

TO: Interested Parties / Applicant

RE: Rieth-Riley Construction Co., Inc./ Air Permit Number: F097-21775-00088 – S. Kentucky Ave. plant  
(incorporates F097-22430-00088)

FROM: Felicia A. Robinson  
Manager of Environmental Planning  
Office of Environmental Services  
Department of Public Works  
City of Indianapolis

## Notice of Decision – Approval

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

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

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

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

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

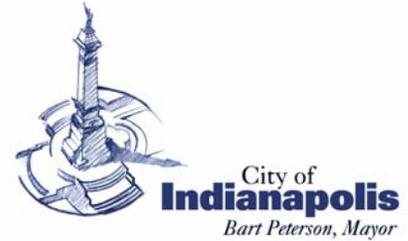
If you have technical questions regarding the enclosed documents, please contact Carmen Bugay of my staff via e-mail at [cbugay@indygov.org](mailto:cbugay@indygov.org), or phone at (317) 327-2512.

Enclosures

Certified Mail #: 7000 0600 0023 5187 7693

January 11, 2006

Mr. Edward J. Clements  
Environmental Engineer  
Rieth-Riley Construction Co., Inc.  
P.O. Box 477  
Goshen, Indiana 46527-0477



Re: Second FESOP Administrative Amendment  
(AAS), F 097-21775-00088, to FESOP  
F 097-14764-00088.

Dear Mr. Clements:

Rieth-Riley Construction Co., Inc., ("source"), was issued a Federally Enforceable State Operating Permit (FESOP) on September 27, 2002, for the site located at 2605 South Kentucky Avenue, Indianapolis, Indiana, 46241, for a hot mix asphalt plant. A letter requesting an amendment was received on September 12, 2005, by the Indianapolis Office of Environmental Services (OES). Changes (stated below) are being made to the Section A, Section D, Table of Contents (TOC), address notifications and forms as appropriate. The **bold language is new** language that has been added, and the language with a line through it has been taken out.

The source requested: 1) correcting a typographical error between permit conditions and forms, and 2) more frequent monitoring or reporting by the source; therefore, the provisions 326 IAC 2-8-10 (a)(1) and (a)(3) apply. In addition, pursuant to the provisions of 326 IAC 2-8-10(a)(6), a revision of the descriptive information, where the revision will not trigger a new applicable requirement or violate a permit term, was requested. The permit is hereby administratively amended as follows:

## SECTION A SOURCE SUMMARY

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

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Authorized individual: ~~Dean K. Logan~~, **Environmental Engineer**  
Source Address: 2605 South Kentucky Avenue  
Mailing Address: P.O. Box 477, Goshen, IN 46527  
General Source Phone: (574) 875-5183, ext. 20226  
SIC Code: 2951  
Source Location Status: Marion County  
**Basic nonattainment for ozone 8-hr standard, and PM-2.5; Attainment for all other criteria pollutants;**  
Source Status: Federally Enforceable State Operating Permit (FESOP)  
Minor Source, under PSD **and Emission Offset** Rules  
Minor Source, Section 112 of the Clean Air Act

**Department of Public Works**  
**Office of Environmental Services**  
2700 South Belmont Avenue (317) 327-2234  
Indianapolis, Indiana 46221 (fax) 327-2274  
**(TDD) 325-5186**  
[www.indygov.org](http://www.indygov.org)

The source has requested the following changes to Section D.1, to correct typographical errors between permit conditions (12 consecutive month period with compliance determined at the end of each month) and forms (365 consecutive day period, with compliance determined on a 365 consecutive day period rolled on a daily basis). This change would require more frequent monitoring and reporting by the source, therefore IDEM and OES have decided that, pursuant to 326 IAC 2-8-10(a)(3), this change shall be performed through an administrative amendment. There are no changes in emission or production limitations.

## SECTION D.1 FACILITY OPERATION CONDITIONS

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

- (1) One (1) Batch Mixer (Unit ID 2) with a maximum rated capacity of 400 tons per hour and one (1) 150 million Btu per hour aggregate dryer. The primary fuel to be used is landfill gas, with No. 4 waste oil, No. 2 distillate fuel oil, No. 4 distillate fuel oil, butane, propane and natural gas as backup fuels. Particulate emissions are controlled by one (1) baghouse, blower rated at 70,000 acfm and exhausting at stack 1. **The unit was installed in 1997.**
- (2) One (1) Hot Oil Heater, 2.8 million Btu per hour maximum rated capacity. The primary fuel source is No. 2 oil with natural gas, propane, and butane as backup. The Hot Oil Heater exhausts at stack 2. The unit was installed in 1980.

(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 Sulfur Dioxide (SO<sub>2</sub>) [326 IAC 2-8-4] [326 IAC 2-2] [40 CFR 52.21]

- (a) Pursuant to 326 IAC 2-8-4, the input of residual No. 4 waste oil to the dryer/burner shall be limited to less than 1,262,310 gallons per ~~twelve (12) consecutive month period~~ **365 consecutive day period, with compliance determined at the end of each month on a 365 consecutive day period rolled on a daily basis**, which is equivalent to SO<sub>2</sub> emissions of less than 92.8 tons per year. Sulfur content of the residual No. 4 waste oil shall not exceed one percent (1%) sulfur by weight. This limit is structured such that when including the emissions of the insignificant activities, the total source SO<sub>2</sub> emissions remain below one hundred (100) tons per twelve (12) consecutive month period. This renders the requirements of 326 IAC 2-7 (Part 70 Permit Program), 326 2-2 (Prevention of Significant Deterioration), and 40 CFR 52.21, **and 326 IAC 2-3 (Emission Offset)** not applicable.

#### D.1.3 Nitrogen Oxides (NO<sub>x</sub>) [326 IAC 2-8-4] [326 IAC 2-2] [40 CFR 52.21]

- (a) Pursuant to 326 IAC 2-8-4 (FESOP), the input of natural gas to the dryer/burner shall be limited to less than 687.57 million cubic feet per ~~twelve (12) consecutive month period~~ **365 consecutive day period, with compliance determined at the end of each month on a 365 consecutive day period rolled on a daily basis**, which is equivalent to NO<sub>x</sub> emissions of less than 96.3 tons per year. This limit is structured such that when including the emissions of the insignificant activities, the total source NO<sub>x</sub> emissions remain below one hundred (100) tons per twelve (12) consecutive month period. This renders the requirements of 326 IAC 2-7 (Part 70 Permit Program), 326 2-2 (Prevention of Significant Deterioration), and 40 CFR 52.21, **and 326 IAC 2-3 (Emission Offset)** not applicable.

#### D.1.6 Particulate matter less than 10 microns (PM-10) [326 IAC 2-8-2] [326 IAC 2-2] [40 CFR 52.21]

- (a) The total asphalt production for this plant shall be limited to 2,487,593 tons per ~~twelve (12) consecutive month period~~ **365 consecutive day period, with compliance determined at the end of each month on a 365 consecutive day period rolled on a daily basis**. This production limit is the equivalent of 99.0 tons of PM-10 source wide per year.

- (b) PM-10 emissions from combined process equipment and dryer/burner operations shall be limited to 0.06 pounds per ton (lb/ton). Due to the potential to emit limitations, the Prevention of Significant Deterioration (326 IAC 2-2 and 40 CFR 52.21), **Emission Offset (326 IAC 2-3)**, and Part 70 rules (326 IAC 2-7) are not applicable.

