



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: November 17, 2005
RE: Tri- County Paving, Inc. / 125-21633-00035
FROM: Paul Dubenetzky
Chief, Permits Branch
Office of Air Quality

Notice of Decision: Approval - Effective Immediately

Please be advised that on behalf of the Commissioner of the Department of Environmental Management, I have issued a decision regarding the enclosed matter. Pursuant to IC 13-15-5-3, this permit is effective immediately, unless a petition for stay of effectiveness is filed and granted according to IC 13-15-6-3, and may be revoked or modified in accordance with the provisions of IC 13-15-7-1.

If you wish to challenge this decision, IC 4-21.5-3 and IC 13-15-6-1 require that you file a petition for administrative review. This petition may include a request for stay of effectiveness and must be submitted to the Office of Environmental Adjudication, 100 North Senate Avenue, Government Center North, Room 1049, Indianapolis, IN 46204, **within eighteen (18) calendar days of the mailing of this notice**. The filing of a petition for administrative review is complete on the earliest of the following dates that apply to the filing:

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

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

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

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

Enclosures
FNPER.dot 1/10/05



INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

We make Indiana a cleaner, healthier place to live.

Mitchell E. Daniels, Jr.
Governor

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November 17, 2005

Mr. Don Rictchey
Tri-County Paving, Inc.
P.O. Box 117
Otwell, IN 47564

Re: **125-21633-00035**
First Significant Revision to
FESOP 125-15371-00035

Dear Mr. Rictchey:

Tri-County Paving, Inc. was issued a Federally Enforceable State Operating Permit (FESOP) F 125-15371-00035 on August 26, 2002 for a stationary hot mix batch asphalt plant located at 882N CR 800E, Otwell, Indiana. A letter requesting a change to this permit was received on August 1, 2005. Pursuant to the provisions of 326 IAC 2-8-11.1, a Significant Permit Revision to this permit is hereby approved as described in the attached Technical Support Document.

The revision consists of the addition of waste oil as an alternate fuel for the existing, permitted, dryer/burner and the addition of a 10,000 gallon waste oil storage tank.

The following construction conditions are applicable to the proposed project:

1. General Construction Conditions
The data and information supplied with the application shall be considered part of this source modification approval. Prior to any proposed change in construction which may affect the potential to emit (PTE) of the proposed project, the change must be approved by the Office of Air Quality (OAQ).
2. This approval to construct does not relieve the permittee of the responsibility to comply with the provisions of the Indiana Environmental Management Law (IC 13-11 through 13-20; 13-22 through 13-25; and 13-30), the Air Pollution Control Law (IC 13-17) and the rules promulgated thereunder, as well as other applicable local, state, and federal requirements.
3. Effective Date of the Permit
Pursuant to IC 13-15-5-3, this approval becomes effective upon its issuance.
4. Pursuant to 326 IAC 2-1.1-9 (Revocation), the Commissioner may revoke this approval if construction is not commenced within eighteen (18) months after receipt of this approval or if construction is suspended for a continuous period of one (1) year or more.
5. All requirements and conditions of this construction approval shall remain in effect unless modified in a manner consistent with procedures established pursuant to 326 IAC 2.

Pursuant to 326 IAC 2-8-11.1, this permit shall be revised by incorporating the significant permit revision into the permit. All other conditions of the permit shall remain unchanged and in effect. For your convenience, the entire revised FESOP, with all revisions and amendments made to it, is being provided.

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 reviewer, c/o OAQ, 100 North Senate Avenue, Indianapolis, Indiana, 46204, at 631-691-3395 ext. 13 or in Indiana at 1-800-451-6027 (ext 631-691-3395).

Sincerely,
Original signed by
Nisha Sizemore for

Paul Dubenetzky, Chief
Permits Branch
Office of Air Quality

Attachments
FPC/MES

cc: File - Pike County
Pike County Health Department
Southwest Regional Office
Air Compliance Section Inspector – Derrick Ohning
Compliance Branch
Administrative and Development Section
Technical Support and Modeling - Michele Boner



100 North Senate Avenue

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Indianapolis, Indiana 46204-2251
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FEDERALLY ENFORCEABLE STATE OPERATING PERMIT (FESOP) RENEWAL OFFICE OF AIR QUALITY

Tri-County Paving, Inc.
882N CR 800E
Otwell, Indiana 47564

(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.: F 125-15371-00035	
Original Signed by: Paul Dubenetzky, Chief Permits Branch Office of Air Quality	Issuance Date: August 26, 2002 Expiration Date: August 26, 2007

First Administrative Amendment 125-17251-00035, issued March 31, 2003

First Significant Permit Revision 125-21633-00035	Conditions Affected: A.2, B.8, B.11, B.13, B.14, B.19, B.21, B.23, C.15, C.17, C.18, C.19, C.20, C.21, D.1.3, D.1.4, D.1.12, D.1.13, D.1.15 & D.1.16 Quarterly Report Form Conditions Added: B.24 Conditions Deleted: B.10, C.7, D.1.6 and D.1.14
Original signed by: Paul Dubenetzky, Chief Permits Branch Office of Air Quality	Issuance Date: November 17, 2005



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SECTION A SOURCE SUMMARY

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

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

The Permittee owns and operates a stationary hot mix batch asphalt plant.

Authorized Individual:	President
Source Address:	882N CR 800E, Otwell, Indiana 47564
Mailing Address:	P.O. Box 117, Otwell, Indiana 47564
General Source Phone Number:	812 - 380 - 0351
SIC Code:	2951
County Location:	Pike
Source Location Status:	Attainment for all criteria pollutants
Source Status:	Federally Enforceable State Operating Permit (FESOP) Minor Source, under PSD Rules; 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) hot mix batch mixer, equipped with a baghouse for particulate matter control, exhausting through Stack EC-1, installed in 1998, capacity: 120 tons of hot mix asphalt per hour.
- (b) One (1) hot oil heater firing natural gas as a primary fuel and No. 2 distillate oil as backup fuel, rated at 1.75 million British thermal units per hour, installed in 1998.
- (c) Two (2) liquid asphalt storage tanks, installed in 1998, capacity: 10,000 gallons, each.
- (d) One (1) dryer burner firing natural gas as a primary fuel and No. 2 distillate oil and waste oil as backup fuels, rated at 70.0 million British thermal units per hour, known as B-1, exhausting through Stack EC-1, installed in 2001 to replace the existing 59.45 million British thermal units per hour dryer burner.
- (e) One (1) asphalt storage silo, with a capacity of 150 tons.
- (f) One storage tank, identified as T005, installed in 2005, capacity: 10,000 gallons of waste oil.

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) Natural gas-fired combustion sources with heat input equal to or less than ten million (10,000,000) British thermal units per hour.
- (b) A petroleum fuel, other than gasoline, dispensing facility, having a storage capacity of less than or equal to 10,500 gallons, and dispensing less than or equal to 230,000 gallons per month.

