

VOC Emission Factor = 0.1% weight percent flash-off of cold mix
Potential Throughput (tons/yr) = 3,066,000 tons/yr stockpile mix

Potential VOC Emissions (tons/yr) = Potential Throughput (tons/yr) * wt percent flash-off
Potential VOC Emissions = 2,146.20 tons/yr

* Weight percent flash-off is based on a 7.0 percent by weight of cutback asphalt in stockpile mix.

**** summary of source emissions before controls ****

Criteria Pollutants:

P M:	43,115.62 ton/yr	
P M-10:	9,872.62 ton/yr	
S O 2:	248.48 ton/yr	
N O x:	84.03 ton/yr	
V O C:	2,162.01 ton/yr	(VOCs include HAPs from aggregate drying operation)
C O:	37.27 ton/yr	

**** source emissions after controls ****

In order to qualify for the FESOP program, this facility must limit PM-10 and SO2 emissions to 99.9 tons per year. Consequently, SO2 emissions from the aggregate dryer are being limited to 97.01 tons per year (99.9 ton/yr - 2.89 ton/yr from the other combustion sources).

* Emissions of PM and PM-10 from aggregate drying operations are controlled with a **99.900** % control efficiency

The following calculations determine the amount of emissions created by natural gas combustion based on a maximum fuel usage of **876.00** MMcf

Natural Gas:	<u>876.00 MMcf/yr</u>	* Ef (lb/MMcf) = (ton/yr)
	2,000 lb/ton	
PM:	1.9 lb/MMcf =	8.32E-04 ton/yr *
PM-10:	7.6 lb/MMcf =	3.33E-03 ton/yr *
SO2:	0.6 lb/MMcf =	0.26 ton/yr
NOx:	190.0 lb/MMcf =	83.22 ton/yr
VOC:	5.5 lb/MMcf =	2.41 ton/yr
CO:	84.0 lb/MMcf =	36.79 ton/yr

The following calculations determine the amount of emissions created by No.2 distillate fuel oil @ **0.50** % sulfur based on a fuel usage limitation of **2,471,592** gal/yr:

No. 2 Distillate Oil:	<u>2,471,592 gal/yr</u>	* Ef (lb/1,000 gal) = (ton/yr)
	2,000 lb/ton	
PM:	2.0 lb/1000 gal =	2.47E-03 ton/yr *
PM-10:	3.3 lb/1000 gal =	4.08E-03 ton/yr *
SO2:	78.5 lb/1000 gal =	97.01 ton/yr
NOx:	24.0 lb/1000 gal =	29.66 ton/yr
VOC:	0.2 lb/1000 gal =	0.25 ton/yr
CO:	5.0 lb/1000 gal =	6.18 ton/yr

Criteria Pollutant:

		Worst Case Fuel
PM:	2.47E-03 ton/yr *	#2 Fuel Oil
PM-10:	0.00 ton/yr *	#2 Fuel Oil
SO2:	97.01 ton/yr	#2 Fuel Oil
NOx:	83.22 ton/yr	Natural Gas
VOC:	2.41 ton/yr	Natural Gas
CO:	36.79 ton/yr	Natural Gas

Primary Fuel Usage Limitations

Fuel Oil: #2 distillate fuel oil

$$\frac{97.01 \text{ tons SO}_2/\text{year limited}}{245.59 \text{ tons SO}_2/\text{year potential}} \times 6257.14 \frac{\text{Kgals}}{\text{year potential}} = 2471.59 \frac{\text{Kgals}}{\text{year limited}}$$

Fuel equivalence for No. 2 distillate fuel oil is determined from the limiting pollutant, SO2, as follows:

$$\frac{0.6 \text{ lb/MMcf}}{78.50 \text{ lb/1000 gal}} = 7.6433121 \text{ gallons per million cubic feet (MMcf) natural gas (i.e., every 1 MMcf natural gas burned is equivalent to 8 gallons of oil burned, based on SO}_2 \text{ emissions)}$$

****cold mix VOC storage limitations****

The following calculations determine the amount of VOC emissions created by the application of liquid binder for cold mix stockpiles, based on the source's use of emulsified asphalt with solvent as the liquid binder type. Emulsified asphalt with solvent is defined with the following properties:

Maximum Weight % of VOC solvent in binder	15.0 %
Weight % of VOC solvent in binder that evaporates:	46.4 %
Volume of diluent allowed	7 % (per 326 IAC 8-5-2)

In order to qualify for the FESOP program, this source must limit VOC emissions to less than 99.9 tons per year. Deducting the VOC emitted from other activities, VOC solvent usage as diluent in the liquid binder used in the production of cold mix asphalt from the plant shall be limited to 84.10 tons of VOC emitted per twelve (12) consecutive month period with compliance determined at the end of each month. This is equivalent to limiting the usage of emulsified asphalt with solvent liquid binder to 181.25 tons of VOC solvent per 12 consecutive month period with compliance determined at the end of each month, based on 46.4 percent (%) by weight of the VOC solvent in the liquid blend evaporating.