D.1.8 Volatile Organic Compounds (VOC) [326 IAC 2-8-4] [326 IAC 2-2] [40CFR 52.21]

- (a) Pursuant to 326 IAC 2-8-4, the VOC solvent used as diluent in the liquid binder used in cold mix asphalt production from the plant shall be limited such that no more than ninety-five and three tenths (95.3) tons of VOC emissions emitted per ~~twelve (12) consecutive months~~ **year with compliance determined at the end of each month on a 365 consecutive day period rolled on a total daily basis**. This shall be achieved by limiting the total VOC solvent of any one selected binder to not exceed the stated limit in (c) for that binder during the ~~last twelve (12) months~~ **365 consecutive day period**. When more than one binder is used, the formula in (c)(6) must be applied so that the total VOC emitted does not exceed ninety-nine (99.0) tons per ~~twelve (12) consecutive month period~~ **year**.
- (c) The liquid binder used in cold mix asphalt production shall be limited as follows:
- (1) Cutback asphalt rapid cure liquid binder usage shall not exceed 95.3 tons of VOC solvent per ~~twelve (12) consecutive month period~~ **year with compliance determined at the end of each month on a 365 consecutive day period rolled on a daily basis**.
  - (2) Cutback asphalt medium cure liquid binder usage shall not exceed 129.6 tons of VOC solvent per ~~twelve (12) consecutive month period~~ **year with compliance determined at the end of each month on a 365 consecutive day period rolled on a daily basis**.
  - (3) Cutback asphalt slow cure liquid binder usage shall not exceed 362.14 tons of VOC solvent per ~~twelve (12) consecutive month period~~ **year with compliance determined at the end of each month on a 365 consecutive day period rolled on a daily basis**.
  - (4) Emulsified asphalt with solvent liquid binder usage shall not exceed 194.41 tons of VOC solvent per ~~twelve (12) consecutive month period~~ **year with compliance determined at the end of each month on a 365 consecutive day period rolled on a daily basis**.
  - (5) Other asphalt with solvent liquid binder shall not exceed 3,621.4 tons of VOC solvent per ~~twelve (12) consecutive month period~~ **year with compliance determined at the end of each month on a 365 consecutive day period rolled on a daily basis**.
  - (6) The VOC solvent allotments in subpart (c)(1) through (c)(5) of this condition shall be adjusted when more than one type of binder is used per ~~twelve (12) month consecutive period~~ **365 consecutive day period with compliance determined at the end of each month on a 365 consecutive day period rolled on a daily basis**. In order to determine the tons of VOC emitted per each type of binder, use the following formula and divide the tons of VOC solvent used for each type of binder by the corresponding adjustment ratio listed in the table that follows.

$$\frac{\text{Tons of solvent contained in binder}}{\text{Adjustment ratio}} = \text{tons of VOC emitted}$$

Type of Binder	Tons VOC Solvent	Adjustment Ratio	Tons VOC Emitted
Cutback Asphalt Rapid Cure		1	
Cutback Asphalt Medium Cure		1.36	
Cutback Asphalt Slow Cure		3.8	
Emulsified Asphalt		2.04	
Other Asphalt		38	

The equivalent total tons of VOC of the combined liquid binders shall be less than ninety-five and three tenths (95.3) tons per ~~twelve (12) consecutive month period~~ **year with compliance determined at the end of each month on a 365 consecutive day period rolled on a daily basis.** Compliance with this limit will ensure that 326 IAC 2-7 (**Part 70 Permit Program**), ~~and~~ 326 IAC 2-2 (**Prevention of Significant Deterioration**), and 326 IAC 2-3 (**Emission Offset**) does not apply.

Reporting Forms

The corresponding reporting forms pertaining to the above conditions were revised accordingly.

All other conditions of the permit shall remain unchanged and in effect. Please find attached a copy of the revised permit.

This decision is subject to the Indiana Administrative Orders and Procedures Act - IC 4-21.5-3-5. If you have any questions on this matter, please contact Carmen Bugay of my staff via e-mail at [cbugay@indygov.org](mailto:cbugay@indygov.org) or phone at (317) 327-2512.

Sincerely,

Original signed by,

Felicia A. Robinson  
Manager of Environmental Planning

Enclosure: Revised Permit

FAR/cmb

cc: Dean Logan, Rieth Riley Construction Co., Inc.  
U.S. EPA Region V  
Mindy Hahn, IDEM, OAQ  
Marion County Health Department  
Matt Mosier, OES, Air Compliance  
OES files (3)



**FEDERALLY ENFORCEABLE STATE  
OPERATING PERMIT (FESOP)  
INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT  
OFFICE OF AIR QUALITY  
and  
CITY OF INDIANAPOLIS  
OFFICE OF ENVIRONMENTAL SERVICES**

**Rieth-Riley Construction Co., Inc.  
2605 South Kentucky Avenue  
Indianapolis, Indiana 46241**

(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.

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.: F097-14764-00088	
Issued by:  ORIGINALLY SIGNED BY John B. Chavez, Administrator Office of Environmental Services	Issuance Date: September 27, 2002  Expiration Date: September 26, 2007
Significant Permit Revision no. : 097-16771-00088	
Issued by:  ORIGINALLY SIGNED BY John B. Chavez, Administrator Office of Environmental Services	Pages Affected: 3, 5, 26, 27, 28, 29, 35, 36, 37, 39, 40, 41, 42, 43, 44 and 45.  Issuance Date: March 10, 2003
First Administrative Amendment: AAF 097-18796-00088	
Issued by:  Original signed by, John B. Chavez, Administrator Office of Environmental Services	Pages Affected: 3, 24, and 25  Issuance Date: June 15, 2004
Second Administrative Amendment: AAS 097-21775-00088	
Issued by:  Original signed by,  Felicia A. Robinson Manager of Environmental Planning Office of Environmental Services	Conditions modified: A.1, Section D.1, D.1.1, D.1.3, D.1.6, and D.1.8.  Issuance Date: January 11, 2006  Expiration Date: September 26, 2007

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#### **Stratospheric Ozone Protection**

- C.21 Compliance with 40 CFR 82 and 326 IAC 22-1

### **SECTION D.1 FACILITY OPERATION CONDITIONS**

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- D.1.2 Sulfur Dioxide Emission Limitations [326 IAC 7-1.1-2]
- D.1.3 Nitrogen Oxides (NO<sub>x</sub>) [326 IAC 2-8-4] [326 IAC 2-2] [40 CFR 52.21]
- D.1.4 Particulate Matter (PM) [326 IAC 6-1-2] [326 IAC 2-2] [40 CFR 52.21]
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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) and the City of Indianapolis Office of Environmental Services (OES). 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)]

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The Permittee owns and operates a stationary hot drum-mix asphalt plant with a maximum capacity of 425 tons per hour.