- (c) The following VOC and HAP storage containers: Vessels storing lubricating oil, hydraulic oils, machining oils, and machining fluids.
- (d) Application of oils, greases lubricants or other nonvolatile materials applied as temporary protective coatings.
- (e) Cleaners and solvents characterized as follows: having a vapor pressure equal to or less than 2 kiloPascals; 15 millimeters of mercury; or 0.3 pounds per square inch measured at 38 degrees Celsius (100 degrees Fahrenheit) or; having a vapor pressure equal to or less than 0.7 kiloPascals; 5 millimeters of mercury; or 0.1 pounds per square inch measured at 20 degrees Celsius (68 degrees Fahrenheit); the use of which for all cleaners and solvents combined does not exceed 145 gallons per 12 months.
- (f) The following equipment related to manufacturing activities not resulting in the emission of HAPs: brazing equipment, cutting torches soldering equipment, welding equipment.
- (g) Closed loop heating and cooling systems.
- (h) Replacement or repair of electrostatic precipitators, bags in baghouses and filters in other air filtration equipment.
- (i) Heat exchanger cleaning and repair.
- (j) Paved and unpaved roads and parking lots with public access.
- (k) Conveyors as follows: Covered conveyors for limestone conveying of less than or equal to 7,200 tons per day for sources other than mineral processing plants constructed after August 31, 1983.
- (l) A laboratory as defined in 326 IAC 2-7-1(20)(C).

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

This stationary or 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) to renew 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)]

This permit is issued for a fixed term of five (5) years from the original date, 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 46204-2251

- (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) The Permittee shall prepare and maintain Preventive Maintenance Plans (PMPs) within ninety (90) days after issuance of this permit, for the source as described in 326 IAC 1-6-3. At a minimum, the PMPs shall include:
 - (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) 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 PMPs does not require the certification by the "responsible official" as defined by 326 IAC 2-7-1(34).
- (c) 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.
- (b) An emergency, as defined in 326 IAC 2-7-1(12), constitutes an affirmative defense to an action brought for noncompliance with a technology-based emission limitation if the affirmative defense of an emergency is demonstrated through properly signed, contemporaneous operating logs or other relevant evidence that describe 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 / Southwest Regional Office, 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 Number: 1-800-451-6027 (ask for Office of Air Quality,
Compliance Section), or
Telephone Number: 317-233-5674 (ask for Compliance Section)
Facsimile Number: 317-233-5967

Southwest Regional Office: 812-436-2570, facsimile 812-436-2572

- (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 46204-2251

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 "responsible official" as defined by 326 IAC 2-7-1(34).

- (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) The Permittee seeking to establish the occurrence of an emergency shall make records available upon request to ensure that failure to implement a PMP did not cause or contribute to an exceedance of any limitations on emissions. However, 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) 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.
- (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 46204-2251

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 not need to be included in this report.

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

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

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, Indiana 46204-2251

- (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 46204-2251

Any such application should 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)]

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

- (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 preconstruction approval required by 326 IAC 2-8-11.1 has been obtained;
 - (3) The changes do not result in emissions which exceed the limitations provided in 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 46204-2251

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 on a rolling five (5) year basis which document, all such changes and emission trades that are subject to 326 IAC 2-8-15(b) through (d). The Permittee shall make 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), (c)(1), and (d).

- (b) The Permittee may make Section 502(b)(10) of the Clean Air Act changes (this term is defined at 326 IAC 2-7-1(36)) without a permit revision, subject to the constraint of 326 IAC 2-8-15(a). For each such Section 502(b)(10) of the Clean Air Act change, the required written notification shall include the following:

- (1) A brief description of the change within the source;
- (2) The date on which the change will occur;
- (3) Any change in emissions; and
- (4) Any permit term or condition that is no longer applicable as a result of the change.

The notification which shall be submitted is not considered an application form, report or compliance certification. Therefore, the notification by the Permittee does not require the certification by the "responsible official" as defined by 326 IAC 2-7-1(34).

- (c) Emission Trades [326 IAC 2-8-15(c)]
The Permittee may trade emissions increases and decreases at the source, where the applicable SIP provides for such emission trades without requiring a permit revision, subject to the constraints of Section (a) of this condition and those in 326 IAC 2-8-15(c).
- (d) 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.
- (e) 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] [IC13-30-3-1]

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

- (a) Enter upon the Permittee's premises where a FESOP source is located, or emissions related activity is conducted, or where records must be kept under the conditions of this permit;
- (b) As authorized by the Clean Air Act, IC 13-14-2-2, IC 13-17-3-2, and IC 13-30-3-1, have 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 46204-2251

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 2-8-11(b)(3)]

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

- (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 317-233-4230 (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] [326 IAC 1-1-6]

For the purpose of submitting compliance certifications or establishing whether or not the Permittee has violated or is in violation of any condition of this permit, nothing in this permit shall preclude the use, including the exclusive use, of any credible evidence or information relevant to whether the Permittee would have been in compliance with the condition of this permit if the appropriate performance or compliance test or procedure had been performed.

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 make the requirements of 326 IAC 2-2 (Prevention of Significant Deterioration (PSD)) and 326 IAC 2-3 (Emission Offset) not applicable.
- (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 (PSD), potential to emit particulate matter (PM) from the entire source shall be limited to less than two hundred and 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 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.3 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.4 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.5 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.6 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 December 13, 1996. The plan consists of one or more of the following treatments of unpaved roads and parking lots: paving with asphalt or treating with emulsified asphalt, calcium chloride or water on an as-needed basis.

C.7 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.8 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 46204-2251

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 14-10-4 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) **Indiana Accredited Asbestos Inspector**
The Permittee shall comply with 326 IAC 14-10-1(a) that requires the owner or operator, prior to a renovation/demolition, to use an Indiana Accredited Asbestos Inspector to thoroughly inspect the affected portion of the facility for the presence of asbestos. The requirement that the inspector be accredited is federally enforceable.

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

C.9 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 46204-2251

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 source 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.10 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. 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.11 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.12 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.13 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.14 Instrument Specifications [326 IAC 2-1.1-11] [326 IAC 2-8-4(3)] [326 IAC 2-8-5(1)]

- (a) When required by any condition of this permit, an analog instrument used to measure a parameter related to the operation of an air pollution control device shall have a scale such that the expected maximum reading for the normal range shall be no less than twenty percent (20%) of full scale.
- (b) The Permittee may request that the IDEM, OAQ approve the use of an instrument that does not meet the above specifications provided the Permittee can demonstrate that an alternative instrument specification will adequately ensure compliance with permit conditions requiring the measurement of the parameters.

