INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
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Thomas W. Easterly
Commissioner

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

TO: Interested Parties / Applicant

DATE: January 24, 2006

RE: Rieth-Riley Construction Co., Inc. / 157-22416-03286

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

Notice of Decision – Approval

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

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

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

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

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

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

Enclosures
FNPER-AM.dot 1/10/05

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Edward J. Clements
Rieth-Riley Construction Co., Inc.
PO Box 477
Goshen, Indiana 46527

January 24, 2006

Re: 157-22416-03286
First Administrative Amendment to
FESOP 157-14146-03286

Dear Mr. Clements:

Rieth-Riley Construction Co., Inc. was issued a Federally Enforceable State Operating Permit (FESOP) on February 25, 2002 for a stationary hot batch-mix asphalt plant located at 3425 O'Farrel Road, Lafayette, Indiana, 47904. A letter was received on December 27, 2005 requesting the following changes to the permit:

(a) The source plans to replace an existing breaker on the recycled asphalt pavement (RAP) feed system with a new breaker. The new breaker will not cause the source's potential to emit to be greater than the threshold levels specified in 326 IAC 2-2 or 326 IAC 2-3. This change to the permit is considered a change by administrative amendment pursuant to 326 IAC 2-8-10(a)(13);

(b) The source plans to add two (2) additional conveyors, to be constructed in 2006, for conveying RAP aggregate to the existing drum mixer that are of the same type and capacity and will comply with the same applicable requirements and permit terms and conditions as the other permitted conveyors. The new equipment will not cause the source's potential to emit to be greater than the threshold levels specified in 326 IAC 2-2 or 326 IAC 2-3. These changes to the permit are considered a change by administrative amendment pursuant to 326 IAC 2-8-10(a)(14);

(c) The source plans to add one (1) additional screening unit, to be constructed in 2006, that is of the same type and capacity and will comply with the same applicable requirements and permit terms and conditions as the other permitted screening unit. The new equipment will not cause the source's potential to emit to be greater than the threshold levels specified in 326 IAC 2-2 or 326 IAC 2-3. These changes to the permit are considered a change by administrative amendment pursuant to 326 IAC 2-8-10(a)(14); and

(d) In addition, the source requested that the permit be updated to show that the authorized individual is Ed Clements. This change to the permit is considered a change by administrative amendment pursuant to 326 IAC 2-8-10(a)(2).

The new equipment described above will not result in an increase in the raw material throughput (currently 225 tons per year for Plant #157-03310 and 200 tons per year for Plant #157-03286) for the two asphalt plants and, therefore, will not result in an increase in potential emissions (i.e., emissions from conveying and handling are based on the raw material throughput).

Upon further review of the permit, OAQ determined that the following additional changes to the permit were necessary:

(a) Addition of several emission unit descriptions (aggregate storage piles, aggregate cold feed systems, Reclaimed Asphalt Pavement (RAP) feed systems, cold-mix asphalt storage piles, and paved and unpaved roads and parking lots with public access) that were not listed in Sections A.2 and A.3 of the existing FESOP, but were included in the FESOP TSD calculations. Each of these changes is considered a change by administrative amendment pursuant to 326 IAC 2-8-10(a)(6).

(b) Clarification of several emission unit descriptions in Section A.2 (addition of the total maximum storage capacity of the aggregate storage piles, changing the term "batch mixers" to "batch mixing towers", and addition of the construction dates for each of the batch mixers, dryer burners, and hot oil heaters). Each of these changes is considered a change by administrative amendment pursuant to 326 IAC 2-8-10(a)(6).

Pursuant to the provisions of 326 IAC 2-8-10, the permit is hereby administratively amended as follows with deleted language as ~~strikeouts~~ and new language **bolded**:

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

The Permittee owns and operates a stationary hot batch-mix asphalt production source.