**** source emissions after controls ****

hot oil heater:		nonfugitive	
P M:	0.08 ton/yr x	100.00% emitted after controls =	0.08 ton/yr
P M-10:	0.13 ton/yr x	100.00% emitted after controls =	0.13 ton/yr
aggregate drying:		nonfugitive	
P M:	42,924.00 ton/yr x	0.10% emitted after controls =	42.92 ton/yr
P M-10:	9,811.20 ton/yr x	0.10% emitted after controls =	9.81 ton/yr
VOC:	13.36 ton/yr x	100.00% emitted after controls =	13.36 ton/yr
conveying/handling:		fugitive	
P M:	16.95 ton/yr x	50% emitted after controls =	8.47 ton/yr
P M-10:	8.02 ton/yr x	50% emitted after controls =	4.01 ton/yr
unpaved roads:		fugitive	
P M:	167.87 ton/yr x	50% emitted after controls =	83.93 ton/yr
P M-10:	42.78 ton/yr x	50% emitted after controls =	21.39 ton/yr
storage piles:		fugitive	
P M:	0.46 ton/yr x	50% emitted after controls =	0.23 ton/yr
P M-10:	0.16 ton/yr x	50% emitted after controls =	0.08 ton/yr
cold mix VOC storage:		fugitive	
VOC:	84.10 ton/yr x	100% emitted after controls =	84.10 ton/yr

**** summary of source emissions after controls ****

Criteria Pollutant:	Non-Fugitive	Fugitive	Total
PM:	43.01 ton/yr	92.64 ton/yr	135.65 ton/yr
PM-10:	9.95 ton/yr	25.48 ton/yr	35.43 ton/yr
S O 2:	99.90 ton/yr	0.00 ton/yr	99.90 ton/yr
N O x:	84.03 ton/yr	0.00 ton/yr	84.03 ton/yr
V O C:	15.79 ton/yr	84.10 ton/yr	99.89 ton/yr
C O:	37.00 ton/yr	0.00 ton/yr	37.00 ton/yr

Hazardous Air Pollutants (HAPs)

**** aggregate dryer burner****

The following calculations determine the amount of HAP emissions created by the combustion of distillate fuel oil before & after controls @ 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, Table 1.3-11.

Hazardous Air Pollutants (HAPs):	<u>100 MMBtu/hr * 8760 hr/yr</u> 2,000 lb/ton	* Ef (lb/10 ¹² Btu) = (ton/yr)
	Potential To Emit	Limited Emissions
Arsenic:	4 lb/10 ¹² Btu =	1.75E-03 ton/yr
Beryllium:	3 lb/10 ¹² Btu =	1.31E-03 ton/yr
Cadmium:	3 lb/10 ¹² Btu =	1.31E-03 ton/yr
Chromium:	3 lb/10 ¹² Btu =	1.31E-03 ton/yr
Lead:	9 lb/10 ¹² Btu =	3.94E-03 ton/yr
Manganese:	6 lb/10 ¹² Btu =	2.63E-03 ton/yr
Mercury:	3 lb/10 ¹² Btu =	1.31E-03 ton/yr
Nickel:	3 lb/10 ¹² Btu =	1.31E-03 ton/yr
Selenium:	15 lb/10 ¹² Btu =	6.57E-03 ton/yr
	Total HAPs =	2.15E-02 ton/yr

*** * aggregate drying: drum-mix plant * ***

The following calculations determine the amount of HAP emissions created by aggregate drying before & after controls, based on 8,760 hours of use and USEPA's AP-42, 5th Edition, Section 11.1 - Hot Mix Asphalt Plants, Table 11.1-10 for a drum mix dryer which can be fired with either fuel oil or natural gas. The HAP emission factors represent the worst case emissions (fuel oil combustion).

Pollutant:	Ef	lb/ton x	<u>350</u>	ton/hr x	8760 hr/yr
			2000	lb/ton	
Hazardous Air Pollutants (HAPs):				Potential To Emit	Limited Emissions
Benzene:	3.90E-04	lb/ton =		0.60 ton/yr	0.60 ton/yr
Ethylbenzene:	2.40E-04	lb/ton =		0.37 ton/yr	0.37 ton/yr
Formaldehyde:	3.10E-03	lb/ton =		4.75 ton/yr	4.75 ton/yr
Hexane:	9.20E-04	lb/ton =		1.41 ton/yr	1.41 ton/yr
2,2,4 Trimethylpentane:	4.00E-05	lb/ton =		0.06 ton/yr	0.06 ton/yr
Methyl chloroform:	4.8E-05	lb/ton =		0.07 ton/yr	0.07 ton/yr
Toluene:	2.90E-03	lb/ton =		4.45 ton/yr	4.45 ton/yr
Total Polycyclic Organic Matter (POM):	8.800E-04	lb/ton =		1.35 ton/yr	1.35 ton/yr
Xylene:	2.00E-04	lb/ton =		0.31 ton/yr	0.31 ton/yr
		Total HAPs =		13.36 ton/yr	13.36 ton/yr