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

C.15 Emergency Reduction Plans [326 IAC 1-5-2] [326 IAC 1-5-3]

Pursuant to 326 IAC 1-5-2 (Emergency Reduction Plans; Submission):

- (a) The Permittee shall prepare written emergency reduction plans (ERPs) consistent with safe operating procedures.
- (b) These ERPs shall be submitted for approval to:

Indiana Department of Environmental Management
Compliance Branch, Office of Air Quality
100 North Senate Avenue
Indianapolis, Indiana 46204-2251

within ninety (90) days from the date of issuance of this permit.

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

- (c) If the ERP is disapproved by IDEM, OAQ, the Permittee shall have an additional thirty (30) days to resolve the differences and submit an approvable ERP.
- (d) These ERPs shall state those actions that will be taken, when each episode level is declared, to reduce or eliminate emissions of the appropriate air pollutants.
- (e) Said ERPs shall also identify the sources of air pollutants, the approximate amount of reduction of the pollutants, and a brief description of the manner in which the reduction will be achieved.
- (f) Upon direct notification by IDEM, OAQ, that a specific air pollution episode level is in effect, the Permittee shall immediately put into effect the actions stipulated in the approved ERP for the appropriate episode level. [326 IAC 1-5-3]

C.16 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.17 Response to Excursions or Exceedances [326 IAC 2-8-4] [326 IAC 2-8-5]

- (a) Upon detecting an excursion or exceedance, the Permittee shall restore operation of the emissions unit (including any control device and associated capture system) to its normal or usual manner of operation as expeditiously as practicable in accordance with good air pollution control practices for minimizing emissions.
- (b) The response shall include minimizing the period of any startup, shutdown or malfunction and taking any necessary corrective actions to restore normal operation and prevent the likely recurrence of the cause of an excursion or exceedance (other than those caused by excused startup or shutdown conditions). Corrective actions may include, but are not limited to, the following:
 - (1) initial inspection and evaluation;
 - (2) recording that operations returned to normal without operator action (such as through response by a computerized distribution control system); or
 - (3) any necessary follow-up actions to return operation to within the indicator range, designated condition, or below the applicable emission limitation or standard, as applicable.
- (c) A determination of whether the Permittee has used acceptable procedures in response to an excursion or exceedance will be based on information available, which may include, but is not limited to, the following:

- (1) monitoring results;
 - (2) review of operation and maintenance procedures and records;
 - (3) inspection of the control device, associated capture system, and the process.
- (d) Failure to take reasonable response steps shall be considered a deviation from the permit.
- (e) The Permittee shall maintain the following records:
- (1) monitoring data;
 - (2) monitor performance data, if applicable; and
 - (3) corrective actions taken.

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

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

The 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.19 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.20 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 46204-2251
- (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.21 Compliance with 40 CFR 82 and 326 IAC 22-1

Pursuant to 40 CFR 82 (Protection of Stratospheric Ozone), Subpart F, except as provided for motor vehicle air conditioners in Subpart B, the Permittee shall comply with the standards for recycling and emissions reduction:

- (a) Persons opening appliances for maintenance, service, repair or disposal must comply with the required practices pursuant to 40 CFR 82.156
- (b) Equipment used during the maintenance, service, repair or disposal of appliances must comply with the standards for recycling and recovery equipment pursuant to 40 CFR 82.158.
- (c) Persons performing maintenance, service, repair or disposal of appliances must be certified by an approved technician certification program pursuant to 40 CFR 82.161.

SECTION D.1

FACILITY OPERATION CONDITIONS

Facility Description [326 IAC 2-8-4(10)]: Hot Mix Batch Asphalt Plant

- (a) One (1) hot mix batch mixer, equipped with a baghouse for particulate matter control, exhausting through Stack EC-1, installed in 1998, capacity: 120 tons of hot mix asphalt per hour.
- (b) One (1) hot oil heater firing natural gas as a primary fuel and No. 2 distillate oil as backup fuel, rated at 1.75 million British thermal units per hour, installed in 1998.
- (c) Two (2) liquid asphalt storage tanks, installed in 1998, capacity: 10,000 gallons, each.
- (d) One (1) dryer burner firing natural gas as a primary fuel and No. 2 distillate oil and waste oil as backup fuels, rated at 70.0 million British thermal units per hour, known as B-1, exhausting through Stack EC-1, installed in 2001 to replace the existing 59.45 million British thermal units per hour dryer burner.
- (e) One (1) asphalt storage silo, with a capacity of 150 tons.
- (f) One storage tank, identified as T005, installed in 2005, capacity: 10,000 gallons of waste oil.

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

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

D.1.2 Particulate Matter (PM₁₀) [326 IAC 2-8-4] [326 IAC 2-2]

Pursuant to 326 IAC 2-8-4, PM₁₀ emissions from the hot mix batch mixer shall not exceed 15.46 pounds per hour which is equivalent to 67.7 tons of PM₁₀ per year. Compliance with this limit will satisfy the requirements of 326 IAC 2-8-4. Therefore, the Part 70 rules (326 IAC 2-7) and the requirements of 326 IAC 2-2 do not apply.

D.1.3 Particulate Matter (PM) [40 CFR 60.90] [326 IAC 12] [326 IAC 2-2]

Pursuant to the New Source Performance Standard, 326 IAC 12, (40 CFR Part 60.90, Subpart I), no owner or operator subject to the provisions of Subpart I shall discharge into the atmosphere from any affected facility any gases which:

- (a) Contain particulate matter in excess of 0.04 grains per dry standard cubic foot, or
- (b) Exhibit twenty (20%) percent opacity, or greater.
- (c) The PM emissions from the hot mix batch mixer shall not exceed 15.46 pounds per hour.

Compliance with Condition D.1.3(c) makes the requirements of 326 IAC 2-2 not applicable.

D.1.4 Sulfur Dioxide (SO₂) [326 IAC 2-8-4] [326 IAC 7-1.1-1] [326 IAC 7-2-1]

- (a) Pursuant to 326 IAC 2-8-4, the total input of No. 2 fuel oil to the one (1) hot oil heater and the dryer burner shall be limited to less than 2,842,857 gallons per twelve (12) consecutive month period, with compliance determined at the end of each month, which is equivalent to SO₂ emissions of less than 99.5 tons per year. For purposes of determining compliance with this

limit each gallon of waste oil combusted in the dryer burner shall be equivalent to 1.05 gallons of No. 2 fuel oil.

- (b) Pursuant to 326 IAC 7-1.1-2, the SO₂ emissions from the hot mix batch mixer shall not exceed five tenths (0.5) pounds per million British thermal unit heat input when operating on No. 2 distillate fuel oil, equivalent to a sulfur content of 0.5 percent (0.5%) by weight. Pursuant to 326 IAC 7-2-1, compliance shall be demonstrated on a calendar month average.
- (c) Pursuant to 326 IAC 7-1.1-2, the SO₂ emissions from the hot mix batch mixer shall not exceed 1.6 pounds per million British thermal unit heat input when operating on waste oil, equivalent to a sulfur content of 2.1% by weight. Pursuant to 326 IAC 7-2-1, compliance shall be demonstrated on a calendar month average.