Authorized Individual: Environmental Engineer

Source Address: 2605 South Kentucky Avenue, Indianapolis, Indiana 46241

Mailing Address: P.O. Box 477, Goshen, Indiana 46527-0477

SIC Code: 2951

Source Location Status: Marion

County Status: Basic nonattainment for ozone 8-hr standard, and  
PM-2.5; Attainment for all other criteria pollutants;

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

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

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

- (a) One (1) Batch Mixer (unit ID 2), 400 tons per hour maximum rated capacity, and one (1) 124 million Btu per hour Aggregate Dryer. The primary fuel source is No. 4 waste oil with natural gas, No. 2 oil, No. 4 oil, and propane as backup. Particulate emissions are controlled by one (1) baghouse, blower rated at 70,000 acfm and exhausting at stack .1 The unit was installed in 1997.
- (b) One (1) Hot Oil Heater, 2.8 million Btu per hour maximum rated capacity. The primary fuel source is No. 2 oil with natural gas, propane, and butane as backup. The Hot Oil Heater exhausts at stack 2. The unit was installed in 1980.

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

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

- (a) One (1) 25,000 gallon VOL Storage Tank, maximum true vapor pressure less than 15.0 kPa. This unit was installed in 1983.
- (b) One (1) 20,000 gallon VOL Storage Tank, maximum true vapor pressure less than 15.0 kPa. This unit was installed in 1996.
- (c) One (1) 15,000 gallon VOL Storage Tank, maximum true vapor pressure less than 15.0 kPa. This unit was installed in 1983.
- (d) Three (3) 10,000 gallon VOL Storage Tank. One (1) tank was installed in 1996. Two (2) were

installed in 1983.

- (e) Petroleum fuel (excluding gasoline) dispensing facilities having storage capacities less than or equal to 10,500 gallons and dispensing less than or equal to 230,000 gallons per month;
- (f) Vessels storing lubricating oils, hydraulic oils, machining oils, and machining fluids;
- (g) Vehicle travel on paved roads, unpaved roads, and parking lots;
- (h) Aggregate stockpiles;
- (i) Conveying, transferring, and transportation of aggregates by vehicles;
- (j) Loading and unloading of material.

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

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

A.5 Prior Permit 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]**

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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]**

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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)]**

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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]**

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

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

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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)]**

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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)]**

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

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

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

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

and

City of Indianapolis  
Office of Environmental Services  
Air Permits  
2700 South Belmont Avenue  
Indianapolis Indiana 46221

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

- (b) The Permittee shall furnish to IDEM, OAQ, and OES within a reasonable time, any information that IDEM, OAQ, and/or OES 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 and OES copies of records required to be kept by this permit or, for information claimed to be confidential, the Permittee may furnish such records directly to the U. S. EPA along with a claim of confidentiality.[326 IAC 2-8-4(5)(E)]
- (c) The Permittee may include a claim of confidentiality in accordance with 326 IAC 17. 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 and/or OES 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 Compliance with Permit Conditions [326 IAC 2-8-4(5)(A)] [326 IAC 2-8-4(5)(B)]

(a) The Permittee must comply with all conditions of this permit. Noncompliance with any provisions of this permit is grounds for:

- (1) Enforcement action;
- (2) Permit termination, revocation and reissuance, or modification; and
- (3) Denial of a permit renewal application.

(b) It shall not be a defense for the Permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit.

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

B.11 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.
- (c) An authorized individual is defined at 326 IAC 2-1.1-1(1).

B.12 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 April 15 of each year to:

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

and

City of Indianapolis  
Office of Environmental Services  
Air Compliance  
2700 South Belmont Avenue  
Indianapolis Indiana 46221

- (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, and/or OES 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, and/or OES 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.13 Preventive Maintenance Plan [326 IAC 1-6-3] [326 IAC 2-8-4(9)] [326 IAC 2-8-5(a)(1)]

- (a) If required by specific condition(s) in Section D of this permit, the Permittee shall maintain and implement Preventive Maintenance Plans (PMPs), including the following information on each facility:
  - (1) Identification of the individual(s) responsible for inspecting, maintaining, and repairing emission control devices;

- (2) A description of the items or conditions that will be inspected and the inspection schedule for said items or conditions; and
  - (3) Identification and quantification of the replacement parts that will be maintained in inventory for quick replacement.
- (b) The Permittee shall implement the PMPs as necessary to ensure that failure to implement a PMP does not cause or contribute to a violation of any limitation on emissions or potential to emit.
  - (c) A copy of the PMPs shall be submitted to IDEM, OAQ and/or OES upon request and within a reasonable time, and shall be subject to review and approval by IDEM, OAQ and/or OES. IDEM, OAQ and/or OES may require the Permittee to revise its PMPs whenever lack of proper maintenance causes or contributes to any violation. The PMP does not require the certification by the "authorized individual" as defined by 326 IAC 2-1.1-1(1).
  - (d) Records of preventive maintenance shall be retained for a period of at least five (5) years. These records shall be kept at the source location for a minimum of three (3) years. The records may be stored elsewhere for the remaining two (2) years as long as they are available upon request. If the Commissioner or OES makes a request for records to the Permittee, the Permittee shall furnish the records to the Commissioner and/or OES within a reasonable time.

B.14 Emergency Provisions [326 IAC 2-8-12]

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

IDEM, OAQ

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

OES

Telephone No.: 317/327-2234  
Facsimile No.: 317/327-2274

Failure to notify IDEM, OAQ or OES, by telephone or facsimile within four (4) daytime business hours after the beginning of the emergency, or after the emergency is discovered

or reasonably should have been discovered, shall constitute a violation of 326 IAC 2-8 and any other applicable rules. [326 IAC 2-8-12(f)]

- (5) For each emergency lasting one (1) hour or more, the Permittee submitted the attached Emergency Occurrence Report Form or its equivalent, either by mail or facsimile to:

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

and

City of Indianapolis  
Office of Environmental Services  
Air Compliance  
2700 South Belmont Avenue  
Indianapolis Indiana 46221

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

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

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

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

- (6) The Permittee immediately took all reasonable steps to correct the emergency.
- (c) In any enforcement proceeding, the Permittee seeking to establish the occurrence of an emergency has the burden of proof.
  - (d) This emergency provision supersedes 326 IAC 1-6 (Malfunctions). This permit condition is in addition to any emergency or upset provision contained in any applicable requirement.
  - (e) IDEM, OAQ and/or OES 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 or OES by telephone or facsimile of an emergency lasting more than one (1) hour in accordance with (b)(4) and (5) of this condition shall constitute a violation of 326 IAC 2-8 and any other applicable rules.
  - (g) Operations may continue during an emergency only if the following conditions are met:
    - (1) If the emergency situation causes a deviation from a technology-based limit, the Permittee may continue to operate the affected emitting facilities during the emergency provided the Permittee immediately takes all reasonable steps to correct the emergency and minimize emissions.
    - (2) If an emergency situation causes a deviation from a health-based limit, the Permittee may not continue to operate the affected emissions facilities unless:

- (A) The Permittee immediately takes all reasonable steps to correct the emergency situation and to minimize emissions; and
- (B) Continued operation of the facilities is necessary to prevent imminent injury to persons, severe damage to equipment, substantial loss of capital investment, or loss of product or raw material of substantial economic value.

