



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 9, 2005
RE: Brooks Construction Company, Inc. 113-21482-03135
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 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 9, 2005

Mr. William Loudin
Brooks Construction Company, Inc.
P.O. Box 9560
6525 Ardmore Avenue
Fort Wayne, Indiana 46899

Re: 113-21482-03135
Revocation of FESOP 113-9449-03135

Dear Mr. Loudin:

A letter from Brooks Construction Company, Inc. was received on July 18, 2005, requesting the FESOP 113-9449-03135 associated with the drum hot mix asphalt plant located at 819 North Orange Street, Albion, Indiana be revoked due to the source ceasing operation and being decommissioned.

Pursuant to 326 IAC 2-1.1-9, any permit to construct or operate or any permit revision approval granted by the Commissioner may be revoked if there are changes in regulatory requirements that mandate either a temporary or permanent reduction of discharge of contaminants.

Since the Permittee has requested a written confirmation of the revocation of FESOP 113-9449-03135, it is hereby revoked.

If there are any questions about this revocation, please contact Gary Freeman at (317) 233-5334 or call (800) 451-6027 and ask for extension 3-5334.

Sincerely,

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

PD/gkf

cc: File – Noble County
Noble County Health Department
Air Compliance Section Inspector – Doyle Houser
Billing, Licensing and Training Section- Chet Bohannon
Permit Review Section 1 – Gary Freeman
IDEM Northern Regional Office