D.1.5 Volatile Organic Compounds (VOCs) [326 IAC 8-5-2] [326 IAC 2-8-4]

- (a) Pursuant to 326 IAC 8-5-2 the Permittee shall not allow the use of asphalt emulsion containing more than seven (7%) percent oil distillate by volume of emulsion, except as used for the following purposes:
 - (1) penetrating prime coating,
 - (2) stockpile storage mix, and
 - (3) application during the months of November, December, January, February, and March.

There are no federal requirements that apply.

- (b) This source does not produce cold-mix cutback asphalt. Potential VOC emissions from the production of cold-mix cutback asphalt may subject the source to the requirements of 326 IAC 2-7. Therefore, the Permittee shall not produce cutback asphalt without prior approval from IDEM, OAQ.

D.1.6 Nonapplicability

- (a) The requirement from F 125-8450-00035, issued October 1, 1997, Condition D.1.8 to perform daily visible emission notations of the conveyors, material transfers, aggregate storage piles, unpaved roads, and the mixing and drying operation stack exhaust once per day has been revised to delete the requirements to perform visible emissions notations for the aggregate storage piles and unpaved roads. The applicable requirements of 326 IAC 6-4 are sufficient to control fugitive PM emissions from the aggregate storage piles and unpaved roads. Daily compliance monitoring is not sufficient to monitor continuous compliance with the applicable rules for the non-fugitive operations. Therefore, visible emissions will be required once per shift in Condition D.1.12 for the mixing and drying operation stack exhaust as well as for the conveyors and material transfer operations. Thus Condition D.1.8 of F 125-8450-00035 is hereby rescinded.
- (b) The requirement from MPR 125-9085-00035, issued January 30, 1998, Condition D.1.2 which stated that the input of No. 2 distillate oil to the aggregate dryer burner and the hot oil heater shall be limited to 215,999 gallons per month has been revised. The fuel oil limit is now stated in terms of a twelve (12) month rolling total to give the source increased flexibility with complying with this limit. The revised limit is 2,842,857 gallons of No. 2 distillate oil per twelve (12) consecutive month period, equivalent to 99.5 tons of sulfur dioxide per year. The revised limit also reflects the removal of the diesel engine. Thus Condition D.1.2 of MPR 125-9085-00035 is hereby rescinded.
- (c) The requirements from MPR 125-9085-00035, issued January 30, 1998, Conditions D.2.6, D.2.9 and D.2.10 are all related to the operation of the diesel fired internal combustion engine

rated at an output of 810 horsepower. These conditions have been deleted since the diesel engine has been removed from service and is not included in this renewal. Thus Conditions D.2.6, D.2.9 and D.2.10 of MPR 125-9085-00035 are hereby rescinded.

- (d) The requirements from SPR 125-11230-00035, issued November 15, 1999, Condition D.1.2 that stated that the input of No. 2 distillate oil to the aggregate dryer burner and the hot oil heater shall be limited to 235,714 gallons per month is not being carried over to this renewal since this fuel limit from F 125-8450-00035, issued October 1, 1997 should have been superceded by the limit contained in Condition D.1.2 of MPR 125-9085-00035, issued January 30, 1998. This limit was not included in SPR 125-11230-00035, issued November 15, 1999. The fuel oil limit is Now is the time stated in terms of a twelve (12) month rolling total to give the source increased flexibility with complying with this limit. The revised limit is 2,842,857 gallons of No. 2 distillate oil per twelve (12) consecutive month period, equivalent to 99.5 tons of sulfur dioxide per year. The revised limit also reflects the removal of the diesel engine. Thus Condition D.1.2 of SPR 125-11230-00035 is hereby rescinded.

Compliance Determination Requirements

D.1.7 Testing Requirements [326 IAC 2-8-5(1), (4)] [326 IAC 2-1.1-11]

The Permittee shall perform PM and PM₁₀ testing in order to demonstrate compliance with Conditions D.1.2 and D.1.3, utilizing methods as approved by the Commissioner. These tests shall be conducted prior to October 23, 2003, and shall be repeated at least once every five (5) years from the date of the last valid compliance demonstration. PM₁₀ includes filterable and condensable PM₁₀. Testing shall be conducted in accordance with Section C- Performance Testing.

D.1.8 Sulfur Dioxide Emissions and Sulfur Content

Compliance 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 five-tenths (0.5) pounds per million British thermal units heat input by:
- (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 70 million British thermal units per hour dryer burner, using 40 CFR 60, Appendix A, Method 6 in accordance with the procedures in 326 IAC 3-6.

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

D.1.9 Particulate Control [326 IAC 2-8-5]

- (a) In order to comply with Conditions D.1.2 and D.1.3, the baghouse for PM and PM₁₀ control shall be in operation and control emissions from the hot mix batch mixer and the dryer burner at all times that these facilities are in operation and exhausting to the outside atmosphere.

- (b) In the event that bag failure is observed in a multi-compartment baghouse, if operations will continue for ten (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.

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

D.1.10 Visible Emissions Notations

- (a) Daily visible emission notations of the hot mix batch mixer Stack EC-1 exhaust, the conveyors and material transfer operations shall be performed 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) If abnormal emissions are observed, the Permittee shall take reasonable response steps in accordance with Section C - Response to Excursions or Exceedances. Failure to take response steps in accordance with Section C - Response to Excursions or Exceedances shall be considered a deviation from this permit.

D.1.11 Baghouse Parametric Monitoring [326 IAC 2-8-4(1)] [326 IAC 2-8-5(1)]

- (a) The Permittee shall record the pressure drop across the baghouse used in conjunction with the hot mix bath mixer at least once per day when the drying/mixing process is in operation. When for any one reading, the pressure drop across the baghouse is outside the normal range of 3.0 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 - Response to Excursions or Exceedances. 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 - Response to Excursions or Exceedances, shall be considered a deviation from this permit.
- (b) The instrument used for determining the pressure shall comply with Section C - Instrument Specifications, of this permit, shall be subject to approval by IDEM, OAQ, and shall be calibrated at least once every six (6) months.

D.1.12 Broken or Failed Bag Detection

- (a) For a single compartment baghouse controlling emissions from a process operated continuously, a failed unit and the associated process shall be shut down immediately until the failed unit has 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).
- (b) For a single compartment baghouse controlling emissions from a batch process, the feed to the process shall be shut down immediately until the failed unit has been repaired or replaced. The emissions unit shall be shut down no later than the completion of the process-

ing of the material in the hot mix batch mixer and the dryer. 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).

Bag failure can be indicated by a significant drop in the baghouse's pressure reading with abnormal visible emissions, by an opacity violation, or by other means such as gas temperature, flow rate, air infiltration, leaks, dust traces or triboflows.

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

D.1.13 Record Keeping Requirements

(a) To document compliance with Conditions D.1.4 and D.1.8, the Permittee shall maintain records in accordance with (1) through (6) below.