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

B.15 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  
Office of Air Quality, Compliance Branch  
100 North Senate Avenue  
Indianapolis, Indiana 46204-2251

and

City of Indianapolis  
Office of Environmental Services  
Air Compliance  
2700 South Belmont Avenue  
Indianapolis Indiana 46221

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

- (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.16 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 or OES 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 and/or OES 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 or OES at least thirty (30) days in advance of the date this permit is to be reopened, except that IDEM, OAQ or OES may provide a shorter time period in the case of an emergency. [326 IAC 2-8-8(c)]

**B.17** 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/or OES 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  
Office of Air Quality, Permits Branch  
100 North Senate Avenue  
Indianapolis, IN 46204-2251

and

City of Indianapolis  
Office of Environmental Services  
Air Permits  
2700 South Belmont Avenue  
Indianapolis Indiana 46221

- (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 and/or OES on or before the date it is due.
  - (2) If IDEM, OAQ and/or OES 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 and/or OES 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 and OES any additional information identified as needed to process the application.

B.18 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  
Office of Air Quality, Permits Branch  
100 North Senate Avenue  
Indianapolis, Indiana 46204-2251

and

City of Indianapolis  
Office of Environmental Services  
Air Permits  
2700 South Belmont Avenue  
Indianapolis Indiana 46221

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.19 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 approval required by 326 IAC 2-8-11.1 has been obtained;
- (3) The changes do not result in emissions which exceed the emissions allowable under this permit (whether expressed herein as a rate of emissions or in terms of total emissions);
- (4) The Permittee notifies the:

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

and

City of Indianapolis  
Office of Environmental Services  
Air Compliance

2700 South Belmont Avenue  
Indianapolis Indiana 46221

and

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

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

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

Such records shall consist of all information required to be submitted to IDEM, OAQ and OES 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) and the following additional conditions:

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

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

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

**B.20 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.21 Inspection and Entry [326 IAC 2-8-5(a)(2)] [IC 13-14-2-2]**

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 and/or OES, 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) Have access to and copy, at reasonable times, any records that must be kept under the conditions of this permit;
- (c) Inspect, at reasonable times, any facilities, equipment (including monitoring and air pollution control equipment), practices, or operations regulated or required under this permit;
- (d) Sample or monitor, at reasonable times, substances or parameters for the purpose of assuring compliance with this permit or applicable requirements; and
- (e) Utilize any photographic, recording, testing, monitoring, or other equipment for the purpose of assuring compliance with this permit or applicable requirements.

B.22 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  
Office of Air Quality, Permits Branch  
100 North Senate Avenue  
Indianapolis, Indiana 46204-2251

and

City of Indianapolis  
Office of Environmental Services  
Air Permits  
2700 South Belmont Avenue  
Indianapolis Indiana 46221

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.23 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 317-233-0420 (ask for OAQ, Billing, Licensing and Training (BLT) Section), to determine the appropriate permit fee.

## 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)) 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) 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 that the source's potential to emit does not exceed the above specified limits.

(c) 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 thirty percent (30%) 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 March 19, 1996. The plan is included as Attachment A.

C.7 Operation of Equipment [326 IAC 2-8-5(a)(4)]

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

C.8 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.9 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  
Office of Air Quality, Asbestos Section  
100 North Senate Avenue  
Indianapolis, Indiana 46204-2251

and

City of Indianapolis  
Office of Environmental Services  
Enforcement Section  
2700 South Belmont Avenue  
Indianapolis Indiana 46221

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

- (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.10 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  
Office of Air Quality, Compliance Branch  
100 North Senate Avenue  
Indianapolis, Indiana 46204-2251

and

City of Indianapolis  
Office of Environmental Services  
Air Compliance  
2700 South Belmont Avenue  
Indianapolis Indiana 46221

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 and/or OES 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.11 Compliance Requirements [326 IAC 2-1.1-11]**

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

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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.13 Monitoring Methods [326 IAC 3] [40 CFR 60] [40 CFR 63]**

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

#### **C.14 Pressure Gauge and Other Instrument Specifications [326 IAC 2-1.1-11] [326 IAC 2-8-4(3)] [326 IAC 2-8-5(1)]**

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

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

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

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

- (a) The Permittee prepared and submitted written emergency reduction plans (ERPs) consistent with safe operating procedures on February 20, 1990.
- (b) Upon direct notification by IDEM, OAQ and/or OES 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 68.215]

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If a regulated substance, subject to 40 CFR 68, is present at a source in more than a threshold quantity, 40 CFR 68 is an applicable requirement and the Permittee shall submit:

- (a) A compliance schedule for meeting the requirements of 40 CFR 68; or
- (b) As a part of the annual compliance certification submitted under 326 IAC 2-7-6(5), a certification statement that the source is in compliance with all the requirements of 40 CFR 68, including the registration and submission of a Risk Management Plan (RMP); and

All documents submitted pursuant to this condition shall include the certification by the "authorized individual" as defined by 326 IAC 2-1.1-1(1).

C.17 Compliance Response Plan - Preparation, Implementation, Records and Reports [326 IAC 2-7-5] [326 IAC 2-7-6]

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

parameter with respect to normal, and the results of the actions taken up to the time of notification.

- (4) Failure to take reasonable response steps shall constitute a violation of the permit.
- (c) The Permittee is not required to take any further response steps for any of the following reasons:
- (1) A false reading occurs due to the malfunction of the monitoring equipment and prompt action was taken to correct the monitoring equipment.
  - (2) The Permittee has determined that the compliance monitoring parameters established in the permit conditions are technically inappropriate, has previously submitted a request for an administrative amendment to the permit, and such request has not been denied.
  - (3) An automatic measurement was taken when the process was not operating.
  - (4) The process has already returned or is returning to operating within "normal" parameters and no response steps are required.
- (d) When implementing reasonable steps in response to a compliance monitoring condition, if the Permittee determines that an exceedance of an emission limitation has occurred, the Permittee shall report such deviations pursuant to Section B-Deviations from Permit Requirements and Conditions.
- (e) The Permittee shall record all instances when response steps are taken. In the event of an emergency, the provisions of 326 IAC 2-7-16 (Emergency Provisions) requiring prompt corrective action to mitigate emissions shall prevail.
- (f) Except as otherwise provided by a rule or provided specifically in Section D, all monitoring as required in Section D shall be performed when the emission unit is operating, except for time necessary to perform quality assurance and maintenance activities.
- C.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 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 data, reports and support information shall be retained for a period of at least five (5) years from the date of monitoring sample, measurement, report, or application. These records shall be kept 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 or OES makes a request for records to the Permittee, the Permittee shall furnish the records to the Commissioner or OES 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 source 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 IAC2-1.1-1(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 Branch, Office of Air Quality (Compliance Data Section)  
100 North Senate Avenue  
Indianapolis, Indiana 46204-2251

and

City of Indianapolis  
Office of Environmental Services  
Air Compliance  
2700 South Belmont Avenue  
Indianapolis Indiana 46221

- (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 and/or OES on or before the date it is due.
- (d) Unless otherwise specified in this permit, any quarterly report required in Section D of this permit shall be submitted within thirty (30) days of the end of the reporting period. The report does 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.