Authorized Individual:	~~Dean K. Logan~~ **Edward J. Clements**
Source Address:	3425 O'Farrel Road, Lafayette, Indiana 47904
Mailing Address:	P.O. Box 477, Goshen, Indiana 46527-0477
General Source Phone Number:	219-875-5183
SIC Code:	2951
County Location:	Tippecanoe
Source Location Status:	Attainment for all criteria pollutants
Source Status:	Federally Enforceable State Operating Permit (FESOP) Minor Source, under PSD Rules; Minor Source, Section 112 of the Clean Air Act

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

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

(a) One (1) batch mixer, identified as 157-03310, **constructed in 1988,** equipped with a baghouse for PM control, exhausted to Stack SV1a, capacity: 225 tons of asphalt per hour.

(b) One (1) dryer burner, **constructed in 1988,** firing re-refined oil as primary fuel, using natural gas, No.2 fuel oil, No.4 fuel oil, propane gas and butane gas as backup fuels, exhausting to Stack SV1a, rated at 75 million British thermal units per hour.

(c) Two (2) hot oil heaters, **constructed in 1988,** firing natural gas, capacity: 1.7 million British thermal units per hour, total.

(g) One (1) batch mixer, identified as 157-03286, **constructed in 1986,** equipped with a baghouse for PM control, exhausted to Stack SV1, capacity: 200 tons of asphalt per hour.

(h) One (1) dryer burner, **constructed in 1986,** firing re-refined oil as primary fuel, using natural gas, No.2 fuel oil, No.4 fuel oil, propane gas and butane gas as backup fuels, exhausting to Stack SV1, rated at 82.4 million British thermal units per hour.

(i) One (1) hot oil heater, **constructed in 1986,** firing propane, capacity: 0.8 million British thermal units per hour.

(m) Aggregate storage piles, with a total maximum storage capacity of 50,000 tons.

(n) Two (2) aggregate cold feed systems, each consisting of aggregate feed bins, conveyors, and screens.

(o) Two (2) Reclaimed Asphalt Pavement (RAP) feed systems, each consisting of RAP feed bins, conveyors, a lump breaker system, and screens.

(p) Cold-mix (stockpile mix) asphalt storage piles.

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

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

(c) Paved and unpaved roads and parking lots with public access.

SECTION D.1 FACILITY OPERATION CONDITIONS

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

(a) One (1) batch mixer, identified as 157-03310, **constructed in 1988,** equipped with a baghouse for PM control, exhausted to Stack SV1a, capacity: 225 tons of asphalt per hour.

(b) One (1) dryer burner, **constructed in 1988,** firing re-refined oil as primary fuel, using natural gas, No.2 fuel oil, No.4 fuel oil, propane gas and butane gas as backup fuels, exhausting to Stack SV1a, rated at 75 million British thermal units per hour.

(c) Two (2) hot oil heaters, **constructed in 1988,** firing natural gas, capacity: 1.7 million British thermal units per hour, total.

(g) One (1) batch mixer, identified as 157-03286, **constructed in 1986,** equipped with a baghouse for PM control, exhausted to Stack SV1, capacity: 200 tons of asphalt per hour.

(h) One (1) dryer burner, **constructed in 1986,** firing re-refined oil as primary fuel, using natural gas, No.2 fuel oil, No.4 fuel oil, propane gas and butane gas as backup fuels, exhausting to Stack SV1, rated at 82.4 million British thermal units per hour.

(i) One (1) hot oil heater, **constructed in 1986,** firing propane, capacity: 0.8 million British thermal units per hour.

(m) Aggregate storage piles, with a total maximum storage capacity of 50,000 tons.

(n) Two (2) aggregate cold feed systems, each consisting of aggregate feed bins, conveyors, and screens.

(o) Two (2) Reclaimed Asphalt Pavement (RAP) feed systems, each consisting of RAP feed bins, conveyors, a lump breaker system, and screens.

(p) Cold-mix (stockpile mix) asphalt storage piles.