**** summary of source HAP emissions potential to emit ****

Hazardous Air Pollutants (HAPs):

Arsenic:	0.002	ton/yr
Benzene:	0.598	ton/yr
Beryllium:	0.001	ton/yr
Cadmium:	0.001	ton/yr
Chromium:	0.001	ton/yr
Ethylbenzene:	0.368	ton/yr
Formaldehyde:	4.752	ton/yr
Hexane:	1.410	ton/yr
Lead:	0.004	ton/yr
2,2,4 Trimethylpentane:	0.061	ton/yr
Manganese:	0.003	ton/yr
Mercury:	0.001	ton/yr
Methyl chloroform:	0.074	ton/yr
Nickel:	0.001	ton/yr
Selenium:	0.007	ton/yr
Toluene:	4.446	ton/yr
Total POM:	1.349	ton/yr
Xylene:	0.307	ton/yr
Total:	13.386	ton/yr

**** summary of source HAP limited emissions ****

Hazardous Air Pollutants (HAPs):

Arsenic:	0.000	ton/yr
Benzene:	0.598	ton/yr
Beryllium:	0.000	ton/yr
Cadmium:	0.000	ton/yr
Chromium:	0.000	ton/yr
Ethylbenzene:	0.368	ton/yr
Formaldehyde:	4.752	ton/yr
Hexane:	1.410	ton/yr
Lead:	0.000	ton/yr
2,2,4 Trimethylpentane:	0.061	ton/yr
Manganese:	0.000	ton/yr
Mercury:	0.000	ton/yr
Methyl chloroform:	0.074	ton/yr
Nickel:	0.000	ton/yr
Selenium:	0.000	ton/yr
Toluene:	4.446	ton/yr
Total POM:	1.349	ton/yr
Xylene:	0.307	ton/yr
Total:	13.365	ton/yr

**** miscellaneous ****

326 IAC 7 Compliance Calculations:

The following calculations determine the maximum sulfur content of distillate fuel oil allowable by 326 IAC 7:

$$\begin{aligned}
 &0.5 \text{ lb/MMBtu} \times 140,000 \text{ Btu/gal} = 70 \text{ lb/1000gal} \\
 &70 \text{ lb/1000gal} / 142 \text{ lb/1000 gal} = 0.5 \% \\
 &\text{Sulfur content must be less than or equal to } 0.5\% \text{ to comply with 326 IAC 7.}
 \end{aligned}$$

326 IAC 6-3-2 Compliance Calculations:

The following calculations determine compliance with 326 IAC 6-3-2 for process weight rates in excess of 30 tons per hour:

$$\text{limit} = 55 * (350 ^{0.11}) - 40 = 64.76 \text{ lb/hr or } 283.66 \text{ ton/yr}$$

Since the emission limits pursuant to Subpart I of 76.39 tons per year is more stringent than this limit, the limit pursuant to 326 IAC 6-3-2 does not apply. The emission limits pursuant to Subpart I shall also render the requirements of 326 IAC 2-2 (PSD) and 326 IAC 2-3 (Emission Offset) not applicable.

PM-10 Emission Limit for Aggregate Dryer:

$$\begin{aligned}
 &(99.9 \text{ tons PM-10/yr} - 29.7 \text{ tons PM-10/yr from other sources}) \\
 &= 70.20 \text{ tons PM-10/yr} = 16.03 \text{ lbs/hr}
 \end{aligned}$$

PM-10 emissions from the aggregate dryer are controlled to 2.24 lbs/hr < 16.03 lbs/hr (Will comply)
Based on a maximum asphalt mix throughput of 350 tons/hr, this emission limit is equivalent to 0.046 lb PM10 per ton of asphalt mix.

Compliance with NSPS (326 IAC 12; 40 CFR 60.90 to 60.93, Subpart I) and 326 IAC 6-1-2

The following calculations determine compliance with NSPS, which limits stack emissions from asphalt plants to 0.04 gr/dscf

$$\begin{aligned}
 &\frac{42.92 \text{ ton/yr} * 2000 \text{ lb/ton} * 7000 \text{ gr/lb}}{525,600 \text{ min/yr} * 50,865 \text{ dscf/min}} = 0.022 \text{ gr/dscf (will comply)} \\
 &\text{Allowable particulate emissions under NSPS equate to } 76.39 \text{ tons per year. } 17.44 \text{ lbs/hr}
 \end{aligned}$$

Note:

$$\begin{aligned}
 \text{SCFM} &= 76,665 \text{ acfm} * (460 + 68) * (1 - 0.045) / (460 + 300) \\
 &= 50,865 \text{ scfm}
 \end{aligned}$$

Assumes exhaust gas temperature of 300F and exhaust gas flow of 76,665 acfm.