**Stratospheric Ozone Protection**

**C.21 Compliance with 40 CFR 82 and 326 IAC 22-1**

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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)]:

- (1) One (1) Batch Mixer (Unit ID 2) with a maximum rated capacity of 400 tons per hour and one (1) 150 million Btu per hour aggregate dryer. The primary fuel to be used is landfill gas, with No. 4 waste oil, No. 2 distillate fuel oil, No. 4 distillate fuel oil, butane, propane and natural gas as backup fuels. Particulate emissions are controlled by one (1) baghouse, blower rated at 70,000 acfm and exhausting at stack 1. The unit was installed in 1997.
- (2) One (1) Hot Oil Heater, 2.8 million Btu per hour maximum rated capacity. The primary fuel source is No. 2 oil with natural gas, propane, and butane as backup. The Hot Oil Heater exhausts at stack 2. The unit was installed in 1980.

(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 Sulfur Dioxide (SO<sub>2</sub>) [326 IAC 2-8-4] [326 IAC 2-2] [40 CFR 52.21]

- (a) Pursuant to 326 IAC 2-8-4, the input of residual No. 4 waste oil to the dryer/burner shall be limited to less than 1,262,310 gallons per 365 consecutive day period, with compliance determined on a 365 consecutive day period rolled on a daily basis, which is equivalent to SO<sub>2</sub> emissions of less than 92.8 tons per year. Sulfur content of the residual No. 4 waste oil shall not exceed one percent (1%) sulfur by weight. This limit is structured such that when including the emissions of the insignificant activities, the total source SO<sub>2</sub> emissions remain below one hundred (100) tons per twelve (12) consecutive month period. This renders the requirements of 326 IAC 2-7 (Part 70 Permit Program), 326 2-2 (Prevention of Significant Deterioration), 40 CFR 52.21, and 326 IAC 2-3 (Emission Offset) not applicable.
- (b) For purposes of determining compliance based on SO<sub>2</sub> emissions:
  - (1) Each gallon of No. 4 distillate oil shall be equivalent 0.510 gallons of waste oil,
  - (2) Each gallon of No. 2 distillate oil shall be equivalent to: 0.483 gallons of waste oil,
  - (3) Each gallon of propane shall be equivalent to 0.001 gallons of waste oil,
  - (4) Each gallon of butane shall be equivalent to 0.001 gallons of waste oil,
  - (5) Every million cubic feet of natural gas shall be equivalent to 4.081 gallons of waste oil; and
  - (6) Every cubic foot of landfill gas shall be equivalent to 0.0000391 gallons of waste oil.

#### D.1.2 Sulfur Dioxide Emissions Limitations [326 IAC 7-1.1-2]

Pursuant to 326 IAC 7-1.1-2, sulfur dioxide emissions from the combustion of distillate (No. 2, No. 4) oil shall be limited to 0.5 pounds per million Btu heat input. Pursuant to 326 IAC 7-2-1, compliance shall be demonstrated on a thirty (30) day rolling weighted average.

D.1.3 Nitrogen Oxides (NO<sub>x</sub>) [326 IAC 2-8-4] [326 IAC 2-2] [40 CFR 52.21]

- (a) Pursuant to 326 IAC 2-8-4 (FESOP), the input of natural gas to the dryer/burner shall be limited to less than 687.57 million cubic feet per 365 consecutive day period, with compliance determined on a 365 consecutive day period rolled on a daily basis, which is equivalent to NO<sub>x</sub> emissions of less than 96.3 tons per year. This limit is structured such that when including the emissions of the insignificant activities, the total source NO<sub>x</sub> emissions remain below one hundred (100) tons per twelve (12) consecutive month period. This renders the requirements of 326 IAC 2-7 (Part 70 Permit Program), 326 2-2 (Prevention of Significant Deterioration), 40 CFR 52.21, and 326 IAC 2-3 (Emission Offset) not applicable.
- (b) For purposes of determining compliance based on NO<sub>x</sub> emissions:
- (1) Every 1000 gallons of residual No. 4 waste oil burned shall be equivalent to 0.068 million cubic feet of natural gas,
  - (2) Every 1000 gallons of No. 2 distillate oil burned shall be equivalent to 0.086 million cubic feet of natural gas,
  - (3) Every 1000 gallons of No. 4 distillate oil burned shall be equivalent to 0.168 million cubic feet of natural gas
  - (4) Every 1000 gallons of butane burned shall be equivalent to 0.075 million cubic feet of natural gas,
  - (5) Every 1000 gallons of propane burned shall be equivalent to 0.068 million cubic feet of natural gas; and
  - (6) Every cubic foot of landfill gas burned shall be equivalent to 0.000000101 million cubic feet of natural gas.

D.1.4 Particulate Matter (PM) [326 IAC 6-1-2] [326 IAC 2-2] [40 CFR 52.21]

Pursuant to 326 IAC 6-1-2, particulate matter emissions from the asphalt plant shall not exceed 0.030 grains per dry standard cubic foot. In order to meet this requirement, the baghouse shall be operated at all times the asphalt plant is in operation. Compliance with this rule renders 326 IAC 2-2 not applicable.

D.1.5 Asphalt Plant [326 IAC 12] [40 CFR 60.90-60.93, NSPS Subpart I]

Pursuant to the New Source Performance Standards, 326 IAC 12(40 CFR 60.90 to 60 .93, Subpart I):

- (a) Particulate matter emissions from the hot mix asphalt facility shall not exceed 0.04 grains per dry standard cubic foot (gr/dscf). Compliance with 326 IAC 6-1-2(a) will satisfy 326 IAC 12 and 40 CFR 60.92(a)(1), Subpart I.
- (b) The visible emissions from the hot mix asphalt facility shall not exceed twenty percent (20%) opacity.
- (c) Pursuant to 40 CFR 60.7(a), the permittee shall submit to OES/AQM and IDEM/OAQ the following:
  - (1) a notification of the date of construction of the aggregate dryer is commenced postmarked no later than 30 days after such date.
  - (2) a notification of the actual date of initial start up of the aggregate dryer postmarked within 15 days after such date.

- (3) A notification of any physical or operational change to an existing facility which may increase the emission rate of any air pollutant to which a standard applies, unless that change is specifically exempted under an applicable subpart or in 40 CFR 60.14(e). This notice shall be postmarked 60 days or as soon as practicable before the change is commenced and shall include information describing the precise nature of the change, present and proposed emission control systems, productive capacity of the facility before and after the change, and the expected completion date of the change. OES/AQM and IDEM/OAQ may request additional relevant information subsequent to this notice.
- (4) a notification of the anticipated date for conducting the opacity observations required by 40 CFR 60.11(e)(1) of this part. The notification shall also include, if appropriate, a request for OES/AQM and IDEM/OAQ to provide a visible emissions reader during a performance test. The notification shall be postmarked not less than 30 prior to such date.

D.1.6 Particulate matter less than 10 microns (PM-10) [326 IAC 2-8-2] [326 IAC 2-2] [40 CFR 52.21]

- (a) The total asphalt production for this plant shall be limited to 2,487,593 tons per 365 consecutive day period, with compliance determined on a 365 consecutive day period rolled on a daily basis. This production limit is the equivalent of 99.0 tons of PM-10 source wide per year.
- (b) PM-10 emissions from combined process equipment and dryer/burner operations shall be limited to 0.06 pounds per ton (lb/ton). Due to the potential to emit limitations, the Prevention of Significant Deterioration (326 IAC 2-2 and 40 CFR 52.21), Emission Offset (326 IAC 2-3), and Part 70 rules (326 IAC 2-7) are not applicable.

