



Mitchell E. Daniels, Jr.
Governor

Thomas W. Easterly
Commissioner

100 North Senate Avenue
Indianapolis, Indiana 46204
(317) 232-8603
(800) 451-6027
www.IN.gov/idem

TO: Interested Parties / Applicant
DATE: August 2, 2005
RE: E & B Paving, Inc / 003-21441-03281
FROM: Paul Dubenetzky
Chief, Permits Branch
Office of Air Quality

Notice of Decision – Approval

Please be advised that on behalf of the Commissioner of the Department of Environmental Management, I have issued a decision regarding the enclosed matter. Pursuant to 326 IAC 2, this approval was effective immediately upon submittal of the application.

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

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

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

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

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

Enclosures
FNPER-AM.dot 1/10/05



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

Mitchell E. Daniels, Jr.
Governor

Thomas W. Easterly
Commissioner

100 North Senate Avenue
Indianapolis, Indiana 46204
(317) 232-8603
(800) 451-6027
www.IN.gov/idem

August 2, 2005

Mr. Steve Henderson
E & B Paving, Inc.
286 West 300 North
Anderson, Indiana 46012

Re: 003-21441-03281
Second Administrative Amendment to
FESOP F003-14406-03281

Dear Mr. Henderson

E & B Paving, Inc. was issued a FESOP permit on April 18, 2002 for a stationary drum mix asphalt plant. A request was received on June 17, 2005 to change the plant identification number on the FESOP permit. Pursuant to the provisions of 326 IAC 2-8-10 (a)(1) the permit is hereby administratively amended as follows:

On April 18, 2002, E & B Paving, Inc. was issued a FESOP permit showing the plant identification number as 003-03281. On October 15, 2004 the First Significant Permit Revision, 003-19245, was issued to change the existing drum mixer on the stationary plant to another drum mixer. The permit revision was inadvertently assigned a new identification number of 003-00334. This amendment is to correct the plant identification and change First Significant Permit Revision 003-19245-00334 to 003-19245-03281 and First Administrative Amendment 003-19725-00034 to 003-19725-03281. This amendment is a complete FESOP permit assigned to E & B Paving, Inc. with the correct plant identification with all the recent revision and amendments. The IDEM mailing address has since changed. The post office box number has been removed. In addition, the zip code has changed to 46204.

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

This decision is subject to the Indiana Administrative Orders and Procedures Act - IC 4-21.5-3-5. If you have any questions on this matter, please contact Gary Freeman, at (800) 451-6027, press 0 and ask for Gary Freeman or extension (3-5334), or dial (317) 233-5334.

Sincerely,

Original Signed By:
Nysa L. James, Section Chief
Permits Branch
Office of Air Quality

Attachments: Updated Pages
PD/gkf

cc: File –Allen County
Allen County Health Department
Air Compliance Section Inspector – Patrick Burton
Billing, Licensing and Training Section - Chet Bohannon
Permit Review Section 1 - Gary Freeman



Mitchell E. Daniels, Jr.
 Governor

Thomas W. Easterly
 Commissioner

100 North Senate Avenue
 Indianapolis, Indiana 46204
 (317) 232-8603
 (800) 451-6027
 www.IN.gov/idem

**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.: F003-14406-03281	
Issued by: Paul Dubenetzky, Branch Chief Office of Air Quality	Issuance Date: April 18, 2002 Expiration Date: April 18, 2007

First Significant Permit Revision 003-19245-03281, issued October 15, 2004
 First Administrative Amendment 003-19725-03281, issued January 3, 2005

Second Administrative Amendment: 003-21441-03281	Pages Affected: All Pages
Issued by: Original Signed By: Nysa James, Section Chief Office of Air Quality	Issuance Date: August 2, 2005