- (1) Calendar dates covered in the compliance determination period;
- (2) Actual fuel usage of each fuel used since last compliance determination period and equivalent sulfur dioxide emissions;
- (3) To certify compliance when burning natural gas only, the Permittee shall maintain records of fuel used.

If the fuel supplier certification is used to demonstrate compliance when burning alternate fuels and not determining compliance pursuant to 326 IAC 3-7-4, 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.1.10, the Permittee shall maintain records of daily visible emission notations of the hot mix batch mixer Stack EC-1 exhaust, the conveyors and material transfer operations.
- (c) To document compliance with Condition D.1.11, the Permittee shall maintain records once per day of the pressure drop during normal operation.
- (d) All records shall be maintained in accordance with Section C - General Record Keeping Requirements, of this permit.

D.1.14 Reporting Requirements

A quarterly summary of the information to document compliance with Condition D.1.4 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 require the certification by the "authorized individual" as defined by 326 IAC 2-1.1-1(1).

D.1.15 NSPS Reporting Requirement

Pursuant to the New Source Performance Standards (NSPS), 40 CFR Part 60.90, Subpart I, the source owner/operator is hereby advised of the requirement to report the date of performance testing (at least 30 days prior to such date), when required by a condition elsewhere in this permit.

Reports are to be sent to:

Indiana Department of Environmental Management
Compliance Branch, Office of Air Quality
100 North Senate Avenue
Indianapolis, Indiana 46204-2251

The application and enforcement of these standards have been delegated to the IDEM OAQ. The requirements of 40 CFR Part 60 are also federally enforceable.

**INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
OFFICE OF AIR QUALITY**

**FEDERALLY ENFORCEABLE STATE OPERATING PERMIT (FESOP)
CERTIFICATION**

Source Name: Tri-County Paving, Inc.
Source Address: 882N CR 800E, Otwell, Indiana 47564
Mailing Address: P.O. Box 117, Otwell, Indiana 47564
FESOP No.: F 125-15371-00035

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:

Phone:

Date:

**INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
OFFICE OF AIR QUALITY
COMPLIANCE BRANCH
100 North Senate Avenue
Indianapolis, Indiana 46204-2251
Phone: 317-233-5674
Fax: 317-233-5967**

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

Source Name: Tri-County Paving, Inc.
Source Address: 882N CR 800E, Otwell, Indiana 47564
Mailing Address: P.O. Box 117, Otwell, Indiana 47564
FESOP No.: F 125-15371-00035

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) 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: Tri-County Paving, Inc.
 Source Address: 882N CR 800E, Otwell, Indiana 47564
 Mailing Address: P.O. Box 117, Otwell, Indiana 47564
 FESOP No.: F 125-15371-00035
 Facilities: Dryer Burner and Hot Oil Heater
 Parameter: No. 2 Fuel Oil or Equivalent Fuel
 Limit: Total of 2,842,857 gallons per twelve (12) consecutive month period, with compliance determined at the end of each month, equivalent to 99.5 tons of SO₂ per year. Each gallon of waste oil combusted shall be equivalent to 1.05 gallons of No. 2 fuel oil.

YEAR:

Month	Gallons of No. 2 Fuel Oil or Equivalent	Gallons of No. 2 Fuel Oil or Equivalent	Gallons of No. 2 Fuel Oil or Equivalent
	This Month	Previous 11 Months	12 Month Total

- No deviation occurred in this quarter.
- Deviation/s occurred in this quarter.
 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: Tri-County Paving, Inc.
Source Address: 882N CR 800E, Otwell, Indiana 47564
Mailing Address: P.O. Box 117, Otwell, Indiana 47564
FESOP No.: F 125-15371-00035

Months: _____ to _____ Year: _____

Page 1 of 2

<p>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. Deviations that are required to be reported by an applicable requirement shall be reported according to the schedule stated in the applicable requirement and do 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".</p>	
<input type="checkbox"/> NO DEVIATIONS OCCURRED THIS REPORTING PERIOD.	
<input type="checkbox"/> 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:	

- No deviation occurred in this quarter.
- Deviation/s occurred in this quarter.
Deviation has been reported on: _____

Form Completed By: _____

Title/Position: _____

Date: _____

Phone: _____

Attach a signed certification to complete this report.

Indiana Department of Environmental Management Office of Air Quality

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

Source Background and Description

Source Name:	Tri-County Paving, Inc.
Source Location:	882N CR 800E, Otwell, Indiana 47564
County:	Pike
SIC Code:	2951
Operation Permit No.:	F 125-15371-00035
Operation Permit Issuance Date:	August 26, 2002
Significant Permit Revision No.:	SPR 125-21633-00035
Permit Reviewer:	Frank P. Castelli

The Office of Air Quality (OAQ) has reviewed a significant permit revision application from Tri-County Paving, Inc. relating to the construction and operation of the following emission units and pollution control devices to add waste oil as an alternative fuel to be combusted in their existing dryer burner.

- (d) One (1) dryer burner firing natural gas as a primary fuel and No. 2 distillate oil **and waste oil** as backup fuels, rated at 70.0 million British thermal units per hour, known as B-1, exhausting through Stack EC-1, installed in 2001 to replace the existing 59.45 million British thermal units per hour dryer burner.
- (f) **One storage tank, identified as T005, installed in 2005, capacity: 10,000 gallons of waste oil.**

History

On August 1, 2005, Tri-County Paving, Inc. submitted an application to the OAQ requesting to add waste oil as an alternate fuel to their existing plant and to install a new waste oil storage tank. Tri-County Paving, Inc. was issued a Federally Enforceable State Operating Permit (FESOP) on August 26, 2002. The first Administrative Amendment, 125-17251-00035 was issued on March 31, 2003.

Enforcement Issue

There are no enforcement actions pending.

Recommendation

The staff recommends to the Commissioner that the FESOP Significant Permit Revision be approved. This recommendation is based on the following facts and conditions:

Unless otherwise stated, information used in this review was derived from the application and additional information submitted by the applicant.

An application for the purposes of this review was received on August 1, 2005. Additional information was received on September 7, 2005.

Emission Calculations

See page 1 of 1 of Appendix A of this document for detailed emissions calculations regarding the net differences in the potential to emit due to the addition of waste oil as an alternate fuel.

The VOC emissions from the proposed storage tank were calculated by the applicant using the US EPA TANKS 4.0 program. The potential to emit VOC was calculated to be less than a total of 0.001 tons per year (working and standing losses). Therefore, these potential VOC emissions are considered negligible.

Potential To Emit of Revision

Pursuant to 326 IAC 2-1.1-1(16), Potential to Emit is defined as the maximum capacity of a stationary source to emit any air pollutant under its physical and operational design. Any physical or operational limitation on the capacity of a source to emit an air pollutant, including air pollution control equipment and restrictions on hours of operation or type or amount of material combusted, stored, or processed shall be treated as part of its design if the limitation is enforceable by the U.S. EPA.