D.1.7 Miscellaneous Operations: Asphalt Paving [326 IAC 8-5-2]

Pursuant to 326 IAC 8-5-2, no person shall cause or allow the use of cutback asphalt or asphalt emulsion containing more than seven (7) percent oil distillate by volume of emulsion of any paving application except:

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

D.1.8 Volatile Organic Compounds (VOC) [326 IAC 2-8-4] [326 IAC 2-2] [40CFR 52.21]

- (a) Pursuant to 326 IAC 2-8-4, the VOC solvent used as diluent in the liquid binder used in cold mix asphalt production from the plant shall be limited such that no more than ninety-five and three tenths (95.3) tons of VOC emissions emitted per year with compliance determined on a 365 consecutive day period rolled on a daily basis. This shall be achieved by limiting the total VOC solvent of any one selected binder to not exceed the stated limit in (c) for that binder during the 365 consecutive day period. When more than one binder is used, the formula in (c)(6) must be applied so that the total VOC emitted does not exceed ninety-nine (99.0) tons per year.
- (b) Liquid binders used in the production of cold mix asphalt shall be defined as follows:
  - (1) Cut back asphalt rapid cure, containing a maximum of 25.3% of the liquid binder by weight of VOC solvent and 95% by weight of VOC solvent evaporating.
  - (2) Cut back asphalt medium cure, containing a maximum of 28.6% of the liquid binder by weight of VOC solvent and 70% by weight of VOC solvent evaporating.
  - (3) Cut back asphalt slow cure, containing a maximum of 20% of the liquid binder by weight of VOC solvent and 25% by weight of VOC solvent evaporating.

- (4) Emulsified asphalt with solvent, containing a maximum of 15% of liquid binder by weight of VOC solvent and 46.4% by weight of the VOC solvent in the liquid blend evaporating. The percent oil distillate in emulsified asphalt with solvent liquid, as determined by ASTM, must be 7% or less of the total emulsion by volume.
  - (5) Other asphalt with solvent binder, containing a maximum 25.9% of the liquid binder of VOC solvent and 2.5% by weight of the VOC solvent evaporating.
- (c) The liquid binder used in cold mix asphalt production shall be limited as follows:
- (1) Cutback asphalt rapid cure liquid binder usage shall not exceed 95.3 tons of VOC solvent per year with compliance determined on a 365 consecutive day period, with rolled on a daily basis.
  - (2) Cutback asphalt medium cure liquid binder usage shall not exceed 129.6 tons of VOC solvent per year with compliance determined on a 365 consecutive day period, rolled on a daily basis.
  - (3) Cutback asphalt slow cure liquid binder usage shall not exceed 362.14 tons of VOC solvent per year with compliance determined on a 365 consecutive day period, rolled on a daily basis.
  - (4) Emulsified asphalt with solvent liquid binder usage shall not exceed 194.41 tons of VOC solvent per year with compliance determined on a 365 consecutive day period, rolled on a daily basis.
  - (5) Other asphalt with solvent liquid binder shall not exceed 3621.4 tons of VOC solvent per year with compliance determined on a 365 consecutive day period, rolled on a daily basis.
  - (6) The VOC solvent allotments in subpart (c)(1) through (c)(5) of this condition shall be adjusted when more than one type of binder is used per 365 consecutive day period with compliance determined on a 365 consecutive day period, rolled on a daily basis. In order to determine the tons of VOC emitted per each type of binder, use the following formula and divide the tons of VOC solvent used for each type of binder by the corresponding adjustment ratio listed in the table that follows.

$$\frac{\text{Tons of solvent contained in binder}}{\text{Adjustment ratio}} = \text{tons of VOC emitted}$$

Type of Binder	Tons VOC	Adjustment Ratio	Tons VOC Emitted
Cutback Asphalt Rapid Cure		1	
Cutback Asphalt Medium Cure		1.36	
Cutback Asphalt Slow Cure		3.8	
Emulsified Asphalt		2.04	
Other Asphalt		38	

The equivalent total tons of VOC of the combined liquid binders shall be less than ninety-five and three tenths (95.3) tons per year with compliance determined on a 365 consecutive day period rolled on a daily basis. Compliance with this limit will ensure that 326 IAC 2-7 (Part 70 Permit Program), 326 IAC 2-2 (Prevention of Significant Deterioration), and 326 IAC 2-3 (Emission Offset) do not apply.

**D.1.9 Preventive Maintenance Plan [326 IAC 2-8-4(9)] [326 IAC 1-6-3]**

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A Preventive Maintenance Plan, in accordance with Section B - Preventive Maintenance Plan, of this permit, is required for the drum/dryer burner and its control device.

**D.1.10 Used Oil Requirements [329 IAC 13]**

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The 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 Determination Requirements**

**D.1.11 Sulfur Dioxide Emissions and Sulfur Content [326 IAC 3-7-4]**

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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 Btu 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 two and eight tenths (2.8) MMBtu per hour heater, using 40 CFR 60, Appendix A, Method 6 in accordance with the procedures in 326 IAC 3-6.

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

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

**D.1.12 Testing Requirement**

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Within 60 days after achieving maximum production rate at which the drum mixer and aggregate dryer will be operated, but no later than 180 days after initial start up, the Permittee shall perform a stack test approved by OES and IDEM/OAQ to demonstrate compliance with D.1.4, D.1.5 and D.1.6. Stack test

shall include testing for PM and PM10 (filterable and condensable). The stack test methods shall be in accordance with the provisions of 326 IAC 3-2.1 (Source Sampling Procedures).

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

#### D.1.13 Parametric Monitoring

The Permittee shall record the total static pressure drop across the baghouse used in conjunction with the dryer burner, at least once per shift when the dryer burner is in operation when venting to the atmosphere. When for any one reading, the pressure drop across the baghouse is outside the normal range of 2.0 and 8.0 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 - Failure to Take Response Steps, shall be considered a violation of this permit.

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

#### D.1.14 Baghouse Inspections

An inspection shall be performed each calendar quarter of all bags controlling the dryer burner when venting to the atmosphere. A baghouse inspection shall be performed within three months of redirecting vents to the atmosphere and every three months thereafter. Inspections are optional when venting to the indoors. All defective bags shall be replaced.

#### D.1.15 Broken or Failed Bag Detection

In the event that bag failure has been observed:

- (a) For multi-compartment units, the affected compartments will be shut down immediately until the failed units have been repaired or replaced. Operations may continue only if there are no visible emissions or if the event qualifies as an emergency and the Permittee satisfies the emergency provisions of this permit (Section B - Emergency Provisions). Within eight (8) business hours of the determination of failure, response steps according to the timetable described in the Compliance Response Plan shall be initiated. For any failure with corresponding response steps and timetable not described in the Compliance Response Plan, response steps shall be devised within eight (8) business hours of discovery of the failure and shall include a timetable for completion. Failure to take response steps in accordance with Section C - Compliance Response Plan -Preparation, Implementation, Records, and Reports, shall be considered a violation of this permit.
- (b) For single compartment baghouses, failed units and the associated process will be shut down immediately until the failed units have been repaired or replaced. Operations may continue only if the event qualifies as an emergency and the Permittee satisfies the requirements of the emergency provisions of this permit (Section B - Emergency Provisions).