SECTION A	SOURCE SUMMARY	5
A.1	General Information [326 IAC 2-8-3(b)]	
A.2	Emission Units and Pollution Control Equipment Summary [326 IAC 2-8-3(c)(3)]	
A.3	Insignificant Activities [326 IAC 2-7-1(21)] [326 IAC 2-8-3(c)(3)(I)]	
A.4	FESOP Applicability [326 IAC 2-8-2]	
A.5	Prior Permits Superseded [326 IAC 2-1.1-9.5]	
SECTION B	GENERAL CONDITIONS.....	7
B.1	Permit No Defense [IC 13]	
B.2	Definitions [326 IAC 2-8-1]	
B.3	Permit Term [326 IAC 2-8-4(2)][326 IAC 2-1.1-9.5]	
B.4	Enforceability [326 IAC 2-8-6]	
B.5	Termination of Right to Operate [326 IAC 2-8-9][326 IAC 2-8-3(h)]	
B.6	Severability [326 IAC 2-8-4(4)]	
B.7	Property Rights or Exclusive Privilege [326 IAC 2-8-4(5)(D)]	
B.8	Duty to Provide Information[326 IAC 2-8-4(5)(E)]	
B.9	Compliance Order Issuance [326 IAC 2-8-5(b)]	
B.10	Certification [326 IAC 2-8-3(d)] [326 IAC 2-8-4(3)(C)(i)] [326 IAC 2-8-5(1)]	
B.11	Annual Compliance Certification [326 IAC 2-8-5(a)(1)]	
B.12	Preventive Maintenance Plan [326 IAC 1-6-3][326 IAC 2-8-4(9)][326 IAC 2-8-5(a)(1)]	
B.13	Emergency Provisions [326 IAC 2-8-12]	
B.14	Deviations from Permit Requirements and Conditions [326 IAC 2-8-4(3)(C)(ii)]	
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]	
B.16	Permit Renewal [326 IAC 2-8-3(h)]	
B.17	Permit Amendment or Revision [326 IAC 2-8-10][326 IAC 2-8-11.1]	
B.18	Operational Flexibility [326 IAC 2-8-15][326 IAC 2-8-11.1]	
B.19	Permit Revision Requirement [326 IAC 2-8-11.1]	
B.20	Inspection and Entry [326 IAC 2-8-5(a)(2)][IC13-14-2-2][IC 13-17-3-2][IC13-30-3-1]	
B.21	Transfer of Ownership or Operational Control [326 IAC 2-8-10]	
B.22	Annual Fee Payment [326 IAC 2-8-4(6)] [326 IAC 2-8-16][326 IAC 2-1.1-7]	
SECTION C	SOURCE OPERATION CONDITIONS.....	16
	Emission Limitations and Standards [326 IAC 2-8-4(1)]	
C.1	Overall Source Limit [326 IAC 2-8]	
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]	
C.3	Opacity [326 IAC 5-1]	
C.4	Open Burning [326 IAC 4-1][IC 13-17-9]	
C.5	Incineration [326 IAC 4-2] [326 IAC 9-1-2(3)]	
C.6	Fugitive Dust Emissions [326 IAC 6-4]	
C.7	Fugitive Particulate Matter Emission Limitations [326 IAC 6-5]	
C.8	Operation of Equipment [326 IAC 2-8-5(a)(4)]	
C.9	Stack Height [326 IAC 1-7]	
C.10	Asbestos Abatement Projects [326 IAC 14-10] [326 IAC 18] [40 CFR 61 Subpart M]	
	Testing Requirements [326 IAC 2-8-4(3)]	
C.11	Performance Testing [326 IAC 3-6]	
	Compliance Requirements [326 IAC 2-1.1-11]	
C.12	Compliance Requirements [326 IAC 2-1.1-11]	
	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)]	
C.14	Maintenance of Emission Monitoring Equipment [326 IAC 2-8-4(3)(A)(iii)]	

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

Corrective Actions and Response Steps [326 IAC 2-8-4] [326 IAC 2-8-5]

- C.17 Risk Management Plan [326 IAC 2-8-4] [40 CFR 68]
- C.18 Compliance Response Plan - Preparation, Implementation, Records, and Reports [326 IAC 2-8-4] [326 IAC 2-8-5]
- C.19 Actions Related to Noncompliance Demonstrated by a Stack Test [326 IAC 2-8-4]
[326 IAC 2-8-5]

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

Stratospheric Ozone Protection

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

SECTION D.1 FACILITY OPERATION CONDITIONS - One aggregate drum mix dryer..... 24

Emission 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]
- D.1.2 Particulate Matter (PM) [326 IAC 12][40 CFR 60.90, Subpart I]
- D.1.3 Opacity [326 IAC 12][40 CFR 60.90, Subpart I]
- D.1.4 Particulate Matter (PM) [326 IAC 2-2]
- D.1.5 Particulate Matter less than micron (PM-10) [326 IAC 2-8-4]
- D.1.6 Sulfur Dioxide (SO₂) [326 IAC 7-1.1-1]
- D.1.7 No. 2 Fuel Usage and Equivalents [326 IAC 2-8-4]
- D.1.8 Preventive Maintenance Plan [326 IAC 2-8-4(9)]

Compliance Determination Requirements

- D.1.9 Testing Requirements [326 IAC 2-8-5(a)(1), (4)] [326 IAC 2-1.1-11]
- D.1.10 Particulate Matter and PM-10
- D.1.11 Sulfur Dioxide and Sulfur Content

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

- D.1.12 Visible Emissions Notations
- D.1.13 Parametric Monitoring
- D.1.14 Baghouse Inspections
- D.1.15 Broken or Failed Bag Detection

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

- D.1.16 Record Keeping Requirements
- D.1.17 Reporting Requirements

SECTION D.2 FACILITY OPERATION CONDITIONS - Cold-Mix (Stockpile Mix) Production..... 29

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

- D.2.1 Volatile Organic Compounds (VOC) [326 IAC 8-5-2]
- 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]
- D.2.3 VOC Emissions

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

- D.2.4 Record Keeping Requirements
- D.2.5 Reporting Requirements

SECTION D.3 FACILITY OPERATION CONDITIONS – Storage Tanks..... 31

Record Keeping and Reporting Requirements [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]

Certification Form 32

Emergency Occurrence Form..... 33

Quarterly Report Forms..... 35-36

Quarterly Deviation and Compliance Monitoring Report Form 37

ATTACHMENT A - ASPHALT PLANT SITE FUGITIVE DUST CONTROL PLAN..... 39

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
Indianapolis, Indiana 46204

- (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,
Indianapolis, Indiana 46204

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,
Indianapolis, Indiana 46204

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,
Indianapolis, IN 46204

- (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,
Indianapolis, Indiana 46204

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,
Indianapolis, Indiana 46204

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,
Indianapolis, Indiana 46204

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,
Indianapolis, Indiana 46204

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,
Indianapolis, Indiana 46204

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,
Indianapolis, Indiana 46204
- (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
100 North Senate Avenue
Indianapolis, Indiana 46204
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%.