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

All other conditions of the permit shall remain unchanged and in effect. Please attach a copy of this amendment and the following revised permit pages to the front of the original permit. This decision is subject to the Indiana Administrative Orders and Procedures Act - IC 4-21.5-3-5. If you have any questions on this matter, please contact Nathan C. Bell, 100 North Senate Avenue, Indianapolis, Indiana, 46204, at 317-234-3350 or at 1-800-451-6027 (ext 43350).

Sincerely,

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

ncb

Attachment: revised permit pages

cc: File - Tippecanoe County
U.S. EPA, Region V
Tippecanoe County Health Department
Air Compliance Section Inspector - Wanda Stanfield
Compliance Data Section
Administrative and Development

INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
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FEDERALLY ENFORCEABLE STATE OPERATING PERMIT (FESOP) OFFICE OF AIR QUALITY

Rieth-Riley Construction Co., Inc.
3425 O'Farrel Road
Lafayette, Indiana 47904

(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.: F157-14146-03286	
Issued by: Original Signed By Paul Dubenetzky, Branch Chief Office of Air Quality	Issuance Date: February 25, 2002 Expiration Date: February 25, 2007

First Administrative Amendment 157-22416-03286	Pages Amended: 5, 6, 25, 25a
Issued by: Original Signed By: Nysa L. James, Section Chief Office of Air Quality	Issuance Date: January 24, 2006 Expiration Date: February 25, 2007

SECTION A SOURCE SUMMARY

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

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

The Permittee owns and operates a stationary hot batch-mix asphalt production source.

Authorized Individual:	Edward J. Clements
Source Address:	3425 O'Farrel Road, Lafayette, Indiana 47904
Mailing Address:	P.O. Box 477, Goshen, Indiana 46527-0477
General Source Phone Number:	219 - 875 - 5183
SIC Code:	2951
County Location:	Tippecanoe
Source Location Status:	Attainment for all criteria pollutants
Source Status:	Federally Enforceable State Operating Permit (FESOP) Minor Source, under PSD Rules; Minor Source, Section 112 of the Clean Air Act

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

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

(a) One (1) batch mixer, identified as 157-03310, constructed in 1988, equipped with a baghouse for PM control, exhausted to Stack SV1a, capacity: 225 tons of asphalt per hour.

(b) One (1) dryer burner, constructed in 1988, firing re-refined oil as primary fuel, using natural gas, No.2 fuel oil, No.4 fuel oil, propane gas and butane gas as backup fuels, exhausting to Stack SV1a, rated at 75 million British thermal units per hour.

(c) Two (2) hot oil heaters, constructed in 1988, firing natural gas, capacity: 1.7 million British thermal units per hour, total.

(d) One (1) tank, identified as 10 (previously known as 20), constructed in 1995, capacity: 30,000 gallons of liquid asphalt.

(e) One (1) tank, identified as 11, constructed in 1978, capacity: 20,000 gallons of liquid asphalt.

(f) Two (2) tanks, identified as 16A and 16B, constructed in 1978 and 1970, respectively, capacity: 12,500 and 8,000 gallons of re-refined oil, respectively.

(g) One (1) batch mixer, identified as 157-03286, constructed in 1986, equipped with a baghouse for PM control, exhausted to Stack SV1, capacity: 200 tons of asphalt per hour.

(h) One (1) dryer burner, constructed in 1986, firing re-refined oil as primary fuel, using natural gas, No.2 fuel oil, No.4 fuel oil, propane gas and butane gas as backup fuels, exhausting to Stack SV1, rated at 82.4 million British thermal units per hour.

(i) One (1) hot oil heater, constructed in 1986, firing propane, capacity: 0.8 million British thermal units per hour.

(j) One (1) tank, identified as E (previously known as 15), constructed in 1986, capacity: 35,000 gallons of liquid asphalt.

(k) One (1) tank, identified as J, constructed in 1980, capacity: 18,000 gallons of propane.

(l) One (1) tank, identified as K, constructed in 1970, capacity: 20,000 gallons of re-refined oil.