This table reflects the PTE before controls for this revision. Control equipment is not considered federally enforceable until it has been required in a federally enforceable permit.

Pollutant	Potential To Emit (tons/year)
PM	96.6
PM ₁₀	77.0
SO ₂	161.0
VOC	2.19
CO	11.0
NO _x	41.6

HAPs	Potential To Emit (tons/year)
Lead	0.155
TOTAL	0.155

Justification for Revision

This table reflects the difference in the potential to emit after controls between this revision and the existing permitted worst case potential emissions on either natural gas or No. 2 fuel oil as shown on page 1 of 1 of Appendix A. The difference in the potential to emit was examined after controls because there is a federally enforceable requirement in the existing FESOP to operate the PM/PM₁₀ controls at all times.

Pollutant	Potential To Emit (tons/year)
PM	0.184
PM ₁₀	0.139
SO ₂	7.70
VOC	0.500
CO	-14.8
NO _x	-2.20
Lead	0.155

The increases in the potential to emit for all the criteria pollutants are below the exemption levels. However, this FESOP is being revised through a FESOP Significant Permit Revision pursuant to 326 IAC 2-8-11.1(g) since the addition of waste oil burning capability requires changes to the existing SO₂ emission limit. Specifically, the FESOP SO₂ emission limit has to be revised to incorporate a fuel equivalency and a SO₂ emission limit pursuant to 326 IAC 7-1.1 for the waste oil.

County Attainment Status

The source is located in Pike County.

Pollutant	Status
PM _{2.5}	attainment
PM ₁₀	attainment
SO ₂	attainment
NO ₂	attainment
1-Hour Ozone	attainment
8-Hour Ozone	attainment
CO	attainment
Lead	attainment

- (a) Volatile organic compounds (VOC) and nitrogen oxides (NO_x) are regulated under the Clean Air Act (CAA) for the purposes of attaining and maintaining the National Ambient Air Quality Standards (NAAQS) for ozone. Therefore, VOC and NO_x emissions are considered when evaluating the rule applicability relating to ozone. Pike County has been designated as attainment or unclassifiable for ozone. Therefore, VOC and NO_x emissions were reviewed pursuant to the requirements for Prevention of Significant Deterioration (PSD), 326 IAC 2-2. See the State Rule Applicability - Entire Source section of this document.
- (b) Pike County has been classified as unclassifiable or attainment for PM_{2.5}. U.S. EPA has not yet established the requirements for Prevention of Significant Deterioration (PSD), 326 IAC 2-2 for PM_{2.5} emissions. Therefore, until the U.S.EPA adopts specific provisions for PSD review for PM_{2.5} emissions, it has directed states to regulate PM₁₀ emissions as surrogate for PM_{2.5} emissions. See the State Rule Applicability - Entire Source section of this document.

(c) Pike County has been classified as attainment or unclassifiable in Indiana for all other criteria pollutants. Therefore, these emissions were reviewed pursuant to the requirements for Prevention of Significant Deterioration (PSD), 326 IAC 2-2. See the State Rule Applicability - Entire Source section of this document.

(d) Fugitive Emissions

Although this type of operation is not one of the twenty-eight (28) listed source categories under 326 IAC 2-2, there are applicable New Source Performance Standards that were in effect on August 7, 1980. Therefore, the fugitive emissions are counted toward determination of PSD and Emission Offset applicability.

Since unpaved roads are not an affected facility of the applicable NSPS (40 CFR 60.90, Subpart I), fugitive PM emissions resulting from unpaved roads are not counted toward determination of PSD applicability.

Source Status

Existing Source PSD or Emission Offset Definition (emissions after controls, based upon 8,760 hours of operation per year at rated capacity and/or as otherwise limited):

Pollutant	Emissions (tons/year)
PM	79.5
PM ₁₀	Less Than 74.1
SO ₂	Less Than 100
VOC	2.23
CO	26.9
NO _x	45.9

(a) This existing source is not a major stationary source because no attainment regulated pollutant is emitted at a rate of two-hundred fifty (250) tons per year or more, and it is not one of the twenty-eight (28) listed source categories.

(b) These emissions are based upon FESOP Renewal 125-15371-00035, issued on August 26, 2002.

Potential to Emit of Entire Source After Issuance

The table below summarizes the potential to emit, reflecting all limits, of the significant emission units after controls. The control equipment is considered federally enforceable only after issuance of this FESOP revision. This table shows that this revision to add waste oil as an alternate fuel to the existing permitted fuels in the existing FESOP will **not** change the status of the stationary source because the emissions from the entire source will still be limited to less than the Part 70 major source thresholds. Since this revision is to add an alternate fuel and storage tank, the Potential to Emit is based on the worse case fuel for each pollutant.

Process/Facility	Potential to Emit (tons/year)						
	PM	PM ₁₀	SO ₂	VOC	CO	NO _x	HAPs
Proposed Revision	0.193	0.154	99.5	2.19	11.0	41.6	0.155
Existing Source	79.5	74.1	Less Than 100	2.23	26.9	45.9	Less Than 10/25
Worst Case Total	79.5	74.1	Less Than 100	2.23	26.9	45.9	<10/25
PSD Threshold Level for Modification	250	250	250	250	250	250	-
FESOP Limits	-	<100	<100	<100	<100	<100	<10/25

This revision to an existing minor stationary source is not major because the emission increase is less than the PSD threshold levels. Therefore, pursuant to 326 IAC 2-2, the PSD requirements do not apply.

The existing No. 2 fuel oil limit of 2,842,857 gallons per twelve (12) consecutive month period with compliance determined at the end of each month has been retained in this revision. Since the SO₂ emission factor for the proposed waste oil is greater than the SO₂ emission factor for No. 2 fuel oil, each gallon of waste oil combusted in the dryer burner shall be equivalent to 1.05 gallons of No. 2 fuel oil for purposes of determining compliance with the existing FESOP No. 2 fuel oil limit as shown on page 1 of 1 of Appendix A.

Federal Rule Applicability

- (a) This hot mix batch asphalt plant with the proposed waste oil as an alternate fuel is still subject to the New Source Performance Standard, 326 IAC 12, (40 CFR Part 60.90, Subpart I) because the plant was constructed in 1998 which is after the Subpart I applicability date of June 11, 1973. No owner or operator subject to the provisions of Subpart I shall discharge into the atmosphere from any affected facility any gases which:
 - (1) contain particulate matter in excess of 0.04 grains per dry standard cubic foot, equivalent to 9.37 pounds per hour at a flow rate of 40,000 acfm and a temperature of 300 degrees Fahrenheit.
 - (2) exhibit twenty (20%) percent opacity, or greater.
- (b) The provisions of 40 CFR 110(b), Subpart Kb, are not included in this revision because the capacity of the proposed waste oil tank, identified as T005, of 10,000 gallons is less than the minimum applicability threshold of 75 cubic meters specified by this rule.
- (c) There are no other New Source Performance Standards (NSPS) (326 IAC 12 and 40 CFR Part 60) included in this proposed revision.
- (d) There are no National Emission Standards for Hazardous Air Pollutants (NESHAP)(326 IAC 14, 20 and 40 CFR Part 61, 63) included in this proposed revision.