#### D.1.16 Visible Emissions Notations

- (a) Visible emission notations of the baghouse stack exhaust, conveyors, and transfer points shall be performed once per shift during normal daylight operations when exhausting to the atmosphere. A trained employee shall record whether emissions are normal or abnormal.
- (b) For processes operated continuously, "normal" means those conditions prevailing, or expected to prevail, eighty percent (80%) of the time the process is in operation, not counting startup or shut down time.
- (c) In the case of batch or discontinuous operations, readings shall be taken during that part of the operation that would normally be expected to cause the greatest emissions.
- (d) A trained employee is an employee who has worked at the plant at least one (1) month and has

been trained in the appearance and characteristics of normal visible emissions for that specific process.

- (e) The Compliance Response Plan for this unit shall contain troubleshooting contingency and response steps for when an abnormal emission is observed. Failure to take response steps in accordance with Section C- Compliance Response Plan - Preparation, Implementation, Records and Reports, shall be considered a violation of this permit.

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

#### **D.1.17 Record Keeping Requirements**

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- (a) To document compliance with Condition D.1.1, the Permittee shall maintain daily records of the input of residual No. 4 waste oil to the dryer burner.
- (b) To document compliance with Condition D.1.2, the Permittee shall maintain records in accordance with (1) through (6) below:
  - (1) Calendar dates covered in the compliance determination period;
  - (2) Actual fuel oil usage since last compliance determination period and equivalent sulfur dioxide emissions;
  - (3) A certification, signed by the owner or operator, that the records of the fuel supplier certifications represent all of the fuel combusted during the period, the natural gas fired boiler certification does require the certification by the "authorized individual" as defined by 326 IAC 2-1.1-1(1); and

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

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

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

- (c) To document compliance with Condition D.1.3, the Permittee shall maintain daily records of the input of natural gas to the dryer burner.
- (d) To document compliance with Condition D.1.6, the Permittee shall maintain records of asphalt production as follows:
  - (1) Amount of asphalt concrete produced each day;
  - (2) Amount of asphalt concrete produced in the last three hundred and sixty-five (365) days.

- (e) To document compliance with Condition D.1.8 Volatile Organic Compounds, VOC records shall document VOC usage as follows:
- (1) Amount and type of liquid binder used in the production of cold mix asphalt each day.
  - (2) Type and VOC, solvent content by weight of the liquid binder used in the production of cold mix asphalt each day.
  - (3) Amount of VOC, solvent used in the production of cold mix asphalt each day.

Records may include: delivery tickets, manufacturer's data, material safety data sheets (MSDS), and other documents necessary to verify the type and amount used. Test results of ASTM tests for asphalt cutback and asphalt emulsion may be used to document volatilization.

- (f) To document compliance with Condition D.1.13, the Permittee shall maintain records of the total static pressure drop across the baghouse used in conjunction with the dryer burner, at least once per shift when the dryer burner is in operation when venting to the atmosphere.
- (g) To document compliance with Condition D.1.14, the Permittee shall maintain quarterly records of the inspections performed on all bags controlling the dryer burner when venting to the atmosphere.
- (h) To document compliance with Condition D.1.16, the Permittee shall maintain records of visible emission notations of the stack exhaust once per shift.
- (i) All records shall be maintained in accordance with Section C - General Record Keeping Requirements, of this permit.

#### D.1.18 Reporting Requirements

- (a) A quarterly summary of the information to document compliance with Conditions D.1.1, D.1.3, D.1.6, and D.1.8 shall be submitted to the addresses 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).
- (b) Reports to document compliance with condition D.1.5(c) shall be submitted to the addresses listed in Section C - General Reporting Requirements. The reports submitted by the Permittee do require the certification by the "authorized individual" as defined by 326 IAC 2-1.1-1(1).

## SECTION D.2 FACILITY OPERATION CONDITIONS

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

- (1) One (1) 20,000 gallon VOL Storage Tank, maximum true vapor pressure less than 15.0 kPa. This unit was installed in 1996.

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

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

#### D.2.1 Recordkeeping Requirements [326 IAC 12] [40 CFR Part 60.116b]

- (a) Pursuant to 326 IAC 12 and 40 CFR 60.116b (Subpart Kb), the Permittee shall keep readily accessible records for the life of the source showing:
- (1) the dimension of each storage vessel, and
  - (2) an analysis showing the capacity of the storage vessel
- (b) The Permittee shall notify the Administrator when the maximum true vapor pressure of any VOL stored in these vessels exceeds 27.6 kPa or 4.00 psia.
- (c) All records shall be maintained in accordance with Section C - General Record Keeping Requirements, of this permit.

**INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT  
OFFICE OF AIR QUALITY  
and  
CITY OF INDIANAPOLIS  
OFFICE OF ENVIRONMENTAL SERVICES**

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

Source Name: Rieth-Riley Construction Co., Inc.  
Source Address: 2605 South Kentucky Avenue, Indianapolis, IN 46241  
Mailing Address: P.O. Box 477, Goshen, IN 46527-0477  
FESOP No.: 097-14764-00088

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

Please check what document is being certified:

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

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

Signature:

Printed Name:

Title/Position:

Date:

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

**100 North Senate Avenue  
Indianapolis, Indiana 46204-2251  
Phone: 317-233-5674  
Fax: 317-233-5967**

**CITY OF INDIANAPOLIS  
OFFICE OF ENVIRONMENTAL SERVICES  
AIR COMPLIANCE**

**2700 South Belmont Avenue  
Indianapolis, Indiana 46221  
Phone:317-327-2234  
Fax:317-327-2274**

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

Source Name: Rieth-Riley Construction Co., Inc.  
Source Address: 2605 South Kentucky Avenue, Indianapolis, IN 46241  
Mailing Address: P.O. Box 477, Goshen, IN 46527-0477  
FESOP No.: 097-14764-00088 (2)  
Parameter: One (1) 20,000 gallon VOL storage tank, maximum true vapor pressure less than 15.0 kPa.

**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 <sub>2</sub> , VOC, NO <sub>x</sub> , 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.

**IDEM**  
**and**  
**Indianapolis Office of Environmental Services**  
**Air Compliance**  
**Quarterly Report of 365 consecutive day period, Daily Rolling Total**

Company Name:	RIETH-RILEY CONSTRUCTION CO. INC.
Location:	2605 SOUTH KENTUCKY AVE., INDIANAPOLIS, IN 46241
Permit No:	F097-14764-00088
AAS:	F097-21775-00088
Source/Facility:	BATCH MIXER/DRYER BURNER
Pollutant:	SULFUR DIOXIDES (SO2)

Month:		Year:															
Day	waste oil Usage gals/day	#4 distillate oil Usage gals/day	#2 distillate oil Usage gals/day	propane gas usage gals/day	butane gas usage gals/day	Natural gas Usage MM cf/day	Landfill gas Usage MM cf/day	Daily waste oil equivalent (0.510 x #4 distillate oil) (0.483 x #2 distillate oil) (0.001 x propane gas) (0.001 x butane gas) (0.004 x MMCF nat. gas) (0.000000391156 x MMCF landfill gas)	TOTAL waste oil Usage this day gals/day	waste oil usage prior 364 days gals/365 days	waste oil LIMIT gals/365 days	Average heating value (MMBTU/gal)					
												waste oil	#4 dist. oil	#2 dist. oil	waste oil	#4 dist. oil	#2 dist. oil
1											1,262,310						
2											1,262,310						
3											1,262,310						
4											1,262,310						
5											1,262,310						
6											1,262,310						
7											1,262,310						
8											1,262,310						
9											1,262,310						
10											1,262,310						
11											1,262,310						
12											1,262,310						
13											1,262,310						
14											1,262,310						
15											1,262,310						