(m) Aggregate storage piles, with a total maximum storage capacity of 50,000 tons.

(n) Two (2) aggregate cold feed systems, each consisting of aggregate feed bins, conveyors, and screens.

(o) Two (2) Reclaimed Asphalt Pavement (RAP) feed systems, each consisting of RAP feed bins, conveyors, a lump breaker system, and screens.

(p) Cold-mix (stockpile mix) asphalt storage piles.

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

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

(a) Plant maintenance activities including grinding, sanding and welding. [326 IAC 6-3-2]

(b) A laboratory as defined in 326 IAC 2-7-1(21)(D).

(c) Paved and unpaved roads and parking lots with public access.

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) to renew a Federally Enforceable State Operating Permit (FESOP).

A.5 Prior Permits Superseded [326 IAC 2-1.1-9.5]

(a) All terms and conditions of previous permits issued pursuant to permitting programs approved into the state implementation plan have been either

(1) incorporated as originally stated,

(2) revised, or

(3) deleted

by this permit.

(b) All previous registrations and permits are superseded by this permit.

SECTION D.1 FACILITY OPERATION CONDITIONS

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

(a) One (1) batch mixer, identified as 157-03310, constructed in 1988, equipped with a baghouse for PM control, exhausted to Stack SV1a, capacity: 225 tons of asphalt per hour.

(b) One (1) dryer burner, constructed in 1988, firing re-refined oil as primary fuel, using natural gas, No.2 fuel oil, No.4 fuel oil, propane gas and butane gas as backup fuels, exhausting to Stack SV1a, rated at 75 million British thermal units per hour.

(c) Two (2) hot oil heaters, constructed in 1988, firing natural gas, capacity: 1.7 million British thermal units per hour, total.

(d) One (1) tank, identified as 10 (previously known as 20), constructed in 1995, capacity: 30,000 gallons of liquid asphalt.

(e) One (1) tank, identified as 11, constructed in 1978, capacity: 20,000 gallons of liquid asphalt.

(f) Two (2) tanks, identified as 16A and 16B, constructed in 1978 and 1970, respectively, capacity: 12,500 and 8,000 gallons of re-refined oil, respectively.

(g) One (1) batch mixer, identified as 157-03286, constructed in 1986, equipped with a baghouse for PM control, exhausted to Stack SV1, capacity: 200 tons of asphalt per hour.

(h) One (1) dryer burner, constructed in 1986, firing re-refined oil as primary fuel, using natural gas, No.2 fuel oil, No.4 fuel oil, propane gas and butane gas as backup fuels, exhausting to Stack SV1, rated at 82.4 million British thermal units per hour.

(i) One (1) hot oil heater, constructed in 1986, firing propane, capacity: 0.8 million British thermal units per hour.

(j) One (1) tank, identified as E (previously known as 15), constructed in 1986, capacity: 35,000 gallons of liquid asphalt.

(k) One (1) tank, identified as J, constructed in 1980, capacity: 18,000 gallons of propane.

(l) One (1) tank, identified as K, constructed in 1970, capacity: 20,000 gallons of re-refined oil.

(m) Aggregate storage piles, with a total maximum storage capacity of 50,000 tons.

(n) Two (2) aggregate cold feed systems, each consisting of aggregate feed bins, conveyors, and screens.

(o) Two (2) Reclaimed Asphalt Pavement (RAP) feed systems, each consisting of RAP feed bins, conveyors, a lump breaker system, and screens.

(p) Cold-mix (stockpile mix) asphalt storage piles.

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

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

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

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

D.1.2 Particulate Matter 10 Microns (PM10) [326 IAC 2-8-4]

Pursuant to 326 IAC 2-8-4, emissions of particulate matter 10 microns or less in diameter (PM10) from each aggregate dryer/mixer (157-03310 and 157-03286) shall not exceed 8.78 pounds per hour, equivalent to 38.5 tons per year from each aggregate dryer/mixer.