



Joseph E. Kernan
Governor

Lori F. Kaplan
Commissioner

January 3, 2005

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: Triad Mining, Inc. / 055-20478-00037

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

Notice of Decision: Revocation

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 4-21.5-3-5(f) this revocation is effective fifteen (15) days after it is served. When served by U.S. mail, the order is effective eighteen (18) calendar days from the mailing of this notice pursuant to IC 4-21.5-3-2(e).

If you wish to challenge this decision, IC 4-21.5-3-7 and IC 13-15-7-3 require that you file a petition for administrative review. This petition describing your intent must be submitted to the Office of Environmental Adjudication, 100 North Senate Avenue, Government Center North, Room 1049, Indianapolis, IN 46204, **within eighteen (18) calendar days from the mailing of this notice**. The filing of a petition for administrative review is complete on the earliest of the following dates that apply to the filing:

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

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

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

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

Enclosures
FNPER-REV.dot 9/16/03



INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

We make Indiana a cleaner, healthier place to live.

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January 3, 2005

Mr. Tommy L. Sutton
Triad Mining, Inc.
14521 East State Road 58
Edwardsport, IN 47528

Re: **055-20478-00037**
Revocation of SSOA
S 055-14259-00037

Dear Mr. Sutton:

On December 9, 2004, Triad Mining, Inc., notified the Office of Air Quality (OAQ) that the Newberry Mine, located at County Road 6505, R#1, Newberry, Indiana, has ceased mining, thus eliminating the need for an operating permit.

The Source Specific State Operating (SSOA) permit 055-14259-00037, issued on April 26, 2001, is hereby revoked. Pursuant to IC 4-21.5-3-5(a) and (b), this revocation letter is effective in eighteen (18) days from the date of this letter.

Any construction or modification that would result in potential to emit greater than the exemption levels, as specified in 326 IAC 2-1.1-3 (Exemptions) shall be subject to New Source Review (NSR) and must be approved by the OAQ before such construction or modification may occur.

If you have any questions regarding this revocation, please contact Janet Mobley of my staff at 1-800- 451-6027 extension 2-8369 or dial 317-232-8369.

Sincerely,
Original signed by

Paul Dubenetzky, Chief
Permits Branch
Office of Air Quality

PD/jm

cc: File - Greene County
Greene County Health Department
Air Compliance Section Inspector - Jim Thorpe
Compliance Data Section
Billing, Licensing and Training Section - Chet Bohannon
Contract Management Section - Kim Wade and Barbara VanWinkle
Permit Review Section II - Janet Mobley