State Rule Applicability – Entire Source

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

- (a) PM emissions shall be limited to 15.46 pounds per hour from the hot mix batch mixer equivalent to 67.7 tons per year. This will assure that the PM emissions from the entire source will be limited to less than two hundred and fifty (250) tons per year.
- (b) The requirements of 326 IAC 2-8-4 limit all of the other criteria pollutants to less than one hundred (100) tons per year.
- (c) The unrestricted potential to emit SO₂ on the proposed waste oil is less than two hundred and fifty (250) tons per year. Therefore, a fuel oil limit is not necessary to make this source a minor source with respect to SO₂ pursuant to the requirements of 326 IAC 2-2.

The proposed revision to add waste oil as an alternate fuel in the dryer burner is a minor modification to an existing minor PSD source and thus the source will maintain its minor PSD status.

326 IAC 2-4.1 (Major Sources of Hazardous Air Pollutants (HAP))

The operation of this stationary hot mix batch asphalt source will emit less than ten (10) tons per year of a single HAP or twenty-five (25) tons per year of a combination of HAPs. Therefore, 326 IAC 2-4.1 does not apply.

326 IAC 2-8-4 (FESOP)

Pursuant to this rule, the amount of PM₁₀ and SO₂ shall be limited to less than one hundred (100) tons per year, respectively. Therefore, the requirements of 326 IAC 2-7, do not apply.

The existing PM₁₀ limit of 15.46 pounds per hour from hot mix batch mixer exhaust shall continue to be limited to 15.46 pounds per hour equivalent to 67.7 tons per year. This will assure that the PM₁₀ emissions from the entire source will be limited to less than one hundred (100) tons per year.

The existing No. 2 fuel oil limit of 2,842,857 gallons per twelve (12) consecutive month period with compliance determined at the end of each month has been retained in this revision. An equivalency has been added to the fuel oil limit in order to account for the SO₂ emissions from burning waste oil. This fuel oil limit will limit SO₂ emissions from the burner/dryer to 99.5 tons per year which will assure that the SO₂ emissions from the entire source will be limited to less than one hundred (100) tons per year.

State Rule Applicability - Individual Facilities

326 IAC 6-3-2 (Particulate Emission Limitations for Manufacturing Processes)

Pursuant to 326 IAC 6-3-1(c)(5), if an emission limit is established by 326 IAC 12 concerning New Source Performance Standards and is more stringent than the limit established by 326 IAC 6-3, then the limitation contained in 326 IAC 6-3 shall not apply. Therefore, since this asphalt plant is subject to the New Source Performance Standard, 326 IAC 12, (40 CFR Part 60.90, Subpart I), the requirements of 326 IAC 6-3-2 are not applicable to the mixer/dryer.

326 IAC 7 (Sulfur Dioxide Rules)

The potential to emit SO₂ from the dryer burner on waste oil is twenty-five (25) tons per year or more. Therefore, the requirements of 326 IAC 7-1.1 are applicable.

When operating on re-refined (waste) oil, the sulfur dioxide emissions from the dryer burner shall be limited to one and six tenths (1.6) pounds per million British thermal units. Compliance with this limitation shall be accomplished by limiting the weight percent sulfur in the re-refined (waste) oil to no more than two and one-tenth percent (2.1%).

The application for this revision states that an analysis of the waste oil proposed to be burned has a sulfur content of 0.417%. The emissions calculations assumed a sulfur content of 0.5% and this content complies with the requirements of this rule.

326 IAC 8-1-6 (New facilities; general reduction requirements)

The proposed revision is not subject to the requirements of 326 IAC 8-1-6 because the potential VOC emissions from the dryer burner on the proposed waste oil are less than twenty five (25) tons per year as shown on page of 1 of Appendix A.

329 IAC 13 (Used Oil Management)

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

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

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

Compliance Requirements

Permits issued under 326 IAC 2-8 are required to ensure that sources can demonstrate compliance with applicable state and federal rules on a more or less continuous basis. All state and federal rules contain compliance provisions, however, these provisions do not always fulfill the requirement for a more or less continuous demonstration. When this occurs IDEM, OAQ, in conjunction with the source, must develop specific conditions to satisfy 326 IAC 2-8-4. As a result, compliance requirements are divided into two sections: Compliance Determination Requirements and Compliance Monitoring Requirements.

Compliance Determination Requirements in Section D of the permit are those conditions that are found more or less directly within state and federal rules and the violation of which serves as grounds for enforcement action. If these conditions are not sufficient to demonstrate continuous compliance, they will be supplemented with Compliance Monitoring Requirements, also in Section D of the permit.

Unlike Compliance Determination Requirements, failure to meet Compliance Monitoring conditions would serve as a trigger for corrective actions and not grounds for enforcement action. However, a violation in relation to a compliance monitoring condition will arise through a source's failure to take the appropriate corrective actions within a specific time period.

The existing compliance monitoring requirements are still applicable to this source. There are no changes in compliance monitoring requirements due to this revision.

Testing Requirements

No new stack testing is proposed for this revision since all waste oil emission factors were based on AP-42.

Proposed Changes

The permit language is changed to read as follows (deleted language appears as ~~strikeouts~~, new language appears in bold):

Change 1:

Condition A.2 and Section D.1 have been revised to include waste oil as an alternate fuel and to add the new waste oil storage tank as follows:

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

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

- (d) One (1) dryer burner firing natural gas as a primary fuel and No. 2 distillate oil **and waste oil** as backup fuels, rated at 70.0 million British thermal units per hour, known as B-1, exhausting through Stack EC-1, installed in 2001 to replace the existing 59.45 million British thermal units per hour dryer burner.
- (f) **One storage tank, identified as T005, installed in 2005, capacity: 10,000 gallons of waste oil.**

Change 2:

Condition D.1.3 has been revised to add an hourly PM emission limit for the hot mix batch mixer that shall not exceed 15.46 pounds per hour, equivalent to 67.7 tons per year. This limit will assure that the source is a minor source pursuant to 326 IAC 2-2, PSD. Condition D.1.3 has been revised as follows:

D.1.3 Particulate Matter (PM) [40 CFR 60.90] [326 IAC 12] [326 IAC 2-2] [~~40 CFR 52.21~~]

Pursuant to the New Source Performance Standard, 326 IAC 12, (40 CFR Part 60.90, Subpart I), no owner or operator subject to the provisions of Subpart I shall discharge into the atmosphere from any affected facility any gases which:

- (a) Contain particulate matter in excess of 0.04 grains per dry standard cubic foot, or
- (b) Exhibit twenty (20%) percent opacity, or greater.
- (c) **The PM emissions from the hot mix batch mixer shall not exceed 15.46 pounds per hour.**

Compliance with Condition D.1.3(c-a) makes the requirements of 326 IAC 2-2 not applicable.