**IDEM**  
**and**  
**Indianapolis Office of Environmental Services**  
**Air Compliance**  
**Quarterly Report of 365 consecutive day period, Daily Rolling Total**

<b>Company Name:</b>	RIETH-RILEY CONSTRUCTION CO. INC.
<b>Location:</b>	2605 SOUTH KENTUCKY AVE., INDIANAPOLIS, IN 46241
<b>Permit No:</b>	F097-14764-00088
<b>AAS. :</b>	F097-21775-00088
<b>Source/Facility:</b>	BATCH MIXER/DRYER BURNER
<b>Pollutant:</b>	NITROGEN OXIDES (NOx)

Month:		Year:											
Day	Natural gas Usage MMCF/day	Waste oil Usage gals/day	#4 distillate oil usage gals/day	#2 distillate oil Usage gals/day	Butane gas usage gals/day	Propane gas usage gals/day	Landfill gas usage MMCF/day	Daily Natural gas equivalent MMCF (0.068 x #4 waste oil usage kgal) (0.168 x #4 distillate oil usage kgal) (0.086 x #2 distillate oil usage kgal) (0.075 x butane usage kgal) (0.068 x propane usage kgal) (0.000000101071 x landfill usage MMCF)	TOTAL Natural gas usage this day MMCF	TOTAL Natural gas usage prior 364 days MMCF/365 days	Natural gas LIMIT MMCF/365 days		
16											687.57		
17											687.57		
18											687.57		
19											687.57		
20											687.57		
21											687.57		
22											687.57		
23											687.57		
24											687.57		
25											687.57		
26											687.57		
27											687.57		
28											687.57		
29											687.57		
30											687.57		
31											687.57		

<input type="checkbox"/> No deviation occurred in this month. <input type="checkbox"/> Deviation/s ocured in this month Deviation has been reported on: _____	Submitted by: _____ Title/Position: _____ Signature: _____ Phone No.: (574) 875-5183 Ext. 20218 Date: _____
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**IDEM  
 and  
 Office of Environmental Services  
 Air Compliance  
 Quarterly Report of 365-consecutive day period, Daily Rolling Total**

<b>Company Name:</b> Rieth-Riley Construction Co. Inc. <b>Location:</b> 2605 South Kentucky Ave., Indianapolis, IN 46241 <b>Permit No:</b> F097-14764-00088 <b>AAS. :</b> F097-21775-00088 <b>Source/Facility:</b> Batch mixer/dryer burner <b>Pollutant:</b> Particulate Matter (PM10)				
<b>Month:</b>		<b>Year:</b>		
<b>DAY</b>	<b>Amount of asphalt concrete produced this day (tons/day)</b>	<b>Amount of asphalt concrete produced prior 364 days (tons/365 days)</b>	<b>asphalt concrete production limit (tons/365 days)</b>	
1			2,487,593	
2			2,487,593	
3			2,487,593	
4			2,487,593	
5			2,487,593	
6			2,487,593	
7			2,487,593	
8			2,487,593	
9			2,487,593	
10			2,487,593	
11			2,487,593	
12			2,487,593	
13			2,487,593	
14			2,487,593	
15			2,487,593	

**IDEM  
 and  
 Indianapolis Office of Environmental Services  
 Air Compliance  
 Quarterly Report of 365-consecutive day period, Daily Rolling Total**

<b>Company Name:</b> Rieth-Riley Construction Co. Inc. <b>Location:</b> 2605 South Kentucky Ave., Indianapolis, IN 46241 <b>Permit No:</b> F097-14764-00088 <b>AAS.:</b> F 097-21775-00088 <b>Source/Facility:</b> Batch mixer/dryer burner <b>Pollutant:</b> Particulate Matter (PM10)				
<b>Month:</b>		<b>Year:</b>		
<b>DAY</b>	<b>Amount of asphalt concrete produced this day (tons/day)</b>	<b>Amount of asphalt concrete produced prior 364 days (tons/365 days)</b>	<b>asphalt concrete production limit (tons/365 days)</b>	
16			2,487,593	
17			2,487,593	
18			2,487,593	
19			2,487,593	
20			2,487,593	
21			2,487,593	
22			2,487,593	
23			2,487,593	
24			2,487,593	
25			2,487,593	
26			2,487,593	
27			2,487,593	
28			2,487,593	
29			2,487,593	
30			2,487,593	
31			2,487,593	
<input type="checkbox"/> No deviation occurred in this month. <input type="checkbox"/> Deviation/s occurred in this month Deviation has been reported on: _____				Submitted by: _____ Title/Position: _____ Signature: _____ Phone No.: (574) 875-5183 Ext 20218 Date: _____

<b>Company Name:</b> Rieth-Riley Construction Co. Inc. <b>Location:</b> 2605 South Kentucky Ave., Indianapolis, IN 46241 <b>Permit No:</b> F097-14764-00088 <b>AAS. :</b> F097-21775-00088 <b>Source/Facility:</b> Batch mixer/dryer burner <b>Pollutant:</b> Volatile Organic Compounds (VOC)						
<b>Month:</b>		<b>Year:</b>				
<b>DAY</b>	<b>Type of liquid binder used this day</b>	<b>Amount of liquid binder used in the production of coldmix cutback asphalt this day (tons/day)</b>	<b>VOC, solvent content by weight of binder used this day (%)</b>	<b>Amount of VOC, solvent used this day (tons/day)</b>	<b>Amount of VOC, solvent used in prior 364 days (tons/365 days)</b>	
1						
2						
3						
4						
5						
6						
7						
8						
9						
10						
11						
12						
13						
14						
15						

**IDEM  
and  
Office of Environmental Services  
Air Compliance**

**Quarterly Report of 365-consecutive day period, Daily Rolling Total**

<b>Company Name:</b> Rieth-Riley Construction Co. Inc. <b>Location:</b> 2605 South Kentucky Ave., Indianapolis, IN 46241 <b>Permit No:</b> F097-14764-00088 <b>AAS :</b> F097-21775-00088 <b>Source/Facility:</b> Batch mixer/dryer burner <b>Pollutant:</b> Volatile Organic Compounds (VOC)					
<b>Month:</b>			<b>YEAR:</b>		
<b>DAY</b>	<b>Type of liquid binder used this day</b>	<b>Amount of liquid binder used in the production of coldmix cutback asphalt this day (tons/day)</b>	<b>VOC, solvent content by weight of binder used this day (%)</b>	<b>Amount of VOC, solvent used this day (tons/day)</b>	<b>Amount of VOC, solvent used in prior 364 days (tons/365 days)</b>
16					
17					
18					
19					
20					
21					
22					
23					
24					
25					
26					
27					
28					
29					
30					
31					
<input type="checkbox"/> No deviation occurred in this month. <input type="checkbox"/> Deviation/s occurred in this month Deviation has been reported on: _____			Submitted by: _____ Title/Position: _____ Signature: _____ Phone No.: (574) 875-5183 Ext 20218 Date: _____		