Change 3:

Condition D.1.4 has been revised to incorporate the waste oil fuel equivalency and to add the SO₂ allowable emission rate for waste oil pursuant to 326 IAC 7-1.1-2 as follows:

D.1.4 Sulfur Dioxide (SO₂) [326 IAC 2-8-4] [326 IAC 7-1.1-1] [326 IAC 7-2-1]

- (a) Pursuant to 326 IAC 2-8-4, the total input of No. 2 fuel oil to the one (1) hot oil heater and the dryer burner shall be limited to less than 2,842,857 gallons per twelve (12) consecutive month period, with compliance determined at the end of each month, which is equivalent to SO₂ emissions of less than 99.5 tons per year. **For purposes of determining compliance with this limit each gallon of waste oil combusted in the dryer burner shall be equivalent to 1.05 gallons of No. 2 fuel oil.**
- (b) Pursuant to 326 IAC 7-1.1-2, the SO₂ emissions from the hot mix batch mixer shall not exceed five tenths (0.5) pounds per million British thermal unit heat input when operating on No. 2 distillate fuel oil, equivalent to a sulfur content of 0.5 percent (0.5%) by weight. Pursuant to 326 IAC 7-2-1, compliance shall be demonstrated on a calendar month average.
- (c) **Pursuant to 326 IAC 7-1.1-2, the SO₂ emissions from the hot mix batch mixer shall not exceed 1.6 pounds per million British thermal unit heat input when operating on waste oil, equivalent to a sulfur content of 2.1% by weight. Pursuant to 326 IAC 7-2-1, compliance shall be demonstrated on a calendar month average.**

Change 4:

Condition D.1.11 has been added to incorporate the waste oil requirement pursuant to 329 IAC 13. All subsequent conditions in Section D.1 have been renumbered. The internal cite in Condition D.1.7(a) has been changed from Condition D.1.11 to Condition D.1.12 and the internal cites in the Condition D.1.15 (now D.1.16) (Record Keeping Requirements) in paragraphs (b), (c), (d) and (e) have been renumbered.

D.1.11 Used Oil Requirements [329 IAC 13]

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

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

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

Change 5:

The frequency of the compliance monitoring requirements in Condition D.1.11 and D.1.12 (now D.1.12 and D.1.13) have been revised to require daily rather than once per shift since this source is operating under a FESOP rather than a Part 70 Operating Permit.

D.1.1244 Visible Emissions Notations

- (a) **Daily** ~~visible~~ emission notations of the hot mix batch mixer Stack EC-1 exhaust, the conveyors and material transfer operations 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 violation from** of this permit.

D.1.1342 Parametric Monitoring

The Permittee shall record the total static pressure drop across the baghouse used in conjunction with the hot mix batch mixer at least once per **day shift** when the drying/mixing process is in operation. When for any one reading, the pressure drop across the baghouse is outside the normal range of 3.0 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 violation from** of this permit.

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

Change 6:

Record keeping required by the addition of Condition D.1.11 has been added to Condition D.1.15 (now D.1.16) as follows and Conditions D.1.16 and D.1.17 will be renumbered to Conditions D.1.17 and D.1.18:

D.1.1645 Record Keeping Requirements

- (b) To document compliance with Condition D.1.11, the Permittee shall maintain records of tracking required under Condition D.1.11.**
- ~~(cb)~~ To document compliance with Condition D.1.1244, the Permittee shall maintain records of **daily** visible emission notations of the hot mix batch mixer Stack EC-1 exhaust, the conveyors and material transfer operations ~~once per shift~~.
- ~~(de)~~ To document compliance with Condition D.1.1342, the Permittee shall maintain ~~per shift~~ records **once per day** of the total static pressure drop during normal operation.
- ~~(ed)~~ To document compliance with Condition D.1.1443, the Permittee shall maintain records of the results of the inspections required under Condition D.1.1443.
- ~~(fe)~~ All records shall be maintained in accordance with Section C - General Record Keeping Requirements, of this permit.

D.1.1746 Reporting Requirements

D.1.1847 NSPS Reporting Requirement

Change 7:

The Quarterly Report Form has been revised to add the waste oil fuel equivalency as follows:

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

FESOP Quarterly Report

Source Name: Tri-County Paving, Inc.
 Source Address: 882N CR 800E, Otwell, Indiana 47564
 Mailing Address: P.O. Box 117, Otwell, Indiana 47564
 FESOP No.: F 125-15371-00035
 Facilities: Dryer Burner and Hot Oil Heater
 Parameter: No. 2 Fuel Oil **or Equivalent Fuel**
 Limit: Total of 2,842,857 gallons per twelve (12) consecutive month period, with compliance determined at the end of each month, equivalent to 99.5 tons of SO₂ per year. **Each gallon of waste oil combusted shall be equivalent to 1.05 gallons of No. 2 fuel oil.**

Month	Gallons of No. 2 Fuel Oil or Equivalent	Gallons of No. 2 Fuel Oil or Equivalent	Gallons of No. 2 Fuel Oil or Equivalent
	This Month	Previous 11 Months	12 Month Total

Change 8:

Indiana was required to incorporate credible evidence provisions into state rules consistent with the SIP call published by U.S. EPA in 1997 (62 FR 8314). Indiana has incorporated the credible evidence provision in 326 IAC 1-1-6. This rule is effective March 16, 2005; therefore, the Condition B.24 reflecting this rule will be incorporated into the permit as follows:

B.24 Credible Evidence [326 IAC 2-8-4(3)] [326 IAC 2-8-5] [62 FR 8314] [326 IAC 1-1-6]

For the purpose of submitting compliance certifications or establishing whether or not the Permittee has violated or is in violation of any condition of this permit, nothing in this permit shall preclude the use, including the exclusive use, of any credible evidence or information relevant to whether the Permittee would have been in compliance with the condition of this permit if the appropriate performance or compliance test or procedure had been performed.

Change 9:

The letterhead of the permit has been revised to indicate the new Governor and the new Commissioner of IDEM. The P.O. Box in the address of the OAQ has been deleted throughout the permit and the ZIP code has been revised as follows:

Tri-County Paving, Inc.
Otwell, Indiana
Permit Reviewer: FPC/MES

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Significant Permit Revision No.: 125-21633-00035

Compliance Branch, Office of Air Quality
100 North Senate Avenue, P.O. Box 6015
Indianapolis, Indiana 46204 6-6015

Conclusion

The construction and operation of this proposed revision shall be subject to the conditions of the attached proposed FESOP Significant Permit Revision No. 125-21633-00035.